

Urban Forest (NBN Co) Declaration 2025 (No 1)

Disallowable instrument DI2025 – 290

made under the

Urban Forest Act 2023, section 137 (Power to apply or disapply Act to entities or activities).

1 Name of instrument

This instrument is the *Urban Forest (NBN Co) Declaration 2025 (No 1)*.

2 Commencement

This instrument commences on the day after it is notified.

3 Declare

I declare the following provisions of the *Urban Forest Act 2023* do not apply to NBN Co when undertaking the activities mentioned in section 4:

- (a) section 16 (Offences—damaging protected trees);
- (b) section 17 (Offences—doing prohibited groundwork).

4 Activities

The declaration in section 3 applies to any activity that would or may damage a protected tree or be prohibited groundwork in the protection zone for a protected tree, if the activity is undertaken—

- (a) by the NBN Co (including employees and contractors undertaking works on behalf of the NBN Co); and
- (b) in accordance with the ACT Tree Management Standards set out in schedule 1.

5 Definitions

In this instrument:

NBN Co means NBN Co Limited (ACN 136 533 741), as the company exists from time to time.

Tara Cheyne MLA
Minister for City and Government Services

9 November 2025

ACT TREE MANAGEMENT STANDARDS

Land Access and Stakeholder Engagement (LASE)

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Document control

Revision history

Date	Revision	Details
30 SEP 25	1.0	First release.

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1 About this document

1.1 Purpose

The purpose of the Australian Capital Territory (ACT) Tree Management Standards are to provide safeguards for all public and qualifying private place trees within the ACT during nbn survey, inspection, maintenance and construction works, in keeping with the goals and requirements of the [1] *Urban Forest Act 2023 (ACT)*. In addition, as appropriate, consideration of the requirements of the *Nature Conservation Act 2014 (ACT)*, for protecting native plants and animals.

1.2 Scope

nbn survey, inspection, maintenance and construction works undertaken by nbn, its Delivery Partners (DPs) and their subcontractors in relation to works near protected trees within the ACT.

1.3 Audience

This document is intended for the following audience:

- nbn Networks
- nbn Operations
- Delivery Partners (DPs) engaged for nbn works in the ACT

1.4 Referenced documents

Note: The table below only includes documents referenced within this document.

Document	Owner
[1] <i>Urban Forest Act 2023 (ACT)</i>	ACT Government
[2] <i>Telecommunications Act 1997 (Cth)</i>	Commonwealth
[3] <i>Nature Conservation Act 2014 (ACT)</i>	ACT Government
[4] <i>AS 4970 Protection of Trees on Development sites</i>	Standards Australia
[5] <i>Heritage Act 2004</i>	ACT Government
[6] <i>Biosecurity Act 2023 (ACT)</i>	ACT Government
[7] <i>ACT Tree Register</i>	ACT Government
[8] <i>AS 4373 Pruning of amenity trees</i>	Standards Australia

1.5 Changes in this revision

This is the first release of this document.

2 Legislation

In the ACT, trees recognised as ‘protected trees’ are protected under the [1] *Urban Forest Act 2023 (ACT)*. Protected trees include all trees on public land and trees on private land of a certain size.

All trees on public land in the ACT are regulated trees, regardless of size, species and condition. A tree on private land is protected if it:

- is 8m or taller
- has a canopy 8m or wider
- has a trunk circumference of 1m or more at 1.4m above natural ground level
- is a dead native tree on leased land that at 1.4m above natural ground level has a trunk circumference of at least 1.88m
- was planted in the last 5 years as part of a canopy contribution agreement (nbn and its DPs will seek this information from lessees¹ through the land access process established under Schedule 3 of the [2] *Telecommunications Act 1997 (Cth)*)
- is a registered tree (this means the tree has been identified as being of exceptional value and is listed in the [7] *ACT Tree Register* (https://www.cityservices.act.gov.au/trees-and-nature/trees/act_tree_register/registered_trees))

A tree on private land is not protected, regardless of its size, if it is:

- dead (and not a native species), or
- a declared pest under the [6] *Biosecurity Act 2023 (ACT)* (for a full list of pest plants, consult the *Biosecurity (Pests) Declaration 2025*)

Under the [1] *Urban Forest Act 2023 (ACT)*, the ACT Government’s *Tree Protection Unit* may define a tree as any of the following:

- a woody perennial plant (excluding bamboo)
- a plant resembling a tree in form and size
- any other plant prescribed by legislation (such as a palm tree)
- a hedge plant

Hedge plants will be classified as trees under the [1] *Urban Forest Act 2023* if they are unmaintained hedges that have grown into trees that meet regulated size requirements. However, hedge plants will not be classified as trees if the original intent of the planting was for the purpose of a hedge and the plantings are maintained as a hedge.

Note: Under the [1] *Urban Forest Act 2023*, damaging a protected tree is a serious offence, with penalties of up to \$80,000 for individuals and \$405,000 for corporations. Damaging a protected tree’s branches, trunk, roots, or soil without approval is prohibited. Any suspected vandalism or damage must be reported to the City and Environment Directorate (CED).

¹ nbn notes that a leaseholder in the ACT’s system of land tenure would be considered a ‘landowner’ in the context of Schedule 3 of the *Telecommunications Act 1997* and in relation to nbn’s rights and obligations.

3 Key terminology

3.1 Tree Protection Zone (TPZ)

The Tree Protection Zone (TPZ) is a designated area around a tree intended to safeguard its roots, trunk, and canopy during nearby development or construction activities.

