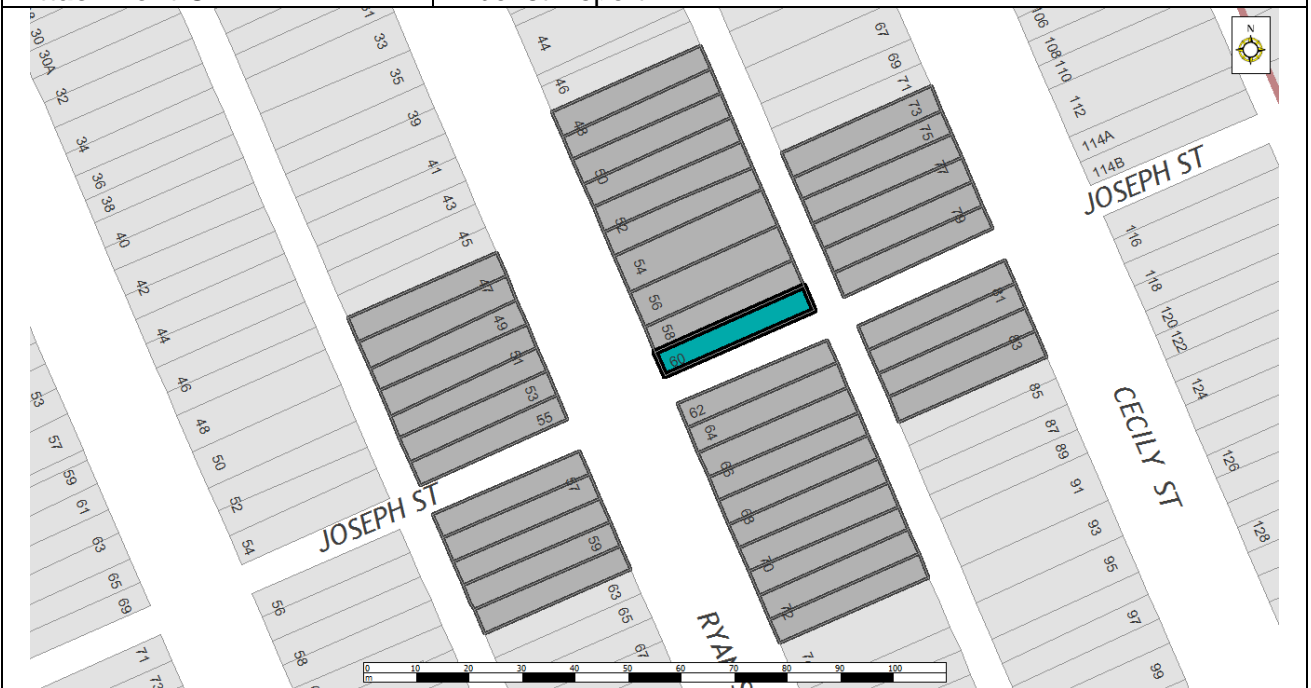




INNER WEST COUNCIL

DEVELOPMENT ASSESSMENT REPORT

| | |
|---|--|
| Application No. | D/2018/413 |
| Address | 60 Ryan Street, LILYFIELD NSW 2040 |
| Proposal | Removal of a Ficus benjamina (Weeping Fig) tree located at rear of a heritage listed site. |
| Date of Lodgement | 7 August 2018 |
| Applicant | Mr B W Peachey and M Peachey |
| Owner | Mr B W Peachey |
| Number of Submissions | Nil |
| Value of works | \$1,000.00 |
| Reason for determination at Planning Panel | Partial demolition of heritage item (tree removal only) |
| Main Issues | Nil |
| Recommendation | Approval |
| Attachment A | Plans of proposed development |
| Attachment B | Statement of Environmental Effects |
| Attachment C | Arborist Report |



LOCALITY MAP

| | | | | |
|---------------|--|------------|--|-----|
| Subject Site | | Objectors | | ↑ N |
| Notified Area | | Supporters | | |

1. Executive Summary

This report is an assessment of the application submitted to Council for removal of a *ficus benjamina* (Weeping fig) tree located at rear of 60 Ryan Street, LILYFIELD NSW 2040. The application was notified to surrounding properties and no submissions were received.

The proposal will not result in any adverse heritage or landscape amenity impacts and therefore the application is recommended for approval.

2. Proposal

This application proposes the removal of one (1) *ficus benjamina* (Weeping Fig) from the rear yard of the site. This tree has a height of approximately 8m with an estimated canopy spread of 6.5m. The diameter of the trunk breast height (DBH) is 57cm. The radius of the structural root zone (SRZ) is approximately 2.5m.

