



Wyong Local Environmental Plan 1991 (Amendment No 151)

under the

Environmental Planning and Assessment Act 1979

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (N03/00062/S69)

DIANE BEAMER, M.P.,

Minister Assisting the Minister for Infrastructure
and Planning (Planning Administration)

2003 No 893

Clause 1 Wyong Local Environmental Plan 1991 (Amendment No 151)

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1 Name of plan

This plan is *Wyong Local Environmental Plan 1991 (Amendment No 151)*.

2 Aim of plan

The aim of this plan is to amend *Wyong Local Environmental Plan 1991*:

- (a) to omit certain works from the definition of *exempt vegetation management works*, and
- (b) to narrow the classes of works that remain in the definition of *exempt vegetation management works*, and
- (c) to broaden the classes of tree management works that are prohibited without development consent, and
- (d) to narrow the classes of tree management works that consent is not required for.

3 Land to which plan applies

This plan applies to all land within the local government area of Wyong under *Wyong Local Environmental Plan 1991*.

4 Amendment of Wyong Local Environmental Plan 1991

Wyong Local Environmental Plan 1991 is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 4)

[1] Clause 7 Definitions

Omit the definition of *exempt vegetation management works* from clause 7 (1).

Insert instead:

exempt vegetation management works includes any one or more of the following works:

- (a) the removal of any tree or native vegetation if, in the opinion of the Council, the tree or native vegetation is dangerous,
- (b) the removal of any tree or native vegetation to facilitate emergency access by the Council or another public authority,
- (c) the removal of any tree or native vegetation authorised under a bush fire hazard reduction certificate within the meaning of the *Rural Fires Act 1997*,
- (d) the removal of undesirable species.

[2] Clause 28 Tree management

Omit clause 28 (2). Insert instead:

- (2) A person shall not:
 - (a) prune or trim (except in accordance with AS 4373—1996, *Pruning of amenity trees*), remove, clear, cut down, destroy, poison, ringbark, lop, top, injure or interfere with any tree or native vegetation without the prior development consent of the Council, or
 - (b) cause, permit or authorise the pruning or trimming (except in accordance with AS 4373—1996, *Pruning of amenity trees*), removing, clearing, cutting down, destroying, poisoning, ringbarking, lopping, topping, injuring or interfering with of any tree or native vegetation without the prior development consent of the Council.

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Schedule 1 Amendments

[3] Clause 28 (3)

Omit clause 28 (3) (f) and (g). Insert instead:

- (f) the removal or clearing of native vegetation authorised (but not exempt) under the *Native Vegetation Conservation Act 1997*, any other Act or another environmental planning instrument, or
- (g) the removal of dead trees, except where the trees provide habitat for species listed in Schedule 1 or 2 to the *Threatened Species Conservation Act 1995*, or

BY AUTHORITY
