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What you need to know about cutting down trees on your property



Landowners face restrictions about cutting down trees on their property. Here's a rundown of the rules for each state.

There are strict rules for removing trees on your property and they vary not only by state but by local council. Think twice before cutting down a tree on your property without checking the rules first.

Why would you want to remove a tree?

You may need to remove a tree from your property for the following reasons:

- It has become diseased or infested with termites or similar wood-eating insects.
- It has been planted in the incorrect position in relation to the house.
- It is posing some form of threat to you or your neighbours' safety.
- It is dead or dying.
- You want to do renovations or add another building or shed and it is in the way.

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How much does tree removal cost?

To get a tree removed from your property, you can hire tree fellers, or loppers, who can cut down the tree. You can also hire stump removalists separately. The other option is to hire an arborist who can take care of both cutting down the tree and stump removal.

In general, the cost of removing a tree can range from **\$500 up to \$6,000** per tree depending on the factors listed below:

- Size of the tree, including height and branch reach
- Location of the tree
- Ease or difficulty of access
- Safety precautions that are needed
- Transportation and tipping fees that may apply

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Arborist vs tree feller

Service	Arborist	Tree feller
Tree removal (including pruning, cutting up and taking down)	y	y
Tree consulting ⁱ	y	n
Tree maintenance	y	n
Tree surgery ⁱ	y	n
Stump removal	y	y
Removal of tree product	n	y

Feedback

state rules around tree removal



Despite the fact that a tree may be located solely on your property does not mean you have free rein to remove it. In fact, removing a tree from your property without proper approvals from your local council can incur hefty fines.

Nationally, native species are all protected and require approval before any removal. You will also need to supply specific reasons for the removal. In most states, this rule against removing native tree species only applies to rural areas. ACT and South Australia are the only states to have blanket rules against removing native tree species. Trees that have heritage and Aboriginal heritage significance also have protection on a national level.

The tree species that are exempt from this protection are pest species. You are also exempt when it comes to pruning protected trees for maintenance or when intervention is in the best interest of the tree.

Choose your state

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New South Wales

Each council holds the ultimate say when it comes to approval for tree removal. Councils use two tools to assist them: Tree Preservation Orders (TPOs) and Local Environment Plans (LEPs).

You can remove trees from your property without council approval as long as it isn't a significant tree. Most councils will have significant tree registries where they list the trees that you will need specific approval before removing them. Some are listed below:

[City of Sydney registry.](#)

[City of Parramatta registry.](#)

Feedback



[Randwick City Council](#)

LEPs are used to incorporate significant tree registries into council guidelines. Some of the guidelines a few New South Wales councils use to identify significant trees include the following:

Landscape amenity

Historical importance

Botanical importance

Aboriginal importance

Functional purpose (shade, habitat, avenue windbreaks)

In addition to LEPs, some councils use TPOs to control what can be done to trees that are not considered, or not listed, as significant trees. TPOs can be applied to native and non-native trees, and they take into account the specific details of the tree and how it is impacting the land when deciding on protection.

You may get approval to remove a tree that is protected either by a TPO or LEP for the following reasons:

The tree is dead or damaged or is about to fall or cause some other immediate damage.

There are problems with the roots blocking the plumbing or other pipes on the property.

The tree is threatening a building or structure on the property or an adjoining property.

Your neighbour has asked to erect a dividing fence and there is a tree on the boundary that will impede this.

Branches are threatening roof materials or other damage.

Overhanging branches are causing concern or a nuisance.

Your local council may add conditions to any consent they give for tree removal.

Breaching the terms of a TPO can come with a maximum penalty in local court of \$110,000 and a maximum penalty in Land and Environment Court of \$1.1 million.

If you live in an area within close proximity of bushland or that may be prone to bushfires, you will also need to adhere to the NSW Rural Fire Service's 10/50 vegetation clearing rule. This allows you to clear any trees within 10 metres of your home without seeking approval if you live in areas near bushland. It also allows you to clear low lying vegetation such as shrubs from your property without seeking approval if they are within 50 metres of your home.

You can check here if you live in an area where the 10/50 rule applies

Victoria

Feedback

Similar to New South Wales, there are two tools utilised by the Victorian government for the protection



Provisions (VPP) and at a local government level through Vegetation Protection Overlays (VPOs).

VPOs are used by 63% of Victorian local councils to specify the vegetation that each council designates as being protected in their local area. The protected vegetation may include trees, stands of trees or areas of significance for the district. Here's an example of the VPO [rules on tree removal](#) according to City of Monash council website.

