

NATURAL ASSETS LOCAL LAW

APPLYING FOR A PERMIT

What type of permit is needed?

Three types of permits are available to allow property owners to manage protected vegetation.

Short-term work

Suitable for one-off tasks that may interfere with protected vegetation. This could include removing a tree or groups of trees, a one off pruning application.

To help Council quickly assess your application, applicants are encouraged to provide supporting information such as photos and sketches. Some applications may require further supporting information, such as an arborist's report. Council will advise applicants on a case-by-case basis.

Long-term work

If you are planning routine management of protected vegetation, for example a long term pruning program, a long-term permit can be granted. These permits are suitable for work involving ongoing maintenance or hazard management. Because long-term permits may be valid for up to 10 years, a protected vegetation management plan will be required to support an application.

For permit application forms link here

<https://www.brisbane.qld.gov.au/laws-and-permits/licences-permits-regulations/protected-vegetation-permits#apply>

Minor street tree pruning

Property owners/occupiers can apply for a permit to carry out minor works to street trees on the footpath or in road reserves adjacent to their property. These permits can be issued for ongoing minor street tree pruning works. For more information on minor pruning of street trees, link here (include the specific link to the street trees section of the website

<https://www.brisbane.qld.gov.au/environment-waste/natural-environment/plants-trees-gardens/brisbanes-trees/street-trees>).

Permit approval process

Assessment of permit applications

All applications (and supporting information) are assessed against the following criteria.

- The type of works and any associated existing approvals.
- Vegetation values and management costs.
- Tree structure and health.
- Associated risks to life or property.
- Potential nuisance or damage to property.

Approval to proceed with work

Council officers will work with applicants to achieve an outcome that protects both the natural environment and the rights of the applicant as a property owner. If an applicant's request is approved, Council will issue the property owner with a permit.

Property owners are encouraged to read the permits carefully as they often include specific conditions. Before starting any work Council also recommends talking with neighbours about the intended work.



Conditions of approval

Every permit will contain permit conditions which you should read carefully. Permit conditions will vary from permit to permit.

In some cases, applicants who have been issued a permit may be required to replant trees on their property to offset the loss of protected vegetation. Conditions to replant will generally include a maintenance period to ensure the success of replacement plants. Where replanting is not practical, an alternate option can be to pay an offset to Council in the form of a Private Works Order (PWO). The PWO will then be used to plant trees on Council land.

Every permit will contain permit conditions which you should read carefully. Permit conditions will vary from permit to permit but may include:

- Replacement planting requirements;
- The submission of an offset payment when replanting cannot be carried out on a property;
- The requirement for a fauna 'spotter catcher';
- The requirement that works are completed by a specific date.

If you are issued with a permit, you will be asked to complete an online '[Declaration of Compliance for Approved Works to Protected Vegetation](#)' following completion of works or ~~expiry~~ your permit. This is also available in [hard copy form](#).

Penalties for unapproved work

Penalties may apply if an individual or business:

- interferes with protected vegetation without a permit
- interferes with Council trees, including street trees, gardens or other vegetation without a permit
- fails to comply with a permit condition

Penalties can range from Council officers issuing prescribed infringement notices for minor offences, to Council requiring rehabilitation, restoration and/or compensation and may result in prosecution for serious offences.

Submitting applications

Completed and signed application forms, along with any required supporting information, can be lodged with Council online, mail, email or in person. Council will assess and respond to your application within 20 working days.

Online:

Complete the [Application to Carry Out Works on Protected Vegetation online form](#) and upload your supporting documents.

Email:

Alternatively, you can complete a [hard copy form](#) and send it to CARS-NALL@brisbane.qld.gov.au.

Mail:

Brisbane City Council- Compliance and Regulatory Services
Environmental Management Team
GPO Box 1434
Brisbane Qld 4001

Applications for development approvals:

Where an application is required as a result of a development approval, email the application to Council's development assessment team at dalodgement@brisbane.qld.gov.au

What should I include in my application?

