

# APPLICATION

## 2015/2016

### For Permission to Prune/Remove Trees

All applications are subject to Bankstown City Council Development Control Plan Part E2  
Tree Preservation Order



APPLICATION FEE (non-refundable)	<u>1 – 10 Trees</u>	<u>11 – 15 Trees</u>	<u>16+ Trees</u>
Standard Fee	\$80.00	\$120.00	\$150.00
Pensioner Fee	\$40.00	\$ 60.00	\$ 75.00

If you are applying for a permit to remove or prune trees, the application fee must accompany this form in order for the application to be processed. Payment can be made at the Customer Service Centre, Civic Tower, Corner Jacobs Street & Rickard Road, Bankstown. Cheque/money order/credit details may be posted to Bankstown City Council, PO Box 8, Bankstown 1885. Received applications will be assessed within approximately 15 working days of submission to Council.

<b>Applicant and Site Details</b>	Ref No: _____
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Applicant: \_\_\_\_\_

Address: \_\_\_\_\_ Post Code \_\_\_\_\_

Phone (during business hours) \_\_\_\_\_ Date: \_\_\_\_\_

Property where the tree/s stand: \_\_\_\_\_

*separate applications are required for each property address*

Is the tree located on:  Council property  private property

Do you own the property where the tree stands?  Yes  No

*If NO - you must have the owners consent to lodge this application (see below)*

Can we safely enter the property where the tree stands?  Yes  No

Is there a dog on the property?  Yes  No

Is this application a result of lodging a development application?  Yes  No

*if yes, a copy of the development plans MUST be attached to this application*

Is this application a result of a vehicular crossing application?  Yes  No

Comments/additional information: \_\_\_\_\_

### Owners consent

**Must be signed by the owner of the land or legally authorised representative (i.e. managing agent or owner)**

As owner(s) of the land to which this application applies, I/we consent to this application for permission to prune/ remove the tree(s) as listed overleaf. I/we also give consent for authorised Council officers to enter (without prior notice) the land to carry out inspections for the purpose of this application.

Name/s: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

*If you are signing on the owner's behalf as the owner's legally authorised representative, please state the nature of your legal authority and attach documentary evidence. (e.g. power of attorney, executor, trustee)*

**Disclaimer:**

*In determining your application to cut down, top, lop or remove the tree/s, Bankstown City Council (Council):*

- 1. Relies on the information provided by you; and*
- 2. Does not act as an expert.*

*Should Council refuse your application to cut down, top, lop or remove the trees/s does not constitute a determination that the tree/s poses no risk of harm to person or property. If you believe that the tree/s poses a risk of harm to person or property, then it is advisable that you support your application with a report issued by an independent qualified Arborist who certifies that the tree/s poses a risk of harm to person or property. Upon receipt of application and report referred to in the preceding sentence, Council will reassess your application for removal of the tree/s.*

*Council takes no responsibility for any loss or damage of any nature (including without limitation any damaged and/or personal injury (whether resulting in death or not) that results directly or indirectly from the tree/s the subject of your application.*

**Site map**

Please show the position of trees, building, boundaries and streets. Please number trees.

Street Frontage

How many trees on the site are over 5 metres in height? \_\_\_\_\_

How Many trees in total are you requesting be removed or pruned? \_\_\_\_\_

Tree name (species if known)	Prune (please tick)	Remove (please tick)	Reason
E.g. Eucalyptus	✓		electricity wires
1			
2			
3			
4			
5			
6			

**Note: Should your request for the removal of tree/s be due to sewer, plumbing, structural or termite problems, your application must be supported with a plumbers report, engineers report or pest control report.**

**Payment Options - 'Surcharge applies to Visa & MasterCard'**

Enclosed is a cheque/money order (made out to Bankstown City Council) \$ \_\_\_\_\_

Please debit my credit card     Visa     M/card    \$ \_\_\_\_\_

Cardholders Name: \_\_\_\_\_ Expiry Date \_\_\_\_\_

Cardholders Signature: \_\_\_\_\_

**Details of trees on site:**

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**Significance of tree(s) - historical, cultural or remnant vegetation**

Not applicable

Details

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**At the time of inspection:**

**Is there any visual evidence to indicate that the tree(s) are unhealthy or have a fungal infection?**

Yes  No

If YES provide details

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**Are there any visual indicators of structural damage to the property?**

Yes  No

If YES provide details

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**Is there visual indication of potential damage to the property?**

Yes  No

If YES provide details

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**Additional information** (indicate which trees are involved)

Single specimen  Yes  No *tree number(s) .....*

Prominence because of height, age, size or position  Yes  No *tree number(s) .....*

Endemic, rare or endangered  Yes  No *tree number(s) .....*

Tree(s) provide a significant visual screen  Yes  No *tree number(s) .....*

Tree(s) are part of an important wildlife habitat  Yes  No *tree number(s) .....*

Permission to Remove / Prune \_\_\_\_\_ granted / not granted

Assessment Officer \_\_\_\_\_ Date \_\_\_\_\_

# TREE PRESERVATION ORDER Questions & Answers

## Why does Council wish to protect trees?

Council has a vision of a clean, green and healthy bio-diverse natural environment. A canopy of trees that shelter and beautify the City and its streetscape is an integral part of that vision. Trees play an important part in maintaining the health of our land and our living environment and also provide habitat, food, shelter and protection for many birds, animals and insect species.

