



Implementing the **Monash Urban Landscape and Canopy Vegetation Strategy** – a discussion paper

Consultation version June 2018



Document: **Implementing the MULCVS - a discussion paper**
Filename: Version 3-0 Discussion paper on implementation options.docx
Version: 3.1
Status: For Consultation
Date: 25 June 2018
Pages: 24
File Size: 2038kb

Contents

1	Purpose of this discussion paper.....	4
2	What are the aims of the Strategy?	5
3	Improving planning policy to increase canopy cover	8
4	Planning Overlays and a new Community Law	9
5	Providing guidance for the community and decision-makers	13
6	A significant tree study.....	14
7	Community education and engagement.....	15
8	Resource implications	17
9	What else is happening?	19
10	Summary of actions.....	20

Appendix 1 – Vegetation controls in other council areas

1 Purpose of this discussion paper

This discussion paper explores the ways in which Council can implement the Draft Monash Urban Landscape and Canopy Vegetation Strategy (the “Strategy”) – building on the implementation recommendations in Section 7 of the Strategy – embedding the overall vision and objectives and the preferred character types into Council actions.

This can be achieved in the following ways:

- Improving planning policy to increase canopy cover
- Planning Overlays and a new Community Law
- Providing guidance for the community and decision-makers
- A significant tree study
- Community education and engagement

Council actions are outlined in each section of this report and are summarised in Section 10. All actions are divided into Stage 1 (to be started immediately following adoption) and Stage 2 (to be started in the next 2-3 years).

2 What are the aims of the Strategy?

The Strategy provides the following vision for the City of Monash:

“Creek corridors that are teeming with birdlife and native fauna amongst the bushland and wetlands, flow through the leafy treed suburbs. The tree lined streets and the parks are vibrant and alive with people walking, cycling, socialising and enjoying the ambience of the green Garden City Character with fresh air and plenty of shade. In the Monash National Employment and Innovation Cluster, the landscaped setbacks with tall trees are bustling with people walking and cycling to and from their workplace or relaxing and socialising during lunch in the dappled shade and after work in one of the adjoining cafes that spill out onto the green landscaped setbacks.”

To achieve this vision, the Strategy provides a number of objectives / aims, including to protect and enhance the green Garden City character to meet the challenges of climate change and growth, providing more resilience, strengthening biodiversity, retaining and increasing the presence of large canopy trees, promoting health and wellbeing, and developing a cohesive vision for landscape character. Importantly, the Strategy sets a target of increasing canopy cover from 22% to 30% by 2040 to create a more liveable, sustainable and resilient city.

The implementation of these objectives / aims is demonstrated in the following diagram:

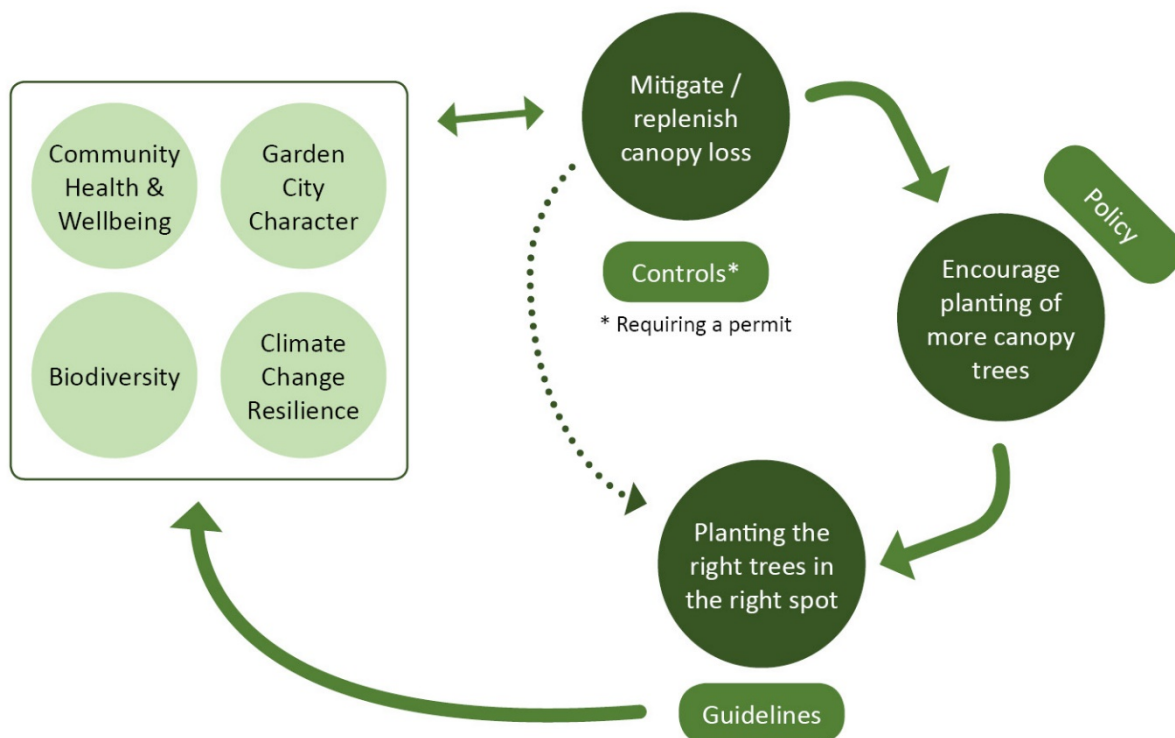


Figure 1 - Implementing the objectives / aims

The Strategy identifies nine preferred landscape character types in the City of Monash. Seven types deal with residential land use areas and there are two for commercial/industrial areas:

