



Tree/Bushland Preservation Areas and Planning Requirements

The City of Mandurah is committed to preserving trees and bushland across the district. Amendment 75 was gazetted on 15th January 2008 providing greater protection for trees and bushland and introducing the Significant Tree Register into Mandurah's local legislation.

The information sheet provides an overview of protected areas, circumstances when a planning application is required and exemptions from planning approval.

1. Areas of Tree and Bushland Conservation

In the following locations, trees and bushland may not be removed or damaged under any circumstances:

- In Public parks or open spaces;
- Within Regional Open space;
- Within foreshore reserves adjacent to ocean or estuary; and
- Within Road reserves/footpaths;

Enquiries regarding vegetation in these areas should be directed to the City of Mandurah Works and Services Department on 9550 3971 or works@mandurah.wa.gov.au

2. Areas of Bushland Protection and Planning Approval Requirements

Trees and bushland are protected on private lots in the following circumstances:

- On blocks greater than 4000m²;
- On R2, R2.5 and R5 zoned lots (approximately 2000-5000m²);
- On any slope in excess of 10%;
- Within 120 metres of a watercourse;
- For any Registration OR Nomination on the City of Mandurah Significant Tree Register; and
- In nominated Tree Preservation Areas.

2.1 Tree Pruning/Removal of Bushland Clearing

The ring-barking, cutting down, topping, lopping, removing, pruning, transplanting, filling or excavating around, injuring, (whether by injecting anything or otherwise) or wilful destruction of any bushland or tree(s), which is of a height greater than 3 metres and has a branch spread greater than 3 metres in diameter, is prohibited in the above zones.

Planning approval is required for any of these actions in the areas described above. The following documentation must be submitted with the planning application. All documents must be clearly labelled, legible, drawn to scale and marked with lot address and owner details:

- Completed 'application for planning approval' form. Select 'other' under 'Description of Development' and write "Tree Removal" or "Tree Pruning" in the text section. In all cases the fee is \$132.00;
- A brief explanation as to the reasons why the tree or bushland is desired to be removed; and

- A site plan (minimum scale 1:200) which clearly indicates property boundaries, all building(s), effluent system and access way (proposed or existing). The plan is to clearly depict all trees and bushland over the site, along with text and hatching to indicate any trees or bushland intended to be removed or trimmed. Areas of tree/bushland retention must also be clearly marked.

2.2. Building on Tree Preservation Lots

Planning Approval is required before the issue of a Building Licence (for any structure) on lots described under Section 2, unless the development falls within an approved building envelope. The Building Application cannot be processed until Planning Approval is issued.

The following documentation must be submitted with the planning application. All documents must be clearly labelled, legible, drawn to scale and marked with a lot address and owner details.

- Completed 'application for planning approval' form. Select 'other' under 'Description of Development' and write "Tree Removal" or "Tree Pruning" in the text section. In all cases the fee is \$132.00;
- A brief explanation as to the reasons why the tree or bushland is desired to be removed; and
- A site plan (minimum scale 1:200) which clearly indicates property boundaries, all building(s), effluent system and access way (proposed or existing). The plan is to clearly depict all trees and bushland over the site, along with text and hatching to indicate any trees or bushland intended to be removed or trimmed. Areas of tree/bushland retention must also be clearly marked.

Applications cannot be processed until all the required information has been submitted.

Note:

- *Planning approval may be granted with conditions or denied subject to officer and Manager assessment;*
- *It would be highly beneficial to make application to create a Building Envelope for Rural-Residential zoned lots, which define an area within which vegetation may be removed and buildings constructed without further planning approval.*

3. Exemptions from Planning Approval

Approval is not required for the pruning/removal of tree(s) or clearing of bushland in the following circumstances:

3.1. If the tree(s) or bushland is within:

- a building envelope or building footprint area as depicted on an approved Outline Development Plan, Development Guide Plan, Subdivision Guide Plan, Precinct Plan or Detailed Area Plan;
- the perimeter line of a proposed building for which a building licence has been issued;
- three metres of the wall of a building, as measured from the centre of the trunk to the footings of a building;
- a firebreak required by a Regulation or By-law;
- a one metre wide corridor for the purpose of erecting or maintaining a boundary fence;
- the area required for the construction of an effluent disposal system approved by Council; or
- a lot having an area of 400m² or less.

3.2 If the tree is dead or constitutes an immediate threat to life or property.

3.3 Pruning of dead branches and branches directly overhanging the roof of a building.

3.4 Where approval for removal of tree or bushland has been granted by the Council associated with development and/or subdivisional works (including infrastructure provision).

3.5 Pruning of branches to achieve necessary clearances from power lines in accordance with Western Power regulations.

3.6 Trees grown for commercial purposes.

3.7 Any tree within a State Forest.

3.8 Any tree or bushland within any rural zoned area the subject of an approved rural pursuit; subject to its compliance with the Soil Conservation Act, WAPC State Planning Policy No. 2.1 – The Peel-Harvey Coastal Plain Catchment and EPA Bulletin No 864 'Final Criteria of Environmental Acceptability for land Use Proposals Within the Catchment of Lake Clifton'.

3.9 Trees being removed or disturbed as part of a verge/native tree planting program carried out at Council's approval.

Please note:

The information contained within this document has been modified, as it appears in the City of Mandurah's Town Planning Scheme No 3. Before undertaking any bushland clearing, please discuss your intentions with EcoServices on 9550 3812 or ecoservices@mandurah.wa.gov.au

4. FAQs

Q1) How do I know if my tree is dead or dangerous?

A) In unsure please contact EcoServices, and the tree can be inspected by Council staff.

Q2) What is the procedure to remove dead branches from my tree?

A) Dead or dangerous branches can be pruned and the tree balanced/made safe without an Application for Planning Approval. The work must be carried out by a qualified contractor to Australian Standard AS 4373-2007 Pruning of Amenity Trees.

Q3) Can I prune trees in street verges or parks?

A) No. Pruning of these trees may not be carried out by landowners or contractors. If there is a tree in public space which requires attention, a service request can be organised via the Council switchboard on 9550 3777.

Q4) Can I prune a tree which is overhanging my boundary from a neighbour's property?

A) If branches are overhanging you roof or if deadwood requires pruning, this can be carried out as per Q2 up to the boundary line. If the tree is nominated or registered under the Significant Tree Register or if pruning for amenity/practical purposes, planning approval is required. You can submit an application for planning approval for branches which are within your boundary only.

5. Definitions

- Tree: A long-lived woody perennial plant greater than 3 metres in height or 3 metres in canopy width with one or relatively few stems (native or exotic).
- Bushland: Land that contains remnant vegetation or is similar structure and includes plant species found in natural bushland, including trees.
- Watercourse: A river and/or its tributaries, estuary, inlet, lake (natural or artificial), wetland (natural or artificial), dampland, sumpland, including the coast but excluding artificial waterways.

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