This tree is growing in a raised brick retained garden bed measuring 1.9m x 900mm, located immediately adjacent to the rear of the dwelling.

No other works are proposed as a part of this application.

The location of the tree proposed to be removed is shown in **Figure 1** below.



Figure 1: Location of *ficus benjamina* (Weeping Fig) at the rear of 60 Ryan Street, Lilyfield (Source: Nearmap)

3. Site Description

The subject site is located on the north-eastern corner of Ryan and Joseph Streets, Lilyfield. The site is a rectangular lot with an area of 151m² and is legally described as Lot 115 Section E in DP 1474.

The site has a frontage to Wharf Road of 5.0 metres.

The site is occupied by a modest single-storey dwelling, which was a former shop and residence. Adjoining development is a mix of one and two storey dwellings, some constructed of timber and others of brick.

The subject site is located within the Brennan's Estate Heritage Conservation Area and is listed as a heritage item (I722).

4. Background

4(a) Site history

There is no development history of the subject site relevant to this application. A relevant application on surrounding properties is limited to the following:

58 Ryan Street

| Application | Proposal | Decision & Date |
|-------------|--|---------------------|
| D/2017/80 | Removal of one <i>Callistemon salignus</i> (Willow-leaved Bottlebrush) tree from rear garden | Approved 30.03.2017 |

4(b) Application history

Not applicable

5. Assessment

The following is a summary of the assessment of the application in accordance with Section 4.15 of the Environmental Planning and Assessment Act 1979.

5(a) Environmental Planning Instruments

The application has been assessed against the relevant Environmental Planning Instruments listed below:

- State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005
- Leichhardt Local Environmental Plan 2013

The following provides further discussion of the relevant issues:

5(a)(i) State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

A permit under Part 3 of the Policy cannot be issued for the clearing of vegetation that is or forms part of a heritage item or that is within a heritage conservation area. An appropriate application for development consent relating to the subject tree removal has been made, and its removal is supported subject to conditions. The proposal raises no issues that are contrary to the provisions of this SEPP.

5(a)(i) State Environmental Planning Policy (Coastal Management) 2018

The subject site is not located within the coastal zone, and as such, the provisions of this SEPP are not applicable.

5(a)(ii) Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

An assessment has been made of the matters set out in Clause 20 of the Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005. It is considered that the carrying out of the proposed development is generally consistent with the objectives of the Plan and would not have an adverse effect on environmental heritage, the visual environmental, the natural environment, and open space and recreation facilities.

5(a)(iii) Leichhardt Local Environment Plan 2013 (LLEP 2013)

The application was assessed against the following relevant clauses of the Leichhardt Local Environmental Plan 2013.

- Clause 1.2 – Aims of the Plan
- Clause 2.3 – Zone objectives and Land Use Table
- Clause 5.10 – Heritage Conservation

The following provides further discussion of the relevant issues:

Clause 5.10 – Heritage Conservation

The subject property is a corner allotment and is listed as a heritage item in Schedule 5 of the Leichhardt LEP 2013 (I722). The listing relates to a former shop and residence, including the interiors. The site is next to the heritage item at 62 Ryan Street, Lilyfield (I723), also a former shop and residence.

The site is located in the Brennan's Estate Heritage Conservation Area and the Nanny Goat Hill Distinctive Neighbourhood.

Given the style of development on the site, there is no front setback and a limited amount of rear yard space (refer to **Figure 2**).



Figure 2: Subject site with canopy of the subject tree at the rear (Source: Site inspection)

The trunk of the subject tree is close to the side boundary of the property and is against the gutter of the roof over the rear veranda (refer to **Figure 3**) and is growing in a raised brick retained garden bed measuring 1.9m x 900mm (refer to **Figure 4**).



Figure 3: Subject tree located against the side boundary fence and the rear of the dwelling (Source: Site inspection)



Figure 4: Rear yard of 60 Ryan Street with the small garden bed accommodating the subject tree highlighted in red. Significant displacement of hard stand area to the rear of the site can be clearly seen caused by large extending roots (Source: Site inspection)

The canopy of the tree covers more than the area of the rear yard (refer to **Figure 1** and **Figure 3**) and this severely restricts direct sunlight reaching this open space area and limits the ability for lower level garden plants to flourish.

Council's Heritage Advisor has reviewed aerial images of the site from 2001 and found that the rear of the site was vacant at that time. The Applicant reported to Council's Landscape Officer that the subject tree is an escaped pot plant that was allowed to grow in the current location. As the subject tree has been recently planted, Council's Heritage Advisor concludes that the tree does not make a substantial contribution to the heritage significance of the site.

