

Attachment 2.

Tree Preservation Order NVC

<https://www.nambucca.nsw.gov.au/News-articles/Nambucca-Development-Control-Plan-2010-draft-amendment>

Have your say on draft proposal - tree removal permits in urban areas

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Council is seeking community feedback in relation to amending the Nambucca Development Control Plan 2010 (DCP) to require a tree permit for the removal of significant trees on private land within a non-rural area.

Presently, the Nambucca Valley DCP protects:

- Areas of vegetation on public land to be cleared by persons other than a public authority
- Areas of vegetation identified on the following map within the Pearl Estate Valla as vegetation to be retained/not to be cleared.

Nambucca Valley Council General Manager Bede Spannagle said Council was proposing to expand the number of areas to which Part 3 of the State Environmental Planning Policy (Biodiversity and Conservation) 2021 applies, to include significant trees within a non-rural zone on private land.

“This change, in broad terms, is so significant trees – those which are a threatened species or are critical habitat for a threatened species, plus other definitions – which contribute positively to our community in urban settings can be protected,” he said.

“Some trees in urban settings play an important role in breaking up the built environment visually, so this proposed amendment is to potentially introduce a permit process to protect significant trees with positive impact.

“I encourage any person to share their views on this proposed amendment by making a written submission by 27 February 2026.”

The zones this proposed amendment relates to are: RU5 Village, R1 General Residential, R2 Low Density Residential, R3 Medium Density Residential, R4 High Density Residential, R5 Large Lot Residential, E1 Local Centre, E2 Commercial Centre, E3 Productivity Support, E4 General Industrial, MU1 Mixed Use, SP1 Special Activities, SP2 Infrastructure, SP3 Tourist, RE1 Public Recreation, RE2 Private Recreation, C2 Environmental Conservation, C3 Environmental Management, C4 Environmental Living.

The full definition of a significant tree is a tree which:

- Is listed as a threatened species

- Is listed as an Endangered Ecological Community species
- Is critical habitat for a threatened species
- A tree listed on Councils Significant Tree Register
- Or any tree with a trunk circumference in excess of 2 metres. In addition, trees with multiple trunks that have trunks with a total circumference of 2 metres or more and an average circumference of 625mm or more are also classed as significant. In each situation the circumference of the trunk(s) is taken at a height of one metre above natural ground level.

According to the *Environment Protection and Biodiversity Conservation Act 1999*, the Endangered Ecological Community species in the Nambucca Valley include:

- Coastal Swamp Oak (*Casuarina glauca*)
- Coastal Swamp Sclerophyll Forest
- Littoral Rainforest and Coastal Vine Thickets of Eastern Australia
- Lowland Rainforest of Subtropical Australia
- New England Peppermint Grassy Woodlands
- Subtropical eucalypt floodplain forest and woodland
- Themeda grasslands on Headlands and Seacliffs of North Eastern NSW.

For more information about trees which are listed as a threatened species, visit the Department of Climate Change, Energy, the Environment and Water's website [here](#) and search for its Protected Matters Search Tool.

To make a submission on this proposed amendment, send it addressed to the General Manager, Nambucca Valley Council, PO Box 177, Macksville NSW 2447 or sent by email to council@nambucca.nsw.gov.au no later than 27 February 2026.

RESPONSE

Subject

Submission on Draft Proposal – Tree Removal Permits in Urban Areas (Climate Resilience, Tourism and Coastal Amenity) Submission on Draft Proposal – Tree Removal Permits in Urban Areas (Climate Resilience, Tourism and Coastal Amenity)

To the General Manager,
Nambucca Valley Council

I am writing to make a submission in response to Council's draft proposal to amend the Nambucca Development Control Plan 2010 (DCP) to require a permit for the removal of significant trees on private land within non-rural zones.

I strongly support the intent of this proposed amendment and commend Council for recognising the increasing importance of mature and significant trees within urban and village environments, particularly in the context of climate change, urban heat, flood resilience, and the Nambucca Valley's identity as a coastal holiday destination.

Established trees provide a wide range of ecosystem services that are increasingly critical in built-up areas. These include temperature regulation, stormwater interception, soil stabilisation, habitat connectivity, and the mitigation of flood impacts. The cumulative loss of mature trees in urban settings can intensify heat stress, increase surface runoff, and place additional pressure on drainage infrastructure, emergency response systems, and public health services.

In coastal villages and towns, significant trees play an especially important role in shaping the visitor experience. Tree-lined streets, shaded pedestrian routes, foreshore edges, and beach access corridors contribute to walkability, visual amenity, and comfort during peak holiday periods. These areas often experience increased foot traffic, higher surface temperatures, and intensified use during summer months, making canopy cover an essential form of natural infrastructure. Retaining mature trees in these locations supports local businesses, enhances the attractiveness of town centres and beach precincts, and reinforces the relaxed, nature-connected character that visitors associate with the Nambucca Valley.

I particularly support the proposal to extend protections to:

- Trees listed as threatened species or part of Endangered Ecological Communities
- Trees that provide critical habitat for threatened species
- Trees listed on Council's Significant Tree Register
- Large, mature trees meeting the defined trunk circumference thresholds

As climate impacts intensify, the role of significant trees in maintaining both resident and visitor comfort will become increasingly important. Large canopy trees reduce ambient temperatures through shading and evapotranspiration, helping to counter the urban heat island effect. This is particularly relevant in tourism-focused areas where population numbers increase seasonally and public spaces, retail areas, and recreational facilities experience higher demand.

From a flood mitigation perspective, mature trees and intact root systems slow surface water flows, improve soil infiltration, and reduce erosion — especially relevant in low-lying coastal areas and floodplains that may also contain tourist accommodation, recreation spaces, and key transport routes. Protecting significant trees on private land therefore complements Council’s broader objectives around flood management, climate adaptation, and economic resilience.

The inclusion of Endangered Ecological Communities present within the Nambucca Valley — such as Coastal Swamp Oak communities, Subtropical Eucalypt Floodplain Forests, Littoral Rainforest, and Themeda grasslands — is particularly important. These communities are not only biodiversity assets but also integral to the natural landscapes that underpin the region’s tourism appeal and long-term environmental stability.

I respectfully encourage Council to ensure the proposed amendment and its implementation include:

- 1. Explicit Recognition of Climate, Coastal and Tourism Benefits**
Acknowledging within the DCP that significant trees contribute to climate resilience, urban cooling, flood mitigation, and visitor amenity would strengthen the strategic basis for the amendment and support consistent planning decisions.
- 2. A Clear and Proportionate Permit Process**
The permit system should be transparent and accessible, with clear exemptions for genuine safety risks, storm-damaged trees, or urgent hazards, while discouraging unnecessary removal of healthy, high-value trees.
- 3. Community and Landowner Education**
Providing guidance on the environmental, climate, and tourism-related benefits of tree retention would assist landowners and help foster community support for the proposed controls.
- 4. Long-Term Economic and Infrastructure Considerations**
Retaining mature trees can reduce future expenditure on stormwater infrastructure, heat mitigation measures, and erosion control, while supporting the visual appeal and liveability that underpin the local tourism economy.

Overall, I consider this proposed amendment to be a sensible and forward-looking response to the environmental, climatic, and economic challenges facing the Nambucca Valley. With clear guidance and a balanced approach, it can protect significant trees while supporting resilient, liveable, and attractive urban environments for residents and visitors alike.

Thank you for the opportunity to provide feedback on this important proposal.

Yours sincerely,