

Tree Preservation Order

Tree Assessment Guidelines for Private Lands

1.0 General

Councils Tree Management Policy 20/04/99, (1.1.2 Appreciation of Trees), requires that tree works decisions have a focus on retaining and protecting trees, unless there is strong justification for removal.

2.0 Criteria considered strong justification for tree works or removal

The following criteria are considered to provide strong justification for tree removal:

2.01 Where there is substantial evidence that the tree is structurally unstable, and therefore there is a high likelihood of tree failure, and a high degree of hazard particularly where, but not limited to, trees located in proximity to a high target area (such as a dwelling, or regularly used external area), and remedial actions to mitigate hazards are not feasible or practical. (Arborist report and testing may be required for significant trees)

2.02 Where the tree is in poor and declining health with a Safe Useful Life Expectancy of < 5 years and there are no reasonable options to mitigate or reverse the decline in health of the tree.

2.03 Where the tree is causing substantial and continuing structural damage to a dwelling or substantial structure, and remedial actions other than tree removal are not feasible or practical. (Evidence such as a structural engineering assessment may be required to support these criteria)

2.04 Where the tree is proven to be directly causing substantial personal ill health, such as severe allergies, and this is supported by specific expert medical evidence linking the health condition to the tree, and where all other reasonable medical or other solutions have been explored.

3.0 Considerations which may be justification for tree removal or Pruning

These are considerations which may be sufficient reason for approval of tree works dependant on an assessment of the overall merit of the application, and the significance of the tree.

3.01 Tree assessed as in general declining health or has poor form (eg poor vigour, poor shape, heavily suppressed by other trees), vigour or structure with no feasible means to redress health or form issues.

3.02 A tree which has structural defects which, while not being hazardous, may render the tree only suitable for retention in the short term, particularly where the

tree is not deemed significant and replacement may result in a better environmental outcome.

3.03 The tree produces fruit or other matter which may be hazardous to people and opportunities for remedial actions are not feasible, practical or reasonable, dependent on the type and frequency of actions required, the significance of the tree its location and the degree of potential hazard.

3.04 Pruning to improve form and vigour, or to alleviate a nuisance issue in a manner consistent with Australian Standard For Pruning of Amenity Trees, AS4373 2007 and with other accepted horticultural practices.

3.05 Tree located in an unsuitable position where for example predictable typical growth potential will result in major damage to a dwelling or substantial structure and there are no practical means to mitigate such future damage.

4.0 Criteria not generally considered justification for tree removal

These are common reasons for tree removal or tree works which would generally not be considered substantive by themselves, and would generally only be considered where there are proven to have significant health, safety, hazard or property damage implications or where trees are in poor health as noted in 3.01 or 3.02.

4.01 Flower, leaf or fruit fall causing nuisance

4.02 To increase general natural light

4.03 To enhance views

4.04 To allow for a proposed development

Note: vegetation removal would be considered under the development assessment process, and is not a valid reason for removal under the Tree Preservation Order

4.05 To reduce shade created by a tree.

4.06 To reduce fruit, resin or bird/bat droppings on vehicles.

4.07 Insect/animal nuisance

4.08 Minor lifting of driveways, paths and paving

4.09 Damage to fences due to branch failure

4.10 Minor damage to roof structures, outbuildings, garden structures, walls.

4.11 Damage to underground services (such as sewer lines, water services and the like), where there are feasible alternatives to mitigate or solve problems & retain the tree, and the tree is significant.

4.12 Construction of fences

4.13 Tree does not suit the existing or proposed landscape

4.14 Unsubstantiated fear of tree failure.

4.15 To allow for landscape works

4.16 Tree removal for Fire hazard/ hazard reduction, where land is not within bushfire prone lands as defined by Council's Bushfire Prone Land Map. (Removal of Trees or other vegetation on bushfire prone lands for reasons of fire hazard would be dealt with by way of an application to Council for a hazard reduction permit under Rural Fire Act. Bushfire issues alone are not considered a reason for removal by themselves in lands not classified as bush fire prone.)

4.17 Dropping of dead wood (Deadwood may be removed as an exemption under the Order)

4.18 Tree too large or high.

4.19 Pruning to reduce height except where a hedge.

Definitions:

Substantial evidence to indicate tree hazard and decline

Evidence of Tree hazard

Including but not restricted to: obvious instability of root plate, such as evidence of soil heave, loss of structural roots, root decay, poor structural integrity of trunk due to significant wood decay, large cavities, internal cracking, poor large branch attachments such as severe bark inclusions, poor attachment of regrowth after lopping/ storm damage.

Evidence of Tree decline

Including but not restricted to: large areas of dieback of canopy, and poor live crown ratio (eg <30%), dead and decaying wood in trunk, sparse live canopy, substantial epicormic growth on branches and trunk, substantial insect attack, multiple areas of wood decay lesions in branches and trunk,