

Native Vegetation Removal

Do not use this form if:

- the tree(s) to be removed meet the exempt criteria as set out in Part A Section 3.3 of the Urban Forest Technical Manual (Manual).
- the tree(s) to be removed on your property are within a 10/50 declared area with regard to bushfire, confirm at www.rfs.nsw.gov.au/plan-and-prepare/1050-vegetation-clearing
- the tree(s) or vegetation to be removed is associated with development. Refer to Duty Officer or Private Certifier.
- there is a previous development consent requiring the retention or planting of the tree(s) or vegetation proposed for removal. Refer to Duty Officer, potential section 96 application.
- the tree(s) or vegetation to be removed are, or form part of, a heritage item, known Aboriginal object or place of Aboriginal significance. Refer to *Heritage Minor Works or Maintenance Notification*.
- the pruning or vegetation removal requires development approval. Refer to Duty Officer or Private Certifier.
- the pruning or clearing is within a designated *State Environmental Planning Policy No. 14 Coastal Wetlands* wetland boundary - refer to Duty Officer.
- the pruning or clearing that exceeds the biodiversity offsets scheme threshold (refer to *Biodiversity Conservation Act 2016* for further information), or is on land identified by the Biodiversity Values Map as defined by the *Biodiversity Conservation Regulation 2017*, confirm at www.environment.nsw.gov.au/biodiversity/entryrequirements.htm

Note 1: Before submitting a *Permit Application for Native Vegetation Removal* refer to Council's *Newcastle Local Environment Plan 2012* to ascertain whether the removal is associated with works or activities that require the lodging of a Development Application, or will need to be assessed as complying development. A permit **will not** be issued if the vegetation removal is associated with development.

Note 2: All applications for removing vegetation must comply with the provisions in the *Biodiversity Conservation Act 2016*, *Biodiversity Conservation Regulation 2017*, *State Environmental Planning Policy (Vegetation in Non-rural Areas) 2017*, and Section 5.03 *Vegetation Management of Newcastle Development Control Plan 2012*. Part C of Council's Urban Forest Technical Manual (The Manual) provides further guidance.

Note 3: For proposals that remove or impact threatened species, communities or populations, or are located within sensitive environmental lands (like wetland areas or riparian corridors), or more than 1000m² of vegetation is to be removed, please seek professional advice prior to submitting your *Permit Application for Native Vegetation Removal*. Additional ecological information will be required to support your application **and** additional licences and approvals may also need to be obtained from other State Government Agencies.

Part 1: Applicant and site details

1. Applicant details

All correspondence will be sent to this address if it is not care of a company.

Name or company.....
 ABN
 Postal address
 Suburb Postcode
 Phone E-mail
 Contact person
 Preferred method of correspondence E-mail Post

Leave blank if not required

Will your correspondence be care of another company? Yes No
 Care of - name or company
 ABN Contact person
 Postal Address
 Phone E-mail

2. Location and title description of the property

To correctly identify the land.

Unit No House No Street
 Locality
 Lot(s) Section
 Deposited Plan(s) Strata plan
 Other

3. Who owns the land?

Give the name of **every** owner and their postal address. (It is not to be marked 'Care Of' the company submitting the application'). If insufficient space is available please attach a separate list.

Name 1
 Address
 Postcode Phone
Name 2
 Address
 Postcode Phone

4. Reason for native vegetation to be pruned

Do not use this form if vegetation removal is associated with a development.

If your application involves pruning and **no** removal of native vegetation, complete Question 4 and proceed to Question 6.

Why is the native vegetation to be pruned?
 Please provide attachment if more space required.

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5. Reason for native vegetation to be cleared

Do not use this form if vegetation removal is associated with a development.

If your application involves removal of native vegetation, complete Question 5 and proceed to Question 6.

Why is the native vegetation to be cleared?
Please provide attachment if more space required.

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Note: All Applicants need to clearly explain why the proposed clearing of the native vegetation is required. Vegetation clearing proposals associated with activities/works that require a development application to be lodged with Council, or relate to complying development, **will not be approved** using this permit.

6. Tick the box that best describes the native vegetation to be removed

The information required to support an application to clear native vegetation is determined by the type of vegetation to be removed, the location of the vegetation (eg. within a riparian zone or wetland area) and the amount of vegetation to be removed.

If you are unsure of the type of vegetation you have on your property, please seek professional advice before completing Question 6.

Please note **all** applications need to include a map that identifies the land is not affected by the Biodiversity Values Map, confirm at www.environment.nsw.gov.au/biodiversity/entryrequirements.htm

Please select from the following options:

The native vegetation to be pruned and/or removed is:

- (a) less than 400m², does not involve the removal of trees or shrubs, threatened species or threatened ecological communities, and is not within 40m of a watercourse or 100m of a wetland.

Proceed to section 7.

- (b) less than 400m² and will remove trees or shrubs:
 - An ecologist has been consulted and a completed *Native Vegetation Summary Report* is attached to this application form. Refer to Part C of the Manual, Appendix 12 - Native Vegetation Summary Report on Council's website.

Note: If trees are proposed to be removed because of an unacceptable risk or property damage, an arborist report may be required to support the removal.

- (c) between 400m² - 1000m² (with/without tree or shrub removal):
 - An ecologist has been consulted and a completed *Native Vegetation Summary Report* is attached to this application form. Refer to Part C of the Manual, Appendix 12 - Native Vegetation Summary Report on Council's website.
- Note: If trees are proposed to be removed because of an unacceptable risk or property damage, an arborist report may be required to support the removal.

