



# The Tree Management Plan

Manningham Council



Interpreter service

**9840 9355**

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# 1 Purpose

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**An Urban Forest is essential for maintaining the health and wellbeing of the community and environment and is critical in mitigating future climate extremes through innate cooling and the provision of canopy shade.**

This plan guides the management of public trees within Council managed lands throughout the municipality, with the objectives of maintaining and improving the health and structure of public trees and increasing canopy coverage and interconnectedness.

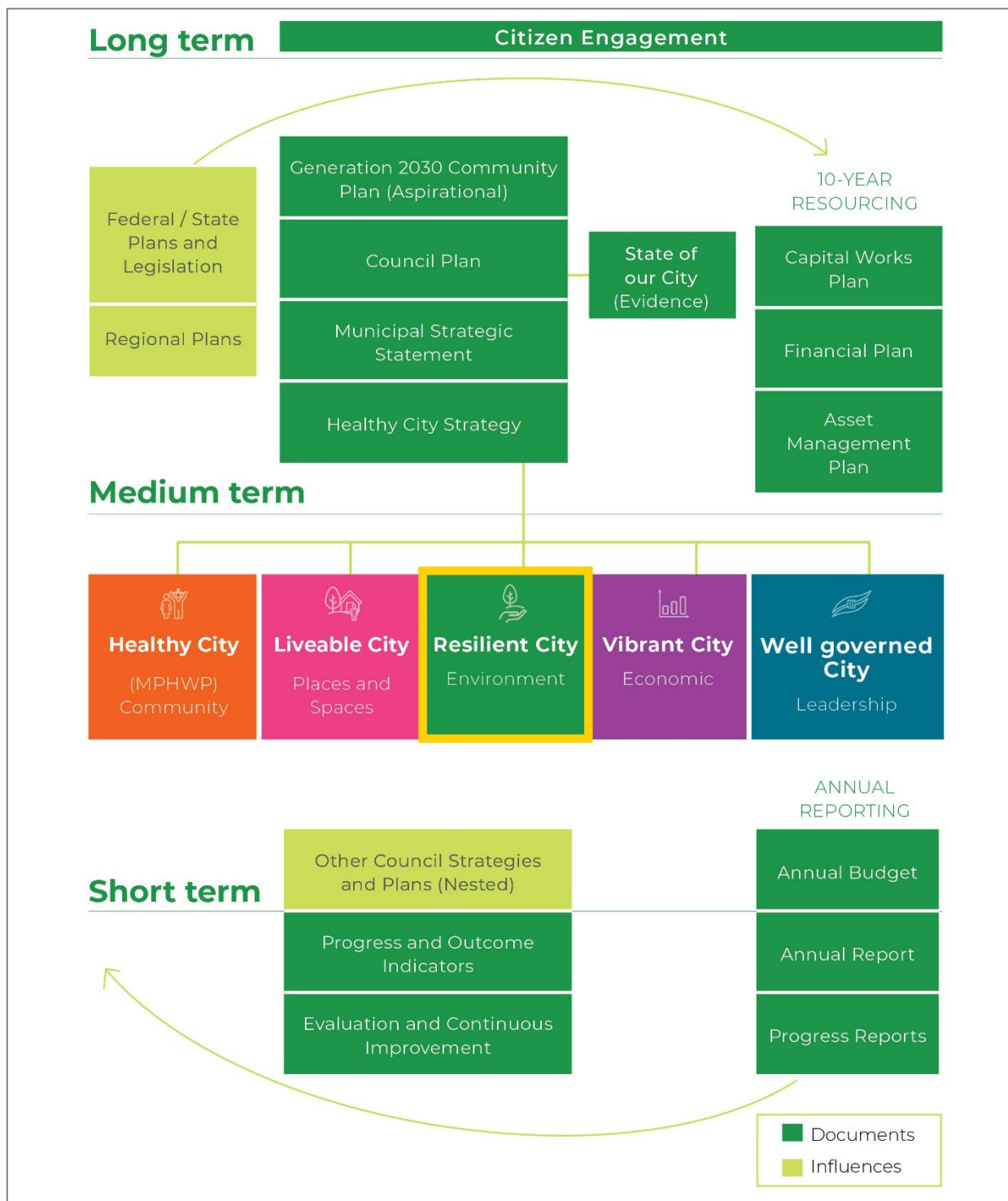
Public tree management also considers public safety and the need to maintain public trees at an acceptable level of risk, as outlined in Council's Tree Risk Management and Enterprise Risk and Opportunity Management Policy and Framework.

This document demonstrates that all reasonable steps will be considered to manage public trees for public safety and potential damage to surrounding infrastructure within Manningham Council's operational framework.

The Tree Management Plan resides within the Resilient City Environment lead strategy of Manningham's Integrated Planning and Reporting Framework (Figure 1). This document outlines operational guidelines for responding to tree-related enquiries to ensure transparency and consistency in the decision-making process.

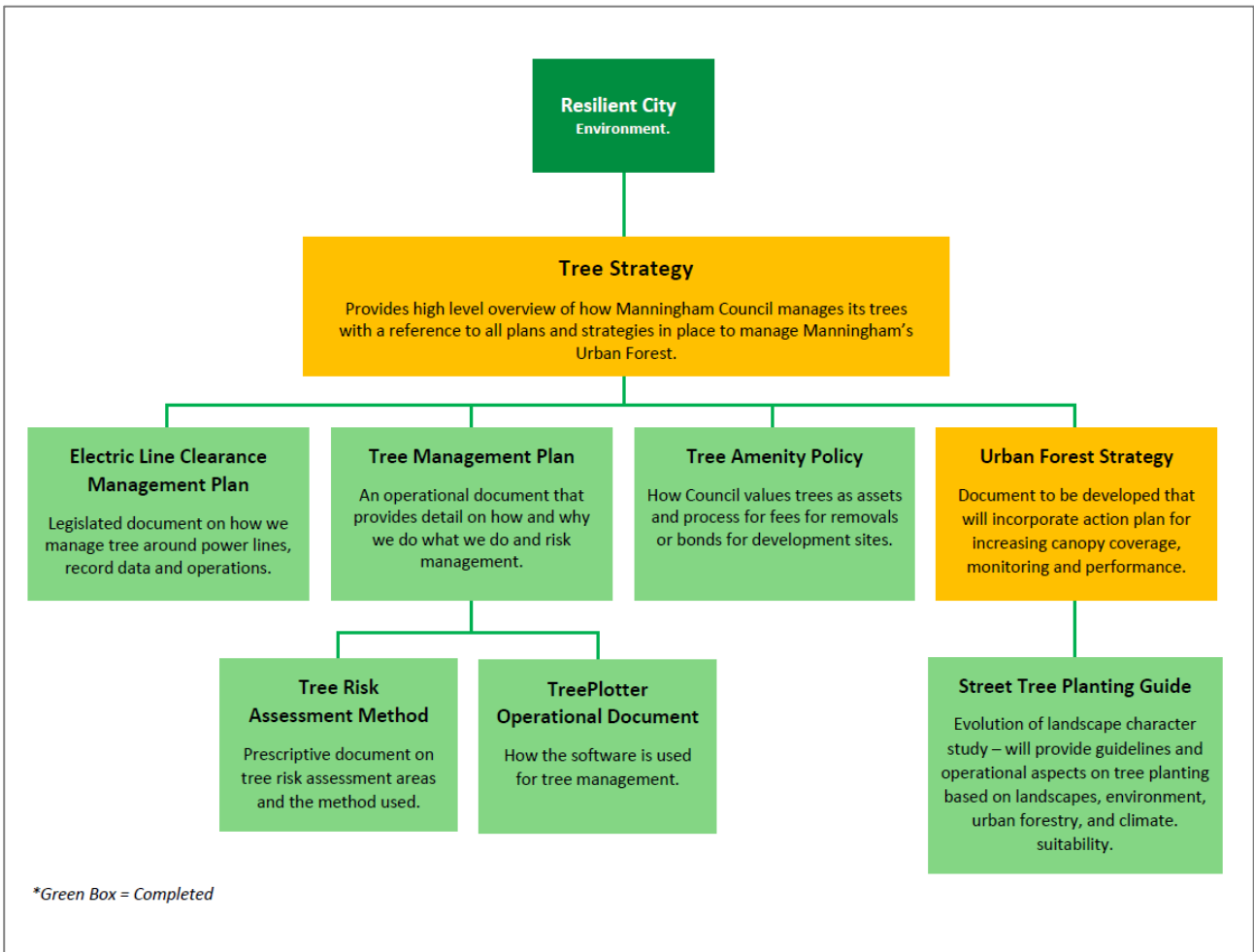
It should be used in conjunction with other Manningham Council tree management documents such as:

- Tree Strategy
- Urban Forest Action Plan
- Tree Amenity Policy
- Tree Risk Assessment Method



**1. Our Integrated Planning and Reporting Framework.**

Our Tree Management Plan sits within Council Plan 2021 - 2025 under the key theme Resilient Environment.



