







- c) A report prepared by an AQF Level 3 qualified arborist when an exemption for a dead or dying tree is sought. The report should meet the standards of the International Society of Arboriculture and clearly conclude the tree is dead or dying AND there is no evidence of it being used as habitat for native animals.

## Other permissions may still apply

While a Council issued permit is not required where a valid exemption applies, you may still need other Council consent if the removal of the tree(s) exceeds the biodiversity offset scheme for clearing of native vegetation, as stated in the Biodiversity Conservation Act 2016. Please refer to Council's Guidance on Biodiversity Development Assessment Reports and contact Council if you are unsure whether your proposed tree removal meets this criteria.

## Next Steps

Where Council is not satisfied the tree poses a risk, the following actions may be taken:

- a) For tree removal notifications under Exemptions 2 and 3: A Stop-the-Clock period may be imposed while Council waits for notifying parties to provide additional or clarifying information. Council issued requests for further information will occur within the 10 day notification period. Where Council does not receive acknowledgement of its request for further information or concludes that the tree does not meet the criteria for Exemption 2 or 3, it will advise the notifier that the tree must not be removed without a Council-issued permit.

Where positive communication is not able to be achieved within the 10 day notification period, Council will attach a notice to the designated tree (if accessible from the street front) that advises a tree permit application is required prior to removal.

- b) For trees removed under other exemptions: Council may seek to impose offsetting requirements that replace the tree(s) at a ratio determined in Council's Tree Technical Specification. Council may also pursue compliance and enforcement action where trees have been removed without appropriate eligibility for exemption.

Before removing trees on your property, it is recommended that you notify any neighbour whose amenity or privacy may be affected by the removal of the trees in question

## Need some assistance?

Contact Council at on 02 4988 0255 or email [vmo@portstephens.nsw.gov.au](mailto:vmo@portstephens.nsw.gov.au)