

## Application for Removal/Pruning of Trees or Vegetation Clearing

under Development Control Plan Section A16 – Preservation of Trees or Vegetation (DCP A16)

### A1. Application type

Application is hereby made for:

Vegetation removal

and/or

Vegetation pruning

### A2. Application eligibility

In order to lodge this application you must meet all of the following eligibility criteria, please tick all boxes.

I am in a non-rural area

The tree(s) in question is on private land

Clearing is not associated with a development

The tree(s) in question are *Prescribed Vegetation* under DCP A16 and there are no applicable exemptions.

If unsure see attached application information or contact Council.

### A3. Site Inspection (select your preferred option)

A Council Officer may inspect the tree(s) during standard business hours (8am to 4:30pm – Mon to Fri); OR

I request a meeting with a Council Officer to inspect the tree(s).

### A4. Location of tree(s)

Lot No.  Section  DP/NPP/SP

Unit/Street No.  Street

Suburb/Town

### A5. Reason for application - written explanation

My reason for requesting removal or pruning are:

### A6. Applicant(s) details:

Surname/s

Given Name/s

Company/  
Organisation

ABN

Postal Address  
(include post code)

Telephone

Mobile

Facsimile

Email

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## A7. Owner(s) consent

As the owner/s of the subject land, I/we give consent to the lodgement of this application and to an authorised officer of Council to enter the premises for the purposes of inspecting work relevant to this application.

Name/s

**ALL** owners  
(please print)

Company

(provide name & title of signatory)

Signature/s

**ALL** owners

## A8. Applicant(s) declaration

I/We declare that all the information in this application and attachments are true and correct.

Applicant Name

(please print)

Applicant Signature

Date

## A9. Site diagram

In the box below clearly mark the location of all *Prescribed Vegetation* being applied to be removed and/or pruned. Alternatively you may attach an aerial photograph and/or site photograph(s) to avoid confusion. The plan should be sufficiently clear to allow an Officer to locate the tree(s) in case of landholder/applicant absence e.g. tree location with respect to site features such as dwellings, fence lines, driveways, etc. Where known, names of plant species should be provided.

### (OFFICE USE ONLY)

File No.

Date Received

Land No.

Property No.

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### Application Information

Use the tool below to help determine whether this application is required to be lodged to Council or if approval from another authority is be required. If you are uncertain at any stage please contact Council's Customer Service on (02) 6670 2400 and ask to speak with a relevant Officer.

Step	If	Then
1	<p>You are considered to be in a <a href="#">non-rural area</a> under SEPP (Vegetation in Non-rural Areas) if you are in one of the following zones:</p> <ul style="list-style-type: none"> <li>Residential Zones (R1, R2, R3, R5 large lot residential, RU5 Village);</li> <li>Business Zones (B1-B7) &amp; Industrial Zones (IN1 &amp; IN4)</li> <li>Recreation Zones (RE1, RE2)</li> <li>Special Purpose Zones (SP1, SP2, SP3)</li> <li>Working Waterways (W3).</li> </ul> <p>To check land use zone see:  <a href="https://www.tweed.nsw.gov.au/Mapping">https://www.tweed.nsw.gov.au/Mapping</a> or contact Council.</p>	<p>You may be required to lodge this application, proceed to Step 2.</p> <p>If in a Rural area proceed to step 4.</p>
2	<p>If you are proposing to remove vegetation that meets any of the following criteria to qualify as 'Prescribed Vegetation':</p> <ol style="list-style-type: none"> <li>Local native trees equal to or greater than 5 m in height;</li> <li>Local native vegetation (of any height) that occurs as part of a bushland community;</li> <li><b>Very large trees*</b> - trunk diameter equal to or greater than 0.8 m (measured at 1.4 m above natural ground level);</li> <li><b>Primary koala feed trees*</b> - <i>Eucalyptus robusta</i> (Swamp Mahogany), <i>E. tereticornis</i> (Forest Red Gum), <i>E. microcorys</i> (Tallowwood) and <i>E. propinqua</i> (Small-fruited Grey Gum) greater than 5 m in height;</li> <li><b>Threatened plant species, population or community*</b> listed under the <i>Biodiversity Conservation Act 2016</i> or <i>Environment Protection &amp; Biodiversity Conservation Act 1999</i> ;</li> <li><b>Listed significant vegetation*</b> e.g. heritage listed tree under Schedule 2 of DCP A16.</li> </ol> <p><b>* An application will always be required to remove these types of vegetation</b> as no exemptions apply.</p>	<p>You may be required to lodge this application if Step 3 does not apply.</p>
3	<p>If any one of the following applies:</p> <ul style="list-style-type: none"> <li>an exemption under Schedule 1 of DCP A16;</li> <li>works are part of an approved Development Application;</li> <li>other legislation overrides the need for a permit; or.</li> </ul> <p>Contact Council if you are unsure, 02 6670 2400.</p>	<p>You do not need to lodge this application</p>
4	<p>If you are in a rural area being any of the following zones/areas:</p> <ul style="list-style-type: none"> <li>Rural Zones (RU1, RU2)</li> <li>Waterway Zones (W1, W2)</li> <li>Deferred Matter Areas</li> </ul>	<p>Contact Local Land Services</p>

