

TREE PRESERVATION ORDER

Rockdale City Council has resolved to make the following Tree Preservation Order pursuant to clause 15 of *Rockdale Local Environmental Plan 2000*:

TREE PRESERVATION ORDER

1 This is a Tree Preservation Order made pursuant to clause 15 of *Rockdale Local Environmental Plan 2000* by resolution by Rockdale City Council ("Council") dated 23 May 2001.

2 Subject to clause 3 of this Order, this Order relates to any tree either with a girth in excess of 300 mm at a height of 1 metre above the ground or exceeding a height of 3 metres on all land within the City of Rockdale to which *Rockdale Local Environmental Plan 2000* applies.

3 This Order does not relate to:

- (a) a tree which the Council is satisfied is dying or dead or has become dangerous; or
- (b) a tree being dealt with in accordance with a permit granted by the Council; or
- (c) the trimming of branches which overhang the boundary of an allotment, where the girth of any such branch does not exceed 200 mm (63.7 mm / 2.5 inches in diameter) at the point where it crosses the boundary, but only where the tree:
 - (i) is not a heritage item or forms part of a heritage item; or
 - (ii) is not situated on land in the vicinity of a heritage item; or
 - (iii) is not within a heritage conservation area; or
- (d) trees within a State forest, or land reserved from sale as a timber or forest reserve under the *Forestry Act 1916*; or
- (e) action required or authorised to be done by or under the *Electricity Supply Act 1995*, the *Electricity Safety Act 1945*, the *Roads Act 1993* or the *Surveyors Act 1929*; or
- (f) plants declared to be noxious weeds under the *Noxious Weeds Act 1993*; or
- (g) trees of a non-native species identified in the Schedule to this Order; or
- (h) fruit plants identified in Schedule 1 to the *Plant Diseases Act 1924*.

4 The cutting down, ringbarking, topping, lopping, removing, injuring or wilful destruction of any tree to which this Order relates is prohibited except with consent from Council having been obtained beforehand.

SCHEDULE

Common Name	Scientific Name
Angel's trumpet	<i>Datura suaveolens</i>
Coral tree	<i>Erythrina indica</i>
Lombardy poplar	<i>Populus nigra italica</i>
Rubber tree	<i>Ficus elastica</i>
Tree of heaven	<i>Ailanthus altissima</i>

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NOTES:

1. The Tree Preservation Order was made by the Council under clause 15 (1) of *Rockdale Local Environmental Plan 2000* on 23 May 2001 and came into effect on 26 May 2001 by public notice in the *Sydney Morning Herald*, pursuant to clause 15 (2) of *Rockdale Local Environmental Plan 2000*.

The Order was amended by the Council on 24 October 2001 by the insertion of paragraphs 3 (g) and (h) and the Schedule. These amendments came into effect by public notice on 1 November 2001.

The order was further amended by the Council on 7 September 2005 by increasing the girth of an overhanging branch which may be trimmed without the need for approval, from 100mm to 200mm. This amendment came into effect by public notice on 9 February 2006.

2. The Tree Preservation Order applies to all land within the City of Rockdale to which *Rockdale Local Environmental Plan 2000* applies. It therefore does not apply to the following land:

Land within the North Arncliffe Development Area, as shown on the *Rockdale Local Environmental Plan 2000* map.

The following land shown as "deferred matters" on the *Rockdale Local Environmental Plan 2000* map:

Part 15 Kingsgrove Avenue, part 18 Girraween Street, part 17 Bonalbo Street and part 14
 Beaumont Street, Kingsgrove
 189 Slade Road and 316 Bexley Road, Bexley North
 2A Bellevue Street, Arncliffe
 2-14 Tramway Arcade, Rockdale
 46-54 Beach Street, Kogarah
 25-31 King Edward Street, Rockdale
 147 Russell Avenue, Dolls Point
 10 Riverside Drive, Sans Souci

The provisions of the previous Tree Preservation Order, made by the Council on 28 April 1981 under clause 42 of the *Rockdale Planning Scheme Ordinance*, continue to apply to these lands.

