

# 7. Implementation recommendations

## 7.1 Implement the Strategy in the Monash Planning Scheme

Council to prepare a planning scheme amendment to include the following:

### **Municipal Strategic Statement**

In the MSS, update and expand the definition and purpose of Garden City character, particularly with respect to the contemporary understanding of the importance of green spaces. Reference benefits such as community health and wellbeing, sense of place, climate change response, habitat protection and enhancement, and providing a point of difference for investors and employers of commercial and industrial land.

Include a new section in the MSS or Local Planning Policies to introduce the Existing and Preferred landscape character types prepared as part of this Strategy. These are to be used in the future assessment of all planning applications irrespective of whether the land is included in an overlay.

### **Local Planning Policies**

Use a local planning policy to call up the Section 6 guidelines and to guide the exercise of discretion with respect to tree removal and landscape plans. For example, how Council will use the Strategy and the new guidelines (as set out in this Section 6) in decision making for any planning application or emergency application involving tree removal, the assessment of building setbacks as they affect landscape plans for new development, the amount and location of green space in the landscape plan and the species selection.

## **Guidelines as an incorporated document**

Prepare an incorporated document to include the definitions and guidelines contained in this Strategy and introduce the document into the planning scheme as part of the amendment.

## **Use of Overlays**

Extend the current planning protections to strengthen the role of the vegetation as an essential element of the Garden City. This direction is consistent with and supported by international best practice, Plan Melbourne (2016) and contemporary changes to the Victorian planning provisions requiring minimum garden areas in residential developments and tree planting for apartment projects. The following directions should inform the use of an overlay:

- Trigger the need for a planning permit to remove significant trees identified by Council and canopy trees as defined by this Strategy to support the retention and expansion of canopy tree cover. Permit triggers will need to be assessed but can be expected to be more expansive than the current permit trigger in the Vegetation Protection Overlay.
- Emphasise the habitat significance of waterway corridors and adjoining private land and the landscape requirements for these areas (This action refers to the Indigenous Tall Eucalypt Landscape Character Type.)
- Protect the ridgelines where built form can become dominant if designed without regard for the height of the tree canopy.
- Protect special landscape character precincts that represent the different periods of development in the municipality.
- Require use of the Existing and Preferred landscape character types for permits triggered by an overlay.

## **7.2 Planning for the Monash National Employment and Innovation Cluster, commercial/industrial precincts, activity centres and strategic sites**

### **7.2.1 Update the urban design guidelines**

Update the Landscaping component of the Urban Design Guidelines – Monash Technology Precinct to design future wide landscape front setbacks to incorporate urban greening and contribute to the health and wellbeing of the employment community. This is to be achieved by designing the front setbacks to be dynamic, social, activated green and inviting spaces that contribute to the *Garden City Character*, and the unique point of difference for the Monash National Employment and Innovation Cluster. Refer to the Guideline 2 in Section 6.3 for the design outcomes to be achieved in these setbacks.

### **7.2.2 Future structure plans for the Monash National Employment and Innovation Cluster**

Council to work with the Victorian Planning Authority to ensure that structure plans for the Monash National Employment and Innovation Cluster align with the preferred outcomes and guidelines of this Strategy, both for the public realm and private land development.

Council's structure plans and other plans and policies for activity centres, commercial/industrial areas and strategic redevelopment sites should align with the preferred outcomes and guidelines of this Strategy, both for the public realm and private land development.

## 7.3 New local law to protect significant trees and canopy trees

Introduce a local law to provide protection for significant trees and canopy trees. A local law can be used to protect individual trees in areas of the municipality where the canopy trees are more scattered and a planning scheme overlay is not strategically supported.

There is ample precedent for this approach as demonstrated by several Victorian councils that have introduced a local law for tree protection. In Melbourne the councils using this type of local law include (amongst others) Bayside, Boroondara and Port Phillip. This approach is recognised as a legitimate alternative to a planning scheme overlay. It appears to be especially useful where there is limited or scattered tree cover, which reduces the justification for a specific planning scheme provision, and where a planning permit is not otherwise needed, e.g. for site redevelopment. A local law may offer a more straight forward method of regulating trees in the municipality and its adoption would also provide the opportunity to introduce a community education program around trees

When drafting the local law, draw on the information and guidance contained in this Strategy. Key elements will include:

- Purpose, application, powers of the local law.
- Definitions for canopy trees and significant trees to be protected.
- The permit application process, forms, fees and requirements for applicants seeking removal or lopping (etc.) of a tree covered by the local law.
- Tree protection requirements and bonds for site and infrastructure works.
- Guidance on assessments for tree protection and tree removal.
- Guidance on assessments for emergency tree removal.
- Reference to remedial arboricultural works.
- Permit conditions and permit cancellation.
- Enforcement notices and fines