In the ACT, the Tree Protection Zone (TPZ) for a protected tree is the canopy drip line plus 2m.

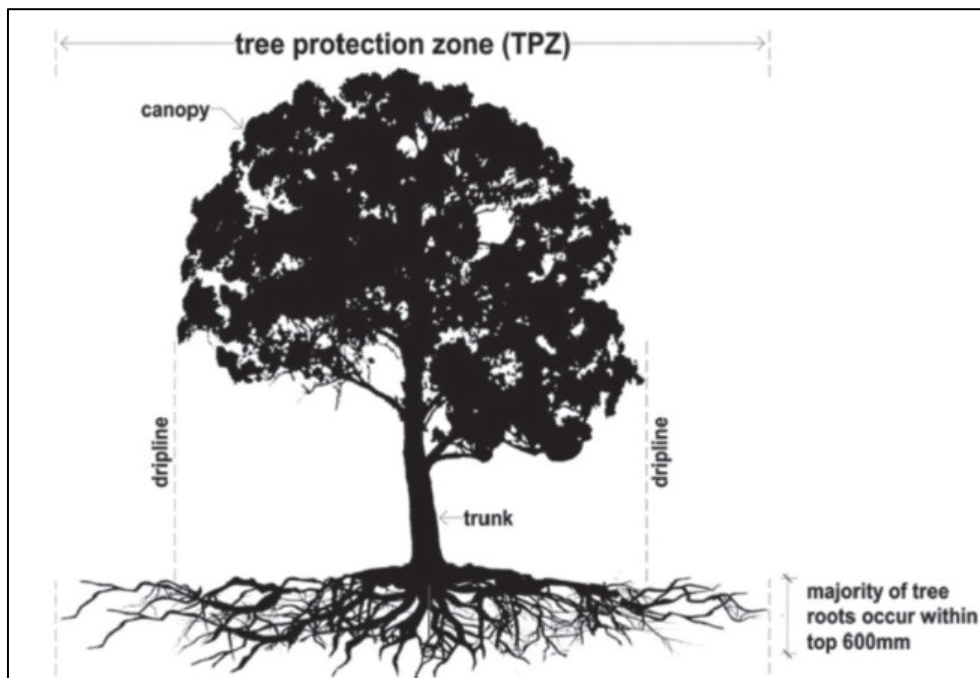


Figure 1. Tree Protection Zone

3.2 Structural Root Zone (SRZ)

The Structural Root Zone (SRZ) is the area immediately around a tree's base that contains the roots essential for anchoring the tree and keeping it upright. Unlike the broader TPZ, which protects the overall health of the tree, the SRZ focuses more on tree stability.

The SRZ is high-risk zone; excavation, trenching, or boring within the SRZ significantly increases the risk of destabilising the tree, even if the rest of the tree remains healthy.

Entry into the SRZ is generally not permitted without detailed arboricultural assessment and justification, due to the high risk involved.

The [1] *Urban Forest Act 2023 (ACT)* does not explicitly define or calculate the Structural Root Zone (SRZ) numerically, but in practice, the ACT Government and local ACT arborists use [4] *AS 4970 Protection of Trees on Development sites*, to determine the SRZ, aligning with how the *Act* is interpreted and enforced.

SRZs vary in size, depending on the diameter of the lower part of the tree's trunk, measured just above the root flare. This is known as the Diameter above Root Buttress (DRB).

3.3 Tree zones for activities

Figure 2 shows the zones around a tree in which nominated activities outlined in this Standard are permitted. For the purposes of this Standard, the zones are described as:

- Outer TPZ [Zone 1]
- Inner TPZ (dripline) [Zone 2]
- SRZ [Zone 3]

