



# COUNCIL POLICY

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Subject/Title: **Removal of Urban Trees in Council Controlled Areas**

Policy No.: **217/06**

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Responsible Manager/Unit: **Manager - Facilities**

Head of Power:

- Local Government Act 1993
- Land Act 1994
- Caboolture Shire Planning Scheme
- Local Law No 12 – Parks, Reserves & Foreshores
- Local Law No 16 - Roads

Authorised by: **Council**

Authorised on: **6 December 2005**

Implemented from: **6 December 2005**

Last Reviewed:

Review History:

## **1.0 PURPOSE**

To provide procedures and guidelines to assist Parks and Recreation officers in determining the removal or retention of trees growing on public or Council managed land including parks, reserves and road reserves and other Council controlled properties.

To ensure consistency, openness and transparency in the determination of requests from residents, Government Agencies and Council Departments for the removal of trees in parks, reserves and urban road reserves.

## **2.0 SCOPE**

This Policy relates to trees growing in Council controlled urban roads parks and reserves.

## **3.0 DEFINITIONS**

3.1 Council Policies are policies that are made by resolution of the Council.

3.2 Urban trees are all street trees growing on road reserves and identified by kerb and channel and all parks and reserves.

3.3 A Tree Hazard Assessment Form is the document that Parks and Recreation staff will use to report on the condition of a tree outlining recommendations for removal or retention.

3.4 Trust Land is Crown Land managed by Council.

## **4.0 BACKGROUND**

Requests for the removal of trees have the potential to be contentious and often involve a disparity of issues. The introduction of appropriate recording and documentation of tree removals will substantiate the removal or retention of trees and provide a safety net in the event that a tree removal is later challenged. Suitable processes will also ensure that all requests for the removal of trees are considered in an equitable and consistent manner, and that Council officers comply with legislation relevant to the removal of trees growing on public or Council managed land. Some trees on public or Council managed land are valuable community assets, crucial to local amenity, and highly valued for these reasons by local residents.

At its discretion Council will require the following criteria to be satisfied in any consideration of whether to remove or retain tree/s.

- (i) The *Local Government Act 1993* and the *Land Act 1994* will underpin all decisions in relation to the removal of urban trees.
- (ii) All tree removals will need to comply with the relevant provisions of the Shire Plan, if applicable.
- (iii) All urban tree removals will need to comply with the relevant Local Laws.
- (iv) Requests for removal of trees should be in writing stating the location of the tree/s and the reason/s for requesting the removal.
- (v) A Tree Hazard Assessment Form will be completed prior to the removal of any tree/s in an urban road reserve, park or reserve.
- (vi) Council officers will gain all necessary approvals from the Department of Natural Resources and Mines in circumstances that require the removal of trees from Trust land or Road Reserve and that will be utilised for commercial purposes (i.e. the removal of Pines for milling).
- (vii) Parks and Recreation staff will be directed by the Manager Engineering Planning and Manager Works in relation to the removal of trees from road works and civil projects.
- (viii) Council will remove trees that are causing structural damage to adjacent buildings or pose a threat to the safety of residents. Council will be responsible for the entire cost of those tree removals. In disputed cases, the affected property owner will be required to provide engineering or other report/s to substantiate a requested tree removal. In circumstances where Council subsequently removes a tree, the property owner will be reimbursed the cost of obtaining any professional reports that might have been submitted.
- (ix) In instances that property owners request the removal of a tree that is traversing a common property boundary with Council property, the tree/s will only be removed following a full assessment. The property owner will be required to meet the full cost of the tree removal if it is determined by Council that the tree/s should be retained. In circumstances where the removal of the tree/s is agreed, the property owner and Council will be required to contribute a proportional amount towards the tree removal.

- (xii) Leaf and tree litter, on their own, will not be considered sufficient reason to substantiate the removal of urban trees.
- (xiii) Acknowledged wood turning organisations will be registered and invited to collect any timber of fallen trees that might be appropriate for wood turning purposes.
- (xiv) Council officers will not provide advice to the public in relation to trees growing on land not under the control / management of Council, however advice will be provided in relation to compliance with Council's planning scheme and State legislation.
- (xv) The CoOrdinator Parks and Recreation and Divisional Councillor will sign off / authorise requests for all tree removals in urban areas. Council will notify immediate adjoining property owners of any intended tree removal.
- (xvi) Parks and Recreation officers will cooperate with Energex, in the management and maintenance of trees growing under power lines, under the terms and conditions of the agreed Memorandum of Understanding.
- (xvii) All replacement and new street tree planting will be carried out quarterly.
- (xviii) All trees will be planted in compliance with the Caboolture Shire – Tree Planting and Landscape Guidelines
- (xix) Consideration will be given to the removal of inappropriate or unacceptable species after assessment.
- (xx) Immediate adjoining property owners will be notified of any intended tree removal.

## 6.0 IMPLEMENTATION

- 6.1 This Policy has been drafted by the Coordinator – Parks and Recreation in consultation with other relevant Council Units and State Government agencies.
- 6.2 The draft Policy was referred to the Executive Management Team in October 2005.
- 6.3 Council approved this Policy on 6 December 2005.