

# Urban Street Trees Policy

<b>Effective Date</b>	30 November 2011
<b>Policy Type:</b>	Council
<b>Policy Owner</b>	Works Principal (Civil Works)
<b>Link to Corporate Plan</b>	Strategic Theme 4: Welcoming Communities
<b>Review Date</b>	July 2020
<b>Related Legislation</b>	Local Government Act 2009 Vegetation Management Act 1999
<b>Related Documents</b>	Western Downs Regional Council Local Law No. 1 (Administration) 2011 Western Downs Regional Council Subordinate Local Law No. 1.1 (Alteration or Improvement to Local Government Controlled Areas and Roads) 2011 Western Downs Regional Council Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011 AS4970-2009: Protection of Trees on Development Sites AS4373-2007: Pruning of Amenity Trees

Policy Version	Approval Date	Adopted/Approved
1	30/11/2011	Ordinary Meeting of Council
2	17/08/2016	Ordinary Meeting of Council

This policy may not be current as Council regularly reviews and updates its policies. The latest controlled version can be found in the policies section of Council's intranet or Website. **A hard copy of this electronic document is uncontrolled.**

# Urban Street Trees Policy

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## 1. PURPOSE

The purpose of this policy to establish guidelines and procedures for the installation, maintenance and removal of urban street trees within Western Downs Regional Council area.

## 2. SCOPE

This policy :-

- will apply to all urban street trees within the Western Downs Regional Council area;
- does not over ride conditions stipulated by Council's Planning Department for a particular development;
- will assist Council staff in making decisions in relation to the planting, maintenance or removal of street trees; and
- does not apply to trees on privately owned land.

## 3. POLICY

### 3.1 Tree Ownership

Any tree on a road reserve, footpath or other land under the control of the Council regardless of its origin becomes the property of the Western Downs Regional Council.

### 3.2 Street Tree - New Planting

Residents may apply to Council to have trees planted on the footpath in front of premises.

The planting of trees on footpaths is permitted under the following criteria: -

- i. Street trees shall not be planted without the prior approval of Council and shall be of an approved variety.
- ii. Street trees with a potential to reach over 4metres shall not be planted closer than 10 metres apart along any street.
- iii. Street trees and shrubs shall not be planted within 10 metres of any corner property alignment at any intersection
- iv. Street trees shall not be planted within 5 metres of any electric light pole.
- v. Street trees and shrubs shall not be planted within 3 metres of any vehicular entrance.
- vi. Street trees and shrubs shall not be planted directly in front of any pedestrian entrance to any property.
- vii. Street trees shall not be planted within a 2 metre wide section adjacent to the property alignment on the footpath.
- viii. No plantings of poisonous or pest varieties of trees or shrubs is permitted.

Council may authorise the applicant to plant approved trees in accordance with Council specifications.

Where the applicant has applied for trees to be planted in front of the premises the applicant is expected to provide adequate water and care to the tree until it becomes established.

### 3.3 Street Tree - Removal

Every tree and shrub on Council controlled areas is deemed to have an asset dollar value. Generally the Thyer Tree Valuation method will be used when calculating the value. The method evaluates the tree on factors such as size, age, social benefit and type. The dollar worth is determined by giving each factor a numerical value and multiplying by an industry current average replacement cost. This value will be used when determining compensation to Council for the loss of the asset.

No tree may be removed from Council controlled areas without the written approval by Council.



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Council will remove any tree that is dead, diseased or dying and cannot be rehabilitated to a healthy condition.

Council will remove any tree after consultation with affected land owners, which on inspection by approved personnel, is found to be dangerous to persons or property, or has the potential to cause injury or damage to persons or property.

Council will remove any tree after consultation with affected land owners that on inspection by approved personnel, is found to be damaging services (e.g sewer lines), footpaths, driveways, structures or retaining walls.

Trees under or near electricity infrastructure will be assessed by the energy provider in accordance with its *Standard for Vegetation Management* and the *Standard for Vegetation Clearing Profile*.

A recommendation will be made after assessment by an approved person and a determination on the outcome made by a delegated Council officer.

## 3.4 Unauthorised Tree Planting

Where a property owner plants a tree on Council controlled land without Council approval in accordance with this policy, Council may take action after consultation with the owner and adjoining property owners.

The costs associated with this action will be borne by the owner.

## 3.5 Trees on State Controlled Land

Matters concerning trees and gardens on State controlled roads should be referred to the Department of Transport and Main Roads.

## 3.6 Clearing Native Vegetation

The clearing of native vegetation on freehold land, leasehold land and other State land requires a development permit from the Department of Environment and Resource Management.

## 3.7 Council Consultation

If a tree is dead, diseased or considered dangerous in its present condition it will be removed under current delegation. However, where the previous conditions do not apply and the tree forms part of a streetscape particularly in a Central Business District or other prominent site a report must be presented to Council for direction.

## 3.8 Fenceline Clearing

The conditions for the clearing of a fenceline adjoining a Council controlled road reserve in a rural residential or rural zone will in accordance the relevant Local Law.

## 4. ATTACHMENTS:

Application to Remove/Plant Tree

## 5. DEFINITIONS:

**5.1 Road:** Is an area of land that is dedicated to public use as a road, a footpath or bicycle path, a bridge, culvert, ford, tunnel or viaduct.

**5.2 Damage:** Includes complete removal, lopping or pruning of the vegetation: root pruning; killing by poison, grubbing or transplanting.



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**5.3 Tree:** A plant with an existing or potential height of four metres; a clear trunk or trunks to at least one point five metres above ground; a branched canopy structure, including palms or other plants with a palm like structure including shrubs.

