



Council Policy

TREE MANAGEMENT ON PUBLIC LAND

| | |
|----------------------------------|--|
| Corporate Plan Reference: | Custodianship of Noosa's Environment; Quality Service Delivery; Looking after Community Assets |
| Endorsed by Council: | 21 June 2018 |
| Policy Author: | Manager Civil Operations, Infrastructure Services |

PURPOSE

The purpose of this Policy is to:

- Establish Noosa Council's commitment and strategic direction for the protection, management, enhancement and maintenance of the trees on public land within the Noosa Shire.
- Address tree management and maintenance issues faced by Noosa Council.
- Provide a framework for decision-making, documentation and standardised processes to ensure consistency of the management of trees on public land within Noosa Shire.

The Tree Management on Public Land Policy is one of a suite of documents used to manage trees on public land in Noosa Shire and is the over-arching document to which the others reference and are guided and informed by.

SCOPE

This Policy applies to all trees under care and control of Council on public land within the Noosa Shire. This includes parks, environmental reserves, road reserves, and council-owned land including community facilities.

This Policy does not apply to:

- Trees on private property
- Trees on land controlled by Council for Conservation purposes including bushland reserves except where they abut private land
- Plants identified under the Noosa Council Pest Management Plan
- Removal of regrowth in constructed drains and firebreaks
- Trees on public land not managed by Council e.g. National Parks

For trees on private land, *The Noosa Plan* regulates vegetation clearing through application of shire wide tree protection provisions and the *Biodiversity Overlay Code*. Vegetation is also regulated by the State Government through the provisions of the *Vegetation Management Act* (1999).

This policy does not replace requirements determined by legislation and associated regulations, local laws or planning scheme requirements.

POLICY BACKGROUND AND CONTEXT

Trees on public land are fundamental to the character of Noosa Shire. Noosa's natural green environment characterises the Noosa Council vision - 'different by nature'. Trees form the aesthetic and ecological framework for this environment. They also shade parks, cool and soften buildings, enhance streetscape amenity and provide habitat and food for wildlife. As such, trees have a significant value to Noosa Council and the community.

Trees in urban areas have a cooling effect that may significantly reduce energy consumption in summer. Trees can prevent soil erosion, filter wind, reduce noise and air pollutants, store carbon and produce oxygen. They also screen built form and ensure that buildings are blended into the natural landscape. This upholds the "Noosa Look and Feel" as outlined in the Noosa Design Principles which have been developed by Council and the community of Noosa.

This Policy ensures that trees on public land are managed in a consistent, transparent and sustainable manner, in accordance with all relevant legislation and are recognised and treated as valuable assets. It also recognises that tree management in urban areas requires a balanced approach to risk management whilst maximising benefits to the community.

POLICY OBJECTIVES

This Policy is underpinned by the following objectives:

1. Trees are valuable assets and will be managed accordingly
2. Council will maintain a consistent approach to assessing risks and benefits posed by trees in accordance with defined criteria
3. Council will maintain a commitment to the sustainable management of trees on public land and also the greening of open spaces
4. Trees on public land will be proactively maintained where possible in a manner that is consistent with relevant Australian Standards to ensure the identification and minimisation of risk
5. Where it is unavoidable that trees are to be removed from public land, Council will arrange an offset planting
6. Council will provide a consistent response to resident requests for tree maintenance, planting and removal
7. Acknowledgement that certain trees may be trees of importance having particular cultural, environmental, landscape or other significance
8. Trees on public land will be protected, as far as possible, from damage during any construction activities
9. Unauthorised interference with trees on Council land is prohibited and will be managed in accordance with local laws and relevant legislation.

DEALING WITH REQUESTS FOR TREE PRUNING AND REMOVAL

Council regularly receives requests to remove part or all of trees on land under its control. Decisions as to whether to act on these requests will be made by Council's qualified staff and/or consultant arborists.

Trees will only be removed or pruned after consideration of potential risks and benefits.

Council may agree to the following works if the risk presented outweighs the benefit:

- Removal of trees that present an unacceptable hazard
- Removal of trees in conflict with utilities and built structures where all engineering alternative solutions have been considered
- Maintenance pruning to remove dead, dying, diseased or defective branches
- Selective pruning to remove branches causing conflict i.e. encroachment onto buildings
- Vegetation works for service lines
- Vegetation works to reduce unacceptable hazards to pedestrians or vehicular access
- Pruning for vehicle sight lines, public signage and the requirements of the Department of Transport and Main Roads
- Root pruning of trees to ameliorate damage to built or natural structures, or to remove trip hazards
- Minimal vegetation works to trees that are identified as providing habitat to specific species. Council will remove the minimum amount determined to make it safe, whilst still retaining habitat value (e.g. leaving a hollow stump for nesting birds).

