

	COUNCIL POLICY	
	Public Tree Management Council Policy	
	Policy Number	CP057
	Directorate	Development & Community
	Owner	Open Space & Environment
	Last Approved	22/09/2021
	Review Due	22/09/2024

1. PURPOSE

This Policy defines a public tree management framework that reflects Council’s risk appetite for the protection, preservation, maintenance and expansion of Council managed public trees and supporting habitats.

2. SCOPE

Public trees within Council controlled land are considered a natural asset of the Fraser Coast Regional Council and contribute to the well-being of the community and the natural environment. The Policy provisions apply to the management of all public trees under Council’s direct responsibility on Council controlled land including: natural and coastal environments, water bodies and associated flow courses, community facilities and cemeteries, tourist parks, urban and rural precincts, road reserves, parks and open spaces, including leased land. The Policy does not apply to trees on private property, trees managed through Council’s planning scheme or declared pest plants.

The Policy prioritises management of public trees within Council controlled land by the following hierarchical objectives:

- To ensure public safety;
- Preserve public trees and supporting habitat, including those identified as significant;
- Ensure minimal disruption to assets and infrastructure service provisions;
- Maintain natural environment values and benefits for the Fraser Coast Region; and
- Improved liveability and pedestrian amenity.

3. HEAD OF POWER

Section 9 of the Local Government Act 2009 provides Council with the power to do “anything that is necessary or convenient for the good rule and local government of its local government area”. Council’s management of public trees and supporting habitats on Council controlled land for risk management, community and environmental benefit is considered to fall within those activities.

4. DEFINITIONS

To assist in the interpretation of this Policy the following definitions apply:

“Asset Management (non-financial)” means all public trees on Council controlled land shall be assessed and recorded as non-financial assets. Council’s Open Space and Environment (OSE) team shall be the custodian of Council’s Public Tree Assets.

“Australian Qualification Frameworks (AQF)” means a quality assured national framework for education and training. It provides nationally recognised and endorsed qualifications through a competency-based training system.

“Consulting Arborist” means for higher risk and more complex assessments it will be necessary to have an **Australian Qualification Framework – Diploma (Level 5)** in completing an Arborist Report.

“Cost versus benefit” means to achieve an appropriate outcome, a qualified Arborist assessment is required for the consideration and engagement of all reasonable and practical solutions which includes a cost: benefit rationale for tree retention and removal.

“Council controlled land” means Is land under Council freehold ownership or Crown Land (reserve) managed by Council under trust or gazetted bathing reserve or gazetted foreshore. It also includes Council controlled road reserves and State Controlled road reserves that are managed by Council.

“Diameter at Breast Height (DBH)” means the standard method of measuring the size of a tree’s nominal trunk diameter at 1.4 metres (m) above ground level (divide the circumference value by pi (3.14) to get the diameter).

“Fauna Spotter Catcher” means any person holding a current rehabilitation or damage mitigation permit licence under the *Qld Nature Conservation Act 1992*. The permit authorises the holder to take a protected animal other than a Koala, whose habitat is about to be destroyed by human activity.

“Plantation Forest” means tree currently grown in plantation forestry on Council managed land are not considered within this Policy.

“Principle of ‘no net loss’” means where public trees and or supporting habitat are removed through unavoidable conflict, replacement is obtained through replacing total biomass removed and ensuring ‘no net loss’ is maintained.

“Public Tree” means this Policy, refers to any tree within the Local Government Area that has any part of its trunk growing from Council controlled land.

“Reasonable and Practical” means application of sound process where appropriate outcomes are achieved through fair and sensible judgement and consideration of all reasonable and practical solutions as per the hierarchy of objectives and cost versus benefit assessment.

“Road Reserve” means an area of land set aside for road purposes, extending from property boundary to property boundary. It includes not only the area covered by the actual road formation (carriageway) but encompasses the entire area of land dedicated for the use of travelling public.

“Significant tree register” means a register managed by Council which aims to recognise and record trees that have been identified as significant for cultural, environment and or social values.

“Supporting Habitat” means understory vegetation, fallen logs and leaf litter that supports trees and fauna values.

“Trade Arborist (internal or external)” means a person who holds a minimum **Australian Qualification Framework - Certificate III (Level 3)** or above in Arboriculture.

“Tree” means long lived woody perennial plants with a trunk diameter at breast height greater than 200 millimetres (mm); usually greater than three (3) metres in height; and have one, or relatively few main stem or trunk.

