



FACT SHEET — TREES

This fact sheet relates to frequently asked questions (FAQs) regarding the trimming, lopping or removal of trees that are on privately owned land in a “residential” zone, or, in zones called “village”, “township”, “industrial” or “business” or equivalent.

For the purpose of this fact sheet the blanket term “tree” is used, however this information may apply to shrubs, bushes, hedges and similar types of vegetation.

Trimming, lopping or removal of trees that are on your property

Council’s current regulations do not contain any Tree Preservation requirements. This has not always been the case as a previous Local Environmental Plan (LEP) did have such a requirement. In the latest review this requirement was removed given the complexities surrounding application of the requirements at a local level and inconsistencies with separate overarching legislation. It is important to note that there is legislation, such as the *Native Vegetation Act 2003*, that may affect the trimming, lopping or removal of trees, however, in most cases these requirements do not apply to residential properties. If you do have any doubts, it is recommended that you seek further advice by contacting Council or the Namoi Catchment Management Authority (Namoi CMA).

Trimming or lopping of trees that overhang your property

The property owner’s permission is not required for the pruning of branches that are overhanging your property. However, if the neighbour’s tree is affecting your property, it is advisable that, in the interest of good neighbourly relations, you contact your neighbour and discuss the matter with a view to negotiating a mutually satisfactory outcome.

Neighbouring trees

If you are concerned about a tree on a neighbouring property you should:

- Approach the owner of the land on which the tree is located to ascertain if that owner shares your concerns. This fact sheet could be used to confirm that Council’s consent is not required for removal, trimming or lopping of a privately owned tree.
- In the event that this approach is unsuccessful, your next step could be to either seek independent legal advice or pursue an enquiry under the *Trees (Disputes Between Neighbours) Act 2006* or the *Dividing Fences Act 1991* (if the tree is impacting on a fence).

Council is unable to negotiate or intervene in tree disputes between neighbours, as this is considered a civil matter and must be resolved between the property owners, or, through the Land and Environment court.

PTO →



60 Station Street
 PO Box 152
 Quirindi NSW 2343
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 FAX 02 6746 3255
 EMAIL lpsc@lpsc.nsw.gov.au
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 ABN 97 810 717 370

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Council trees requiring trimming, lopping or removal

Should you have an enquiry about a Council tree, you should contact Council on 02 6746 1755 and ask to register a customer action request, complete the request form below, or, put your enquiry in writing and either email or post this to Council at the contact details below .

Further information

http://www.lawlink.nsw.gov.au/lawlink/lec/ll_lec.nsf/pages/LEC_tree_disputes_information

Land and Environment Court: 02 9113 8200

Community Justice Centre: 1800 990 777

Law Access: 1300 888 529

Namoi Catchment Management Authority (Namoi CMA): 02 6746 1344 (Quirindi)

Customer Action Request		
Applicant Name		
Applicant Address		
Postal Address		
Business Number	Mobile Phone	Fax Number
Email Address		
Details of Council tree requiring trimming, lopping or removal		
Location of tree (please include as much detail as possible)		
Description of request: eg. trimming, lopping or removal		

Please submit your form at details below:



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