PREFERRED LANDSCAPE CHARACTER TYPE	OBJECTIVE TO ACHIEVE	WHERE APPLIED
Residential land use:		
Creek habitat corridor	Strengthen the biodiversity values and indigenous landscape character in both the private and public land along the waterway corridors.	Along Gardiners, Scotchman's, Damper and Dandenong Creeks.
Creek valley environs	Strengthen the presence of emergent canopy trees with a preference for tall native trees in the creek valleys that overlook the creek corridors.	In the valleys surrounding the creek habitat corridors.
Undulating leafy garden suburban	Strengthen the liveability and protect the suburban character of interwar residential areas with an emphasis on increasing the exotic canopy vegetation and greening to continue the suburban garden context as intensification of built form increases.	Areas between the creek valleys in Mount Waverley, Glen Waverley, Chadstone and Notting Hill.
Gently undulating leafy garden suburban	Strengthen the liveability and protect the suburban character of the interwar and 1960s onward residential areas with an emphasis on increasing exotic canopy vegetation and greening to continue the suburban garden context as intensification of built form increases.	Residential areas east of Huntingdale Road and south of North Road in Huntingdale, Clayton and Oakleigh South, and between the industrial areas and the Monash Freeway in Mulgrave.
Hilly native garden suburban	Strengthen the liveability and protect the suburban native landscape character of the post 1965 curvilinear suburban areas with an emphasis on increasing presence of emergent native canopy trees as intensification of built form increases in the longer term.	Residential area in Wheelers Hill between the Monash Freeway and Jells Road.
Early 1900s exotic garden style	Strengthen the heritage exotic garden style by strengthening the presence of alternating evergreen and deciduous street tree avenues and increasing the presence of large exotic canopy trees and vegetation on private land.	Residential areas in Oakleigh and Hughesdale within and surrounding the heritage precincts.
Waverley Park exotic urban	Continue to maintain the exotic streetscape canopy vegetation and planting character and strengthen the presence of exotic canopy vegetation on private land.	Waverley Park in Mulgrave.
Commercial / industrial land use:		
Native garden commercial/industrial	Create a distinctive native garden commercial/industrial landscape character in the Monash National Employment and Innovation Cluster by activating the landscape setbacks and strengthening the tall native tree cover and urban greening.	Industrial and Special Use Zone land in Clayton, Notting Hill and Mulgrave.
Urban greening commercial/industrial	Increase greening and evergreen canopy vegetation in the urban industrial precincts in the Oakleigh area to improve resilience and create a more comfortable and sustainable employment area.	Industrial and commercial land in Oakleigh and Huntingdale.

