

# COUNCIL POLICY: PRIVATE TREES POLICY

**POLICY OWNER:** Director Works and Infrastructure

**POLICY STATEMENT:** To provide guidance with regards to complaints regarding trees within neighbouring private property that may be or have a high likelihood of causing damage to adjoining private property and actions that can be taken by the City in accordance with Schedule 3.1 - Section 3.25, 3.26, and Schedule 3.2, Section 3.27 (7) of the *Local Government Act 1995*.



## POLICY DETAILS

Where a resident has concerns over the structural integrity of a tree adjacent to their property that may cause damage to their property or injury to a person the following actions are required to take place:

1. The resident is to engage an Independent Consulting Arborist that holds a minimum of a Diploma in Arboriculture (AQF level 5) to undertake a risk assessment of the tree(s) using either the Quantified Tree Risk Assessment system (QTRA) or the International Society of Arboriculture's (ISA) risk assessment system (Tree Risk Assessment Qualification).
2. The Independent Consulting Arborist is to provide a written report including the following information:
  - Address of the site containing the tree(s)
  - Botanical name of the tree
  - Measurements of the tree, including: height, diameter at breast height (1.4m), width of canopy
  - Distance to targets identified in the risk assessment such as buildings, sheds etc.
  - Age classification
  - Observations on the trees health and condition
  - Supporting photographs
  - An aerial photograph showing the location of the tree
  - The risk assessment process with Risk of Harm outcome
3. The report is to be provided to the City's Consulting Arborist who will determine possible action required.
4. For a works order to be issued by the City, the report would have to demonstrate that the subject tree poses a level of risk greater than 1/10,000 as per the QTRA system or High or Extreme as per the TRAQ system.
5. If this criteria is met, the City's Consulting Arborist will present their recommendations to the City's Chief Executive Officer (CEO) on what actions are required, inclusive of an appropriate timeframe to reduce the level of risk to an acceptable level.
6. The CEO may then issue a work order accordingly.
7. Where a tree is causing damage to a dividing fence, the City has no jurisdiction over this matter and outcomes are to be negotiated by the owners of the respective fence only. Refer to the *Diving Fences Act 1961*.

## DEFINITIONS

Nil.

## RELATED LEGISLATION AND OTHER REFERENCES

*Local Government Act 1995*  
*Dividing Fences Act 1961*



<b>Adopted by Council:</b>	27 February 2007
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