

# MANAGEMENT OF VEGETATION ON COUNCIL CONTROLLED LAND PROCEDURE

## 1. Scope

The Management of Vegetation on Council Controlled Land Procedure (this 'Procedure') applies to the management and maintenance activities of all vegetation on land under Council control, but does not apply to the establishment of vegetation in new developments.

## 2. Purpose

The purpose of this Procedure is:

- a) To furnish staff with a Council endorsed framework that promotes consistent and environmentally sound decision making in relation to maintenance, planting, removal and renewal of vegetation on land under Council control; and
- b) To actively implement the objectives identified in the Management of Vegetation on Council Controlled Land Policy.

## 3. Related Documents

### Primary

Management of Vegetation on Council Controlled Land Policy

### Legislative reference

*Land Act 1994*

*Local Government Act 2009*

*Local Law No. 1 (Administration) 2011*

*Native Conservation (Wildlife) Regulation 2006*

*Subordinate Local Law No. 1.1 (Alteration or Improvement to Local Government Controlled Areas and Roads) 2011*

### Related documents

Application to Undertake Alterations or Improvement to Council Controlled Areas and Roads

National Trusts of Australia Register of Significant Trees (<http://www.trusttrees.org.au/>)

Queensland Heritage Register (<http://www.qld.gov.au/environment/land/heritage/register/>)

Species management program for tampering with animal breeding places (Department of Environment and Heritage Protection)

## 4. Definitions

To assist in interpretation, the following definitions shall apply:

|   |   |
|---|---|
| Council                                 | Livingstone Shire Council.  |
| Regionally significant ecological value | Has the same meaning as remnant vegetation in the <i>Vegetation Management Act 1999</i> and also includes locally significant vegetation identified on Planning Scheme Map 10A & B. |

|                 |  |
|-----------------|--|
| the 'Local Law' | Local Law No. 1 (Administration) 2011.   |
| Vegetation      | Includes trees, shrubs and ground cover. |

## 5. Procedure

Trees are living assets that interact with the environment in which they live. They require varying amounts of management to optimise their survival, longevity, growth and value. Trees and other types of vegetation in close proximity to people and property may pose risks during natural disaster events. However, well planned prevention and management can minimise risks and the possible consequences. Council will apply the practices and principles outlined in this procedure to ensure that trees and other vegetation are planted, protected, maintained and ultimately removed or replaced in a cost effective way that is sustainable and acceptable to the community.

### 5.1 Vegetation Maintenance

All trees go through a life-cycle of establishment, growth, maturity, decline and replacement. Council may need to intervene in this life-cycle to address concerns regarding tree health, structure, risks, emergencies and nuisance. The level of intervention will depend on the species, location, significance and functions of the vegetation.

#### 5.1.1 Vegetation Maintenance Program

Council will develop a Vegetation Maintenance Program that comprises of practices and guidance on:

- a) The establishment of strong, healthy new trees;
- b) Clearance and visibility for pedestrians and vehicles;
- c) The removal of dead and diseased branches;
- d) The special care of Notable Vegetation; and
- e) The removal and replacement of unsafe trees.

#### 5.1.2 Inspections

Council will:

- a) Routinely carry out visual inspections of large trees in areas such as parks, pathways, playgrounds, carparks, playing fields and areas adjacent to private property boundaries in high use open space areas;
- b) Conduct visual inspections of trees in urban road reserves as part of an annual maintenance program; and
- c) Carry out additional visual and technical inspections in response to community concerns or suspicion of the health or safety of a tree.

#### 5.1.3 Pruning

Pruning vegetation helps to maintain an appropriate form and function.

- a) Where appropriate, Council will prune vegetation to encourage strong and functional growth patterns and periodically prune branches to address structural weaknesses and prevent foliage from obstructing street signs and lighting, traffic, powerlines, rooflines and pedestrians; and
- b) On main roads/arterial roads, pruning will be carried out to ensure visibility at urban driveways and safe passage of large vehicles as specified by the Department of Transport & Main Roads with the general intent of vehicle clearance 4.5m for a minimum distance of 4m from the

centre line or a minimum distance of 4m from the outside lane delineation on multi-lane roads.