Find your local Victorian council website [here](#).

Other overlays that can affect whether you can remove a tree include the Environmental Significant Overlay, the Significant Landscape Overlay, the Erosion Management Overlay and the Salinity Management Overlay as well as Heritage Overlays.

Councils can also create local laws to protect vegetation separate from any VPPs that may be in place for the area.

The trees to be included on significant tree registers, which are created by each council, are done by a council-wide survey which allows community involvement in deciding which trees to protect. This register is then published on the council website with details as to why the tree is included, photos and comments about how to best manage the tree for optimal health.

Girth is one of the determining factors for a tree to be included on the significant tree register but the actual size differs depending on the council area. Girth sizes can range from 400mm to 3500mm. The following factors are also considered:

- Canopy size

- Heritage value

- Aesthetic value

You are required to get a permit from the local council before the removal, destruction or lopping of any trees or vegetation. Infringement notices and minor penalties are handed out for any removal, destruction or lopping without a permit with larger fines only coming after the breach of court orders.

There are exemptions to the above rules when tree removal is being done to protect your property from bushfires. Victorians adhere to the same 10/50 rule that New South Wales does, but the state also has the 10/30 rule. The 10/30 rule is similar to the 10/50 rule in that you can clear vegetation within 10 metres of buildings used for accommodation and remove trees within 30 metres of buildings used for accommodation. The 10/30 rule applies to most of the state with some exceptions, and the 10/50 rule applies to areas covered by the Bushfire Management Overlay.

[Find out more about the vegetation exemptions in Victoria due to bushfire preparation here](#)

Queensland

Feedback

Council in Queensland manages their own laws and regulations around tree and vegetation



tree removal as the other states have state-level laws that are merely tweaked for local council areas.

The following laws are used to protect trees:

[Protection of Vegetation](#)

Natural Assets Local Law

Preservation of Trees

[Vegetation Management](#)

You cannot remove trees that are protected under Vegetation Protection Orders.

The Queensland government also has a [database of local laws](#) you can look at to see the rules in your particular area.

You can also review the [Neighbourhood Dispute Resolution Act 2011](#) to find out your rights and responsibilities as a tree owner or tree keeper.

Even the exemptions related to vegetation clearing for bushfire season are on a local level rather than a state level. You can find this information in the Fire and Rescue Service Act 1990 or by contacting your local council. You should prepare for bushfire season by clearing vegetation, mowing your grass regularly and trimming low lying branches from trees that surround your home so the branches are two metres from the ground.

ACT

Of all the states and territories, the ACT has the most comprehensive tree-specific legislation, the ACT Tree Protection Act 2005. Under the act, a tree can either be a registered tree or a regulated tree. Registered trees are protected due to their individual importance through a registration process which is similar to heritage listing. You can find the list of trees that are considered registered on the [ACT Tree Register](#).

Regulated trees are trees growing in a declared Tree Management Precinct that meet the following criteria:

The tree is 12 or more metres high.

The tree has a trunk with a circumference of 1.5 metres or more, one metre from the ground.

The tree has two or more trunks and the sum of their individual circumferences at one metre above ground is 1.5 metres or more.

The tree has a canopy 12 metres or wider.

You can find more information [about the Tree Management Precinct in our news story here](#).

Feedback

lassified as regulated or listed on the registry, you are not allowed to cause any damage to it



long as it adheres to the Australian Standard on Pruning and doesn't affect the general appearance of the tree.

Standard pruning is limited to the following:

- Removing deadwood

- Removing limbs with a diameter of 50mm or less

- The first pruning of the tree in the calendar year, which affects less than 10% of the canopy and does not change the overall shape of the canopy

- Pruning is done for fruit production

Certain groundwork is also prohibited without approval:

- Changing the soil level, except for the preparation of garden beds, the planting of trees and shrubs, or other cultivation for horticultural purposes

- Contaminating the soil

- Cutting any roots with a diameter greater than 50mm

Penalties associated with breaches of the ACT Tree Protection Act 2005 can range from \$7,000 up to \$56,000 for individuals and \$35,000 up to \$280,000 for corporations.

You can make an application "to undertake a tree damaging activity" or register a tree [here](#).

South Australia

Any rules and regulations around the protection and removal of trees or vegetation are included in the Development Act 1993. The act categorises trees located in Adelaide metro and the Adelaide Hills area as regulated or significant.

These two categories are defined as follows:

Regulated. The trunk circumference is two metres or more at one metre above ground level or for multiple trunks, the average circumference of each is 625mm or more.

