



Sustainable Development Factsheet

Tree Preservation Order

1. Byron Shire Council Tree Preservation Order applies to the following vegetation on land to which *Byron Local Environmental Plan (LEP) 1988* applies:

- a) any species of tree, palm or fern exceeding three (3) metres in height,
- b) any species of native plant within a community described as heath, mangrove, saltmarsh or sedgeland (of any height).

Note: This Tree Preservation Order does not apply to vegetation on land to which *Byron LEP 2014* applies. **Chapter B2 – Preservation of Trees and Other Vegetation of Byron Development Control Plan 2014** applies instead to vegetation on this land.

2. Notwithstanding Clause (1), this Order does not apply to:

- a) any tree grown for its edible fruit (other than species listed in the Threatened Species Conservation Act, 1995),
- b) minor pruning or lopping associated with regular garden maintenance,
- c) trees planted as part of a windbreak to an orchard,
- d) trees planted for commercial woodlots or farm forestry,
- e) trees within two (2) metres of the footprint of an existing building,
- f) trees under and within two (2) metres of the footprint of a building for which a construction certificate has been issued;
- g) trees listed in Attachment One as Undesirable Trees,
- h) trees in Council caravan parks where removal or lopping is consistent with an adopted vegetation management plan.
- i) Up to six (6) regrowth trees of less than ten (10) years of age per holding in a twelve (12) month period on any rural zoned land.

List of undesirable trees

Botanical Name	Common Name
<i>Araucaria bidwillii</i> <i>* This species should be protected as a heritage item outside of remnant vegetation (ie large trees are exempt in remnant vegetation, but require consent in paddocks, parks and gardens)</i>	Bunya Pine
<i>Syagrus romanzoffianum</i>	Cocos or Queen Palm
<i>Buddleja madagascariensis</i>	Buddleja, Butterfly Bush
<i>Celtis sinensis</i>	Chinese Elm, Hackleberry
<i>Cinnamomum camphora</i> <i>* Camphor Laurel trees greater than one (1) metre in diameter at breast height in urban and village zones are excluded from this list and protected under this Order.</i>	Camphor Laurel
<i>Citrus Limonia</i>	Rough Lemon
<i>Coffea Arabica</i>	Coffee
<i>Corymbia torelliana</i>	Cadaghi

Botanical Name	Common Name
<i>Cotoneaster glycophylla</i>	Cotoneaster
<i>Duranta repens</i>	Duranta
<i>Eriobotrya japonica</i>	Loquat
<i>Erythrina crista-galli</i>	Indian (or Cockscomb) Coral Tree
<i>Erythrina indica</i>	Coral Tree
<i>Erythrina nigra</i>	Orange Coral Tree
<i>Erythrina X sykesii</i>	Coral Tree
<i>Eugenia uniflora</i>	Brazilian Cherry
<i>Ficus elastica</i>	Rubber Tree
<i>Flindersia brayleyana</i>	Queensland Maple
<i>Gleditsia Triacanthos</i>	Honey Locust
<i>Koelreuteria paniculata</i>	Golden Rain Tree
<i>Leucaena leucocephala</i>	Leucaena
<i>Ligustrum lucidum</i>	Large-leaved Privet
<i>Ligustrum sinense</i>	Small-leaved Privet
<i>Morus alba</i>	Mulberry
<i>Murraya paniculata</i>	Murraya
<i>Nerium oleander</i>	Oleander
<i>Ochna serrulata</i>	Ochna
<i>Olea africana</i>	Wild Olive
<i>Paulownia tomentosa</i>	Paulownia
<i>Pinus spp.</i> (Not <i>Araucaria</i> spp. Hoop Pine, Bunya Pine or Cypress Pine or Norfolk Island Pine)	Exotic Pines
<i>Psidium cattleianum</i>	Cherry Guava
<i>Psidium guajava</i>	Guava
<i>Raphiolepis indica</i>	Indian Hawthorn
<i>Raphiolepis umbrellata 'Ovata'</i>	Yeddo Hawthorn
<i>Robinia pseudocacacia</i>	Black Locust
<i>Salix subsp.</i>	Willow
<i>Schefflera actinophylla</i>	Umbrella Tree
<i>Schinus areira</i>	Brazilian Pepper Tree
<i>Solanum hispidum</i>	Giant Devil's Fig
<i>Solanum torvum</i>	Devil's Fig
<i>Spathodea campanulata, subsp. rotundata</i>	African Tulip Tree
<i>Tabebuia chrysantha</i>	Golden Trumpet Tree
<i>Tecoma stans</i>	Tecoma
<i>Toxicodendron succedanea</i>	Rhus
<i>Triadica sebera (Sapium sebiferum)</i>	Chinese Tallow

Further information

Use the ['Development Application Form – Tree Removal'](#) form to lodge a development application. Please contact Council if you have any questions.

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