#### **5.1.4 Watering**

- a) Tree species will be carefully selected so that most trees only need to be watered during their establishment period (up to two years) and can subsequently survive on rainfall; and
- b) Where possible only non-potable water will be used for watering vegetation.

#### **5.1.5 Root Management**

A healthy tree relies on a strong and healthy root system. Interference with tree roots should always be a last resort. Whenever possible, Council will:

- a) Avoid interfering with root systems;
- b) Provide adequate space for root growth;
- c) Manage tree roots to promote good tree health;
- d) Reduce impacts caused by roots; and
- e) Install root barriers on trees that are located within service corridors (i.e. close to water mains and other underground services).

#### **5.1.6 Vegetation Health**

Vegetation management and maintenance should be minimised through appropriate species selection, placement and establishment. However, external factors may mean that some trees occasionally need surgery, pest and disease control or preventative health management. Vegetation maintenance will be prioritised in the following order:

- a) Risk to personal and public safety;
- b) Natural disaster clean-up;
- c) Risks to property or infrastructure;
- d) Maintaining a healthy structure; and
- e) Maintaining natural habitat for wildlife.

### **5.2 Planting New Trees**

Planting new trees is important in enhancing and renewing the regions road reserves. Council is directly involved in planting trees as well as requiring tree planting by others such as developers and assisting community groups. Tree species should be selected according to:

- a) The purpose of the planting;
- b) Available space;
- c) Condition of the site;
- d) Whether there is Notable Vegetation in the vicinity of the proposed planting; and
- e) Councils preferred species identified in section 5.6.

#### **5.2.1 Prescribed Activity**

- a) Planting vegetation in a local government controlled area or on a road is a prescribed activity under the Local Law; and
- b) Members of the community who wish to undertake a prescribed activity are to complete and submit an 'Application to Undertake Alterations or Improvement to Council Controlled Areas and Roads'.

### **5.2.2 Root Barriers**

If an approval for a prescribed activity is granted, the applicant may be required to install a root barrier in accordance with Appendix E.

### **5.2.3 Road Reserves**

The planting of street trees should:

- a) Contribute to stormwater management and pedestrian shade cover;
- b) Favour whole-street plantings or blocks within streets in preference to individual plantings (this is more efficient for establishment and ongoing maintenance);
- c) Favour clear trunked, small to medium shade tree species in residential streets to minimise nuisance; and
- d) Encourage community participation in vegetation planting programs to promote ongoing stewardship.

#### **5.2.3.1 Spacing on Road Reserves**

The following outlines the considerations to be taken into account when determining the spacing between new trees to be planted:

- a) Appropriate spacing will be governed through the selection of suitable species;
- b) Tree selection and spacing should provide maximum use of the location and allow for appropriate pedestrian use;
- c) There should be a minimum of one tree per standard building allotment or spacing at approximately twenty metre intervals;
- d) There should be a maximum of four trees per standard building allotment or spacing at approximately five metre intervals;
- e) Spacing of plantings should take into account line of site to cross roads; driveways/entrances, services and emergency areas access; and
- f) Trees are to be offset at least one metre from side property boundaries and from back of kerb.

### **5.2.4 Land**

#### **5.2.4.1 Parks, Reserves, Cemeteries, Freehold Land owned by Council**

Vegetation on land under Council control (excluding road reserves, bushland or broad scale areas) should:

- a) Conserve Notable Vegetation;
- b) Promote shade and amenity at picnic areas, pathways, spectator areas, playgrounds and carparks;
- c) Use the placement and grouping of trees to minimise maintenance and risk exposure;
- d) Enhance and protect habitats and waterways; and
- e) Encourage community participation in park planting programs to promote ongoing stewardship.

