

1. Purpose

The purpose of this Policy is to:

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

This Policy supersedes the Tree Management on Public Land Policy Version 1 (ISD 401/1) adopted 26 November 2019.

2. Scope

This Policy and its associated documentation apply to vegetation under Council's responsibility located on public land within the Hinchinbrook Shire. This Policy does **not** apply to:

- Vegetation on private property;
- Vegetation 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
- Vegetation on public land not controlled by Council eg National Parks, or land managed by other governmental agencies

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

3. Responsibility

Chief Executive Officer

The Chief Executive Officer has overall responsibility for the implementation and execution of this Policy.

Director Infrastructure Services

Director Infrastructure Services is responsible for developing and maintaining this Policy in consultation with Councillors and staff.

Infrastructure Services Team

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

4. Definitions

Arborist is a 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 is public land that Council has control over or is trustee for.

Emergency event is 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 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 specifies suitable streetscape, foreshore, open space and landscape plants for the Hinchinbrook Local Government area.

Other government agencies refers to other state or commonwealth government agencies such as Department of Transport and Main Roads.

Private property is land owned by non-government legal entities and which they have exclusive use and legal rights.

Public Land is parks, environmental reserves, road reserves and other state and federal reserve or owned land.

Regrowth is a new stem or branch growth on a plant as a result of previous pruning.

Tree is 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.

Vegetation refers to the collective plant life or plant communities in a particular area, and encompasses all types of plants, including trees, shrubs, grasses and herbs.

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, including footpaths, unless written Council approval is obtained. This approval is via Vegetation Planting on Council Land Request Form (682) 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.

Council is not liable for any unauthorised planting or unauthorised 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 may seek cost recovery from the property owner.

5.2. Pruning

Vegetation 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 streetlights, 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 and vegetation 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 safety 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 are required 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 reasonable engineering or other 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 vegetation or Tree Risk Assessment to determine the requirement to remove a tree or vegetation 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 vegetation or 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, enhance personal amenity, or for other aesthetic reasons such as to complement landscaping preferences;
- 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 and/or vegetation 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 or vegetation 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 or prune a tree or vegetation as per the unacceptable removal criteria specified in Section 5.4, however trees and/or vegetation 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 or vegetation 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;*
- *Environment Protection Act 1994 (Queensland);*
- *Queensland Land Act 1994;*
- *Queensland Nature Conservation Act 1992;*
- *Vegetation Management Act 1999;*
- *Environment Protection and Biodiversity Conservation Act 1999; and*
- Australian Standard 4373: 2007 Pruning of Amenity Trees.

7. Associated Documents

- Application to Remove a Tree Form (402);
- Tree Risk Assessment Form (404) and Instructions (403);
- Private Works in Road Reserve Policy; and
- Vegetation Planting on Council Land Request Form (682).

DOCUMENT HISTORY AND STATUS						
Action	Name			Position	Signed	Date
Approved by Council	Mary-Anne Uren			CEO		
Policy Version	2	Initial Version Adopted	26/11/2019	Current Version Adopted		28/10/2025
Maintained By	Infrastructure Services			Next Review Date		01/10/2027

