

Council Policy



2.68 Street and Park Tree Policy

*A printed copy of this policy may not be current as Council regularly reviews and updates its policies. The latest controlled version can be obtained from the Policy Register in the policy section of Council's intranet or by contacting Council's Coordinator Local Laws and Policy Development for a hard copy of the latest version. **A hard copy of this electronic document is uncontrolled.***

Where there is a delegation identified in this policy, the reader will need to confirm if an alternative delegation exists in any Register of Delegation. If there is a perceived conflict between the delegation/s identified in this policy and of those contained in a Register of Delegation, then the delegation/s in the Register takes precedence. The Chief Executive Officer will, if necessary, be the sole arbiter in resolving any issues of conflict.

1. Purpose

The Street & Park Tree Policy outlines Council's approach to the protection, retention and management of Council controlled trees.

2. Scope and Applications

The provisions of the Street & Park Tree Policy are applicable to all Council controlled trees located on urban roads, streets and across the Open Space network. For the purpose of this Policy, such trees shall be referred to as 'Council controlled trees'.

The Policy does not apply to trees located on private property, rural roads and or land managed for biodiversity or environmental purposes as defined by the Council's current Open Space Strategy or park management plans.

3. Principles

- 3.1.2 Ensure planning supports economic development while protecting and enhancing high quality agricultural lands, scenic amenity and community, environmental and heritage values.
- 4.1.3 Plan and implement urban improvements works which enhance local character and identity, conserve and improve the region's streetscapes and provide iconic parkland

4. Policy Objectives

The objectives of the Street & Park Tree Policy are to:

- Promote and recognise the role trees play in underpinning the environment, social fabric, and liveability of the entire Region.
- Recognise Council controlled trees as vital components of green infrastructure in the public realm.
- Prioritize the maintenance and protection of Council controlled trees to optimise the benefits they provide to the Region.
- Maintain and enhance the canopy cover provided by Council controlled trees across urban areas and townships.
- Increase the species and age diversity of Council's tree population with the aim of achieving an unevenly aged tree population with a large degree of genetic diversity.
- Establish a tree population suitable for urban areas and townships across the Region which is adapted to regional environmental conditions and the anticipated change in climate.
- Promote Toowoomba Regional Council as a steward and forward thinking manager of trees and one that is recognised for applying research based outcomes to its tree management approach and decision making.

5. Content

5.1 Council Vision:

Council recognises that trees provide numerous environmental, economic, aesthetic and social benefits to the region and community.

Council seeks to sustain these values by being a steward and effective manager of a diverse, sustainable, and vibrant tree population that is in keeping with the unique characteristics of urban areas across the region.

5.2 Tree protection:

To realise the benefits provided by Council controlled trees, their protection and retention shall be given a high priority during the assessment of development applications, delivery of infrastructure, performing maintenance activities and when assessing event applications likely to cause impact to Council controlled trees.

Policy statements:

Objective:	Policy statements:
Development applications & Operational works applications	<ul style="list-style-type: none"> • Council will require that applicants provide all necessary information relating to the potential impact of development activities on Council controlled trees. • Council will apply tree protection and retention conditions, as required, to ensure that development activities do not have negative impacts on either the long term health or structural integrity of a Council controlled tree.
Bonds	<ul style="list-style-type: none"> • Council will condition bond payments from developers, formal park users, permitted permissioned park users, event organisers and other such parties to ensure the protection of Council controlled trees.
Operational activities (undertaken by Council or external parties)	<ul style="list-style-type: none"> • Council will safeguard trees during its operational and maintenance activities by following the guidelines outlined by <i>Australian Standard 4970 – 2009 Protection of Trees on Development Sites</i>. • Activities or works likely to cause harm to a Council controlled tree will be avoided or redesigned and/or managed to ensure the level of harm is mitigated (in the first instance) or reduced to an acceptable level.
Management of Council controlled trees around overhead power lines, service installation	<ul style="list-style-type: none"> • Council will engage with service providers to advocate for the protection of Council controlled trees. • Council will investigate options in partnership with service providers to relocate and redesign existing infrastructure away from Council controlled trees. • Council will require that new services (above and underground) are not installed within close proximity to a Council controlled tree.