#### **5.2.4.2 Bushland and Broad Scale Areas**

Vegetation planting in bushland and broad scale areas should:

- a) Add to biodiversity by revegetating degraded land such as landfill and former farmland;
- b) Assist the natural regeneration of desired species within significant conservation areas;

- c) Favour endemic species to provide safe corridors for fauna and flora;
- d) Improve biodiversity value of remnant vegetation by suppressing weed species; and
- e) Contribute to the conservation of Livingstone's unique biodiversity and waterway health.

### 5.3 Removal of Vegetation

#### 5.3.1 Prescribed Activity

- a) Clearing or damaging vegetation in a local government controlled area or on a road is a prescribed activity under the Local Law;
- b) Members of the community who wish to undertake a prescribed activity are to complete and submit an 'Application to Undertake Alterations or Improvement to Council Controlled Areas and Roads'; and
- c) Under s 9(1)(b) of the Local Law, Council can only grant an approval for an applicant to undertake a prescribed activity if it is satisfied that *'the proposed operation and management of the prescribed activity is adequate to protect public health, safety and amenity and prevent environmental harm'*. Therefore, Council will only grant an approval to remove vegetation to industry professional / vegetation contractors.

#### 5.3.2 Considerations

When considering requests to remove vegetation, Council will take the following factors into consideration:

- a) Risk to public safety;
- b) Significance and monetary value;
- c) Life expectancy and condition (health and structure);
- d) Ongoing maintenance costs;
- e) Whether it is classed as Notable Vegetation under section 5.4;
- f) Nuisance level and weed status;
- g) Vegetation should not generally be removed for private views, to eliminate litter or over-shadowing of private properties; and
- h) The presence of wildlife and breeding habitats (refer to the Species management program for tampering with animal breeding places).

#### 5.3.3 Allowable Circumstances

Council may authorise the removal of vegetation or grant permission for a vegetation contractor to remove vegetation in the following circumstances:

##### 5.3.3.1 The vegetation:

- a) Is dead or dying;
- b) Presents a serious and immediate safety problem that cannot be eliminated through pruning;
- c) Impedes pedestrian movement on a footpath or presents a serious visibility hazard to motorists or pedestrians at an intersection, urban driveway or pedestrian crossing which cannot reasonably be alleviated through pruning; or
- d) Is declared a weed or environmental weed as described by relevant State government agencies.

#### **5.3.3.1 The tree:**

- a) Has a health problem, whether caused by drought, disease or damage by natural or human causes and Council has formed an opinion that it cannot be cost effectively saved; or
- b) Is planted directly under overhead wires in such a position that it will never attain its natural growth habit and will require constant pruning to keep it clear of wires.

#### **5.3.3.3 Compensable Vegetation**

- a) If vegetation has been removed and the removal was not authorised under this Procedure, Council may require the perpetrator to compensate Council for its value;
- b) If removal of vegetation is required due to loss, death or damage as a result of a motor vehicle incident, vandalism, wilful destruction or poisoning and the person responsible has been identified, Council may require the perpetrator to compensate Council for its value in addition to removal costs;
- c) If removal of vegetation is authorised in the following circumstances, Council may require the applicant to compensate Council for its value in addition to removal costs:
  - i) If the tree is classed as Notable Vegetation under section 5.4; or
  - ii) The vegetation needs to be removed:
    - as part of a development application with compensation to be payable prior to the issue of a Development Approval; or
    - to enable a building or other structure to be moved on or off a site; or
    - to provide a secondary access to property where one already exists.

#### **5.3.4 Compensation**

If Council considers it appropriate for the applicant/perpetrator to compensate Council, compensation is to be assessed in accordance with the Australian Institute of Horticulture, System for assigning a monetary value to amenity trees (Technical Memorandum No. 2, Second edition 1996), refer to Appendix A.