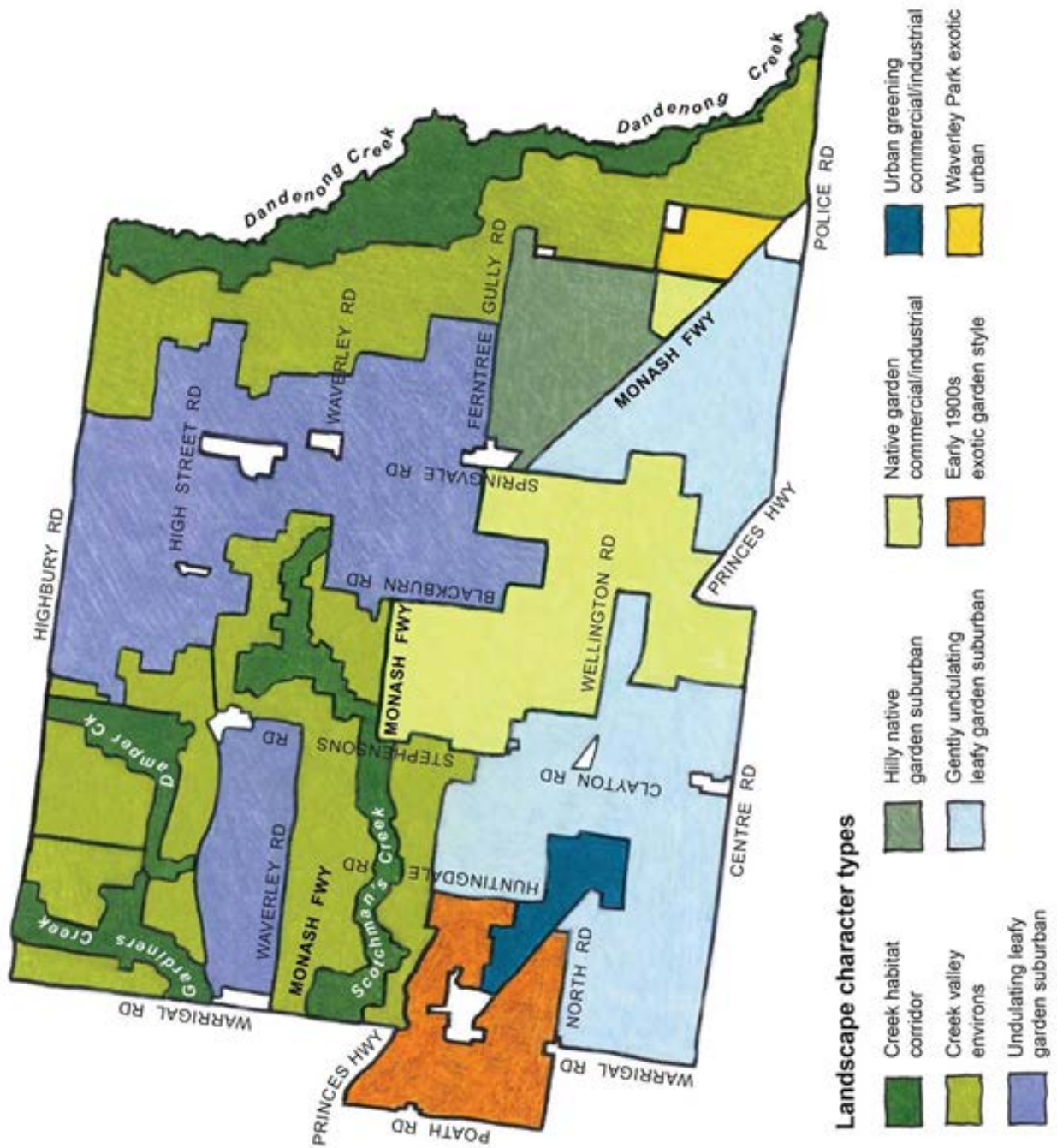


Figure 2 - Preferred landscape character types

3 Improving planning policy to increase canopy cover

ACTIONS:

- | | |
|---|---------|
| 1. Update and expand the definition and purpose of Garden City character to reference benefits in Clause 21.03. | Stage 1 |
| 2. Create a new clause in the MSS to introduce the existing and preferred landscape character types in the Strategy. | Stage 1 |
| 3. Outline the application of policies and overlays, and further strategic work to be undertaken in Stage 2. | Stage 1 |
| 4. As part of the Planning Scheme Review, create and consolidate objectives and strategies relating to Garden City character. | Stage 2 |
| 5. Replace Clause 22.05 (Tree Conservation Policy) with a new policy (“Significant Landscape Policy”) | Stage 1 |
| 6. Update the Urban Design Guidelines with new landscaping requirements. | Stage 1 |
| 7. Revise Clause 22.03 (Industry and Business Development and Character Policy) and Clause 22.02 (Monash Technology Precinct Policy) to strengthen the landscaping requirements and reflect the Strategy. | Stage 1 |
| 8. Revise the reference to the Urban Design Guidelines in Clause 22.02. | Stage 1 |
| 9. As part of the Planning Scheme Review, rearrange and strengthen objectives and strategies relating to landscaping in commercial / industrial areas (including the MNEIC). | Stage 2 |

The key implementation of the Strategy is through policy changes in the Monash Planning Scheme to provide guidance and greater clarity for applicants and decision-makers in the planning permit process. The actions outlined above are derived from Section 7.1 in the Strategy, which recommends changes to the MSS, a new local planning policy and changes to policies relating to the Monash NEIC and other commercial / industrial areas.

4 Planning Overlays and a new Community Law

ACTIONS:

- | | |
|--|---------|
| 10. Remove VPO, except where applied by Amendment C66. | Stage 1 |
| 11. Apply SLO1 to creeks, ridgelines and special landscape areas. | Stage 1 |
| 12. Use the Strategy to inform the content of the schedule. | Stage 1 |
| 13. Follow the process in the <i>Local Government Act 1989</i> to introduce a Community Law for tree protection. | Stage 1 |
| 14. Update schedules to residential zones to reference the preferred landscape character types. | Stage 1 |

The use of Planning Overlays is important for the retention and enhancement of canopy cover across the municipality. These tools provide a mechanism for vegetation removal to be considered and to require replacement planting through conditions on a permit. The Planning Overlays can be supplemented by a Community Law, which would apply to areas outside of the overlay in areas where an overlay may not be strategically justified.

4.1 Removing the Vegetation Protection Overlay (VPO)

It is proposed to remove the VPO, except where it is applied to parts of the former Monash Primary School at 24 Samada Street, Notting Hill (introduced through Amendment C66, which was gazetted on 19 April 2012). The existing VPO1 schedule would be modified to refer only to that site.

4.2 Applying the Significant Landscape Overlay (SLO) to our creeks, ridgelines and special landscape character areas

The Strategy provides significant guidance for how the SLO should be proposed in order to protect and enhance canopy cover in the municipality's sensitive environmental areas.