5.3 Tree asset management:

Council is committed to managing its tree assets in a proactive and efficient manner to maximise tree asset longevity, enhance amenity and achieve excellent tree health outcomes.

Policy statements:

Objective:	Policy statements:
Asset management	<ul style="list-style-type: none"> • Council will embrace new technology and methods to improve the efficiency and outcomes achieved by its tree maintenance activities. • Council will conduct its tree maintenance activities in line with industry standards, current research and best practice guidelines. • Council controlled trees are acknowledged as vital components of public infrastructure and the public realm.
Council as a steward and efficient manager of trees & community outreach projects	<ul style="list-style-type: none"> • Council will provide educational information on its website and through other community engagement tools to promote the benefits provided by trees, their care and upkeep, species selection and Council's tree management objectives and approach. • Council will be innovative and flexible in its community urban forestry partnership programs with the aim of establishing and facilitating community ownership and participation in a range of urban forestry activities and projects.

5.4 Tree planting:

Council will plant the "right tree, for the right location" with consideration given to their whole of life maintenance requirements and the possible impacts to private and Council infrastructure. Tree planting throughout the region will be undertaken to support and enhance existing avenues, establish new avenues and increase canopy cover across the Open Space network.

Policy statements:

Objective:	Policy statements:
Tree planting	<ul style="list-style-type: none"> • Species selection will be based on careful consideration to the environmental, social, and historic character of individual urban areas and townships across the region. • The Toowoomba region has a wide range of micro and macro environments that influence the performance and success of different tree species. Council will embrace these environmental differences when selecting tree species. • Council preferences the planting of sizable and long lived tree species, where environmental conditions, community support and site factors allow. • Council will increase the species and genetic diversity of its tree population to ensure it can withstand pest and disease outbreaks and the impacts of a changing climate • Council will consider the growing characteristics of tree species before they are planted, to reduce the potential for conflict between services, infrastructure and trees.

5.5 Tree removal:

When assessing tree removal applications and requests, Council will explore all options for retention and preservation. Removing a valued, healthy and structurally sound tree is considered an undesirable outcome and an outcome of last resort.

Policy statements:

Objective:	Policy statements:
Council tree removal considerations	<p>Council will generally support tree removal in the following situations, after a detailed assessment has been performed:</p> <ul style="list-style-type: none"> • The tree is determined by an experienced and suitably qualified arborist to be presenting a hazard which cannot be mitigated through elimination or isolation works. • The tree is dead, dying or in decline (unless measurable benefits can be obtained by retaining the structure for habitat, environmental or amenity purposes). • The tree is causing significant justifiable damage to infrastructure or causing unmanageable damage to services and where all retention options have been investigated and exhausted. • Where a Council capital works or infrastructure project requires tree removal (s) to facilitate the delivery of a safe project outcome.
Tree removal requests not supported by Council	<p>Council will not support tree removal in the following situations:</p> <ul style="list-style-type: none"> • To facilitate views from properties, to advertisement signs and other non-traffic regulatory signage. • To reduce leaf and fruit drop and debris build-up. • For unjustifiable claims of property damage, including sewer and water infrastructure. • Property owner's preference is for a different tree species. • To achieve desired levels of solar and or sunlight access. • To achieve a secondary point of access. • For the installation of off-street car parking. • To remove a source of habitat or shelter for wildlife. • To achieve sufficient space for the location of rubbish bins associated with a development application.

