

Application for Removal/Lopping of Trees, Vegetation Clearing under Tree Preservation Order 1990, 2004 & 2011

(OFFICE USE)

File No Date Received
Land No Property No

A1. Approval Type

Application is hereby made for:

- Removal/Lopping of tree(s) (under TPO 1990)
 Vegetation clearing (under TPO 2004)
 Vegetation clearing (under TPO 2011)

A2. Applicant

Surname/s	<input type="text"/>	Given Name/s	<input type="text"/>
OR			
Company/ Organisation	<input type="text"/>	ABN	<input type="text"/>
Postal Address	<input type="text"/>		
Telephone	<input type="text"/>	Mobile	<input type="text"/>
Facsimile	<input type="text"/>	Email	<input type="text"/>

A3. Owner's Consent

As the owner/s of the subject land, I/we give consent to the lodgement of this application and to an authorised officer of Council to enter the premises for the purposes of inspecting work relevant to this application.

Name/s ALL owners (please print)	<input type="text"/>
Company (provide name & title of signatory)	<input type="text"/>
Signature/s ALL owners	<input type="text"/>

A4. Land Description

Lot No	<input type="text"/>	Section	<input type="text"/>	DP/NPP/SP	<input type="text"/>
Unit/Street No	<input type="text"/>	Street	<input type="text"/>		
Suburb/Town	<input type="text"/>				

Application for Removal/Lopping of Trees, Vegetation Clearing
under Tree Preservation Order 1990, 2004 & 2011

Tweed Shire Tree Preservation Order (1990)

1. Take notice, in accordance with Clause 8 of Model Provisions 1980 and Clause 54 of Tweed Local Environmental Plan 2000 (see Amendment 2), Tweed Shire Council has made a Tree Preservation Order in respect of land identified on the map marked "Tweed Shire Council - Tree Preservation Order" and land or vegetation specified in the Schedule to this Order.
2. This Order prohibits the ringbarking, topping, lopping, removing, poisoning, injury or wilful destruction of trees of thirty centimetres (30cm) or more girth (circumference) measured at forty-five centimetres (45cm) above ground, three metres (3m) or more in height or any other tree or trees as specified in the schedule to this order.
3. Notwithstanding Clauses (1) and (2), this Order does not apply to trees:
 - a) Required to be lopped in accordance with Clauses 23(1) and 23(2) of the Electricity (Overhead Line Safety) Regulation 1991;
 - b) Located within public reserves under the control of Council or which are on Council controlled land and all work relating to that land, if performed by Council staff, workmen or persons under the direction of Council staff;
 - c) Within the path of proposed roadways, sewerage or drainage schemes, or any public work that has been approved by Council;
 - d) Within a building site or within eight metres (8m) of an existing or proposed building, or foundations, that has been approved by Council;
 - e) Contained within agricultural tree crops and commercial tree plantations; and
 - f) Which are proclaimed Noxious Plants and Camphor Laurel and Privet Trees.
4. A person who contravenes this Order or causes this Order to be contravened, shall be guilty of an offence under the Environmental Planning and Assessment Act, 1979 as amended, and may be subject to prosecution under the provisions of that Act.

Adopted by Council at its meeting held 4 April, 1990.

Amendment No. 1 (Terranora) adopted by Council at its meeting held 17 May, 1995.

Amendment No. 2 (excludes land affected by TPO 2004) adopted by Council at its meeting held 21 July, 2004 and came into effect on 24 July, 2004.

Amendment No. 3 (Kielvale) adopted by Council at its meeting held 1 December 2004 and came into effect on 13 December 2004.

[THIS NOTES PAGE IS NOT REQUIRED TO BE SUBMITTED WITH YOUR APPLICATION]

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Tweed Shire Tree Preservation Order (2004)

1. Take notice, in accordance with Clause 54 of Tweed Local Environmental Plan 2000, Tweed Shire Council has made a Tree Preservation Order in respect of land identified on the map marked "Land Affected by Tree Preservation Order (2004)" dated 9 July 2004.
2. A person must not carry out vegetation clearing without consent of Council on land identified as 'land affected by Tree Preservation Order' on the map entitled "Land Affected by Tree Preservation Order (2004)" dated 9 July 2004.
3. A person who contravenes this Order or causes this order to be contravened, shall be guilty of an offence under the Environmental Planning and Assessment Act, 1979, as amended, and may be subject to prosecution under the provisions of the Act.
4. The definition of "vegetation clearing" has the same meaning as "vegetation clearing" in Clause 30 of Tweed Local Environmental Plan 2000.
5. Notwithstanding Clause 2, this Order does not apply to vegetation clearing on land if it is reasonably considered necessary by Council to remove or reduce an imminent risk of serious personal injury or serious damage to property.

Adopted by Council at its meeting 7 July 2004. The Tree Preservation Order came into effect on 9 July 2004.

Don Buckley
Acting General Manager
Tweed Shire Council
PO Box 816
MURWILLUMBAH NSW 2484

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Tweed Shire Tree Preservation Order (2011)

1. Take notice, in accordance with Clause 54 of Tweed Local Environmental Plan 2000, Tweed Shire Council has made a Tree Preservation Order in respect of land identified on the map entitled "Tree Preservation Order (2011)" dated 15 February 2011.
2. A person must not carry out vegetation clearing without consent of Council on land identified as 'bushland affected by Tree Preservation Order (2011)' on the map entitled "Tree Preservation Order (2011)" dated 15 February 2011.
3. Notwithstanding Clause 2, a person must not carry out vegetation clearing without consent of Council of the following koala food trees of three metres or more in height on land identified as 'Tweed Coast Koala Habitat Study Area' on the map entitled "Tree Preservation Order (2011)" dated 15 February 2011: Swamp Mahogany *Eucalyptus robusta*, Forest Red Gum *E. tereticornis*, Tallowwood *E. microcorys*, Grey Gum *E. propinqua*.
4. A person who contravenes this Order or causes this order to be contravened, shall be guilty of an offence under the Environmental Planning and Assessment Act, 1979, as amended, and may be subject to prosecution under the provisions of the Act.
5. The definition of "vegetation clearing" has the same meaning as "vegetation clearing" in Clause 30 of Tweed Local Environmental Plan 2000 as it relates to trees.
6. Notwithstanding Clauses 2 and 3, this Order does not apply to vegetation clearing on land if it is:
 - a) reasonably considered necessary by Council to remove or reduce an imminent risk of serious personal injury or serious damage to property;
 - b) located within public reserves under the control of Council (or which are on Council controlled land and all work relating to that land) if performed by Council staff, workmen or persons under the direction of Council staff;
 - c) within the path of proposed roadways, sewerage or drainage schemes, or any public work that has been approved by Council;
 - d) within a building site or within eight metres (8m) of an existing or proposed building, or foundations, that has been approved by Council.

Adopted by Council at its meeting 15 February 2011. The Tree Preservation Order came into effect on 22 February 2011.

Mike Rayner
General Manager
Tweed Shire Council
PO Box 816
MURWILLUMBAH NSW 2484

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