GUIDANCE IN STRATEGY	PROPOSED APPLICATION
Emphasise the habitat significance of waterway corridors and adjoining private land and the landscape requirements for these areas.	Apply to Creek Habitat Preferred Landscape Character Precincts
Protect the ridgelines where built form can become dominant if designed without regard for the height of tree canopy.	Apply to Creek Valley Preferred Landscape Character Precincts. Apply further to the west to protect the ridgeline through Glen Waverley, Wheelers Hill and Mulgrave by using the existing VPO boundary on Mulgrave Street and eastern side of Springvale Road as a guide; and using the proposed boundary (in Amendment C125) between GR23 & NR24 on Lum Road as a guide.
Protect special landscape character precincts that represent the different periods of development in the municipality	Apply to Early 1900s Exotic Garden Style Preferred Landscape Character Precinct (Oakleigh & Hughesdale)

The map below illustrates the proposed application.

SLO1 - Creeks, ridgelines and special landscape character areas

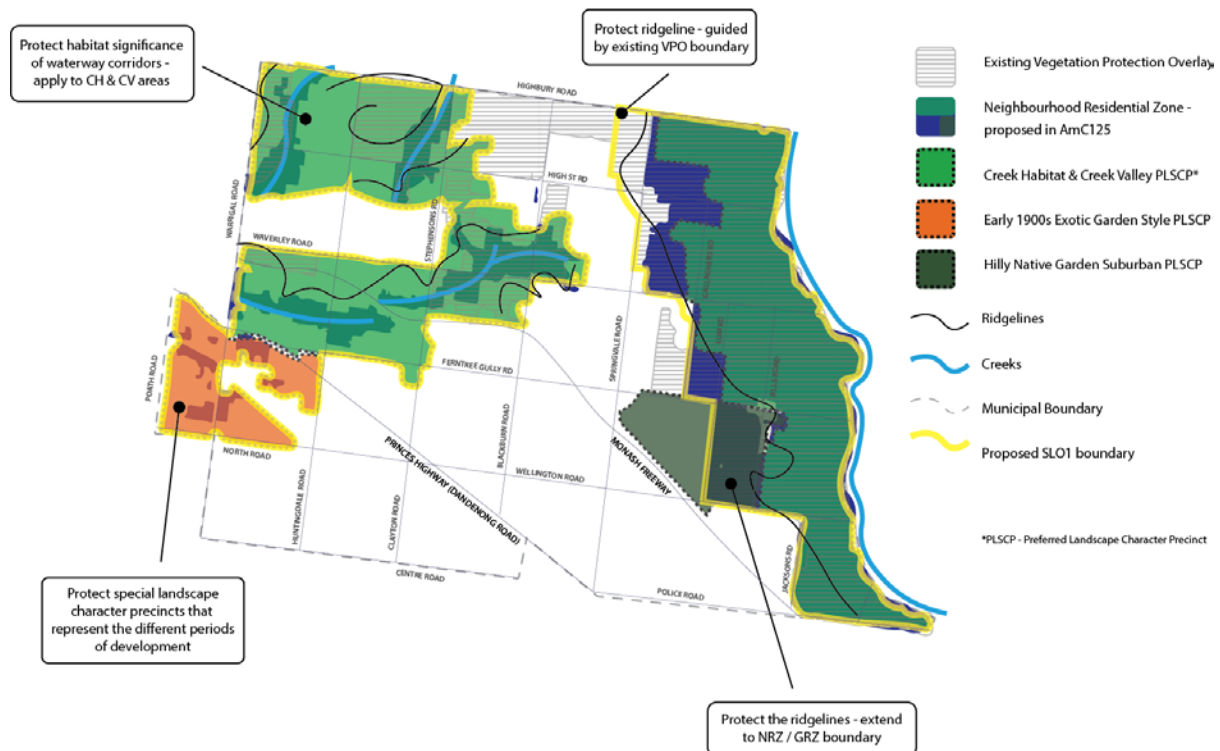


Figure 3 - Methodology for applying SLO1

SLO1 would require a planning permit to remove, destroy or lop vegetation that is less than 0.5m in circumference at 1m in height or is 6 metres or more in height. It would also require a planning permit to construct buildings or hard surfaces on more than 40% of the site, greater than 2 storeys in height, within 4 metres of canopy trees (including on adjoining properties), or where there is significant ground disturbance through cut or fill.

The schedule allows for a statement of nature and key elements of landscape, a landscape character objective and decision guidelines. The content of these would be derived from the Strategy. A new planning policy would apply to all areas where the SLO or VPO applies, and would provide further guidance and application requirements.

Further analysis of the application of planning overlays and local laws by other municipalities is provided in Appendix 1.

4.3 Protecting and improving canopy cover in the remaining parts of the municipality

In addition to applying the SLO to creeks, ridgelines and special landscape character areas, there is need to improve canopy cover in other parts of the municipality.

A Community Law is proposed to protect canopy trees on private land in canopy improvement areas.

