



## **SPECIAL ELECTORS MEETING**

**Minutes of Special Electors Meeting Called in Response to a Petition to Discuss  
'Local Residential Community Desire to Change the City of South Perth Street Tree Policy to retain the Cape Lilac Tree as a Designated Street Tree'  
Held in the Civic Centre, Main Hall, Sandgate Street, South Perth  
Wednesday 21 November 2007 Commencing at 7.00pm**

**1. DECLARATION OF OPENING**

The Mayor opened the meeting at 7.00pm, welcomed everyone in attendance and then introduced Councillors and staff present.

**2. RECORD OF ATTENDANCE / APOLOGIES**

Present:

Mayor J Best

Councillors:

I Hasleby	Civic Ward
P Best	Como Beach Ward
L P Ozsdolay	Manning Ward
C Cala	McDougall
R Grayden	Mill Point Ward
S Doherty	Moresby Ward
K R Trent, RFD	Moresby Ward

Officers:

Mr C Frewing	Chief Executive Officer
Mr M Taylor	Manager City Environment
Mr C Baker	Parks Operations Co-ordinator
Ms K Dravnieks	City Sustainability Co-ordinator
Mr J Murray	Streetscape Maintenance Supervisor
Mrs K Russell	Minute Secretary

Gallery

There were approximately 50 members of the public and 1 member of the press present

Apologies

Cr G W Gleeson	Civic Ward
Cr B W Hearne	Como Beach Ward
Cr D Smith	Mill Point Ward
Cr T Burrows	Manning Ward
Cr R Wells, JP	McDougall

### STATEMENT FROM THE MAYOR

The Mayor outlined the format for the Special Electors Meeting, called in response to a Petition with 191 ratepayer's signatures and advised that the first presentation would be from the Manager City Environment, Mr Mark Taylor, followed by a presentation from Greg Benjamin, the petitioner and Arboriculturist Jonathan Epps. He stated that it was his intention to apply the City's Standing Orders Local Law to the running of the meeting, and raised the following points:

- Only electors can speak or vote at the meeting
- Councillors are not obliged to attend Electors' Meetings but have chosen to do so to listen to the comments made by the residents of South Perth. Councillors will not respond to any questions.
- Electors have the right to speak however any Councillor wishing to speak does so as an elector.
- Council is not bound by any decision made at the meeting. Motions passed will be considered by Council at the December 2007 Council meeting.
- Each speaker will be permitted 5 minutes and should restrict their comments to the subject of the meeting.
- Speakers should not repeat comments / points already raised by another speaker. There will be the opportunity to voice support in the vote when any Motion is put.
- Meeting protocol to be adhered to.

### 3. **PETITION**

Mayor Best read aloud the text of the petition, as follows:

Petition received 2 November 2007 from Greg Benjamin, 42 Norfolk Street, South Perth and approximately 190 signatures.

#### ***Text of the petition reads:***

Under Section 5.28 of the *Local Government Act 1995*, the electors from the City of South Perth whose names, addresses and signatures are set out in the attached petition request that a special meeting of electors be held to discuss the local residential community desire to change the City's Street Tree Policy to retain the Cape Lilac Tree as a designated tree.

Details of matters to be discussed at the meeting are:

- (a) Altering the Street Tree Policy to include Cape Lilacs as a designated street tree where residents vote to retain them.
- (b) Protection to (heritage list) the existing 60 year old Cape Lilac trees in Carr Street and any other street that requests similar action.
- (c) Replant empty verges in Carr Street with cape lilac saplings ie 5m trees and any other street that requires similar action.
- (d) Replace Cape Lilac trees with fatal stem decay with cape lilac saplings ie 5m trees
- (e) The City plant nursery begin an immediate program to propagate Cape Lilac trees for Carr Street and any other street that requests Cape Lilac trees for planting out as mature saplings.
- (f) The City undertake annual pruning / branch removal using target pruning methods as stipulated in Australian Standard 4374 (2007) "Pruning of Amenity trees"
- (g) The city to work with residents to coordinate and maintain white cedar moth reduction strategies (hessian skirts around tree trunks etc)
- (h) The City to spray for white cedar moth **only** as required.
- (i) Will the Council assure residents of the City of South Perth that it will provide meaningful answers to these questions at the meeting?

