

1 Purpose

This Parks and Recreation Services Branch procedure forms part of a suite of documents used by Council to manage its tree population, other documents include:

- 2.68 Council Controlled Tree Management Policy; and
- Toowoomba Regional Council Street Tree Masterplan 2011.

The protection and retention of all desirable trees is an objective of Council's 2.68 Council Controlled Tree Management Policy. Therefore, all options for retention must be investigated and exhausted prior to considering removal.

Council's 2.68 Council Controlled Tree Management outlines the decision-making framework associated with the removal of a Council controlled tree and the requirements associated with the loss of amenity from the tree removal. This Policy needs to be fully understood prior to applying this Procedure.

2 Scope and applications

This Procedure applies to all trees located on Council controlled land. For the purpose of this Policy, such trees shall be referred to as 'Council controlled trees'.

3 Principles

The Procedure provides a clear framework for determining when tree removal is warranted and justified, along with providing mechanisms for ensuring canopy replacement is achieved to ensure that long-term canopy decline in Council-controlled lands doesn't occur.

The Procedure outlines the application and assessment processes required where Council controlled tree removal is sought. Where compensation is applicable, the Procedure details a mechanism to determine the monetary value of a tree that reflects both the direct replacement (like for like) costs and indirect costs such as loss of amenity value. The valuation process standardises the value of trees across the wide spectrum of species and locations within the Toowoomba Region.

In addition to upholding the Corporate Plan principles/principles outlined above, Council is committed to upholding the obligations within the *Human Rights Act 2019* by giving proper consideration to the provisions of the Act when making decisions relevant to this policy/procedure.

4 Content/Policy Statement/Actions

4.1 Administrative process

In all instances of tree removal applications, the general process is as follows:

1. An application and any supporting documentation (plans and/or Arboricultural Impact Assessment (AIA)) is submitted and reviewed by the Assessing Officer.
2. For trees which are either Heritage Listed; or identified as a Significant Tree on Council's Significant Tree and Avenue Register; or is greater than 15m in height; or has a Diameter at Breast Height (DBH) greater than 500mm, an Arboricultural Impact Assessment (AIA) report will be required to be submitted. This report must be compiled by a suitably qualified Arborist, at the applicant's expense, addressing the key requirements as listed in Australian Standard AS4970-2009 Protection of Trees on Development Sites and how the tree cannot be safely retained.
3. The Parks and Urban Forest Policy Officer in Parks and Recreation Services Branch or other Consulting Arborist as appointed by Council, as the assessing officer, reviews the application and supporting documentation prior to undertaking an onsite assessment of the subject tree(s).

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4. The assessing officer completes an arboricultural amenity valuation summary report of the tree, including comment on elements such as its health, structure, function within the space and comment regarding potential design or other options which may enable retention, or recommendations regarding compensation.
5. The arboricultural amenity valuation summary report and any other supporting documentation is presented to the Manager of Parks and Recreation (the Delegated Officer), for review and determining a decision.
6. Where approval is granted, compensation for the loss may be required and determined in accordance with this procedure.
7. Where approval is granted, and the tree is not dead, dying or structurally dangerous, all costs associated with the removal of approved tree(s) and any required replacement plantings or other compensation as specified, are to be borne by the applicant.
8. Where approval is granted for tree removal, standard conditions will be applicable to the approval, including but not limited to:
 - a. Obtaining all other relevant information, approvals and permits, and complying with all relevant requirements;
 - b. Arranging and bearing all costs for works and surface damage rectification;
 - c. Ensuring appropriate safety and access requirements are met; and
 - d. Protecting tree(s) not associated with the approval from harm.

4.1.1 External applications

In alignment with Local Law No. 1 (Administration) and Subordinate Local Law No. 1.15 (Carrying Out Works on a Road or Interfering with a Road or its Operation), a formal application must be made on the Council Controlled Tree Removal Application Form, submitted to Council's Customer Service branch, with the prescribed application fee being paid at the time of submission of the application. This form is applicable for all applications where tree removal is proposed, including applications associated with or submitted as part of a Development Application and tree transplantation requests.

As part of the application, all potential options for tree retention MUST be documented, with clear justification and reasoning why a tree cannot be retained. This options analysis is required to be submitted as part of the application for review.

Following the review of the application, an Information Notice outlining the decision and any conditions applicable, will be issued to the applicant. Any approval granted is not transferrable and shall remain current for the period of time as specified on the Information Notice. Extensions to an approval must be made within 28 days before the end of the term of approval.

