NELP Tree Canopy Replacement Program

**Overview**

Banyule Council is seeking $5.15 million in funding from the North East Link Program (NELP) to plant and maintain the trees required to be planted in the municipality as part of the tree canopy replacement program. These trees compensate for advanced trees being removed for the construction of North East Link.

Due to the limited area remaining in the North East Link project footprint, tree replacement has been mandated in other areas of Banyule as a priority, but is also allowed in surrounding municipalities and even further afield if suitable land for planting cannot be identified.

NELP is required to work with Council on finalising a Tree Canopy Replacement Plan for outside the project boundary as part of their Environmental Performance Requirements (EPR) as set out in the North East Link Environment Management Framework.

For Banyule, the EPR stipulates that for every amenity tree removed, it will be replaced with two trees, and there will be a net canopy gain by 2045. The final number of trees is expected by June 30, 2024.

**Environmental Performance Requirements**

NELP have obligations to the Minister under the EPR. These include:

1. Developing a Tree Canopy Replacement Plan and sharing it with Council.
2. Supporting Council to manage the impacts of the project, including tree canopy losses and replacement programs.
3. A net canopy gain by 2045 based on pre NELP levels:
	* *'canopy' means established trees that would be at least six metres high (providing cast shade below or either side of the tree) and are on public land and at least 20 years of age.*

4 Replace two amenity trees for every one removed as part of the project works.

* *This relates to every amenity tree (and doesn’t include native vegetation). It means NELP must plant two amenity trees for every one removed AND also have a net canopy gain.*

**Tree replacement stipulations**

To achieve its tree replacement requirements NELP is guided by the following:

1. Firstly, planting within the project boundary (the consortium has this obligation).
* *Council believes ‘over planting' with excessive canopy in the project boundary is undesirable, will lead to poor canopy outcomes as a return on each tree planted (tree and canopy crowding), adds maintenance burden to council, and reduces the net canopy benefit to the broader community.*
1. Secondly, planting within 400m of the project boundary - NELP obligation.
* *This would see positive canopy outcomes in surrounding suburbs that currently have poor canopy cover on public land, streets and on private land. Extra trees here will offset the later.*
1. Thirdly, planting anywhere in Victoria that NELP decides.
* *This is not desirable and Banyule Council believes ALL replacement plantings must be within the municipality. This provides the best overall outcome for all of Banyule with trees distributed across the community, especially to areas in the north and west where canopy cover is very low.*

**A better tree replacement opportunity**

The best outcome for the Banyule community is to plant advanced trees, which is Banyule’s standard practice, in high priority streets and along the open pace path networks in areas of high heat vulnerability. Banyule has already identified more than 12,000 such sites.

Our bushland and reserve areas, such as Plenty River Trail, Darebin Creek and the Main Yarra Trail already enjoy high quality and extensive canopy cover and there would not be measurable canopy replacement benefit for NELP or the Banyule community by planting NELP trees in these places.

The most reliable and meaningful canopy gain outcomes for NELP, in keeping with EPR obligations, will be enjoyed by planting advanced trees in alignment with Banyule’s existing street and park tree program.

Furthermore, Council is concerned about NELP reaching its EPR requirements following discussions in late 2023 where NELP stated they have 'no budget left' for tree planting and have indicated that to manage costs they plan to plant tube stock trees in parks, reserves and streets.

This is not acceptable and does not meet NELP’s legislative requirements. Tube stock in streets will fail quickly and Council estimates a 90% fail rate within 12 months. Both Banyule Council and industry experience shows that tube stock trees will be stepped on, mown over, driven over, not properly watered or pulled out.

Tube stock already planted by NELP in Rosanna Parklands hasn't delivered meaningful canopy returns given the time elapsed and the project costs. It also demonstrates that tube stock in parks and reserves is less likely to return best outcomes.

**Banyule Council to deliver best practice tree planting for reduced cost**

For NELP to deliver their 2:1 amenity tree replacement and net canopy gain obligations they will need to plant established trees in both streets (best case) and parks and reserves (second best as there's already good canopy in most of Banyule open space).

Council modelling indicates that we can deliver the same number of trees for NELP using our existing tree procurement contract for a significantly cheaper cost.

**Summary**

We are seeking for NELP to:

1. Fund Banyule Council to deliver the number of amenity trees needed for a net canopy gain by 2045. Funding should be for advanced size tree procurement, tree receival, preparation and distribution at Banyule’s nursery, tree planting and 2 – 3 summers of maintenance.