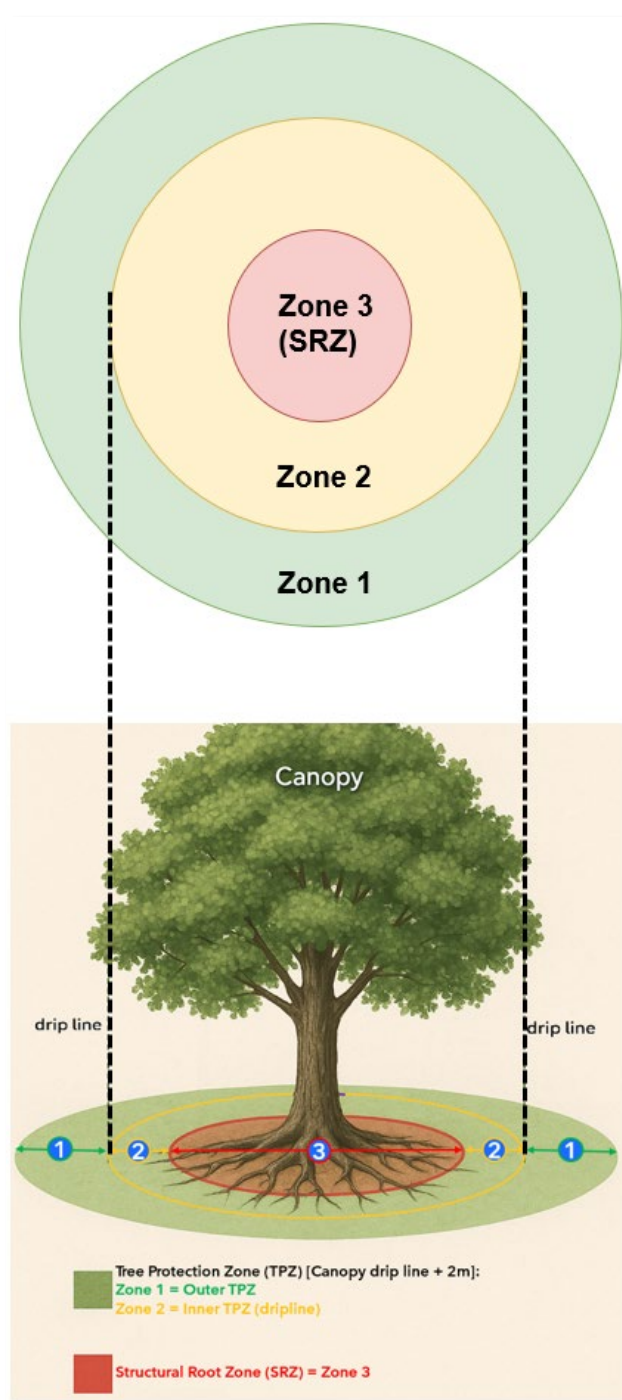


Figure 2. Zones for working around trees

4 Standards

4.1 Guiding principles

- a. Anyone undertaking activities near trees (i.e. within the TPZ) must be inducted and correctly trained.
- b. All activities are to be designed and undertaken to reduce potential impacts to trees.
- c. Trees and roots are considered 'assets' and must be positively identified, as outlined in section 4.2.1 Positive identification.
- d. For network conduit installation, under boring should be attempted where possible, at a minimum depth of 650mm.
- e. Pruning of individual roots for a single tree should be considered cumulatively (roots <10mm in diameter do not count towards this cumulative consideration).
- f. The SRZ should be calculated prior to planning for infrastructure locations (see section 4.6).
- g. The installation of new pits and trenching within the SRZ should be avoided, where possible.
- h. Trenching should be avoided in the Inner TPZ, where possible.
- i. Replacement of existing pits with similar size or smaller pits within the TPZ or SRZ is permitted.
- j. New pits should be installed in the following order of preference:
 1. Install outside TPZ.
 2. Install in outer TPZ (Zone 1).
 3. Install in inner TPZ (Zone 2), with no root pruning.
 4. Install in inner TPZ (Zone 2), with root pruning.
 5. Install in SRZ (Zone 3), with no root pruning.
 6. Pits in SRZ (Zone 3), with risks to roots, should be installed in consultation with an Australian Qualifications Framework (AQF) Level 5 Arborist.
- k. Hydration of roots/soil should be considered if roots are exposed for more than one day within the TPZ (all zones), seek advice from AQF Level 5 Arborist.
- l. Replacement of existing pits with larger sized pits within the TPZ or SRZ should follow the guidance for installation of new pits.
- m. Equipment/machinery movement and access within the TPZ should be minimised to minimise soil compaction.
- n. Should plant/equipment/machinery access be required within TPZs, appropriate surface protection (i.e. ground protection mats 'bog mats') to support their weight must be used.
- o. Parking of vehicles or trailers on the road reserve/nature strip within the TPZs is not permitted.
- p. Work areas must be left clean and any pruned tree material, rocks etc. must be removed upon vacating the site.
- q. A Consulting Arborist required to assess works must have, at least, an AQF Level 5, certificate, often referred to as 'cert 5'.

4.2 Impact level for activities

The three impact levels outlined below have been developed to provide guidance for the types of activities and actions that can be undertaken without specialist advice or external statutory approvals.

Impact Level Summary:

- **Low:** No City and Environment Directorate (CED) approval required
- **Moderate:** No CED approval required, but AQF Level 5 Arborist consultation required
- **High:** CED approval and AQF Level 5 Arborist consultation required.

4.2.1 Positive identification of assets

As outlined in section 4.1 Guiding principles, for the purposes of this Standard, tree roots are considered underground (UG) assets. DPs must positively identify UG assets through regular potholing by hand digging or non-destructive methods including hydro vacuum before any ground penetration. When undertaking this work, DPs are required to adhere to relevant nbn critical risk controls (CRCs).

In line with industry best practice, nbn will carry out continuous learning and development activities with DPs including recertification through ISO 9001 certified locating providers.

4.2.2 Homeowner consent

nbn and its DPs will seek consent from homeowners/lessees² when undertaking works within the TPZ of regulated trees through the land access process established under Schedule 3 of the [2] *Telecommunications Act 1997 (Cth)*.

4.3 Impact level, permitted works and requirements

Outlined below are the requirements for working around all public and protected trees on private land.

Table 1 sets out the impact level of types of works, the conditions/requirements that must be met, and in which zone of the tree, works are permitted.

Appendix A provides decision flowcharts for the installation of pits, conduits and direct buried cables on private and public property.

² nbn notes that a leaseholder in the ACT's system of land tenure would be considered a 'land owner' in the context of Schedule 3 of the *Telecommunications Act 1997* and in relation to nbn's rights and obligations.

