

## **TREE MATTER OUTSIDE 8 KINGSWOOD DRIVE, CHIRNSIDE PARK**

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Report Author: Trees Co Ordinator  
Responsible Officer: Director Built Environment & Infrastructure  
Ward(s) affected: Chirnside;

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*The author(s) of this report and the Responsible Officer consider that the report complies with the overarching governance principles and supporting principles set out in the Local Government Act 2020.*

### **CONFIDENTIALITY**

This item is to be considered at a Council meeting that is open to the public.

### **SUMMARY**

Council has a request to remove a tree outside 8 Kingswood Drive, Chirnside Park. The resident's main concern is that the tree is dangerous as it drops leaves and debris and has allegedly caused an injury when a person slipped. The tree is assessed as low risk from a structural and health perspective. While the resident has said that the tree caused injury, Council has no recorded Public Liability claims for this property.

The tree is native to Australia (*Casuarina cunninghamiana*). The details of the tree are in the attached Arborist Assessment Report. The roadside reserve is in a Neighbourhood Residential Zone (NRZ1) and is also subject to Significant Landscape Overlay 22 (SLO23). The tree will require a planning permit if removal is recommended.

### **RECOMMENDATION**

***That***

- 1. Council retain the tree at this time.***
- 2. The landowner be advised of Councils decision.***

### **RELATED COUNCIL DECISIONS**

There are no related Council decisions relevant to this item.

## **DISCUSSION**

### ***Purpose and Background***

The resident has asked the Ward Councillor to escalate this matter given Council's Tree Management Team has recommended no action for the tree on the basis the tree itself is considered to be low risk. The resident is concerned about the leaves the tree drops and the potential for injury if someone slips. Accordingly, the matter has been escalated as part of the process detailed in Council's Tree Policy.

The current street sweeping program is every ten weeks.

### ***Options considered***

1. Remove the tree.
2. Heavily prune the tree.
3. Retain the tree at this time.

Option 1 removes all risks. However, there would be a loss of environmental and amenity value, and it would take many years to grow a replacement tree to a similar size. It may also lead to the removal of other trees in the area, if neighbouring residents also asked that their trees be removed.

Option 2 may reduce the leaf drop in the short term. However, heavily pruning a mature tree exposes it to new wind forces and may increase the risk of branch failure. Heavy pruning also risks killing the tree or causing prolific regrowth, which would have to be managed for the rest of its lives.

Option 3 follows the Tree Management Team's usual process when a tree has been assessed as low risk. However, leaves will continue to drop, which is not the resident's preferred outcome.

### ***Recommended option and justification***

While accepting that option 3 does not meet the resident's preferred outcome and will not sort out the problem of leaf drop, it is recommended that no action is undertaken with the tree. A qualified arborist has assessed the tree and recommended that it remain. The arborist did not identify or recommend any other works. The process taken by staff is in accordance with Council's Tree Policy and follows the normal processes for any requests from the community for inspection of a tree(s). This option is also the most beneficial from an environmental and local amenity perspective.

Under this option, the tree would be inspected and any recommended action carried out if its condition significantly changed in the future.

## **FINANCIAL ANALYSIS**

If Council decides to remove the tree, the cost is normally met through the Tree Management Team's operational budget. An approximate cost to remove the tree and stump is \$750.

If the tree is retained, any ongoing maintenance costs will also be covered by the Tree Management Team's operational budget.

Additional reactive street sweeping could occur, on top of the current cycle, but this is an unbudgeted operational cost.

## **APPLICABLE PLANS AND POLICIES**

This report contributes to the following strategic objective(s) in the Council Plan: Protected & Enhanced Natural Environment.

No regional, state or national plans and policies are applicable to the recommendation in this report.

## **RELEVANT LAW**

Not applicable.

## **SUSTAINABILITY IMPLICATIONS**

### ***Economic Implications***

It is generally accepted that well-treed streets can have an increase in property values as they add value to the neighbourhood character and local amenity.

### ***Social Implications***

It is generally accepted that well-treed streets improve the amenity of the neighbourhood.

### ***Environmental Implications***

The tree is native to Australia and contribute to the environmental value of the area.

Trees can store atmospheric carbon as biomass. Trees are composed largely of carbon and continue to take in carbon as they grow. By fixing carbon during photosynthesis and storing it as biomass, growing trees act as a sink for CO<sub>2</sub>. The carbon that is removed from the atmosphere by trees contributes to a more stable climate.

Trees can play an important role in reducing the urban heat island effect. Leafy tree canopies cool their surroundings by shading hard surfaces and transpiring. Scientific studies conducted in inner Melbourne have demonstrated that street trees can reduce daytime summer air temperatures by between 1.5°C and 4°C.

Trees provide valuable habitat and food sources for indigenous fauna. While the subject tree does not have hollows, it may provide a food source for indigenous fauna, especially cockatoos.

## **COMMUNITY ENGAGEMENT**

Letters were sent to twenty properties close to the subject tree seeking residents' comments on the potential for the tree to be removed.

Seven residents responded. Five were in favour of the tree being removed. Two were in favour of the tree being retained.

## **COLLABORATION, INNOVATION AND CONTINUOUS IMPROVEMENT**

Not relevant.

## **RISK ASSESSMENT**

Council's Coordinator Tree Management Team has assessed the tree and rated it low risk using the risk analysis matrix in section 3.5 of Council's 2016 Tree Policy. The risk matrix is based on the method set out by the International Society of Arboriculture.

The Risk Management Team has checked all claims records and cannot locate any claim for this tree or from the resident.

It is accepted that if the tree is retained there is a low risk that someone may slip on the leaves. In accordance with the Road Management Plan - Service levels, Council undertakes Street Sweeping – Kerb and Channel Services as per an approved program. Areas where there is an accumulation of leaf and other deleterious matter greater than 10 sqm Councils maintenance team will respond to the service request within 40 days. The Road Management Plan has determined that this level of service is an appropriate standard that meets the community's "reasonable" expectations of "day to day" maintenance and ongoing asset performance.

## **CONFLICTS OF INTEREST**

No officers and/or delegates acting on behalf of the Council through the Instrument of Delegation and involved in the preparation and/or authorisation of this report have any general or material conflict of interest as defined within the *Local Government Act 2020*.

## **ATTACHMENTS TO THE REPORT**

1. Arborist Report