



**Item 7.2 Petition – Objection to the approved permit and planned removal of a Significant Tree at 3 Charles Street, St Kilda**

A Petition containing 13 signatures, was received from local residents.

**The Petition states the following:-**

*We, the Body Corporate and residents of 92 Barkly St, St Kilda, were advised on the 7th July that a permit was approved to remove a Significant Tree – a large, native gum, located at 3 Charles Street, St Kilda. The residents and owner of units at 92 Barkly St strongly object to the removal of this significant tree and believe that the permit to remove it should not have been approved and should be revoked and the tree protected and not removed. We request that the COPP Planning and Building department review the decision to remove this significant tree as a matter of urgency. We have been advised the tree is due for removal on the 22nd July at 7am.*

**Reasons for our objection**

- 1 *This tree is a significant tree due to its extensive size. It is a native, flowering gum tree and its sizes makes it a rarity in the area and we believe due to its age, size, native species and beauty its should be protected and preserved.*
- 2 *The tree is a significant feature and a key asset of 92 Barkly St due to its size and beauty. Removal of this tree will significantly change the character of the property and have a negative impact on the aesthetics and value of the units at 92 Barkly Street.*
- 3 *The tree provides extensive shade and privacy to all units at 92 Barkly St. Destruction of the tree will remove this privacy and shade.*
- 4 *We understand from discussions with the COPP Planning and Building Department on the 12th July that the reason provided for the removal of the tree was damage to the fence. We believe this to be an incorrect and an insufficient reason to remove the significant tree. The fence in question is not in contact with the tree, rather the movement of the fence is from lack of maintenance of the leaf and bark matter and the weight of wisteria at the other end.*
- 5 *We are aware that both No 1 and No 3 Charles are investment properties. The application for the permit to remove this tree was made by the property manager for 1 Charles (not the property the tree is located on). We suggest the reason for wanting the tree removed is that the property owners do not wish to complete &/or pay for the maintenance required to remove the leaf and bark matter. We believe this to be an insufficient reason to remove such a valuable and significant tree.*
- 6 *We believe that upon application of the permit removal request incomplete and misleading information was provided with photos of the tree only showing the trunk up to fence height and failed to show every aspect and the full scope of the tree, therefore minimising the importance of this tree.*
- 7 *We understand that a council arborist came to inspect the tree but did not view the tree from 92 Barkly Street and as such we believe a decision should not have been made without taking into account the aspect from 92 Barkly St, particularly given the majority of the tree is on our property and there have been no safety concerns identified about the tree.*



- 8 *As the tree is a native, flowering gum and due to its size, it has significant importance to the wildlife. During flowering season, it attracts 1000's of bees and other insects, feeds a large variety of native wildlife including a great number of native birds such as parrots and honeyeaters and fruit bats. It is also occupied and home a large number of diverse birdlife and protected possums on a ongoing basis. The destruction of a tree this size will have significant impact on the local wildlife and environment.*
- 9 *we ask that rather than have the tree removed it is appropriately pruned and maintained.*

*To the Mayor, Councillors and Planning and Development Department of the Port Phillip City Council - The petition of the following named citizens draws the attention of the council of the approved permit and planned removal of a significant tree at 3 Charles Street, St Kilda, planned to be removed at 7am on the 22nd July 2021. The following Petitioners hereby urgently requests that for the reasons stated on Page 1 Objections that the permit to remove this significant tree be revoked and the tree remain protected and not be removed.*

#### **OFFICER COMMENT**

The tree in question is a *Eucalyptus obliqua* or possibly *Eucalyptus viminalis*. (i.e Manna Gum) and is a Significant Tree as defined by the Council's Local Law.

An assessment of the tree's health was undertaken by a qualified arborist in considering the permit application. The arborist reported that:

- the tree "...displays symptoms of poor health which will only deteriorate further in the future..."
- "Damage is caused to hard surfaces by tree root conflict which will continue into the future, and branch failure cannot be ruled out also."
- "Significant sparse canopy is clearly evident."

Aerial photos of the tree canopy over the period early 2017 to 2021 clearly show a decline in the tree's health and canopy cover.

Based on the arborist report, a decision was made to permit the tree's removal.

Upon receipt of this petition, it was determined that the application to remove the tree would be reviewed by an independent arborist and the permit (69/2021/ST) to remove the Manna Gum has been cancelled pending this review. The applicant has been notified.

Following this review both the petitioner and the applicant will be notified of the outcome.

#### **OFFICER RECOMMENDATION**

That Council:

1. Receives and notes the Petition and the issues raised by petitioners.
2. Notes that the issued permit (ref: 69/2021/ST) has been cancelled pursuant to clause 68 of Council's Local Law.
3. Requests Officers to conduct a review of the decision to issue a permit for the tree's removal; and notes that the Petitioners and applicant will be notified of the outcome of this review.

#### **ATTACHMENTS**

##### **1. Site Photos**