4.1.1.1 Appeals process – external applications

Where an applicant wishes to appeal the decision outlined in the Information Notice, written representation to the Chief Executive Officer must be made within fourteen (14) days of the date of the Information Notice. The written representation must outline what elements of the original Information Notice that the applicant wishes to negotiate and the reasons why. Appeals pertaining to tree removals will be assessed by the General Manager – Environment and Community Services. A Review Notice will be subsequently issued outlining the decision of the appeal and any reasoning behind the decision if in contravention to the decision sought by the applicant. The Review Notice will be issued within twenty-eight (28) days from Council receiving the appeal.

4.1.2 Council activities requiring tree removal – internal applications

For activities undertaken by Council which have the potential to impact upon existing Council controlled trees, and where the tree is not classified as dead, dying or structurally dangerous, an Internal Tree Impact and Removal Request Form is required to be completed and submitted to Parks and Recreation Branch for assessment. This form outlines the necessary steps that must be undertaken to ensure compliance with requirements of 2.68 Council Controlled Tree Management Policy. The decision and any compensation applicable will be specified and outlined on the Internal Tree Impact and Removal Request Form.

4.1.2.1 Appeals process – internal applications

Where a tree removal application submitted by another branch of Council is denied, and the branch requesting removal seeks a review of the decision, arbitration between the relevant Branch Manager and the Manager of Parks and Recreation is to occur to seek a resolution. If a resolution cannot be reached, the matter will be referred to the General Manager of Environment and Community Services to review the matter and determine a decision.

4.1.3 Trees on property boundaries

Where trees growing on or perceived to be in close proximity to, a private property boundary are subject to a tree removal application, an assessment as to the ownership of the tree will be made by Council. Where there is a disagreement between Council and a private party regarding the determination, the landowner and/or Council reserves the right to employ a licenced Cadastral surveyor to determine the exact property line in relation to the tree in determining ownership and the relevant party must bear all costs in doing so.

4.2 Loss of amenity assessment

The loss of amenity assessment methodology outlined below is based upon the Internationally recognised Helliwell System of determining loss of amenity, from the UK Arboricultural Association.

For each of the seven standard factors, the tree is assigned a score ranging from 1 to 4. The eighth factor is only applied where the tree has been listed as an Iconic Tree or Avenue within the Register of Parks and Recreation Services Branch Iconic Tree and Avenues. The Iconic Tree or Avenue factor is calculated by multiplying the total Amenity Value by a factor of five (5).

The total Tree Assessment Criteria Points is multiplied by the Council controlled Tree Evaluation unit rate, as contained within the most current version of Council's Schedule of Fees and Charges. This step converts the Assessment Points into a Monetary Value.

Calculation

1. Tree assessment criteria points = (size of tree x useful life expectancy x importance of position in landscape x presence of other trees x relation to the setting x form x specific factors) x iconic tree or avenue*
2. Monetary value = tree amenity criteria points x 'Council controlled tree evaluation' unit rate (as prescribed within the current Schedule of Fees and Charges)

*Advice note: *Iconic tree or Avenue factor only applies to listed iconic trees or avenues contained within the Register. See section 7. Related Policies and Documents.*

4.2.1 Applicable compensation

Trees growing within Rural Road reserves that are not proactively managed, where approval for removal is granted by Council, are not subject to compensation.

Where tree removal is sought within Council controlled bushland areas, and the removal is not on the grounds of protection of life and property or for the management of the values of the bushland park, compensation for tree removal will be required as determined by the Manager of Parks and Recreation Services.

All other instances, where tree removal is approved, compensation for the loss will be sought in accordance with this procedure.

4.2.2 Tree assessment criteria

4.2.2.1 Tree size

The size of the tree is determined by: height of the tree (m) multiplied by the mean canopy diameter. That is, the average crown diameter over the full height of the tree.

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- Small = >10m²
- Medium = 11-50m²
- Large = 51-150m²
- Very large = >150m²

4.2.2.2 *Useful life expectancy*

Useful Life Expectancy (ULE) is an Arboricultural determination of the remaining useful life of a tree, measured in years and must be determined by an experienced and qualified Arborist.

The assessing Arborist shall give consideration to the following:

- Location of the tree and prevailing conditions at time of assessment;
- Typical expected lifespan of the species (in the local area);
- Tree structure (such as, included bark, cracks, decay or cavities, degree of lean);
- Tree health (factors of stress, dieback, deadwood, pest infestation, epicormic growth, canopy density and foliage size /colour); and
- Tree Age.