**2. Tree Strategy framework within Resilient City Lead Strategy.**

Green - lead strategy of Council Action Plan, Yellow - documents in development, Light green - completed documents.

## 2 Scope

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This plan applies to all trees in the municipality that are either owned or managed by the Manningham Council including but not limited to:

1. VicRoads owned trees as contemplated by an Agreement under section 15 of the Road Management Act 2004 ('the VicRoads Agreement')
2. Trees located on crown land and where Manningham Council is the Committee of Management.
3. Maintenance agreements from DELWP, Parks Victoria, Department of Transport, Melbourne Water or other government agency where Council is appointed Committee of Management under the Crown Land Act. A maintenance agreement will be developed and formalised between relevant stakeholder and Council. Maintenance actions that are agreed upon will then be delivered and reported upon by the responsible organisation.
4. Any tree which has a part of its trunk growing on council managed land and is known to Manningham Council.

### **Further points to note:**

1. All trees covered by this Plan shall be referred to as public trees.
2. Council currently manages over 80,000 public trees within urban areas.
3. This Plan must be adhered to by any party that undertakes an activity that could negatively impact a public tree.
4. The practices and procedures detailed in this plan are consistent with contemporary best practices in the Arboricultural industry and are intended to promote healthy, structurally sound public trees.
5. Subject to the Manningham Council's Delegations Policy, a Manningham Council Arborist may, at their discretion, apply this plan so as to modify or add any condition, practice or standard outlined, so long to do so would be within the parameters of best practice.
6. Privately owned trees are not covered by this policy.
7. Public tree planting and establishment is outside the scope of this policy. This is covered by the Tree Planting Strategy and Liveable City Strategy.

## 3 Supporting Documents

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### 3.1 Legislation

- Crown Land Management Act 2016
- Environment Protection Act 2017
- Environment Protection and Biodiversity Conservation Act 1999
- Flora and Fauna Guarantee Act 1988
- Local Government Act 2020
- Manningham Electric Line Clearance Management Plan 2020
- Planning and Environment Act 1987

### 3.2 Manningham Council Documents

- Bushland Management Strategy
- Council Action Plan 2021-2025
- Enterprise Risk and Opportunity Management Policy
- Healthy City Strategy
- Liveable City Strategy
- Local Law
- Ruffey Lake Master Plan
- Tree Amenity Value
- Urban Forest Action Plan
- Urban Forest Strategy
- Tree Risk Assessment Method
- Tree Strategy

### 3.3 Other Supporting Documents

- Australian Standard Pruning of Amenity Trees (AS 4373-2007)
- Australian Standard for the Protection of trees on development site (AS 4970-2009)
- Living Melbourne: Our metropolitan urban forest strategy
- Plan Melbourne 2017-2050
- Risk management – Guidelines (AS ISO 31000:2018)

**Please Note:** This document will be reviewed annually to update practices and operating guidelines as required.



## 4 Background

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Our urban forest is the natural ecosystem that survives and is created around manmade structures and infrastructure throughout the municipality.

It is comprised of all of the trees, shrubs and vegetation, fungi, soil organisms that create soil structure and the soil and water that supports it. It is our parks, bushland reserves, school yards, businesses, public streets, and backyards and provides us with so many benefits.

It is recognised that the Urban Forest enhances liveability for residents and is a key objective of Manningham's Council Action Plan and Liveable City Strategy. Increased canopy coverage aligns with current Victorian policy related to climate change with the Local Government Act 2020, which includes an obligation for Councils to promote economic, social, and environmental sustainability, including mitigation and planning for climate change risks.



### 3. Heritage listed Pin Oaks along Craileen Street, Donvale

All trees within the Urban Forest are highly valued by Council and play a significant role in defining the character of Manningham and its neighbourhoods. In addition to their amenity and aesthetic value, the trees within a well-developed Urban Forest are crucial in providing habitat, capturing carbon, offering shade and contributing to economic prosperity - *a sentiment shared by the community.*

During engagement for the Council Action Plan and Ruffey Lake Master Plan, our community has told us that they generally love where they live and value our parks, trees, open spaces, and the natural environment.

In response to these values and Council's commitment to the Living Melbourne: Our metropolitan urban forest strategy, Manningham's tree planting program has been evolving and our policies and practices have been reviewed. The Living Melbourne strategy was a culmination of collaboration between Resilient Melbourne, The Nature Conservancy and over 20 local governments and state departments with the aim to create greener, more liveable municipalities.

With future climate expected to become hotter, a focus has been on diversifying streetscapes with Australian native and exotic trees from drier areas. This aims to increase Urban Forest resilience to climate change impacts; however, the level of risk individual trees pose also needs to be considered as increased storm frequency and severity occur as a result of climate change.



#### **4. New Ironbark plantings along Carbine Street, Donvale**

Many of Council's trees are in the mature age bracket and maintaining the health and condition of the Urban Forest, while ensuring individual trees are at an acceptable level of risk is a critical role for Council's Parks Department. There are approximately 80,000 street trees within urban areas of Manningham and Council arborists and contractors undertake reactive and routine inspections of trees to identify any issues and prescribe works where appropriate.

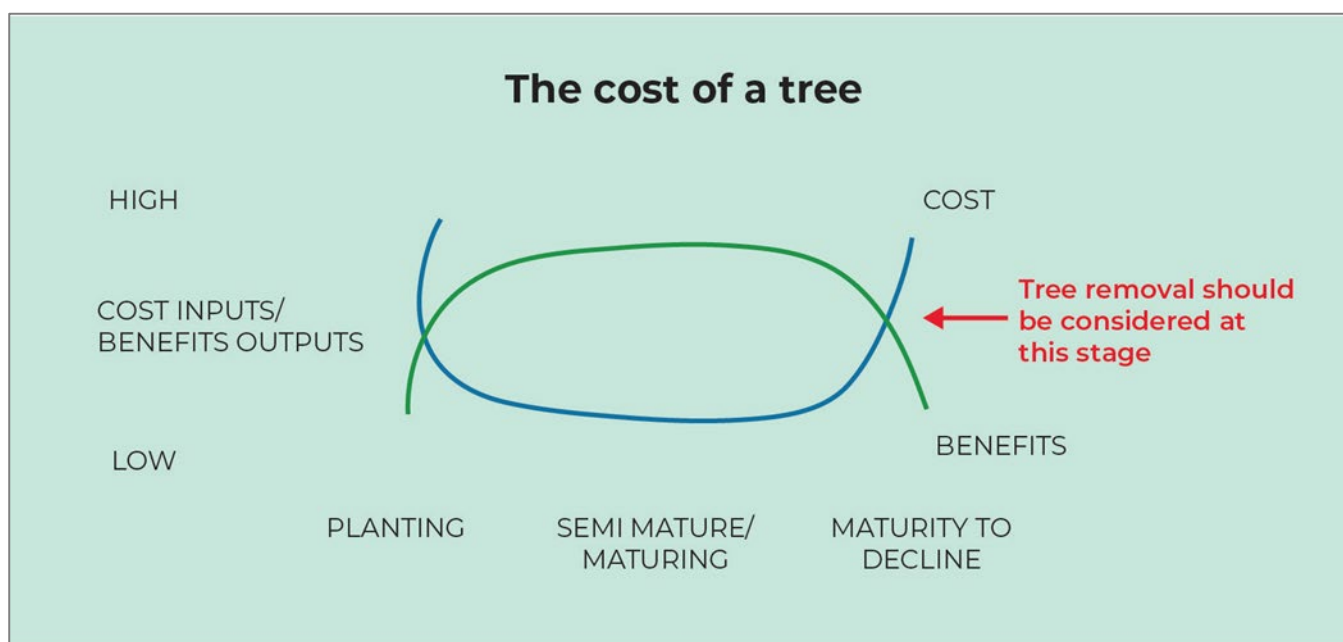
This plan outlines Manningham's responsibility for trees located on council-managed land, its practices for the management of trees and the method for undertaking risk assessments to maintain an environment that meets the needs of the community.