#### 4. REPORTS / PRESENTATIONS

The Mayor requested the Manager, City Environment to make his presentation on the City's Street Tree Policy. Mr Taylor commenced by introducing John Murray the City's Streetscape Maintenance Supervisor and Craig Baker the Parks Operations Co-ordinator.

##### PRESENTATION MANAGER CITY ENVIRONMENT

Mr Taylor commenced his presentation and covered the following topics:

- **City of South Perth Street Trees**
  - Most of the City's mature street trees were planted in the 1940's.
  - Street trees survive in a very harsh environment. They've had to cope with pruning for powerlines, reflected heat from roads, driveways and pathways, frequent root disturbance and differing watering regimes.
  - Many of these trees are nearing the end of their useful life in this harsh urban environment as against park trees of the same age.
  - The challenge for the City is to manage the risk these trees are increasingly presenting as well as ensuring they are being adequately replaced by new trees.
- **The Street Tree Policy was adopted by Council in 2002 and reviewed in 2005.**

##### *The policy statement is as follows:*

1. The City recognises and values the significance of street trees within the urban setting in terms of creating functional and aesthetic streetscapes and in the provision of natural habitat.
2. The City will plan for the provision, retention and maintenance of suitable street trees and streetscapes in accordance with the strategies established in the Street Tree Management Plan. The City recognises the need to remove unsuitable or unsafe trees.
3. Tree planting will be in street themes as identified in the Street Tree Management Plan and will be consistent with the intent of providing green linkages as identified in the City's Green Plan.

- **Street Tree Management Plan**
  - The Street Tree Management Plan (STMP) was adopted by Council in 2000 and has been the subject of minor revisions mainly to precinct tree species;
  - The STMP is essentially a set of procedures for the City Administration to follow when dealing with street tree issues;
  - The STMP also established the idea of theme tree species for every street of the City.
  - The City has adopted an implementation program as part of the STMP. The two main phases of the program are as follows:
    - Creation of a database of street trees;
    - Old Tree Stock Replacement Program (primarily Cape Lilacs);
    - Street Tree Infill Program. This is progressively being implemented on a Ward by Ward basis.
- Under the STMP, trees will only be removed for the following reasons:
  - *Trees that are dead or diseased and remedial treatment is not considered worthwhile;*
  - *Hazardous trees or those causing damage to public and private property, where repair and specific treatment options are not appropriate;*
  - *Trees conflicting with road works, drainage, services and/or construction on road reserves, following an assessment of trees and examination of all other options to tree removal;*
  - *Senescent (ageing) trees or dead, diseased or structurally unsound trees where replacement strategies are in place.*

- **Street Tree Database**

In order to manage the City's street trees, a database has been developed linked to the GIS system. The City can now retain maintenance records for all of its street trees.

An example of some of the statistics that can be obtained is as follows:

- In 2001 when the database was completed there were **14,525** street trees in the City of South Perth
- Total number of street trees in the City as of today – **17,659**
- New street trees planted since 2001 - **4,162**
- Number of trees removed for various reasons since 2001 (inc.Cape Lilac replacements) - **1,028**

- **Cape Lilac Replacement Program**

- Number of Cape Lilacs replaced since the program began in 2001 - **418**
- Number of Cape Lilacs that have suffered major trunk failure requiring removal – **87**
- Combined total of Cape Lilacs replaced – **505**
- Number of Cape Lilacs remaining in the City - **205**
- The City has been progressively replacing its Cape Lilacs due to that fact that most of the remaining trees are in poor condition.
- This is largely due to past pruning practices (pre 1980's) where **all** deciduous trees were pollarded annually.
- Cape Lilacs are not able to protect themselves from fungal attack as well as other trees and as a result have deteriorated to the point where many have suffered limb and trunk failure below the regrowth points from the previous pollarding.
- The City has a duty of care to maintain a safe environment for residents and visitors. Many of the remaining Cape Lilacs are considered to be of unacceptable risk.
- As a result, the City embarked on a "replacement where possible" program.

- **Cape Lilac Replacement Program – Carr Street**

- The residents of Carr Street have advised the City that they would like to keep their Cape Lilacs for as long as possible;
- The residents have engaged an Arboriculturist to work with them (and the City) to maintain as many of the trees for as long as possible (a retention where possible program);
- The City has agreed to work with the residents to maintain the remaining trees;
- The area of dispute now is over the replacement species for removed trees;
- The STMP currently precludes the use of the Cape Lilac due to problems experienced with the White Cedar Moth.

