

# Hay Shire Council Policy



<b>Title of Policy</b>	Street Tree Policy		
<b>This applies to</b>	Council road verges within the Hay Urban Area (IN1, RU5, SP2 and SP3 Zones adjacent to RU5 Zones). This policy does not apply to trees within parks and open spaces, including RE1 and E2 Zones, except for the nature strips within road reserves in these zones).		
<b>Author</b>	J Terblanche	<b>Date Approved:</b>	28 September 2021
<b>Position of Author</b>	Director Infrastructure and Planning	<b>Authorised by:</b>	Council
<b>Legislation, Australian Standards, Code of Practice.</b>	Australian Standard "Pruning of Amenity Trees" AS4373 - 2007		
<b>Related Policies/Procedures</b>			
<b>Attachments</b>	Nil		
<b>Aim</b>	To provide guidelines for the planting, removal and replacement of street trees.		
<b>Version</b>	<b>Details</b>	<b>Date</b>	
1	Original Policy	2011	
2	Review and update	28 September 2021	
<b>Superseded Policies</b>	Hay Shire Council Tree Policy (Adopted by Council - 30 October, 2008)		
<b>The Policy</b>			

## RATIONALE:

This policy defines how Hay Shire Council will manage trees in the Shire and therefore, will assist residents, property owners, authorities, Council officers, contractors, developers, and those working with Council to understand the Shire's requirements for the management of street and reserve trees.

Street and reserve trees contribute to the appearance of the Shire through their aesthetic value, by providing identity and character. In addition, trees contribute to improving urban environments by absorbing heat, providing shade, reducing solar radiation, providing habitat, utilising stormwater run-off and assisting in air purification.

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## **TREE PLANTING:**

- 1) Council will provide and plant suitable trees on nature strips provided that:
  - a) a written application is made for such plantings containing an undertaking from the applicant that the trees, once planted, will be watered by the applicant.
  - b) the total number of trees on any section of nature strip (including existing trees) does not exceed two (2) for each property frontage, excepted where the Director Infrastructure and Planning may determine that additional trees are warranted where the property frontage is significantly longer than normal or other unusual circumstances exist.
- 2) Residents or landowners may provide and plant additional trees on nature strips at their own cost provided that such trees are approved by the Director Infrastructure and Planning, and provided that such plantings are located to minimise future problems in regard to Council's facilities (such as kerb and gutter, water mains etc.) or with the safety of pedestrians or traffic.
- 3) The General Manager may require a resident, or landowner, to remove or relocate any nature strip tree planted without prior approval if he/she is of the opinion that the location or type of tree will, in the future:
  - a) cause damage to water mains, sewer mains, drainage lines, footpaths, kerb and gutter or other Council facilities, or
  - b) cause fouling of power lines, or
  - c) cause a safety hazard to pedestrians or vehicular traffic, or
  - d) not be suitable to the local conditions.

The tree species to be planted will be at the discretion of the Director of Infrastructure and Planning, and the following criteria will be used:

- e) Streetscape Character
- f) Tree species in the vicinity
- g) All services – underground and above ground

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## **TREE MAINTENANCE:**

The maintenance of trees and shrubs on Council controlled property shall be undertaken, where possible by Council staff, at the instruction of Council's Director Infrastructure and Planning. Council officers shall ensure that appropriate techniques and equipment are used for these activities, and that Council's Occupational Health and Safety provisions are adhered to.

Should the consideration of the above factors place the tree maintenance activities outside of Council's abilities or expertise, Council shall engage the services of sufficiently qualified specialists.

The General Manager may arrange, either independently or in conjunction with the relevant energy supply company, for the trimming of trees on Council controlled property to prevent them fouling power lines.

The General Manager may arrange for the trimming or lopping of any tree on Council controlled property that poses a serious and significant threat to the safety of persons, animals, property or the operations of vehicles or aeroplanes.

