

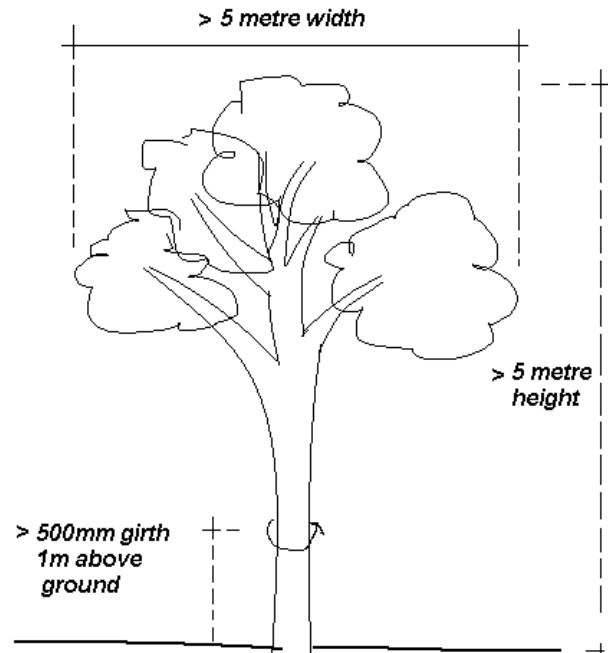
Removing Trees on Private Land

Trees provide shade, habitat for wildlife and purify our air. Trees on private land are vital for scenic amenity and health of urban areas. They set the character for our towns and villages. We need to think carefully before we remove them.

Is approval to remove trees required from Council?

Certain trees and locations require special consideration before tree removal or pruning occurs. Prior approval is required if a tree is prescribed by the Shoalhaven Development Control Plan 2014 Chapter G4. If you answer 'yes' to any of the following questions you need to apply for a Development application to remove the tree, unless an exemption applies.

1. Is the tree:
 - a. A *Toona Australis* (Red Cedar)
 - b. Hollow bearing
 - c. Subject to a development consent condition or a Section 88B restriction-as-to-user that prohibits tree clearing
 - d. Part of an endangered ecological community.
 - e. A Heritage item.
2. Does the tree have any of the following characteristics:
 - a. It is more than 5 metres tall or 5 metres wide
 - b. Has a trunk circumference of more than 500mm measured at 1 metre above ground level



- c. Within 30 metres of a mapped rural road
- d. Within 50 metres of a mapped Category 1 river or waterbody and 30 mts from a Category 2 creek.
- e. In an area mapped as scenic protection in the *Shoalhaven Local Environment Plan 2014*
- f. On land identified as 'paper subdivision' on the DCP (Chapter G4) map.
- g. On land mapped for the purpose of Cl 5.9(2) of the LEP.

If you answered **yes** to any of these questions you will need development consent from Council to remove the tree unless it fits under an exemption outlined below.

Removing trees to build a house?

If you are removing trees with the intention of building something in their place – this activity needs to be assessed as part of your DA – it will not be assessed separately in advance.

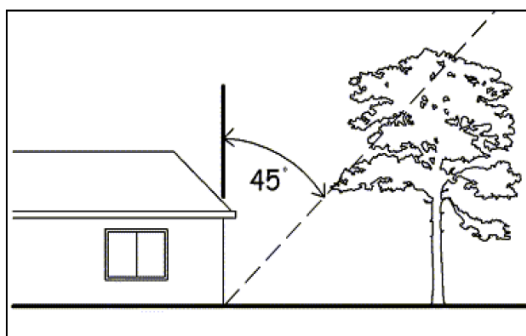
Removing Trees on Private Land

Exemptions

There are no exemptions for Heritage items and conditional exemptions for trees with hollows. Development consent will usually be required. Clauses 5.9(7) and 5.10 of the SLEP 2014 contain specific requirements for heritage applications.

You **don't need** Council approval in the following circumstances:

1. The tree is above a line 45 degrees from the vertical extension of the wall of any building measured at its base. E.g.



2. The tree is within 6 metres of an approved dwelling or 3 metres of an approved garage on residential land.
3. The tree is listed on the attached 'exempt species' list

Hollow bearing trees can only be removed without assessment under the 45 degree exemption if a trained animal handler is present e.g. ecologist or someone from Shoalhaven Wildlife Rescue. Be sure to have documentary evidence to prove that an appropriate handler was present.

If it doesn't meet any of these exemptions – you need to apply for a Development Application to remove it. If you are having trouble using this

advice you can contact Council on 02 44293431 for help.

If you are removing less than 10 trees you can use our 'short-form' application. This form is on Council's webpage:

<http://shoalhaven.nsw.gov.au/My-Property/Trees-on-my-land/Tree-removal-pruning>

If you are seeking to remove more than 10 trees you will need to fill in a Development Application Form.

<http://doc.shoalhaven.nsw.gov.au/displaydoc.aspx?record=FM16/48>

Other Approvals

For rare and threatened species and vegetation communities you may need approval from the State and/or Federal governments.

For more information please refer to Chapter G4 of the Development Control Plan:

http://dcp2014.shoalhaven.nsw.gov.au/sites/dcp2014.shoalhaven.nsw.gov.au/files/DCP2014_AmendmentNo13_ChapterG4_TreeAndVegetationManagement_V3.pdf

Removing Trees on Private Land

Exempt Tree Species List

Any of the following species, regardless of size (unless listed as a Heritage Item, growing within the curtilage of a Heritage Item, or within a Heritage Conservation Area) are exempt from this policy:

- Fruit trees being specifically grown for their edible fruit for human consumption
- *Acacia baileyana* Cootamundra Wattle
- *Acacia decurrens* Black Wattle
- *Albizia jorullensis* Cape Leeuwin Wattle
- *Alnus jorullensis* Evergreen Alder
- *Chamaecytisus sp* Tree Lucerne
- *Erythrina x sykesii* Indian Coral Tree
- *Grevillea robusta* Silky Oak
- *Ligustrum species* Privet
- *Olea Africana* African Olive
- *Phoenix canariensis* Canary Island Date Palm
- *Pittosporum undulatum* Sweet Pittosporum
- *Schefflera species* Umbrella Trees
- *Syagrus romanzoffianum* Cocos or Queen Palm
- *Ficus elastica* Rubber Trees

Any of the following species only if less than 10m tall:

- *Cinnamomum camphora* Camphor Laurel
- *Liquidambar styraciflua* Liquidambar
- *Pinus radiata* Radiata Pine
- *Populus species* Poplars
- *Salix species* Willows

Including any tree that is listed as a Declared Noxious Weed in the Shoalhaven City Council area (unless growing within the curtilage of a Heritage Item).