

# Planning Scheme Amendment C119 Protection of Significant Trees

Have you say on tree protection controls

## What are significant trees?

There are many individual trees, groups of trees and areas of vegetation within Banyule which have special significance. They include a variety of native and exotic trees and other vegetation, which are significant for one or more of the following reasons:

- landscape
- size
- age
- botanical
- habitat
- horticultural
- historical
- form
- remnant
- Aboriginal cultural significance

As these trees and areas of vegetation play a special role in our neighbourhoods, it is important they are protected and considered in future development proposals.

## What's happening?

There are 331 significant trees and areas of vegetation already protected in the Banyule Planning Scheme by an Environmental Significance Overlay (ESO4). Since the last review of ESO4, a further 95 trees have been assessed as significant. **Banyule City Council is now proposing to protect these trees by adding them to the ESO4.**

Temporary protections controls are already in place for 84 trees that affect private property. The ESO4 was applied temporarily to these trees via Amendment C117 which was approved by the State Government on 18 June 2021. This ensures that significant trees and vegetation are protected whilst the amendment for permanent controls is publicly exhibited and considered. If a tree is now covered by temporary controls, a planning permit will be needed to remove, destroy or lop the tree, or for buildings and works within five metres of the canopy of the tree.

**Amendment C119** proposes to apply the controls on a permanent basis.





## **“Trees play a major contribution to the diversity and health of Banyule’s landscape and environment”**

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Amendment C119 aims to:

- replace the interim tree protection control for 84 tree/tree groups with a permanent control by applying the ESO4 to properties that contain or are in close proximity to the significant tree.
- apply permanent controls for an additional 11 trees/tree groups on public land that are not currently affected by the interim controls.
- delete the ESO4 for two trees that have since been removed.

Amendment C119 is on public exhibition from 3 August 2021 - 9 September 2021 and those affected by or interested in the amendment have an opportunity to provide feedback during this time.

### **What is the tree protection control and how does it affect me?**

The planning control, called an Environmental Significance Overlay affects properties with significant trees and vegetation and neighbouring properties within the tree canopy and within 5 metres of the tree or area of vegetation.

Under the ESO4, a planning permit is required:

- to remove, destroy or lop any significant tree or area of vegetation listed in the ESO4
- for the construction of buildings or construction or carrying out of works within five metres of the drip line of the identified vegetation

Pruning trees for maintenance to improve its health or appearance does not require a permit.

### **How have the trees been nominated and assessed?**

Significant trees are nominated by the community via [an online](#) form on Council’s website and are reviewed periodically. All trees have been independently assessed by a qualified arborist to determine their significance against a set criteria. Many assessments have been done on site however some have been conducted from the naturestrip so as not to intrude on private property.

### **Do protection controls already exist for some trees?**

Yes, nearly all residential areas in Banyule are subject to general tree protection controls that require planning approval to lop or remove a tree, depending on its size and species. [Click here](#) for more information on permits and protection for trees.

The ESO4 control being applied by this amendment serves to provide a greater level of protection for significant trees in recognition of their special value.

### **How can I find out more?**

You can find out more about the amendment and view the amendment documents by visiting [shaping.banyule.vic.gov.au/C119](https://shaping.banyule.vic.gov.au/C119)

### **How do I have my say?**

Any person can make a submission to Council about the amendment. Submissions must be made in writing and include your name and contact address, clearly stating the grounds on which the amendment is supported or opposed and indicating what changes (if any) you wish to be made.

### **How do I lodge my submission?**

You can lodge your submission three ways:

**Online:** [shaping.banyule.vic.gov.au/C119](https://shaping.banyule.vic.gov.au/C119)

**Email:** [strategic.planning@banyule.vic.gov.au](mailto:strategic.planning@banyule.vic.gov.au)

**Post:** Banyule City Council, Strategic Planning, PO Box 94, Greensborough VIC 3088

Your submission is a public document and will be made available for public inspection. Visit [shaping.banyule.vic.gov.au/C119](https://shaping.banyule.vic.gov.au/C119) for privacy notice collection details.

**The closing date for submissions is Thursday 9 September 2021**

### **What happens next?**

Once the public exhibition period closes, Council considers all submissions received and may contact you to discuss your submission further. If submissions cannot be resolved, then they will be referred to an independent Planning Panel for further consideration.

**Questions?** Contact Council’s Strategic Planning Team on **9457 9835**

