



Minister for Local Government; Heritage; Citizenship and Multicultural Interests

Our Ref: M0802654

Ms Alex Jones
alx_jones@yahoo.com.au

Dear Ms Jones

PROTECTION OF MATURE TREES ON PUBLIC LAND IN URBAN AREAS

I refer to your email of 18 December 2007 to my predecessor regarding the Standing Committee on Environment and Public Affairs' recommendation that a model tree policy be developed for protecting mature trees in urban areas.

I am advised that the former Minister for Local Government responded to the Standing Committee advising it that the development of a model tree policy would be examined in the context of current legislation, policies and programs. It was acknowledged in that response that the effectiveness of a model tree policy would depend on the extent to which it would be utilised by local governments.

The general competence power of the *Local Government Act 1995* provides local governments with significant decision making autonomy. This includes the type and content of local laws and policies they may wish to adopt. Accordingly, many urban local governments have chosen to adopt policies for the preservation of trees in response to the particular demands expressed by their local communities.

Local governments may also adopt policies and provisions under their town planning schemes which can provide very effective tools for the preservation of trees. Also, the Department for Planning and Infrastructure (DPI) has developed the Draft Bushland Policy and the Liveable Neighbourhoods Policy – both of which have been drafted under town planning legislation and relate either wholly or in part to the placement and protection of trees.

Following discussion and examination of this matter by the Department of Local Government and Regional Development (DLGRD), DPI and the Western Australian Local Government Association, the DLGRD has recommended that the development of a model tree policy need not be progressed at this stage. In arriving at this position, the Department has been mindful that the local government sector already has adequate information to develop a new, or review an existing, tree policy if it so chooses. This includes the DPI policies referred to above, but also the range of tree policies that local governments have already adopted which can be shared amongst the sector.

With the prevalence of the above resources, I do not consider there is a need for State Government intervention in this area. In addition, as there is no compulsion for local governments to adopt a tree policy, it is doubtful that the development of a model policy would be either particularly useful or an effective use of resources.

I will be advising local governments of my decision, but also encouraging them to ensure their approach to preserve mature trees in their areas is in accordance with the wishes of residents and other stakeholders.

I trust this information is of assistance.

Yours sincerely

A handwritten signature in black ink, appearing to read 'John Castrilli', written in a cursive style.

**Hon G M (John) Castrilli MLA
MINISTER FOR LOCAL GOVERNMENT; HERITAGE;
CITIZENSHIP AND MULTICULTURAL INTERESTS**

- 3 DEC 2008