

# Fact Sheet

## Trees on Council-controlled or owned land



*Figure 1: View south west at Wellington Point Reserve looking towards King Island and the Port of Brisbane.*

Trees in an urban environment make a valuable contribution to the sustainability, health and visual amenity of a community while also contributing to biodiversity, shade, and local wildlife. Redland City Council provides for the planting, maintenance and, when required, removal of trees on council-controlled land such as streets, parks, conservation, and road reserves. Council is committed to maintaining and managing the urban forest to the best possible balance of safety, amenity, and cost.

### The value of trees on Redlands Coast

There are many reasons Council encourages the community to treasure and nurture local trees and vegetation. These include:

- helping to shape the natural beauty and colour that is Redlands Coast
- providing and protecting the habitat for plants and animals
- providing shade to buildings to reduce energy consumption
- historical, cultural, recreational, and horticultural value
- helping complement, and provide a place and space for, recreational activities
- providing green space and protecting wildlife corridors
- protecting waterways, preventing erosion, and helping improve air quality
- helping diminish traffic noise and providing environmental screens; and helping encourage a sense of peace and tranquility.



*Figure 2: Delonix Regia (Poinciana Trees) provide beauty, colour and shade across Redlands Coast during the summer*

**This fact sheet only applies to trees on Council-controlled land, not those on state land or private property.**

## Concerns about Council-controlled trees on your property

Council has a specialist and responsive team who are helping to manage trees on Council controlled land. This team schedules tree maintenance and management activities across Redlands Coast.

Trees require maintenance for many reasons including safety, clearances for pedestrians and vehicles, line of sight and the health of the tree itself. As needed, Council officers may also apply root barriers to prevent the tree from damaging structures. All of Council's tree condition assessments and maintenance decisions are made by experienced and qualified arborist (AQF Level 5 or higher) following internationally accepted assessment practices.

Maintenance will be undertaken where it will not have a detrimental impact on the trees long-term health and it is deemed arboricultural required to facilitate a balanced outcome for the community, environment and the relevant adjacent residents or stakeholders. Over pruning can lead to structural issues from open wounds being an entry point for rot, decay and fungal pathogens. Works deemed required are scheduled for qualified staff to action on a risk priority basis.

Council will and will not consider the pruning, removal or alteration of trees against the following criteria:

Approved criteria for pruning, removal, or alteration on a risk priority basis	Not approved criteria for pruning, removal, or alteration
<ul style="list-style-type: none"><li>✓ For street trees along road corridors to provide the correct standard of canopy height in alignment with AustRoads standards.</li><li>✓ For street trees to meet traffic visibility requirements in alignment with the above standards</li><li>✓ For street and park trees along bike, pedestrian pathways and trails to provide the correct standard of canopy heights for public safety and permitted activities</li><li>✓ For trees within parks or bushland areas which pose potential risk to property, pedestrian pathways or trails.</li><li>✓ For trees with growth defects, structural faults, damaged tree sections, dysfunctional dead and diseased tree sections and to provide clearance from structures.</li><li>✓ To enhance the health and structure of the tree or to reduce failure potential.</li><li>✓ To protect public service infrastructure and to avoid future conflict with infrastructure through formative and directional pruning.</li><li>✓ To address exposed /or underground tree roots to reduce or prevent conflict with adjacent infrastructure.</li><li>✓ To address exposed tree roots to reduce risk to pedestrians within foot trafficable locations.</li></ul>	<ul style="list-style-type: none"><li>✗ Trees or adjacent vegetation within a conservation or environmental area unless the tree has the potential to impact Council/private infrastructure or a pedestrian pathway/trail within the fall radius of its canopy.</li><li>✗ To discourage native wildlife habitation, feeding, roosting, nesting or passage through a tree or group of trees.</li><li>✗ To disturb or treat termite activity.</li><li>✗ To enhance the view for private interests.</li><li>✗ To address casting of shadows or impact on the effectiveness of solar panels</li><li>✗ To prevent tree debris accumulation.</li><li>✗ To satisfy a personal preference or to benefit private interests over the community.</li></ul>

# Frequently asked questions (FAQ)

## 1. What does risk priority basis mean? And how are works scheduled?

Council arborists follow the tree assessment principles of the International Society of Arboriculture and schedule works for completion based on the assessed risk the tree represents to the people and property. This process is fully explained on Council's website [redland.qld.gov.au/counciltrees](http://redland.qld.gov.au/counciltrees)

## 2. The tree on Council land that borders my property is continually dropping leaves and fruit into my pool and or gutters. What do I do – can I have the tree removed?

