



Practice Note No 13

THE APPROVAL PROCESS FOR HISTORIC PLANTINGS

If you have a planting that may be important or that is on a heritage listed property, you may need approval to replant, remove or significantly prune it.

ASSESSING THE HERITAGE SIGNIFICANCE OF A PLANTING

Section 16 of the *Historic Cultural Heritage Act, 1995* lists seven criteria that are used for assessing heritage significance.

A planting is likely to be of heritage significance if it satisfies any one of the following criteria:

- (a) it is important in Tasmania's history (the planting would need to be at least 50 or more years old);
- (b) it is rare, uncommon or endangered;
- (c) it may reveal information important to Tasmania's history;
- (d) it may demonstrate the characteristics of a particular style or fashion (such as for historic windbreaks, boundary markers, a particular garden style such as 'picturesque', or 'gardenesque', etc.)
- (e) it is particularly creative or technically adept (this criterion is not likely to be satisfied by historic planting);
- (f) it has social, cultural or spiritual meaning for any group or community (perhaps a social landmark); or
- (g) it has a special association with an individual or group important to Tasmania's history (such as commemorative planting).

To be of heritage significance a planting only has to satisfy one of the above assessment criteria. Usually the plantings will be of community value as a landmark or for the contribution they make to the setting of a significant place. Plantings may also have important associations with an important person or place.

Any mature plant, tree, shrub, avenue, hedgerow, group planting, landscape planting, memorial planting, rare species or cultural landscape can be of cultural heritage significance.

Because of the fashion in the 19th and early 20th centuries, historic planting was more commonly introduced species. However, native plantings can also have historic heritage significance, particularly where they have landmark qualities or contribute to views to and from heritage places valued by communities. Plantings can be on public or private land.

The heritage significance of the planting may already be recognised by being on the Tasmanian Heritage Register or the National Trust Significant Tree Register.

The planting may be significant in its own right, or part of a heritage property listing, which normally covers the whole of the property title. If a mature tree is on this title, the Heritage Council will make a decision on its significance when considering proposed works.

APPROVAL PROCESS IF THE PLANTING IS NOT DEEMED TO BE OF HERITAGE SIGNIFICANCE

If a mature tree or plant is not considered to be of heritage significance by the Heritage Council then you can proceed with works provided there are no requirements by your local council or other statutory authority.

If you are proposing to remove a tree from a heritage listed property then you need to put this in writing to the Heritage Council and if it determines that the tree is of no heritage significance an 'exclusion' from a Works Application will be issued.

When in doubt it is best to lodge a Works Application (see box)

APPROVAL PROCESS FOR WORKS TO SIGNIFICANT PLANTS

The required approval process depends on the proposed works.

Normal maintenance: If the works are only normal maintenance like pruning or hedge trimming, which will not have an adverse effect on the health of the planting then **approval from the Heritage Council is not required.**

Substantial Maintenance: If the proposed works are substantial, for example removal or major pruning that may shorten the life of the planting, then approval from **the Heritage Council is required, and a formal Works Application must be completed** (see box).

For guidance on the appropriate maintenance of historic plantings, refer to Practice Note 14 *Long term maintenance of Historic Planting*.

Refer to *Australian Standard AS4373* for information on pruning.

ARBORIST/ARBOCULTURALIST REPORT

To assist the Heritage Council in making its decision, it is preferred that an arborist's report be attached to the Application. The report should include the following information:

- **Determine its heritage significance:** See above. As a minimum, criteria (b) and (d) should be considered in the report. If the consultant is aware of the applicability of other criteria they should be included.
- **Health:** What is the current condition of the planting? What factors are affecting its condition? Can any of these factors be controlled to improve its condition?
- **Life expectancy:** How old is the planting? What is the normal life expectancy of this species? What is the likely remaining life of this particular planting under its current circumstances? By varying any environmental factors, can the anticipated life expectancy be increased?
- **Hazards:** Does the planting provide a real hazard to people or building? Can that hazard be reduced in a manner which does not require removal of the planting?
- **Impact of the development:** What impact will proposed development (where applicable) have on the planting? What modifications would be required of the proposed development to prevent its impact on the planting?
- **Replanting:** Is replanting of the same species appropriate?

URGENT SAFETY ISSUES

If, in the opinion of an arborist or arboriculturalist, a tree (whether it is of heritage significance or not) presents an urgent safety problem, then the Heritage Council will issue an exclusion from the need for a works application.

Heritage Council considerations

The Heritage Council will approve an application for removal or substantial pruning of significant plantings if the applicant properly demonstrates that there is:

- a compelling safety problem (either to the people or to buildings);
- damage is being caused to a nearby building;
- the planting has reached the end of its life; or
- There is no prudent and feasible alternative to its removal.

Where a mature planting is of such prominence that it may be of special landmark value to the community, the Heritage Council will require the public advertising of the works to test the community's view.

If you are in doubt about whether or not a works application is necessary, please contact the Heritage Office.

MAINTAINING HISTORIC PLANTINGS

For guidance on appropriate maintenance of historic planting refer to **Practice Note 14: Maintaining Historic Plantings**.

Refer to *Australian Standard AS4373* for information on pruning. A professional should be used to carry out any maintenance pruning. Pruning should be in favour of the tree and its processes.

THE WORKS APPLICATION

A Works Application can be collected from your local council offices or downloaded at www.heritage.tas.gov.au

Please complete the form and lodge it with your council.

They will advertise the works in your local newspaper. This gives other members of the public the opportunity to make submissions on the proposed works to the Heritage Council.

The Heritage Council is required to make a decision on the application within 42 days.

Local government approvals

It is possible that a separate approval is required by the local planning scheme administered by your local council.

For further information contact

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