- (d) greater than 1000m² and the removal does not exceed the biodiversity offsets scheme (refer to *Biodiversity Conservation Act 2016* for further information)

- An ecologist has been consulted and a *Fauna and Flora Impact Assessment*, completed by a suitably qualified ecologist, is attached to this application form.

Note: The State Environmental Planning Policy (Vegetation in Non-rural Areas) 2017 **prohibits** Council from issuing permits for clearing of native vegetation that exceeds the biodiversity offsets scheme threshold, or is on land identified by the Biodiversity Values Map as defined by the *Biodiversity Conservation Regulation 2017*, confirm at www.environment.nsw.gov.au/biodiversity/entryrequirements.htm.

- (e) within a riparian zone (40m of a watercourse) or within 100m of a wetland area.

- An ecologist has been consulted and a *Fauna and Flora Impact Assessment*, completed by a suitably qualified ecologist, is attached to this application form.

The applicant may be required to obtain additional approvals from other NSW Government agencies to remove vegetation within these sensitive environmental zones.

- (f) within the boundary of a *State Environmental Planning Policy 14 - Coastal Wetland* or a *State Environmental Planning Policy 26 - Littoral Rainforest*. Do not use this form to apply for a permit to remove vegetation. Native vegetation removal within these areas requires the submission of a Development Application.

- (g) a threatened species, population or community listed under the *Biodiversity Conservation Act 2016*, or vegetation within a marine or estuarine area listed under the *Fisheries Management Act 1994*.

Before submitting your application it is important to obtain professional advice. You may be required to apply for additional approvals from other NSW Government agencies and/or commission impact assessments to support the removal of certain species, habitats and communities under these Acts. You may also be required to lodge a Development Application rather than applying for a permit using this form.

If proceeding with an application for a permit to remove native vegetation using this form please indicate:

- An ecologist has been consulted and a *Native Vegetation Summary Report* is attached (with required assessments and approvals included).

7. Describe the native vegetation to be pruned/cleared (including small shrubs, understorey plants, grasses and groundcovers, or plants occurring within wetland area)

This section is ONLY to be used for applications to remove less than 400m² of native vegetation.

For all other removals the information provided at Question 7 will be included in the reports submitted as outlined at Question 6 of this form and Part C Section 3.0 of the Manual.

- (a) How much vegetation is to be removed as
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- (b) Describe the native vegetation community on your property and provide a list of the native species to be pruned/cleared. Please provide attachment if more space required.
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- (c) Do any of the trees or shrubs contain hollows or provide habitat for native fauna, including threatened species?
 - No
 - Yes (please provide further detail)
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- (d) Attach a site map that identifies the location of the property, and clearly indicates the extent of native vegetation to be cleared and any vegetation to be retained on the site.

- (e) Attach photographs of the native vegetation to be removed/pruned.

Part 2: Owner's consent and applicant's declaration

8. Probity

Parties include owners, applicants, developers and companies.

Are parties with pecuniary or non-pecuniary interest:

a) a staff member, councillor, contractor, or related to someone who is: a staff member, councillor, contractor of Newcastle City Council? or,

b) a State or Federal Member of Parliament?

Yes. If yes, state the relationship and person

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No

9. Applicant's declaration

- I declare that all the information given is true and correct.
- I understand that if incomplete, the application may be delayed, rejected or returned.
- I understand that the information supplied on this form and any related document may be made available to the public for inspection both at Council and on Council's website, and will be available for copying at Council. I indemnify all persons using the documents in accordance with the *Environmental Planning and Assessment Act, 1979* against any claim or action in respect of breach of copyright.

Applicant's name (please print)

Signature Date

10. Owner's consent

Who signs the form?

- All owners
- If a company - a director, secretary or authorised delegate.
- If the property is strata titled - the authorised delegate of the Owners Corporation
- If Crown Land - an authorised officer of the relevant government authority must sign the application'.

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

Signature/s	Name/s Please Print	Capacity*	Date
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**If signing on the owner's behalf as the owner's legal representative, you must state the nature of your legal authority and attach any available evidence (eg, power of attorney, executor, trustee, company director).*

Protecting your privacy

Newcastle City Council is committed to protecting your privacy. We take reasonable steps to comply with relevant legislation and Council's Privacy Management Plan.

- Purpose of collection:** To enable Council as the consent authority to assess your proposal.
- Intended recipients:** Council staff and other government agencies that may be required to assess the proposal.
- Supply:** The information is a statutory requirement related to the assessment of the application.
- Consequence of non-provision:** Your application may not be accepted or processed due to a lack of information.
- Storage and Security:** Newcastle City Council, 282 King Street Newcastle will store details of the application. Individuals can access the details of the application under the Government Information (Public Access) Act 2009.
- Access:** Your information can be checked for accuracy by calling (02) 4974 2000.

How to lodge your application

Applications can be lodged either:

1. In person at the Customer Service Centre, located at **282 King Street, Newcastle.**
2. Via email - mail@ncc.nsw.gov.au
3. By mail - Postal address:
Newcastle City Council
PO Box 489
NEWCASTLE NSW 2300

Fees are calculated on a scale based on the number of trees under this application.

Payment Methods

You can pay by cash, cheque, Credit Card or EFTPOS.

Please note a merchant fee is payable on all credit card transactions

Cheques are to be made payable to:
Newcastle City Council.

Acknowledgement

We will acknowledge that we have received your application. You will receive a letter and receipt specifying the amount of fees paid, and the registered number of the application.

How to contact us:

Phone: (02) 4974 2000

E-mail: mail@ncc.nsw.gov.au