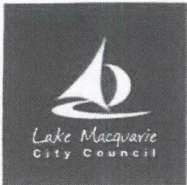


TA/19/2019



Lake Macquarie City Council

# Application for a Permit to Prune or Remove Trees

Is there a dog requiring restraint? Yes  No

### APPLICANT DETAILS

Title  Mr  Mrs  Miss  Ms  Other

Surname

Given Names

Company Name

Postal Address

Post Code

Phone  Mobile

Email

### DESCRIPTION OF LAND

House No./Street

Suburb

Lot(s)  Section  D.P. or S.P.

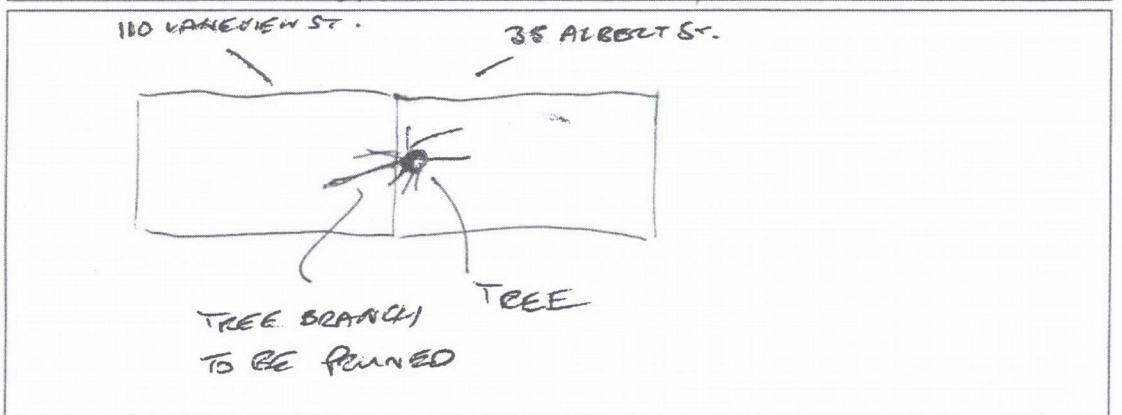
Nearest cross street

Number of Trees  PRUNE  or REMOVE

### DETAILS OF PROPOSED WORK

Reasons for Removal Pruning - THE LARGE TREE LOCATED AT 35 ALBERT ST SPEERS POINT HAS A BRANCH THAT EXTENDS INTO MY SITE 10M. THIS IS WITHIN THE APPROVED BUILDING ENVELOPE THE SECOND LEVEL OF THE BUILDING WILL BE BUILT 5M FROM THE BOUNDARY. AS PER LMCC APPROVAL.

### SITE DIAGRAM



### OWNER'S CONSENT

I have considered the Rural Fire Service 10/50 Vegetation Clearing Code of Practice for NSW prior to completing this application and request approval from Council to prune or remove a tree/s on private land in the Lake Macquarie Local Government Area

As owner of the land to which this application relates, I consent to this application. I also give consent for authorised Council officers to enter the land to carry out inspections.

Signature(s)  Date

### PERSONAL PRIVACY

Council's Privacy Management Plan is available on the City's website [www.lakemac.com.au](http://www.lakemac.com.au).

Third parties may request access to, and copies of, the information held by Council relating to this application, in accordance with the Government Information (Public Access) Act 2009 and/or the Environment Planning and Assessment Act 1979.

## Preservation of Trees and Native Vegetation - Lake Macquarie DCP 2014

**An application is required for clearing or tree removal/pruning if the tree/s is:**

- NSW native vegetation and/or Araucaria species
- A NSW native tree, shrub or sapling over three (3) meters high
- A tree listed in Council's Significant Tree Register
- Trees or native vegetation that are subject to condition of development consent that requires them to be retained
- Any trees or native vegetation that are listed as heritage items or are in a conservation area

**NOTE:** The proposed pruning or removal of any tree within Murrays Beach is subject to approval from Council and the delegated Community Association.

