



# Exempt Trees List

## A guide for residents & landowners

## **A Tree Work Permit is required for cutting down, topping, lopping, pruning, ringbarking or removing a tree.**

**The exception to this some undesirable trees and plants that have been identified by a qualified person – the trees and plants are listed in this guide.**

Before removing a tree, you need written advice from a qualified arborist/horticulturalist that you must keep if Council investigates the removal of the tree.

In the event of prosecution, it will not be a sufficient defence that the species was not appropriately identified by a qualified person.

Visit Council's website if you are not sure that a tree/plant you want to remove from your property is a species included in the Exempt Tree schedule. When in doubt, apply for a Tree Work Permit from Council by calling 97250 222.

[www.fairfieldcity.nsw.gov.au](http://www.fairfieldcity.nsw.gov.au)

More detailed information is available in the Schedule beginning on page 2.

# Schedule

**Trees and plants identified by a qualified arborist/horticulturalist that can be removed without the need for a Tree Work Permit from Council.**

Conditions apply:

- You must keep a copy of written advice provided by a qualified arborist/horticulturalist.
- You must not remove a tree without written advice provided by a qualified arborist/horticulturalist.

<b>A</b>			
Common Name	Scientific name	Common Name	Scientific name
Aaron's Beard / Rose-of-Sharon	<i>Hypericum calcinum</i>	Anchored water hyacinth	<i>Eichhornia azurea</i>
African boxthorn	<i>Lycium ferocissimum</i>	Apple of Sodom	<i>Solanum linnaeanum</i>
African lovegrass	<i>Eragrostis curvula</i>	Arrowhead	<i>Sagittaria montevidensis</i>
African olive	<i>Olea europaea subsp. cuspidata</i>	Arum lily	<i>Zantedeschia aethiopica</i>
Agapanthus	<i>Agapanthus Praecox subsp. Orientalis</i>	Asparagus weeds	<i>Asparagus species (generally)</i>
Alligator weed	<i>Alternanthera philoxeroides</i>	Athel pine	<i>Tamarix aphylla</i>
American cooton palm / Cotton palm / California fan palm	<i>Washingtonia filifera</i>	Awabuki sweet viburnum	<i>Viburnum odoratissimum var awabuki</i>

<b>B</b>			
Common Name	Scientific name	Common Name	Scientific name
Balloon vine	<i>Cardiospermum grandiflorum</i>	Brazilian button flower	<i>Centratherum punctatum</i>
Banana passionfruit	<i>Passiflora tarminiana</i>	Brazilian cherry	<i>Eugenia uniflora</i>
Beach daisy	<i>Arctotheca populifolia</i>	Bridal creeper	<i>Asparagus asparagoides</i>
Bellyache bush	<i>Jatropha gossypifolia</i>	Bridal veil creeper	<i>Asparagus declinatus</i>
Berberis / Barberry	<i>Berberis aristata</i> / <i>B. darwini</i> / <i>B. thunbergii</i>	Broad-leaf pepper tree	<i>Schinus terebinthifolius</i>
Billardiera / Bluebell creeper	<i>Billardiera heterophylla</i>	Broomrapes	<i>Orobanche species</i>
Bitou bush	<i>Chrysanthemoides monilifera</i> subsp. <i>Rotundata</i>	Buckthorn	<i>Rhamnus alaternus</i>
Black cherry / Wild black cherry	<i>Prunus serotina</i>	Buffel grass	<i>Cenchrus ciliaris</i>
Black knapweed	<i>Centaurea nigra</i>	Burr ragweed	<i>Ambrosia confertiflora</i>
Black locust	<i>Robinia pseudoacacia</i>	Bushman's poison / Hottentot's poison / Poison arrow plant / Wintersweet	<i>Acokanthera oblongifolia</i>
Black willow	<i>Salix nigra</i>	Blue periwinkle	<i>Vinca major</i>
Blackberry	<i>Rubus fruticosus</i> species aggregate	Blue stars	<i>Aristea ecklonii</i>
Blue heliotrope	<i>Heliotropium amplexicaule</i>	Bokhara	<i>Melilotus albus</i>
Blue hound's tongue	<i>Cynoglossum creticum</i>	Boneseed	<i>Chrysanthemoides monilifera</i> subsp. <i>Monilifera</i>
Box Elder	<i>Acer negundo</i>		