The proposed removal of the subject tree is considered acceptable from a heritage perspective as it will not impact on the heritage significance of the site, the adjacent heritage item opposite, or the Brennan's Estate HCA.

5(b) Draft Environmental Planning Instruments

Draft State Environmental Planning Policy (Environment) 2018

The NSW government has been working towards developing a new State Environmental Planning Policy (SEPP) for the protection and management of our natural environment. The Explanation of Intended Effect (EIE) for the Environment SEPP was on exhibition from 31 October 2017 until 31 January 2018. The EIE outlines changes to occur, implementation details, and the intended outcome. It considers the existing SEPPs proposed to be repealed and explains why certain provisions will be transferred directly to the new SEPP, amended and transferred, or repealed due to overlaps with other areas of the NSW planning system.

This consolidated SEPP proposes to simplify the planning rules for a number of water catchments, waterways, urban bushland and Willandra Lakes World Heritage Property. Changes proposed include consolidating seven existing SEPPs including Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005.

The proposed development would be consistent with the intended requirements within the Draft Environment SEPP.

5(c) Development Control Plans

The application has been assessed and the following provides a summary of the relevant provisions of Leichhardt Development Control Plan 2013.

| Part | Compliance |
|---|------------|
| Part A: Introductions | |
| Section 3 – Notification of Applications | Yes |
| | |
| Part B: Connections | |
| B1.1 Connections – Objectives | Yes |
| | |
| Part C | |
| C1.0 General Provisions | Yes |
| C1.1 Site and Context Analysis | Yes |
| C1.4 Heritage Conservation Areas and Heritage Items | Yes |
| C1.12 Landscaping | Yes |
| C1.14 Tree Management | Yes |
| | |
| Part C: Place – Section 2 Urban Character | |
| Suburb Profile | |
| C2.2.4.2 Nanny Goat Hill Distinctive Neighbourhood | Yes |
| | |
| Part C: Place – Section 3 – Residential Provisions | |
| C3.1 Residential General Provisions | Yes |
| | |

The following provides discussion of the relevant issues:

C1.12 – Landscaping

The objectives of C1.12 *Residential Development* are:

O1 Development includes on-site landscaped open space that:

- a. enhances the visual setting of buildings;*
- b. contributes to the distinct landscape character within the neighbourhoods and preserves, retains and encourages vegetation and wildlife that is indigenous to the municipality and Sydney;*
- c. preserves or retains natural features such as rock outcrops that contribute to the landscape of the area;*
- d. conserves water resources by reducing the need for irrigation;*
- e. maximises vegetation to regulate and increase rainwater infiltration, thereby increasing nutrient recycling and reducing surface runoff;*
- f. is compatible with the heritage significance of the place;*
- g. contributes to the amenity of the residents and visitors;*
- h. where involving new plantings, benefit the building's energy efficiency;*
- i. protects and retains existing trees on the subject and surrounding sites, including the street verge; and*
- j. is designed to encourage the retention and enhancement of green corridors.*

Removal of the subject tree is supported as it is considered that it is located where the prevailing environmental conditions are unsuitable.

Replacement planting with 1 canopy tree capable of attaining a minimum mature height of 6m is proposed to offset the loss of canopy cover and landscape amenity. This replacement tree will create a positive contribution to the surrounding landscape and enhance the visual appeal of the neighbourhood.

C1.14 – Tree Management

The proposed tree removal is consistent with the *Tree Management Controls* under C1.14.7 which provides the criteria under which the removal of a prescribed tree is to be assessed:

- a. the tree is located where the prevailing environmental conditions are unsuitable;*
- b. the tree is in a state of irreversible decline or is dead;*
- c. the tree poses a threat to human life or property;*
- d. the tree is causing significant damage to public infrastructure which cannot be remediated by any other reasonable and practical means;*
- e. the replacement of damaged or failed sewer pipes or storm water lines cannot reasonably be undertaken with the retention of the tree;*
- f. the tree is not deemed to be a tree of landscape significance; and*
- g. replacement planting can better achieve the objectives of this section of the Development Control Plan within a reasonable time.*

Council's Landscape Officer inspected the site on 13 September 2018. The following observations were undertaken, and arboricultural advice provided below.

- The subject tree was identified as a *Ficus benjamina* (Benjamin fig tree) located in the rear of the site.
- The specimen was seen to be growing in a raised brick retained garden bed measuring 1900mm x 900mm.
- Communication with the Applicant revealed that the specimen is an escaped pot plant that was allowed to grow in the current location.