5. POLICY STATEMENT

Council will achieve the intent of this Policy by practicing the following:

5.1 Protection of Public Trees

- Maintain a significant public tree register to assist with identifying, assessing, recording and protecting significant public trees and their supporting habitats.
- Consider necessary requirements for public tree protection and long-term viability when undertaking maintenance or constructing new infrastructure. In situations where conflict may occur, infrastructure should be designed to minimise harmful impacts without compromising the relevant design standards.
- Use the Australian Standard for the **Protection of Trees on Development Sites (AS4970)** to achieve consistency and equity in public tree protection requirements. As required, the application of the standard will occur within all capital project and maintenance phases.
- Develop and apply Council management procedures to ensure compliance with Environmental Legislation, mitigating any potential risk from activities undertaken under this Policy, including those related to fauna and breeding places.
- Investigate unauthorised public tree damage (pruning, poisoning or removal) and pursue enforcement action where appropriate in accordance with relevant Local Laws. All incidents of public tree damage will be managed under Council’s **Unauthorised Vegetation Damage on Council Land** policy.

5.2 General Public Tree Management

- Implement a public tree planting program that provides opportunities to achieve outcomes of this Policy in Council’s parks and open spaces, natural environments and urban and rural landscapes.
- Consider removal and reinstatement of public trees causing damage to infrastructure due to improper species selection or improper installation techniques with a more suitable species or options such as root barrier and or permeable paving.
- Undertake appropriate consultation with service utility providers (external and internal) for service and infrastructure planning, design, construction and maintenance and to ensure planting of public trees does not impact on corridors necessary to construct and maintain utilities. Separation distances, species selection and installation techniques are to be considered.
- Increase the range of public tree species across the region by promoting and use of local responsive indigenous species, while retaining continuity of species that reflects

or complements existing character and design intent of avenue plantings and local neighbourhood landscapes.

- All public trees on Council controlled land shall be recorded as non-financial assets for inclusion and management within Council's asset management system. The data will be collected and included into the asset management system over time as resources permit. Council's Open Space and Environment Program (OSE) shall be the custodian of Council's Public Tree Assets.
- Improve streetscape and pedestrian amenity by ensuring public trees are an integral part of streetscape and landscape design, while considering the provision of shade, filtering dust and pollution particles and providing a physical separation between cars and pedestrians.
- Manage public trees utilising recognised arboriculture practises. Continue to investigate and implement appropriate new and innovative technologies by applying accepted industry tree evaluation and retention methods.
- Improve the 'greening' of urban and rural areas where opportunity exists, through planting large canopy trees or groups of trees to build canopy cover where space is available and the potential for conflict can be avoided or minimised (such as with infrastructure, flooding impact, or private property).
- Determine public tree planting priorities for connecting biodiversity corridors and providing buffer plantings to natural environments, while recognising the importance of maintaining wildlife habitats.
- Achieve sustainable management of public trees by appropriate tree species selection for reduced infrastructure damage, encouraging healthy growth and long-term viability, while reducing maintenance costs and achieving improved environmental benefits. The Australian Standard for Tree Stock for Landscape Use (AS2303:2018) will be used to achieve consistency in public tree quality requirements.
- Apply a principle of a 'no net loss' approach to all public trees, ensuring that where impacts of Council operational activities have been unavoidable, or community requests for public tree removal is assessed as warranted, a sufficient offset is achieved within 24 months.

NB: Public trees and supporting habitat that dies from natural processes such as coastal erosion, will not be identified as requiring an offset.

- Establish a recurrent program of public tree planting to ensure that a 'no net loss' outcome is measured and attained within 24 months of loss. Guaranteeing that, if all practical and reasonable solutions have been exhausted and there is no suitable alternative, public trees removed are accounted for and maintained within an offset register.
- Water preservation options will be included into public tree planting design as defined by Water Quality Urban Design principles and where practical, the use of recycled water (class B) will be considered as an option, where this does not provide a public safety risk or be at the detriment of the public tree species requirements.

5.4 Public Tree Inspection and Maintenance

- Prioritise proactive public tree inspection and maintenance activities based on the hierarchical objectives of this Policy. In addition, Council will carry out visual and

technical inspections in response to community concerns or suspicion of a public tree's health or safety risk.

