POLICY NO: 3.6.3

TREES OF SIGNIFICANCE

OBJECTIVES

To:

1. Inform applicants and the community that trees listed on the City's Trees of Significance are considered worthy of retention and are protected under the City's Town Planning Scheme No. 1.

2. Provide clear direction on the requirements for trees listed on the City's Trees of Significance.

3. Encourage all trees within the City of Vincent that contribute to the amenity of the area to be retained for as long as reasonably possible and prevent the premature removal of trees considered worthy of retention.

4. Provide a framework for private owners to nominate trees on their property to be considered for inclusion onto the Trees of Significance Inventory.

1) ~~To identify, preserve and protect trees or other vegetation worthy of retention within the Town of Vincent.~~

2) ~~To inform the applicant and community that tree of significance are considered by the Town of Vincent when determining demolitions, planning and building applications.~~

POLICY STATEMENT

~~This Policy relates directly to the Town of Vincent:~~

1) ~~Trees of Significance (Inventory);~~

2) ~~Interim Significant Tree Data Base - *Possible Inventory Inclusion;* and~~

3) ~~Interim Significant Tree Data Base - *Reference.*~~

~~The Town of Vincent is to strongly encourage the retention of any tree listed on the above three (3) lists when discussing, assessing and determining all demolition, planning and building applications.~~

~~If the planning legislation is amended in the future to provide a more appropriate legal basis for the preservation and protection of significant trees and other vegetation, the Town of Vincent will review this Policy and the Town of Vincent Town Planning Scheme No. 1 in order to play a more proactive role in the preservation and protection of significant trees and other vegetation.~~

1. DEFINITIONS

Trees of Significance means any tree(s) listed on the City of Vincent's Trees of Significance Inventory and is linked directly to Clause 21 of the City's Town Planning Scheme No. 1.

Destruction and/or Interference for the purposes of this policy means the following:

a) the severing of branches, limbs, stems, trunk or roots of a tree;
b) the ringbarking, topping or lopping of a tree;
c) the killing or poisoning of a tree;
d) any other act that causes substantial damage to a tree; and
e) includes any maintenance pruning.

Emergency works means any works required to be undertaken for the protection of life or property on trees of significance which are in imminent danger.

Qualified Arborist means a person with a qualification of Certificate 4 in Arboriculture or equivalent.

2. LEGAL REQUIREMENTS

Any tree(s) listed on the City's Trees of Significance Inventory is linked directly with Clause 21 of the City's Town Planning Scheme No. 1, which states:

"CONSERVATION OF TREES

The removal, destruction of and/or interference with any tree(s) listed on the Town of Vincent Trees of Significance Inventory contravenes this Scheme unless planning approval has first been obtained from the Council."

3. PLANNING APPROVAL

3.1 All proposals for maintenance, removal or interference of a tree listed on the Trees of Significance Inventory require the approval of a planning application prior to the commencement of works.

3.2 All applications in relation to a tree(s) listed on the Significant Tree Inventory will require the following details to be submitted with their application:

a) Metropolitan Region Scheme (MRS) Form 1 completed and signed by all owners of the land;
b) a site plan (to scale) showing the position of the canopy spread of the tree(s);
c) an elevation plan (to scale) showing the position and canopy spread of trees(s);
d) specific details of any limbs/branches that are proposed to be removed/pruned; and
e) any other buildings on site that may affect the tree(s).

3.3 Trees located within a public street are exempt from Planning Approval in accordance with Clause 33 of the City's Town Planning Scheme No. 1.

3.4 Owners of trees listed on the Trees of Significance Inventory may have Planning Application fees waived in part or in full for works associated with general maintenance of a significant tree including:

a) remedial pruning; and
b) crown clearing/thinning.

4. WHO CAN CARRY OUT APPROVED WORKS

Once a planning approval has been granted, approved works must be undertaken by a qualified arborist or other tree maintenance specialist as approved by the City.

5. EMERGENCY WORKS

5.1 If emergency work is required to a tree listed on the City's Trees of Significance Inventory prior to the issue of a planning approval, the work must be undertaken by a qualified arborist.

5.2 The owner/occupier of land which has required emergency work to be carried out is required to notify the City in writing within (5) working days following the emergency work having been undertaken. Notification must include a report by the arborist who carried out the work.

5.3 Removal of a tree due to emergency works will need to be replaced by suitable species of a minimum size as determined by the City.

6. SIGNIFICANT TREE NOMINATION

6.1 Owners may nominate trees within their property boundary for inclusion onto the Trees of Significance Inventory.

6.2 Nominations are to be made in writing to the City and should include the following:

a) general information about the tree/s, including the address, location of tree/s on site, botanical name, common name and age of tree/s;
b) any known information pertaining to the historical or cultural significance of the tree/s (ie. commemoration of a particular occasion including plantings by notable people or having association with an important historical event);
c) any information relating to aesthetic or horticultural significance; and
d) a photograph of the tree/s.

6.3   All trees nominated for listing must be assessed by a qualified arborist having regard to the trees health and vitality. Costs associated with an arborist assessment are to be borne by the nominee.

6.4   The following criteria are to be applied in assessing nominated trees. A tree may be considered to be significant and worthy of inclusion onto the City of Vincent's Trees of Significance Inventory if one or more of the criteria are found to be present:

a)   outstanding aesthetic quality;
b)   outstandingly large height, trunk circumference or canopy spread;
c)   commemoration or association with particular historical or cultural events;
d)   association with a well known public figure or ethnic group;
e)   specimen of great age;
f)   outstanding example of a particular species;
g)   rare or unusual species; or
h)   horticultural, genetic or propagative value.

6.5   Trees will be recommended for inclusion onto the Trees of Significance Inventory at the discretion of the Director Technical Services and/or Director Planning Services having regard to the above criteria and the qualified arborists assessment.

6.6   The Council will determine the inclusion of trees onto the Trees of Significance Inventory. In determining the listing of a significant tree, the Council will consider the recommendation of the Director Technical Services and/or Director Planning Services and the qualified arborist assessment.

6.7   Nominees will be advised in writing of the outcome of their nomination.

6.   INCENTIVES FOR SIGNIFICANT TREE LISTING

Owners of trees listed on the Trees of Significance Inventory may be eligible for financial assistance for work associated with the listed tree through the City's Trees of Significance Incentive Fund.

7.   CONSERVATION OF TREES WITHIN THE CITY OF VINCENT

The City strongly encourages the retention of any tree(s) within the City worthy of retention that contribute to the amenity of the area. When discussing, assessing and determining all subdivisions/amalgamations, demolitions or planning and building applications affecting trees, the retention of trees should be considered.

Date Adopted: 27 March 2001

Date Amended: