

National Trust Outline of Submissions

Planning Scheme Amendment	Moonee Valley Amendment C179
Planning Authority	Moonee Valley City Council
Submitter	National Trust of Australia (Victoria)
Date	27 November 2018

Introduction

1. The National Trust of Australia (Victoria) (the National Trust) is an independent not-for-profit organisation established in 1956. The mission of the National Trust is to “inspire the community to appreciate, conserve and celebrate its built, natural and cultural heritage”.
2. The National Trust supports Amendment C179 prepared by the Moonee Valley City Council which proposes to implement protection for trees or tree groups that have been assessed as being significant and have been included in the *Moonee Valley Significant Tree Register 2017*. This now includes, as referenced in the *Summary of submission post consultation* by David Kilroe for the Moonee Valley ordinary council meeting of 11 September 2018, 79 groups and 380 individual specimens amounting to a total of 1,509 trees. 188 records are on Council land; 248 are on private land; and 23 relate to tree on school grounds.
3. 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.*
4. 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”. Our submission draws on the National Trust’s long and sustained interest in significant tree protection across Victoria. The purpose of the National Trust’s Register of Significant Trees is to recognise individual trees, avenues and important stands as valuable community assets that must be preserved. The purpose of our Register is to raise awareness and draw attention to Australia’s significant natural heritage and to advocate for the protection of trees from poor management practices, inappropriate planning and development.
5. 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.

6. 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.
7. We consider that the application of the Environmental Significance Overlay (ESO) 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 agree with Ms Barrett's expert evidence at point 3.2 regarding the justification for the amendment, acknowledging that the benefit of the ESO is its use for controlling vegetation as well as building and works. This is particularly important when protecting significant trees on development sites.
8. 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 use of the National Trust Significant Tree Criteria, which is a nationally approved criteria used by all National Trusts across Australia.
9. 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 and associated exemptions for minor tree pruning.
10. With regard to the Useful Life Expectancy (ULE) suggested by Homewood Consulting on page 13 of their report *Draft Significant Tree Register 2017 For Consultation*, 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 and we encourage Council to communicate this information directly to individual property owners.

Impact of amendment on future development opportunities

11. We support the submission of Mr Kilroe in the *Summary of submissions post consultation* report for the Moonee Valley ordinary council meeting 11 September 2018, that the “viability of any potential future development on a site is not considered a relevant consideration when determining the significance of trees” (page 99). Furthermore we support the council’s position that development proposals are balanced with the consideration of significant trees through the planning permit process (page 99). We submit that financial impacts may be more appropriately considered at the planning permit stage, with the purpose of this amendment to identify, recognise and protect significant trees.

Impact to property values

12. We support the submission of Mr Kilroe in the *Summary of submissions post consultation* report for the Moonee Valley ordinary council meeting 11 September 2018, that impacts on property value is not a relevant consideration when determining the significance of trees.

Weeds

13. It is the position of the National Trust’s Expert Significant Tree Committee that a tree will be registered if it meets 1 or more significance criteria, even if it is potentially considered a weed species. At the time of registration we do consider whether that individual tree is generating unwanted recruits in its location. We submit that the retention of one tree does not materially contribute to the spread of weed propagules as long as other trees of the same species remain in the area.

Tree T366, *Hesperocyparis macrocarpa*, Monterey Cypress

14. With reference to Ms Barrett’s expert evidence (page 7-8) that this large specimen is believed to be the remains of the previous land use, the McCracken Estate which occupied the area prior to subdivision of land. We submit that providing a tangible link to the history of the site contributes to the significance of this Cypress. Given Ms Barrett’s evidence we agree that it meets the significance criteria of ‘particularly old’.
15. We submit that this tree is comparable in size to examples on the National Trust Register of Significant Trees that are significant at a regional level. Specifically an example in Koroit (file T11228) which measures 11.7m in height, 10m in canopy spread and another example in Warrandyte (file T11542) which measures 16m in height and 15-16m in canopy spread. That is compared to this example which has a height of 16m and spread between 11m and 19m. As such we submit that it reaches the criteria for ‘outstanding size’ at a local level. We have provided the full list of Monterey Cypress included in the National Trust register for reference.

16. We agree with Ms Barrett's expert evidence that the tree is well maintained and in good condition considering its age. We also agree that it is very dominant in the landscape. Furthermore we agree with Ms Barrett's statement that removal of the tree would result in a loss of character, local history and heritage for the neighbourhood.
17. We submit that this tree is significant at a local level, and is worthy of tree controls proposed by this amendment.