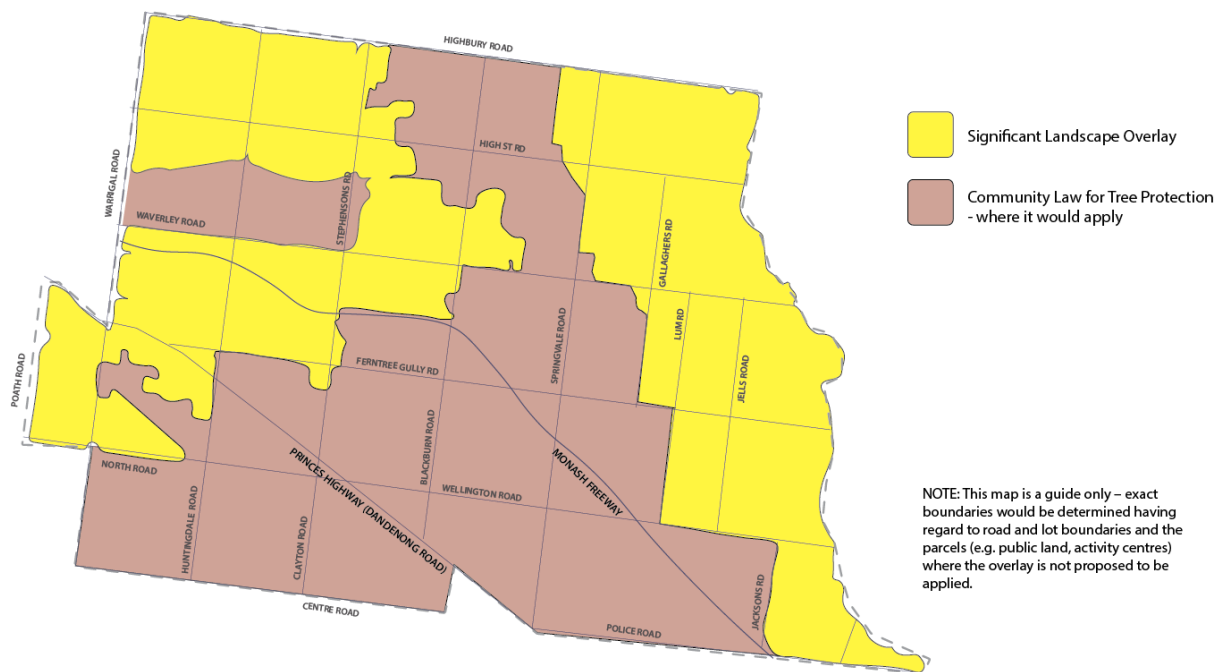


Figure 4 - Map showing where the SLO and Community Law would apply

A new Community Law would be developed to assist in reducing canopy loss on private land in areas where a planning permit is not required to remove trees (e.g. in the SLO, VPO or in the Heritage Overlay where tree controls apply).

The new Community Law would define a ‘canopy tree’ as having a trunk circumference of 150cm (equating to a diameter of about 47cm) and/or a height exceeding 6 metres. Diagrams would be provided to assist the community and Council staff.

The new Community Law would require a permit to remove a canopy tree or interfere with its structural root zone, and establish associated administrative and enforcement procedures.

Design and principles of a new Community Law:

- Protects canopy trees of a significant size on private land
- Protects canopy trees on adjoining land, where development is occurring within the structural root zone of that canopy tree
- It would not apply where a planning permit requirement already exists to protect trees or other vegetation
- It is easy to administer and enforce

Application fees charged by other councils with a Local Law for tree protection range from \$79 per tree to \$198 for 1-2 trees. A fee of between \$80 and \$100 per tree would be consistent with other councils and recover at some of the cost of the work by Council's arborist in inspecting the trees and providing advice.

ADVANTAGES	DISADVANTAGES
Allows for retention in areas where canopy trees are more scattered and there is less consistency in landscape character that would justify the application of an SLO	Designed principally to reduce loss of canopy cover rather than increase canopy cover over time.
The permit triggers and exemptions can be adjusted over time.	Generally limited to 1-for-1 replacement of canopy trees
Protection for individual 'significant trees' in the Significant Tree Register can be administered by additions to the Community Law.	Maximum fine for removing a tree without a permit is capped at 20 Penalty Units (\$3,171.40 in 2017-18).
Form and content not limited to what is permissible in the schedule to the SLO.	Separated out from planning / building permit systems.
It is possible to protect trees on adjacent properties where buildings are to be constructed within the structural root zone of the tree.	

4.4 Where the SLO won't be applied

It is proposed not to apply the SLO to the following properties or areas:

- **Land zoned for public purposes and/or Crown Land where the core business of public authorities is the management of vegetation.** Applying the SLO to this land would duplicate the function of the public land manager.
- **Land owned by the Commonwealth Government.** Planning controls have no force or effect over land owned by the Commonwealth Government. This includes the CSIRO site in Notting Hill / Clayton.
- **Major activity centres.** These centres are subject to structure planning and controls for canopy cover (if required) are best left to the implementation of the structure plan.
- **Local shopping centres.** Generally, in these centres, the shops are constructed to the front boundary and there is minimal opportunities for landscaping on private land. There is heavy reliance on street tree planting for canopy cover.

5 Providing guidance for the community and decision-makers

ACTIONS:

15. Review Guidelines 1 to 7 for implementation as listed in the table in Section 5.

Stage 1

It is proposed to use policy to provide high level guidance for decision-makers, with the more detailed guidelines added as reference documents. These guidelines would also be used for the Community Law (if that is pursued).

Section 6 of the Strategy outlines a number of guidelines, which can be implemented as a whole in guidelines that sit outside the planning scheme and partially as objectives, strategies and broad guidance in the MSS or planning policies in the Monash Planning Scheme.

6 A significant tree study

ACTIONS:

16. Establish an internal working group to investigate the feasibility of a Significant Tree Study to include trees on private land.