- Significant displacement of hard stand area to the rear of the site could be clearly seen. Large extending roots were observed to radiating out from the base of the tree causing several significant raised areas (refer to **Figure 5**).
- Several large woody roots were noted to be displacing a gas main located along the side boundary (refer to **Figure 6**).
- The estimated height and canopy spread of the specimen was estimated to be 7.5m x 6.5m.
- The trunk diameter was recorded at 570mm in diameter measured at 1400mm from ground level.
- Several large scaffold branches as well as second order branches were noted to be hard pressed against the gutters and external finishes of the dwelling that cannot be reasonably remediated through pruning without substantially altering the canopy of the tree (refer to **Figures 7 and 8**).
- Several significant trunk and branch inclusions (structural defects) could be seen throughout the canopy. The most significant inclusion was seen recorded to be at 2700mm from ground level and comprises of three large competing leaders.

Given the above, tree removal is supported in this instance in accordance with C1.14.7 of Council's *Tree Management Controls*, section (a) and (g).

(**Figures 5 to 8** – Source: Applicant's submitted Arboricultural Assessment - 12 July 2018)



Figure 5: Raised paved areas caused by large extending roots



Figure 6: Trunk of the subject tree pressed against gas meter and main



Figure 7: Branches pressed against the gutters of the building



Figure 8: Branches pressed against the gutters of the building

C2.2.4.2 Nanny Goat Hill Distinctive Neighbourhood

Control C8 of the *Desired Future Character Controls* seeks to preserve and enhance the prevalence of mature street trees, as well as mature and/or visually significant trees on private land. While the subject tree is visually noticeable in this locality, for the reasons provided throughout this report, removal of this tree is supported subject to replacement planting.

G5.2 Landscaping

The tree to be removed is not listed as a contributory tree and the proposal will not result in any adverse landscape or heritage impacts.

5(d) The Likely Impacts

The assessment of the Development Application demonstrates that, subject to the recommended conditions, the proposal will have minimal impact in the locality.

5(e) The suitability of the site for the development

The site is zoned R1 General Residential. Provided that any adverse effects on adjoining properties are minimised, this site is considered suitable to accommodate the proposed development, and this has been demonstrated in the assessment of the application.

5(f) Any submissions

The application was notified in accordance with Council's Policy for a period of 14 days to surrounding properties from 7 August to 21 August 2018. No submissions were received.

5(g) The Public Interest

The public interest is best served by the consistent application of the requirements of the relevant Environmental Planning Instruments, and by Council ensuring that any adverse effects on the surrounding area and the environment are appropriately managed.

The proposal is not contrary to the public interest.

6 Referrals

6(a) Internal

The application was referred to the following internal sections/officers and issues raised in those referrals have been discussed in section 5 above.

- Heritage Officer: No objections to the proposed tree removal given the tree does not form part of the original planting within the site and does not make a substantial contribution to the heritage significance of the site.
- Landscape: No objections to the proposed tree removal subject to standard conditions and replacement planting.
- Building: The fig tree is creating significant impacts on both buildings and landscape features. Of concern is also the impact on gas meter and potential life safety issues in case of disconnection with the gas supply by the action of roots or the trunk of the tree.

6(b) External

The Development Application was not required to be referred to any external body for comment.

7. Section 7.11 Contributions

Section 7.11 contributions are not payable for the proposal.

8. Conclusion

The proposal generally complies with the aims, objectives and design parameters contained in Leichhardt Local Environmental Plan 2013 and Leichhardt Development Control Plan 2013. The development will not result in any significant impacts on the amenity of adjoining premises and the streetscape. The application is considered suitable for approval subject to the imposition of appropriate conditions.

9. Recommendation

- A. That the Inner West Local Planning Panel exercising the functions of the Council as the consent authority, pursuant to section 4.16 of the Environmental Planning and Assessment Act 1979, grant consent to Development Application No: D/2018/413 for the removal of a *Ficus benjamina* (Weeping Fig) tree located at rear of a heritage listed site at 60 Ryan Street, LILYFIELD NSW 2040 subject to the conditions listed in Attachment A below.

Attachment A – Recommended conditions of consent

CONDITIONS OF CONSENT

1. Approval is given for the following works to be undertaken to trees on the site:

| Tree/location | Approved works |
|---|----------------|
| <i>Ficus benjamina</i> (Benjamin fig tree) located in the rear of the site. | Remove |

Removal or pruning of any other tree (that would require consent of Council) on the site is not approved.

The approved works shall not be carried out unless this letter, or copy of it, is kept on the site. It shall be shown to any authorised Council Officer upon request.

All tree work shall be undertaken by an experienced Arborist with a minimum qualification of Level 3 under the Australian Qualification Framework (AQF). The work shall be undertaken in accordance with AS4373 – 2007 'Pruning of amenity trees' and in compliance with the Safe Work Australia Code of Practice 'Guide to Managing Risks of Tree Trimming and Removal Work'.