Written applications for the heavy trimming or lopping of trees on Council controlled property may be determined by the General Manager in accordance with the following guidelines:-

Criteria which **may be** considered as justifying action :

- serious and significant danger to life and / or property,
- inhibits initial commercial or industrial development of a site,
- serious damage to footpaths or other infrastructure,
- the payment by the applicant of the full cost of determined action.

Criteria which **will not** be considered as justifying action :

- dropping of leaves, twigs or other litter,
- overshadowing of property,
- inhibits residential development,
- inhibits additional commercial or industrial development of a site,
- obscures, or otherwise detracts from advertising signage.

A form suitable for making application for the removal of trees on Council controlled property is attached at **Appendix A**.

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**TREE REMOVAL:**

The removal of trees and shrubs on Council controlled property shall be undertaken, where possible, by Council staff, at the instruction of Council’s Director Infrastructure and Planning. Council officers shall ensure that appropriate techniques and equipment are used for these activities, and that Council’s Occupational Health and Safety provisions are adhered to.

Should the consideration of the above factors place the tree removal activities outside of Council’s abilities or expertise, Council shall engage the services of arborists or a suitably qualified specialist.

The General Manager may arrange for the removal of any tree on Council controlled property only under the following circumstances:

- The continuing existence of the tree poses an imminent and serious threat to the safety of persons, animals, property or the operations of vehicles or aeroplanes.
- The undertaking of Council’s operations will be seriously impeded if the tree is not removed; or
- The tree is obviously dead.

Applications for the removal of any tree on Council controlled property, other than for the above reasons, shall be determined by Council upon consideration of the following:

- Written application from a landowner, resident and/or a Council officer stating reasons for removal; and
- Inspection and report by a suitable contractor or staff member.
- Any objections received.

Criteria which **may be** considered as justifying action:

- serious and significant danger to life and / or property,
- inhibits initial commercial or industrial development of a site,
- serious damage to footpaths or other infrastructure,
- the payment by the applicant of the full cost of determined action.

Criteria which **will not** be considered as justifying action :

- dropping of leaves, twigs or other litter,
- overshadowing of property,
- inhibits residential development,
- inhibits additional commercial or industrial development of a site,
- obscures, or otherwise detracts from advertising signage.

In practice – applications for tree removal will not be considered individually but will be collected and held for consideration by a suitably qualified and skilled person and, ultimately, the Council every 3 to 6 months.

If the removal of a tree is approved, the Council may place conditions as it sees fit including replacement.

A form suitable for making application for the removal of trees on Council controlled property is attached at **Appendix B**.

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# APPENDIX A

## APPLICATION FOR THE TRIMMING OR LOPPING OF STREET TREES

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**APPLICATION FOR THE TRIMMING OR LOPPING OF STREET TREES**

The General Manager  
Hay Shire Council  
HAY NSW 2711

Dear Sir

I/we hereby request that Council Trim / Lop the tree(s) described below from the nature strip of my property at: \_\_\_\_\_  
(Street No.) (Street Name)

Description of Trees: \_\_\_\_\_  
\_\_\_\_\_

To assist Council's considerations, I submit the following information to support this request:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Date)

**OFFICE USE ONLY**

Received By: \_\_\_\_\_ Referred to: \_\_\_\_\_ Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

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# APPENDIX B

## APPLICATION FOR THE REMOVAL OF STREET TREES

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**APPLICATION FOR THE REMOVAL OF STREET TREES**

The General Manager  
Hay Shire Council  
HAY NSW 2711

Dear Sir

I/we hereby request that Council Remove the tree(s) described below from the nature strip of my property at:

\_\_\_\_\_ (Street No.) \_\_\_\_\_ (Street Name)

Description of Trees:

\_\_\_\_\_  
\_\_\_\_\_

To assist Council's considerations, I submit the following information to support this request:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Date)

**OFFICE USE ONLY**

Received By: \_\_\_\_\_ Referred to: \_\_\_\_\_ Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

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