Stage 2

It is proposed to investigate the preparation of 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.

The study would look at street trees, trees in public open space and trees on private land for inclusion on a potential future register. The protection of these trees could be achieved in a number of ways, including through a Community Law requiring a permit for the removal of a 'Significant Tree', applying a Heritage Overlay if it meets the relevant heritage criteria or applying a VPO. An amenity value could also be attached to significant trees on private land.

7 Community education and engagement

ACTIONS:

17. Establish an internal working group across Council to develop community and engagement material, including:
- Material to be included in a welcome pack
 - Education campaigns
 - Engagement with community groups
 - Exploring the feasibility of showcasing good examples of tree retention
 - And any other relevant actions

Stage 1

The Strategy has recommended a number of actions relating to community education and engagement, and these can be implemented through a number of existing programs.

7.1 Information packs for new residents, land owners and developers

It is proposed, as part of Council's existing welcome program, to prepare and distribute 'Information Packs' within the Monash context inclusive of:

- A brochure that outlines 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. The brochure would also encourage the retention of trees when considering renovations and new builds.
- An information summary sheet of Existing and Preferred landscape character type for their area and the relevant suggested tree species planting list.
- 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.
- If desirable and practical, the provision of a sapling with the relevant planting guidelines for the species of tree / shrub best suited to the dwelling type and precinct.

7.2 Tree retention

In combination with the above action, it is proposed to undertake an education program to 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.

7.3 Community groups

It is proposed to work with established community groups, Community Advisory Groups and organisations to communicate and promote the beneficial effects of canopy trees.

7.4 Garden tours

It is proposed to explore the feasibility of offering (and/or publicising) 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 the Strategy.

8 Resource implications

ACTIONS:

18. Determine the preferred option for cost recovery.
19. Streamline tree assessment processes and recruit necessary staff to cover anticipated workload.

Stage 1
Stage 1

8.1 Estimated application load

Council currently assesses approximately 100 applications per year. All applications in VPO1 are currently exempt from notice and review. Expanding tree protection controls to cover most of the municipality would mean that 2.8 times as many properties would be affected compared with the current VPO.

Applications under the SLO or VPO are eligible for the streamlined VicSmart process if all the required information is provided, the application is for a single tree or the buildings and works proposed are associated with a single dwelling and are a carport, garage, pergola, verandah, deck, shed or similar structure. These applications are dealt with within 10 days.

Schedules to the SLO or VPO can state that a permit is exempt from notice and review. Applications eligible for VicSmart are exempt from notice and review.

8.2 Staffing levels

In estimating that the application load may increase by up to three-fold, it is estimated that 1 additional full-time person to administer the process, 1 administration officer and 1 full-time arborist to undertake inspections would be required to process the applications. This would equate to about \$275,000 pa in salaries.

This can be reduced if training and guidelines were provided to statutory planners to deal with the majority of tree removal applications, with the more contentious or difficult applications being referred to the arborist. It is likely that statutory planners would deal with both planning applications and Community Laws permits for tree removal.

In addition, increased resourcing of enforcement would be required – in responding to complaints and/or proactive enforcement. Some of the costs of enforcement will be recovered through fines for removing trees without a permit.

8.3 Recovering the cost

A fee should be charged in order to recover some of the cost associated with assessing the application.

There are three distinct options:

- No fee (status quo)
- Partial cost recovery (sliding scale or per tree)
- Full cost recovery (per tree, based on time to assess application by planner and arborist, and any administrative costs associated with lodgement)

Fines for non-compliance with permit conditions or removing trees without a permit can recover some of the costs in the short term. The Community Law proposes maximum fines of 20 penalty units (currently \$3,171.40) per offence. Five penalty units (currently \$793) for an individual and 10 penalty units for a company (currently \$1,586) is the maximum fine issued by Council under the *Planning and Environment Act 1987* for these types of offences. Courts can issue fines of up to \$190,284.

Tree removal is our most common complaint and in increasing the extent of tree protection across the municipality, there would be an increase in workload for officers and a need to have access to the full-time arborist, who can carry out inspections and give advice.

A discussion of application fees charged by other councils is outlined in Appendix 1, which range from \$79 per tree to \$198 for 1-2 trees.

9 What else is happening?

There are a number of other activities of Council and other authorities that may have an impact on how Council implements the Strategy across the municipality and in particular precincts or sites. The activities that are happening at present are:

- Council is commencing the structure plans for Huntingdale, Clayton and Mount Waverley, with background analysis being prepared in 2018 and consultation on draft structure plans in early to mid-2019.
- Council is undertaking a review of the Monash Planning Scheme, as required by the Planning and Environment Act 1987 every 4 years. Following the review, Council will consult on an amendment or a series of amendments to make changes to the planning scheme and outline further strategic work.
- Council is implementing actions from the Street Tree Strategy 2016.
- Amendment C125, which implements Stage 1 of the Monash Housing Strategy 2014, has been approved in part and awaiting gazettal.
- The Victorian Planning Authority is finalising the Framework Plan for the Monash National Employment and Innovation Cluster.
- The Minister for Planning has approved an interim SLO that covers all the residential areas in the City of Whitehorse. Whitehorse City Council will exhibit an amendment for the permanent controls in late 2018 (some further work is required as a condition of authorisation).
- The Victorian Law Reform Commission has put out a discussion paper on establishing a statutory scheme for dealing with tree disputes amongst neighbours. Submissions closed on 22 February 2018.
- In response to the 2020 Vision, local governments are undertaking plans to combat the urban heat island effect through increasing canopy cover.