Significant. The trunk circumference is three metres or more at one metre above ground or for multiple trunks, the average circumference of each is 625mm or more.

In order to get approval to remove a tree that falls into one of the above categories, you will need to get advice from an expert or a technical report from someone with a minimum of Cert V in Horticulture (arboriculture). If you receive approval, you must then do the following:

- You must plant two trees for any regulated tree that is removed or destroyed.

- You must plant three trees for any significant tree that is removed or destroyed.

- You must pay \$75 into the local council's Urban Tree Fund. This can be applied to planting trees

Feedback

will become significant or to purchase land for planting significant trees.



If you do not fulfil these conditions or you remove or destroy a significant or regulated tree without approval, you can be hit with a fine up to \$60,000.

The following exemptions allow you to remove a tree without approval from the council:

Any tree within 10 metres of an existing dwelling or in-ground pool unless it is a willow myrtle or any eucalyptus species.

Any tree within 20 metres of a dwelling in a medium- or high-risk bushfire area.

Any declared pest plant or any plants on the list below:

Box elder (*Acer negundo*)

Silver maple (*Acer saccharinum*)

Tree of heaven (*Ailanthus altissima*)

Evergreen alder (*Alnus acuminata* subsp. *Glabrata*)

European nettle tree (*Celtis australis*)

Chinese nettle tree (*Celtis sinensis*)

Camphor laurel (*Cinnamomum camphora*)

Monterey cypress (*Cupressus macrocarpa*)

Figs (*Ficus* spp.)

Moreton Bay fig (other than *Ficus macrophylla* located more than 15 metres from a dwelling)

Narrow-leaved ash (*Fraxinus angustifolia*)

Desert ash (*Fraxinus angustifolia* ssp. *Oxycarpa*)

Norfolk Island hibiscus (*Lagunaria patersonia*)

Prickly-leaved paperbark (*Melaleuca styphelioides*)

Radiata pine / Monterey pine (*Pinus Radiata*)

London plane (*Platanus x acerifolia*)

White poplar (*Populus alba*)

Lombardy poplar (*Populus nigra* var. *italica*)

Black locust (*Robinia pseudoacacia*)

Weeping willow (*Salix babylonica*)

Chilean willow, evergreen willow, pencil willow (*Salix chilensis* 'Fastigiata')

Crack willow (*Salix fragilis*)

White crack willow, basket willow (*Salix X rubens*)

Golden weeping willow (*Salix X sepulcralis* var. *chrysocoma*)

Peppercorn tree (*Schinus areira*)

Feedback



Individual councils may have separate development plans that affect your property, so it would be best to also consult your local council. There are other exemptions or rules that apply to native vegetation if you are preparing your property for bushfire season. You can access these on the [South Australian Country Fire Service website](#).

Western Australia

Similarly to Queensland, Western Australia's rules and regulations around the removal of trees are governed by each individual council, and some councils have more complicated guidelines than others. You can check the local council's website to get details of what are considered significant trees. Each council has its own significant tree register, and each council has its own criteria for selecting these trees.

The Department of Fire and Emergency Services in Western Australia asks residents to make sure they have a building protection zone in order to help prevent bushfires. This includes keeping rubbish, long grass and other material at least 20 metres from your home and trimming low lying branches.

Read more about this on the Department of Fire & Emergency Services (DFES) website

Tasmania

On a state level, there are protections and regulations for tree removal that form part of the Land Use Planning and Approvals Act 1993. This allows for each council to establish individual schemes to control land use and vegetation.

Most of Tasmania's councils have significant tree registers, with some using tree protection orders to assist in the protection of these trees. You typically need to ask for approval from your local council to remove a tree unless it is close to a house, is a fire risk, is causing issues with drainage or is diseased. Some councils don't have a significant tree register and they only require a permit if the tree is more than three metres tall, regardless of species.

In order to help prevent bushfires or protect your home from bushfire damage, you can remove a tree if it poses a bushfire risk.

Tasmania has fines of up to \$10,000 for those who don't get approval to remove a tree from their property.

Northern Territory

There are no tree specific protections in Northern Territory legislation when they are on private land, except if they are classified as a heritage item according to the Heritage Conservation Act. Most councils protect trees that are located on public land within bylaws. Trees may also be protected under the [National](#) list of significant trees, so it is always best to check with your local council or the [National](#)

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As each state and territory differ in how they handle the removal of trees on your property, it would be best to seek advice from your local council before removing or damaging a tree on your property.

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