

Amount Paid

Date

Application Number

**OFFICE USE ONLY**

To be completed by Office Staff;

☐ Clear Site Plan

☐ Clear reason for  
removal

☐ All Owners  
Signatures

Central  
Coast  
Council

## Private Tree Works Application

**For up to 5 trees – Not part of a vegetation community**

Under the Environmental Planning and Assessment Act 1979 and the Local Government Act 1993

### PART 1: APPLICATION DETAILS

#### 1. Applicant

The applicant is to complete and submit this form, with ALL property owner's signatures, via Council's web site [centralcoast.nsw.gov.au](http://centralcoast.nsw.gov.au), or at Council's Customer Service Centres. All names must be the person's legal name.

**Application will NOT be accepted unless all details on this form are completed in full and signed.**

Full Name

Company Name

Position Title

Address Details

Mobile

Business

Private

Postal Address (if different from above)

Email Address (will be used for all correspondence)

#### 2. Location and description of the property

Unit/ Street No.

Street Name

Suburb

Lot No.

Section

DP / SP No.

#### 3. Are there any limitations to access to the property (e.g., dogs or locked gates) for Council officers?

No

☐

Yes

☐

Details



**2. List the trees by number for removal or pruning, as shown on the map, and provide the tree name, if known.**

Tree Number	Species

**3. List the proposed replacement planting by the letter used on the map. Include the number of trees for each letter e.g., a grove planning may be covered by one letter, but contain multiple trees.**

Tree Letter	Common or botanical name

**Note:** It is the responsibility of the applicant to ensure that any proposed planting locations, or the species selected, will not negatively impact services or adjacent properties. Council does not assess the appropriateness of the proposed planting location or nominated species.

**PART 4: COPYRIGHT**

The applicant hereby grants a royalty free, non-exclusive licence or will obtain the grant of such a licence to the Council to copy, reproduce, republish, transcribe or distribute the documents lodged with this permit application for the purpose of notification of the permit application, assessment of the permit application and compliance with the provisions of the Government Information (Public Access) Act 2009. As far as is permitted by law the applicant hereby indemnifies the Council against any damages or claim arising from the exercise of such a licence.

**PART 5: DISCLOSURE OF POLITICAL DONATIONS AND GIFTS**

Are you aware of any person with a financial interest in this application who has made a donation or gift in the last two years? ☐ No ☐ Yes – Submit a 'Disclosure of Political Donations & Gifts'

## PART 6: PRIVACY AND PERSONAL INFORMATION

Information on this form is collected by Council for administrative and assessment purposes. It will be used by Council staff for the purpose of processing your application. This application form and any supporting documents you provide may be made available for public access under the Government Information (Public Access) Act 2009.

## PART 7: OWNER(S) CONSENT

**The names and signatures of ALL OWNERS of the tree(s) should be shown in this section**, including joint owners of the tree(s), for example joint property owners, neighbouring property owners for boundary tree(s).

If the property is owned by a Company, the application must be executed as follows:

1. Signed by one company director and one company secretary, or two company directors. Where the company has one director or secretary, only one signature is required. Names and positions must be included.
2. A current extract from the Australian Securities and Investments Commission ([asic.gov.au](http://asic.gov.au)) dated the day of submission to Council.

If signing on behalf of an Owners Corporation, signatures required are as follows:

1. All unit owners, or
2. The common seal of the Owners Corporation and signed by the Secretary of the Owners Corporation or
3. A copy of the meeting minutes approving the tree works and signed by the Secretary of the Owners Corporation.

As owner(s) of the land, I/we give consent to the making of the application and authorise the Applicant named to act on the owner's behalf in relation to the application and confirm that I/we own all trees on this application.

Owner 1 Name	<input type="text"/>	Tree Numbers	<input type="text"/>
Company	<input type="text"/>	Position Title	<input type="text"/>
Address	<input type="text"/>		
Email	<input type="text"/>		
Signature	<input type="text"/>	Date	<input type="text"/> / <input type="text"/> / <input type="text"/>

**Owner 2  
Name**

Tree Numbers

Company

Position Title

Address

Email

Signature

Date

/ /

## PART 8: APPLICANT'S DECLARATION

I the undersigned, declare that the details provided to Central Coast Council are, to the best of my knowledge, true and correct.

Signature

Date

/ /

### You will need to fill in this application form:

- If you want to prune or remove a tree which is over 3m in height and has trunk diameter greater than 75mm
- If you want to prune or remove a tree which is more than 3m away from a Council approved building such as your house, garage or pool. This distance is to be measured (1.4) metres above ground level and between the face of the wall and the part of the trunk nearest the building.

