

TREE MATTER OUTSIDE 14 MILNERS ROAD, YARRA JUNCTION

Report Author: Trees Co Ordinator
Responsible Officer: Director Environment and Infrastructure
Ward(s) affected: O'Shannassy;

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 four trees within the road reserve outside 14 Milners Road, Yarra Junction. The resident's main concern is that the trees are dangerous and will fall onto their property. The trees are assessed as low risk.

While the resident has said that the trees have damaged their service line on two occasions, Council has no recorded Public Liability claims for this property prior to the contact with the Ward Councillor.

The trees are indigenous to the area (*Eucalyptus cephalocarpa*). The details of the trees are in the attached Arborist Assessment Report. The roadside reserve is in a Neighbourhood Residential Zone (NRZ2) and is also subject to Significant Landscape Overlay 22 (SLO22).

A planning permit will be required if the trees are approved for removal.

RECOMMENDATION

That Council

- 1. Considers that the trees within the road reserve adjacent to 14 Milners Road, Yarra Junction should be retained.***
- 2. The landowner of 14 Milners Road, Yarra Junction be advised that Council does not support removal of the trees.***

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 as Council's Tree Management Team has recommended no action for the trees as they are considered to be low risk. The resident is concerned about future branch fall and the potential damage to the property and risk to children. Accordingly, the matter has been escalated as part of the process detailed in Council's Tree Policy.

Options considered

It is considered that there are three options to deal with the request.

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

Option 1 - Remove all the trees has the advantage that all risks would be removed and would meet the resident's wishes. However, it is considered that there would be a loss of environmental and amenity value, and it would take many years to grow replacement trees to a similar size. It may also lead to requests for the removal of other trees in the area, as neighbouring residents have also asked that their trees to be removed.

Option 2 - Heavily prune the trees may manage the risk in the short term. However, heavily pruning mature trees exposes them to new wind forces and may increase the risk of branch failure. Heavy pruning also risks killing the trees or causing prolific regrowth, which would have to be managed for the rest of the tree's lives.

Option 3 - Retain the trees at this time follows the Tree Management Team's usual process when the trees have been assessed as low risk. However, there is a risk that branches could fail. This option is contrary to the resident's wishes.

Recommended option and justification

While accepting that Option 3 does not meet the resident's wishes and is the higher risk option, it is recommended that no action is undertaken with the four trees.

A qualified arborist has assessed the trees and recommended that they 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 trees would be inspected, and any recommended action carried out if their condition significantly changed in the future.

FINANCIAL ANALYSIS

If Council decides to remove the trees, the cost is normally met through the Tree Management Team's operational budget. An approximate cost to remove the four trees and their stumps is \$4,500.

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

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 Impacts

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 Impacts

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

Environmental Impacts

The trees are indigenous 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 CO₂. 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 trees do not have hollows, they may provide a food source for indigenous fauna, especially cockatoos.

COMMUNITY ENGAGEMENT

A letter was sent to neighbouring properties stating that Council is considering a request to remove the trees and welcomes feedback on the request.

Four replies were received, two calls and two emails. Two were in favour of tree removal and two were in favour of retaining the trees.

COLLABORATION, INNOVATION AND CONTINUOUS IMPROVEMENT

Not relevant.

RISK ASSESSMENT

Council's Coordinator Tree Management Team has assessed the trees and rated them 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 these trees or from the resident prior to the contact with the Ward Councillor.

It is accepted that if the trees are retained there is a risk that further branches may fall. However, this is experienced widely across the municipality with the assessment of trees where they are retained. Arborists cannot guarantee that any tree will not drop branches or fail at some stage of its life.

If the trees are retained and did cause damage to the resident's property, there is a risk of an insurance claim being made against Council.

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