## 5 Tree Lifespan and Risk Management

Street trees are valued assets and critical infrastructure within Manningham, however, unlike constructed infrastructure such as roads and footpaths, trees appreciate in value over the course of their life. The benefits they provide also generally increase until the point of decline. Figure 5 demonstrates the relationship between the cost of management and the benefit trees provide over their lifespan:

- High input/cost at the time of growing/purchase, planting, and establishment.
- High and increasing benefit for the bulk of the tree's life as it matures and needs little management.
- Increasing cost as the tree begins to decline and needs additional management to ensure an acceptable level of risk.



### 5. Relationship between time of planting and returns/costs of a street tree (Hitchmough 1994)

The crossover point between cost and benefit represents the most logical point of removal economically, however trees still provide benefits at this point as habitat hollows have usually developed. Hollows can take many decades to form and are crucial to native fauna and a healthy ecosystem in which people live.

A balance that is sought between maximising the retention of trees and ensuring they are at an acceptable level of risk in the landscape.

## 6 Manningham Risk Zones

Manningham Council interprets its obligations to Risk management through ISO 31000:2018 and its Enterprise Risk and Opportunity Management Policy and Framework. Full details of tree risk assessments and inspection zones throughout Manningham are outlined in Council's operational document Tree Risk Method.

The following subsections provide an overview of how Manningham Council addresses these obligations for its tree population through the use of risk zones, inspection intervals and tree assessment methods.

### 6.1 Proactive Tree Inspections

Properly maintained trees develop fewer hazardous defects and pose less risk to public safety; however, it is impossible cost-wise to assess and perform maintenance works on all Council-owned trees at all times. This has led to the development of Risk Zones within the municipality. The categorisation of these areas is based on the volume of targets and the length of exposure to any tree risk as outlined in Table 1.

**Table 1: Tree risk zone categories (Adapted from Pokorny 2003).**

Risk Zone Category	Parks	Roads	Municipal Properties	Inspection Interval
<b>Very High Risk</b>	<ul style="list-style-type: none"> <li>High use parks attracting visitors from outside municipality</li> </ul>	Main roads	<ul style="list-style-type: none"> <li>Child-care centres</li> <li>Pre-schools</li> <li>Maternal and child health centres</li> </ul>	6 month - Annual
<b>High Risk</b>	<ul style="list-style-type: none"> <li>High-use parks, playgrounds and picnic areas.</li> <li>Sports grounds and reserves with pavilions and sporting clubs</li> <li>BBQs with shelters</li> </ul>	Collector roads	<ul style="list-style-type: none"> <li>Car parks servicing high use public areas</li> <li>Senior Citizens</li> <li>Aged accommodation and Day Care Centres</li> <li>Council Offices and Service Centres City Depots and waste transfer stations</li> <li>Community Halls</li> </ul>	2-3 years
<b>Moderate Risk</b>	<ul style="list-style-type: none"> <li>Moderate-use parks, playgrounds and picnic areas.</li> <li>Neighbourhood parks / reserves</li> <li>Road reserves with trees present</li> <li>Memorials (with adjacent trees)</li> </ul>	Local or formed roads in commercial / service centres	<ul style="list-style-type: none"> <li>Car parks servicing moderate use public areas.</li> <li>Community Houses</li> <li>Libraries</li> <li>Public Toilet Blocks (other than those in high-use areas / reserves)</li> <li>Swimming Pools</li> <li>Tennis clubs</li> <li>Bowling Clubs</li> <li>Guides / Scouts Clubs</li> <li>Accommodation houses</li> <li>Rental properties</li> </ul>	3-5 years



Low Risk	<ul style="list-style-type: none"> <li>• Low use public areas with dispersed recreation, e.g., Walkways</li> <li>• Easements Drainage Reserves Sub-station land Vacant land</li> <li>• Open areas, riparian zones and peripheral areas with limited use and access</li> </ul>	Local or low use roads (including industrial precincts)	<ul style="list-style-type: none"> <li>• Low use Municipal properties Citizens Advice centre Leased Office/property facility SES Buildings</li> </ul>	5-7 years
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Table 1 outlines the Risk Zones in Manningham and also provides an inspection interval for each category. An example to illustrate the difference between these zones can be a neighbourhood playground compared to a playground in Ruffey Lake Park.

- A neighbourhood playground such as Thea Reserve may attract a small number of playground and park users infrequently from the surrounding neighbourhood for a short period of time. It is therefore considered a Medium Risk Zone. Figure 6.
- Ruffey Lake Park is a regional park that frequently attracts a large volume of playground and park users for extended periods of time. It is therefore considered a Very High-Risk Zone. Figure 7.



**6. Thea Reserve as an example of a Moderate Risk Zone area that will require Level 1 inspection on a 3–5-year cycle.**



**7. Ruffey Lake Park as an example of a High-Risk Zone area that will require Level 1 inspection on a 6-month -1 yearly cycle**

## 6.2 Reactive Tree Inspections

Reactive tree inspections and works occur in response to staff, residents and members of the public or other organisations advising Council of a potentially hazardous tree. They are often in relation to trees that have clear defects, such as a hanging branch or dead trees. In this way a Level 1 inspection has occurred, usually by non-arboriculturally trained individuals. These requests are lodged in Council’s Customer Service System (CRM) and allocated to the appropriate area for actioning with service timeframes.

A Level 2 inspection may be undertaken by Council Arborists, depending on any changes since the last recorded inspection. If there are changes, these will be recorded using a Level 2 assessment and works allocated to internal staff or contractors for completion according to risk priorities. A Level 3 assessments may be undertaken if the Council Arborist deems required.



## 6.3 Inspection Levels

### Level 1 - Limited Visual Assessment

These inspections are undertaken when a large number of trees have to be inspected and managed – as is the case for a municipality wide tree population.

These are usually done from a car or walking. Information is not recorded about each tree; however, if a fault is noticed a Level 2 inspection is programmed or undertaken. This is the basis for all proactive inspections with exception to Council's 5–7-year full audit (Level 2) of street trees within urban areas and activity centres of peri-urban/rural zones.

### Level 2 - Basic Tree Assessment

This is the industry standard for assessing individual trees. A tree or group of trees is inspected from the ground, which can be with the use of tools such as measuring tapes/equipment, binoculars, mallet, probe, or handheld digging tools. This information is retained in Council's database (TreePlotter) and reports can be generated from this information. When the Arborist identifies an unacceptable level work is scheduled that can range from pruning, cabling, habitat tree creation or complete tree removal and replacement.

### Level 3 - Advanced Assessment

If considered to be required from a Level 2 assessment, more detailed assessments are undertaken. Methods may include aerial inspection of the crown of a tree, stability monitoring or assess the extent of wood decay. These require specialised tools such as sonic tomograph, tilt sensors and aerial access equipment. Testing for tree diseases is also included under Level 3, with information added to the tree details of Council's database.

## 6.4 Tree Assessment Methods

A range or combination of tree assessment methods are employed to manage the Urban Forest of Manningham. The underlying principles of the tree assessment are those of the Visual Tree Assessment (VTA) method developed by Mattheck and Breloer (1997).

