CP47 - Dangerous Trees

Policy Objective

To ensure the most appropriate, effective, and sustainable action is taken regarding trees on private property in an unsafe condition, while supporting the City's broader goals for urban forest protection, biodiversity, and climate resilience.

Policy Detail

1. Where concern is raised regarding the safety of a tree on private property, a City officer will, at the earliest opportunity, arrange for a qualified Arborist to conduct a visual inspection of the tree.

    a) Where a visual inspection reveals a tree is a 'serious and immediate danger' and therefore requires immediate intervention, the City will as per Section 3.27(1) Schedule 3.2(7) of the *Local Government Act 1995 (WA)* (the Act), take action to reduce the risk, with or without consent of the owner or occupier of the land.

    b) Costs incurred by such action will be recovered as a debt from the property owner.

2. If the tree does not present a 'serious and immediate danger', but exceeds the QTRA risk tolerability threshold of 1/10 000 the Arborist will prepare a report and the City will issue a notice requiring the owner to reduce the risk.

    a) The notice shall be issued under Section 3.25 of the Act*,* and shall include the right to object/appeal.

    b) Where an owner is unable to comply with the Notice due to financial constraints, the City will offer to undertake the associated works and offer the property owner the option of paying the City in instalments. Any property owner requesting payment terms will be recorded and managed by use of the "Arrangements to Pay" option, with a maximum term of up to 12 months.

    c) If a property owner fails to comply, the City will, in accordance with Section 3.26(2) and (3) undertake the required works. Costs incurred by such action will be recovered as a debt from the property owner.

3. If the assessment identifies a low and tolerable risk, no further action is taken.

    a) The City will advise the original complainant of the outcome of the inspection.

    b) Where approval to remove the tree is required under any legislation, including but not limited to the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004 (WA)* or the *Environmental Protection and Biodiversity Conservation Act 1999 (Cth)*, the City will either:

        i) Obtain the required approval, or

        ii) Provide information in the notice issued to the owner or occupier advising them of the legislative requirement and request a copy of the approval once obtained.

Reference/Associated Documents

Local Government Act 1995 (WA), Section 3.27(1) Schedule 3.2(7) Section 3.25(1) Schedule 3.1(8) and (9)

QTRA: Quantified Tree Risk Assessment Version 5

Reference to Internal Procedure

Process Map - Parks - Dangerous Tree Removal

Delegation Register

Definitions

'**Serious and immediate danger**' defined as: a tree assessed by a qualified Arborist using QTRA methodology as presenting an unacceptable risk of significant harm requiring immediate action.

'**Low and tolerable risk**' defined as: A QTRA qualified arborist assessed a tree at an elevated but not unacceptable risk.

And where the tolerability of the risk depends on the costs and benefits of risk reduction. (Whether the benefits of risk control are sufficient to justify their cost).

This Policy is supported by:	
Policy No:	CP47
Strategic Community Plan:	**Key Performance Area: People** **Outcome:** 1. A safe, healthy community. **Key Performance Area: Performance** **Outcome:** 10. Effective leadership, governance and financial management.
Register of Delegations:	n/a
Service Area:	Corporate and Governance Infrastructure Services
Policy Owner:	Manager Parks, Leisure and Environment
Policy Stakeholder:	Coordinator Parks

Amendment Status:		
Date of Amendment	Status of Amendment	Minute Item Reference
27/07/04		10.1.1
28/04/09		12.10
27/07/10		12.9
22/11/11		12.9
28/10/14	Minor	12.4
27/09/16	Review - Major	12.9
22/08/17	None	12.2
24/04/18	Major	12.4 (from 1 July 2018)
10/12/19	Review – None	12.8
24/05/22	Review - Major	12.7
12/12/23	Review - None	12.8
26/05/26	Review – Minor	12.5