- Ensure that all public tree inspections are consistent with national and international assessment systems such as the Visual Tree Assessment (VTA) and Quantified Tree Risk Assessment (QTRA), with priority given to failure hazard potential, size and part most likely to fail and frequency of site occupancy.
- Ensure that Inspecting Officers have a minimum Australian Qualification Framework – Certificate III (Trade Arborist) in Arboriculture to complete the International Society of Arboriculture Basic Tree Risk Assessment Form. For higher risk and more complex assessments it will be necessary to have an Australian Qualification Framework – Diploma (Level 5) in completing an Arborist Report.
- Ensure all public tree pruning completed by Council and its contractors is in accordance with the Australian Standard 4373:2007 Pruning of Amenity Trees, relevant codes of practice and Acts of legislation, both State and Federal.
- Ensure that proactive management of public tree protection zones are encouraged by, where possible, avoiding the interference of root systems; providing adequate space and infrastructure for growth and minimising impacts caused by roots.
- Engagement with the Natural Environment section will occur when tree removal is being assessed within Council managed natural environments or where the tree is considered locally significant. Where tree management is defined as an imminent risk to public safety this practice is secondary.
- Provide a sufficient watering regime throughout a 24-month establishment period or up to 36 months during drought periods, or when no additional watering is required as determined by a responsible officer of the Open Space and Environment Program.
- Ensure that a professional assessment method is applied in considering all requests for public tree removal, while ensuring all practical and reasonable solutions are considered through an exhausted cost versus benefit rationale to maximise the likelihood of public tree retention.
- Public tree removal will only occur if the risk associated with the identified hazard cannot be managed and mitigated through arboricultural means or achieved through reasonable and practical design and engineering solutions.
- Unacceptable reasons for public tree removal include where the request relates to improved views; the public tree species is disliked; the public tree is causing a nuisance by the way of normal natural process i.e. leaf, bark, or fruit drop; supporting habitat for nesting or roosting fauna; unqualified health problems such as allergies or phobias; infrastructure considerations that can be reasonably modified and /or shading of solar panels and private gardens.
- Where it can be justified that a public tree is causing a legitimate health problem and the public tree is not considered to be significant and / or can be removed and replaced at the expense of the resident with an alternative suitable species, then further consideration of suitable options will be considered.
- Where identified, Council has the option to implement a targeted public tree removal program in accordance with Council's Biosecurity Plan. For this to occur, consideration and endorsement of the Executive Management Team is required.

NB: It is acknowledged that public safety is paramount, however, it is desirable to protect selected hollow bearing trees given they provide a range of habitat characteristics that are essential components of other plants and animal life cycles.

This may be achieved by incorporating appropriate setbacks, landscaping and/or fencing to limit access and mitigate residual risk to an acceptable level. For pre assessment of habitat trees before and during removal a suitably qualified person as approved by the Department of Environment and Science is required.

5.5 Engagement and Awareness Raising

- Promote the importance, natural services and benefits public trees provide to Fraser Coast residents, ratepayers and visitors such as shade, biodiversity values and a pleasant environment for recreational activities.
- Provide opportunities for community participation and active involvement in public tree planting initiatives that provide a direct benefit to the community and the environment, in promoting ongoing stewardship.
- Ensure engagement with Registered Native Title parties is undertaken for all potential culturally modified public tree's and or important areas in confirming significance and required management activities for preservation and persistence in the landscape in accordance with duty of care guidelines.
- Encourage the community to participate in Council initiatives such as the supporting Policy, Use of Road Reserves (Nature Strips) for Streetscape Improvement. This can be achieved through alignment with existing programs of Council for community awareness raising and guidance.

6. ASSOCIATED DOCUMENTS

Local Law No. 1 (Administration) 2011

Local Law Subordinate No.4 (Local Government Controlled Areas, Facilities and Roads)

Fraser Coast Council's Corporate Plan 2018-2023

Fraser Coast Council's Sustainability Charter's Implementation Plan

Fraser Coast Council's Biosecurity Plan 2019 - 2022

Australian Standard (AS4373 – 2007, Pruning Amenity Trees)

Australian Standard (AS4970-2009, Protection of Tree's on Development Sites)

Australian Standard (AS2303:2018, Tree Stock for Landscape Use)

Fraser Coast Planning Scheme 2014

Legislation

Queensland Land Act, 1994

Queensland Environmental Protection Act, 1994

Queensland Local Government Act, 2009

Queensland Nature Conservation Act, 1992

Environmental Protection and Biodiversity Conservation Act, 1999

Neighbourhood Disputes (Dividing Fences and Trees) Act, 2011

Planning Act, 2016

7. REVIEW

This Policy will be reviewed when related legislation/documents are amended or replaced, other circumstances as determined from time to time by Council, in response to unacceptable residual risk or at intervals of no more than three years.

Version Control

Version Number	Key Changes	Approval Authority	Approval Date	Document Number
1	New Policy	Approved	22/09/2021	4112516v5
2				