

Date **SCHEDULE X TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY**

Shown on the planning scheme map as **SLOX**.

Canopy trees in Boroondara

1.0 Statement of nature and key elements of landscape

Date Trees are synonymous with Boroondara and important to our community for both their key role in Boroondara's identity and their contribution to climate change mitigation. The treescape has always been the defining feature of Boroondara, particularly large trees which line our leafy streets and parks. The shaded streets, trees within private gardens, and connected, open spaces of the city define its character, heritage, and sense of place. This treescape provides significant benefits to residents, workers, and visitors and supports a wide range of environmental and economic values.

2.0 Landscape character objectives to be achieved

Date To retain and protect existing canopy trees as an important component of local identity and neighbourhood character.

To ensure that development does not have a detrimental impact on the leafy character of Boroondara.

To reduce the impacts of climate change and mitigate urban heat island effects.

To protect habitat and promote biodiversity.

3.0 Permit requirement

Date A permit is required to:

- Remove, or destroy a canopy tree:
 - a) with a total trunk circumference of 110 centimetres or more measured at a point 1.4 metres along the trunk's length from the closest point above ground level; or
 - b) if multi-stemmed, with a total trunk circumference of all its trunks of 110 centimetres or more measured at a point 1.4 metres along the trunks' lengths from the closest point above ground level; or
 - c) with a trunk circumference of 150 centimetres or more measured at ground level; or
 - d) with an overall height greater than 5 metres and a trunk circumference of 50cm or greater at 1.4m above ground level.
- Remove or destroy a tree required to be planted as a condition of a previously issued permit or order.

This does not apply to:

- An application to remove or destroy a significant tree that requires a permit under Schedule X to the ESO.
- An application to remove or destroy a tree made by, or on behalf of, the public land manager, a municipal Council or public authority.

A permit is not required to:

- Construct a building or carry out works outside of the Nominal Root Zone of a canopy tree or greater than 4 metres from the base of the tree - whichever is greater.
- Construct a fence outside of the Nominal Root Zone of a canopy tree or greater than 4 metres from the base of the tree - whichever is greater.

The Nominal Root Zone is defined as being a distance from the base of the tree equal to 12 times the diameter of the trunk measured at 1.4 metres above ground level.

4.0 Application requirements

Date

The following application requirements apply to an application for a permit under Clause 42.03, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A report from a qualified tree surgeon, botanist, arborist or other relevant expert detailing the need for proposed works to the tree, the impact on the tree and any protective measures proposed.
- A report from a relevant expert detailing the need for proposed works within the Nominal Root Zone of the tree, the impact on the tree and any protective measures proposed.
- A plan or aerial photograph showing the location of any canopy trees and any proposed buildings and works within the Nominal Root Zone.
- A report from a suitably qualified expert who has assessed any issues, such as reports from a structural engineer, builder or plumber regarding damage to a structure or asset.
- A landscape plan that includes the type, location, quantity, height at maturity and botanical names of all trees proposed to be planted to compensate for the removal of any canopy trees.

5.0 Decision guidelines

Date

The following decision guidelines apply to an application for a permit under Clause 42.03, in addition to those specified in Clause 42.03 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The reasons for removing or carrying works near vegetation and whether there are alternative options.
- Impact of works/pruning the health and structure of a canopy tree in accordance with relevant Australian Standards.
- The effect of the proposed action on the amenity and treed character of the neighbourhood.
- The condition of the tree (i.e. its health and structural integrity).

- The appropriateness of the tree for its location on the property having regard to the existing buildings and conditions on the property.
- Whether the tree is causing any unreasonable property damage.
- Whether the tree is a recognised weed within the City of Boroondara.
- Whether sufficient canopy trees of appropriate species and in suitable locations are to be planted to replace the removal of a canopy tree.
- Whether a canopy tree should be maintained as habitat for native fauna or removed to avoid a risk or safety hazard.
- Whether the tree is causing any unreasonable public nuisance or creating any unreasonable nuisance to private property owners or occupiers.