<b>C</b>			
Common Name	Scientific name	Common Name	Scientific name
Cabomba	<i>Cabomba species</i>	Climbing asparagus	<i>Asparagus africanus</i>
Camphor laurel	<i>Cinnamomum camphora</i>	Climbing asparagus fern	<i>Asparagus plumosus</i>
Cane needle grass	<i>Nassella hyalina</i>	Climbing nightshade / Brazilian nightshade	<i>Solanum seaforthianum</i>
Cape / Montpellier broom	<i>Genista monspessulana</i>	Cockspur coral tree	<i>Erythrina crista-galli</i>
Cape honeysuckle	<i>Tecoma capensis</i>	Cocos palm	<i>Syagrus romanzoffiana</i>
Cape ivy	<i>Delairea odorata</i>	Coffee bush / Leucaena	<i>Leucaena leucocephala</i>
Cape tulip	<i>Moraea species</i>	Coolatai grass	<i>Parthenia hirta</i>
Cassia	<i>Senna pendula var. glabrata</i>	Coral berry	<i>Ardisia crenata</i>
Cat's claw creeper	<i>Dolichandra unguis-cati</i>	Coral creeper	<i>Barleria repens</i>
Cherry guava	<i>Psidium cattleianum</i>	Coral tree	<i>Erythrina x sykesii</i>
Chilean needle grass	<i>Nassella neesiana</i>	Corky passionfruit	<i>Passiflora suberosa</i>
Chinese celtis	<i>Celtis sinensis</i>	Cotoneaster	<i>Cotoneaster glaucophyllus</i>
Chinese elm	<i>Ulmus parvifolia</i>	Creeping lantana	<i>Lantana montevidensis</i>
Chinese knotweed	<i>Persicaria chinensis</i>	Crofton weed	<i>Ageratina adenophora</i>
Chinese tallow tree	<i>Triadica sebifera</i>	Cumbungi	<i>Typha latifolia</i>
Chinese violet	<i>Asystasia gangetica subsp. micrantha</i>		

<b>D</b>			
Common Name	Scientific name	Common Name	Scientific name
Day-lily / Kwanso	<i>Hemerocallis fulva</i>	Dutchmans pipe	<i>Aristolochia elegans</i>
Dipogon	<i>Dipogon lignosus</i>		

<b>E</b>			
Common Name	Scientific name	Common Name	Scientific name
East Indian hygrophila	<i>Hygrophila polysperma</i>	European hackberry / Lote tree / Nettle tree / Mediterranean hackberry	<i>Celtis australis</i>
Espartillo – broad kernel	<i>Amelichloa caudata</i>	European olive	<i>Olea europaea subsp. Europaea</i>
Espartillo – narrow kernel	<i>Amelichloa brachychaeta</i>		
Eurasian water milfoil	<i>Myriophyllum spicatum</i>		

<b>F</b>			
Common Name	Scientific name	Common Name	Scientific name
Firethorn	<i>Pyracantha spp.</i>	Formosa lily / Taiwan lily	<i>Lilium formosanum</i>
Fireweed	<i>Senecio madagascariensis</i>	Fountain grass	<i>Pennisetum setaceum</i>
Fishbone fern	<i>Nephrolepis cordifolia</i>	Foxglove tree / Empress tree	<i>Paulownia tomentosa</i>
Flax-leaf broom	<i>Genista linifolia</i>	Frogbit	<i>Limnobium laevigatum</i>

<b>G</b>			
Common Name	Scientific name	Common Name	Scientific name
Galenia	<i>Galenia pubescens</i>	Golden rain tree	<i>Koelreuteria elegans</i>
Gamba grass	<i>Andropogon gayanus</i>	Golden wreath wattle	<i>Acacia saligna</i>
Giant devil's fig	<i>Solanum chrysotrichum</i>	Gorse	<i>Ulex europaeus</i>
Giant Parramatta grass	<i>Sporobolus fertilis</i>	Green cestrum	<i>Cestrum parqui</i>
Giant rat's tail grass	<i>Sporobolus pyramidalis</i>	Grey sallow	<i>Salix cinerea</i>
Giant reed	<i>Arundo donax</i>	Ground asparagus	<i>Asparagus aethiopicus</i>
Ginger lily	<i>Hedychium gardnerianum</i>	Groundsel bush	<i>Baccharis halimifolia</i>
Glory lily	<i>Gloriosa superba</i>		