Table 1 Useful life expectancy points allocation

Useful Life Expectancy Factor				
Estimated remaining useful life expectancy	Points:			
	1	2	3	4
100+ yrs.				4
40 - 100 yrs.			3	
20 - 40 yrs.		2		
10 - 20 yrs.	1			

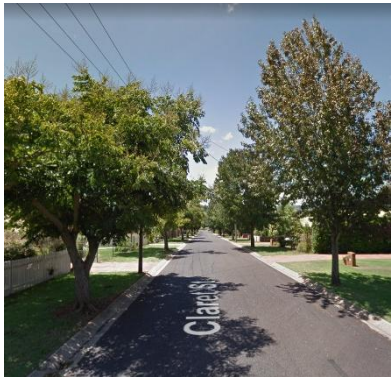
4.2.2.3 *Importance of position in landscape*

This factor is a measure of a tree's visibility and functional importance, within public space or road networks.

This factor argues that a tree located in a highly visible location or providing function (such as provision of shade for park seating), is able to provide greater amenity value to the setting, in comparison with a tree that is obstructed from view or is within a setting less conducive to passive interaction and benefits is said to have a lower importance.

Table 2 Determination of importance points allocation

Importance of Position Factor				
Points:	Description:			Example:
1	Little Importance	=	- Not visible from surrounding properties, largely hidden by other trees or objects. - Group plantings on road verge. Tree planting is within a defined planting grove. Significant canopy merge is present or likely to be present at maturity, loss of tree(s), will not adversely affect amenity. - Tree is growing in a large cluster of other trees in a bushland or open forest setting. - Large group plantings in a Local Park. Tree planting is within a defined planting grove. Canopy merge is present or likely to be present at maturity, tree loss will not adversely affect amenity.	 
2	Some Importance	=	- Widely spaced grove planting within road reserve. Canopy merge is not present or is not likely to occur at maturity. - Loosely planted within a street avenue, either not a defined line or not regular spacing between trees. - Tree located within a widely spaced grove planting within a Local Park. Canopy merge is not present or only minor; or is not likely to occur at maturity, in Local Park.	 

Importance of Position Factor				
Points:	Description:			Example:
3	Considerable Importance	=	- Highly visible from surrounding properties, roads or other community thoroughfares. - Defined linear avenue planting with regular spacing between trees. - Tree is located in a District Level Park. - Tree is located within a Local Park and is a solitary specimen (no canopy merge with adjacent trees). - Tree is providing passive benefits to park infrastructure (i.e. shade provision). <i>Advice note: Most street and park trees will be considered to sit within this category.</i>	 
4	Great Importance	=	- Solitary specimen or solitary species specimen within a wider planting (though must be clearly visible external to the grove), within the road reserve; having a high visual impact (visual landmark). - Tree is a species of rarity or uncommon for size, type or for the area. - Tree is located within a Regional Park.	 

4.2.2.4 Presence of other trees

This factor may overlap to some extent with other factors but concentrates on the general abundance of trees within the locality. The score is determined by measuring a 100m radius from the tree being assessed and

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counting the number of Council controlled trees falling within this area that are of similar size. Private trees are not counted as part of this assessment.

The term 'similar size' relates to both the height of the tree (in metres) and its mean crown diameter, as outlined by 'Section 4.2.1.1 Tree Size' of this procedure.

Table 3 Number of trees points allocation

Number of Trees Factor			
Points	Descriptors:		
1	Many	=	Ten (10) or more other trees within Council controlled land of a similar size within a 100m radius of the tree being assessed.
2	Some	=	Between four (4) and nine (9) other trees within Council controlled lands of a similar size within a 100m radius of the tree being assessed.
3	Few	=	Between one (1) to three (3) other trees within Council controlled lands of a similar size within a 100m radius of the tree being assessed.
4	None	=	No trees within Council controlled lands of a similar size within a 100m radius of the tree being assessed.

4.2.2.5 Relation to the setting

The 'Relation to the setting' factor is a measure of the tree's relationship to the surrounding built environment. Trees that complement, enhance and support people's enjoyment of the built environment are considered to be of high value. In comparison, trees that distract or reduce amenity; and therefore, people's enjoyment of the built environment, are considered to have reduced value.