## 7.4 Recommendations to support planning permit assessments and the local law

### 7.4.1 Prepare new guidelines for tree protection and pruning on development sites

Prepare a comprehensive set of tree protection guidelines that are based on *AS 4970-2009 Protection of trees on development sites* (or its equivalent current Australian Standard) and *AS 4373-2007 Pruning of amenity trees* for the remedial works to the tree canopy. The guidelines will assist the developers in relation to designing the development to meet the Australian Standards and Council requirements regarding tree protection. This will also provide clarity and transparency for both the developer and the Council in relation to assessing the planning application for the development. The tree protection guidelines are to include:

- The space and offsets required from the tree to buildings and other built infrastructure to ensure the trees can be effectively managed and retained in the long term.
- Specify appropriate tree protection bonds that are payable to Council prior to commencement of works on the development site. This is to increase the chances of tree protection on the site and also on adjoining sites, including the street tree/s.
- Development applications are recommended to include the following information about existing tree as a minimum to provide suitable material to Council for assessment of the planning application including the protection of existing trees including:
  - An assessment and description of existing trees including the botanical and common name.
  - The landscape life expectancy (which is the estimated life expectancy range being the minimum number of years a tree could be expected to live in a reasonably healthy and safe condition given moderate weather conditions and if the reasonable maintenance works are carried out in a timely manner).
  - Priority given to long-lived species (80 years, with estimated life expectancy remaining of 10+ years).
  - An assessment of each individual existing tree by a suitably qualified Arborist that describes or categorises the health and structure of each tree. Where the tree is in good to fair health then this is described, or alternatively where there is poor structure, the report is to include recommendations as to how poor health or structure can be remediated or managed using arboricultural techniques.
  - Adequate space and conditions to be conducive to the growth and ultimate size of the tree on private land and the adjoining streetscapes.
  - Demonstrate that the existing tree has been taken into account as retained in the building plans, and that the slab and footing design meets relevant Australian Standards including *AS2870-2011 for Residential slabs and footings*.
  - Demonstrate that the conditions will allow for the existing tree to retain its natural form within reason and not require hedging or pollarding.
  - Demonstrate that the potential risk from shedding branches etc has been allowed for in the development layout and landscape design beneath the tree's canopy.

## 7.4.2 Best practice method for assessing tree removal applications

This Strategy recommends prioritising remedial arboricultural work to trees in preference to removals. This requires a change from the existing process where trees are removed in preference to remedial work. This change in approach will need to be communicated to the arborists that undertake assessment work in the municipality.

Update the process for assessing tree removal applications to minimise the loss of trees on the basis that Council is seeking to maximise the retention of existing mature canopy trees. This is recommended to be updated to:

- Include an assessment of the tree in its site context. This will include the Existing and Preferred landscape character type as described in Appendix A and the presence, location and types of trees on the sites that directly adjoin the property (including in the streetscape).
- Prioritise remedial arboricultural works in preference to removal, to minimise tree canopy loss. For example, where the Council prepared arborist assessment report recommends that remedial works can be undertaken instead of removal, then this informs the Council decision to retain the tree, rather than agree to removal. Arboricultural works should aim to preserve the health of the tree for a minimum of 10 years.

## 7.4.3 Guidelines for retention of large canopy trees

Council to prepare specific guidelines to support retention of large mature trees on public and private land when redevelopment occurs. This includes in structure plan areas, activity centres and on strategic redevelopment sites.

This advice could also be used to supplement the local law (where a planning permit is not required), and is to be developed to provide clear guidance on determining the priorities of which tree/s are retained, particularly in sites with a number of existing trees.

## 7.4.4 Management of canopy vegetation in public open space

Council to prepare Canopy Vegetation Management Plan for public open space. This will focus on:

- Management guidelines for existing long-lived large canopy trees in public open space in accordance with relevant Australian Standards (e.g. *AS 4373-2007 Pruning of amenity trees*). This will include consideration of appropriate levels of irrigation during extended dry periods, higher level of monitoring of the health and proactively managing them to avoid catastrophic damage or loss, particularly within the context of forecast climate change and increased severe weather events. The focus of the management guidelines will be on maximising the sustainable retention of mature trees.
- Guidelines for appropriate species selection and planting consistent with the Existing and Preferred landscape character types along with other includes including the need for species diversity, cultural landscape values, response to open space character and use, sustainable water use and resilience to climate change.