<b>H</b>			
Common Name	Scientific name	Common Name	Scientific name
Harrisia cactus	<i>Harrisia species</i>	Honey locust	<i>Gleditsia triacanthos</i>
Hawkweed	<i>Hieracium species</i>	Horsetails	<i>Equisetum species</i>
Himalayan honeysuckle	<i>Leycesteria formosa</i>	Hydrocotyl / Water pennywort	<i>Hydrocotyl ranunculoides</i>
Holly / English holly	<i>Ilex aquifolium</i>	Hygrophila	<i>Hygrophila costata</i>
Holly-leaved senecio	<i>Senecio glastiolius</i>	Hymenachne	<i>Hymenachne amplexicaulis and hybrids</i>

<b>I</b>			
Common Name	Scientific name	Common Name	Scientific name
Indian hawthorn	<i>Rhaphiolepis indica</i>		

<b>J</b>			
Common Name	Scientific name	Common Name	Scientific name
Japanese climbing fern	<i>lygodium japonium</i>	Japanese honeysuckle	<i>Lonicera japonica</i>
Japanese hawthorn / Yeddo hawthorn	<i>Rhaphiolepis umbellata</i>	Jasmine / White Jasmine / Chinese jasmine	<i>Jasminum polyanthum</i>

<b>K</b>			
Common Name	Scientific name	Common Name	Scientific name
Karoo thorn / acacia	<i>Vachellia Karoo / Acacia karroo</i>	Kikuyu	<i>Pennisetum clandestinum</i>
Kei apple	<i>Dovyalis caffra</i>	Kochia	<i>Bassia scoparia</i>
Keriberry	<i>Rubus rugosus</i>	Koster's curse	<i>Clidemia hirta</i>
Kidney-leaf mud plantain	<i>Heteranthera reniformis</i>	Kudzu	<i>Pueraria lobata</i>

<b>L</b>			
Common Name	Scientific name	Common Name	Scientific name
Lagarosiphon	<i>Lagarosiphon major</i>	Leafy elodea	<i>Egeria densa</i>
Lantana	<i>Lantana species</i>	Long-leaf willow primrose	<i>Ludwigia longifolia</i>
Leaf cactus	<i>Pereskia aculeata</i>		

<b>M</b>			
Common Name	Scientific name	Common Name	Scientific name
Madeira vine	<i>Anredera cordifolia</i>	Mistflower	<i>Ageratina riparia</i>
Mahonia / Chinese holly	<i>Berberis lomariifolia</i>	Monkey's comb	<i>Pithecoctenium crucigerum</i>
Mesquite	<i>Prosopis species</i>	Montbretia	<i>Crocsmia x crocosmiiflora</i>
Mexican feather grass	<i>Nassella tenuissima</i>	Morning glory – coastal	<i>Ipomoea cairica</i>
Mexican water lily / Yellow water lily	<i>Nymphaea mexicana</i>	Morning glory – common	<i>Ipomoea purpurea</i>
Miconia	<i>Miconia species</i>	Morning glory – purple/blue	<i>Ipomoea indica</i>
Mikania vine	<i>Mikania micrantha</i>	Mossman River grass	<i>Cenchrus echinatus</i>
Mimosa	<i>Mimosa pigra</i>	Moth vine	<i>Araujia sericifera</i>
Mimosa bush / Briar bush / Yellow mimosa	<i>Vachellia farnesiana</i>	Mother-of-millions	<i>Bryophyllum spp.</i>
Ming asparagus fern	<i>Asparagus macowanii</i> <i>var. zuluensis</i>	Murraya / Orange jessamine	<i>Murraya paniculata</i>
Mirror bush	<i>Coprosma repens</i>	Mysore thorn	<i>Caesalpinia decapetala</i>

<b>N</b>			
Common Name	Scientific name	Common Name	Scientific name
New Zealand flax	<i>Phormium tenax</i>	Nodding thistle	<i>Carduus nutans</i>