Living with trees involves managing leaf drop from vegetation, whether it is from a Council, or a residential tree. Council does not prune, top or remove trees due to leaf/fruit drop nuisance issues as it inherently worsens the situation and reduces the amenity and benefits of the urban forest. Council encourages the regular cleaning of gutters on private properties. You should also consider the installation of a gutter guard, or if you have a gutter guard make sure that it has been correctly installed. Council may also consider arranging a condition assessment of the tree by a qualified arborist. There may be a reason that the tree is dropping more leaves than normal and this could be remedied.

## 3. The tree next to my property is too tall. It might be dangerous in a storm and damage my house. Can I remove it?

There is always a possibility that a tree may fail in severe weather events. Healthy, well-maintained trees around a building can help dissipate wind force thereby protecting the house from the wind. Once removed there is no protection from the wind force and the building is fully exposed. Council conducts regular tree condition assessments by a qualified arborist (AQF Level 5 or higher) who will identify when to carry out any maintenance work, which will ensure trees are kept in good condition.

## 4. A tree on the footpath (or foreshore) in front of my property is blocking my view. Can I remove it?

No, you are not allowed to remove, prune, or top a Council owned tree and, if you do, you may be subject to prosecution under Council Local Laws and State Laws regarding tree protection. The tree may also be an important host tree for rare and threatened species of fauna and flora and its removal may negatively affect the aesthetic character of the area. Lopping or topping a tree may make it dangerous due to the regrowth of epicormic branches or it may worsen tree structure or lead to fungal infection or weaken the tree, making it unstable or susceptible to failure.



Figure 3: One of many Ficus trees on Redlands Coast

## 5. There is a termite nest in a tree on Council land and I am worried they will harm my property. What can I do?

Termite infestations in trees or land under ownership or control of Council will not normally be treated. Council has no legal responsibility to treat any termite infestation found in trees or land under its control. Council is not responsible for any damage to private property attributed to termites detected on land under its control. When dealing with termites, prevention is key and the following actions are recommended;

- Undertake regular routine inspections to find termites and termite damage through a licensed pest controller.
- When installing new fences, use termite-resistant and preservative-treated timber.
- Minimise cracks in concrete slabs by consolidating the soil before laying the slab.
- Fix leaking pipes and poor ventilation in sub-floors which create ideal conditions for termites.
- Always inspect second-hand timber and furniture before bringing it into your property.
- Avoid placing gardens against property walls.

- Avoid stacking firewood against your property including homes, garages and sheds.

In Queensland, there is no law governing the control of termites. Should you encounter termites on private property, the responsibility for control rests with the property owner. For termite control on public property, such as parks and reserves, please contact Council.

**6. There are tree roots in my stormwater pipes from a tree on Council land. Can I cut the tree roots to repair the pipe? Will Council pay for the repair or remove the tree?**

You may be allowed to cut the tree roots from a Council-controlled tree in stormwater pipes on your property, however you will need to request permission from Council first. It is also worthwhile getting advice from the Council qualified arborist (AQF Level 5) as cutting the roots too close to the tree trunk may affect the stability of the tree and could result in whole tree failure. The maintenance and repair of all residential stormwater infrastructure, from the property line across the road reserve to public infrastructure (spoon drain, kerb and channel, catchpit etc.), is the owners' responsibility. Tree roots may damage stormwater pipes. This normally occurs where pipes have been incorrectly installed or have been damaged, allowing water and nutrients to be absorbed by the surrounding soil. Trees will then focus root growth in the surrounding soil and eventually into the pipe due to excess moisture and nutrients.

**7. A tree growing on Council land next to my property is providing a way for children to climb into my pool. What can I do?**

Illegal entry into your property is a police matter and it should be reported to police. You can also contact Council for advice on whether anything can be done to prevent access via the tree.

**8. I'm building a new house and want a tree removed because it is in the way of where I want the driveway, or I want to put in a second driveway, but a tree is in the way. What do I do?**

Contact Council's Roads Drainage and Marine Maintenance unit to request a driveway crossover application. During the application process, you should highlight the tree issue. A council officer will carry out an inspection of the tree in relation to the proximity of the driveway for safety and stability, as well as the protection status of the tree. If the driveway crossover is approved and the tree needs to be removed, you may be liable for the cost of the removal.

## Council tree maintenance requests

**9. What is the process for requesting tree maintenance from Council-controlled land?**

Council, wherever possible, avoids removal of trees except where retention is considered unmanageable. If you would like to request tree maintenance on Council controlled land be removed, please contact Council.