#### **5.3.5 Infrastructure Planning**

Consideration is to be given to protecting the health and longevity of vegetation during the planning, design and construction stages of Council infrastructure projects. Due regard should be given to the following and appropriate measures taken where necessary:

- a) Safety;
- b) Engineering;
- c) Horticultural; and
- d) Arboriculture.

#### **5.3.6 High Profile Coconut Palms**

If it is proposed to remove a Coconut Palm located in a high profile tourist or foreshore area that is an important and appropriate component of the landscape a report must be presented to a meeting of the Council for consideration.

### 5.3.7 Tree Replacement in Urban Areas

Council is committed to replacing removed trees as follows:

- a) In general, when a tree has been removed, it should be replaced with at least one new tree no smaller than 2m;
- b) Three hectares of new native planting is required for each hectare removed from areas of regionally significant ecological value; and
- c) All replacement trees are to be planted as close as possible to the original location of the removed trees or at least within the local area.

### 5.4 Notable Vegetation

Notable Vegetation is any of the following:

1. Trees with a minimum of three of the following attributes:
  - a) Strong historical, cultural, social or commemorative association with the region;
  - b) Have excellent form and vigour;
  - c) Are part of a group planting;
  - d) Are area specific plantings;
  - e) Have an exceptional live crown size;
  - f) Have a 50+ life expectancy; or
  - g) Are remnant or a locally indigenous specimen and/or is rare or uncommon in the area or of botanical interest or of substantial age.
2. Vegetation listed in the *Nature Conservation (Wildlife) Regulation 2006* in:
  - a) Schedule 2 – Plants that are endangered wildlife;
  - b) Schedule 3 – Plants that are vulnerable wildlife;
  - c) Schedule 5 – Plants that are near threatened wildlife; and
  - d) Schedule 6 – Plants that are least concern wildlife.
3. Vegetation of regionally significant ecological value.
4. Vegetation listed in the following registers:
  - a. National Trusts of Australia – Register of Significant Trees  
Two Weeping Figs located in Normanby Street Yeppoon outside the former post office building are listed in the Register of Significant Trees.
  - b. Queensland Government – Queensland Heritage Register
    - a) Bell Park (Place ID 602326)  
refer to Appendix B
    - b) Yeppoon War Memorial (Place ID 602126)  
refer to Appendix C
    - c) Joskeleigh Cemetery (Place ID 600659)  
refer to Appendix D

### 5.5 Community Engagement

To help encourage community involvement in establishing and maintaining parklands, open spaces and plantings in road reserves, Council will:

- a) Provide opportunities for residents to participate in community planting;
- b) Encourage/facilitate conservation partnerships and other incentive programs for private property owners;

- c) Encourage residents and businesses to make philanthropic donations to assist planting projects; and
- d) Notify the community of any significant vegetation removal and proposed replacement programs through local media and utilising local mail outs.

## **5.6 Councils Preferred Species**

### **5.6.1 Trees suitable under power lines**

- a) Cuban Pink Trumpet Tree (*Tabebuia pallida*);
- b) Golden Penda (*Xanthostemon chrysanthus*);
- c) Ivory Curl Flower (*Buckinghamia celsissima*);
- d) Silver Trumpet Tree (*Tabebuia argentea*);
- e) Tulipwood (*Harpullia pendula*);
- f) Pink Bottlebrush (*Callistemon 'eureka'*); and
- g) Backhousiea (*Backhousiea angustifolia*)

### **5.6.2 Trees on footpaths 4.5m or greater** (the tree must have more than 1.5m clearance from the kerb or footpath strip)

- a) Broad Leaved Paperbark (*Melaleuca quinquinervia*);
- b) Jacaranda (*Jacaranda mimosifolia*); and
- c) Poinciana (*Delonix regia*)