- **Use of the Cape Lilac as a Replacement Species**

- The Cape Lilac is susceptible to infestation by the White Cedar Moth larvae;
- The City has been attempting to manage the infestations with a spray program;
- Residents have also assisted by installing hessian skirts on some trees to reduce infestation;
- The City Administration's role is to manage the street tree stock long term ~70 years into the future;
- Should we be using a species with a known problem?

The Mayor thanked Mr Taylor for his presentation and invited Mr Benjamin to address the meeting:

PRESENTATION BY GREG BENJAMIN AND JONATHAN EPPS

Mr Benjamin welcomed everyone and thanked those electors who signed the petition. He then commenced his presentation on the following topics:

- **Background**

The matter is of principal interest to the residents of Carr Street, and other scenic Cape Lilac lined streets such as River View Street, Hopetoun Street, Alexandra Street, Hovia Terrace, and Gladstone Avenue

- **Democratic Votes by Carr Street residents**

The reason for the meeting has been prompted by the frustrated experience of Carr Street residents, who during the past two years, in response to consultation by the City of South Perth, have overwhelmingly voted on two occasions, for Cape Lilacs to be maintained and continued as canopy in their scenic street. The first vote in favour of continuing Cape Lilacs was **85%** in 2005 at a street meeting and the second vote was conducted by the City by post in 2007 when **86%** were in favour of continuing Cape Lilacs. The overwhelming result of the votes were made in the full knowledge and appreciation of the so called 'issues' associated with Cape Lilacs.

Despite the overwhelming votes which had been called for by the City of South Perth, influenced by a City of South Perth Street Policy which did not include the Cape Lilac as a designated street tree, and its Street Tree Management Plan to progressively replace the Cape Lilacs, on the 26 June 2007 the City of South Perth Council approved **Jacaranda** as the replacement street species for Carr Street. The Council decision to approve Jacaranda is now in conflict with the City's Plan to have common street themes.

Mr Jonathan Epps, Arboriculturist spoke on the following points:

- October 2005 residents of Carr Street approached me to prepare a Tree Report following a recommendation from the City of Perth to remove all the existing tree stock from Carr Street and replace them with young trees.
- My report was essentially to make comment on the suitability of the existing tree stock for retention in a public area. Also commenting on management practices to help retain the trees for the near future. I was also asked about the possibility of replanting with the same species.
- December 2005 a 6 page "Tree Report" and 36 page "Tree Survey Inspection and Maintenance Schedule" was produced citing the existence in Carr Street of 36 trees of which 33 were mature Cape Lilac, 2 others being Queensland Box and one young struggling Jacaranda.
- Examination of the trees showed that the bad pollarding practices history (as managed by the City of South Perth including response to conflict of tall branches with overhead powerlines), caused detriment to the trees, from which they are now structurally in a better condition
- With the majority of the Carr Street tree population recommended for pruning works to increase public safety, I recommended 5 Cape Lilac trees to be removed immediately due mostly to poor pollard or branch attachments: since a brief inspection in July this year, another Cape Lilac is due to be removed.
- August 2006 City of South Perth accepts Tree Report and permits myself to supervise the tree pruning to the Australian Standard for the Pruning of Amenity Trees (since revised on March this year).
- I believe that with the management practices it is acceptable to retain an aging tree population for the foreseeable near future. Many of the Cape Lilacs of Carr Street potentially have lives of up to another 10 to 20 years.
- An ideal street tree population would have a mixture of age classes this simply means young, semi-mature, mature and senescing trees. Unfortunately Carr Street seems to have mostly the latter.

- A problem often arises with the choice of the replacement trees. Name any tree and I can provide negative comments about it. However my job is to provide the client with independent, impartial advice.
- A nursery in Victoria is growing a selected cultivar of Cape Lilac called 'Elite'. It is grown to the customer's requirements – in the case of Carr Street it would have a clear stem to 2 metres in height with a well formed crown. In addition this cultivar does not produce fruit, and does not have to undergo any rigorous pruning as there are no overhead power lines.
- Pests and diseases in my experience do not inhabit healthy and vigorous trees.
- As reported to the City of South Perth in April 2007, with a few exceptions, the Cape Lilac tree population of Carr Street as a whole appears to be healthy and sound at the present time.