Table 1. Types of works and requirements within permitted zones

Impact level	Permitted works	Conditions/requirements	Permitted zone
Low	General excavation	<p>Positive identification of roots etc. required prior to any works taking place</p> <ul style="list-style-type: none"> Roots cannot be allowed to dry out; the excavation will need to be backfilled with high quality soil within 24-48 hours of the roots being exposed. Soil surrounding exposed roots must be covered by damp hessian to keep soil cool/moist. <p>Pit excavation:</p> <ul style="list-style-type: none"> Size of excavation slightly larger than max. pit size (to allow for compaction, as per pit installation guidelines). Excavation with hydro-vac or hand tools: <ul style="list-style-type: none"> Hydro-vac <1200 psi with fan nozzle, or Machine at idle if psi not adjustable <p>Trenching:</p> <ul style="list-style-type: none"> Trench size will be slightly larger than conduit size (all conduits installed at 450mm depth of cover). Other examples: dig down and repair, potholing. 	ALL
	General excavation	<p>Positive identification required prior to activity (<500mm depth)</p> <ul style="list-style-type: none"> Machine excavation (trenches and pits) outside the drip line (IF NO ROOTS). 	Outer TPZ
	Pit installation (Channell GLB912, P2, P5, P8, P9 pits)	<ul style="list-style-type: none"> Investigative works may be required to determine the location and distribution of roots through minimally destructive methods e.g. Air Spade, Hydro-vac (see above), hand digging or ground penetrating radar. 	Inner TPZ, Outer TPZ
	Root pruning <50mm diameter	<ul style="list-style-type: none"> Cumulative total of roots pruned to be <50mm (roots <10mm in diameter do not count to this total). Root severance within TPZ is to be avoided and, where possible, services are to be threaded beneath root systems. Roots to be cut must be cut cleanly. Approved tools must be used e.g. reciprocating saw, sharp axe. NO buckets are permitted for cutting. 	ALL

Impact level	Permitted works	Conditions/requirements	Permitted zone
	Conduit installation and repair (P20, P50, P100)	<ul style="list-style-type: none"> See rules for boring/general excavation. Under boring is the least impactful and must be undertaken wherever possible. When boring is not appropriate, hydro vacuum and/or hand tools are to be used for excavation works. 	See boring/general excavation
	Under boring	<ul style="list-style-type: none"> Minimum boring depth 650mm. 	ALL
	Direct buried cable private property only	<ul style="list-style-type: none"> Max depth 150mm. Installation methods to follow zone excavation rules. Stay clear of trees where possible. 	ALL
Moderate	Root pruning (50mm–100mm diameter)	<ul style="list-style-type: none"> Cumulative total of roots pruned to be 50mm-100mm (roots <10mm in diameter do not count to this total). AQF Level 5 Arborist must provide documented advice, as indicated in section 4.4 Tree and vegetation trimming. Prior to root severance, an AQF Level 5 Arborist must assess exposed roots and determine that the tree health and stability will not be significantly impacted by the root severance. Roots must be cut cleanly in line with instructions given by AQF Level 5 Arborist. Approved tools must be used e.g. reciprocating saw, sharp axe. NO buckets are permitted for cutting. Photographs are to be taken of all severed roots and provided as a practical completion artefact. Supplementary irrigation in undisturbed TPZ area in hot, dry weather as advised by AQF Level 5 Arborist. 	ALL
	General Excavation	<p>Positive identification required prior to activity (<500mm depth)</p> <p>Machine Excavation:</p> <ul style="list-style-type: none"> Must consult AQF Level 5 Arborist. AQF Level 5 Arborist must provide documented advice, as indicated in section 4.4 Tree and vegetation trimming. Excavation determined to have a significant adverse impact must be approved by CED prior to work commencing (moves to ‘High’ category), see note below table. 	Inner TPZ (Zone 2)

Impact level	Permitted works	Conditions/requirements	Permitted zone
High	Root pruning >100mm diameter	<ul style="list-style-type: none"> (Roots <10mm in diameter do not count to this total). On-site AQF Level 5 Arborist consultation required. Root severance within the SRZ is to be undertaken by, or under direction of, an AQF Level 5 Arborist. Tree motion sensors may be recommended for use, installed, and managed by AQF Level 5 Arborist in situations where tree stability may have been compromised. Photographs are to be taken of all severed roots and provided as a practical completion artefact. Roots must be cut cleanly. Supplementary irrigation in undisturbed TPZ area in hot, dry weather as advised by AQF Level 5 Arborist. 	ALL
	Any work within TPZ of ACT registered trees	<ul style="list-style-type: none"> Approval required from CED, see note below table. Tree management plan (TMP) must be submitted to CED. 	ALL
	Any work as directed by AQF Level 5 Arborist that is not covered by scenarios outlined above	<ul style="list-style-type: none"> Approval required from CED, see note below table. Approval to remove an impacted tree must be sought from CED. Tree management plan must be submitted to CED. 	ALL

Note - CED Approval:

- Private trees** – submission of a tree activity application (https://www.cityservices.act.gov.au/trees-and-nature/trees/trees-on-leased-land/tree_activity_application_forms).
- Public trees** – submission of an email to the Design and Development (D&D) Coordinator (TCCS_CPUTDDCoord@act.gov.au) including information about the works (extent of excavation, proximity to tree, tree species, photos etc).

4.4 Tree and vegetation trimming

In some circumstances it may be necessary to trim or prune trees and/or vegetation to ensure that there is adequate clearance from existing aerial electricity or telecommunications cables or to ensure plant/equipment access. Where these types of works are required, the following applies:

- As appropriate for trees on private property, a Schedule 3 notice must be issued to the landowner/occupier prior to the completion of any tree and/or vegetation trimming/pruning.

