



Tree Application

7-15 Wetherill Street, Leichhardt NSW 2040
 PO Box 45, Leichhardt NSW 2040
Phone: (02) 9367 9222 **Fax:** (02) 9367 9111
Email: payments@lmc.nsw.gov.au
Website: www.leichhardt.nsw.gov.au

**Before completing please read Council's Tree Preservation Order and the information on the back of this form.
 Please note this application form will not be processed unless all information is completed and payment is provided.**

Part 1 – Property and Applicant Details	
<p><i>Please list all properties subject to this application</i></p>	<p>Unit no/s <input style="width: 50px;" type="text"/> Street no/s <input style="width: 50px;" type="text"/> Street <input style="width: 150px;" type="text"/></p> <p>Suburb <input style="width: 250px;" type="text"/> Postcode <input style="width: 80px;" type="text"/></p> <p>Heritage Item Yes <input type="checkbox"/> No <input type="checkbox"/> Not sure <input type="checkbox"/></p> <p>Conservation Area Yes <input type="checkbox"/> No <input type="checkbox"/> Not sure <input type="checkbox"/></p> <p>Please Note: Tree removal within heritage listed properties require a development application and supporting documentation to be lodged with Council</p> <p>Does access to the property require prior arrangement? Yes <input type="checkbox"/> No <input type="checkbox"/></p>
<p>Applicant Details</p> <p><i>Please print clearly and give all contact details.</i></p>	<p>Family / Company Name <input style="width: 100%;" type="text"/></p> <p>Given Name <input style="width: 100%;" type="text"/></p> <p>Contact Person (if company) <input style="width: 100%;" type="text"/></p> <p>Postal Address <input style="width: 100%;" type="text"/></p> <p>Telephone <input style="width: 100px;" type="text"/> Fax <input style="width: 100px;" type="text"/></p> <p>Mobile <input style="width: 100px;" type="text"/> Email <input style="width: 100px;" type="text"/></p>
<p>Consent of Owner/s</p> <p><i>Please print ALL registered owners of the site must sign this form.</i></p> <p>Council will not accept this application without correct and complete owner/s consent.</p>	<p>As owner/s of the site to which this applications relates, I/we/this company consent/s to the lodgement of this application</p> <p>Family Name or Company Name or Strata Title <input style="width: 100%;" type="text"/></p> <p>Given Name or Authorised Company Officer Name <input style="width: 100%;" type="text"/></p> <p>Company ACN <input style="width: 100%;" type="text"/></p> <p>Address <input style="width: 100%;" type="text"/></p> <p>Mobile <input style="width: 100px;" type="text"/> Fax <input style="width: 100px;" type="text"/></p> <p>Email <input style="width: 100%;" type="text"/></p> <p>Proof of authority to sign on behalf of company or strata/company seal or provide separate authorisation on company letterhead</p> <hr/> <p style="text-align: center;">Signatures and Print Name Company seal</p> <p>Authorisation by Company letterhead attached Yes <input type="checkbox"/> No <input type="checkbox"/></p>
<p>Conflicts of Interest</p>	<p>Does Leichhardt Council employ the applicant or owner/s of the property or is the applicant or owner/s a Councillor? Is the application being submitted on behalf of an employee or Councillor?</p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>If yes, please explain: <input style="width: 100%;" type="text"/></p>

Part 1 – Application and site details continued

Declaration

I understand that information provided with this application (including the application form) and any subsequent information submitted and correspondence from Council may be made available on Council's website for viewing by the general public.

- I declare that all the information in the application is to the best of my knowledge, true and correct
- I also understand that if the information is incomplete, the application may be delayed or rejected or more information may be requested. I acknowledge that if the information provided is misleading, any approval granted 'may be void'
- I accept delays in processing will arise out of any inadequacies in the material submitted in support of the application
- I declare that the electronic data provided is a true copy of all plans and associated documents submitted with this application
- I declare that the electronic data is not corrupted and does not contain viruses
- I understand that Council will use the information and materials provided for notification and advertising purposes

Applicant Signature

Date

Access to this information is available to the public and in accordance with the *Local Government Act 1993* and *Public Access Act 2009 (GIPA Act)*. Council is to be regarded as the agency that holds the information. You may make application for access or amendments to information held by Council.

Part 2 – Description of proposal

Proposal

Is the proposal to prune?: Yes No

If yes, the original of this form must be lodged with Council and a copy must be kept on site. Work may commence three (3) days after lodgement; and must be complete within one (1) calendar month. Please attach a photograph of the tree before work has commenced to demonstrate compliance with the order.

Is the proposal to remove the tree?: Yes No

If yes, then after receipt of application, you will be contacted by Council's Landscape Assessment Officer who will arrange a suitable time for an inspection if necessary. The Officer will determine if the work is appropriate.

Part 3 - Site Diagram

Please include:

- Location of all trees that are the subject of this application and any other trees on the property
- Approximate height, trunk diameter, canopy width and species of each tree that is the subject of this application
- Please number the trees which are subject to this application.

Part 4 - Fees

- Application Fee \$195.00 (up to 3 trees) – \$75.00 per additional tree
- Notification Fee \$150.00 *

* Note: If the tree is significant in the local area, the Officer may request the surrounding residents be notified and an advertisement be placed if the tree is to be removed. There is an additional fee for advertising the application.

