

Employing a Qualified Arborist not a lopper!

If you have received an approval from Council to prune or remove a tree or you have exempt tree works to undertake, Council recommends you employ a Qualified Arborist with a minimum qualification of AQF Level 3 in Arboriculture. For further information refer to Council's brochure 'Employing A Qualified Arborist Not A Lopper!' It is also important to request copies of the Arborist's Insurances (Public Liability and Workcover Insurances) and seek a minimum of 3 quotes.

Approved pruning works must be performed by a Qualified Arborist with a minimum qualification of AQF Level 3 in Arboriculture in accordance with Council's approval instructions and as per Australia Standard AS4373-2007 'Pruning of Amenity Trees'.

Planting a new tree

When you receive an approval from Council to remove a tree, Council usually requires a new replacement tree to be planted within the subject property.

To help you in selecting a new tree, refer to Council's brochure 'Ornamental Native Tree Species suitable for growing in the Holroyd Local Government Area (LGA)'.

The brochure has some information to help you 'Plant the Right Tree in the Right Place' and also includes a Tree Planting Guide to ensure the new tree is planted correctly.

If you are unsure about what tree species to plant or what is a suitable location for the new tree, you can contact an Officer from Council's Landscape and Tree Management Unit who can help you with such matters.



Emergencies/ Storm damaged Trees/ Dangerous Trees/ Branches

Sometimes especially after storms, trees may suffer damage including broken branches, an excessive lean or raised surface roots. On these occasions it may be necessary to contact Council's Tree Management staff to assess the particular issue. If out of business hours, an AQF Level 4 or 5 Consulting Arborist may be called to assess the tree and determine whether an immediate hazard to life or property exists.

Where a tree is required to be pruned or removed as 'emergency works', Council requires a Tree Application to be lodged retrospectively with the Consulting Arborist's written report and photographic evidence.

If the situation is very urgent and property damage is occurring it may be necessary to call the SES (State Emergency Service) on 132 500 for their help.



CUMBERLAND
CITY COUNCIL

TREE APPLICATION PROCESS - FORMER HOLROYD AREA ONLY

What is a protected tree or protected vegetation?

In the Holroyd Local Government Area (LGA) most trees and vegetation over 3.6 metres in height are protected by Council's Tree Management Controls. In order to prune or remove protected trees / vegetation, written approval is required from Council. This requires the submission of an 'Application for Approval to Prune/ Remove a Tree/s and/or Vegetation'.

Prior to submitting a Tree Application requesting approval to prune or remove your tree, consideration should be given to the matters listed below.

i/ Exempt Tree Works

There are a number of tree works that are exempt from Council's Tree Management Controls meaning written Council approval is not required. Please refer to the brochure 'Tree Management Controls' for the list of trees that can be removed and pruning works which can be carried out without Council approval.

Have you identified the species of your tree? If in doubt seek help from Council, a qualified Horticulturist, an Arborist or your local nursery.

ii/ Neighbouring Trees/ Vegetation

If an adjacent tree is affecting you or your property, you should first approach the tree owner/s to inform them of the problems you are experiencing. If the property is rented you should approach the managing agent. If the owner or managing agent won't respond to your concerns you could write to them. You could also seek a free mediation service from the Community Justice Centre (CJC) who will contact them on your behalf. As this is a civil matter Council will not get involved until a Tree Application, signed by the tree owner/s is submitted. If you intend to submit an application on behalf of your neighbour, you must first get their agreement to the tree works and have them complete the relevant section on the form and sign and date it.

Note: You should never prune or remove a neighbour's tree until you have sought your neighbour's written approval and if required, an approval for the work/s has been issued by Council.

