

TREE REMOVAL & NATIVE VEGETATION CLEARING

FACT SHEET

If you want to prune or remove a tree, or clear native vegetation on private property, you may need Council approval first.

Under the [SEPP \(Vegetation in Non-rural Areas\)](#) (Vegetation SEPP) and the [Penrith Development Control Plan](#) (DCP), it is illegal to cut down, fell, uproot, kill, poison, ringbark, burn or otherwise destroy the vegetation, or lop or otherwise remove a substantial part of the vegetation as prescribed in Council's DCP without Council permission. Where the vegetation is native, clearing includes shrubs, ground covers or wetland plants.

HOW TO APPLY

There are three key pathways to apply to remove native vegetation on your property depending on your circumstances:

1. If the vegetation removal is to facilitate a development activity (such as building a house or putting in a pool), then it must be included as part of your [Development Application](#).
2. If the clearing is *not* associated with a development that requires a DA, and the area *exceeds* the biodiversity offsets scheme threshold (see table below) or is vegetation identified on the [Biodiversity Values Map](#), then you must apply for approval through the [Native Vegetation Panel](#), *not* Council.

Biodiversity Offset Scheme Thresholds

Minimum lot size	Threshold for clearing (above which you must apply through the Native Vegetation Panel)
Less than 1 ha	0.25 ha or more
1 ha – less than 40 ha	0.5 ha or more
40 ha – less than 1,000 ha	1 ha or more
1,000 ha or more	2 ha or more

3. For all other clearing of **prescribed vegetation** (see Fact Sheet on Protected and Exempt Vegetation), you must apply to Council. This is regulated through the Vegetation SEPP and Council's DCP.

See our website penrithcity.nsw.gov.au for more information. If you are unsure if you need approval, or what type of approval you need, please contact Council on 4732 7777.

Failure to obtain permission can lead to fines (maximum penalties can be over \$1 million) and legal action under the *Environmental Planning and Assessment Act 1979* and/or the *Biodiversity Conservation Act 2016*.