There are six basic steps to assessing the removal of a tree on Council-controlled land:

**Step 1** – The tree is assessed for risk by a qualified assessment officer.

**Step 2** – If the tree is unhealthy and the risks to safety and property cannot be practically managed, the tree will be scheduled for removal by Council at Council's expense.

**Step 3** – If the tree is deemed of significant value then it will be placed on a significant tree management plan.

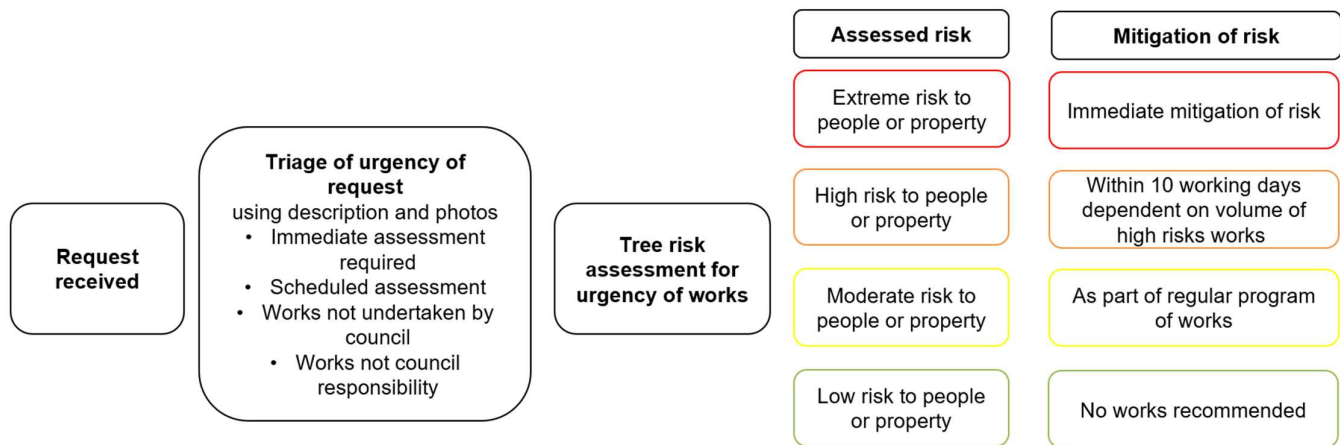
**Step 4** – If you dispute a decision to retain a tree of significant value, and where the tree has been assessed as low risk, you may request a review of your case. Reviews that find in favour of Council but remain contested may be referred to the Ombudsman.

**Step 5** – If you dispute a decision to retain a tree of normal community value, and where the tree has been assessed as low risk, two options exist for further action: ;

- Council can at the residents cost perform a survey of surrounding residents and remove the tree if the removal of the tree is supported by the community.
- You may request a review of your case under Council's complaints management process. Reviews that find in favour of Council but remain contested may be referred to the Ombudsman.

At each stage of the process, Council will keep you informed of the progress of your request.





## Council tree planting

### 10. What type of tree planting does Council do?

Tree planting can be performed as a part of capital projects, developments or as requested by residents. Council also conducts tree planting in parks and conservation areas and operates a Bush Care program which is run by IndigiScapes. Visit [indigiscapes.redland.qld.gov.au](http://indigiscapes.redland.qld.gov.au) for more information on Bush Care.

### 11. How can I request a tree be planted on the footpath?

You may request a tree be planted on the footpath in front of your property and our helpful and expert team will assess the site for suitability. If a tree cannot be planted you will be informed of the reason. While Council supports the planting of the right trees in the right location, restrictions such as safety, private and public infrastructure need to be considered when planting a tree.

### 12. Can I request a tree be planted anywhere other than in front of my property?

You may request a tree be planted in front of your own property, in a park or conservation area. If a tree cannot be planted you will be informed of the reason. You are unable to request a tree to be planted in front of someone else's property. Council encourages residents to assist in the maintenance of their road reserve and as such would require that specific resident to request the tree.

### 13. What type of trees are selected?

When selecting the species of tree to plant, Council will identify the best suited tree species for the location, as well as taking plantings already in the area into the decision process. The Council officer will select a tree species from Council's approved the Species List (available on Council's website [redland.qld.gov.au/counciltrees](http://redland.qld.gov.au/counciltrees) that both beautifies the local area, as well as minimises the risk of future impact on both private and public infrastructure. If the resident has a preferred species, officers will work with them to assess their suitability.