- As appropriate for trees on public land, an email must be submitted to the D&D Coordinator (TCCS_CPUTDDCoord@act.gov.au) including information about the works (location, photos clearly identifying the proposed pruning/trimming cut(s)).
- DPs are to engage an Evoenergy accredited arborist for tree trimming or pruning.
- An AQF Level 3 Arborist (at minimum), with appropriate insurances and meeting necessary health and safety requirements must undertake the tree trimming or pruning.
- All tree trimming or pruning must be completed in accordance with [8] AS 4373 *Pruning of amenity trees*.

4.5 Management of activities in the TPZ

With consideration of [4] AS 4970 *Protection of Trees on Development sites*, the [1] *Urban Forest Act 2023 (ACT)*, *Nature Conservation Act 2014*, and the [5] *Heritage Act 2004*, the activities relevant to nbn works have been considered and are summarised in Table 2 below:

Table 2. Status of activities in the TPZ

Status	Activities in the TPZ
Not Permitted	<ul style="list-style-type: none"> • Preparation of chemicals, including preparation of cement products • Refuelling • Wash down and cleaning of equipment • Placement of fill • Changes to soil level • Storage of garden refuse • Parking of vehicles or trailers on the road verge within the TPZ
Permitted but avoid if possible	<ul style="list-style-type: none"> • Installation of new pits, in inner TPZ or SRZ • Setting up of construction plant/equipment e.g. boring equipment, if necessary to do so, use appropriate surface protection, e.g. ground protection mats
Permitted with restrictions	<ul style="list-style-type: none"> • Use or parking of construction plant/equipment for maximum of two days • Storage of building or landscape materials for maximum of two days • Parking on legal hard surfaces (road, driveways, carpark etc.) within the TPZ

In addition, any activity that nbn or its DPs undertake when exercising carrier powers under the [2] *Telecommunications ACT 1997 (Cth)* is bound by Schedule 3 obligations, and must take all reasonable steps to ensure:

- Activities cause as little detriment, inconvenience and damage as is practicable.
- Land is restored to a similar condition as before the activity began - restoration **must begin within 10 business days** after activity has been completed.
- Activities are completed:

- in accordance with good engineering practice
- to protect the safety of persons and property
- with minimal disruption to the operations of a public utility, public roads and paths, traffic movement and the use of land

4.6 Field tree structural root zone calculation

Measuring tree structural root zone to determine impact of works and next steps:

1. Measure diameter just above the root buttress (see Figure 1).
2. Always round up the DRB; do not round down.

Table 3 below can be used for SRZ calculations.

Table 3. Field table for SRZ calculation

Trunk diameter (cm)	Trunk circumference (cm)	SRZ radius (m)
20	62.8	1.68
25	78.5	1.85
30	94.2	2.00
35	110.0	2.13
40	125.7	2.25
45	141.4	2.37
50	157.1	2.47
55	172.8	2.57
60	188.5	2.67
70	219.9	2.85
80	251.3	3.01
90	282.7	3.17
100	314.2	3.31
110	345.6	3.44
120	377.0	3.57
130	408.4	3.69
140	439.8	3.81
150	471.2	3.92

4.7 Recording of tree assessments

The DP or AQF Level 5 Arborist will document, at minimum, the following information:

- Date
- Location
- Tree (e.g. road verge/private property; species; ACT status)
- Proposed works

- Advice provided
- Action
- Attendees
- Photographic records (e.g. tree, exposed roots, the works undertaken and site remediation)

For tree assessments that meet the following criteria, the records must be included in the practical completion artefacts submitted by the DP to nbn:

- Assessments made by the AQF Level 5 Arborist, as noted for moderate and high impact level works.
- Approvals or endorsements from CED to submissions relating to private and public trees, including, as appropriate, the application, approval correspondence, email endorsement etc.

4.8 Administrative mitigation measures

4.8.1 Onboarding and enablement

In support of the assessment of works and conditions/requirements nominated in Table 1, the following activities will be undertaken by the DP and their subcontractors:

- Engagement of a AQF Level 5 Arborist to provide induction/onboarding/enablement of the Tree Management Standard.
- Recording of attendance at induction/onboarding/enablement of the Tree Management Standard and submission of attendance records as a practical completion artefact.
- Provision of information/guidance on tree management in Toolbox talks each week for the duration of the survey, inspection and construction phases of the project. The topics covered in the toolbox meeting will be recorded and records of attendance will be taken and submitted as a practical completion artefact.

nbn and DPs commit to the provision of information to the general community about how trees will be managed during the survey, inspection and construction phases of a project.