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### Clearing in Rural areas

Clearing (not associated with a development) in rural areas is regulated under the *Local Land Services Act 2013*, contact Local Land Services on 1300 795 299 and visit <https://www.lls.nsw.gov.au/help-and-advice/land-management-in-nsw> for more information.

### Clearing on Council managed land

If you have a problem with trees on Council managed land, you can lodge a Customer Service Request with Council by phoning (02) 66702 400 or via <http://www.tweed.nsw.gov.au/Forms/ReportAProblem>.

Council's arborist will assess the trees and undertake any works deemed necessary.

Landholders (or contractors hired by landholders) are not permitted to undertake tree works on Council managed land.

See [www.tweed.nsw.gov.au/treemanagement](http://www.tweed.nsw.gov.au/treemanagement) for more information.

### Clearing associated with development applications

A permit to clear *Prescribed Vegetation* under DCP A16 will generally not be granted to facilitate a development application which has yet to be lodged and approved unless other reasons for removal are evident e.g. risk to property/persons.

Clearing associated with a proposed development is to be included as part of that development application package for assessment by Council's Development Assessment or Building Assessment Unit.

### General tips

- You can lodge this application by emailing to [tsc@tweed.nsw.gov.au](mailto:tsc@tweed.nsw.gov.au); posting to PO Box 816 Murwillumbah NSW 2484 or by dropping it into one of our Council Offices. **There is NO FEE to lodge this application.**
- Clearing of certain *Prescribed Vegetation* within 5 metres of an approved building (measured from the trunk of the tree to the nearest external wall) may be able to be undertaken without a permit, see Schedule 1 of DCP A16 or contact Council for more information.
- Pruning of certain *Prescribed Vegetation* (unless for example, a threatened species under the *Biodiversity Conservation Act 2017*) may be undertaken without a permit IF done in accordance with the *Australian Standard 4373-2007 Pruning of Amenity Trees* e.g. no more than 20% of canopy removed within a 2 year period and not significantly impacting the structure, health or shape of the tree.
- You may lodge this application on behalf of your neighbour for tree(s) located on their property providing you have obtained owner's consent and they have signed section A7 of this application form.
- A tree is determined to form part of your property if the greatest proportion of the trunk (at ground level) occurs on your property. This may require a surveyor where there is uncertainty.
- Do not book an arborist (tree surgeon) until receiving confirmation from Council on the result of your application
- If a neighbourhood tree dispute arises see [www.tweed.nsw.gov.au/treemanagement](http://www.tweed.nsw.gov.au/treemanagement) for more information or contact Council.
- Where Council is uncertain about the alleged safety risks of a tree, you may be required to provide further information in the form of a detailed arboricultural report with a tree hazard assessment which is to be prepared by a minimum level 5 arborist.
- Failure to not obtain a permit under DCP A16 where it is required can carry substantial penalties. **If you are uncertain at any stage please contact Council's Customer Service on (02) 6670 2400 and ask to speak with a relevant Officer.**