



New South Wales

# Trees (Disputes Between Neighbours) Regulation 2019

under the

Trees (Disputes Between Neighbours) Act 2006

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Trees (Disputes Between Neighbours) Act 2006*.

MARK SPEAKMAN, MP  
Attorney General, and Minister for the Prevention of Domestic Violence

## Explanatory note

The object of this Regulation is to repeal and remake, without substantive changes, the *Trees (Disputes Between Neighbours) Regulation 2014*, which would otherwise be repealed on 1 September 2019 by section 10 (2) of the *Subordinate Legislation Act 1989*.

This Regulation prescribes bamboo, tiger grass and any plant that is a vine as trees, for the purposes of the *Trees (Disputes Between Neighbours) Act 2006*.

This Regulation is made under the *Trees (Disputes Between Neighbours) Act 2006*, including sections 3 (1) (the definition of *tree*) and 20 (the general regulation-making power).

This Regulation comprises or relates to matters set out in Schedule 3 to the *Subordinate Legislation Act 1989*, namely matters of a machinery nature and matters that are not likely to impose an appreciable burden, cost or disadvantage on any sector of the public.

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### 1 Name of Regulation

This Regulation is the *Trees (Disputes Between Neighbours) Regulation 2019*.

### 2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

**Note.** This Regulation repeals and replaces the *Trees (Disputes Between Neighbours) Regulation 2014*, which would otherwise be repealed on 1 September 2019 by section 10 (2) of the *Subordinate Legislation Act 1989*.

### 3 Definition

(1) In this Regulation:

*the Act* means the *Trees (Disputes Between Neighbours) Act 2006*.

**Note.** The Act and the *Interpretation Act 1987* contain definitions and other provisions that affect the interpretation and application of this Regulation.

(2) Notes included in this Regulation do not form part of this Regulation.

### 4 Prescribed plants

For the purposes of the definition of *tree* in section 3 (1) of the Act, the following plants are prescribed:

- (a) bamboo,
- (b) tiger grass/giant clumping grass (*Thysanolaena maxima*),
- (c) any plant that is a vine.

### 5 Repeal and savings

(1) The *Trees (Disputes Between Neighbours) Regulation 2014* is repealed.

(2) Any act, matter or thing that, immediately before the repeal of the *Trees (Disputes Between Neighbours) Regulation 2014*, had effect under that Regulation continues to have effect under this Regulation.