If the tree matter with your neighbour isn't resolved, the Trees (Disputes between Neighbours) Act 2006, now provides residents with an option to have the matter dealt with by the Land & Environment Court. Information regarding this legislation is available on <http://www.lec.lawlink.nsw.gov.au>

iii/ Tree/s growing on the naturestrip or in a Council Park

Issues with Council owned trees unrelated to redevelopment must be directed to the Open Space section of Council's Engineering Services Department for action. DO NOT complete a Tree Application; instead write to Council or contact Council's Customer Services Unit on 9840 9840.

iv/ Trees on proposed Development Sites

Prior to the preparation of plans for the redevelopment of a property any trees/ vegetation on/ adjacent to the premises are to be assessed in terms of their suitability for retention with the new development. Council can assess the trees on a proposed development site with the submission of a 'Pre-DA Lodgement Advice for Tree/s and/or Vegetation on Proposed Development Sites' form and payment of the relevant fee. Any other issues involving trees and development should be directed to Council's Landscape & Tree Management Unit.

v/ Heritage Properties

The pruning or removal of trees growing on Heritage listed properties may require the submission of a Development Application and a Heritage Statement. Contact Council's Duty Planner for Heritage advice.

Cumberland City Council

16 Memorial Avenue, PO Box 42, Merrylands NSW 2160.

T 8757 9000 W cumberland.nsw.gov.au E council@cumberland.nsw.gov.au

THE TREE APPLICATION PROCESS FOR PROTECTED TREES AND/OR VEGETATION

In order to carry out works to a tree covered by Council's Tree Management Controls, the 'Application for Approval to Prune/ Remove a Tree/s and/or Vegetation' needs to be completed & submitted to Council. Below is an outline of the steps involved in the process and the likely timeline once the application has been submitted to Council.

1. Completion of Application Form

The Tree Application is usually submitted by the property owner or a Strata Manager. If you are not the owner of the property where the tree is located, you will be required to get the property owner/s to agree to the proposed works on their tree/s and to sign the application form. If the owner's written consent is not provided, Council will not accept the application.

Details of the property where the tree is located, the reasons for the application and the approximate location of the tree/s on the subject site are also to be provided. Once completed, the application form is to be submitted to Council. The required fee, which is to accompany the application, may be paid in person or by means of a cheque or money order.

2. Assessment of the Tree/s

Within 2 weeks of receiving the tree application, an Officer from Council's Landscape & Tree Management Unit will undertake an inspection of the tree/s. If noted on the application form, the applicant can be contacted prior to the inspection. The inspection process may be delayed if access to inspect the tree/s is restricted or if inaccurate information is submitted on the application form.

At the inspection the Officer conducts a Visual Tree Assessment (VTA) to examine the tree's general health and structure and to assess the level of impact it may be having on people and property.

The following important Tree Assessment Criteria will be considered by the assessing Officer during an inspection:

- Health & Condition of the tree/s
- Prominence in the streetscape
- Significance as a visual screen
- Cultural & Species Significance
- Potential Hazard (such as structural defects)
- Significant property damage
- Significant poor amenity
- Importance to habitat and wildlife

The following are not considered as substantive criteria for the tree removal:

- Leaf, twig, flower & fruit drop or deadwood drop
- Bird dropping/ insects/ animal nuisance
- To increase sunlight or views or reduce shade
- Tree doesn't suit the landscape
- Unsubstantiated fear of tree failure
- The height/ size of the tree/s
- Minor damage to paths or paving
- To increase sunlight to solar or pool panels

3. Determination of the Tree Application

The assessment period from receiving the application to providing a written determination generally takes less than 4 weeks. Council will make a determination for each tree assessed as per below:



OR

Approval

Approval granted for branch pruning or removal of the whole tree.



OR

Deferral

Requesting the applicant to provide further information about the tree. Generally information from a professional such as an AQF Level 5 Consulting Arborist, a Structural/ Geotechnical Engineer or a Licensed Plumber will be required.

Once the correct information is provided, Council can usually complete its determination. The additional information should be received within 21 days.



Refusal

The requested tree works requested are refused as the tree was found to be in a good and acceptable growing condition and the reasons provided for its removal were not justified. Following a refusal, the Applicant may request Council review its decision by submitting an 'Application to Review Refusal of Tree Works – S82A Review'.