4.8.2 Auditing

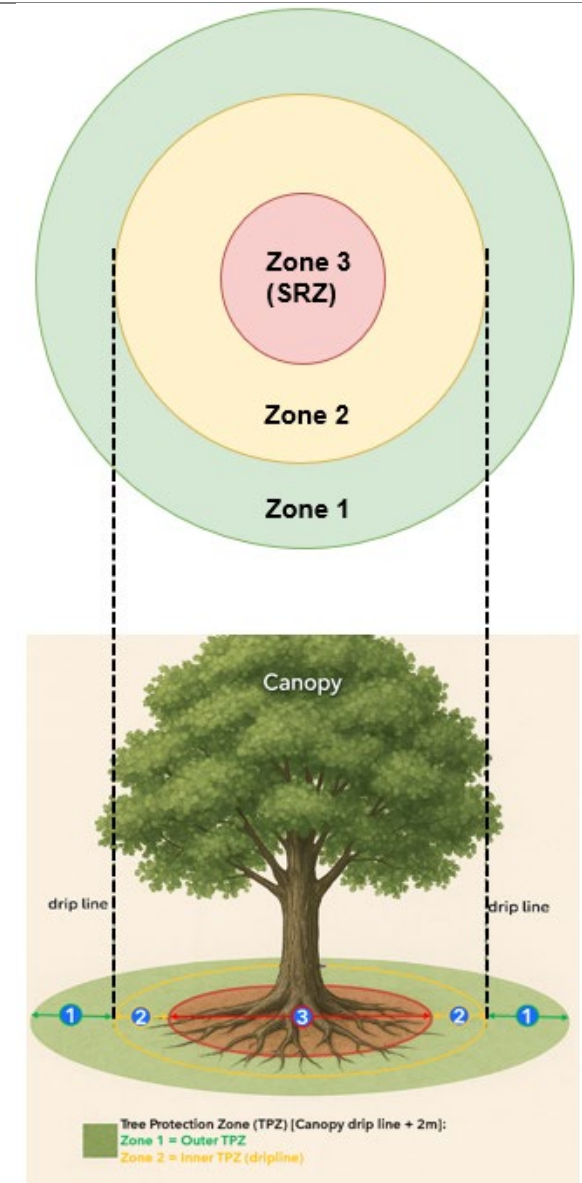
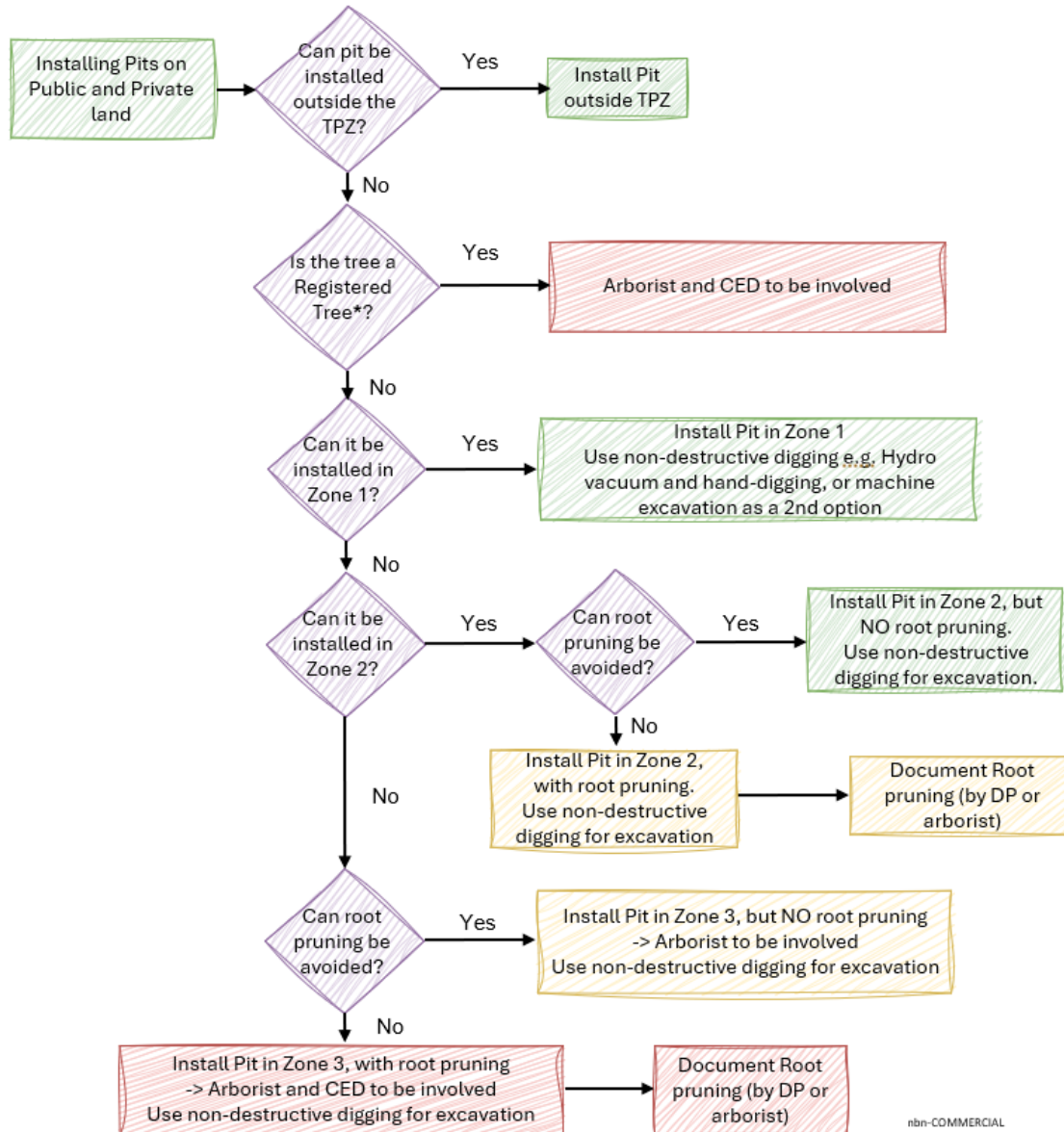
nbn and DPs will conduct site audits during both the design and construction phases of a project. These audits will focus on nbn critical risk controls (CRCs), including CRC 6 environment protection, which is focused on preventing harm to environmental and heritage values. The audits are to ensure crews are competent and following required processes. Auditing against the *ACT Tree Management Standards* will be included under CRC 6. Any non-conformances will be raised for resolution and nbn will maintain visibility of a DP's audits on a weekly/monthly basis.