### **5.6.3 General Street Trees**

- a) Brush Box (*Lophostemon confertus*);
- b) Bumpy Ash (*Flindersia schottiana*);
- c) Cassod Tree (*Cassia siamea*);
- d) Crows Ash (*Flindersia australis*);
- e) Kaffir Bean (*Schotia brachypetala*);
- f) Pink Trumpet Tree (*Tabebuia palmeri* syn *handroanthus impetiginosus*);
- g) Small Leaf Lilly Pilly (*Syzygium leuhmanii*);
- h) Tuckeroo (*Cupaniopsis anacardioides*);
- i) Weeping Satinash (*Waterhousea floribunda*);
- j) Yellow Poinciana (*Peltophorum pterocarpum*); and
- k) Leopard Tree (*Caesalpineia ferrea*)

### **5.6.4 Recommended Street Trees in the Region of Central Qld**

- a) Weeping Lilly Pilly (*Waterhousia floribunda*);
- b) Crows Ash (*Flindersia australis*);
- c) Pink Flowering Euodia (*Melicope elleryana*);
- d) Ivory Curl (*Buckinghamia celcissma*);
- e) Swamp Bloodwood (*Corymbia ptchocarpa*);
- f) Tuckeroo (*Cupaniopsis anacardioides*);
- g) Tulip Wood (*Harpullia pendulla*);
- h) Small Leaf Lilly Pilly (*Syzygium leuhmanii*);
- i) Golden Penda (*Xanthostemon chrysanthus*); and
- j) Small Leaf Tuckeroo (*Cupaniopsis parvisolia*).

**6. Changes to this Procedure**

This Procedure is to remain in force until otherwise amended/replaced or other circumstances.

**7. Repeals/Amendments**

| <b>Version</b> | <b>Date</b> | <b>Action</b>  |
|----------------|-------------|--|
| 1              | 08/03/2016  | Approved   |
| 1.1            | 30/11/2018  | Administrative Amendments – reflect organisational restructure |

**DAN TOON**  
**EXECUTIVE DIRECTOR INFRASTRUCTURE**

## APPENDIX A

Australian Institute of Horticulture, System for assigning a monetary value to amenity trees, (Technical Memorandum No. 2, Second edition 1996).

| ELEMENT  | VALUES                        |             |          |                    |             |  | UNIT VALUE | COST |
|--|-------------------------------|-------------|----------|--------------------|-------------|--|------------|------|
|  | 0                             | 1           | 2        | 3                  | 4           |  |            |      |
| Occurrence   | NA                            | Very Common | Common   | Infrequent         | Rare        |  |            |      |
| Historical Association                                 | NA                            | Personal    | District | State              | Country     |  |            |      |
| Location   | NA                            | Large Tract | Reserve  | Small Group Street | Solitary    |  |            |      |
| Form & Vigour  | Defective or Severely Damaged | Poor        | Fair     | Good               | Excellent   |  |            |      |
| Live Crown Size (area)                                 | NIL                           | Small       | Medium   | Large              | Exceptional |  |            |      |
| Radius & Height (m <sup>2</sup> )                      |                               | 1-35        | 36-150   | 151-350            | 351+        |  |            |      |
| Life Expectancy  | NIL                           | 1-10        | 11-25    | 26-50              | 50+         |  |            |      |
| Values for each element to be multiplied together      |                               |             |          |                    |             |  |            |      |
| Total compensation = Total unit value factor \$14.50 x |                               |             |          |                    |             |  |            |      |
| Plus estimated removal costs                           |                               |             |          |                    |             |  |            |      |
| <b>TOTAL \$</b>  |                               |             |          |                    |             |  |            |      |

