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**Office Location:**

44 Princess Street, Macksville NSW 2447

Updated: July 2024 Our Ref: 42074/2018

# TREE PERMIT APPLICATION

Environmental Planning & Assessment Act 1979  
Environmental Planning & Assessment Regulation 2000  
SEPP (Vegetation In Non-Rural Areas) 2017

**About this form**

You may use this form to obtain approval for the removal of vegetation within the Pearl Estate, Valla illustrated on the map within Part A of the Nambucca Development Control Plan 2010.

**Please Note:**

- 1 Fields on this form marked with an \* are mandatory and must be completed before submitting the application.
- 2 This application form must be accompanied by a detailed site plan which illustrates the areas of vegetation to be impacted and the number of trees to be removed.

**1. Details of the Applicant \***

It is important that Council is able to contact you if more information is required. Please give as much detail as possible.

Mr  Ms  Mrs  Dr  Other:

Given Name/s

Surname

Company/Organisation

ABN

Postal Address

Suburb, Town or Locality

State

Postcode

Daytime Telephone

Mobile

Email Address

**2. Identify the land from which you propose to remove/prune trees \***

Unit/Street No

Street or Property Name

Suburb, Town or Locality

Postcode

Lot/DP or Lot/Section/DP or Lot/Strata No.

**OFFICE USE ONLY**

Tree Permit No:

Application fee (if applicable):

Receipt No:

### 3. Legislated Requirements \*

(a) Is the land (or part of the land) an Area of Outstanding Biodiversity Value (AOBV)? (As described in the *Biodiversity Conservation Act 2016*)

No

Yes  (A Biodiversity Assessment Report is required to be submitted with this application)

(b) Is your proposal likely to significantly affect threatened species or ecological communities; exceed the biodiversity offsets scheme threshold; or impact on areas shown on the Biodiversity Values Map? (As described in the *Biodiversity Conservation Act 2016*).

No

Yes  (A Biodiversity Assessment Report is required to be submitted with this application)

*Note: Works that exceed the threshold may be referred to the Native Vegetation Panel.*

*Note: Applications that are deemed to result in a Serious and Irreversible Impact as defined in the BC Act 2016 will be refused*

(c) Is the vegetation listed on the State Heritage Register or located on land which is listed on the State Heritage Register? (See *Heritage Act 1977* and the [State Heritage Register http://www.environment.nsw.gov.au](http://www.environment.nsw.gov.au))

No

Yes  (Please liaise with the Office of Environment Heritage to obtain any required approvals under the *Heritage Act 1997*)

(d) Does the vegetation form part of a Heritage Item or is it within a Heritage Conservation Area?

No

Yes  (Please provide adequate justification that the proposal is of a minor nature or is for the maintenance of the Heritage Item or Heritage Conservation Area and that the proposal will not adversely affect the heritage significance of the Item or Area).

(e) Does the prescribed vegetation form part of an Aboriginal Object or is it within an Aboriginal Place of Heritage Significance? (see the [Aboriginal Heritage Information Management System](http://www.environment.nsw.gov.au) administered by the Office of Environment and Heritage <http://www.environment.nsw.gov.au>)

No

Yes  (Please provide adequate justification that the proposal is of a minor nature or is for the maintenance of the Aboriginal Object or Aboriginal Place of Heritage Significance and that the proposal will not adversely affect the heritage significance of the Aboriginal Object or Aboriginal Place of Heritage Significance).

**Note:** If adequate justification is not provided for points (d) and (e), in that the proposed activity is not minor and will adversely affect the heritage significance of the item, object, conservation area or place then the activity requires development consent pursuant to clause 5.10 of the Nambucca Local Environmental Plan 2010.

#### 4. Supplementary Information

##### (a) Arborist Assessment Requirements

An Arborist Assessment Report is attached to this application Yes  No

**Note:** Applications seeking the removal of prescribed vegetation that represents a risk to human life or property must be accompanied by an Arborist's Report.

<b>Arborist Name / Company:</b>	
<b>Contact Details:</b>	
<b>Date &amp; Time of Inspection:</b>	

##### (b) Vegetation Management Plans

Is a Vegetation Management Plan attached to this application Yes  No

<b>Company Name:</b>	
<b>Contact Details:</b>	

**Note:** Where adverse impacts are likely to result on high conservation value land that cannot be avoided, tree permit applications are to be accompanied by a Vegetation Management Plan.

##### (c) Ecological Assessment Reports

Ecological Assessment Details Yes  No

<b>Company Name:</b>	
<b>Contact Details:</b>	

**Note:** Where adverse impacts are likely to result on high conservation value land that cannot be avoided, or where as required by the Biodiversity Conservation Act 2016, tree permit applications are to be accompanied by an Ecological Assessment Report/Biodiversity Assessment Report prepared in accordance with relevant [survey and assessment guidelines](#) endorsed by NSW Office of Environment and Heritage.

