Breaches of Tree Preservation Order Policy

As at 7 March 1995

STRATHFIELD
COUNCIL

	POLICY
TITLE	**Breaches of Tree Preservation Order Policy**
DATE ADOPTED	7 March 1995	**MINUTE**	PK.22/95
REVISED	n/a	**REVIEW**	2011
RECORD	D/W no: 41238		
ASSOCIATED LEGISLATION	Environmental Planning and Assessment Act 1989		
ASSOCIATED POLICIES	Strathfield Planning Scheme Ordinance		

Council views seriously any braches of its Tree Preservation Order and will vigorously prosecute where serious and repeated breaches occur. Council also recognises the value of education about the necessity for Tree Preservation and the need to deter potential breaches through publicising successful prosecutions.

OBJECTIVES

1. To ensure that action in relation to breaches of Council's Tree Preservation Order is consistent with the nature and severity of the breach.

2. To deter further breaches through publicising successful prosecutions.

3. To maintain environmental integrity through encouraging replacements of trees lost through unauthorised removal or damage.

DECISION

That Council adopt the following as its policy in relation to breaches of its Tree Preservation Order:

That where breaches of the Tree Preservation Order occur -

1. Council prosecute breaches of Tree Preservation Order for:

    a) multiple or major breaches of the Tree Preservation Order;
    b) damage, destruction of single tree;
    c) Repeated breaches of the Tree Preservation Order;

2. Council not prosecute in cases of:

    a) Single or minor breaches of the Tree Preservation Order;
    b) pruning, trimming of a single tree

      c)   first offence, of a minor nature;

3.   In cases where Council does not prosecute Council may at its discretion require the offender to:

      a)   pay Council's legal costs (if any)
      b)   establish suitable replacement tree on site
      c)   provide additional landscaping on site – to the Director Operation's satisfaction

4.   Names not be included in any articles placed in the Strathfield Scene regarding the publicising of the breach of Council's Tree Preservation Order