## 7.4.5 Review the approach to management of street trees

Council to review the assessment criteria for prioritisation of the street tree planting program in the context of this Strategy and documented decline in tree canopy cover between 1992 and 2015. Specifically this includes:

- Aim to protect where feasible the mature canopy street trees in recognition of their important role in mitigating the impacts of climate change. Street tree removals to be a low priority (unless specific safety concerns are specified by an arborist) in precincts where there has been recent canopy tree loss on private land in order to retain some mature canopy tree cover until canopy trees on private land have become established.
- Aim to plant large canopy street trees where feasible so that Council provides a leadership role in increasing canopy tree cover in the City of Monash in the future.
- Maximise the potential shading that the street tree provides to the road pavement area and footpath in preference to planting small trees under powerlines. It is noted that the objective is to achieve excellent shading and canopy cover to the street therefore managing the larger canopy trees around the powerlines will achieve more canopy cover and shade than small trees that do not reach the height of powerlines.
- Review tree pruning techniques under power lines to meet best practice, which is currently Australian Standard *AS4373-2007 Pruning of amenity trees*.
- Afford a higher level of management and maintenance to the existing large canopy street trees to maximise their health, structural integrity and resilience. This may include civil design works to For example:
  - Aerial bundle cable wires to minimise required clearance pruning that can be damaging to mature large canopy trees.
  - All pruning of trees to be undertaken by qualified personnel and as a minimum in accordance with *AS 4373-2007 Pruning of amenity trees*, and other relevant standards and requirements from power authorities.
  - Consider options to modify the road layout to retain and improve the health and longevity of large canopy trees. For example, modify the kerb and channel profile, modify the permeability of the road pavement surface etc.
  - During periods of extended drought, develop management protocols to ensure that appropriate levels of irrigation are in place to protect the large canopy trees and minimise loss or long-term damage to the canopy trees.

## 7.4.6 Prepare landscape guidelines

Council to prepare landscape guidelines to supplement the Residential Checklist that is available on the Council's website. The landscape guidelines will assist land owners, developers, designers and consultants, providing them with a clear direction of Council's preferred outcome for private and public landscaping based on the aims in this Strategy. This will include good site planning to maximise tree retention and green open spaces and the appropriate selection and establishment of new trees including matters relating to the appropriate extracts to provide direction for developers to meet *AS2870-2011 for Residential slabs and footings* regarding distance from footings and design of building foundations.

### **7.4.7 Trees on other public land**

Council to investigate options to advocate for and facilitate retention of existing long-lived large canopy trees. Some of the schools, university and TAFE sites have large remnant indigenous trees and they may be subject to loss through building programs and/or risk issues.

### **7.4.8 Significant tree study**

In the longer term, Council to prepare a Significant Tree Study to:

- Document the existing large canopy trees in the municipality.
- Broaden the appreciation of the cultural landscape heritage value of these trees.
- Broaden the appreciation of the contribution these trees make towards the sense of place, the *Garden City Character* and community health and wellbeing.

### **7.4.9 Protect examples of the Post WWII garden suburban style**

Council to identify the best remaining examples of the Post WWII garden suburban style detached dwellings. These will be representative of the era in which they were established from 1945 to 1965. The key features include:

- Original detached dwellings with the original setbacks between the dwellings retained.
- Low or no front fence.
- Dominance of the canopy trees from the era in which the dwelling was constructed.
- Modest vehicle driveways and car ports/garage.

Council to undertake a heritage assessment with a focus on the cultural heritage landscape values along with the architectural character, and expand the Heritage Overlays and controls to protect the best examples where required.



## 7.5 Community education and engagement

### 7.5.1 Information packs for new residents, land owners and developers

Prepare and distribute 'Information Packs' within the Monash context inclusive of:

- The beneficial effects of canopy vegetation, particularly large mature trees, on community health and wellbeing, biodiversity values, the landscape character and how they mitigate the effects of climate change. This Strategy contains useful research and information to be used in preparing the education materials.
- The relevant summary sheet of Existing and Preferred landscape character type.
- The relevant suggested tree species planting list from the Guidelines in Section 6.
- Encouragement to retain trees on site when considering renovations and new builds.
- Inclusion of other relevant material already produced by Council including the Gardens for Wildlife Booklet for residents, land owners and developers in the *Creek habitat corridor*, *Creek valley environs* and the *Hilly native garden suburban preferred landscape character types*.

### 7.5.2 Tree retention

In combination with the above action, encourage land owners and developers to retain and plant new trees on their properties where feasible so that it is possible to maintain their natural form without hedging and shaping the trees. This is to maximise the benefits of shading and overall structural health and longevity of the tree, and the tree's contribution to the site and to the tree canopy cover of the municipality. An education program will be assisted through the preparation of the materials described in this Strategy.

### 7.5.3 Community groups

Work with established community groups and organisations to communicate and promote the beneficial effects of canopy trees. Draw on the experience and passion of community champions in implementing community education and planning initiatives.

### 7.5.4 Garden tours

Introduce garden tours, awards and other incentives to showcase good examples of tree retention and planting and the use of plants that provide multiple benefits of greening as described in this Strategy.

### 7.5.5 Assistance with private landscaping

Give residents access to an experienced landscape designer or horticulturalist (with a proven track record) to provide advice to residents on plant selection for their Preferred landscape character type and the availability of local plant sources, say at a subsidised rate.