Any works in the vicinity of the Low Voltage Overhead Network (including service lines—pole to house connections) shall be undertaken by an approved Ausgrid contractor for the management of vegetation conflicting with such services. Please contact Ausgrid for further advice in this regard.

2. The following replacement trees must be planted:

| Tree/species | Quantity | Location |
|--|----------|------------------|
| Canopy tree capable of attaining a minimum mature height of 6m | 1 | Rear of property |

The minimum container size of the new tree shall be 75 litres at the time of planting, and shall comply with AS 2303—Tree Stock for Landscape Use.

Replacement trees (as specified above) are to be planted within 30 days of the removal. Council is to be notified when the replacement tree has been planted within the timeframe specified above and an inspection arranged with Council's Tree Assessment Officer. If the replacement is found to be faulty, damaged, dying or dead prior to being protected under the Tree Management Controls of the Leichhardt Development Control Plan 2013, the replacement tree shall be replaced with the same species, which will comply with the criteria above.

Council encourages the uses of replacement trees that are endemic to the Sydney Basin to increase biodiversity in the local environment and provide a natural food source for native birds and marsupials. Note: Any replacement tree species must not be a palm tree species or be a plant declared to be a noxious weed under the Noxious Weeds Act 1993 or tree species listed as an exempt species under Section C1.14 (Tree Management) of the Leichhardt Development Control Plan 2013.

3. No activities, storage or disposal of materials taking place beneath the canopy of any tree protected under Council's Tree Management Controls at any time.
4. No trees on public property (footpaths, roads, reserves etc) are to be removed or damaged during works unless specifically approved in this consent or marked on the approved plans for removal.

Prescribed trees protected by Council's Management Controls on the subject property and/or any vegetation on surrounding properties must not be damaged or removed during works unless specific approval has been provided under this consent.

5. The canopy replenishment trees required by this consent are to be maintained in a healthy and vigorous condition until they attain a height of 6 metres whereby they will be protected by Council's Tree Management Controls. Any of the trees found faulty, damaged, dying or dead shall be replaced with the same species within 2 months.

NOTES


1. This Determination Notice operates or becomes effective from the endorsed date of consent.
2. Section 8.2 of the *Environmental Planning and Assessment Act 1979* provides for an applicant to request Council to review its determination. This does not apply to applications made on behalf of the Crown, designated development or a complying development certificate. The request for review must be made within six (6) months of the date of determination or prior to an appeal being heard by the Land and Environment Court. Furthermore, Council has no power to determine a review after the expiration of these periods. A decision on a review may not be further reviewed under Section 8.2.
3. If you are unsatisfied with this determination, Section 8.7 of the *Environmental Planning and Assessment Act 1979* gives you the right of appeal to the Land and Environment Court within six (6) months of the determination date.
4. Failure to comply with the relevant provisions of the *Environmental Planning and Assessment Act 1979* and/or the conditions of this consent may result in the serving of penalty notices or legal action.
5. Works or activities other than those approved by this Development Consent will require the submission of a new development application or an application to modify the consent under Section 4.55 of the *Environmental Planning and Assessment Act 1979*.
6. This decision does not ensure compliance with the *Disability Discrimination Act 1992*. Applicants should investigate their potential for liability under that Act.
7. This development consent does not remove the need to obtain any other statutory consent or approval necessary under any other Act, such as (if necessary):
 - a) Application for any activity under that Act, including any erection of a hoarding.
 - b) Application for a Construction Certificate under the *Environmental Planning and Assessment Act 1979*.
 - c) Application for an Occupation Certificate under the *Environmental Planning and Assessment Act 1979*.
 - d) Application for a Subdivision Certificate under the *Environmental Planning and Assessment Act 1979* if land (including stratum) subdivision of the development site is proposed.
 - e) Application for Strata Title Subdivision if strata title subdivision of the development is proposed.
 - f) Development Application for demolition if demolition is not approved by this consent.
 - g) Development Application for subdivision if consent for subdivision is not granted by this consent.
 - h) An application under the Roads Act 1993 for any footpath / public road occupation. A lease fee is payable for all occupations.

8. Prior to the issue of the Construction Certificate, the applicant must make contact with all relevant utility providers (such as Sydney Water, Energy Australia etc) whose services will be impacted upon by the development. A written copy of the requirements of each provider, as determined necessary by the Certifying Authority, must be obtained.

Have you made a political donation?