Part 5 – Office Use Only

Tree Application No:

Checked by Officer:

Tree Application Fee:

Date:

Total Fees paid:

Time:

Receipt No:

File Created – Date/Time:

Part 6 – Payment Methods

1. Payment by Mail - Make cheque payable to Leichhardt Council

2. Payment in Person - Council Citizen Service Centre, between 8.30am and 5.15pm, 7-15 Wetherill St, Leichhardt NSW 2040

3. Payment by Credit Card - Complete the Credit Card Authorisation form – located on Council's website under Your Council / Council Forms / Payments. Please note that a fee of 0.8% applies to credit cards. MasterCard and Visa only.

LEICHHARDT COUNCIL TREE PRESERVATION ORDER

FREQUENTLY ASKED QUESTIONS

1. DO I NEED COUNCIL APPROVAL?

Council approval is not required for the following:

- ❑ Removal of trees that are less than 4 metres in height and have a trunk diameter of less than 200 millimetres, when measured at height of 1 metre from the ground.
- ❑ The removal completely of torn limbs and dead wood
- ❑ Pruning of less than 10% of the canopy up to once every growing season and only branches less than 100 millimetres in diameter.
- ❑ The pruning of roots less than 100mm in diameter

There are some species of tree that are also exempt from this Order. For any pruning or removal of these species, **formal notification to Council is not required**. Please see Clause 3.0 of the Tree Preservation Order for a list of these species.

All other work requires approval by Council.

2. WHERE DO I SEND MY APPLICATION AND PAYMENT?

- Lodge in person – Council's administration building at 7-15 Wetherill Street, Leichhardt
Application will be checked at lodgement to ensure the required information is provided
Council's opening hours are 8.30am to 5.15pm Monday to Friday
- Lodge by mail – mail to Leichhardt Council, PO Box 45, Leichhardt NSW 2040
Payment – By Mail – cheque only. In person – cash, cheque, EFTPOS, credit card (0.8% charge on credit card payments; no Amex or Diners)

Lodgement of an application for tree removal shall incur a fee and must be paid when lodging the application.

3. DO I HAVE A RIGHT TO APPEAL AGAINST THE DECISION MADE?

Yes. Please call to discuss the assessment with Council's Landscape Assessment Officer on 9367 9383 between 8.30 am and 10.00am Monday to Friday. If after discussions with the above officer, you are still not satisfied, you may appeal the determination in writing. The appeals process is as below:

- The appeal must be lodged within one month of the date of the determination
- The appeal must be accompanied by an independent arborist's report.
- A fee applies to appeals on all previous tree determinations. This fee is currently 50% of the original application fee.

Further appeals are available to be made to the Land and Environment Court. Please seek your own legal advice in this regard.

4. WHAT ARE MY OPTIONS IF I WANT TO PRUNE OR REMOVE A TREE ON MY NEIGHBOUR'S PROPERTY?

Neighbours have the right to prune the branches of a tree overhanging their property, but only where such pruning is consistent with the Exempt controls (section 5) of the Tree Preservation Order. This pruning can only occur to the boundary line and should occur without crossing the boundary to undertake the pruning. *It is advisable to approach your neighbour prior to pruning.*

You must seek consent from the owner of the tree if you wish to remove the tree and/or prune more than the 'Exempt' controls in the Tree Preservation Order.

Consent is not required for the removal of dead or dying limbs which overhang from neighbouring properties. These may be removed to the boundary provided that the removal is consistent with the Tree Preservation Order. It should be noted that the work must ensure the safety and health of the tree and be undertaken in accordance with the Australian Standard of Pruning of Amenity Trees (AS4373 - 2007).

5. WHAT DO I DO IF MY PROPERTY IS HERITAGE LISTED?

Leichhardt Council is committed to heritage conservation as an important planning principle. This commitment is exemplified by the inclusion of objectives and controls, relating to heritage conservation, within the current Leichhardt Local Environmental Plan, the main legal planning instrument which guides development in the area. These objectives aim to protect, conserve and enhance the natural and cultural heritage. This includes landscape and trees within heritage listed properties.

Tree removal within heritage listed properties require a development application and supporting documentation to be lodged with Council. Please contact Council's Assessments section on 9367 9222 between 8.30am and 10.00am Monday to Friday for information regarding lodgement of these applications.

6. WHO NEEDS TO FILL IN AND SIGN THE FORM?

Without owner consent Council will not accept tree applications. If the site is owned by a company the onus is on the company to ensure that the correct number of directors signs the application. It is also the company's responsibility, including sole director companies, to use the company seal, if the company rules stipulate its use, or alternatively provide authorisation by way of company letterhead. Strata bodies must use the strata seal, of the strata rules so stipulate, or provide authorisation on letterhead

7. HOW IS MY TREE APPLICATION ASSESSED?

An inspection will normally be within 14 days of lodgement; however timeframes may vary depending on the work load at the time of your application. Council must be notified if your presence is required for access to the site. Following assessment of the application and an inspection of the tree, a written determination will be mailed to the applicant.

Council will determine if the work you wish to undertake is necessary.

When assessing and determining tree applications, Council shall take into account the following:

- The overall aims of Council's Tree Preservation Order;
- The health and vigour of the tree at time of inspection;
- The tree's significance to the surrounding landscape;
- How critical and pertinent the reasons for the application are; and
- Any supporting documentation supplied with the application.