### 14. What happens once the new tree is planted in front of my house?

Once a new tree is planted, it requires regular maintenance (including watering) until the tree has established roots capable of absorbing water and nutrients from the surrounding soil. Council encourages residents, where possible, to assist with this maintenance to increase the health and longevity of the community tree as an asset. This can be done by simply adding one to two buckets of water a week to the tree and can contribute to a healthier outcome for the tree as well as enhancing the aesthetics of the street.

### 15. Can I plant the tree myself on road verges or other Council land?

You may only conduct the planting of trees on road verges or other Council land in accordance with an approved landscape permit. Please contact Council for advice if you wish to apply for a landscape permit. Unapproved trees

may lead to safety concerns and ultimately require removal at Council's expense.

#### 16. Should I put grass clippings around my trees or around trees on Council land?

Mulching is very beneficial to trees for nutrients and moisture retention in the soil, however mulching around the base of a tree with fresh material like grass clippings or fresh woodchips or other fresh mulch is not recommended. Instead, you should mulch around the tree with well-composted mulch and spread it as wide as possible. It should be no deeper than 75mm to 100mm, depending on the type of mulch you are using, and you should not mulch flush up against the trunk of the tree. If you do, there is a risk that the mulch will start or continue composting and may affect the bark of the tree, resulting in damage to the root collar.



*Figure 4: Xanthostemon Chrysanthus (a Golden Penda Tree) is an example of one of the many tree species planted in residential*

### Public significant trees

#### 17. What are 'significant trees'?

Significant trees are those trees which make a major contribution to the everyday landscape and are therefore of enhanced value to the community or the local ecosystem and are maintained on a pro-active maintenance program.

#### 18. What is the process for determining a significant tree?

Council will come out and visit the tree and will conduct measurements and a formal scoring process which assists Council to determine what trees are significant.

### Compliance & Local Laws

#### 19. Who is responsible for maintaining trees on private land?

It is part of a property owner's normal responsibilities to take reasonable measures to maintain their own property. In relation to leaf, sap or seed drop, the use of pool covers, gutter guards and car covers are encouraged.

#### 20. What is damage or interference of a council owned tree?

Council's Local Law 1 (administration) 2015 Schedule 2 prohibits residents or property owners from pruning, poisoning or removing any Council owned tree.

#### 21. What happens if a person has interfered with a tree or vegetation on Council-controlled land?

If a person is found to have interfered with vegetation or trees on Council controlled land without permission, they may be subject to compliance action, cost recovery or fines under local

#### 22. Do I need to contact Council before conducting any works on my own property that may impact trees on adjacent Council-controlled land?

Yes. To protect existing trees on Council land next to private property, please contact Council to ensure that there is adequate protection in place for those trees.



*Figure 5: Significant Ficus Trees at Wellington Point Reserve provide valuable shade and visual beauty to visitors*

### 23. I've seen people dumping their green waste in parklands or reserves. What can I do about it?

Illegal dumping of green waste, including lawn clippings, is a significant cost to ratepayers with Council having to remove the green waste. Dumping green waste in waterways, easements or drains can also cause millions of dollars in property damage by blocking waterways and causing flooding. Many garden plants can also become weeds through the illegal dumping of garden waste. If you see someone illegally dumping green waste, please take their vehicle registration number and report it to Council for investigation.



*Figure 6: The poisoning of trees is illegal and may cause other issues such as erosion to the coastline or storm damage to surrounding properties. Residents are encouraged to report sightings of illegal interference with trees to Council for investigation.*

#### Useful contacts regarding tree issues:

##### Queensland Arboricultural Association (QAA):

Tel (07) 3821 1488

Email [admin@qaa.net.au](mailto:admin@qaa.net.au)

Web [www.qaa.net.au](http://www.qaa.net.au)

##### Queensland Civil and Administrative Tribunal (QCAT):

Tel 1300 753 228

Email [enquiries@qcat.qld.gov.au](mailto:enquiries@qcat.qld.gov.au)

Web [www.qcat.qld.gov.au](http://www.qcat.qld.gov.au)

#### Useful online advice if considering planting on footpaths or road verges:

##### Crime Prevention through Environmental Design (CPTEP)

[www.police.qld.gov.au/programs/cscp/safetypublic](http://www.police.qld.gov.au/programs/cscp/safetypublic)

Dial Before You Dig: [www.1100.com.au](http://www.1100.com.au)

Energex [www.energex.com.au](http://www.energex.com.au) – Think Smart, Plant Smart