#### **Recommendations from Jonathan Epps**

- Continue my annual tree inspections in Carr Street
- Carry out any target pruning or removals as found necessary
- Plant the vacant tree sites with the 'Elite' cultivar of Cape Lilac
- Continue to treat the White Cedar Moth problem with Hessian sacking dipped in Dipel, an environmentally friendly compound which has a very high success rate against any advance of the caterpillars
- Do not spray trees in public areas
- I do not believe that Jacarandas are acceptable as street trees

Mr Benjamin continued the presentation on the following topics:

- **Pruning Proposed 2005**

Letter from CoSP September 2005 stated: *in their present state, some of these trees pose a considerable risk to the community and if this matter is not resolved in the very near future the City may have to begin an expensive program of pollarding all the Cape Lilac trees in Carr Street.....*

- **Pruning Outcome 2007**

- The trees certainly did not need to be pruned to the extreme extent as suggested by the City of South Perth.
- With the long overdue responsible targeted pruning that was supervised by Jonathan in September 2006, residents are very happy with the outcome that structurally suspect limbs have been dealt with, whilst maintaining an aesthetically pleasing outcome for the community
- We look forward to Jonathan's continued involvement in the annual review and responsible targeted pruning of the trees.

- **White Cedar Moth**

- I believe the issue regarding the caterpillars in Carr Street is now under control, as other residents can testify.
- Firstly residents have been using to great effect, Hessian or shade cloth bands, (which can be used with environmentally friendly Dipel) around the trunks of trees, and used to capture adventurous hairy caterpillars who only feed on the leaves of the tree during Spring and into Summer.
- Secondly, annual target and responsible pruning of tree limbs will stop any caterpillars from dropping into the small number of residents who have experienced problems.
- Thirdly the health of the trees will minimise any susceptibility from the caterpillars.

- **Berries**

- The berries of the Cape Lilac tree are unpalatable and indigestible
- with a consequent low risk of harmful consequences: to my 20 year knowledge, in Carr Street, no one there has had any problems with ingesting the berries.
- The WA Department of Health Hospital Morbidity Data System has been searched over the past four years and shows that very few hospital inpatients have been recorded with the condition of ingesting Cape Lilac berries, and “none from the City of South Perth”.
- To further mitigate any risks with the berries, it is recommended that the replacement species for Carr Street (and any other Streets) be the Cape Lilac cultivar Melia Azedarach ‘Elite’ as mentioned by Jonathan Epps.

Ms Alex Jones representing “Save our Trees” spoke on the “Petition for the Protection of Mature Trees on Public Land in Urban Areas” tabled in the Legislative Council of Parliament earlier this year via the Standing Committee on Environment and Public Affairs.

Mayor Best thanked Greg Benjamin, Jonathan Epps and Alex Jones for their presentations.

MOTION

Moved Greg Benjamin, Sec Denis McInerney, 60 Labouchere Road -

That the City of South Perth Street Policy be changed to retain the Cape Lilac as a designated tree the details of the matters (a) thru to (i) as contained in the “Request for Special Meeting of Electors “ dated 4 September 2007 and lodged on 1 November 2007 with the City of South Perth.

- altering the Street Tree Policy to include Cape Lilacs as a designated street tree where residents vote to retain them.
- protection to (heritage list) the existing 60 year old Cape Lilac trees in Carr Street and any other street that requests similar action.
- replant empty verges in Carr Street with cape lilac saplings ie 5m trees and any other street that requires similar action.
- replace Cape Lilac trees with fatal stem decay with cape lilac saplings ie 5m trees
- the City plant nursery begin an immediate program to propagate Cape Lilac trees for Carr Street and any other street that requests Cape Lilac trees for planting out as mature saplings.
- the City undertake annual pruning / branch removal using target pruning methods as stipulated in Australian Standard 4374 (2007) “Pruning of Amenity trees”
- the city to work with residents to coordinate and maintain white cedar moth reduction strategies (hessian skirts around tree trunks etc)
- the City to spray for white cedar moth **only** as required; and
- will the Council assure residents of South Perth that it will provide meaningful answers to these questions at the meeting.

Mayor Best asked for comments on the presentation from the Manager City Environment.