If you (or an associate) have made a political donation or given a gift to a Councillor, political party or candidate at the local government elections during the last two (2) years you may need to include with your application a full disclosure of this matter. For information go to Council's website at www.leichhardt.nsw.gov.au/Political-Donations.html. If you have made a reportable donation, failure to provide a completed declaration with your application is an offence under the Environmental Planning and Assessment Act, 1979 for which you may be prosecuted.

Attachment B – Statement of Environmental Effects



INNER WEST COUNCIL

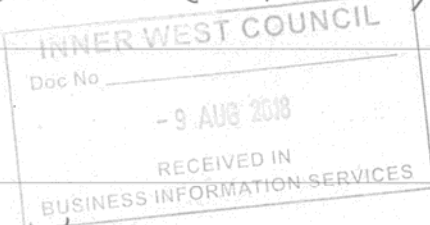
Statement of Environmental Effects – Removal of Tree/s from Heritage Items or Heritage Conservation Areas

| | |
|-------------------------|--|
| About this form: | This form is provided to assist applicants in the preparation of Development Application to remove one or more trees from heritage listed properties or properties located within a Heritage Conservation Area. |
| How to complete: | <ol style="list-style-type: none"> 1. Ensure that all fields have been filled out correctly. 2. Please print clearly. 3. Once completed, please refer to the lodgement details section for further information. |

| Development Application Details: | |
|----------------------------------|--------------------------|
| Address: | 60 RYAN STREET LILYFIELD |
| Proposed Development: | REMOVAL OF TREE |
| Prepared By: | MARY PEACHEY |

| What is the Heritage Status of the Subject Site: | |
|---|--|
| <input checked="" type="checkbox"/> Heritage Item | |
| <input type="checkbox"/> Heritage Conservation Area | |

| Tree Characteristics: | |
|--------------------------------|-------------------------------|
| Species | FICUS BENJAMINA (Weeping Fig) |
| Approximate Height and Spread: | 8 METRES |
| Approximate Age: | 20 years old |



Inner West Council
Statement of Environmental Effects
Trees

council@innerwest.nsw.gov.au
PO Box 14, Petersham, NSW 2049

Updated May 2018
Page 1 of 5



INNER WEST COUNCIL Statement of Environmental Effects – Removal of Tree/s from Heritage Items or Heritage Conservation Areas

Is the Tree a Prescribed Tree:

- Yes
- No

Approval for removal is sought as:

- The tree is located where the prevailing environmental conditions are unsuitable;
- The tree is in a state of irreversible decline or is dead;
- The tree poses a threat to human life or property;
- The tree is causing significant damage to public infrastructure which cannot be remediated by any other reasonable and practical means;
- The replacement of damaged or failed sewer pipes or storm water lines cannot reasonably be undertaken with the retention of the tree;
- The tree is not deemed to be a tree of landscape significance; and
- Replacement planting can better achieve the objectives of this section of the Development Control Plan within a reasonable time.

Please provide further details/justification:
The Tree is causing significant damage to the back yard and house.

- Is the application accompanied by specialist consultant report/s ?
- Yes
 - No



INNER WEST COUNCIL
Statement of Environmental Effects –
Removal of Tree/s from Heritage Items or Heritage Conservation
Areas

| Environmental Impacts | |
|--|-------------------------------|
| Please specify the environmental impacts associated with the proposal and measure to be taken to mitigate the impacts: | |
| Context | |
| Significance of the Heritage Item/Conservation Area: | See ATTACHED ARBOURIST REPORT |
| Flora and Fauna: | |

Is Replacement Planting proposed:

Yes – Please specify:
 GOING TO have whole backyard landscaped with trees that are more appropriate to the space

No – Please specify:



**Statement of Environmental Effects –
Removal of Tree/s from Heritage Items or Heritage Conservation
Areas**

Site Plan:

In the space provided below, please include:

- A diagram of the subject site, indicating street frontage, general location of any buildings, the location of all trees that are the subject of this application and any other trees on the property.
- Approximate height, trunk diameter, canopy width and species of each tree that is the subject of this application.
- Please number the trees which are subject to this application.