<b>O</b>			
Common Name	Scientific name	Common Name	Scientific name
Ochna / Micky Mouse plant	<i>Ochna serrulata</i>	Opuntia	<i>Opuntia spp.</i> , <i>Cylindropunta spp.</i> , <i>Austrocylindropunta spp.</i> (excludes <i>O.ficus- indica</i> )
Onion grass	<i>Romulea rosea</i>	Osage orange	<i>Maclura pomifera</i>

<b>P</b>			
Common Name	Scientific name	Common Name	Scientific name
Pampas grass	<i>Cortaderia species</i>	Pink trumpet vine	<i>Podranea ricasoliana</i>
Pampas lily of the valley	<i>Salpichroa organifolia</i>	Pond apple	<i>Annona glabra</i>
Paper mulberry	<i>Broussonetia papyrifera</i>	Prairie ground cherry	<i>Physalis hederifolia</i>
Parthenium weed	<i>Parthenium hysterophorus</i>	Prickly acacia	<i>Acacia nilotica</i>
Paterson's curse	<i>Echium plantagineum</i>	Privet – broad-leaf	<i>Ligustrum lucidum</i>
Patula pine / Mexican weeping pine	<i>Pinus patula</i>	Privet – European	<i>Ligustrum vulgare</i>
Pellitory / Asthma weed	<i>Parietaria judaica</i>	Privet – narrow-leaf	<i>Ligustrum sinense</i>
Phoenix palm / Canary Island date palm	<i>Phoenix canariensis</i>		

<b>Q</b>			
Common Name	Scientific name	Common Name	Scientific name
Nil			

<b>R</b>			
Common Name	Scientific name	Common Name	Scientific name
Radiata pine	<i>Pinus radiata</i>	Rhodes grass	<i>Chloris gayana</i>
Rattlepods	<i>Crotalaria lunata</i>	Rhus tree	<i>Toxicodendron succedaneum</i>
Red ludwigia	<i>Ludwigia repens</i>	Rubber vine	<i>Cryptostegia grandiflora</i>
Reed canary grass	<i>Phalaris arundinacea</i>	Rush - soft	<i>Juncus effusus</i>
Reed sweet grass	<i>Glyceria maxima</i>	Rush - jointleaf	<i>Juncus articulatu</i>
Rhizomatous bamboo	<i>Phyllostachys species</i>		



<b>S</b>			
Common Name	Scientific name	Common Name	Scientific name
Sagittaria	<i>Sagittaria platyphylla</i>	Siratro	<i>Macroptilium atropurpureum</i>
Salvinia	<i>Salvinia molesta</i>	Skunk vine	<i>Paederia foetida</i>
Scotch broom	<i>Cytisus scoparius</i>	Snakefeather	<i>Asparagus scandens</i>
Scotch thistle	<i>Onopordum acanthium</i>	Spanish broom	<i>Spartium junceum</i>
Sea spurge	<i>Euphorbia paralias</i>	Spanish heath	<i>Erica lusitania</i>
Sedge / Cyperus	<i>Cyperus teneristolon</i>	Spiderwort / Moss inch plant	<i>Tradescantia cerinthoides</i>
Senegal tea plant	<i>Gymnocoronis spilanthoides</i>	Spiny burrgrass – longispinus	<i>Cenchrus longispinus</i>
Serrated tussock	<i>Nassella trichotoma</i>	Spiny rush / Spike rush / Sharp rush	<i>Juncus acutus</i>
Siam weed	<i>Chromolaena odorata</i>	Spotted knapweed	<i>Centaurea stoebe subsp. micranthos</i>
Sicilian sea lavender	<i>Limonium hyblaicum</i>	St. John's wort	<i>Hypericum perforatum</i>
Sicklethorn	<i>Asparagus falcatus</i>	Sweet briar	<i>Rosa rubiginosa</i>
Silverleaf nightshade	<i>Solanum elaeagnifolium</i>	Sweet vernal-grass	<i>Anthoxanthum odoratum</i>
Singapore daisy	<i>Wedelia trilobata</i>		

<b>T</b>			
Common Name	Scientific name	Common Name	Scientific name
Tall wheat grass	<i>Thinopyrum ponticum</i>	Tropical soda apple	<i>Solanum viarum</i>
Tangier pea	<i>Lathyrus tingitanus</i>	Turkey rhubarb	<i>Acetosa sagittata</i>
Trad / Wandering Jew	<i>Tradescantia albiflora</i>	Tussock paspalum	<i>Paspalum quadrifarium</i>
Tree-of-heaven	<i>Ailanthus altissima</i>	Tutsan	<i>Hypericum androsaemum</i>