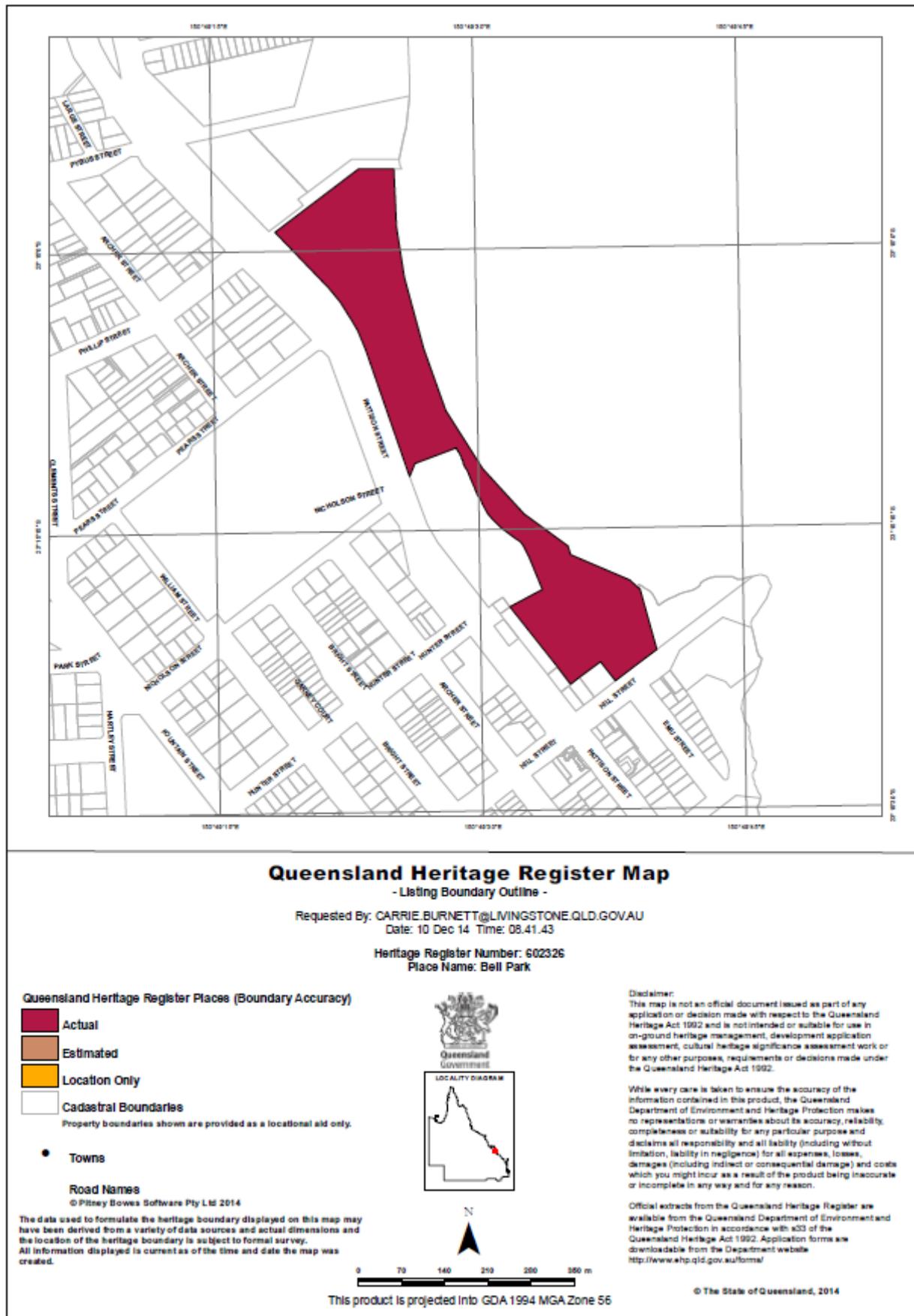
Location of tree .....

