

# TREE PRESERVATION ORDER

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Notice is hereby given that under the provisions of clause 6(1) of the *Bland Local Environmental Plan 1993*, Bland Shire Council has by resolution made a general Tree Preservation Order to apply to all lands within the Village Zones of the towns of West Wyalong, Wyalong, Ungarie, Barmedman, Weethalle, Tallimba, and within the villages within the Shire, all reserves vested in Council's control including road and recreational areas within the Shire of Bland. This order prohibits the ring-barking, cutting down, topping, lopping, removing, injuring or willful destruction of any tree or trees specified in the order except with the consent of the Council and any such consent may be given subject to such conditions as the Council thinks fit. The responsible authority is the Council of the Shire of Bland. The Council defines "tree" as:

All species of trees having a height of more than 3.7 metres or a branch spread exceeding 2.4 metres in diameter.

"Lopping shall be defined as reducing the height or pollarding (branch spread) of the tree by more than 10 per cent which shall require the issue of a permit.

The order does not apply to instances where:

- a) The removal or pruning of any fruit tree or pruning of any tree for regeneration;
- b) Any tree which is dying or dead or which has become dangerous;
- c) Any tree which, because of its location, would prevent the erection of a building;
- d) Any species of tree that has been proclaimed as a "noxious plant" within the area of the Shire of Bland.
- e) That taking the action was reasonably necessary to prevent human life, buildings or other property from imminent danger from a bush fire burning in the vicinity of the land on which the tree was situated; or
- f) That written notice about the proposed action was given to the Council of the area in which the tree was situated and the Council, before the action was taken, confirmed in writing:
  - (i) that the tree was in a fuel free zone within the meaning of the document entitled "Planning for Bush Fire Protection" published by the Department of Bush Fire Services; and
  - (ii) that, if the Council has classified species of trees as being likely to present a significant fire hazard, the tree was of such a species;or

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- g) That written notice about the proposed action was given to the Council. A period of not less than 14 days occurred after the notice was given (and before the action was taken) and the Council did not advise the person during that period that it opposed the action being taken.

In this subclause. "Notice" means a notice that includes the name and address of the person who gives it and that explains that a tree of a named species situated in a specified position on land described in the notice is intended to be ring-barked, cut down, topped, lopped, removed, injured or willfully destroyed for the purpose of bush fire hazard reduction.

Council shall determine the need to replace any tree removed under the provision of this order with a suitable tree in an alternative position.