The VTA is a method of evaluating structural defects and stability in trees. The first stage is the visual inspection of the tree for defect symptoms and vitality. If problems are suspected, on the basis of symptoms a thorough examination is carried out. If a defect is confirmed it could be measured or further diagnostic work undertaken, for example testing the strength of the defective tree part, root plate investigation, or pathogen identification.

## 6.5 Rural Areas and Park Trees

While Council's database has a comprehensive list of Street Trees within urban areas, rural areas (generally absent curb and channel) and Park Trees have not historically been recorded. This is changing, with the Level 1 inspections of rural areas and Park Trees identifying those in need of works and therefore recorded as a Level 2 inspection within the database. This will be complemented through reactive inspections requested of rural trees, Park Trees and newly planted trees in parks also being recorded in the database.

In this manner it is expected that database records of trees within Manningham's rural areas, residential parks and non-bushland areas will be expanded and updated in the following decades.





**8. *Playing around trees at Fahey Reserve, Donvale***



# 7 Tree Removal and Replacements

Council is committed to preserving trees throughout the municipality and aims to protect significant vegetation, including that which has historical, botanical, ecological or environmental importance. Under normal circumstances Council will only consider the removal of a public tree following assessment by a Council or contracting arborist.

## Removal may be justified when assessment identifies:

- A tree as dead or dying
- A tree poses an unacceptable risk in the landscape in accordance with Manningham's Tree Risk Method and it cannot be maintained by pruning or other risk reduction options.
- A tree is causing significant damage to Council or private property/infrastructure and no other viable means are available to rectify the situation.
- A tree is contributing to lack of vision or sight lines along roads and no other engineered solutions are available to rectify the situation (e.g., stop lights, speed control devices).
- The tree or trees are infected by an untreatable pest or disease and removal is required to prevent it spreading.
- A tree is an environmental weed.



## Tree removal will not be considered for reasons such as:

- Dropping of leaves, bark, twigs, flowers, fruit, or sap as this is a natural process for trees.
- Solar access.
- Obstruction of views,
- advertising or signage.
- Unsubstantiated property damage claims.
- Minor allergenic or irritant responses.

### 9. *Tree assessed for risk along Blackburn Road and removal scheduled*

## 7.1 Development Tree Protection and Removal

The priority for council is the retention and protection of all public trees.

Public trees are protected by local law and unless a local law permit for tree removal is granted, they must be retained and protected from impact by a proposed development. In the consideration of any application, it must be clearly demonstrated why the removal of the tree cannot be avoided.

Public trees that may be impacted by a development that is subject to a planning application are reviewed as part of the planning application.

Private trees that require a planning permit for lopping or removal will be assessed under a planning application.

Similarly, public trees that may be impacted by a development that is subject to a building permit must be reviewed as part of the application. Trees that require a planning permit for their removal that would be impacted by a proposed development are assessed by Council under a Planning Application.

The assessment involves the consideration of the impacts that would be generated by the proposed development and works/access in the surrounding area (e.g., off-site sheds, plant/vehicle access, reserve crossing and traffic management plan).

This will include the level of impact, and the measures to protect trees to be retained during demolition, construction and final landscaping with applicable assessments undertaken in an Arboricultural report.

This must also include information of any service installation, modification or excavation required to access services within a Tree Protection Zone (TPZ). This includes but is not limited to Telecommunications, Water, Gas and Electricity.

The report must follow Council Arboriculture Victoria (CAV) and AS 4970 report formats. It is recommended this is prepared by an Arborist with Australian Qualification Framework Level 5 and/or equivalent experience. Unless otherwise previously discussed, the report must show all Council trees and detail their protection measures.

### 7.1.1 Tree Protection Zone (TPZ)

All nature strip trees and those on public land surrounding the development site must have TPZs established to not block roads, footpaths, crossovers or other access. Please refer to Figure 10 and the Manningham Public Tree Protection Fact Sheet for further information. Bonds and Tree Damage/Destruction/Illegal Removal

Prior to supply of permit, the Planning Permit or Building Permit holder is required to supply a bond to Council as surety for the protection of all public trees. This is in accordance with Manningham Local Law, where the bond value is for such amount and in such a manner as Council deems reasonable in the circumstances.

The Planning Permit or Building Permit holder is liable for any damage, illegal removal or destruction to public trees including as a result of any works undertaken by service providers, their subcontractors or representatives within the TPZ of Public trees.

Where damages occur, investigations are undertaken, and Council will seek costs per the Tree Amenity Policy from the offending party. This includes as a minimum any works required for the removal of a tree, replacement, and establishment, and/or impact mitigation/rectification works where possible.

Where trees are damaged (including suspicion of being poisoned) or illegally removed from the nature strip, the nature strip area will be retained intact and reserved for new tree planting forever. This reserved area will be determined by Council but include as a minimum the TPZ area the previous tree required. This precludes a crossover permit being issued for crossover expansion, installation of new crossover/s, or for any other services/development that requires a road opening permit within the reserved area of the nature strip.



**10. Example of tree protection fencing for establishment on nature strip (Photograph courtesy Susan Murphy, Urban Tree Planner City of Boroondara, May 2021) Public Tree Removal**

Requests for removal of public trees will only be considered after all alternative design/methods to retain trees has been investigated to the satisfaction of a Council Arborist. Alternative designs/methods must be listed in the arborist report, with clear reasons as to why they are not possible.

Crossover relocation and installation needs to consider existing tree locations, with Council generally requiring setbacks of three metres from any existing tree for sightlines during vehicle egression.



Tree removal will not be considered for reasons such as dual crossover installation, service installation, construction site sheds or access points, or for design that maximises building at detriment to trees.

Tree removal may be considered where it is demonstrated that replacement greening creates improved green space/infrastructure that is not possible with the existing tree/s. This must be to the satisfaction of Council Parks and Planning departments. Appendix 17.1 outlines procedure for requests for public tree removal and appeals process.

Please be aware that public tree removal is entirely at the discretion of Council and VCAT cannot authorise removal of public trees.

**Where removal requests are approved by Council, the applicant will be advised of all associated costs including:**

- All costs incurred by Council for tree and stump removal.
- Tree Amenity Value as calculated per Council's Amenity Value Formula.
- Ecological services values – calculated in accordance with i-Tree.
- Replacement tree and vegetation plantings and;
- Any reinstatement greening costs required to improve lost canopy coverage and ecology (e.g., advanced tree/s installation, 24-month maintenance fee and any treatment works or Water Sensitive Urban Design (WSUD)).

Upon receipt of payment, removals will be scheduled for completion within 6-8weeks.

## 7.2 Resident Notification

If a Council tree has been removed from the front of a private residence, the resident or occupier will be notified by a Council calling card left in the letterbox (Figure 11). During storm events or where the Council has identified the tree as an immediate risk, notification may not always be possible. If there is any concern with removals, residents and the public are encouraged to contact Council and discuss these matters.



**Dear Manningham resident,**

Manningham stands out amongst other suburbs in Melbourne due to its extensive areas of native bushland and trees that are retained within the municipality. Manningham is committed to preserving its valuable tree assets wherever possible. We appreciate your interest and thank you for your enquiry.

Please find information relating to your request on the reverse side of this card.

Below are some of Councils policies and practices in relation to Tree Maintenance:

- Typically, one tree will be planted per residential property frontage where service and road safety requirements permit – species planting is carried out in accordance with our Manningham Street Tree Planting Guide
- Boundary clearance pruning will be assessed and only provided, where it will not have a detrimental impact upon the health, condition and long-term safety of the tree
- Tree removal is usually only considered when the tree is found to be dead, dying or immediately dangerous to the general public
- Request relating to shading, blocking views, installing solar panels, messiness (dropping tree debris) are not within our criteria for tree pruning/removal, and trees located on private property cannot be actioned by Council.

<https://www.manningham.vic.gov.au/about-council/environment-and-sustainability/tree-management>



Manningham Council has attended this area on ..... In relation to Ref No: .....