Table 4 Relation to setting points allocation

Relation to Setting Factor			
Points:	Description:		Example:
1	Barely suitable	= - Provides little positive contribution to the amenity of the park or streetscape or considered to detract from the visual amenity of the surrounding built environment due to being: - An undesirable species (declared weed species) with no heritage linkage/significance. - Positioning of tree has led to significant conflicts with surroundings/heavy management intervention evident, resulting in heavily suppressed canopy. - Tree has not been able to grow true to form and is heavily pruned to conform to	

Relation to Setting Factor				
Points:	Description:			Example:
			space, which has compromised the overall tree structure.	
2	Fairly suitable	=	- Makes a fair contribution to the amenity of the park, streetscape and/or surrounding built environment through: - Tree has evidence of moderate suppression due to conflicts with surrounding infrastructure.	
3	Very Suitable	=	- Makes a positive contribution to the visual amenity of the park, streetscape and/or built environment, through: - Little to no suppression from surrounding infrastructure. - Provides passive benefits (shade) for surrounding infrastructure (footpaths, tables, seating).	
4	Especially suitable	=	- Creates a 'sense of place' and/or contributes significantly towards the character of the location and built environment, through: - Tree is allowed to grow true to form, no suppression evident. - Tree has or will provide significant character to location (street tree) or provide major amenity function in Park (shade provision for seated areas or play equipment).	

4.2.2.6 Tree condition

Tree condition must be determined by a qualified and experienced Arborist.

For this component, the form of a tree does not necessarily need to be 'natural' to be rated as 'good'. An example is the pollarded camphor laurels found growing under the power lines across parts of Toowoomba could be considered to have good form.

Tree Condition Factor			
Points:	Descriptor:		Elements present, consistent with Descriptor
1	Poor	=	• Extensive decay present, either visually evident or present through further internal investigations, with minimal healthy wood depth/circumference. • Trunk has missing sections of bark equal to or greater than 50% of the circumference, exposing heartwood. • Evidence of bark delamination (not from mechanical injury) on trunk or 1st order branches. • Evidence of season growth (twig) is <5cm (or evidence of in preceding season if deciduous); OR is considered to be significantly below average for species. • Major structural faults evident (potentially hazardous). • Extensive canopy retrenchment present. • Advanced symptoms of pest infestation or infection (major stress evident). • Significantly unbalanced and/or significantly suppressed canopy.
2	Fair	=	• Trunk has sections of bark missing or damaged (< 50% of trunk circumference). • Evidence of season growth (twig) is 5-10cm (or evidence of in preceding season if deciduous); OR is considered to be below average for species. • Structure has moderate defects present (not immediately hazardous). • Evidence of early canopy retrenchment present. • Moderate symptoms of pest infestation or infection (moderate stress present). • Unbalanced Canopy, moderate suppression evident.
3	Good	=	• Trunk is visually solid and sound. • Evidence of season growth (twig) is 10-15cm (or evidence of in preceding season if deciduous); OR is considered to be average for species. • Minor structural defects present. • No evidence of canopy retrenchment. • Minor symptoms of infestation/infection (minor stress present). • Canopy is full but slightly unbalanced or minor canopy suppression.
4	Especially good	=	• Trunk is visually solid and sound. • Evidence of season growth (twig) is >15cm (or evidence of in preceding season if deciduous); OR is considered to be above average for species. • Structure defined as having no structural defects. • No pest/disease infestation/infection evident. • Canopy is full and balanced.

4.2.2.7 Special considerations factors

An individual tree can be awarded additional points, for a number of special factors, as listed below.

Special factors of which points can be attributed to include:

1. historical or social associations linked with the tree;
2. tree has habitat value (such as nesting/foraging/food sources/shelter for animals);
3. rarity in urban setting because of its size, growth habit or other unique attribute;
4. a special cultivated variety; and / or

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5. located in a place where it is difficult to establish a new tree/s because of site specific conditions and constraints (example: State controlled road, underground services or sealed road verge present barriers for replacement plantings).

- I. *Advice note: the assessing officer must be able to provide evidence or justify the nominated special factor.*
- II. *Advice note: A tree may be awarded numerous special factors if meeting the above criteria more than once*

Special Considerations Factor			
Points:	#. of Factors applicable	Description:	
1	None	=	No special factors are applicable.
2	One	=	One (1) special factor is applicable.
3	Two	=	Two (2) special factors are applicable.
4	Three or more	=	Three (3) or more special factors are applicable.

4.2.2.8 Iconic tree/avenue factor

Iconic trees and avenues provide social, environmental and economic benefits to the region or hold heritage significance. Their ability to provide broad and wide-reaching benefits to urban areas means they are of significant value, beyond that of a typical street or park tree. Commonly, these trees and avenues are found within neighbourhood character areas, CBD areas, established parks and cemeteries. They are considered difficult to replace due to their old age, strong social/historical linkage and significance, large size and appearance.

For a tree to be awarded this factor it must be listed on the Register of Parks and Recreation Services Iconic Tree and Avenues.

