

**HORNSBY SHIRE COUNCIL  
TREE PRESERVATION ORDER**

---

Notice is hereby given that at Council's Ordinary Meeting held on 11 October 2000 the Council of the Shire of Hornsby, by resolution passed in exercise of its powers conferred on it in Clause 8 of the Hornsby Shire Local Environment Plan 1994, made the following Tree Preservation Order:

1. Pursuant to Clause 8 of the Hornsby Shire Local Environment Plan 1994, it is hereby ordered that the ring-barking, cutting down, topping, lopping, removing, injuring and/or wilful destruction of any tree or trees to which this Order relates is prohibited, except with the written consent of Council.
2. For the purpose of this Order, the word 'tree' shall mean a single or multi-trunked wood perennial plant having a height of not less than 3 metres and which develops many branches, usually from a distance of not less than 1 metre from the ground, but excluding any plant which, in its particular location, is a noxious plant declared as such pursuant to the Noxious Weeds Act 1993. This definition of 'tree' includes any and all types of Palm trees.
3. This Order shall apply to all trees located within the Hornsby Local Government Area with the exception of:

- (a) Any tree within 3 metres of the foundation (see below for the definition of foundation) walls of an approved residential building, garage, commercial or community building, or in-ground swimming pool; or
- (b) The following tree species (provided any tree/trees of these species are not identified as a Heritage item under the Hornsby Shire Local Environment Plan):

<b>Common Name</b>	<b>Botanical Name</b>
Broad-leafed Privet	Ligustrum lucidum
Narrow-leafed Privet	Ligustrum sinense
Coral Tree	Erythrina x sykesii
*Camphor Laurel	Cinnamomum caphora
Cotoneaster	Cotoneaster spp.
Rubber tree	Ficus elastica
Willow	Salix babylonica
Evergreen Alder	Alnus jorulensis
Box Elder	Acer negundo
Sweet Pittosporum	Pittosporum undulatum
Poplar	Populus spp.

- (c) Action to prune a tree by less than 10% of the foliage area within a period of not less than 12 months since any prior pruning; or
  - (d) Trees in a National Park, within the meaning of the National Parks and Wildlife Act 1974; or
  - (e) Action to trim or remove trees required by Clause 23 of the Electricity (Overhead Line Safety) Regulation 1991; or
  - (f) Trees within a State Forest, or within a timber or forest reserve, within the meaning of the Forestry Act 1916; or
  - (g) Any tree harbouring Fruit Fly or grown for its edible fruit; and
  - (h)\* Exemptions do not apply to Camphor Laurel trees above 20 metres in height *and* are growing on either Council controlled land or Heritage listed properties.
4. No person shall substantially alter, or cause, permit or direct to be substantially altered, the soil level around the trunk or within 3 metres of the trunk of a tree to which the Order applies, without the written consent of Council.
  5. Council maintains and updates a register of significant trees. The objectives of this Significant Tree Register (STR) are to enhance wildlife corridors; protect bushland; enhance the greening of open spaces; to assist in the identification of gateway roads and special avenues, to provide a database of significant and heritage listed trees for planning; management and educational purposes; to increase the level of protection for trees listed under the STR; and to increase the level of community awareness of Council's commitment to the preservation of significant trees. Contact Council for details regarding special restrictions applicable to these trees.

Definition of a foundation: A concrete slab which supports any approved residential building, garage, commercial premises or community building with walls.  
(NB: This definition does not include buildings on pole frames or pier and beam footings).

This Tree Preservation Order supersedes and replaces the previous Tree Preservation Order made by Council on 5 July 1996.