

1. Policy Statement

The purpose of this policy is to:

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

2. Scope

This policy and its associated documentation apply to trees under Council's direct responsibility located on public land within the Hinchinbrook Shire.

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 Hinchinbrook Local Government Area Biosecurity Plan;
- Removal of regrowth in constructed drains and firebreaks; and
- Trees on public land not controlled by Council eg National Parks.

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

3. Responsibility

This policy applies to all Council Officers involved in the management of trees on Council controlled public land.

The Parks and Gardens Department is responsible for developing and maintaining this policy in consultation with Councillors and staff.

4. Definitions

Arborist	Professional who possesses the technical competence gained through experience and related training to provide for, or supervise the management of, trees and other woody plants in residential/commercial and public landscapes.
Council controlled public land	Public land that Council has control over or is trustee for.
Emergency event	Any event, natural or man-made, with the potential to create unsafe conditions, cause injuries or deaths, disrupt operations, cause physical or environmental damage.
Hinchinbrook Local Government Area Biosecurity Plan	Plan that provides strategic direction for the management of declared and other priority pests on all lands tenure within the Hinchinbrook Local Government area and has been developed for the entire community.

Hinchinbrook Local Government Area Plant Species List	Document that specifies suitable streetscape, foreshore, open space and landscape plants for the Hinchinbrook Local Government area.
Private property	Land owned by non-government legal entities and which they have exclusive use and legal rights.
Public land	Parks, environmental reserves, road reserves and other state and federal reserve or owned land.
Regrowth	New stem or branch growth on a plant as a result of previous pruning.
Tree	A woody perennial plant, typically having a single stem or trunk growing to a considerable height and bearing lateral branches at some distance from the ground.

5. Policy

5.1. Tree Planting

The Hinchinbrook Local Government Area Plant Species List specifies suitable trees for planting that perform well within the shire and that have the ability to contribute positively to the shire's environment.

Residents are not permitted to plant trees or shrubs within public land unless written Council approval is obtained. This approval is via Private Works in Road Reserve Permit and will take into consideration including but not limited to access requirements, existing underground services such as electricity, water, stormwater, sewerage and communications, and further any future works such as footpath construction, installation of street furniture etc.

Compensation will not be available to residents for the removal of trees and shrubs that have been planted without Council permission. Upon Council's knowledge of the unauthorised plantings, notification will be given to allow property owners an opportunity to remove planted material. If not actioned within three weeks, Council staff or contractors will remove the planted material and seek cost recovery from the property owner.

5.2. Pruning

Trees located within public lands generally will only be pruned to clear overhead powerlines/service lines, improve the trees aesthetics, structure integrity or health, to clear infrastructure such as street lights, CCTV and street signs, and to maintain pedestrian and vehicle access and or sight/lines. Root pruning of trees will be undertaken to ameliorate damage to built or natural structures, or to remove trip hazards. Trees will be pruned after consideration of potential risks and benefits.

5.3. Removal Criteria

Council's preference is for trees to be retained wherever possible.

Effective management of trees may require removal from time to time in order to limit risk to person and/or infrastructure, to reduce life cycle costs or to provide a street tree canopy for current and future residents. Where minimal vegetation works to trees, that are identified as providing habitat to specific species of fauna, 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).



Reasons for removal include, but are not limited to:

- Trees that are dead, dying or unsafe;
- Minimisation or elimination of hazard and associated risk to the public;
- Trees that are the subject of public liability claims;
- Trees that are in inappropriate locations due to tree size, structure or root network;
- Trees that are adversely impacting on vehicle and/or pedestrian safety;
- Trees that are causing damage to public or private infrastructure;
- Trees that are identified for removal following consultation as part of a street tree planting program;
- Trees that are identified as weed species;
- Trees that are causing excessive renewal and maintenance costs to surrounding infrastructure or are in conflict with utilities and built structures where all engineering alternative solutions have been considered; or
- Any other reason that Council deems is in the public interest.

To achieve policy objectives and fulfil Council's obligation and commitment to ensuring compliance with relevant legislation and standards, Council's qualified staff and/or consultant arborists will undertake a Tree Risk Assessment to determine the requirement to remove a tree from public land. Mitigation options, other than the removal of the tree, that result in the residual risk being moderate or lower will be favoured over the removal of tree. The tree risk assessment and instruction is based on the International Society of Arboriculture best management practises.

5.4. Unacceptable Removal Criteria

The following reasons do not justify tree removal:

- 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 for leaf, flower, fruit, minor branch or sap drop, or animal faeces;
- 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: Pruning of Amenity Trees;
- Pruning of trees for private and commercial signage; and
- Vegetation works that will cause the tree to decline or die.

5.5. Request to Remove or Prune

A request to remove trees on public land must be made in writing to Council on the approved form and requires a level of community consultation to be undertaken by the applicant.

Trees will only be removed or pruned after consideration of potential risks and benefits via the Tree Risk Assessment process as detailed in Section 5.3 Removal Criteria.

Council will not agree to remove a tree as per the unacceptable removal criteria specified in Section 5.4, however trees may be removed for emergency access or work that is immediately required in response to an emergency event.

Should the outcome of the Tree Risk Assessment indicate that the only mitigation option is to remove or prune the tree, this work will be undertaken at Council's cost. In mitigating circumstances, Council may grant permission for non-essential tree works to be undertaken at the cost of the applicant. Should



these works be located in the road reserve, the applicant will be required to gain a Private Works in Road Reserve Permit to undertake the works.

6. Legal Parameters

Local Government Act 2009

Local Government Regulation 2012

Queensland Environment Protection Act 1994

Queensland Land Act 1994

Queensland Nature Conservation Act 1992

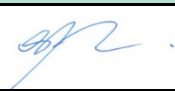
Vegetation Management Act 1999

Environmental Protection and Biodiversity Conservation Act 1999

Australian Standard 4373: Pruning of Amenity Trees

7. Associated Documents

- Appendix A – Tree Risk Assessment & Form Instructions;
- Appendix B – Application to Remove Tree; and
- Private Works in Road Reserve Policy.

DOCUMENT HISTORY AND STATUS						
Action		Name		Position	Signed	Date
Approved by Council		Alan Rayment		CEO		19/12/2019
Policy Version:	1	Initial Version Adopted			Current Version Adopted:	26/11/2019
Maintained By:		Infrastructure Services Delivery		Next Review Date:		26/11/2021
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