

Huskisson Heritage Association Inc.

To: council@shoalhaven.nsw.gov.au
cc. all councillors

Subject: proposed amendments to '45 Degree Tree Rule'

The Huskisson Heritage Association strongly supports the proposed amendments to exemption clause 5.2.3 (d) – the 45degree rule – of the Shoalhaven DCP 2014, Chapter G4: Trees and Vegetation Management. Currently this exemption allows residents to self-assess trees for removal on their property, with no inspection, consent or notification required. While it is sometimes necessary to remove a tree that is potentially endangering human safety, this 'rule' simply allows an unfettered free-for-all, while failing to even keep a record of tree removal.

As far as the HHA is aware, the Shoalhaven is the only Council in NSW with this 'rule'. This cavalier approach to managing its tree resources is not found to be necessary anywhere else. It is the antithesis of good management.

The HHA believes that the proposed amendment do not go far enough, but as interim measures they are sensible. Requirements for proper assessment, notification, protection of mature, particularly hollow-bearing, trees that are essential to biodiversity and the protection of wildlife are all necessary good practice. The employment of trained arborists is simply being responsible.

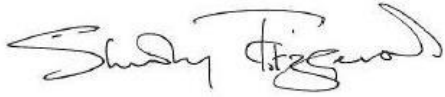
We note that the Shoalhaven Council's Community Strategic Plan identifies 'growing the urban canopy' as a key priority. Clearly this is a challenge in places like Huskisson where apartment development often requires removal of trees. The HHA would like to see some balance restored to the canopy through the introduction of policies to encourage and to fund urban greening.

Heritage is about the things in our environment we care about. People care about trees.

Anyone who stood and watched as the 45-degree rule was invoked to permit the cynical felling of trees on the former Anglican church block on Hawke Street in Huskisson on 18 September 2019, and again on 26 February 2020, knows just how cavalier the use of this 'rule' can be. There was no professional assessment of any 'danger'. The old Blackett church was unoccupied and boarded up, so no-one was in danger there. If it was the old church hall that was in danger of harm, the cynicism could not be greater, as it was slated for destruction and was demolished around the same time that the trees came down. With no records kept and no justifications required, the result is a partially degraded environment on an important block where no trees were endangering the lives of anyone. Some of the trees that were needlessly felled were old growth trees – a rarity in this locality where generations of timber getters took what they wanted.

The HHA appreciates that tree management requires balancing risk to public safety with the benefits provided by trees. These benefits are enormous. The HHA strongly supports the proposed amendments, and hopes for further tree affirming developments in the future.

Yours sincerely

A handwritten signature in black ink, appearing to read "Shirley Fitzgerald". The signature is written in a cursive, flowing style.

Dr Shirley Fitzgerald

President, Huskisson Heritage Association

12 March 2023.

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