

Tree clearing can be **exempt**, **require a permit** or **require a development consent**.
“Clearing” includes pruning trees.

Exemptions

Tree clearing is **exempt** (and not require approval) if:

1. It is approved by a development consent

Contact Council’s duty planner or the Council officer who assessed the Development Application if you are not sure that the development consent authorises clearing.

2. Council has declared the tree to be a risk to life or property

To apply for a Council declaration that a tree is a risk to life or property please use Council’s Dead, Dying and Dangerous Tree Declaration Application Form. Please lodge this form, the fee and any required supporting information to Council. For dangerous trees Council aims to make a decision within three days of the receipt of the form.

3. Council has declared the tree to be dead or dying and not required for habitat

To apply for a Council declaration that a tree is dead or dying and not required for habitat, please use Council’s Dead, Dying and Dangerous Tree Declaration Application Form. Please lodge this form, the fee and any required supporting information to Council. For dead or dying trees, Council aims to make a decision within 14 days of receipt.

4. The pruning or removal is authorised by an emergency services organisation

In case of a life-threatening emergency please dial 000. This emergency number may be used to report trees blocking traffic.

For non-life threatening emergencies involving trees in storms or flood, please contact the NSW State Emergency Service (SES) on 132500. The SES are exempted from requiring a permit for emergency management works.

For non-life threatening emergencies involving trees and bushfire, please contact the NSW Rural Fire Service (RFS) on 1800 NSW RFS (1800 679 737). The RFS are exempted from requiring a permit for emergency management works.

5. The pruning is part of long term ongoing maintenance of the tree and is minor

Pruning of a tree affected by heritage mapping is exempt if it does not remove a substantial part of the vegetation. All other pruning will require a permit or development consent unless it is covered by an exemption.

6. A permit from the NSW Rural Fire Service has been obtained or the clearing is exempt under the Rural Fires Act, 1997.

The NSW Rural Fire Service (RFS) can provide advice on clearing trees for bushfire protection purposes.

Part of Another Development

Clearing that is part of another development requires the lodgement of a development application to Council. Council does not issue vegetation permits to allow other development under Part 4 of the Environmental Planning and Assessment Act 1979 to proceed.

Development Application

You will need a development application if clearing will have an impact that is not minor or impact on the significance of a listed heritage item.

To determine if clearing requires a development application, please engage a heritage consultant to assess the clearing and provide a report on its impact. The length and complexity of the report will vary depending on the impact of clearing. Aboriginal and Colonial Heritage are different areas of expertise. Please ensure that the consultant is qualified in the correct field. Additional time should be allowed for assessment if the tree has Aboriginal heritage values as consultation will be required with Aboriginal stakeholders.

If the heritage consultant concludes that the clearing will not be minor or will have a negative impact on a heritage item, please contact Council's Duty Planner and make an appointment to discuss with Council's heritage planner.

Vegetation Permit

If proposed clearing is minor and will not have a negative impact on any heritage item, then a vegetation permit is required. An application for a vegetation permit must include:

- a) Council's application form
- b) The fees for the application
- c) The written consent of all land owners
- d) A site plan, drawn to scale, showing the proposed clearing
- e) Heritage consultant's report (Heritage Impact Assessment or Aboriginal Cultural Heritage Assessment)
- f) An arborist's report
- g) A report justifying the reason for removal (see below)
 - a. Damage to buildings → Structural Engineer's Report
 - b. Damage to pipes → Plumber's Report
 - c. Risk to powerlines → Advice from Endeavour Energy
- h) For native vegetation or habitat, a flora and fauna assessment
- i) For trees on a slope greater than 20%, a soil and water management plan
- j) For trees required by as a visual screen, a visual impact assessment
- k) For applications to remove trees, a landscaping plan, drawn to scale, showing what replacement planting is proposed

In most cases Council will be responsible for issuing the vegetation permit. However, for some vegetation with biodiversity importance, the NSW Government's Native Vegetation Panel is the responsible authority. Please refer to our Declared Vegetation – State Biodiversity Information Sheet for further information.

Approvals may be required from NSW Government Agencies if clearing will impact on certain types of heritage item. These will generally be required as a condition to be satisfied after a permit is issued.

Further information

For more information, please contact Council's duty planner.