T258 *Corymbia citriodora*, Lemon-scented gum

18. With reference to Ms Barrett's expert evidence (page 9-10), we agree that this tree is a large specimen that dominates the surrounding landscape. Its role as a tree that towers above other vegetation and the ability to see it from a distance contributes to its significance. As such the tree contributes to the character of the neighbourhood. We agree that it meets the significance criteria 'location of landscape context', 'outstanding size' and 'aesthetic value'.
19. This tree is just smaller in size to an example of Lemon-scented gum on the National Trust register at regional level, specifically a specimen at the University of Melbourne, which measures 22m and a canopy spread of 9.8m. That is compared to this example which has a height of 21m and canopy spread of 19-20m. We submit that this tree is significant at a local level and is worthy of tree controls proposed by this amendment.

Removal of trees from amendment

20. We acknowledge the removal of 13 tree records from the amendment, listed in Table 2 of Mr Kilroe's *Summary of Submissions post consultation* report for the Moonee Valley ordinary council meeting 11 September 2018. We note an error in the report with a Peppercorn tree at 57 Waltham Street, Flemington, given an incorrect record number of T299 and should be T229. This is confirmed when checked against the *Moonee Valley City Council Draft Significant Tree Register 2017 for consultation* prepared by Homewood Consulting Pty Ltd.
21. While it is disappointing to have trees removed from the amendment, we understand that this has been through an appropriate process of the Homewood experts and council officers re-assessing the tree with further information.

Other trees unresolved

22. Based on the information provided in the *Summary of Submissions and Officer Recommendations*, an appendix to the Moonee Valley Ordinary Council meeting of 11 September 2018, and the *Moonee Valley City Council Draft Significant Tree Register 2017 for consultation* prepared by Homewood Consulting Pty Ltd we make the following submission.
23. That trees T309, T346, T261, T288, T390, T424, T227, T434, T435, T420 and T233 are significant at a local level and are worthy of tree controls proposed by this amendment. Should the Panel require comparative data on these tree species based on the National Trust Register of Significant Trees, we would be able to provide this.

Conclusion

24. 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 Valley 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.

Dr Jessica Hood (Community Advocate—Environmental Heritage) for the National Trust of Australia (Victoria).

27 November 2018

Monterey Cypress *Hesperocyparis macrocarpa*

File No.	No. of trees	Town/ Suburb	Municipality	Status	Classified Year	Canopy Spread	Girth	Height	Est. Age	Recent Check Year
T11228	1	Koriot	Moyne	Regional	1990	10	6	11.7	138	1990
T11542		Warrandyte	Manningham	Regional	1982	E-W 15 N-S 16	4	16	137	2011
T11702	Avenue	Mortlake	Moyne	State	1987	13.4	5	17	75-100	2003
T11848	1	Melbourne	Melbourne	State	1982	E-W 31 N-S 31	10.62	29	157	2003
T12062	1	Ventnor	Bass Coast	Regional	2003	15	4	6	149	2010
T12062	1	Noble Park	Greater Dandenong	Regional	2003	17.6	4.5	25	50+	2003
Hesperocyparis macrocarpa 'Fastigiata'										
T11619	1	Geelong	Greater Geelong	State	1989	E-W 16 N-S 16	9.4	24	129	2004
Hesperocyparis macrocarpa 'Filipendula'										
T12168	1	Werribee	Wyndham	State	2012	16	2.9	20.2	141	2012
T12179	1	Werribee	Wyndham	State	2012	E-W 22 N-S 21	3.45	20.1	141	2012
Hesperocyparis macrocarpa 'Horizontalis Aurea'										
T12060	119	Cowes	Bass Coast	Regional	2004	15	4	13	106	2010
T12180	1	Werribee	Wyndham	Regional	2012	E-W 17 N-S 22.5	4.3	15	141	2012
Hesperocyparis macrocarpa 'Horizontalis Hodginsii'										
T11570	1	Arthurs Seat	Mornington Peninsula	Regional	1992	10.4	2.21	8.75	71	1992
Hesperocyparis macrocarpa 'Saligna Aurea'										
T12169	1	Werribee	Wyndham	State	2012	15.5	3	20.1	96	2012

Lemon-scented Gum *Corymbia citriodora*

File No.	No. of trees	Town/Suburb	Municipality	Status	Class . Year	Canopy Spread	Girth	Height	Est. Age	Recent Check Year
T11073	1	Toorak	Stonnington	Regional	1983	13.6	2.0	18.7	64	1982
T11509	129	Cruden Farm Langwarrin	Frankston	State	1992	8.5	1	23	60	1992
T11860	2	Carlton	Melbourne	State	1982	24	3.3	28	88	2010
T11955	1	Moorabbin	Kingston	Regional	1981	2020	2.65	24	60	1981
T12040	1	Strathbogie	Strathbogie	Regional	2002	33	3.2	29	87	2011
T12086	1	Castlemaine	Mount Alexander	Regional	2005	20	5	23	60-100	2010
T12116	1	Glen Iris	Stonnington	Regional	2008	23.5	3.2	16.5	90	2008
T12170	1	Werribee Mansion	Wyndham	State	2012	28.7	3.4	28	52	2012
T12184	1	Carlton	Melbourne	Regional	2012	9.84	2.57	22	80-90	2012