



Title	Mr
First name	Gary
Last name	Adamson
I am making this submission as	Resident
Submission type	Personal
Organisation making the submission (if applicable)	
Your position in the organisation (if applicable)	
Consent to make submission public	Public
Your story	<p>I have a property at Narrawallee which is on a 10 metre vertical cliff face which adjoins a Council Reserve adjoining the beach which in 1963 was all sand and no trees. Since 1963 the Council has actively encouraged growth on the reserve and there are gum trees growing in the reserve which would now be 30 metres tall and overhang my house which is now in a bush fire zone. My prior request for Council to trim these trees as far back as 2014 have fallen on deaf ears as Council staff simply advise that the trees are considered healthy and cannot be touched. The original argument was that the trees are 'old growth' until I produces aerial photos from the Land Registry Service from 1963 clearly showing there were no trees on the Reserve in 1963. I have since built a new house on the property to flame zone standard which does not resolve that fact that at some time these trees will fall on the house (not a matter of if but rather when) and open up the roof area so the hundreds of thousands of extra dollars spent as Council insistence in flame proofing the new</p>

house will be a waste if this occurs during a fire as the interior of the house will be open to flame and will burn regardless of the fire proofing as the house is not impact resistant. The state Government has a 10/50 Rule which enables property owners to remove trees within 10 metres of their house if the trees are located on their land but in my case these trees are within 10 meters of the house but located on Council land so I am unable to remove them. Shoalhaven Council clearly recognises that there is a problem with trees and have a policy of permitting property owners to remove trees under their 45 degree rule which simply stated means that if a line is drawn at 45 degrees from the base of the house and that 45 degree line intersects the main trunk and the tree on your lands you can remove it but Council refuses to implement that same policy where trees are on land maintained by Council and a 45 degree line is drawn from the base of an adjoining house which intersects trees on Council maintained land. There clearly needs to be a reasonably priced recourse to a third party such as NCAT where a rate payer can take their case and obtain an Order for Councils to remove trees and/or large branches from trees located on Council land which are a clear threat to an adjoining property. In my case all I have received to date are threatening responses from Councils legal Counsel advising that Council is exempt from damages claims under the Legislation and there is nothing I can do to protect my property from tree impact. damage

1.1 Causes and contributing factors

1.2 Preparation and planning

1.3 Response to bushfires

1.4 Any other matters

Upload files