To help Council quickly assess your application, applicants are requested to provide supporting information. Depending on the nature of the application this could include:

- The type of tree if you know it;
- The number of trees or area of vegetation to be cleared;
- Clear photos of trees subject to the application;
- Clear photos that indicate health or structural issues with a tree (it can help to take photos of each part of a tree from the base, trunk and canopy);
- Clear photos that demonstrate nuisance issues;
- Maps showing the location of proposed works;
- if the applicant is not the property owner, attach the signed approval of the property owner, or body corporate seal;
- Protected Vegetation Management Plans (for long-term permits);
- Building and/or development plans if the work is to accommodate new buildings or other development;
- Forestry Management Plan if the work is for agriculture and/or forestry;
- Fire Management Plan if the work is required for fire management.

Examples of supporting information to include in an application

Some examples are provided below to assist you in making your application. By not submitting supporting information, it may slow the assessment process, or you may be required to reapply with further information.

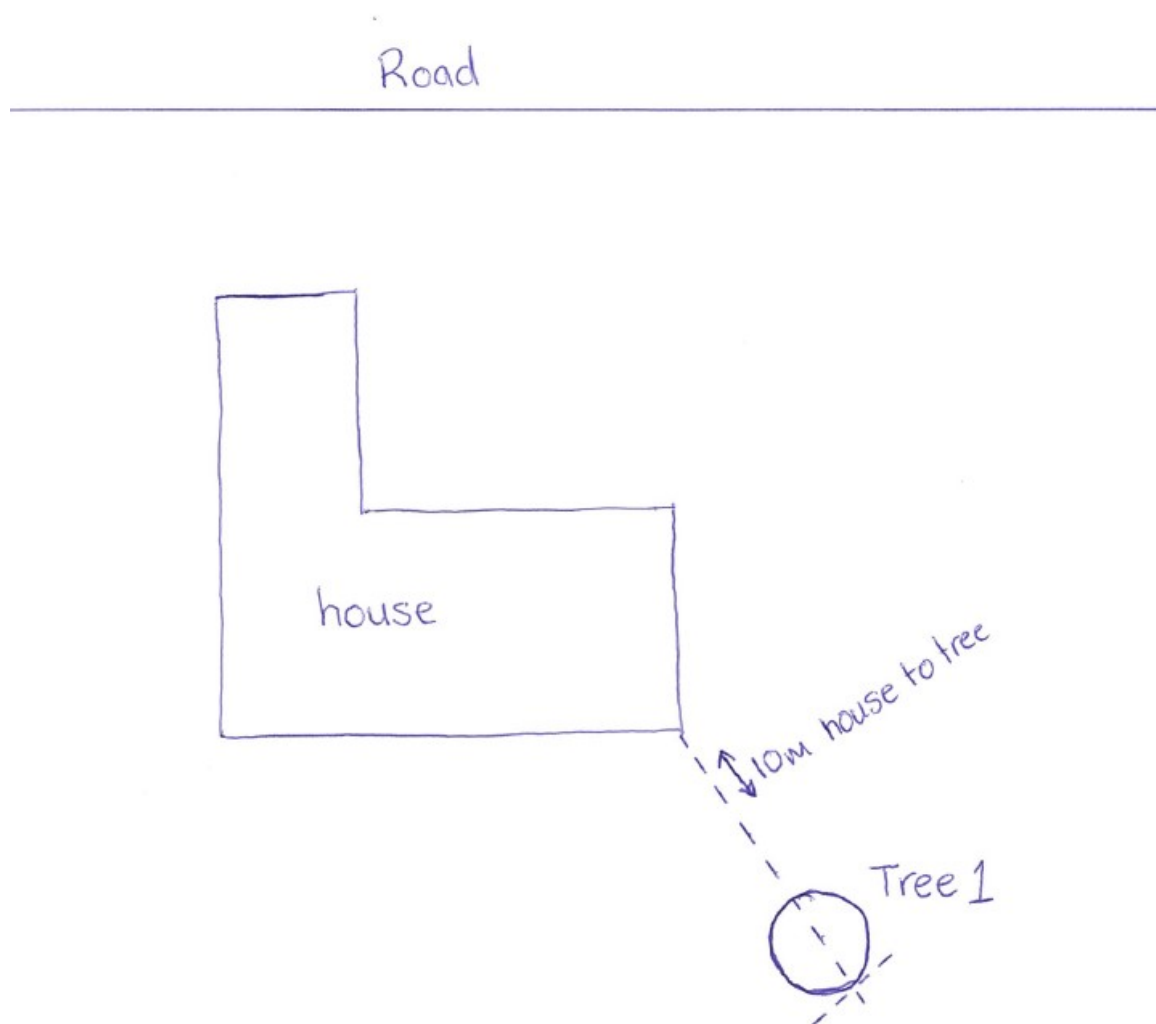
Maps

Include clear maps to assist with your application.