Council will not undertake the following works:

- Removal or pruning of trees to benefit private views
- Removal of healthy and stable trees that do not present an unacceptable risk
- Removal of trees to facilitate private construction works including fences
- Removal of trees for leaf, flower, fruit, minor branch or sap drop, or animal feces
- Removal of trees which are inhibiting grass growth, shading property or shading solar panels
- Removal of trees which are claimed to be damaging water or sewage pipes, unless evidence is provided that indicates that tree roots are the cause of the damage
- Pruning of trees contrary to Australian Standard 4373:2007 Pruning of Amenity Trees
- Pruning of trees for private and commercial signage
- Vegetation works that will cause the tree to decline or die.

In mitigating circumstances, Council may grant permission for non-essential tree works to be undertaken at the cost of the applicant. This will involve a tree permit application and using Council's approved contractors.

Trees may be removed for emergency access or work that is immediately required in response to an emergency event.

Special consideration will be given to trees that are classed as threatened, near threatened or endangered under the *Nature Conservation Act (1992)* or those that provide significant habitat for rare and threatened species.

REPLACEMENT TREES AND OFFSETS

Noosa Council will proactively identify opportunities to increase tree canopy cover across the shire where appropriate. Improving the quality of this canopy cover will be achieved through planting "the right tree in the right location". Consideration of this includes stock quality, installation, species selection criteria and diversity. Where possible, residents will be consulted prior to planting of new street trees.

Where appropriate, Council will seek to replace trees that are removed with either more appropriate trees or else equivalent trees in a more appropriate location.

Where a tree will need to be removed, Council may choose to plant a new tree nearby and wait until that new tree is established before removing the original tree.

ROLES AND RESPONSIBILITIES

This Policy applies to all Council Officers dealing with the management of trees on Council controlled public land. Council's associated Tree Management on Public Land Guideline further clarifies the specific responsibilities and operational details for tree management on public land.

The Manager Civil Operations is responsible for developing and maintaining the abovementioned guideline in consultation with Councillors and staff.

DEFINITIONS

| | |
|-----------------|--|
| Amenity | A feature or features that provide comfort, convenience or pleasure, in this context related to open space and landscapes. |
| Emergency event | A cyclone, earthquake, flood, storm, storm tide, tornado, tsunami, volcanic eruption or other natural happening |
| Hazard | A source or a situation with a potential for harm in terms of human injury or ill-health, damage to property, damage to the environment, or a combination of these. |
| Interference | The deliberate act by a person of engaging in an unapproved activity which damages trees or vegetation on Council land. |
| Offset | Planting undertaken to counterbalance the impact caused by a loss of tree/s or vegetation from a particular location and/or the landscape. |
| Risk | The likelihood that a harmful consequence (death, injury or illness) might result when exposed to the hazard. This will include the level of use of the areas surrounding trees, and the proximity of roads, buildings and other structures. |
| Tree | Long lived woody perennial plant with one or relatively few main stems or trunks, usually greater than 5 metres in height on maturity. Also includes palms and cycads for the purposes of this Policy. |

RELEVANT LEGISLATION / STANDARDS

Australian Standard 31000:2009 Risk Management
 Australian Standard 31000:2009 Risk Management Principles
 Australian Standard 4373:2007 Pruning of Amenity Trees
 Environmental Protection and Biodiversity Conservation Act (1999)
 Land Protection (Pest and Stock Route Management) Act (2002)
 Local Law No. 1 (Administration) 2011
 Local Law No. 4 (Local Government Controlled Areas, Facilities, Infrastructure and Roads) 2011
 Nature Conservation Act (1992)
 Queensland Heritage Act (1992) Vegetation Management Act (1999)
 Work Health and Safety Act (2011)
 Disaster Management Act (2003)

Version control:

| Version | Reason/ Trigger | Change (Y/N) | Endorsed/ Reviewed by | Date |
|---------|-----------------|--------------|-----------------------|------------|
| 1.0 | New | N | Council | 09/04/2015 |
| 2.0 | Review | Y | Council | 21/06/2018 |