<b>U</b>			
Common Name	Scientific name	Common Name	Scientific name
Umbrella tree	<i>Schefflera actinophylla</i>		

<b>V</b>			
Common Name	Scientific name	Common Name	Scientific name
Viper's bugloss	<i>Echium vulgare</i>		

<b>W</b>			
Common Name	Scientific name	Common Name	Scientific name
Water caltrop	<i>Trapa species</i>	White blackberry	<i>Rubus niveus</i>
Water hyacinth	<i>Eichhornia crassipes</i>	Wild poinsettia	<i>Euphorbia cyathophora</i>
Water lettuce	<i>Pistia stratiotes</i>	Wild tobacco	<i>Solanum mauritianum</i>
Water poppy	<i>Hydrocleys nymphoides</i>	Willow-leaf primrose / Water primrose	<i>Ludwigia peruviana</i>
Water soldier	<i>Stratiotes aloides</i>	Willows	<i>Salix species</i>
Water star grass	<i>Heteranthera zosterifolia</i>	Winter senna	<i>Senna septemtrionalis</i>
Watsonia	<i>Watsonia meriana</i>	Witchweed	<i>Striga species</i>
Whisky grass	<i>Andropogon virginicus</i>		

<b>X</b>			
Common Name	Scientific name	Common Name	Scientific name
Nil			

<b>Y</b>			
Common Name	Scientific name	Common Name	Scientific name
Yellow bells	<i>Tecoma stans</i>	Yorkshire fog	<i>Holcus lanatus</i>
Yellow burrhead	<i>Limnocharis flava</i>		

<b>Z</b>			
Common Name	Scientific name	Common Name	Scientific name
Nil			

# Exemptions

The following trees or works are exempt from the provisions of Council's Fairfield Citywide Development Control Plan 2013 and Council permission, through a Tree Work Permit, in relation to:

- a) Undesirable' trees listed under the Schedule;
- b) All trees, plants declared priority weeds under the *Biosecurity Act 2015* – see Schedule;
- c) Category W2 - Rhus Tree (*Toxicodendron succedaneum*);
- d) To trees less than four metres in height or with a branch span of less than 3 metres or with a trunk diameter of less than 75mm measured 1 metre above ground level (not including trees associated with the Cumberland Plain Critically Endangered Ecological Community – see s. 3.2.8 for further information);
- e) Where permission has been granted with a valid Development Consent issued by Council;
- f) Where the Rural Fire Service has issued a Hazard Reduction Certificate (Fire Permit) under the *Rural Fires Act 1997*;
- g) Work permitted under section 48 of the *Electricity Supply Act 1995* including pruning of branches within 0.5 metres of electrical service lines on private property;
- h) Where the tree's condition constitutes an immediate threat to life or property. In these circumstances only authorised emergency service personal are permitted to work on trees on Council land;
- i) Tree work undertaken by Council or Council's authorised agents, on Council owned land, providing these works are consistent with Council's policies and internal guidelines;
- j) Minor pruning of branches not more than 50mm in diameter provided work is consistent with the Australian Standard for Pruning of Amenity Trees (AS 4373-2007);
- k) Minor pruning of roots not more than 30mm in diameter provided work is consistent with the Australian Standard for Pruning of Amenity Trees (AS 4373-2007);
- l) Pruning of branches directly overhanging the roof of a residence or commercial building, only to the nearest branch junction or collar to clear the roofline, subject to owner's approval and provided work is consistent with the Australian Standard for Pruning of Amenity Trees (AS 4373-2007). Detached garages, carports and ancillary buildings are not included in this exemption; and
- m) Trees within 3 metres of an approved, existing residential building, measured from the centre of the trunk of the tree at ground level to the external wall of the building. The trunk of the tree must be located on the same property. Verandas, all carports, detached garages, and ancillary buildings, cantilevered and pier supported structures such as balconies and decks are not included within this exemption; and for pruning and/or removing dead trees and branches.

**In any prosecution for the unauthorised removal or pruning of a tree, it will not be sufficient defence that the species was not appropriately identified by a qualified person prior to the removal of the tree.**