This map shows the location of the tree being proposed for removal. Labelling the tree also helps when there are a number of trees in the application.



Maps can be hand drawn, but should make it clear what vegetation is being referred to in your application. When measuring how far a tree is from a built structure measure from the far side of the trunk to the structure. Adding these measurements to the map assists the assessment process.



Supporting information

Include as much information as you can to describe the tree. Here are some examples of information that might assist your application.

Tree 1:

- **Tree Species:** *Eucalyptus species* – Ironbark
- **Height:** Approximately 15m
- **Trunk diameter at 1.4m above ground level:** = 0.70m diameter.
- **Canopy width at the widest point:** Approximately 10m

Example Notes: Tree is not located near any buildings or structures. Tree is located in the centre of an area frequently used by people. Recent branch failure has occurred. Fungus present on trunk.

Photos

Providing clearly labelled photos can allow our officers to assess your application quickly. The more photos you submit, the better. It is helpful to supply photos of the base, trunk and canopy of trees to allow Council officers to make a thorough visual assessment.

Include an overall photo of the tree or area of proposed works where possible.

This photo displays the general area where the tree is located and the overall canopy of the tree. Note any branch failure that has occurred. This photo also clearly demonstrates the branch that has fallen off this tree. Showing where the tree is located in relation to buildings and other frequently used areas is also helpful.



Supply photos of the base, trunk and canopy of trees.

Taking clear photos of the base and trunk of a tree will help Council officers to visually assess tree health.



This photo shows the canopy of the tree and along with photos of the base and trunk will help complete the visual assessment.



Note any points of failure or concern

This photo clearly demonstrates the point of failure in the tree, and also shows the fruiting body of a fungus that can be an indication of dead wood.



This photo demonstrates a point of concern where a limb meets the trunk of the tree.



This is a good photo clearly showing the canopy of the tree and also indicating leaf tip dieback and dead limbs present in the canopy.



Examples of photos NOT to be submitted with an application.

Council relies on information you supply to quickly assess your application.

Photos that are dark and back lit make it hard to show the features of the tree. Make sure the photo clearly shows the tree in question.



Which tree is being assessed? Photos should clearly show which tree is being assessed in the application. It is also very helpful to show the entire tree, or provide separate photos showing the base, trunk, and canopy of each tree in the application.



Other work to clear protected vegetation or conduct controlled burns and install firebreaks

Property owners planning to clear protected vegetation for agricultural and/or forestry reasons, will need to submit a farm and/or forestry management plan with their application.

A permit is also required to undertake a planned burn and/or to install firebreaks if protected vegetation may be affected.

Planning for bushfire management

A number of factors should be taken into account before property owners undertake bushfire management. Applying for a permit is just one of the steps that may be required. Consider the following tips about Council and Queensland Government requirements before starting work.

Consider bushfire management strategies suited to the property.

- Apply for a permit to carry out works under NALL. The proposed fire management strategies are to be part of the 'Application to Carry Out Works to (including interfere with) Protected Vegetation – long term permit'. Permits of up to 10 years, for ongoing work, are available.
- Obtain permission to carry out a controlled burn from the local Queensland Fire and Emergency Services (QFES) station. Council's approved permit will need to be provided to QFES.
- Following permission from QFES, advise Council of your intent to undertake a controlled burn. It is also recommended that property owners talk to their neighbours about the intended work.

For more information about bushfire management, visit the following websites.

- QFES at www.fire.qld.gov.au for help with developing a bushfire emergency plan.
- Rural Fire Service at www.ruralfire.qld.gov.au for help with preparing a bushfire survival plan.
- South East Queensland Fire and Biodiversity Consortium at www.fireandbiodiversity.org.au to learn about fire management.

If you are considering submitting an application in relation to bushfire management please contact Council on 34038888 regarding the specifics of your property.

Further information

For more information, visit www.brisbane.qld.gov.au or phone Council on (07) 3403 8888.

For permit application forms, visit www.brisbane.qld.gov.au and search 'protected vegetation permit'.

Brisbane City Council Information

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