See ATTACHED ARBORIST report



INNER WEST COUNCIL
Statement of Environmental Effects –
Removal of Tree/s from Heritage Items or Heritage Conservation
Areas

| | | |
|--|--|-------------------------|
| Declaration | | |
| I understand that information provided with this application (including the application form) and any subsequent information submitted as part of this application may be disclosed under the provisions of the Government Information (Public Access) Act 2009 and correspondence from Council may be made available for viewing by the general public. | | |
| Applicant's signature: | | Date: 7, 8, 2018 |

| |
|--|
| Privacy statement |
| Application forms and/or names and addresses of people making an application is information that is publicly available. In accordance with section 18(1)(b) of the <i>Privacy and Personal Information Protection Act 1998 (NSW)</i> , you are advised that all application forms received by Council will be placed on the appropriate Council file and may be disclosed to Councillors, Council officers, consultants to Council or members of the public. Pursuant to the provisions of the <i>Government Information (Public Access) Act 2009</i> , Council is obliged to allow inspection of its documents, including any application you make. However, should you wish for your contact details to be suppressed, please indicate on this application form. |

| |
|--|
| Instructions for applicants |
| This form must be lodged with your Development Application. Both an electronic and hard copy should be provided. |
| Incomplete/illegible applications will not be accepted and will be returned to you. |
| Lodge in person: Inner West Council's Customer Service Centres: |
| <ul style="list-style-type: none"> • Ashfield – 260 Liverpool Road Ashfield. • Leichhardt – 7-15 Wetherill Street Leichhardt. • Petersham – 2-14 Fisher Street Petersham. |
| Opening hours: Monday-Friday, 8:30am-5:00pm |
| www.innerwest.nsw.gov.au/ContactUs |
| Cashiering: 8:30am-4:30pm. |
| Lodge by mail: Inner West Council, PO Box 14, Petersham NSW 2049 |

Attachment C – Arborist Report



Arboricultural Assessment

60 RYAN ST, LILYFIELD 2040

Prepared by: Colin Curtis
AQF Level 5 Consulting Arborist
Quantified Tree Risk Assessor (QTRA) # 4498
Consulting Member of Arboriculture Australia # 2332
Member of the International Society of Arborists # 228182

Prepared for: Mary Peachey
mgpeachey@gmail.com
0414 648 216

12/07/2018



COMPLETE ARBORCARE ABN: 70 628 896 856 DEE WHY, NSW, 2099
COMPLETARBORCARE.COM.AU 0413801557

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Appendix B: Significance of a Tree, Assessment Rating System* (IACA 2010) – S.T.A.R.S. © 10

1. INTRODUCTION

1.1 Complete Arborcare has been commissioned by Mary Peachy (the property owner) to undertake an Arboricultural Assessment (AA) in regard to potential/existing root conflicts caused by one (1) x *Ficus benjamina* (Weeping Fig). The subject tree is located in the rear yard of the above-mentioned site (see figure 1 below).

2. THE SITE



Figure 1: No.60 Ryan St, Lilyfield showing the subject tree outlined in red (near map 2018).

3. TREE DATA

- 3.1 An on-site inspection was undertaken on the 3rd of July 2018. Weather conditions were fine. The client stated that the tree was planted approximately fifteen years ago & at the time of inspection it displayed fair health with good vigour.
- 3.2 Calculations were made using guidelines supplied in the Australian Standard (AS) 4970-2009, Protection of Trees on Development Sites (Standards Australia, 2009) for the:
 - Tree Protection Zone (TPZ)
 - Structural Root Zone (SRZ)

| Tree No. | Common Name Genus/Species | Height (m) | Age | DBH (cm) | DAB (cm) | TPZ (m) | SRZ (m) | Landscape Significance Rating | ULE Rating | Retention Value |
|----------|---------------------------------------|------------|-----|----------|----------|---------|---------|-------------------------------|------------|-----------------|
| 1 | Weeping Fig <i>Ficus benjamina</i> | 8 | M | 40 | 46 | 4.8 | 2.39 | Low | Medium | Medium-Low |

Table 1: Tree Data.

2 60 Ryan St, Lilyfield 2040

4. SITE OBSERVATIONS

4.1 Figures 2 & 3 (as displayed below) clearly show it was visually apparent that the *Ficus* is abutting upon guttering & fascia, resulting in external damage to the dwelling. Any form of pruning required to restrict future impacts to these areas would be classified as Unacceptable Practices, as stated in Section 8 (8.1 Lopping & topping) of AS 4373-2007, Pruning of Amenity Trees (Standards Australia, 2007).



Figure 2: Damage to guttering that cannot be corrected through pruning.

3

60 Ryan St, Lilyfield 2040



Figure 3 : Damage to fascia that cannot be corrected through pruning.

4.2 Whilst no root investigations were undertaken (due to possible impact upon services & potentially undermining tree stability) figures 4 & 5 (as displayed below) clearly shown that the present damage within the rear court yard cannot be resolved by root pruning or redesign. Any type of root pruning within the SRZ would be classed as a major encroachment (under clause 3.3.3) of AS 4970-2009 & could result in tree decline &/or comprised structural integrity. Future damage to services from root thickening (as displayed in figure 5) can be deemed to be foreseeable.



