

Vegetation Planting and Management Policy – Council Controlled Areas and Roads

Policy Type	Governance Policy	Version:	2.0
Responsible Officer	Manager Works	Date Approved:	15/11/2023
Review Officer:	Manager Works	Review Due:	15/10/2027
Author:	Senior Advisor Governance & Compliance	Commencement:	15/11/2023

1. PURPOSE

To provide for the considered undertaking of planting, maintenance, and removal of vegetation within Council controlled areas and roads and ensure compliance with Council's relevant Local Law.¹

2. SCOPE

This policy applies to vegetation planting, maintenance and removal activities within all Council controlled areas and roads. The policy does not apply to vegetation planting, maintenance, and removal activities on privately owned land in the shire.

3. POLICY STATEMENT

Residents of the shire may be permitted to undertake vegetation planting activities within the road verge footpath area immediately adjacent to the property boundary. Where required, Council may assist residents with information and advice on suitable locations for plantings and species of plantings within Council controlled areas and roads having regard to the following:

Roads

Vegetation plantings

Vegetation planting should be conducted with reference to Council's *Street Tree and Kerbside Planting Guide*, in particular;

- Positioning of plantings must have regard to the surrounding vicinity to accommodate the eventual full growth of the species to ensure that public utilities above and below ground level are not impacted.
- Positioning of vegetation plantings must not impede the safe movement of vehicle or pedestrian traffic nor obstruct vehicle driver line of sight nor impede maintenance activities undertaken by Council from time to time.

Vegetation planting maintenance

¹ See Local Law No. 1 (Administration) 2018 sch 2 pt 2. See also Subordinate Local Law No. 1 (Administration) 2018 sch 7 s 2.

- All plantings made by residents must continue to be maintained to ensure the continued visual amenity value and health of the planting
- At its discretion, Council may conduct trimming or removal of plantings, as and when required where vegetation poses a safety hazard to persons and/or property or plantings are causing obstruction to the movement of vehicle and pedestrian traffic, or plantings impede maintenance activities undertaken by Council from time to time.

All Council controlled areas and roads

Removal of vegetation plantings

The following will apply to **all** Council controlled areas:

- Removal of vegetation plantings requires the written approval of the Chief Executive Officer or relevant Director.
- Approval for removal of vegetation plantings is not required in circumstances where:
 - removal is determined by legislation for eradication of declared environmental plant pest; or
 - removal is conducted in response to an emergency; or
 - removal is approved by a valid development permit; or
 - removal is required to enable conduct of emergency works or to prevent damage to public utility infrastructure.
- Any request from residents for removal of vegetation plantings will be assessed by Council having regard to the existing aesthetic community value and health of the planting.
- Council will not remove vegetation plantings which are assessed as holding good health, are not deemed by Council as holding a risk of potential hazard to persons and/or property, do not obstruct or impede the movement of vehicle and pedestrian traffic and do not impede maintenance activities undertaken by Council.
- Where a decision is made by Council not to remove a vegetation planting, Council may provide approval for a property owner to remove the vegetation planting at the property owner's expense and such approval will be conditional upon the removal being undertaken by a qualified person holding necessary insurance and the reinstatement of the ground surface following removal.²

4. REPORTING

- No additional reporting is required.

5. DEFINITIONS

Council controlled areas and roads - means any area and/or road controlled by Council within the Mareeba Shire Council jurisdictional boundaries.

² See offence provisions for unauthorised clearing or damaging of vegetation – *Local Law No. 1 (Administration) 2018* s pt 2 s 6. See also sch 2 pt 2(1)(b), relevant prescribed activity as defined.

Vegetation planting - means a tree or trees, shrub or shrubs and any other organic plantings but does not include grass or lawn growth.

6. RELATED DOCUMENTS AND REFERENCES

Local Government Act 2009 (Qld)

Local Law No. 1 (Administration) 2018 (MSC)

Subordinate Local Law No. 1 (Administration) 2018 (MSC)

Street Tree and Kerbside Planting Guide (MSC)

7. REVIEW

It is the responsibility of the Manager Works to monitor the adequacy of this policy and implement and approve appropriate changes. This policy will be formally reviewed every four (4) years or as required by Council.