See Appendix 1.0 for the assessment process relating to Iconic Trees and Avenues process.

Therefore, the calculation is:

$$\text{Amenity Value of Iconic Tree / Avenue} = \text{Amenity Value (Factor 1 – 7)} \times 5 \text{ (Factor 8)}$$

4.2.2.9 Tree amenity assessment criteria – points table

Tree Assessment Criteria Table				
	Points:			
Factor:	1	2	3	4
1. Tree size	Small	Medium	Large	Very Large
2. Useful life expectancy	10 - 20 yrs.	20 - 40 yrs.	40 - 100 yrs.	100+ yrs.
3. Importance of position in landscape	Little	Some	Considerable	Great

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4. Presence of other trees	Many	Some	Few	None
5. Relation to the setting	Barely Suitable	Fairly Suitable	Very Suitable	Especially Suitable
6. Tree Condition	Poor	Fair	Good	Especially Good
7. Special factors	None	One	Two	Three
8. Iconic Tree /Avenue	Total Point Score x 5			

4.3 Minimum tree valuation

To ensure that canopy coverage is maintained and ensure that sufficient funds are provided to meet the costs of planting and maintaining a tree for the establishment period, a minimum loss of amenity value for any tree will be the prescribed rate as listed for Subdivision - Contribution Towards Street Trees on Council's Schedule of Fees and Charges.

4.4 Dead, dying or structurally dangerous trees

Trees that are assessed as dead, dying or structurally dangerous, will not be considered for loss of amenity. For a tree to be classified as dead, dying or structurally dangerous it must be, in the view of a Consulting Arborist, meeting one of the following criteria:

1. Be dead, with no signs of life present, and not be determined to be suitable for or be a retained dead Habitat Tree;
2. Be at a point of tree senescence, whereby intervention techniques are not economically viable in the view of Council (i.e. canopy retrenchment has been identified as equal to or greater than 50%, with little to no epicormic regrowth present); or
3. Be assessed by a Consulting Arborist to have substantial structural defects present within the branches, trunk or root system of the tree, which present a significant and justifiable risk to the community, with no viable remediation works available to reduce the risk posed and enable tree retention.

If the applicant disagrees with the view of Council in regard to the health or structural nature of the subject tree, the applicant is entitled to obtain and submit for review, an Arborist Report from a suitably qualified Consulting Arborist, addressing the health and structural integrity of the tree.

4.5 Compensation methods

In all instances of tree removal where it does not meet the requirements outlined in Section 4.4 above, whether external or internal to Council, compensation for the loss of amenity may be applied. In alignment with 2.68 Council Controlled Tree Management Policy, the aim of compensation is to ensure that there is no net loss of canopy cover over time.

This procedure outlines three (3) methods for determining the typical compensation conditions associated with the loss of a Council controlled tree, in the following order of hierarchy:

1. Replacement method;
2. Hybrid method (combination of Replacement & Monetary method); and
3. Monetary compensation method.

4.5.1 Replacement method

This method is the primary compensation method to be applied in all instances unless justification can be provided to demonstrate that the location of part or all of the replacement trees does not meet the siting

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requirements outlined below. Under this method, the applicant will be required to plant and maintain replacement trees on Council controlled lands to the value of the subject tree(s) amenity value. This method seeks to ensure that tree removal does not result in the decline of canopy cover, urban amenity and Council's tree population.

The location of replacement trees is subject to available planting space and is to be determined through negotiation with Council's Parks and Recreation Services Branch. Siting of replacement trees is undertaken within the following order of priority:

- Site within the lot frontage from where the subject tree is being removed from;
- Siting within location(s) contained upon the same street as the subject tree;
- Siting within location(s) contained in adjacent streets; or
- Siting within a Park, within 400m radius of the subject tree.

The applicant is responsible for maintaining replacement tree/s for a minimum period of twelve (12) months. Where associated with a Development Application, replacement trees shall be detailed on the submitted Landscape Plan and their installation and maintenance managed through the endorsement process.