Manager City Environment provided the following responses to issues raised in the Motion:

- (a) **Altering the Street Tree Policy to include Cape Lilacs as a street tree where residents vote to retain them.**

Response - The Street Tree Management Plan (STMP) currently does not have the Cape Lilac (*Melia azedarach*) as an allowable tree species. Council could resolve for this to occur, however as resolved by Council in June (Item 10.4.1) for Carr Street, the Cape Lilac is not to be used due to the problems experienced with the White Cedar Moth.

- (b) **Protection to (heritage list) the existing 60 year old Cape Lilacs in Carr Street, and any other street that requests similar action.**

Response - The Cape Lilacs in Carr Street or any other street would not meet the criteria for registration as significant trees under the City's Town Planning Scheme due to their declining health. All street trees are protected by local law and removal is only allowed under the criteria set out in clause 10(b) of the STMP.

The trees could be considered for the City's Municipal Heritage inventory but the trees would need to be of "cultural, social or historic" significance. There are certain trees already on the inventory such as the pines in Collier Park. A heritage report would need to be prepared for Council to consider whether the trees met the criteria.

- (c) **Replant empty verges in Carr Street with Cape Lilac saplings i.e. 5 metre trees.**

Response - It is possible to replant the verges with Cape Lilacs if Council resolves to change the resolution of the June 2007 meeting. The size stipulated will present a problem. A 5m tree roughly equates to a 500 litre bag size. This size is not only difficult to physically plant, but will cause problems with existing underground services due to the size of the hole required to fit the tree.

- (d) **Replace Cape Lilac trees with fatal stem decay with Cape Lilac saplings ~ i.e. 5 metre trees.**

Response - as per previous part (c) response.

- (e) **The City plant nursery can begin an immediate program to propagate Cape Lilacs for Carr Street and any other street that requests Cape Lilac trees, for planting out as mature saplings.**

Response - The City's nursery is equipped to grow large trees.

- (f) **The City undertake annual pruning/branch removal using target pruning methods as stipulated in Australian Standard 4373 (2007) "Pruning of Amenity Trees.**

Response - The City has been specifying the standard in its street tree maintenance contracts since the mid 1990's.

- (g) **The City work with residents to coordinate and maintain white cedar moth reduction strategies (hessian skirts around tree trunks, etc).**

Response - The City would be prepared to discuss this issue with residents. The application and management of hessian skirts could become a labour intensive operation, particularly if residents decided it was the City's responsibility, and the City began planting more Cape Lilacs.

- (h) **The City spray for white cedar moth only when required**

Response - The City currently sprays for white cedar moth on an as required basis.



## 5. PUBLIC COMMENT PERIOD

### COMMENTS FOR / AGAINST MOTION FROM THE GALLERY

Mr Denis McInerney for the Motion - I live at the corner of Riverview Street and Labouchere Road with a canopy of Cape Lilac street trees - would like this not only for Carr Street but for the whole of South Perth. This issue has been going on for over 15 years. I wrote to Council in 1995 and sent a letter from a qualified Horticulturist (Mr McInerney read aloud the correspondence referred to) in support of retaining Cape Lilacs as a street tree. There are too many trees lost by developers, by Council mistakes etc - suggest all Cape Lilac trees be retained.

Mr David Dale, 16(A) Karoo Street against the Motion - If you look at history you have 200 years of degradation. Commend Council for its approach in its Street Tree Policy. If you refer to Cape Lilacs on the internet it is referred to as a 'western weed' and also recognised as an Australian weed with an acknowledged berry problem. If this Motion is carried Council should look at it seriously and perhaps get a wider survey from City residents - well intentioned people with wrong ideas.

Clive Deverall, 12 Hopetoun Street for the Motion - thank Greg Benjamin for his research/presentation. We are talking about a valuable community amenity here not only in relation to protection from heat but habitat for birds providing a pleasing canopy that adds value to property. The moth issue is easily treated with Dipel and proper pruning will provide trees that will last well into the future. Support the Motion

Roger Atkinson, Coode Street for the Motion - support Carr Street residents, support Street Tree Policy being reviewed / improved and applaud residents' action. Support the Motion.