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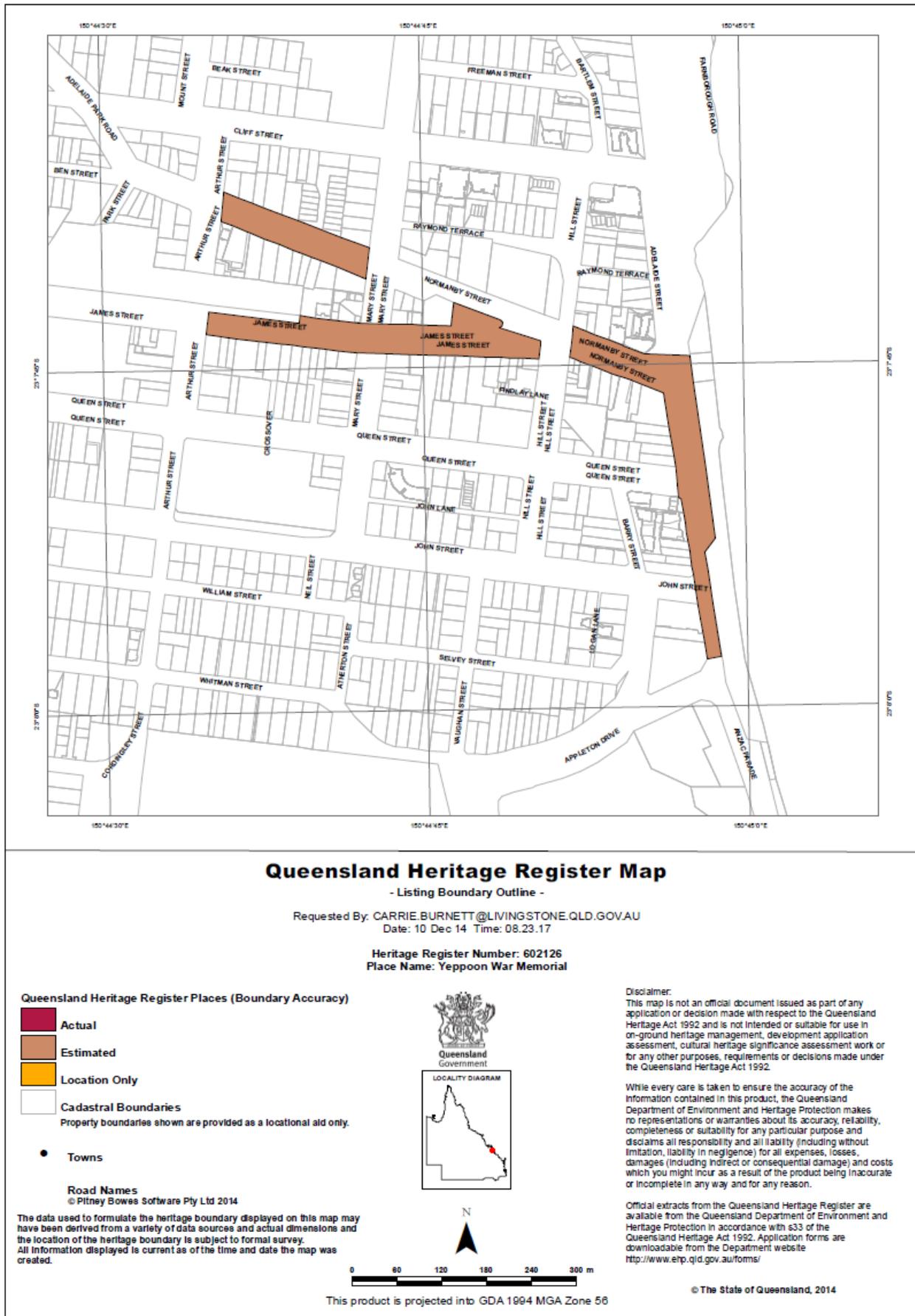
Name and Signature of Inspecting Officer .....  
**Name** **Signature**

Date of Inspection .....

