

ONE PAGE SUMMARY - SUBMISSION ON NILLUMBIK'S DRAFT TREE PROTECTION AND MANAGEMENT POLICY 2026

The draft Tree Protection and Management Policy contains welcome commitments, but it still operates primarily as a tree-risk management policy. Nillumbik Council should make retention of mature trees the default and require ecological values to carry real weight in every decision.

Why the policy must be strengthened

- **Irreplaceable value.** Large trees support hollows, wildlife, fungi, pollinators, soil health, hydrology, connectivity and local microclimates. These living relationships develop over decades or centuries. A sapling cannot replace a century-old habitat tree within any meaningful planning horizon.
- **The current framework is too narrowly weighted.** Arboricultural assessment is essential for tree health and structural risk, but it does not determine habitat value, threatened-species significance, Ecological Vegetation Class condition or landscape connectivity. Removal decisions for mature indigenous trees therefore require rigorous ecological assessment as well as arboricultural advice.
- **Risk should be managed proportionately.** Statistics show that serious injury or death from accidental tree failure is extremely rare. Most perceived risks can be addressed through pruning, target management, engineering, road redesign, traffic calming or lower speeds. Removal should be a last resort, only after these alternatives have been exhausted and documented.
- **Tree retention protects people as well as wildlife.** Mature canopy reduces heat through shade and evapotranspiration, stores carbon, supports cleaner air and water and contributes to mental health and community wellbeing. Mature trees do public-health and climate work that no built system can replicate.

Priority amendments requested

1. Make retention the default. Mature trees are not removed unless all alternatives have been exhausted and documented. This must apply to trees affected by development, and to trees the draft would allow Council to remove without a planning permit on the grounds of perceived high or immediate risk. The burden of proof rests on the party proposing removal.
2. Require Environment Team review and ecological assessment before removal or pruning of any indigenous tree over 40 cm DSH (diameter at standard height), or any tree providing established habitat such as hollows, roosts or feeding sites. Assessment must include habitat, threatened species, remnant vegetation and connectivity.
3. Establish a spatial inventory and annual public reporting on mature and hollow-bearing trees, removals, canopy change, replacement survival and progress towards biodiversity net gain. Define consultation triggers and notify relevant community groups before any works on trees meeting the criteria in Point 2.
4. Apply the precautionary principle where there is uncertainty about a tree's ecological value or level of risk. Because the loss of a mature tree is effectively irreversible, uncertainty must favour retention, further investigation and alternative risk-management measures rather than removal.
5. State explicitly that replacement planting does not compensate for the loss of mature habitat trees. Retaining existing mature trees must take precedence, with replacement planting used only where removal is genuinely unavoidable.
6. Rewrite the Section 10 valuation formula so ecological value increases — not reduces — a tree's assessed value. The current formula undervalues indigenous eucalypts and bushland trees relative to long-lived exotic trees and urban locations.
7. Protect roadside remnants by requiring ecological assessment and documented consideration of speed reduction, traffic calming, road redesign and selective pruning before removal.
8. Enact Council's Acknowledgement of Country through a protocol with the Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation for works affecting mature or culturally significant indigenous trees.
9. Replace the discretionary qualifiers used throughout — such as "where practicable," "where financially feasible," "where site conditions allow," "typically in the next planting season" — with firm, time-bound obligations. These qualifiers appear repeatedly and weaken every action the policy sets out.

Nillumbik Council has the opportunity to create and adopt one of Victoria's strongest tree protection policies. The ecological, climatic, health and community values of trees must guide all decisions.