



Fact Sheet – Lobbying to Remove Council Trees on Footpath

About Red Tape Busters

At Red Tape Busters we have a proud history of being regarded as specialist grant writers, tender writers, job application writers and we also provide specialised assistance to businesses and non profits via organisational development and support services. We have been in business now since May 2000 and have clients all over Australia and even internationally.

Council Trees on Footpaths

Following are some suggestions regarding possible strategies to take regarding having a Council tree removed from your footpath:-

- Prepare a diary to note any damage that the trees cause. Council generally won't act purely because of leaf litter so you need to be able to prove the trees in some way are unsafe.
- Get other residents to provide statements to support you and also state their claims/knowledge of any damage to houses/driveways/vehicles/footpath/guttering parked under etc.
- Take photos of the offending trees and also any damage that occurs.
- Identify if the trees pose a physical safety risk – ie in lifting the footpath/cracking concrete posing a trip hazard.
- Identify if the trees pose a visibility obstruction to motorists.
- Take notes and record details of any Council maintenance/repair work regarding the trees – ie when pruning occurs, any repairs to footpath etc, do

the trees need maintenance to remove them from power lines etc? Try and raise the spectre that the ongoing maintenance of the trees in repairs or in trimming for power lines will be more expensive than chopping the tree down – you are then introducing a financial aspect to your argument.

- Obtain information about any repair work undertaken by applying for copies of all documents relevant to the work and why it was done etc by applying to Council through Right to Information legislation – otherwise they could conveniently claim it never occurred!
- Detail how far away the trees are from the house/carport/driveway etc;
- Detail the girth of the tree;
- Detail roughly how high;
- Detail how close any branches are to your property.
- Besides the photos try and tell a story of how big the trees are and their location to your property and buildings/structures etc.
- Detail any damage including leaf litter rusting gutters, rain water tanks etc and have specialists provide statements saying damage is caused by trees/litter.
- Engage an independent (this means one who has not done any work for Council) arborist to write a report detailing the state of the tree, problems with the tree and their recommendation on what needs to happen with the tree.
- Identify any research that supports that this type of tree is dangerous – ie easily loses branches – easily uprooted etc.
- In Queensland the State Government has implemented a new Act – Neighbourhood Disputes Resolution Act introduced 1 November 2011. Trees in Council parks are exempt from the Act but it does not clearly exempt trees on footpaths. The Act states that the proper care and maintenance of a tree will be the responsibility of the tree keeper and provides greater choices for neighbours about trees affecting their property.

Therefore it could be argued that under the Act, Council must ensure that the trees do not negatively impact on the resident.

- Essentially mount a case as to why the trees should be removed providing as much information as possible to validate your case.
- Write to your Local Councillor and the Mayor outlining the case and strongly request they be removed. Have other residents do the same thing.
- Contact the local paper to see if they will do a story – get the residents together for a great photo – the more voices – the better the story and better the chance of success.
- Politicians in the end care about votes and public perception – if the issue only affects one person – they will tend to take no action – but if the issue affects a few and if you can get community support for your position say through a story in the local paper showing Council is being heavy handed/ridiculous/uncaring – then you are a better chance of action.

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