5 Glossary

Term	Description
ACT	Australian Capital Territory
AQF	Australian Quality Framework
CED	City and Environment Directorate
CRC	Critical Risk Control
DP	Delivery Partner
DDR	Dig down and repair
DRB	Diameter above Root Buttress
LIC	Lead-in Connection
psi	Pounds per square inch
SDS	Service Drop Sheath
SRZ	Structural Root Zone
TMP	Tree Management Plan
TPZ	Tree Protection Zone
UG	Underground

Appendix A Decision flowcharts for activities

A.1 Decision flowchart for pit installation



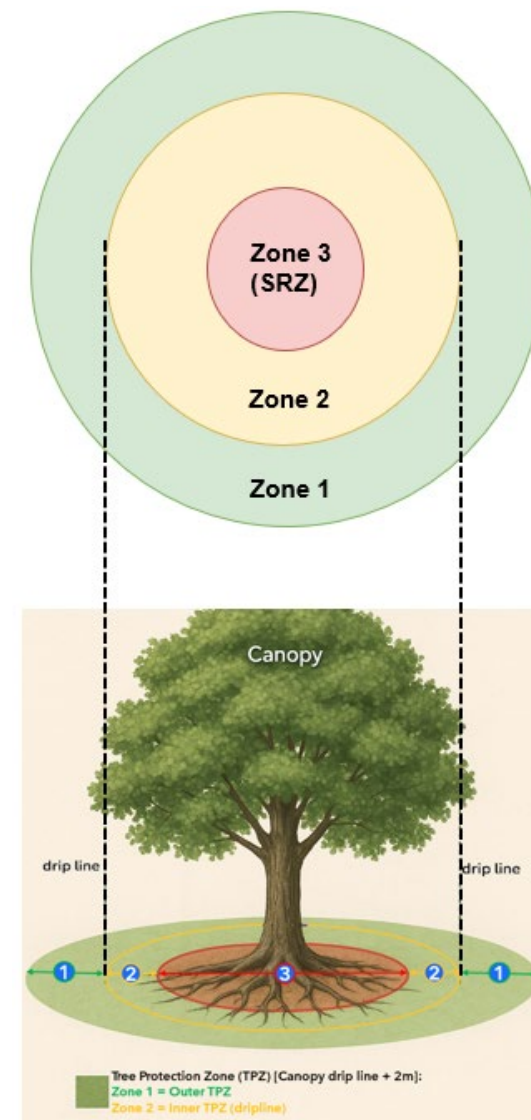
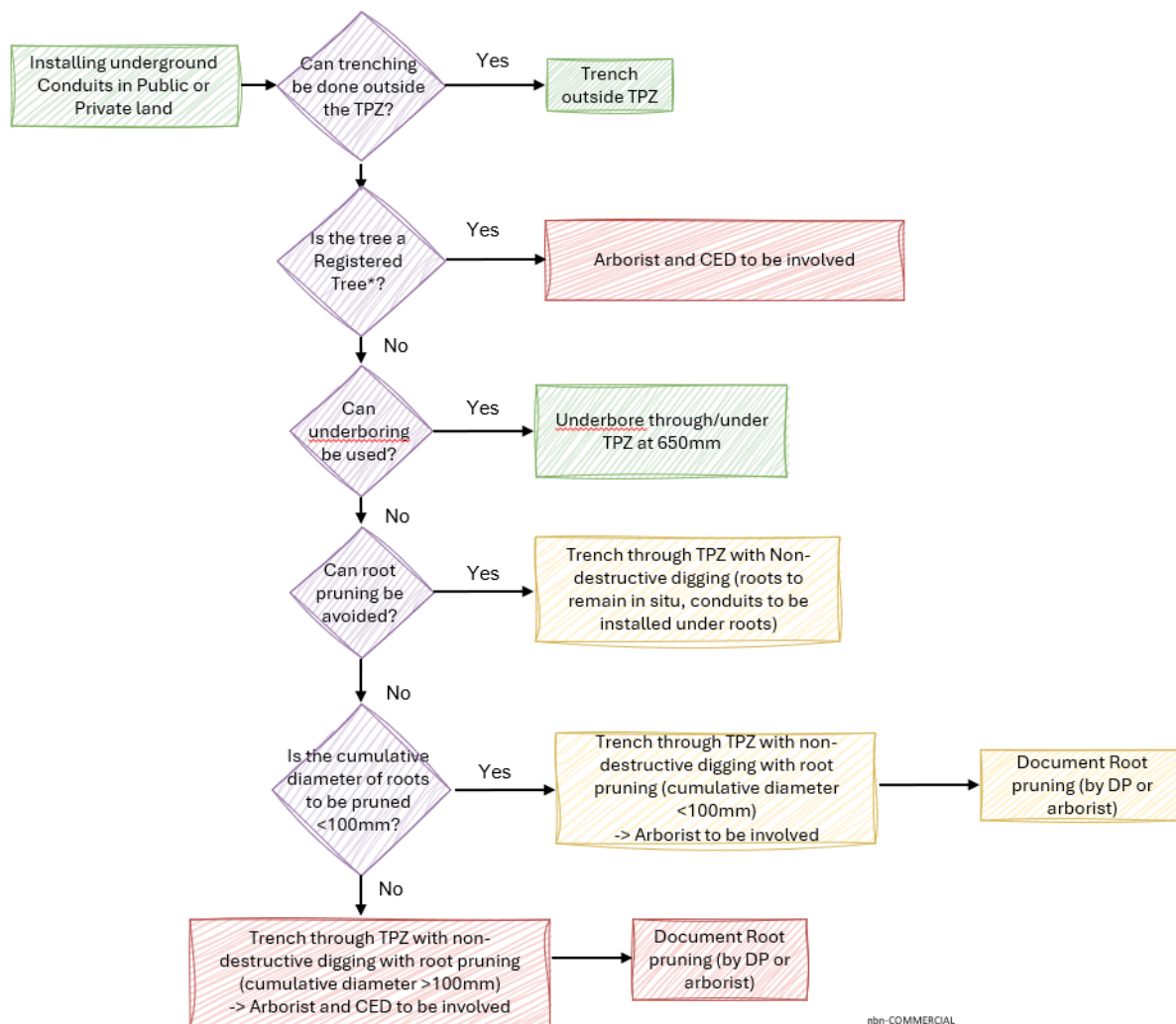
https://www.cityservices.act.gov.au/trees-and-nature/trees/act_tree_register/registered_trees