**I can remove/prune a tree without an application in the following instances:**

- Tree works and clearing are necessary to carry out an approved development and have been approved as part of the development consent.
- The tree trunk is located within the following distance, measured at a height of 1.4 metres above ground:
  - five (5) metres of the outermost projection of an approved building or structure (that is not exempt or complying development) on the subject land.
  - one (1) metre of a sealed driveway to a building (that is not exempt or complying development) for which approval has been granted on the same allotment
  - five (5) metres of the outermost projection of an approved building or structure (that is not exempt or complying development) on the adjoining property, following submission to Council of written agreement from both property owners.
- The tree is of a non-native (exotic) species unless it is a heritage item in a conservation area or specifically listed in Council's Significant Tree Register – see web address below
- The tree is dangerous, where the instability is obvious and is independently confirmed by an AQF Level 5 arborist and there is immediate danger and/or hazard, for example structurally split trunks, trees or limbs, felled by storms, that may damage buildings or block access ways. Council is to be satisfied beforehand prior to undertaking works.
- The tree is dead and non hollow-bearing, and photographic evidence has been retained by the property owner for future reference in the instance that Council is required to investigate the trees removal.

**NOTE:** The Rural Fire Service 10/50 Vegetation Clearing Code of Practice was passed on 1 August 2014.

Refer to [www.rfs.nsw.gov.au](http://www.rfs.nsw.gov.au) for more information or contact 1800 679 737 or the RFS 'Lakes Team' on 1300 661 401

**What will happen once I lodge my application?**

- Tree applications take approximately 4 weeks to be assessed, however this may be longer depending on demand at the time.
- Council's Tree Assessment Officer will inspect the tree and make an inspection report and determination. The Tree Officer does not make an appointment to carry out inspections.
- If you are dissatisfied with this decision, Clause 12 of the State Environmental Planning Policy (Vegetation in Non Rural Areas) 2017 gives you the right to appeal to the Land and Environment Court within three (3) months of the determination date. For more information go to <http://www.lawlink.nsw.gov.au/lec>

**What penalties will apply for removing trees without consent?**

Under Section 125 and 126 of the Environmental Planning and Assessment Act (1979), on-the-spot-fines or court proceedings may apply to the injury, unnecessary disturbance or removal of trees and native vegetation on private land.

For further information on the Tree Preservation and Native Vegetation Management Guidelines, Significant Tree Register and Lake Macquarie Development Control Plan 2014, refer to Council's website [www.lakemac.com.au](http://www.lakemac.com.au)

**Entry onto Land**

You are advised that access to your property may be require by Authorised Officers of Council in order for them to process your application and determine compliance with any permit that may be issued. By the submission of this application or by authorising its submission by another person/s, it is assumed you are giving approval of entry to your premises to Council staff. Access may be made in your absence. Should access be required, staff may make contact with you beforehand to make the necessary arrangements.

See Section 118 of the Environmental Planning & Assessment Act for further details.

## HOW TO LODGE YOUR APPLICATION

Lodge your application by any of the following methods:

- |                       |  |
|-----------------------|--|
| Mail:                 | Lake Macquarie City Council<br>Box 1906, Hunter Region Mail Centre 2310  |
| Personal delivery:    | Lake Macquarie City Council<br>126-138 Main Road, Speers Point NSW 2284  |
| Lodge electronically: | On Council's website through Online Services at <a href="http://www.lakemac.com.au">www.lakemac.com.au</a>                             |
| Payment:              | Enclose cheque/money order for applicable fee with post/delivery of application.<br>Pay online with electronically lodged application. |
| How to contact us:    | Phone: (02) 4921 0333<br>Email: <a href="mailto:council@lakemac.nsw.gov.au">council@lakemac.nsw.gov.au</a>                             |