For this method, the typical container size for replacement trees is taken to be 45 litres (L), unless decided that an alternative container size is better suited to the streetscape, or able to achieve an urban forest objective. In instances where the container size is altered, an accepted industry rate for planting and maintaining the prescribed container size will be utilised. The number of trees determined for replacement is calculated using the following formula

Calculation:

$$\text{No. replacement trees} = \frac{\text{Monetary Value (\$) (of existing tree)}}{\text{Fee—Subdivision contribution towards street trees (\$) OR other accepted industry rate}}$$

- I. *Advice note: Monetary Value of the tree is determined as per Section 4.2 of this procedure.*
- II. *Advice note: 'Fee – Subdivision Contribution towards Street Trees' can be found within the most recent Council Schedule of Fees and Charges.*
- III. *Advice note: Accepted Industry Rate must be in the form of an Itemised Written Quote, outlining Stock Size and Maintenance Period.*
- IV. *Advice note: Replacement tree(s) must be planted on Council controlled land.*

4.5.2 Hybrid method

Where insufficient space is available for planting and only part of the total number of replacement trees can be appropriately planted, a hybrid method is applied to determine the compensation requirements pertaining to the loss of amenity for a Council controlled tree.

The hybrid method uses both the replacement and the monetary compensation methods, outlined by this procedure. The applicant is to plant and maintain for twelve (12) months, a portion of the number of Replacement Trees determined, with the balance of the monetary valuation paid to Council.

Calculation:

$$\text{Compensation (\$)} = \text{Value of replacement trees (\$)} - \text{Tree Monetary Value (\$)}$$

- I. *Advice note: the number of replacement trees is determined as per Section 4.5.1 of this procedure.*
- II. *Advice note: replacement trees must be planted on public land, in a location as agreed to by Council. See Section 4.5.1 for prioritisation of replacement tree locations.*
- III. *Advice note: Monies required to be paid as part compensation for the loss of the subject tree are to be paid and receipted prior to tree removal.*

4.5.3 Monetary compensation method

The Monetary Compensation Method requires that the applicant pay to Council the monetary value of the Council controlled tree as full compensation for the loss. This method does not require the applicant to plant or maintain replacement trees on public land.

This method of compensation is considered the option of last resort, as the responsibility to undertake planting to compensate for the loss is transferred to Council. Justification for not undertaking replacement planting or portion thereof, must be clearly documented.

Payment of the monetary value for the loss of the subject tree(s) must be receipted by Council prior to the subject tree(s) removal.

4.6 Expenditure of compensatory monies

Monies received as part or full compensation for the loss of amenity as a result of an approved removal of Council controlled trees will be utilised by Parks and Recreation Services Branch to undertake tree planting activities up to the value of the monies received.

The location of planting will occur in accordance with the following order of priority:

- Within road reserves, parks or other open-space managed by Parks and Recreation within a 400m of the subject tree(s) location;
- Within road reserves, parks or other open-space managed by Parks and Recreation within the wider suburb of the subject tree(s) location;
- Within parks and other open-space managed by Parks and Recreation within the wider locality or township of the subject tree(s) location.

Where the location of compensation monies received aligns with the Urban Forest Development Program planting location, the timing of planting will be aligned with this program. Where the location does not align, compensatory planting will be governed upon seasonal and operational availability to undertake planting but will generally occur within five (5) years of date of payment.

4.7 Tree transplantation

Tree transplantation requests are to be considered as equivalent to tree removal as the tree is being removed from its existing location and will require the submission of the application form along with payment of the associated fee (for external applications). As per tree removal applications, tree transplantation requests are to be made through the Tree Removal Application form and will be assessed by a Council Arborist (assessing officer), on a case by case basis, with a recommendation on the likelihood of successful transplantation made to the Manager of Parks and Recreation Services Branch (as the delegated officer) for determining a decision.

In general, tree transplantation requests will only be granted for trees that are juvenile in age class, with a trunk Diameter at Breast Height (DBH) of less than 100mm.

For trees with a trunk DBH of 100mm or less, and where approval is granted for tree transplantation, the subject tree will be considered as having the residual loss of amenity value of one (1) replacement tree. Should the tree fail to establish or die during the 12 month prescribed maintenance period, the tree will be classified as being automatically approved for removal, and the applicant will be responsible for undertaking a replacement planting of the subject tree in accordance with Section 4.5.1 Replacement Method.

Where the trunk DBH of the subject tree is greater than 100mm diameter, and have been granted approval for transplantation, the residual value of the tree, shall it to fail during the prescribed maintenance period, will be that of the Amenity Value as determined under this procedure, prior to the tree being transplanted. This value will then be used to determine the number of replacement trees required in accordance with Section 4 Replacement Method to be planted as compensation for the loss of the subject tree.

5 Responsibilities/accountabilities

5.1 Manager of Parks and Recreation Services Branch

The Manager of Parks and Recreation is responsible for:

- Determining a Decision, in relation to tree removal applications;
- Determining the conditions for supported tree removal applications; and
- Approving the Branch Procedure.