## How does the Tree Preservation Order work?

The Tree Preservation Order aims to protect and preserve the existing amenity provided by trees. It regulates exactly how we are allowed to manage trees in order to ensure that they are protected. The order clearly prohibits ring barking, cutting down, topping, pruning, removal, injury or wilful destruction of trees, without written consent of Council - with the exceptions as below.

## When do you need to apply to Council for a permit to remove or prune a tree?

Council consent is required to remove or prune all trees which have a height of more than 5 metres.

## Are there any exemptions where I do not need a Council permit?

There are limited exemptions to the Tree Preservation Order which include:

- Removal or pruning of **any tree under 5 metres in height or any tree growing within 3 metres of the main residential dwelling** (measured from the external enclosing wall of the dwelling to the main trunk of the tree).
- Removal of deadwood or pruning of **up to 10% of the foliage of a tree within any 12 month period**, with all pruning to be done in accordance with Australian Standards (AS 4373, Pruning of Amenity Trees). Note: reducing the height of a tree by 10% (cutting the top off a tree or crown lopping) is NOT in accordance with these standards.
- Removal or pruning of any of the following **EXEMPT** species:

**Privet, broad leaf** - *Ligustrum lucidum*,

**Privet, narrow leaf** - *Ligustrum sinense*,

**Liquidambar** - *Liquidambar styraciflua*

**Weeping willow** - *Salix species*

**Wild Olive** - *Olea africana*

**Pine tree** - *Pinus radiata*

**Camphor laurel** - *Cinnamomum camphora*

**Cocos palms** - *Aracastum romanzoffianum*

**Rubber tree** - *Ficus elastica*

**Cypress pines** - *Cupressocyparis leylandii & cultivars*

**Poplars** - *Populus species*

**Various (domestic) fruit trees** - e.g. citrus, stone fruit, etc.

## Who can apply?

Property owners or their legally authorised representatives can apply to Council to remove or prune a tree. In the case of multi-occupancy dwellings (units or town houses) permission from the body corporate must be obtained.

## What if I want my neighbour to prune or lop a tree on an adjoining property?

In the first instance you should consult your neighbour to gain their cooperation. Council will accept applications from neighbours provided they have the permission of the owner of the tree (see page 1 of this application). If Council does issue a permit, this does not compel the tree owner to carry out such work, nor does it imply that you have permission to enter their property to carry out the work. Where the cooperation of your neighbour is not obtained or there is a dispute over a tree, the matter should be referred to the Community Justice Centre, for assistance with mediation - telephone 1800 990 777.

## Why does Council charge fees for issuing a permit to prune or remove a tree?

Application/tree permit fees cover the costs of administering the Tree Preservation Order and providing advice to residents. The permits are valid for 12 months from date of issue.

## How long will it take?

Once we receive the application (with owners consent) and payment, we will process the application, visit the site within 15 working days and make a determination. No work can be carried out until you receive a Tree Permit which details approved works and replacement planting. Extra time may be required if the application is accompanying a development application.

## What things will Council consider before making a decision on a particular tree?

- The health, safety, physical characteristics and significance of the tree
- Any damage which may have been caused, or is likely (in the future) to be caused by the tree
- The existing and likely future amenity of the area as well as the amenity and health of occupants of the property
- Reports from qualified plumbers, engineers, arborist and pest control inspectors

## Permission is generally granted to remove trees where:

- The tree, trunk or root system is causing significant property damage and no other course of action will rectify the problem

**After inspection, (to confirm tree species), Council will grant a permit to remove or prune the following:**

- \* **Narrow Leafed Peppermint Gum** - *Eucalyptus nicholii*
- \* **Lemon Scented Gum** - *Corymbia citriodora* (immature specimens only)

## Permission is generally NOT granted to remove trees where:

- The tree is shedding leaves, fruit, bark, cones or twigs, or is causing minor structural damage to footpaths or driveways
- The tree is rare, endangered or part of a remnant vegetation community or important wildlife habitat
- The tree is considered to be of cultural or historic significance or where the applicant seeks to improve views

## Can I appeal against Councils decision?

Applicants have the right to appeal against decisions where they believe that Council has been harsh or unreasonable or if new or additional information has become available. All appeals must be lodged in writing within 12 months. In the case of a request for removal of a tree, the owner of the tree must justify their appeal with supporting evidence (such as a report from a suitably qualified arborist) before Council will reconsider its position.

**UNDER THIS TREE PRESERVATION ORDER ILLEGAL REMOVAL, PRUNING OR POISONING OF TREES CAN BE PROSECUTED WITH FINES OF UP TO \$1,100,000**

For more information contact Bankstown City Council on **9707 9999** or fax **9707 9495**