##### (d) Additional Documentation

Please attach relevant documentation or reports that may assist this application, please specify:

<b>Type of Information:</b>	
<b>Relevance to Application:</b>	

(e) Is this the first application for the removal of vegetation on the subject land? Yes  No

If **No**, please provide relevant application number(s): \_\_\_\_\_

Date(s) of Determination: \_\_\_\_\_

(f) Are there any relevant conditions of development consent relating to the retention of vegetation on the subject land? Yes  No

If **Yes**, an application to modify the development consent pursuant to Section 96 of the *Environmental Planning and Assessment Act 1979* may be required.

## 5. Disclosure of political donations and gifts \*

A disclosure statement of a reportable political donation or gift must accompany this application if the reportable donation or gift was made within 2 years of the application being lodged. If the donation or gift is made after the lodgement of the application, a disclosure statement must be sent to Council within 7 days of the donation or gift being made.

Has the applicant made a donation or given any gift to any Councillor or staff? Yes  No

## 6. Owners' Contact Details (If not the applicant) \*

Postal address

Suburb or Town

Daytime telephone

Mobile

Email

## 7. Privacy and personal information protection notice \*

### Requirements under Privacy and Personal information Protection Act 1998 and the Government Information (Public Access) Act 2009 in relation to information collected on this form.

The personal information that Nambucca Valley Council ("Council") is collecting on this application form and in any documents submitted with the application is personal information for the purposes of the Privacy and Personal Information Protection Act 1998 ("the Privacy Act"). The purposes for which the information is being collected are assessment and determination of an application under the provisions of the Environmental Planning and Assessment Act 1979. Any documents submitted with the application and documents relating to the determination may be publicly available for inspection or viewing on the Council's website and in other ways that the Council considers appropriate.

The supply of personal information requested on the application form is not voluntary and if it is not provided, the Council may be unable to process the application. The individual to whom the personal information relates, may request the Council to make appropriate amendments (whether by way of corrections, deletions or additions) to ensure that the personal information:

- (a) accurate; and
- (b) having regard to the purpose for which the information was collected (or is to be used) and to any purpose that is directly related to that purpose, is relevant, up to date, complete and not misleading.

Nambucca Valley Council of 44 Princess Street, Macksville is the name and address of the agency that is collecting the personal information and the agency that is to hold the information.

### **Application and documents may be made publicly available.**

This application form (including any personal information and other information supplied on the form) and any document submitted with the application may be made publicly available free of charge on the website maintained by the Council and in other ways that the Council considers appropriate in accordance with sections 6 and 18 of the Government Information (Public Access) Act 2009 ("GIPA Act") and Schedule 1 of the Government Information (Public Access) Regulation 2009 ("GIPA Regulation").

In that regard it should be noted that nothing in the Privacy and Personal Information Protection Act 1998 affects the operation of the GIPA Act or operates to lessen any obligations of the Council under the GIPA Act.

**Privacy and personal information protection notice (continued)**

**Copyright Declaration by Applicant and/or Owners**

1. I understand that this application form (including any personal information and other information supplied on the form) and any document submitted with the application is open access information under the Government Information (Public Access) Act 2009 and may be made publicly available as open access information free of charge on the website maintained by the Council and in other ways that the Council considers appropriate.
2. I give permission to the Council to:
  - copy and issue copies of this application form (including any personal information and other information supplied on the form) and any document submitted to accompany the application; and
  - to reproduce and to publish the application form and any document submitted to accompany the application on the website maintained by the Council and in other ways that the Council considers appropriate.
3. If I am not entitled to copyright in respect of any document submitted to accompany the application:
  - I confirm that I have obtained permission from the person entitled to copyright in respect of the document to allow the Council to copy and issue copies of the document and to reproduce and publish the document and
  - I indemnify the Council against any claim or action in respect of breach of copyright relating to the Council copying, issuing copies reproducing or publishing the document.

I declare that to the best of my knowledge all particulars supplied by me are correct and completed. I understand that inaccurate or false statements may cause my application to be delayed or rescinded.

**Applicant's Signature**

**Name**

**Date**

**Applicant's Signature**

**Name**

**Date**

## 8. Owner's Consent \*

All owner(s) of the land being developed must sign the application. Individual owners must sign and print their names. Where the owners are companies, or involve a body corporate, sufficient detail demonstrating the authority of the person signing as/or on behalf of the owner must accompany the application. If the applicant is not the owner of the land, section 15 must be completed and signed by the owner of the land to the effect that the owner consents to the making of the application is required. It is the applicant's responsibility to clearly demonstrate that all owners have consented to the lodging of the application.

**As the owner/s of the land to which this application relates, I consent to this application. I also give consent for authorised Council officers to enter the land to carry out inspections. Every owner on the title must sign this form.**

Owner/Strata  
Name

Owner/Strata Name

Owner/Strata  
Signature

Owner/Strata  
Signature

Daytime  
Telephone

Daytime Telephone

Date

Company/Strata  
Stamp or Seal

**Note: Consent and seal of the owners' corporation is required if the proposed work involves or affect common property. The Strata Managing Agent or two (2) members of the Owners Corporation must sign**