

PROPOSED NOTICE OF MOTION

Name: Cr Margaret Sandford

Date of Meeting: 20 April 2021

Meeting of the: April Ordinary Meeting of Council

Subject: Amendment to Tree Policy CP-029

Disclaimer: Where administration has provided any assistance with the framing and/or wording of any motion/amendment to the Elected Member who has advised their intention to move it, the assistance has been provided on an impartial basis. The principle and intention expressed in any motion/amendment is solely that of the intended mover and not that of the officer/officers providing the assistance. Under no circumstance is it to be expressed to any party that administration or any officer holds a view on this motion other than that expressed in an official written or verbal report by administration to the Committee or Council meeting considering the motion.

PROPOSED NOTICE OF MOTION: CITY OF MELVILLE

1. That the third last dot point in clause 3.3 of the Tree Policy CP-029 be amended to include the words underlined below to enable a verge tree to be removed at the resident's sole cost for removal and replacement by a minimum of one tree:

When agreed by any three out of the following four persons: the Mayor, the relevant Ward Councillors and Director of Technical services in writing.

2. That the second last dot point in clause 3.3 of the Tree Policy CP-029 be amended to include the word underlined below:

If majority agreement cannot be reached between any three out of the following four persons: the Mayor, the relevant Ward Councillors and Director of Technical services, a report which outlines the advantages and disadvantages of removing the tree is to be presented to the Council in order for the Council to determine whether or not the tree will be removed. This report is to include the results of notification of local residents seeking feedback on request for tree removal as part of the City's community consultation process.

3. This tree policy CP-029 shall be reviewed by Council at the April 2022 Ordinary Meeting of Council to assess the effect of the above amendments, if any, on the number of tree removal requests over the next 12 months.

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REASONS:

1. The current version of Tree Policy CP-029 was last reviewed on 17 March 2020.
2. The number of tree removal requests in the 13 months since 17 March 2020 have been few, probably because, under clause 3.3 of the Policy, the cost of removal and replacement of the tree by a minimum of one tree is to be borne solely by the resident, which seems to have deterred many residents.
3. By reason of the current policy requiring the unanimous agreement of all four of the Mayor, the two Ward Councillors, and the Director of Technical Services, a few tree removal requests have had to be brought before Council to decide, which uses up a lot of Council and officer's time in the lead up the OMC, at the ABF and at the OMC.
4. The persons best placed to assess the merits of the tree removal request are the Ward Councillors, as not all members of Council will have had the opportunity to visit the subject site and communicate with the resident prior to the OMC.
5. The current tree policy has proven to be very inflexible in its application in that, unless the tree is shown to be very unhealthy, the Director of Technical Services' position has been to refuse all tree removal requests. This has caused the affected residents to feel aggrieved.
6. This inflexibility is leading to residents being limited by the location of verge trees, and delayed, in their house design plans; and irreversibly stuck with a legacy of poorly positioned trees planted on the verge by their predecessors, such as in the case of the March 2021 OMC tree removal request. Consequently, in many cases, people take matters into their own hands resulting in trees that are unwatered and left to die, irreparably damaged, or poisoned. In these cases, because the City cannot prove who caused the tree to die or why the tree died, the cost of removal and replacement is solely borne by the City, such as in McCallum Crescent, Ardross in 2020.
7. Elderly residents, such as in the Polglass Way tree removal request of 2020, are left to struggle with dealing with tree debris which they are physically or financially incapable of keeping to a minimum. The Aged Care Assistance Fund is limited in its scope.
8. The proposed amendments to the tree removal policy are unlikely to significantly affect the extent of the tree canopy and will lead to replanting of up to two trees for one in locations, and of a species, which will cause homeowners less stress and work and increase their amenity. On the other hand, it is noteworthy that, in letters from the City to residents of March 2021 about the Releaf Melville Program 2022, it is stated that the program aims to establish a minimum of **1** tree per verge, but that residents can opt out if they would prefer not to have a street tree planted on the verge outside their home at this time.
9. This motion provides for a review of the proposed amendments to the tree policy after 12 months to enable Council to make such further amendments, if any, to the tree policy as Council may think fit, having regard to the City's record of tree removal requests over the next 12 months.

SIGNATURE: Margaret Sandford