<input type="checkbox"/>	No action is required at this time as the tree:	<input type="checkbox"/>	Tree pruning has been actioned or programmed to:
<input type="checkbox"/>	is considered to be in good health	<input type="checkbox"/>	clear the footpath/roadway/private property
<input type="checkbox"/>	is not considered hazardous	<input type="checkbox"/>	remove dead wood
<input type="checkbox"/>	is clear of wires	<input type="checkbox"/>	clear service wires/powerlines
<input type="checkbox"/>	is on private property	<input type="checkbox"/>	improve tree form
<input type="checkbox"/>	will be compromised by requested pruning		
<input type="checkbox"/>	does not meet removal criteria. Please see over for information regarding removal and pruning criteria.		
<input type="checkbox"/>	Tree removal has been programmed	<input type="checkbox"/>	Replacement tree will be planted in the following planting season
<input type="checkbox"/>	Stump will be ground out 6-8 weeks after tree removal		

Other note:

If you have any questions please contact us on 9840 9333 or email [manningham@manningham.vic.gov.au](mailto:manningham@manningham.vic.gov.au)

**11.Example - Tree Inspection calling cards**

## 7.3 Stump Removal

Stumps that require removal through grinding are recorded in Council’s Database and will be completed within 6 weeks after a tree is removed. In some areas there may be legacy stumps that have not been actioned. If residents notice stumps that have been present for longer than 6 weeks, we would love to be contacted about these so we can schedule them for girding or advise an action if we cannot access the area.

## 7.4 Tree Replacement

Replacement tree/s are planted when a tree has been removed at the same location or in close proximity as possible considering site conditions and infrastructure. We will aim to plant replacement tree/s in the following planting season between May and October. A minimum of one tree will be planted per residential property frontage, with species selected in accordance with Council’s Urban Forest Action Plan and road safety requirements.



**12. Example of replacement Pin Oak on Hanke Road, Doncaster.**

## 8 Tree Maintenance Services

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### 8.1 Customer Service Requests

Requests relating to tree maintenance are to be made to Council by contacting the customer service area. This can be done via telephone, email or in person at the Civic Centre. Trees will be inspected and recorded in Council's database by a Council arborist. Feedback will be provided in relation to the inspection via calling card placed in residential letter boxes.

### 8.2 Canopy Lifting

Where possible and having due regard for the aesthetic amenity of the individual tree and streetscape, canopy lifting will occur for trees to provide access with the following clearance:

- Three (3) metres over footpaths, driveways, walkways
- Four (4) metres over roadways
- One and a half (1.5) metres for sightlines on roadways

Branches greater than 150mm in diameter will generally not be removed unless a significant obstruction, with clearance for vehicles using footpaths not a valid reason for higher clearances or removal of scaffold branches as determined by a Council Arborist.

### 8.3 Powerline and Telecommunications Lines

All power line pruning works and clearances are described in Manningham's Electric Line Clearance Management Plan (ELCMP), as endorsed by the State Government Regulator Energy Safe Victoria (ESV). Telecommunication lines are generally very low voltage, with insulated cables attached on strengthened brackets.

There is no requirement for Council to provide clearance of telecommunications lines. It is the responsibility of the telecommunication provider to install cables in a manner that is not detrimental to trees (i.e., not attaching to or wrapping over branches) and suitably engineered to be strong enough for their task.

### 8.4 Property Boundary Pruning

All public trees are protected by Local Law and it is illegal for resident or other non-Council sanctioned cutting of trees to occur.

Council will review all requests for boundary clearance pruning of public trees where this is causing private nuisance. Private nuisance is when use and enjoyment of your land is being affected by another person's act or omission as decided in Magistrates' Court.

Most often these requests relate to leaf fall, which is inevitable for any tree and part of their natural life cycle. It is important to understand that if branches are pruned over properties, this is unlikely to stop leaves from falling into the property as they can be blown a long distance by the wind. A Council arborist will discuss the request with the requestor as clearance pruning can jeopardise the health, longevity and safety of a Public Tree; which the requestor may not be aware of.



Indiscriminate cutting or lopping of branches is not appropriate as this increases decay entry into the tree and increases likelihood of future failures. Where approved all works are undertaken by a qualified arborist and in accordance with the Australian Standard Pruning of amenity trees (AS 4373) so as to not compromise the health or structure of a tree.



***13. Scaffold limbs retained and selective branch pruning of significant Red Gum at Doncaster Tennis Club***

Completing these works may require the arborist to access the neighbouring property and the arborist will seek permission from the owner prior to any works occurring. Repeat pruning will only be considered for hazardous regrowth and excessive pruning will not be considered.

Where agreement cannot be made on the level of pruning, tree removal may be considered per Council's Tree Removal Process and Flowchart, and where claims of nuisance have been substantiated by the Magistrates' Court.

Where removals are not approved by Council, appeals may be reviewed in accordance with requests for Public Tree removal (Appendix 16.2).



## 8.5 Footpaths and Nature Strips with Leaves, Fruit, Seed and other Debris

Council manages its constructed footpaths/shared paths per the Road Management Plan and reviews street tree plantings as part of its Urban Forest Action Plan for a range of criteria.

Outdoor footpaths and nature strips are not intended to be pristine and free of leaves, fruit, seed and other debris that may have fallen from a tree. Footpath users are required to exercise an onus of care and maintain a proper look out to reasonably avoid hazards while using them.

While it is unreasonable for Council to remove mature trees that drop leaves, fruit, seed and other debris, Council does provide a street sweeping service that undertakes clearing on a regular basis. Clearing of leaves, fruit, seed and other debris located on footpaths and nature strips at the front of their property is usually considered resident maintenance, similar to mowing the grass on the nature strip.

Requests for footpath sweeping/blowing in extraordinary periods of tree fruit shedding will be considered on a case-by-case basis and risk assessment; however, resourcing for these works are limited and it is not feasible for Council to clear all footpaths and all nature strips of tree litter at all times.

Where there is an excessive amount of fruit or other debris, Council can be contacted on 9840 9333 to organise an inspection of the site.

## 8.6 Allergic Responses

Manningham considers all requests regarding allergic response to Public trees seriously. The most common request we receive is for allergies to pollen often around spring and summer seasons.

For action to be taken on these grounds, it needs to be demonstrated by a specialist allergist/immunologist that the patient is suffering an allergic reaction to a specific tree or particular species of tree.

Allergy testing may be required to exclude other allergens that are causing this response, with the Australasian Society of Clinical Immunology and Allergy providing details of what may be appropriate.

Where this is established, we will review the request and determine a reasonable course of action.

## 8.7 Management of Tree Roots and Infrastructure

Tree roots are vital for healthy tree canopies and structural stability in the ground. Roots are opportunistic in their growth as they generally follow paths of least resistance within the soil and along moisture and nutrient gradients.

There is a correlation between tree roots growing near infrastructure and services as excavation has often occurred, which has loosened the soil and created the path of least resistance that roots grow along. This growth habit can lead to a misconception that roots are actively breaking infrastructure and searching out water in sealed pipes.

Although tree roots are often blamed for the cracking and lifting of concrete, it is worth noting that concrete structures can also fail because due to unsuitable engineering to function in a landscape that contains growing trees and their root systems. Given that trees are vital to our liveability, it is accepted that trees come with inherent levels of risk – as do all public assets such as roads and buildings.

Council accepts that there are some increased costs associated with the maintenance of roads and footpaths damaged by tree roots as a compromise for establishing and maintaining healthy tree populations in streetscapes.

### **8.7.1 Proactive strategies**

Council's street tree selection and planting committee endeavours to employ proactive strategies for minimising potential root conflict and reducing the risk of potential damage occurring to structures or infrastructure through:

- Selecting appropriate tree species specific to site conditions
- Creating engineering solutions for trees in hard landscapes
- Appropriate tree placement.

### **8.7.2 Reactive strategies**

Property owners are responsible for inspecting and maintaining all built structures on their land, including services that run through or adjoin private and public land. Once notified of an issue relating to tree roots, a Council arborist will assess the tree in question and consider the suitability of the following remedial options:

- Selective Root Pruning – The practice of removing part of a trees root system in order to mitigate possible root damage. The capacity for root pruning will vary between sites, but the primary outcome is to ensure it does not impact on the health, stability or longevity of the subject tree.
- Root Barrier/Deflector Installation – Root barriers are used to prevent conflicts between tree roots and infrastructure. The placement of a physical membrane is designed to deflect roots. Some SRP may be required to install the barrier.
- In extreme circumstances where options for pruning are not available, tree removal may be required. This will be assessed in accordance with Council's Tree Strategy to ensure that all avenues for retaining the tree are investigated prior to removal.
- All tree root management practices will be carried out in accordance with the Australian Standard for Pruning of Amenity Trees (AS 4373).