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Note: Adhere to relevant standards and work practices for task being undertaken

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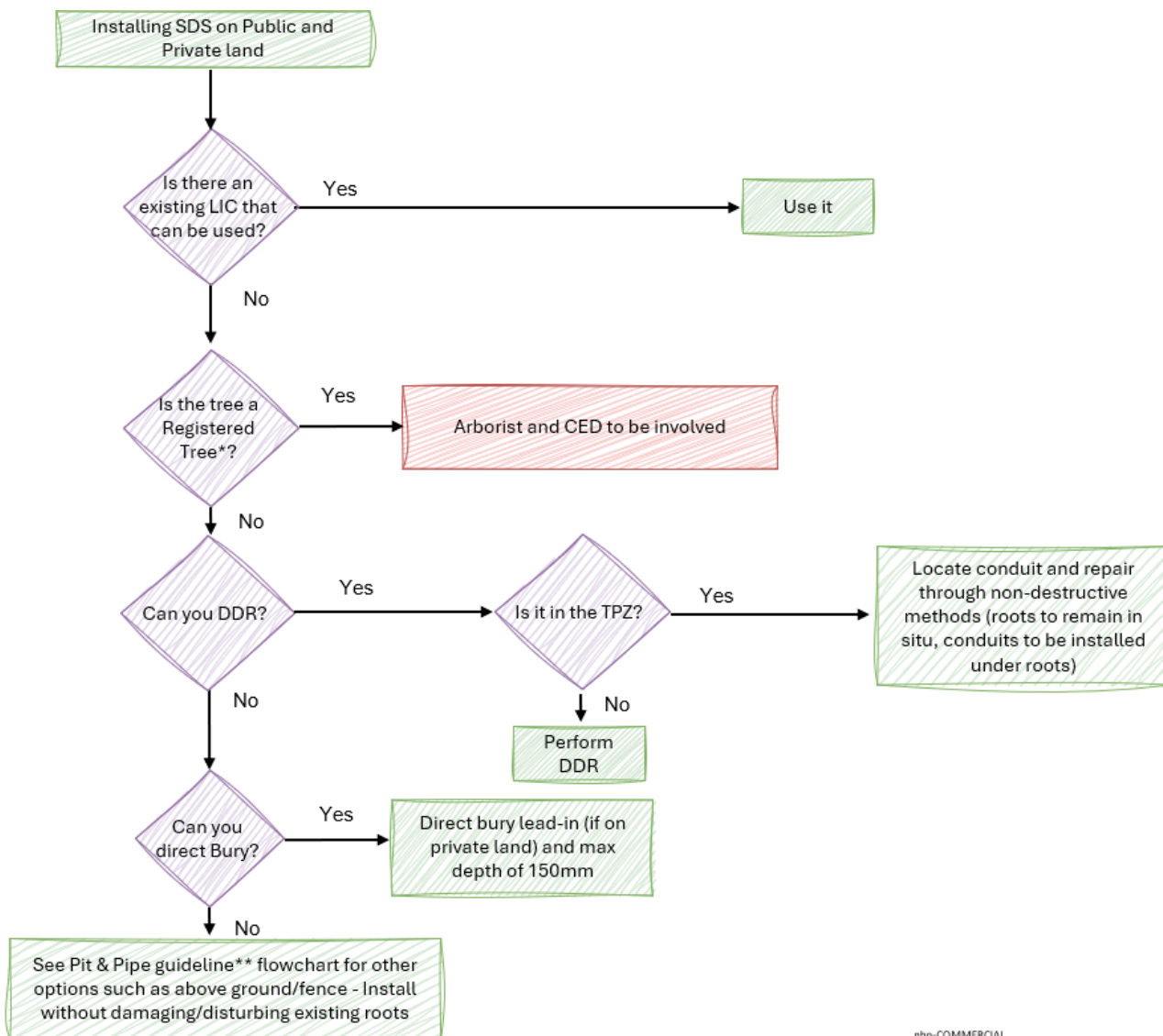
A.2 Decision flowchart for underground conduits installation



Note: Adhere to relevant standards and work practices for task being undertaken

[*https://www.cityservices.act.gov.au/trees-and-nature/trees/act_tree_register/registered_trees](https://www.cityservices.act.gov.au/trees-and-nature/trees/act_tree_register/registered_trees)

A.3 Decision flowchart for direct buried installation



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