

Objectives: Place

Outcome: 2.2 - A sustainable natural environment.

Strategy: 2.2.1 - Develop, maintain and implement plans for the management and maintenance of Shire controlled parks, reserves and natural assets.

Purpose

This policy recognises that there may be circumstances which justify the removal of trees and this policy establishes how the Shire will deal with applications.

Definitions

Not applicable

Policy

Requests for the removal or permission to remove dangerous trees are to be made to the Shire as follows:

Trees on applicant's property

An application will only be considered for removal of a dangerous tree (other than permitted under Clause 7.13.4 of Town Planning Scheme No. 2) if a report by a qualified arborist detailing the reason for removal is provided to the Shire.

Trees on adjacent private property

The Chief Executive Officer may authorise the use of powers under Schedules 3.1 and 3.2 of the *Local Government Act 1995* in relation to serving notice for the removal of a tree or entering a property to remove a tree in the following circumstances:

- a) Where Director Infrastructure Services advises that the tree has been assessed and is deemed to be in a dangerous condition; or
- b) Where the affected neighbour can demonstrate reasonable negotiation has occurred with the owner of the property on which the tree is located and no agreement can be reached and provides a report by a qualified arborist detailing reason for removal.

Trees on land under the care and control of Council

In the event that a request by a resident is denied for the removal of a tree on land under the care and control of Council, the resident may apply for a decision of Council subject to the application including a report by a qualified arborist detailing reason for removal. If Council resolves to approve the removal of the tree, the cost of the arborist report will be refunded to the resident.

**References**

Name of Policy	2.3.2 Request to Remove Dangerous Trees			
Previous Policy	ED612 – Request to Remove Dangerous Trees (E15/5096)			
Date of Adoption and Resolution Number	Adopted	CGAM030/03/05	29/03/2005	
Review dates and Resolution Numbers	Modified	OCM023.1/01/10	25/01/2010	Ordinary Council Meeting
	Reviewed	OCM187/09/15	29/09/2015	Ordinary Council Meeting
	Modified	OCM179/12/17	18/12/2017	Ordinary Council Meeting
Next review date				
Related documents	<p>Acts/Regulations <i>Local Government Act 1995</i> Town Planning Scheme No 2</p> <p>Plans/Strategies Strategic Community Plan 2017 - 2027</p> <p>Policies Nil</p> <p>References Nil</p> <p>Delegations Delegation E008D Notices requiring things to be done by owner or occupier of land and additional powers when notice is given, undertake works on land that is not local government property and powers of entry.</p> <p>Work Procedures Nil</p>			

Note: changes to references may be made without the need to take the Policy to Council for review.