### **8.7.3 Structural Damage**

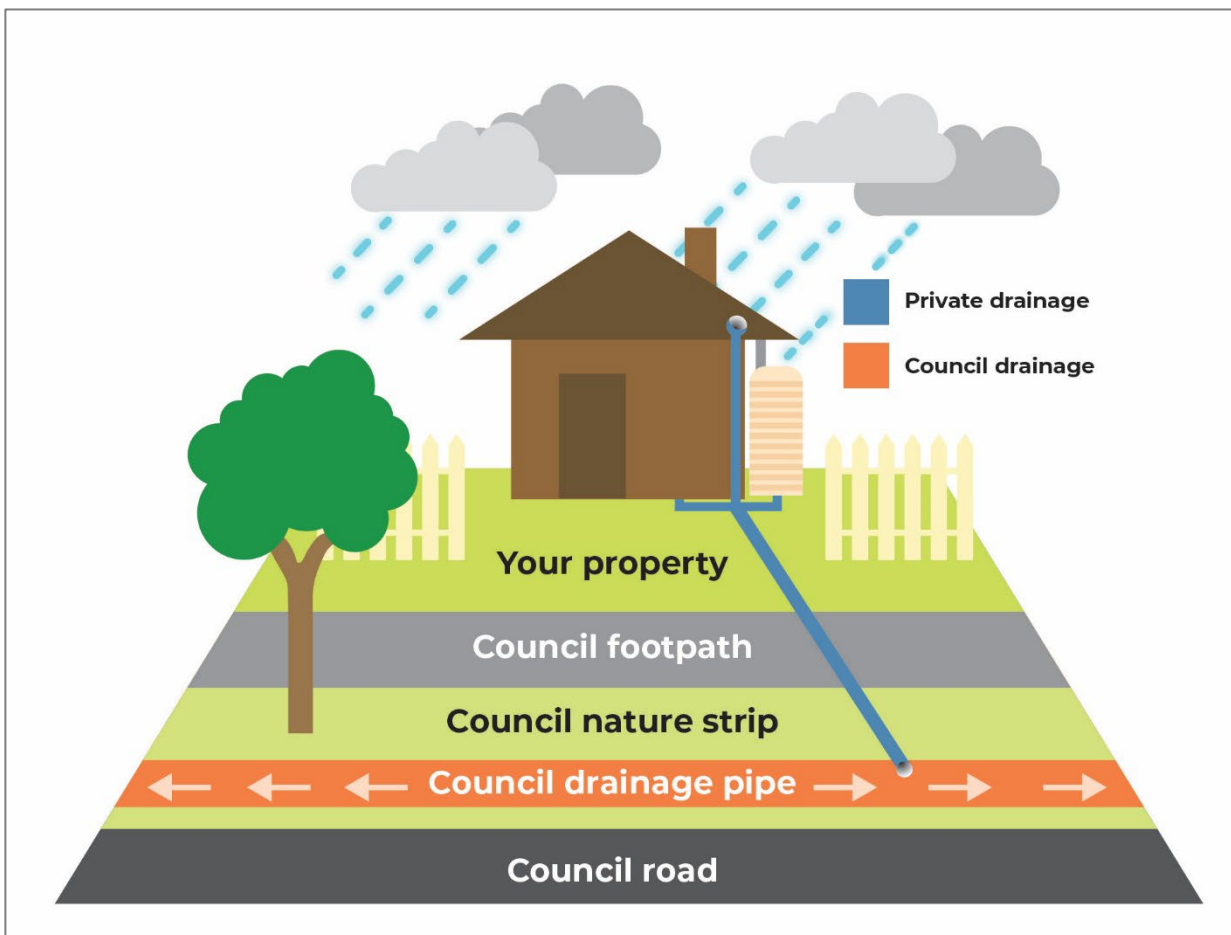
While roots from large trees can lead to structural damage, these can be one of a number of synergistic factors contributing to building and infrastructure damage. As this is the case, it is crucial for expert advice in establishing the cause of a problem, who is responsible and how it can be resolved. This may require specialists from Arboricultural, geotechnical, and engineering backgrounds. The statement that tree roots cause damage to foundations by shrinkage of clay soils as they take up water can be an oversimplification.

The Australian Standard Residential Slabs and Footings (AS 2870) recognises that minor foundation movements occur on nearly all sites and that it is impracticable to design a footing system that protects the building from movement under all circumstances.

Preventing root damage to structures can therefore be best achieved by ensuring they are built to the relevant industry code to site conditions and early identification and fixing of leaking or disconnected stormwater or sewerage pipes.

#### 8.7.4 Roots in Pipes

Properly constructed and maintained pipes are designed to withstand pressure from tree roots and vehicle/pedestrian traffic. When pipes are at the end of their useful life or damaged and in poor condition, tree roots can enter the pipe through cracks or separation in joints and proliferate to create blockages. Figure 14 provides an overview where the responsibility of maintenance for property drainage to the approved point of discharge.



#### 14. Stormwater drainage maintenance responsibilities

A licenced plumber should be engaged to determine the condition of the pipe including where the roots have gained entry, the extent of tree roots within the pipe and the repair of the pipe to prevent the roots from re-entering. Council must be advised if roots of the Public Tree are to be damaged or removed, other than those within the pipe.

In some rare cases, mechanical displacement to pipes may occur by a large tree root. Where this is evident and/or has been established and photographed by an investigating arborist or plumber, the property owner contact Council to arrange an arborist to inspect and determine a course of action.



Further inspection may be required such as non-destructive root investigation through hydro-excavation or similar. A course of action can be determined by the arborist and discuss this with the property owner.

### **8.7.5 Root Damage Investigation**

A property owner must notify Council if they believe Public trees are contributing to damage at their property. A request for inspection by a Council arborist will be created from this notification.

The Council arborist will apply a consistent appraisal method to assess the extent to which the tree/s may be contributing to the damage reported. Reasonable actions arising from this investigation will be determined by the arborist and the requestor will be advised of a course of action.

In some cases, further information may be requested from the property owner/requestor, such as a report by qualified third-party engineer and arborist. This would need to consider:

1. Evidence of how the public tree is causing the damage including non-destructive root inspections, photograph of roots and their proximity to the building or structure.
2. Verification that all roots are from a public tree.
3. Engineer assessment of footings, foundations or infrastructure constructed to appropriate standards.
4. Evidence from the engineer and arborist that the damage has only been occurring as a result of public tree roots.
5. Please note that a road-opening permit must be obtained if the investigation or repair works require excavation in a Council Road, nature strip or footpath.

### **8.7.6 Surface and raised roots**

In some locations tree roots and buttresses may protrude above the surface of the existing ground level. Council's resources a hazard monitoring and intervention program for constructed footpath in accordance with the Road Management Plan.

Wherever possible council will seek to redirect footpaths or crossovers away from surface and/or buttress roots to protect the integrity of the tree and its root system. Where these preventative measures cannot be achieved council will consider the following measures:

- Re-establish the area with topsoil and seed.
- Root pruning in accordance with AS 4373

Protruding tree root issues related to mowing and unsightliness do not warrant intervention. Potential tripping hazards outside a constructed/shared footpath may not be considered a health and safety risk and therefore may not require Council intervention.

Public tree removal will only be considered in exceptional circumstances and following investigation and exhaustion of reasonable alternatives.

### **8.7.7 Cyclic Tree Services**

In addition to proactive and reactive tree inspections as outlined in Section 6, Council undertakes cyclic street tree maintenance programs to further assist in the identification of hazards and maintain trees around infrastructure. These include street tree pruning over roads and footpaths, electric line clearance maintenance and formative pruning programs. Details of these programs are outlined in Manningham's Electric Line Clearance Management Plan and Tree Risk Method.