### Do **NOT** use this application form if the tree removal or pruning is identified as Exempt from requiring a permit:

- If the vegetation can be removed/ pruned under the **Rural Fire Service 10/50 Vegetation Clearing** code of practice for NSW prior to completing this application. [Check if you're in a 10/50 area - NSW Rural Fire Service](#)
- If your tree is dead, or you want to remove dead branches from your tree refer to identified exemptions under Central Coast Development Control Plan 2022 and *State Environmental Planning Policy (Biodiversity and Conservation) 2021*: [Part 3.5 in Chapter 3.5](#)
- If the tree is on Council land or in the street. Contact Council on 02 4306 7900.
- Refer to [Part 3.5.3.2 in Chapter 3.5 of Central Coast Council Development Control Plan 2022](#) for tree and vegetation work that do not a permit from Council.
- If your tree is one of the exempt species listed within Councils [Undesirable Species List](#)

### Do **NOT** use this application form to apply for tree removal that relates to works associated with a Complying Development Certificate or Development Application:

- Trees or vegetation may be removed as part of a complying development for **residential** development if it is: within 3m of a building or structure bigger than 25 sqm, not on Council's register of significant trees, not higher than 8m if the development is for a new house - as long as the tree is not required to be retained as a condition of consent for the subdivision, and not higher than 6m for alterations and additions to a house.
- Trees or vegetation may be removed as part of a complying development for new or additions to existing **commercial** and **industrial** buildings if it

is: within 3m of the development, not on Council's register of significant trees, or, not higher than 8m.

- A **Development Application** will be required for all tree removal associated with development, not otherwise captured under the Complying Development Certificate approval pathway.

### What trees can't I remove or prune?

- Trees on land that you do not own, or for which you are not the delegated manager. However, you can apply to prune branches from a tree that is overhanging from a neighbour's property, preferably with the neighbour's consent.
- Mangroves. You will need to contact NSW Primary Industries Fishing & Aquaculture.

### How to lodge the application:

- Use the online form at: [Private Tree Works Application | Central Coast Council](#)
- Or visit any of Council's Customer Service Centres.
- Fees apply for tree pruning and removal.

### What happens after I lodge my application?

- Council's Tree Assessment Officer will come out to assess your application, usually within 10 working days of the application being received by Council's Tree Assessment Officer.
- Council will issue a Notice of Determination once assessment is complete. Any consent granted has a two (2) year lapsing date.
- Council's Consent must be displayed at the front of the site while the work is being carried out.

### What can I do about my neighbour's problem tree?

- You can apply to Council to prune your neighbour's overhanging tree branches back to your property boundary. We recommend you discuss this with your neighbour before lodging an application.
- Neighbouring property owners do not need Council approval to prune a neighbour's trees where the branches directly overhang the roofline of an approved structure, as long as the pruning works are carried out in accordance with *Australian Standard for Pruning of Amenity Trees* (AS4373-2007). However, Council recommends discussing any proposed pruning with neighbours before works are carried out.
- Only the **owner of the property** can authorise the removal of a tree **on their property**.
  - Council defines a tree that proposes a risk to human life or property as a tree with imminent (clear and immediate) potential to harm human health, life or that can damage property, as a

result of a sudden change to the stability of the tree through structural failure, either above or below ground. Trees that meet this exemption will have obvious structural issues that can be easily demonstrated. The process of pruning and or removal of a tree can be undertaken by the landowner(s) and Trade arborist (minimum qualification AQF3) by completing the [Exempt Tree Works Form Risk to Human Life or Property](#).

- Where the risk is imminent and the owner of the tree can demonstrate they have been unable to engage an AQF3 Arborist within a reasonable time frame, then an urgent Tree Works Application can be made to Council using the standard [Private Tree Works Application](#).
- The *Trees (Disputes Between Neighbours) Act 2006* was enacted in 2006 to resolve neighbour disputes regarding trees, thus removing Local Government (Council) from the role of mediator or adjudicator for these matters. As such, Council does not get involved in tree disputes, as they are a civil matter. Concerned residents may wish to seek independent legal advice or contact the Community Justice Centre on 1800 990 777, which offers a free mediation service. For disputes that are unable to be resolved, the NSW Land and Environment Court may be able to assist, in accordance with the *Trees (Disputes Between Neighbours) ACT 2006*. For more information, visit [www.lawlink.nsw.gov.au](http://www.lawlink.nsw.gov.au).

#### **What else do I need to know?**

- To check if your tree is within a bush fire area and does not require the consent of Council, contact Rural Fire Services at <http://www.rfs.nsw.gov.au>
- Council encourages you to replace each tree removed with an Australian native tree or a tree suitable for the site and location.
- Contact your energy provider if you have problems with a tree under the street power lines.