Tree preservation orders do not apply to land within Sydney Airport, as identified in *State Environmental Planning Policy No. 31 - Sydney (Kingsford Smith) Airport*.

3. Pursuant to clause 3 (f) of the Tree Preservation Order, the following plants are declared to be noxious weeds in the City of Rockdale under the *Noxious Weeds Act 1993*:

<u>Common Name</u>	<u>Scientific Name</u>	<u>Common Name</u>	<u>Scientific Name</u>
Alligator weed	<i>Alternanthera</i>	Mexican feather grass	<i>Nassella tenuissima</i> <i>syn Stipa tenuissima</i>
Bitou bush, boneseed	<i>Chrysanthemoides</i>	Miconia	<i>Miconia spp.</i>

		<i>monilifera</i>	Pampas grass	<i>Cortaderia</i>
<i>spp.</i>				
Black knapweed	<i>Centaurea nigra</i>	Parthenium weed	<i>Parthenium</i>	
Blackberry	<i>Rubus fruticosus</i>		<i>hysterophorus</i>	
		(<i>agg. spp.</i>)	Pellitory	<i>Parietaria judaica</i>
Broomrape	<i>Orobanche spp.</i>	Prickly pears	<i>Opuntia spp.</i>	
Cabomba	<i>Cabomba spp.</i>	Privet - broadleaf	<i>Ligustrum lucidum</i>	
Castor oil plant	<i>Ricinus communis</i>	Privet - narrowleaf	<i>Ligustrum sinense</i>	
Green cestrum	<i>Cestrum parqui</i>	Rhus tree	<i>Toxicodendron</i>	
Harrisia cactus	<i>Harrisia spp.</i>		<i>succedaneum</i>	
Hawkweed	<i>Hieracium spp.</i>	Salvinia	<i>Salvinia molesta</i>	
Horsetail	<i>Equisetum spp.</i>	Senegal tea plant	<i>Gymnocoronis</i>	
Karoo thorn	<i>Acacia karroo</i>		<i>spilanthoides</i>	
Kochia	<i>Kochia scoparia</i>	Siam weed	<i>Chromolaena odorata</i>	
Lagarosiphon	<i>Lagarosiphon major</i>	Spotted knapweed	<i>Centaurea maculosa</i>	
Lantana	<i>Lantana camara</i>	St John's wort	<i>Hypericum perforatum</i>	
(pink flowered)		Water hyacinth	<i>Eichhornia crassipes</i>	
Lantana	<i>Lantana camara</i>	Water lettuce	<i>Pistia stratiotes</i>	
(red flowered)		Willows	<i>Salix spp.</i>	
Ludwigia	<i>Ludwigia peruviana</i>			

4. Pursuant to clause 3 (h) of the Tree Preservation Order, the following types of fruit are identified in Schedule 1 to the *Plant Diseases Act 1924*:

berry fruit [includes blackberry, blueberry, boysenberry, cape gooseberry, loganberry, mulberry, raspberry, strawberry, youngberry]

cacti

citrus fruit [includes citron, grapefruit, kumquat (japonica) (margarita), lemon (Meyer)

(Tanaka), lime (all species, including Rangpur, Tahitian, West Indian), mandarin (blanco),

orange (all varieties including Seville or sour and sweet), pummelo, shaddock, tangelo, tangor]

melons

plantation fruits

pome fruit [includes apple, nashi, pear, quince]

stone fruit [includes apricot, cherry, nectarine, peach, peacharine, plum, plumcot]

tropical fruits [includes avocado, banana, black sapote, breadfruit, caimito (star apple),

carambola (starfruit), casimiroa (white sapote), custard apple, durian, guava (of all types)

(myrtaceae) (strawberry) (yellow cattley), jabotica, jackfruit, longan, lychee, mango,

mangosteen, papaya, passionfruit, pawpaw, rambutan, sapodilla, soursop, sweetsop (sugar

apple)]

the following fruit: carambola, feijoa, fig, guava, jackfruit, jujube, longan, loquat, mammey

sapote, medlar, olive, pepino, persimmon, pomegranate, sapodilla, tomato, cherry tomato,

tamarillo, quandong, date and abiu.