## **9 Neighbour Disputes for Trees on Private Land**

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Council is not responsible for the maintenance of trees on privately owned land however Council is sometimes contacted by residents that are concerned about trees on a neighbouring property.

Residents are encouraged to discuss their concerns with their neighbour in the first instance and seek independent consultant arborist advice. It is recommended that consultants are engaged that do not have an operational department for tree removal to eliminate any vested interest or bias in assessment.

In the case a dispute cannot be resolved, the Dispute Settlement Centre of Victoria can be contacted. This State Government agency offers strategies, mediation and other services in respect to neighbourhood disputes.

Planning permits may be required for tree or vegetation removal on private properties and if this is proposed, property owners should contact Council's Statutory Planning for advice.

## 10 Tree Planting

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Council has an extensive street and park tree planting program that usually occurs between May and October each year, although the period can vary to take advantage of optimal planting conditions. Planting is carried out in accordance with the Urban Forest Action Plan which outlines suitable species for each street throughout Manningham. Community consultation and engagement about the planting program is provided as part of this strategy.

Calling cards are usually dropped in the letter box of residential properties where nature strip plantings have occurred with information about care and maintenance.



**15. New Tree Planting at Ruffey Lake Park**



## 10.1 Resident New Tree Plantings

Residents are discouraged from planting trees in nature strips. A request for tree planting should be made to Council and this will be actioned in the next planting season wherever possible.

Council owns and manages all trees within nature strips, even when these have been planted by residents.

Council plantings will follow planting policy and ensure consistency of streetscape themes and achieving urban forestry practices that consider suitable species and ecological value.

Resident planted trees may not follow these considerations and the tree stock is often not the quality we require and obtain from quality nurseries. Low quality tree stock can lead to pest and disease complications. Poorly developed roots can result in reduced establishment and result in complete tree failure once the tree reaches a large size. This risk is unacceptable in the public domain.

Where newly planted resident trees are encountered, these will generally be removed. If possible, the resident supplied tree will be put into a pot and left on the resident property for the resident to plant on their own property if they wish. This service may not be possible in all occasions.

## 11 Damaged and Removed Trees

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All public trees are protected under Manningham's Local Law and it is illegal to remove, damage or kill public trees including poisoning, removing, vandalising or cutting in any way. These actions can be investigated by Victorian Police officers and/or Council authorised officers.

Where there are significant damages or repeated offences, advertising signage will be installed, with the tree/s retained and made safe whilst the investigation occurs.

Prosecution for damaged and removed public trees can occur.

Infringements are applicable and costs for loss of asset value, amenity, required works and replacement planting can be sought from the offending party.

Where trees are damaged (including suspicion of being poisoned) or illegally removed from the nature strip, the nature strip area will be retained intact and reserved for new tree planting forever. This reserved area will be determined by Council but include as a minimum the Tree Protection Zone (TPZ) area the previous tree required. This precludes a crossover permit being issued for crossover expansion, installation of new crossover/s, or for any other services/development that requires a road opening permit within the reserved area of the nature strip.

Where trees need to be removed or are considerably damaged, new trees will be planted close by to promote canopy density of the area.

## 12 Pest and Disease Management

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Pests and disease in trees commonly occur in the landscape. Council will adopt the appropriate plant health principles in the identification and treatment of pests and disease in its trees.

### 12.1 Elm Leaf Beetle

Council currently has a cyclic program for treatment of Elm Leaf Beetle (ELB) for Council managed Elm trees. The ELB treatment program uses a combination of trunk and soil injection and canopy spraying depending on the size and location of the trees.

Where there are concerns about ELB or its treatment, residents are encouraged to contact Council and a request will be lodged if an answer cannot be provided at the time.

### 12.2 Termites

Termites, also known as white ants, are a natural part of the environment and are necessary for the breakdown of old wood from trees and the cycling of carbon in the ecosystem. This is a natural process and does not usually cause problems for a healthy tree as the live (green) wood largely provides structural support rather than the dead (brown) wood used for timber.

Unfortunately, termites do not distinguish between old wood in trees and wood used in construction of buildings and can cause significant damage to timber structures.

Under the Victorian Building Regulations 2018 it is required that all new buildings, including alterations and extensions, built within designated termite-infested areas, to have management against termite attack. As the entire Manningham municipality is nominated as a Declared Termite area, it is the responsibility of property owners to ensure that their property is suitably protected against this threat.

Homeowners and buyers should be aware that older homes may not have management for the prevention of termite attack and that termites are present within Manningham.

Council does not treat for termites, with prevention at home seen as the best defence against termite damage that the application of chemicals throughout our natural areas and exposing the wider community to these.

Where residents have concerns about termites and their homes, it is recommended they contact a builder and termite specialist to inspect their home and make sure it is not susceptible to termite damage.

## 12.3 European Wasps and Introduced Bees

The Manningham Bushland Management Strategy outlines measures that are taken for the management of European Wasps, which is the destruction of the wasp nest. Where there are sightings of wasps and nests the community and visitors are encouraged to contact Council to arrange an investigation.

Bees in contrast to European Wasps are an integral insect in the environment; moving pollen and fertilizing flowers to ensure pollination for the production of many important fruits and vegetables.

In many areas' parasites, a lack of foraging trees, overuse of pesticide, climate and other factors are threatening bee health and survival.

Tree flowers are a critical source of forage for bees, and as a result, bees will often nest in existing hollows within trees. It is important to recognize that bees do not actively undertake the 'hollowing out' of trees and are not considered to be detrimental to a tree's structural integrity or health.

Where they are unacceptable risk to the community, the beehive will be preferentially relocated from Council trees. This typically occurs when the hive is lower than 4m in a tree and is located near paths or high use areas, leading to a constant flight path near pedestrians. Beehives may also need relocation where a tree has been damaged or a hazardous tree needs reduction or removal work.

Where Council is notified of low beehives, an arborist will assess the tree for hazard and the beehive's location in the tree and surrounding landscape/infrastructure. If relocation is necessary, an apiarist will be engaged to undertake all beehive relocation works rather than destroy the hive.

Beehives are distinguishable from swarms by the bees returning to the location and the presence of the characteristic comb. In comparison swarms usually have the appearance of a large aggregate of bees that will form during spring and summer, when a queen is searching for a new hive location. Often, they will rest temporarily on trees and low-hanging branches before moving on to a new location.

Swarms are beyond Council's control due to their instability and temporary appearance. Residents are encouraged to contact the local beekeepers club (<https://www.beekeepers.org.au/>). This provides for the most prompt course of action as members of the club can ask the person observing the bees questions directly, which assists in them being able to determine an appropriate course of action.

If the matter cannot be addressed by the beekeeper's club, residents should notify Council, however we will ask if the beekeepers club has already been contacted so that they can be promptly and best informed.

In some cases, the swarm may move on by its own accord, which can be as a result of rain, wind or cold weather. Residents are advised to leave all swarms alone and avoid any contact or disturbance of the aggregate in particular. Disturbance such as a hose or spraying insecticide on the swarm may be interpreted by the bees as a threat to the queen, leading them to attack and sting pedestrians.



## 13 Emergency Events

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During severe storms, trees can sometimes become unstable, lose limbs or completely fail. Where emergency responses are required as a result of a severe weather event, a combination of internal and external resources may be required.

During an emergency tree-related event, calls will come through the council contact centre and are directed to the appropriate department for response. Depending on the size of the event the Parks Department (in normal business hours) will determine the number of resources to engage to effectively manage the situation. Council works in conjunction with all relevant stakeholders including the State Emergency Services, Country Fire Authority, Metropolitan Fire Brigade and Victorian Police to respond in the appropriate manner.

Council also operates an after-hour service. Council has internal and contract Arborists available to make assessments if and when required.

Level 1 walkover assessments are conducted in areas of Manningham that have been damaged by storms as part of recovery operations. Trees where hazards are identified are recorded in Council's database as Level 2 assessments and works are detailed to reduce the level of risk to acceptable levels.