10 Summary of actions

NO.	DESCRIPTION	STAGE
1	Update and expand the definition and purpose of Garden City character to reference benefits in Clause 21.03.	1
2	Create a new clause in the MSS to introduce the existing and preferred landscape character types in the Strategy.	1
3	Outline the application of policies and overlays, and further strategic work to be undertaken in Stage 2.	1
4	As part of the Planning Scheme Review, create and consolidate objectives and strategies relating to Garden City character.	2
5	Replace Clause 22.05 (Tree Conservation Policy) with a new policy (“Significant Landscape Policy”)	1
6	Update the Urban Design Guidelines with new landscaping requirements.	1
7	Revise Clause 22.03 (Industry and Business Development and Character Policy) and Clause 22.02 (Monash Technology Precinct Policy) to strengthen the landscaping requirements and reflect the Strategy.	1
8	Revise the reference to the Urban Design Guidelines in Clause 22.02.	1
9	As part of the Planning Scheme Review, rearrange and strengthen objectives and strategies relating to landscaping in commercial / industrial areas (including the MNEIC).	2
10	Remove VPO, except where applied by Amendment C66.	1
11	Apply SLO1 to creeks, ridgelines and special landscape areas.	1
12	Use the Strategy to inform the content of the schedule.	1
13	Follow the process in the <i>Local Government Act 1989</i> to introduce a Community Law for tree protection.	1
14	Update schedules to residential zones to reference the preferred landscape character types.	1
15	Review Guidelines 1 to 7 for implementation as listed in the table in Section 5.	1
16	Establish an internal working group to investigate the feasibility of a Significant Tree Study to include trees on private land.	2
17	Establish an internal working group across Council to develop community and engagement material, including: <ul style="list-style-type: none"> • Material to be included in a welcome pack • Education campaigns • Engagement with community groups • Exploring the feasibility of showcasing good examples of tree retention • And any other relevant actions 	1
18	Determine the preferred option for cost recovery.	1
19	Streamline tree assessment processes and recruit necessary staff to cover anticipated workload.	2

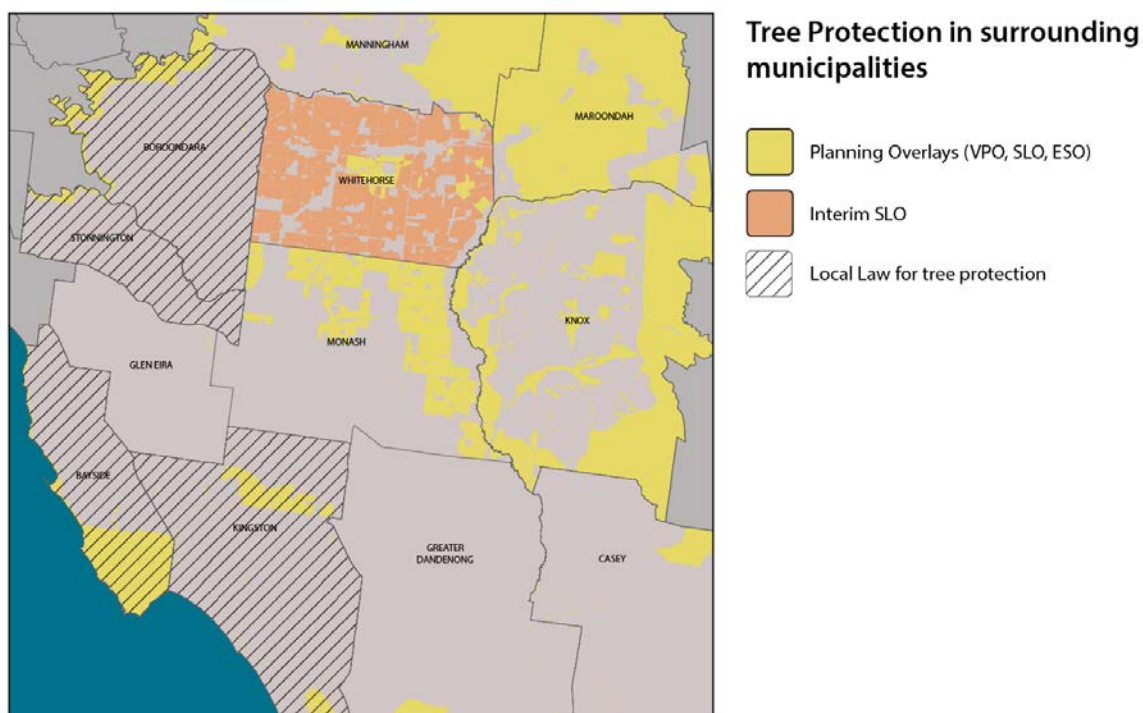
Appendix 1

Vegetation controls in other council areas

Vegetation controls in other council areas

Application of overlays and/or Local Law

The map below shows that municipalities to our west generally use a Local Law to control removal of trees on private land, and municipalities to the north and east generally use planning overlays such as the SLO, VPO and ESO.



