



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:	18 August 2022
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. It is the responsibility of the property owner to know the location of their property boundary. Council will not undertake surveying to identify tree ownership.
- Trees on land controlled by Council for Conservation purposes including bushland reserves except where they abut private land
- Plants identified under the Noosa Biosecurity Plan 2020
- Removal of regrowth in constructed drains and firebreaks
- Trees on public land not managed by Council e.g. National Parks
- Trees on roads controlled by Queensland Department of Transport and Main Roads

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)* and the *Nature Conservation Act (1992)*.

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 and provide social, cultural, economic and environmental benefits. They shade parks and streets, 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.

The Guiding Principles for Tree Management in Noosa Shire is an operational document which supports this Policy. It further clarifies the specific responsibilities and operational details for tree management on public land, as well as the principles for decision making around the aspects of tree management. The fundamental principle around removal of a tree is if it is deemed dead, dying or dangerous, and if other reasons apply, a matrix is used to determine the outcome. This provides a high level of rigour and consistency to tree management decisions.

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 and best practice approach to assessing and decision making relative to the risks and benefits posed by trees in accordance with defined criteria as outlined in the Guiding Principles for Tree Management in Noosa Shire
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 in a suitable location
6. Council will provide a consistent response to resident requests for tree maintenance, planting and removal
7. Acknowledge, maintain and protect trees that have cultural, environmental, or landscape 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 a tree/s 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 (i.e. dangerous) and there is no practical arboricultural intervention to effectively reduce the risk
- Removal and replacement of dead, dying, severely declining or poorly performing trees to reinvigorate the urban forest
- Removal of trees in conflict with utilities and built structures where all design and engineering alternative solutions have been considered
- Maintenance pruning to remove dead, dying, dangerous, 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
- Vegetation works in roadside management zones, such as for vehicle sight lines and heights, public signage, drainage channels and the requirements of the Department of Transport and Main Roads
- Root pruning of trees to ameliorate damage to built 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 of trees for a private property owner's personal preference for no tree to be present
- 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 or pruning of trees for leaf, flower, fruit, minor branch or sap drop, termites or animal faeces.
- If a tree has a history of large branch failures then the tree will be assessed and the appropriate arboricultural intervention undertaken to mitigate the risk
- Removal or pruning of trees which are inhibiting grass growth, shading property, shading solar panels or for TV, radio, or satellite reception
- Removal of trees or roots which are claimed to be damaging water, sewage pipes or private property, unless credible evidence is provided that indicates that tree roots are the cause of the damage (evidence will involve video or photos from licenced professionals and at property owners expense)
- Removal of trees which are claimed to be the primary cause of an allergic or health response unless supported by medical certification that directly links the allergic reaction to that species of tree
- 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 to the relevant Australian Standard, installation, maintenance, 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.

An offset tree register will be kept of all street tree replacements. This register will not include trees that do not have cultural, environmental, or landscape significance that are removed within our major road corridors.

As Noosa Council is responsible for the maintenance of the road reserve and bears any associated risk, residents are not to plant any trees on the road reserve as often it is a case of the wrong tree in the wrong location resulting in future maintenance costs and risk to Council.

ROLES AND RESPONSIBILITIES

This Policy applies to all Council Officers dealing with the management of trees on Council controlled public land.

The Civil Operations and Assets Manager is responsible for developing and maintaining the tree management guiding principles 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. In relation to trees, a hazard is the tree part(s) that might fail, and which is identified as a likely source of harm.
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. In the context of trees, risk combines the likelihood of a conflict or tree failure occurring and affecting a target with the severity of the associated consequences – personal injury, property damage, or disruption of activities.
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

Work Health and Safety Act (2011)
Disaster Management Act (2003)
Land Protection (Pest and Stock Route Management) Act (2002)
Environmental Protection and Biodiversity Conservation Act (1999)
Vegetation Management Act (1999)
Nature Conservation Act (1992)
Queensland Heritage Act (1992)

Local Law No. 1 (Administration) 2011
Local Law No. 4 (Local Government Controlled Areas, Facilities, Infrastructure and Roads) 2011
AS/NZS 31000:2009 Risk Management AS/NZS 31000:2009
Risk Management – Principles and guidelines
Australian Standard 4373:2007 Pruning of Amenity Trees
Australian Standard 4970-2009 Protection of trees on development sites
Australian Standard 2303-2018 Tree stock for landscape use