



Tree Management and Tree Work Permits

What is a Tree Work Permit?

A tree is defined as being 4 metres or more in height, or with a spread of more than 3 metres, or with a trunk diameter of more than 75mm measured 1 metre above the ground level. Other definitions apply if the tree is located on the Fairfield LEP Riparian Land and Waterways Map.

To prune or remove a tree on private property, you will need a Tree Work Permit from Council.

Council will consider a Tree Work Permit application to:

- Remove dead trees and dead branches
- Remove a tree causing extensive structural damage, supported by a report from an engineer, where there are no repair options
- Prune or remove trees that are a safety hazard

Council will not consider an application to prune or remove a tree:

- To improve views
- For minor lifting of driveways and paths by tree roots
- To improve solar access or stop overshadowing by removing a tree
- To prevent termite damage (termites only eat dead wood)
- To remove tree roots in pipes including clay pipes

Tree Work Permits

Tree Work Permits and the Law

Under the Environmental Planning and Assessment Act, State Environmental Planning Policy (Biodiversity and Conservation) 2021 aims to:

- protect the biodiversity values of trees and other vegetation in non-rural areas, and
- preserve the amenity of non-rural areas through the preservation of trees and other vegetation.

The State Policy applies to private properties in Fairfield City including within residential areas, commercial areas, industrial areas and private recreation sites.

Clearing vegetation (including trees) in most cases requires a permit or approval from Council. The exception is that approval is not required for the removal of limited undesirable trees and plants.

Permits conditions must be followed, noting action may be required before or after the clearing is carried out.

Note: The Land and Environment Court has directed that disruption to infrastructure such as kerb, footpath, driveways etc. is not a reason for the removal of trees.

How to apply?

Tree Work Permit Applications

To apply for a Tree work Permit, follow the steps below:

1. **The application form must be signed by the owner of the property** on which the trees are located. (In case of Strata or Company Title, this is the Body Corporate);
2. **Council can only give consent to the property owner** (That is the owner of the land where the tree is standing);

3. **Permission for the removal of trees will only be given** if trees are unhealthy or diseased (potentially dangerous), dying, or causing serious structural damage (dropping of leaves and twigs is not a valid reason).
4. **The trees should be clearly identified** if it is anticipated that the applicant or their representative will not be on site at the time of the inspection. (Mark the trees with a ribbon or something that will be easily noticed);
5. **The Tree Work Permit Approval must be on site** when the approved works are being carried out (keep a copy of your approval on site at all times);
6. **Approval is valid for six (6) months** only from the date of inspection (You can apply for an extension);
7. **Refusal of a Tree Work Permit can be appealed** by obtaining an independent assessment by a suitably qualified arborist and making an application to Council for a review (fees applies); and
8. **Payment of the Inspection Fee** must accompany your completed application form. (Once this is paid, an appointment if required for the inspection will be scheduled).

Tree Work Permit Conditions

- All approved pruning must be protect the health of the tree by using correct pruning techniques
- All tree removal and pruning work must keep nearby people and property safe.
- All approved tree pruning work must be done to Australian Standard AS4373-2007 - Pruning of Amenity Trees.

Questions?

Call Fairfield City Council on 9725 0222.