



# Your guide to lodging a Tree Application with Council

**Trees play an important role in our community, serving as the lungs of the environment, helping control air pollution, offering shade and privacy and providing food and shelter for local native wildlife.**

Kogarah City Council's tree management strategy goal is to work with the community to preserve the natural character of the area and enrich the natural environment for everyone's benefit.

## Trees on private property

Council recognises the benefits each tree provides to the City including those located on private property.

Under Clause 8 - *Tree Preservation of Kogarah's Local Environment Plan 1998 (LEP)*, Kogarah Council provides a framework for the management of trees to maintain Kogarah City's image as the 'Garden City'.

*Clause 8 - Tree Preservation of Kogarah's Local Environment Plan 1998 (LEP) applies to the following trees and vegetation;*

1. All trees that are of;
  - A height exceeding 3.5 metres
  - A width exceeding 3 metres
2. All trees existing in the street, bush, parks and reserves, unless the tree is declared as a noxious weed under the Noxious Weeds Act 1993. Therefore a person shall not ringbark, cut down, top, lop, remove, injure or wilfully destroy any tree (other than a fruit tree used for domestic purposes only).

## How to lodge a Tree Application Form

If you would like to prune or remove a tree on your property, you will need to fill out a Tree Application Form, located on Kogarah Council's website under 'A - Z Forms'. Once the form is complete, lodge it at Council's Customer Service Centre at 84 Railway Parade, Kogarah with the required application fee stated on the form.

**Please Note:** The property owner or their authorised agent (such as the Secretary of a Body Corporate, or a Managing Agent) must sign the application.

Kogarah Council CANNOT give consent to remove a tree without the property owner's permission.

Kogarah Council's Tree Management Officer will inspect the site and undertake a visual tree assessment (VTA). The VTA considers the tree's current health, condition and structure. Following the site inspection, a written permit will be sent to the property owner advising them what tree work has been approved.

## Condition of Consent

If Council consents to your Tree Application, important conditions apply;

- The issued consent is valid for 12 months from the date of issue.
- A copy of the consent must be held on site during the course of the works.
- Consent issued will be subject to the requirement to plant an appropriate replacement tree/s as specified by Council.

## Penalties

If found guilty of breaching Clause 8 - *Tree Preservation of Kogarah's LEP 1998, under the Environmental Planning and Assessment Act, 1979 (NSW)* the following fines could be imposed;

- A penalty not exceeding \$110,000 being imposed by the local court.
- A penalty not exceeding \$1.11 million being imposed by the Land and Environment Court of NSW.

For further  
information visit  
[www.kogarah.nsw.gov.au](http://www.kogarah.nsw.gov.au)

Trees - keeping our environment breathing