

TREES – REMOVAL OF TREES IN PUBLIC AREAS

Objective

- To consider the removal of trees located in public areas under Council's control
- To retain trees to preserve the amenity of the area including biodiversity values of the trees where possible
- To provide a strategic direction for the retention where possible and the replacement of trees removed from public places

Scope

All public areas under Council's control

Note: Trees on private land are subject to an assessment under Council's planning controls

Policy

1. That trees causing damage or threat to property and/or Council infrastructure be assessed and considered for removal subject to funds being available.
2. That trees approved for removal be replaced with trees of a more appropriate species.
3. That any damaged kerb and gutter be replaced as funds become available.
4. That Council allocate an annual budget for the replacement of public trees removed as a result of this Policy.
5. That the following areas be nominated as community open space areas where replacement trees shall be planted:
 - Frog Hollow wetlands
 - Hargraves Lane wetland
 - Aero Park subdivision wetland
6. That the replacement trees be native species designed to provide habitat values and food sources for native fauna.

Criteria for Removal

The following criteria permits Council staff to make a decision to remove such trees affected by the policy without a formal application to Council or the need to obtain a qualified arborists report, provided the tree/s are assessed and deemed to meet the following criteria:

- a) The tree or other vegetation poses an immediate risk to human life or property and is within 48 hours of a severe weather event; or
- b) The removal of tree/s does not require an approval under the Native Vegetation Act 2003
- c) The tree or plant is a noxious weed as declared under the Noxious Weeds Act 1993
- d) The removal of trees is required or authorised by or under the Electricity Supply Act 1995, the Roads Act 1993 or the Surveying and Spatial Information Act 2002
- e) The tree does not have Aboriginal Significance or is an Aboriginal object
- f) The tree is not associated with a Heritage listed item or is in a Heritage Conservation Area *
- g) The prescribed tree has been given approval to be removed under a previous development consent
- h) The tree does not provide significant shade to adjoining properties or its removal will not significantly degrade the streetscape
- i) The tree is not an endangered or threatened species as defined by the Threatened Species Conservation Act 1995

* Note: Gilgandra's Heritage Conservation Area surrounds the CBD (Miller Street from Warren Road to Court Street and Morris Street from Warren Road to Wrigley Street).

Further detail information can be sourced from Council's Local Environmental Plan and Associated mapping.

Should the trees fail to meet this criteria, Council will undertake formal approvals using Part V of the Environmental Planning and Assessment Act.

Relevant Legislation

Council's Development Control Plan 2011
Council's Local Environmental Plan 2011

Associated Documents

Vegetation Management Agreement between Gilgandra Shire Council and Country Energy for Powerline Vegetation Management (Legal Document 1329)

Responsible Officer:	Director Growth and Liveability		
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