CAIRNS REGIONAL COUNCIL

General Policy

VEGETATION ON COUNCIL CONTROLLED LAND:
PLANTING, REMOVAL AND MAINTENANCE

Intent: To provide clear direction regarding vegetation planting, removal and maintenance on Council controlled land.

Scope: This policy applies to all Cairns Regional Council controlled land.

Purpose: The purpose of this policy is to outline the manner in which Council will manage vegetation situated on Council controlled land, including vegetation planting, removal, and maintenance.

This General Policy does not apply to the planting, removal, or maintenance of vegetation on private property unless it is potentially hazardous to persons on Council controlled land, Council infrastructure, or Council controlled assets or it is a declared weed species.

PROVISIONS

Vegetation planting and landscaping
Residents are encouraged to plant appropriate vegetation within the road verge area, the area between the property boundary line and the kerb, or the edge of pavement in areas without a kerb.

Local Law No. 1 (Administration) 2016 requires written approval to be obtained from Council prior to the planting of vegetation on Council controlled land.

Planting vegetation in accordance with the Far North Queensland Regional Organisation of Council’s Development Manual landscaping requirements is deemed to be approved by Council.

Vegetation Removal
Prior to removal or pruning of vegetation on Council controlled land, a person must have written approval from Council. Should vegetation be removed without obtaining the written consent of Council penalties as outlined within Local Law No.1 (Administration) 2016.

Following receipt of a complaint or request to remove vegetation, Council officers in consultation with the Divisional Councillor will undertake an assessment to determine whether the subject vegetation should be removed or pruned. This assessment is based upon the provisions contained within Cairns Regional Council Administrative Instruction Dealing with Vegetation Matters on Council Controlled Land.

The assessment will take into consideration the potential risk of damage to property or potential risk to the public, and the condition, suitability and significance of the vegetation. Requests shall be assessed and prioritised according to the level of risk and available resources.

If a resident does not agree with the assessment made by the Council officer, they may submit a report to from a qualified arborist at their own expense. Such reports will be further considered by Council prior to making a final determination on removal or otherwise of vegetation.

Circumstances where Council approval is not required for vegetation removal/damage include the following:

- Removal of declared pests or environmental weeds as determined by legislation, local laws, or Cairns Regional Council's Pest Management Plan;
- Emergency works – any works carried out by Council or any Public Sector Entity in response to an emergency
- Tree removal approved by a valid development permit.
- Vegetation damage associated with the outlay of new or upgraded public utilities.
- Vegetation damage undertaken by a utility provider to prevent vegetation disrupting the efficient provision of existing infrastructure.
Vegetation Maintenance
Council maintains vegetation on Council controlled land by trimming trees to remove damaged branches and to remove dead trees and vegetation that pose a hazard to person or property.

All plantings by residents or community groups must be maintained by the resident or community group to a healthy and aesthetically pleasing standard. Such plantings must not impede pedestrians, vehicle movements or cyclists, and must not obstruct sight lines to ensure safe movement of traffic within Council controlled land or roads.

Consultation
For non-urgent remedial works Council will notify the immediately neighbouring allotments of where vegetation is located prior to its removal.

In the case of emergency works, consultation may not be possible or practical.

Complimentary documents
- Administrative Instruction Dealing with Vegetation Matters on Council Controlled Land;
- Cairns City Planning Scheme Policy 4:03:04 City in a Garden Master Plan;
- Cairns City Planning Scheme Policy 4:03:03 Cairns CBD Streetscapes Master Plan;
- Cairns City Planning Scheme Policy 4:03:02 FNQROC Development Manual;
- Local Law No. 1 (Administration) 2016
- Local Law No. 11 (Local Government Controlled Areas & Roads) 2016 & Subordinate Local Law No. 11 (Local Government Controlled Areas & Roads) 2016;

DEFINITIONS
Council controlled land - any and all land owned, controlled, or held in trust by Council.

Vegetation - an individual tree or trees, plants and all other organisms of vegetable origin (whether living or dead).

Damage - remove, cut down, ringbark, push over, poison or destroy in any way including by burning, flooding or draining

Tree - vegetation that has:
- a woody perennial plant, typically having a single stem or trunk growing to a considerable height and bearing lateral branches at some distance from the ground;
- any of various shrubs, bushes, and plants, resembling a tree in form and size, i.e. Tree-like plants such as banana plant, large bamboo species, Traveler’s Palm, other palms, tree ferns;
- a plant that is by scientific description (Nomenclature/Taxonomy), i.e. genus & species, to be a tree, whether as a sapling or mature specimen.

This policy is to remain in force until otherwise determined by Council.

General Manager responsible for review: Infrastructure Services

ORIGINALLY ADOPTED: 01/01/2012
CURRENT ADOPTION: 18/02/2015
DUE FOR REVISION: 18/02/2019

John Andrejic
Chief Executive Officer