5.2 Parks and Recreation Services Branch

The Parks and Recreation Services Branch is responsible for:

- Reviewing this procedure;
- Reviewing and updating the Register of Parks and Recreation Services Branch Iconic Tree and Avenues;
- Undertaking an Arboricultural amenity valuation assessment summary on the subject tree(s); and
- Provide the relevant information to the Manager of Parks and Recreation to enable the determining of a decision.

6 Relevant laws

Local Law No. 1 (Administration) 2020

Subordinate Local Law No.1.1 (Alteration or Improvement to Local Government Controlled Areas and Roads) 2020

Subordinate Local Law No.1.15 (Carrying Out Works on a Road or Interfering with a Road or its Operation) 2020.

7 Related policies/documents

Members of the public can access Council policies on Council's website. If a policy listed below does not appear on the website please contact 131 872 or email info@tr.qld.gov.au to request a copy. Staff may access policies via the [Policy Register and Review Schedule](#).

Council policies

2.68 Street and Park Tree Policy

Other documents

Register of Parks and Recreation Services Branch Iconic Tree and Avenues DM#[8001806](#)

Australian Standards AS4970-2009 Protection of Trees on Development Sites

[Corporate Plan 2019 - 2024](#)

8 Related forms

Council Controlled Tree Removal Information Sheet DM#[9527856](#)

Council Controlled Tree Removal Application Form DM#[9505006](#)

Internal Tree Impact and Removal Request Form DM#[8516052](#)

Arboricultural Amenity Valuation Summary Form DM#[7101819](#)

9 Definitions

Term	Definition
Amenity value	The monetary value of the subject tree as determined through the application of this procedure
Arboricultural amenity valuation assessment	An assessment completed by a Consulting Arborist detailing sufficient tree data and associated findings from an onsite inspection of the subject tree, outlining the justification for the point scores allocated to each category under Section 4.2.1 of this procedure.
Arboricultural Impact Assessment (AIA)	A detailed report compiled by a Consulting Arborist which addresses the specific components of AS4970-2009 Protection of Trees on Development Sites, defining the type and degree of impact from proposed activity upon the subject tree, along with statements as to the likely outcome, tree protection measures required and if removal is recommended, justification statements for removal.
Arborist Report (VTA)	For the purposes of this procedure, an Arborist Report is classed as a Visual Tree Assessment (VTA) report, compiled by a Consulting Arborist, detailing the visual structure, health, form and risk the tree presents in relation to its surroundings at the time of inspection
Assessing Officer	A council appointed Consulting Arborist, who undertakes an objective review of the application, any supporting documentation and the subject tree, compiling a summary report of findings and recommendations in accordance with this procedure to be provided to the delegated officer to enable a decision to be reached.
Built environment	The human-made space in which people live, work and recreate on a day-to-day basis.
Bushland	Land managed by Toowoomba Regional Council for ecological and biodiversity purposes .
Canopy	The above ground portion of a tree comprising of trunk, branches and leaves.
Consulting Arborist	Means an Arborist who has undertaken advanced formal training and experience in tree management, protection, tree surgery, diagnosis of pest & pathogens, and tree risk assessment.
Council controlled tree	Means woody perennial plant with one of relatively few principle stems or trunks, usually achieving a mature height greater than five (5) metres, growing on land owned or managed by Council.

7.22 Tree Removal and Loss of Amenity Valuation Procedure

Term	Definition
Council controlled land	Means land under Council ownership or Crown Land managed by Council, but not State and Federal controlled reserves (e.g. National Parks or State Forests).
Dead or dying tree	A tree which has been assessed by a Consulting Arborist to have either: - No evidence of living tissue within the entirety of the branches, trunk and/or root system (Dead); or - Tree is in terminal decline, beyond economical or restorative intervention (dying).
Delegated officer	A person appointed by the Chief Executive Officer (CEO) to provide approval on behalf of Toowoomba Regional Council.
Desirable tree	A tree that is healthy, free of major structural hazards, and with a useful life expectancy greater than ten (10) years.
Diameter at Breast Height (DBH)	Diameter at Breast Height. A measurement of the trunk diameter in accordance with AS4970 Protection of Trees on Development Sites, typically measured 1.4m above the natural soil surface.
Form	In relation to trees, form is the overall shape and dynamics of the canopy.
Loss of amenity	Measure of the reduction or loss of indirect benefits such as shade, screening or other amenity function as a result of the loss of a tree.
Open Space Network	Public land owned or managed by Council. Specifically, areas of which Parks and Recreation Branch have been designated the Asset owner/manager of.
Park	Any Council-controlled land resides under the stewardship of Parks and Recreation Branch.
Pollard	Pollarding is considered a pruning style involving the removal of the upper branches of a tree. The system is aimed at promoting a dense canopy or to manage a particular tree health / structure issue.
Rural road	A road located outside of an urban area; typically with a speed limit greater than 60km/hr.
Structurally dangerous tree	A tree, assessed by a Consulting Arborist, to have substantial structural defects present within the branches, trunk or root system of the tree, which present a significant and justifiable risk to the community, with no viable remediation works available to reduce the risk posed and enable tree retention.

