



New South Wales

## **Rockdale Local Environmental Plan 2000 (Amendment No 10)**

under the

**Environmental Planning and Assessment Act 1979**

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (S00/01849/S69)

ANDREW REFSHAUGE, M.P.,

Minister for Planning

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## **2001 No 985**

Clause 1                      Rockdale Local Environmental Plan 2000 (Amendment No 10)

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# **Rockdale Local Environmental Plan 2000 (Amendment No 10)**

## **1 Name of plan**

This plan is *Rockdale Local Environmental Plan 2000 (Amendment No 10)*.

## **2 Aims of plan**

This plan aims to amend clause 15 of *Rockdale Local Environmental Plan 2000*, relating to the preservation of trees:

- (a) to allow for the issue of a permit for the lopping, removal etc of a tree (other than a tree that is a heritage item or that is in a heritage conservation area or in the vicinity of a heritage item) as an alternative to requiring the granting of development consent, and
- (b) to make it clear that the lopping, removal etc of a tree (other than a tree that is a heritage item or that is in a heritage conservation area) is not advertised development and that an application for a permit or consent to authorise it need not be notified.

## **3 Land to which plan applies**

This plan applies to all land within the City of Rockdale local government area to which *Rockdale Local Environmental Plan 2000* applies.

## **4 Relationship to other environmental planning instruments**

This plan amends *Rockdale Local Environmental Plan 2000* in the manner set out in clause 5.

**5 Amendment of Rockdale Local Environmental Plan 2000**

*Rockdale Local Environmental Plan 2000* is amended:

- (a) by omitting clause 15 (5) and inserting instead:
  - (5) Subclause (4) does not apply where:
    - (a) it can be demonstrated to the satisfaction of the consent authority that the tree is dying or dead or has become dangerous, or
    - (b) the tree is dealt with in accordance with a permit granted by the Council.
- (b) by inserting after clause 15 (6):
  - (7) A permit under subclause (5) can not allow any ringbarking, cutting down, topping, lopping, removal, injuring or destruction of a tree:
    - (a) that is a heritage item or forms part of a heritage item, or
    - (b) that is situated on land in the vicinity of a heritage item, or
    - (c) that is within a heritage conservation area.
  - (8) The ringbarking, cutting down, topping, lopping, removal, injuring or destruction of a tree is advertised development if:
    - (a) the tree is a heritage item, forms part of a heritage item or is within a heritage conservation area, and
    - (b) in the opinion of the consent authority, the ringbarking, cutting down, topping, lopping, removal, injuring or destruction of the tree will adversely affect the heritage significance of the heritage item or heritage conservation area.

In any other case, the ringbarking, cutting down, topping, lopping, removal, injuring or destruction of a tree is not advertised development and an application for consent or a permit to allow it need not be notified.

BY AUTHORITY