

Fact Sheet

Private Tree Works Application - FAQ



You will need to fill in this application form:

- If you want to prune or remove a tree which is over 3m in height.
- If you want to prune or remove a tree which is more than 3m away from a Council approved building such as your house, garage or pool, as measured from the base of the tree to the wall of the approved building. This distance is to be measured one (1) metre above ground level and between the face of the wall and the part of the trunk nearest the building.

An "approved building" means a building or part of a building which has been approved by Council under the EPA Act or LG Act or has otherwise been lawfully constructed but does not include; (a) a manufactured home, a moveable dwelling or associated structure or part of a manufactured home, a moveable dwelling or associated structure or (b) a temporary structure within the meaning of the LGA or (c) a structure included in the list of "exempt development" in the Gosford LEP 2014, GPSO or IDO 122.

You don't need to fill in this application form:

- For Deferred Matter land, contact the Local Land Service who are the approval authority for removal of trees or vegetation (not associated with a development activity). They can be contacted on 1300 778 080. Deferred Matter land can be identified by searching the Mapping Page <https://maps.gosford.nsw.gov.au/> (ensure you turn on the layer for the LEP 2014).
- If your tree is covered by the Rural Fire Services 10/50 Vegetation Clearing Code: <https://www.rfs.nsw.gov.au/plan-and-prepare/1050-vegetation-clearing>
- If your tree is dead or you want to remove dead branches from your tree.
- If the tree is on Council land or in the street: Contact Council on 4325 8222.

- If you want to prune 1m around the lines that bring the power from the street into your property.
- If you want to prune branches directly overhanging the roofline of an approved building (in accordance with Australian Standard AS4373).
- If your tree is one of the following exempt species: Camphor laurel, Coral tree, Rubber tree, Umbrella tree, Cocos palm, Willow tree, Radiata pine, Golden cypress, Non-native fruit trees.
- If your tree is part of a current Development Application with Council as it will be assessed as part of the DA process.
- A Complying Development Certificate (CDC) for complying development can be generally taken to satisfy removal and pruning of trees less than 8m high (or less than 6m high for a development that is not a dwelling house), without requiring a Tree Works Permit.

Tree Works Permits are issued for reasons other than development purposes (e.g. hazardous, poor condition trees).

Development Applications (DAs) are required when a development requires tree removal for no other reason than to accommodate development.

Therefore a DA is required for a development (not a Tree Works Permit and CDC) if there are no significant structural or health problems with a tree other than the tree being affected by a proposed development.

A Tree Works Permit is unlikely to be approved for development purposes, consequently a CDC cannot be issued.

Please do not complete this form for the sole purpose of obtaining a Tree Works Permit to satisfy a Complying Development Certificate (CDC); in such cases, lodge a DA instead.



Wyong Office: 2 Hely St / PO Box 20 Wyong NSW 2259 | P 02 4350 5555

Gosford Office: 49 Mann St / PO Box 21 Gosford NSW 2250 | P 02 4325 8222

E ask@centralcoast.nsw.gov.au | W centralcoast.nsw.gov.au | ABN 73 149 644 003

How to lodge the application:

- Use a form, available from the Building & Development page at www.s.centralcoast.nsw.gov.au
 - > [Online](#)
 - > [Download to print](#)
- Or, visit the following Council offices:
 - Administration Building, 49 Mann Street, Gosford
 - Erina Customer Service Centre, Erina Fair
 - Woy Woy Customer Service Centre, Woy Woy
- Fees apply if your application is for tree pruning or removal.
- You can pay by cash, cheque, credit card or eftpos at any of the above locations or you can mail your application, along with a cheque to Central Coast Council, PO Box 21, Gosford NSW 2250

What trees can't I remove or prune?

- Trees on land that you do not own, or for which you are not the delegated manager.

However, you can apply to prune branches from a tree that is overhanging from a neighbour's property, preferably with the neighbour's consent.

- Mangroves.

You will need to contact NSW Primary Industries Fishing & Aquaculture.

What happens after I lodge my application?

- Council's Tree Assessment Officer will come out to assess your application, usually within 10 working days of the application being received by Council's Tree Assessment Officer.
- A specific date and time for the inspection cannot be arranged in advance, unless determined that it is absolutely essential by the Tree Assessment Officer.

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- A specific date and time for the inspection cannot be arranged in advance, unless determined by the Tree Assessment Officer that it is absolutely essential.
- Council will notify you by email or mail of the result after inspection.
- Council's Consent, which is valid for two (2) years, must be displayed at the front of the site while the work is being carried out.

What if my application is refused?

- If you wish to appeal Council's decision, you may apply in writing to the CEO, Central Coast Council, PO Box 21, Gosford, 2250 for reconsideration of your application.
- A detailed Arborist Report and/or Tree Hazard Evaluation should support all appeals.
 - An Arboricultural Report must be prepared by a qualified arborist, suitably experienced and competent in arboriculture, having acquired through training, qualification (minimum Australian Qualification Framework (AQF) Level 5, Diploma of Horticulture (arboriculture) where deemed necessary by the Assessing Officer.

What can I do about my neighbour's problem tree?

- You can apply to Council to prune your neighbours overhanging tree branches back to your property boundary. We recommend you discuss this with your neighbour before lodging an application. However, you can prune branches directly overhanging the roofline of an approved building without Council's consent.
- Council does not become involved in civil disputes between neighbours regarding tree issues.
- Council does not provide advice on who is responsible for pruning or removal and who pays for costs relating to a neighbours tree.
- Neighbours who cannot resolve their disputes should obtain legal advice as to their rights, or call Law Access NSW on 1300 888 529 to obtain legal information and assistance.
- For disputes that are unable to be resolved, the Land & Environment Court of NSW in accordance with the [Trees \(Disputes between Neighbours\) Act 2006](#), may be able to assist.

What else do I need to know?

- To check if your tree is within a bush fire area and does not require the consent of Council, contact Rural Fire Services at www.rfs.nsw.gov.au
 - Generally, consent for removal of a tree will not be given if the complaint relates to leaf fall or enhancement of views.
 - Council encourages you to replace each tree removed with an Australian native tree or a tree suitable for the site and location.
 - Contact your energy provider if you have problems with a tree under the street power lines.
 - If there is immediate danger to life or property, contact the SES for emergency assistance then Council on 43258222 to explain why work was done without Council approval.
 - As Council is unable to recommend someone to prune or remove your tree, we suggest you consult with your local phone directory or the internet.
- Only the owner of a tree, or the owner's agent, can apply for removal of a tree. In the case of retirement villages, relocatable home parks, villas and townhouses, the manager of the Owner's Corporation would need to apply.
 - To remove trees containing hollows that may be providing habitat for wildlife, please check with the NSW Office of Environment & Heritage to see if licensing is required.
 - Information provided on this form may be obtained under the Government Information (Public Access) Act 2009.
 - Your approval is valid for two (2) years from the date of consent.
 - Personal information provided to Council is subject to the Privacy and Personal Information Protection Act 1998. Such information will be used for Council's reporting, business needs and related procedures only.