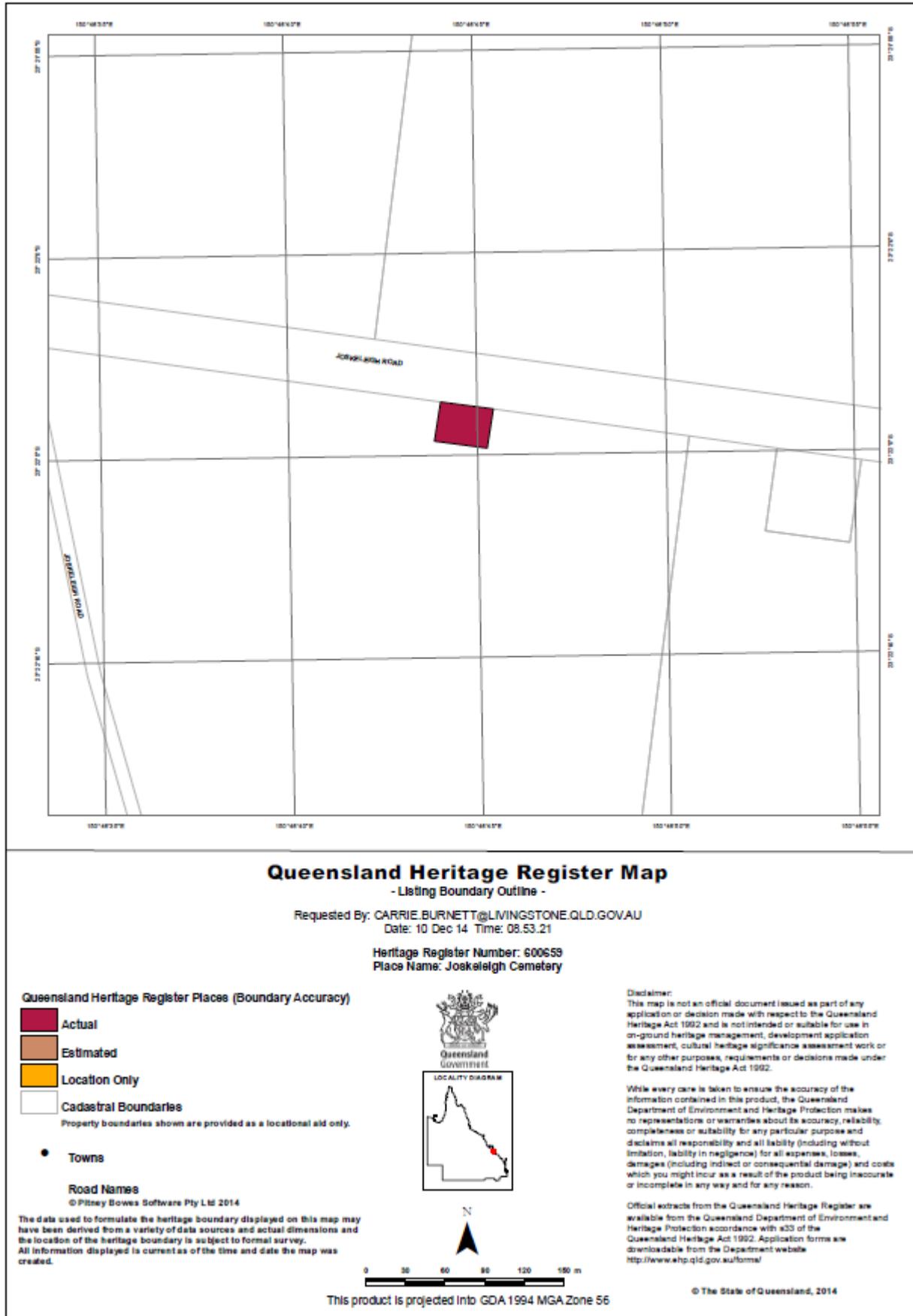
# APPENDIX B – QUEENSLAND HERITAGE REGISTER MAP – BELL PARK



# APPENDIX C – QUEENSLAND HERITAGE REGISTER MAP – YEPPOON WAR MEMORIAL



**APPENDIX D – QUEENSLAND HERITAGE REGISTER MAP – JOSKELEIGH CEMETERY**



**APPENDIX E – ROOT BARRIERS**