7.22 Tree Removal and Loss of Amenity Valuation Procedure

Term	Definition
Tree Structure	Reference to the whole tree including the root system, canopy and trunk.
Useful Life Expectancy (ULE)	An estimation of the number of years a tree is expected to stay alive and not pose unacceptable level of residual risk in doing so. This estimation is based upon the conditions that prevail at the time of assessment.
Visual Tree Assessment (VTA)	An assessment of a tree from ground level, assessing for any external signs of decay, physical damage or growth-related structural defects to determine the residual risk the tree presents at the time of inspection.

10 Policy details

Policy category:	Branch Procedure	Policy version number ¹ :	4.00
Date adopted/approved:	16 April 2024	Effective date:	16 April 2024
Approval authority:	Manager Parks and Recreation Services		
Policy Owner:	Parks and Recreation Services Branch		
Contact officer:	Parks and Urban Forest Policy Officer		
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11 Revision history

Policy version	Approval date	DM Reference
1.00	16 May 2018	7781597v2
2.00	16 August 2019	8430995v4
3.00	15 November 2021	9518319v5
4.00	16 April 2024	11533677v2

¹ Printed copies are uncontrolled. It is the user's responsibility to ensure that any copies of policy documents are the current issue. Any delegations should be verified via the relevant Delegation Register as it takes precedence if there is a conflict. The Chief Executive Officer will, if necessary, be the sole arbiter in resolving any issues of conflict

12 Appendix 1.0: Assessment Process – Iconic Trees or Avenue Register

The assessment of significance criteria and approach used by the Parks and Recreation Services Branch is based on the methodology developed by the National Trust of Australia for significant landscape trees. The process can be applied to individual or groups of trees.

Process:

1. INITIAL ARBORICULTURAL INSPECTION: Inspection undertaken by a qualified and experienced Arborist to evaluate the health, structural integrity and remaining useful life expectancy of the tree.
2. DATA COLLECTION: See Criteria Assessment and Data Collection Fields below

Advice note: a tree must achieve two separate factors of significance (see assessment criteria for Iconic Tree and Avenue) to be appropriate for further consideration.

3. PANEL ASSESSMENT: A panel officers from the Parks and Recreation Services Branch consisting of at a minimum one (1) arborist and one (1) non-arborist, will review each nomination. The Panel will recommend whether to support the nomination or not.
4. INCLUSION ON REGISTER: If the nomination is supported by the Panel. The tree will be listed on Parks and Recreation Services Iconic Tree and Avenue register.

Advice note: This process does not apply to trees already listed on the National Trust register of Significant Trees and or Avenues of Honour plantings. These trees and avenues have already achieved significance status through the assessment procedures applied by the respective organisations and as such are automatically considered Iconic by the Parks and Recreation Services Branch.

Criteria assessment

Factor	Criteria:
Arboricultural assessment factors:	
	Arboricultural value (such as rare or unusual specimen or grouping of specimens for the location where growing).
	Important source of seed or propagating stock.
	Particularly resistant to disease or exposure.
	Species or variety that is rare or localised distribution.
	Particularly old or venerable example.
	Remnant native vegetation – listed on Queensland government data base or records.
	Outstanding for its height, trunk circumference or canopy spread.
Social assessment factors:	
	Unique location or context.

7.22 Tree Removal and Loss of Amenity Valuation Procedure

Factor	Criteria:
	Located with Neighbourhood Character Area.
	Of indigenous cultural importance or significance.
	Important landmark.
	Spiritual and religious associations.
Historic assessment factors:	
	Forms part of an historic park, avenue, street scape or visually connected with the historic fabric of an object or location.
	Commemorates an occasion (e.g. memorial or ceremonial plantings such as Avenue of Honour).
	Associated with an important event.
	Associated with an important person, group or institution.
	Listed as a tree of significance by the National Trust or an Avenues of Honour Plantings. (see note above for further information).
Aesthetic assessment factors:	
	Exhibits curious growth habit or unusual physical features, resulting from natural events or human intervention.