As each case can have different requirements, Council reviews each on a case-by-case basis.

## 14 Rural Road Assessments

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Level 1 drive over assessments of major access roads and primary thoroughfares occur in rural areas of Donvale, Park Orchards, Warrandyte and Wonga Park. These are scheduled annually under Manningham's Electric Line Clearance Plan as part of scoping works for power line and road clearances. Trees that have the potential to become a hazard and obstruct roadways in the event of a fire are identified by contractors and reported back to Council.

Council arborists inspect these trees and if required, prescribe works to reduce the level of risk they pose. This frequently is complete tree removal, although selective pruning of overhanging branches may also occur. This information is recorded in Council's database.

## 15 Monterey Pine and Monterey Cypress

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Monterey Pine (*Pinus radiata*) and Monterey Cypress (*Hesperocyparis macrocarpa*) are characteristic features of Manningham, most notably around Park Orchards as remnants of the municipality's orcharding past (Gilfedder 1996).

Their significance as visual and historic landmarks has been recognised in Council's heritage studies and in various reports prepared for Council such as the Future Management of Pine and Cypress Trees in the City of Manningham (Gilfedder 1996), Manningham Monterey Pine And Cypress Tree Assessment (Smith, Banks and Kenyon 2003) and the more recent review of the pathogenic Velvet Top fungus *Phaeolus schweinitzii* by Reynolds (2016).

These studies have identified the life span for Pine and Cypress species to be between 100 – 150 years. Trees planted in the 1920s are now approaching the end of their useful life span. These trees now are at risk from the presence of Velvet Top fungus evident throughout the municipality. This fungus affects the roots and trunk of the tree, leading to a dry, crumbly rot, which results in reduced structural stability, particularly when exposed to strong or new wind forces. Unfortunately, trees infected with Velvet Top do not display overt symptoms until they reach the end of their maturity, or they are exposed to additional stresses, or prolonged periods of stress such as drought and flood (Forest Health Protection, 2011).

Potentially a consequence of climate change, Manningham has experienced fluctuations in weather conditions, with periods of dryness where rainfall should be more common followed by heavy rain and intense storms. These changes are expected to continue and intensify over coming decades, which is a cause for concern on a population of trees that is potentially unsound.

In response to this dilemma Manningham is undertaking arboricultural assessments of public Pine and Cypress trees throughout the municipality. These assessments consider the condition of the trees and if required, recommends works on a priority. It is anticipated that numerous Pine and Cypress trees will require removal in the following decades and as consequence Manningham Council is reviewing Planning overlays that currently control the removal of these trees.

A removal and replacement plan will be developed once the assessment data is compiled. This will aim to minimise the impact on the landscape, while ensuring the risk posed is at an acceptable level and in accordance with Manningham's Risk Framework.

## 16 Electric Line Clearance

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Council is responsible for the undertaking clearance of vegetation around electric lines throughout the declared areas of the Manningham municipality. Declared areas are specified in section 84 of the Electrical Safety Act 1998. Section 84C specifies that “a council responsible for the management of public land in an area declared under section 81 is responsible for the keeping of the whole or any part of a tree situated on the land clear of an electric line that is not a private electric line”.

To meet the requirements of the Code of Practice for Electric Line Clearance as detailed in the Electricity Safety (Electric Line Clearance) Regulations 2020, Council will meet the following objectives:

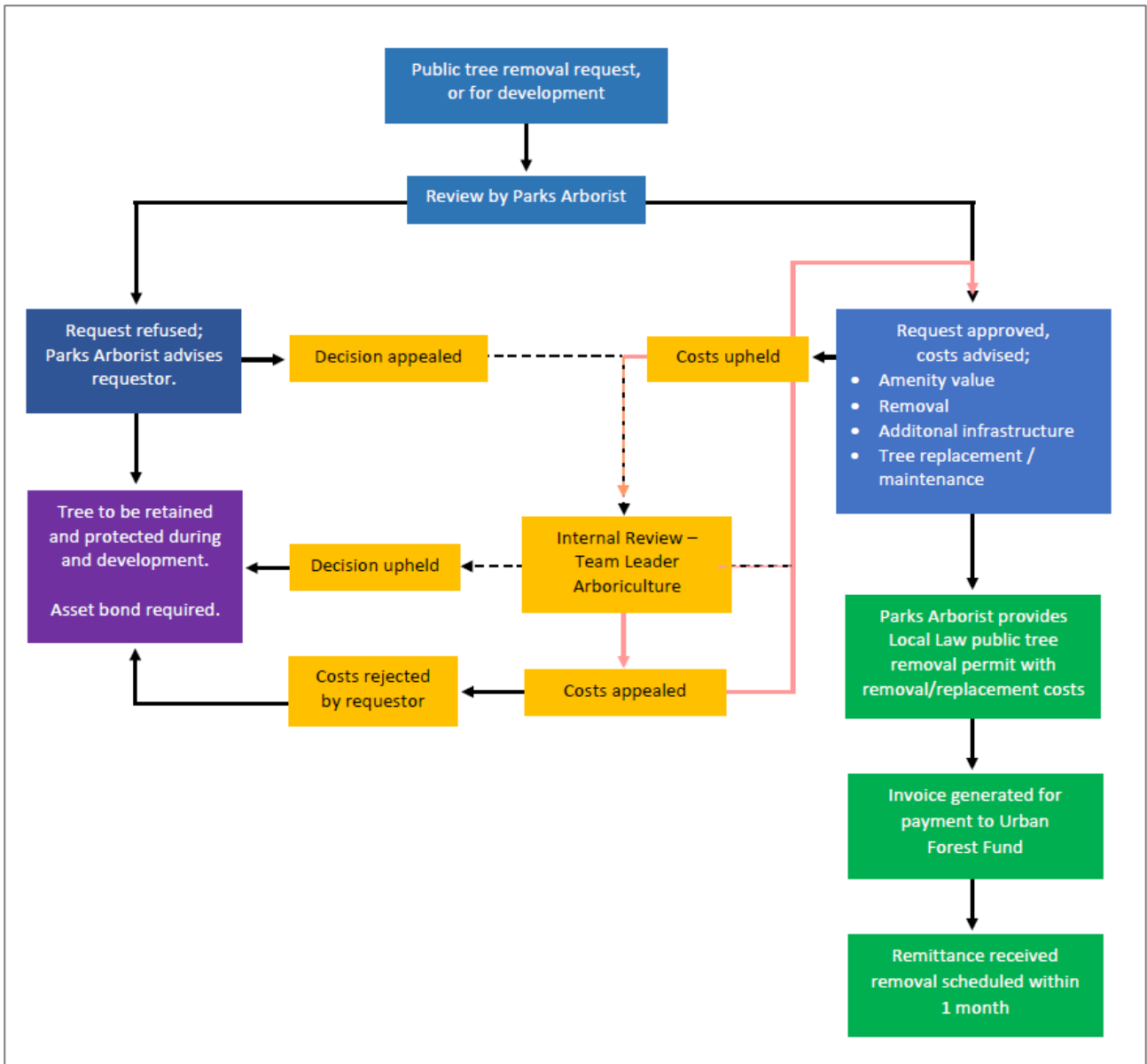
- Comply with the duties and responsibilities as prescribed in the Code of Practice for Electric Line Clearance.
- Ensure that management procedures minimise the effect of vegetation on electric lines and maximise the amenity of vegetation within the municipality.
- Protect significant vegetation including that which has historical, botanical, ecological or environmental importance.
- Ensure public safety.
- Provide a healthy, safe workplace for Council’s employees and contractors.
- Liaise with the community and provide a service that responds to their needs and expectations.

A copy of Manningham’s Electric Line Clearance Management Plan can be viewed during normal business hours at the Civic Centre, located at 699 Doncaster Road, Doncaster and on Council website.



# Appendix A:

## A.1 Request for Public Tree Removal Flowchart



# Manningham Council

**P:** 9840 9333

**E:** [manningham@manningham.vic.gov.au](mailto:manningham@manningham.vic.gov.au)

**W:** [manningham.vic.gov.au](http://manningham.vic.gov.au)