Objective:	Policy statements:
Tree removal applications associated with a Development Application and or Operational Works Permit	<p>Where Council supports a tree removal application, associated with a development application or operational works permit, the following will be conditioned of the applicant:</p> <ul style="list-style-type: none"> a) The tree removal costs – including all costs involved with removing the tree structure (including below ground root system) and restoring the site to the satisfaction of Council. b) Payment of the Loss of Amenity determination – as per Council’s Tree Evaluation Methodology and Schedule of Fees and Charges <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> c) The costs associated with replanting and maintaining replacement tree (s) at a location determined by the Manager of Parks and Recreation Services.

6. Responsibilities

6.1 Manager of Parks and Recreation Services Branch

The Manager of Parks and Recreation Services is responsible for:

- Updating the Policy
- Delegated officer to approve the removal of Council controlled tree (s)
- Determining the conditions for supported tree removal applications

6.2 Parks and Recreation Services Branch

The Parks and Recreation Services Branch is responsible for:

- Assisting the Manager of Parks and Recreation Services maintain the Policy
- Co-ordinating and undertaking reviews of the Policy
- Monitoring implementation and adherence
- Collecting and administering tree protection bonds
- Calculating the Loss of Amenity determination as per Council’s Tree Evaluation Methodology and associated administrative requirements

7. Relevant Laws

- *Local Law No. 1 (Administration) 2011*
- *Subordinate Local Law No.1.15 (Carrying Out Works on a Road or Interfering with a Road or its Operation) 2011.*
- *Subordinate Local Law No.1.1 (Alteration or Improvement to Local Government Controlled Areas and Roads) 2011.*

8. Related Policies/Documents

- Schedule of Fees and Charges – Appendix A) Tree Assessment methodology
- Toowoomba Regional Council Planning Scheme Policy No 8 - Street Trees
- Toowoomba Regional Council Planning Scheme Policy No 2 – Engineering Standards – Roads and Drainage Infrastructure
- Toowoomba Regional Council Street Tree Master Plan (DM# 6224460)
- Toowoomba Regional Council Open Space Strategy (DM#6802793)

- Council Policy 2.38 Repair and or Replacement of Heritage Kerbing and/or Channelling (DM#6511965)
- Council Policy 2.58 Community Engagement Policy (DM#3790494)

9. Definitions

Term	Definition
Council controlled tree	Means woody perennial plant with one of relatively few principle stems or trunks, usually greater than 5 metres in height at maturity.
Arboriculture	For the purposes of this policy, arboriculture is the practices involved in the planting, care of trees and management of trees as recognised by the International Society of Arboriculture and other relevant Council or Australian Standards.
Arborist	Means a specialist in the cultivation and care of trees, including tree surgery, diagnosis, treatment, prevention and management of tree diseases. Council considers an arborist to be an individual who has obtained a minimum of AQF level 3 in Arboriculture.
Council controlled land	Means land under Council ownership or Crown Land managed by Council but not State and Federal controlled reserves (e.g. National Parks, State Forests).
Delegated person	Means a person suitably qualified and appointed by the CEO to provide approval on behalf of Toowoomba Regional Council.
Urban forest	Means the sum of all trees and associated vegetation in and around dense human settlements which are managed for the purpose of improving the urban environment.
Rural road	A road located outside of an urban area with a speed limit greater than 60km/hr.
Tree Structure	Reference to the whole tree including the root system, canopy and trunk.
Walking Tracks	Walking tracks as per the definition and classification outlined by the Australian Standard Walking tracks 2156.1-2001.
Traffic regulatory signage	Signage which shows traffic laws and regulations.

10. Policy Details

Policy Category	Council Policy
Date Adopted	16 May 2017
Endorsed by	Chief Executive Officer
Approval Authority	Council
Effective Date	16 May 2017
Policy Version Number	1.00
Policy Owner	Manager, Parks and Recreation Services Branch
Contact Officer	Principal Parks Strategy
Review Date	May 2018

11. Revision History

Policy Version	Approval Date	DM Reference
1.00	16 May 2017	6672205v2