

Environmental Planning and Assessment Act 1979.

Penrith City Council Tree Preservation Order

Penrith City Council has resolved to make the Tree Preservation Order set out hereunder:

Citation:

1. This Order may be cited as the Penrith Tree Preservation Order No.1.

Aim:

2. This Order is for the purpose of securing amenity or preserving existing amenity and for the purpose of protecting or preserving trees or vegetation in the City of Penrith.

Land to which Order applies:

3. This Order applies to all land in the City of Penrith.

Relationship to Environmental Planning Instruments:

4. This Order is made under the Environmental Planning instruments, whether made before or after this Order, which enable Council to make a Tree Preservation Order.

Relation to other Tree Preservation Orders:

5. This Order rescinds all Tree Preservation Orders made before this Order.

Interpretation:

6. In this Order, except in so far as the context or subject or subject matter otherwise indicates or requires:

“Council” means the Council of the City of Penrith.

“Tree” means a perennial plant with self-supporting stem which:

- (a) Has a girth of 30cm or more, measured at a distance of 40cm above the ground; and
- (b) Has a height in excess of 3m.

Tree Preservation:

7. (a) This Order prohibits the ringbarking, cutting down, topping, lopping, removing, injuring or wilful destruction of any tree or trees, except with the consent of Council.
- (b) Any consent under this Order may be given subject to such conditions as Council thinks fit.
- © Any person who contravenes or causes or permits to be contravened, the provisions of this Order shall be guilty of an offence.
- (d) In any proceedings under this Order, it shall be sufficient defence to prove that the tree or trees ringbarked, cut down, topped, lopped, removed, injured or wilfully destroyed was, or were dying or dead or had become dangerous.

Tree Preservation Order – City Wide

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