



<b>DOCUMENT TYPE</b>	Policy
<b>TITLE</b>	<b>SHIRE TREE REMOVAL</b>
<b>NUMBER:</b>	POL-4016

## **PURPOSE**

This Policy provides direction to Shire Operations and ratepayers on removal of Street Trees on the road verge, reserve or parks and gardens. The purpose of the policy is to protect and preserve Shire owned trees. It provides rules, to determine under what circumstances a tree may be moved or pruned.

## **DEFINITIONS**

**Tree** is any single or multi-stemmed woody perennial plant, generally more than 2m in height at maturity.

**Shire Tree** is any tree which has a majority (more than 50%) of its trunk growing from Council managed land.

**Street Tree** is any tree, planted on the street verge by the Shire or developers as a contribution to the streetscape, amenity and the urban forest.

**Reserve Tree** is a tree that is located within a park, reserve or natural area.

**Road Reserve** means any land dedicated at common law or reserved, declared or otherwise dedicated under an Act as an alley, bridge, court, lane, road, street, thoroughfare or yard for the passage of pedestrians or vehicles or both.

**Street Verge** means the portion of road between a property boundary and the road kerb, bitumen edge, or edge of maintained trafficable surface. It may accommodate public utilities, footpaths, stormwater flows, street lighting poles, street trees and other landscaping.

## **POLICY STATEMENTS**

The Shire recognises the significance of street trees within urban settings in terms of creating functional and aesthetic streetscapes and has the responsibility of planning, establishment and maintenance of all street trees in the townsites. The Council recognises street trees as a Shire asset and the retention of street trees will be considered a priority.

- The Shire is responsible for the pruning of street trees. Unauthorised pruning of any Shire tree is not permitted. Trees will be pruned, where practicable, in line with the Australian Standard for Pruning of Amenity Trees. Where pruning is required for clearance of power lines, the trees will be pruned as necessary to comply with Electrical Service Providers' current clearance requirements set by the State regulator.
- The Shire will undertake street tree pruning, the extent of which will be determined by the Shire's operational programming. The Shire will consider written requests from ratepayers / householders for the removal or pruning of street trees subject to acceptable justification. Depending on the reasons submitted for removal, the ratepayer/householder may be required to meet all costs involved. The Shire will

consider granting approval to ratepayers/householders to carry out street tree pruning subject to a written request to the approved assets officer.

- The Shire undertakes pruning of street trees as required, and subject to budget. Street tree pruning may fulfil any of the following requirements, as determined by the Shire:
  - To clear the canopy from interference with overhead power lines;
  - To remove overhanging branches considered hazardous to road traffic, buildings or structures;
  - To under prune low growing branches considered hazardous to traffic or pedestrians;
  - To define the form, structure and framework of trees;
  - To remove dead, dying, diseased or pest infested limbs and branches or abnormal growth; or
  - To under prune low growing branches that impede parking control signage and/or street signs
- The Shire is responsible for the removal of Shire trees. Unauthorised removal of any Shire tree is not permitted. The authorised officer/contractor of Council will undertake any tree removals that are required subject to inspection by the approved assets officer and a record of the removal being approved by a Senior officer of the Shire.
- It is recognised that in some cases tree retention is not feasible owing to the condition, location or species of the tree, its implications for development on an abutting site and/or the achievement of other Council objectives. Trees may be considered for removal, as determined by the Shire, under the following circumstances:
  - The tree is dead;
  - The tree is diseased or in decline;
  - The tree has been assessed by the Shire as structurally unsound;
  - The tree has been irreparably damaged by a storm or other event;
  - The tree is an unauthorised street or reserve tree;
  - The tree has been affected by infrastructure works and the tree cannot be retained;
  - The tree is an invasive species;
  - The tree interferes with vehicle safety sightlines, as assessed by the Shire; or
  - The tree is in contact with power lines and selective pruning is not practical.
- If a Shire tree prevents the impending development of an abutting property, and all possible design solutions have been deemed exhausted by the authorised officer, permission for the removal of a Shire tree may be granted by the authorised Senior officer, subject to any replacement conditions and costs being met by the developer.
- Street trees that die or are damaged or removed will be replaced. No damage to existing street trees or other native vegetation, including their root systems, shall occur during any modification to the verge. If it is found that the health of trees or other vegetation declines following verge modification to the point where removal is necessary, or if unauthorised pruning or removal has occurred, the property owner may be responsible for all costs associated with removal and replacement of the tree or vegetation, as per the Helliwell method (or other method authorised by the Shire).
- The Shire will investigate requests from residents/owners for tree pruning or removal. If the Shire determines that pruning is required but is not urgent, then the pruning will be incorporated into the next scheduled pruning for that suburb/locality. If the Shire determines that the pruning or removal requires an immediate response, then this will be attended to on an as-needs basis. The resident/occupant will be informed of the outcome of any request by an appropriate means.

- The following are not considered to be sufficient or justifiable reasons for the pruning or removal of Shire trees:
  - The tree species is disliked;
  - The tree is too large in size;
  - The tree attracts birdlife or other fauna;
  - The tree shape or structure is not liked;
  - The tree causes allergy and/or health problems;
  - The tree is an inconvenience during development/ works/ etc.;
  - The tree is in the way of a non-essential crossover or verge paving/treatment option;
  - The tree obscures or potentially obscures views (other than traffic/pedestrian sight lines);
  - The tree shades private gardens, lawns, solar panels, solar hot water installations etc.;
  - The tree species causes nuisance by natural debris production, which includes the dropping of leaf, flower, fruit, bark, etc.
  
- Replacement street trees that are required as a result of a tree being removed through the development process will be in line with the following:
  - A minimum of one replacement tree will be planted on the verge adjacent to the development;
  - Where a number of frontages are created due to subdivision, then a minimum of one tree shall be planted on each frontage, space permitting;
  - Where there is room for more than one tree on each frontage/lot, then multiple trees will be planted in relation to the available space;
  - Any additional replacement trees that are not able to be planted on the verge adjacent to the development will be planted elsewhere in the Shire and at the Shire's discretion;
  - All replacement trees will be of a species and size that is acceptable to the Shire; and
  - The replacement cost will be met by the developer/applicant.
  
- Where street tree removal is approved as part of a development approval, this will be noted as advice on the approval. The approval will also be conditioned to require the applicant to meet the cost of removal by the Shire or authorised contractor and the replacement of the tree(s) with a 45L (or as otherwise approved) tree of a species acceptable to the Shire. The applicant will also be required to maintain (water) the new trees for the first two summers.
  
- Any street tree removal, progressed by a Shire Officer under the approval process, will be reported to the Assets Officer as a matter of formal record.

## DOCUMENT AND VERSION CONTROL

Responsible Directorate		Infrastructure	
Responsible Officer		Director Infrastructure and Strategic Projects	
Statutory References		Local Government (Uniform Local Provisions) Regulations 1995, 5. Interfering with, or taking from, local government land. Local Government (Uniform Local Provisions) Regulations 1995, 17. Private works on, over, or under public places.	
Related Documents		POL-4010 Asset Management POL-4015 Private Street Tree Planting POL-4002 Private Works and Developments on Road Verges and Shire Managed Land	
Amendment History (Adoption and last 3 amendments)			
Version	Date Issued Resolution Number	Item #	Description of Change:
1.0	27/02/2024 - 118977	12.5.5	Adopted by Council
Date of Next Review		November 2026	