MUNICIPALITY	DESCRIPTION	OVERLAYS USED (NO. OF SCHEDULES) (%)	COVER BY OVERLAYS	LOCAL LAW
Maroondah	Extensive use of the SLO, targeted application of VPO to native vegetation areas.	SLO (4) (70%) VPO (1) (11%)	● 5,002 ha (81%)	✘
Bayside	VPO applies to native vegetation areas in south. Local Law applies.	VPO (3) (28%) ESO (1) (<1%) SLO (1) (<1%)	● 1,090 ha (29%)	✓
Whitehorse	Extensive use of the SLO, limited application of others. Refer to Note 1.	SLO (9) (70%) VPO (5) (3%) ESO (2) (<1%)	● 4,728 ha (74%) [Note 1]	✘
Boroondara	Overlays applied to Yarra River corridor. Local Law with Significant Tree Register applies.	SLO (1) (9%) VPO (2) (<1%) ESO (1) (<1%)	● 616 ha (10%)	✓
Manningham	SLO and ESO applies mostly to public land in the east.	ESO (4) (48%) SLO (7) (19%) VPO (3) (<1%)	● 7,649 ha (68%)	✘
Kingston	Limited use of overlays. Local Law applies.	ESO (3) (5.9%) VPO (1) (<1%)	● 569 ha (6%)	✓
Knox	ESO used in valley areas and in east with SLO.	ESO (2) (23%) SLO (6) (18%) VPO (4) (4%)	● 5,079 ha (45%)	✘

MUNICIPALITY	DESCRIPTION	OVERLAYS USED (NO. OF SCHEDULES) (%)	COVER BY OVERLAYS	LOCAL LAW
Stonnington	Overlay applied to Yarra River corridor. Local Law applies.	SLO (1) (3%)	● 79 ha (3%)	✓
Monash	VPO applied to part of north and along Dandenong Creek escarpment in the east.	VPO (1) (27%)	● 2,216 ha (27%)	✘
Casey	Limited vegetation protection.	SLO (4) (9%) ESO (8) (9%) VPO (2) (<1%)	● 7742 ha (19%)	✘
Greater Dandenong	Limited vegetation protection.	ESO (3) (15%)	● 1,912 ha (15%)	✘
Glen Eira	Limited vegetation protection.	VPO (1) (0.046%) SLO (1) (<0.01%)	● 2 ha (0.05%)	✘

Source: Planning Schemes Online (accessed 19 February 2018)

Note 1: Amendment C191 to the Whitehorse Planning Scheme introduced SLO9 on an interim basis until 31 December 2018 – extending the SLO to cover all of the residential areas. Prior to Amendment C191, SLO/VPO/ESO covered 377 ha (6%) of the municipality.

Content of schedules and Local Laws, and permit triggers

In the Monash Planning Scheme, a permit is required for vegetation removal or destruction in VPO1 if the trunk circumference is 50cm or greater at 120cm above the base, the trunk diameter is greater than 16cm or the tree is greater than 10m in height.

In reviewing the schedules to the SLO, VPO and ESO applied in the planning schemes and any applicable Local Laws of surrounding municipalities, the following is found:

- Restricted to certain species of vegetation – e.g. native or indigenous.
- Restricted to specific trees as shown on a map attached to the schedule.
- Applied to all vegetation regardless of species or size.
- If restricted to a minimum size to trigger the need for a permit:
 - Circumferences can vary between 35cm and 180cm (most common is 50cm)
 - Where to measure the circumference varies between 50cm and 150cm above the base or on the base (most common is 1 metre)
 - Heights vary from 2 metres to 8 metres (most common is 6 metres).
- Local Laws generally require a permit for larger trees with a circumference of 110cm to 180cm.

Application fees

There is no specific fee in the *Planning and Environment (Fees) Regulations 2016* to remove, destroy, lop or prune vegetation. The cost of the development (e.g. the cost to remove the tree and any remediation works) would probably form the basis for the fee. Cost of development of \$10,000 or less attracts a fee of \$192, which is the same as the VicSmart fee for the removal of a single tree.

Councils can charge other, discretionary fees such as a fee for an arborist to review the tree removal application and do a site visit (as is the case at Knox).

Monash currently waives the fee tree removal and is therefore not recovering any costs associated with the assessment of the application by statutory planners or, if the application is referred, by Council's arborist.

The following table contains a summary of what our adjoining and nearby Councils charge for tree removal or pruning:

MUNICIPALITY	MECHANISM	APPLICATION COST
Maroondah	SLO	1 tree (\$110) 2 trees (\$135) 3 trees (\$160) 4 trees (\$185) 5 trees (\$210) 6 or more trees (\$235)
	Other overlays	1 or more trees (\$235)
Bayside	Local Law	\$198 for up to 2 trees + \$52 per tree after that
	VPO	Based on cost of removal using statutory fees for development for single dwelling or VicSmart e.g. \$10,000 or less (\$192)
Knox	All overlays	Arborist review of tree removal (\$140) Arborist review of tree pruning (\$70)
Boroondara	Local Law	\$79 per tree – removal \$39.50 per tree – pruning Works within 2m of a tree (\$79)