FACT SHEET

PRUNING OR REMOVAL OF TREES

This fact sheet details what you need to do if you wish to prune or remove a tree.

Do I need permission to prune or remove a tree?

A person must not ringbark, cut down, top, lop, remove, injure or wilfully destroy any tree or other vegetation to which any such development control plan applies without:

(a) A permit granted by the Council; or

(b) Development consent.

What do I need to do to get Council permission to prune or remove a tree?

You can apply for a Tree Pruning and Removal Permit by completing a permit application form that can be downloaded from the Council Forms and Fact Sheet section of Council's website (www.canadabay.nsw.gov.au) under 'Trees', or collected from Council's Customer Service Centre, located at 1A Marlborough Street, Drummoyne. Return the completed form to Council with the appropriate fee to make your application.

If the tree is on land that forms part of a heritage item or that is within a heritage conservation area, as identified under Schedule 5 of the Canada Bay Local Environmental Plan, 2008, then development consent is required. You can apply for Development Consent by completing a Development Application Form - Trees that can be downloaded from the Council Forms and Fact Sheet section of Council's website (www.canadabay.nsw.gov.au) under 'Development Application', or collected from Council's Customer Service Centre, located at 1A Marlborough Street, Drummoyne. Return the completed form to Council with the appropriate fee to make your application.

The owner, or the delegated agent of the property on which the tree(s) are growing must sign the application form. In the case of Strata or Company Title property, the Secretary of the Body Corporate or the Managing Agent must sign the application form. Council cannot process an application form where the application is NOT signed by the owner/agent.

In some circumstances it may be necessary for you to supply, at your cost, an independent arborist's, structural plumber's and/or pest report. The comprehensive report must meet the criteria as outlined in Council's Guidelines for the Preparation of an Arborist's Report, which can be downloaded from the Council Forms and Fact Sheets section of Council's website (www.canadabay.nsw.gov.au). Council's Tree Management Officer will determine if such reports are necessary and such circumstances may include those where there is the possibility that the tree has been deliberately tampered with or extra supporting information is needed.

Are there any exemptions?

A person will be exempt with respect to particular tree works if:

(a) Council is satisfied that the tree or other vegetation is a risk to human life or property;

(b) Council is satisfied that the tree is dead or dying and is not required as the habitat of native fauna;

(c) The tree is one of the following exempt species (provided the tree is not on land that forms part of a heritage item or is within a conservation area - in which case the prohibition applies)

Exempt Species	
(i) Alnus jorullensis	Evergreen Alder
(ii) Bambusa spp	Bamboo
(iii) Celtris occidentalis	Sugarberry
(iv) Erythrina x sykesii	Indian Coral
(v) Erythrina crista-galli	Coral Tree
(vi) Ficus elastica	Rubber Tree
(vii) Ligustrum spp	Privet
(viii) Nerium oleander	Oleander
(ix) Olea Africana	African olive
(x) Populus spp	Poplar
(xi) Salix spp	Willow
(xii) Schefflera spp	Umbrella Trees
(xiii) Syagrus romanzoffianum	Queen/Cocos Palm
(xiv) Toxicodendron spp Rhus Tree	
(xv) Cinnamomum camphora (Camphor Laurel) or Liquidamber spp (Liquidamber) where the outside edge of the trunk of such tree is located within three metres of any single dwelling (not being an outbuilding eg garage, carport, shed etc).	
(xvi) A fruit tree grown for the purpose of fruit or fodder production except Acmena spp (Lilly Pilly), Syzygium spp (Lilly Pilly) or Elaeocarpus spp (Blueberry Ash)	

For further information on the exemptions, see clause 5.9 of the Canada Bay LEP, 2008 and Section 3.8 of the City of Canada Bay Development Control Plan.

Am I required to be there when Council inspects the tree(s)?

It is not essential that the owner be present unless access is required for the inspection. An appointment can be made for a mutually convenient time, if required.

What if I have lodged a Development Application that includes the removal of the subject tree(s)?

If there is a current Development Application (DA) lodged with Council which includes the pruning or removal of the subject tree(s) do NOT lodge a separate application for a permit or development consent. The removal of the tree(s) will be assessed as part of the Development Application process.

In addition, if there has been a previous development consent issued with a condition requiring the retention of the subject tree(s), do NOT lodge a separate application for a tree pruning and removal, a s.96 application is required to modify the conditions of consent. Please contact Council's Duty Planner on 9911 6555, Monday - Friday, 8:30am - 1:00pm for clarification.

If my application is refused, what options do I have?

If the application for a Tree Pruning or removal is refused, you may send in an appeal letter with any further supporting documentation within a period of one (1) year from date of when the Tree Preservation Permit is issued. No further costs are involved in this appeal process. You also have the right to appeal directly to the Land & Environment Court if your appeal is not successful.