Sally Cook, York Street for the Motion - definitely time we started protecting our trees. I have two Cape Lilacs in my garden - caterpillar problem easily addressed by spraying with Dipel. Respect the view that Cape Lilacs are un-Australian but so are roses and petunias. We need street trees with a wide canopy for shade - Cape Lilacs attract birds which is a great pleasure. It is time Council listened to experts like Jonathan Epps and others. Support the Motion

Heather Watson, Riverview Street for the Motion - have owned a property in Riverview Street for 25 years - it is a beautiful shady street and owners properties have increased in value by the established street trees. I vigorously oppose any removal of trees in Riverview Street as it will devalue properties. Have never heard of any issue arising from anyone eating the Cape Lilac seeds. Here we have beautiful wide streets that are a pleasure to visit and I ask Council to redirect its attention to making sure the trees in Carr Street are as beautiful as the ones in Riverview Street. Strongly support the Motion and against removal of trees.

Oliver Crosthwaite, 3 Edinburgh Street for the Motion - nothing against exotic trees - as far as I understand the White Cedar or Cape Lilac is from the Eastern States. Want to know why we need to replace Cape Lilacs with another tree - in other parts of the City you see replacements with inadequate alternative trees. Do not want to see Cape Lilacs replaced with alternative 'cultivar' of the Cape Lilac. Understand no cases of people in Australia being poisoned by berries from Cape Lilacs. Trees should only be replaced because of health and this issue should be considered in relation to what is happening in South Perth with development and the wholesale destruction of its landscape which does not create a very nice environment. Support the Motion.

Margaret Dawkins, Carr Street for the Motion - lived in Carr Street for 22 years and enjoy the beautiful canopy of trees every day. Sensible people live in Carr Street - they do not want any damage to cars / property etc and acknowledge some trees many need to be replaced - not advocating everything needs to stay the same - but replace as needed and enjoy the amenity.

Steve Richards, 21 Carr Street for the Motion - resident for 30 years - want to retain 'green' canopy - acknowledge trees have to be replaced when they become unstable. Proposed Jacaranda replacement tree will take a long time to mature to create canopy such as is provided by the current Cape Lilac trees. Refer to Gillon Street - trees planted approximately 1990 are now only 4m - will take many years to create a canopy like Carr Street. To replace Cape Lilacs in Carr Street with Jacarandas will not create amenity we have now for a very long time. Council has a responsibility to listen to its ratepayers - many residents of Carr Street bought into the Street because of the 'look' of the street - Support the Motion.

Sylvio Worth, Hampden Street for the Motion - have lived in the district 40 years - everyone knows I like trees. Council should have a law if a tree is sick it be removed. We all like trees but need the view point that if a tree is sick or dangerous it has to go. Support the Motion.

Geoff Defrenne for the Motion - prime issue is safety - trees in question are potentially dangerous / valid argument. Has the City done an assessment on dangerous trees and is this one of the most dangerous streets in relation to trees? Have not heard of anyone being killed in Carr Street because of the trees - Is this the most dangerous spot in South Perth, suggest it is not.

Debbie Carrivick, 31 Carr Street for the Motion - beautiful tree canopy in Carr Street - have two red-headed children and we enjoy walking in Carr Street but as we turn up Hensman Street to walk to school it is awful due to there being less trees which is a shame. What tree is perfect - something wrong with all of them - acknowledge Cape Lilacs drop a few berries - not enough reason to remove the trees. Support the Motion.

Nick Park, 112 Lansdowne Road for the Motion - live parallel to Gwentyfred Road where all the Cape Lilacs were removed and replaced with young Jacarandas - the street now looks very bare and hot. One thing you should not do is remove old trees totally down a street and then replace with young trees. Support Motion with the exception that all un-safe trees have to be removed.

Hopetoun Street - suggest policy be modified. It was the canopy of trees in Hopetoun Street that sold the street to us - Would like to see policy amended to maintain canopy while other trees are being established.

The Mayor put the Motion.

CARRIED UNANIMOUSLY (49/1)

Mayor Best thanked the petitioner for his presentation and stated that the Motion will be presented to the December 2007 meeting of Council for determination.

**6. CLOSURE**

The Mayor closed the meeting at 8.35pm

<p><b>These Minutes were confirmed at a meeting on 18 December 2007</b></p>          <p><b>Signed</b> _____ <b>Chairperson at the meeting at which the Minutes were confirmed</b></p>
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