Figure 4; Extensive damage to landscape paving & structures.



Figure 5: Tree stem expanding into existing services.

5. TREE RETENTION VALUES

6.1 Trees have been allocated a retention value using the priority Matrix in the *IACA Significance of a Tree, Assessment Rating System* (STARS)© (IACA, 2010). The Matrix uses the Landscape Significance rating combined with the Useful Life Expectancy (ULE) to determine a retention value of either;

- Priority for Retention (High) – All measures must be taken to retain and protect these trees. If the guidelines set out in AS4970-2009 Protection of trees on development sites cannot be used to protect the trees, design modification or re-location of the proposed development should be considered.
- Consider for Retention (Medium) – Retention of these trees should remain a priority. If the trees are adversely affecting the proposed development and all protection measures have been considered but are not viable, removal can be considered.
- Consider for Removal (Low) – Retention of these trees is not important. No modification to design should be considered for their retention.
- Priority for Removal – Trees in an irreversible decline, weed species or hazardous trees. These trees should be removed.

6. CONCLUSION/RECOMMENDATIONS

- 6.1 It has been concluded that due to the combined factors of existing damage to the rear of the dwelling & the high potential for future impacts to occur from expansive growth (both above & below ground) problems created by the subject *Ficus* cannot be mitigated.
- 6.2 It is recommended that the *Ficus* be removed (subject to Inner West Council approval).
- 6.3 Tree removal must be undertaken by a suitably qualified AQF Level 3 arborist, following the guidelines provided in the *Amenity Tree Industry – Work Cover Code of Practice 1998 & The Guide to Managing Risks of Tree Trimming and removal work* (Safe Work Australia, 2016)

7. LIMITATIONS ON THE USE OF THIS REPORT

This report is to be utilised in its entirety only. Any written or verbal submission, report or presentation that includes statements taken from the findings, discussions, conclusions or recommendations made in this report, may only be used where the whole of the original report (or a copy) is referenced in, & directly attached to that submission, report or presentation.

8. ASSUMPTIONS

Care has been taken to obtain information from reliable resources. All data has been verified insofar as possible; however, the author of this report can neither guarantee nor be responsible for the accuracy of information provided by others.

Unless stated otherwise:

Information contained in this report covers only the trees that were examined & reflects the condition of the trees at the time of inspection.

The inspection was limited to visual examination of the subject trees without dissection, excavation, probing or coring. There is no warranty or guarantee, expressed or implied, that problems or deficiencies of the subject trees may not arise in the future.

This report does not represent or contain a tree risk assessment.

9. REFERENCES

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RELEVANT APPENDICES - APPENDIX A: GLOSSARY OF TERMS

Images- are sourced from *nearmap* &/or a Samsung S8 mobile phone.

Common name/genus - the common name and *genus/species* of the tree.

Age Class- assessment of the trees current age.

Immature (IM) - refers to a tree at growth stages between immaturity and full size.

Semi-mature (SM) - refers to a full-sized tree with some capacity for further growth.

Mature (M)-refers to a full-sized tree with some capacity for further growth.

Over-mature (OM) - a mature tree has reached a near stable size (biomass) above and below the ground. Trees can have a Mature Age Class for > 90% of their life span. Over-mature (OM) trees show symptoms of irreversible decline and decreasing biomass.

Live Stag (LS) - refers to a tree in a significant state of decline. This is the last stage of a tree prior to death.

Height -estimated overall height of the tree.

Tree Protection Zone (TPZ) - is a "No Go Zone" surrounding a tree to aid in its ability to cope with disturbances associated with construction works. Tree protection involves minimising root damage that is caused by activities such as construction. Tree protection also reduces the chance of a tree's decline in health or death & the possibly damage to structural stability of the tree from root damage.

Diametre at Breast Height (DBH) - the trunk diametre at breast height (in metres) of the tree, 1.4 meters above ground level.

Diametre above the Buttress (DAB) - refers to the tree trunk diametre measured above the root buttress and is used to calculate the radius of the SRZ.

Structural root zone (SRZ) – the structural root zone is the area required for the trees stability. A larger area is required to maintain a viable tree. The SRZ is only needed to be calculated when a major encroachment into the TPZ is proposed. There are many factors that affect the size of the SRZ (e.g. tree height, crown area, soil type, soil moisture). The SRZ may also be influenced by natural or built structures, such as rock and footings.

Vigour - Good (G), Fair (F) or Poor (P) - the general appearance of the canopy of the tree at the time of inspection. Vigour can vary with the season and rainfall frequency

Health – Excellent (E), Very Good (VG), Good (G), Fair (F), Declining (D), Poor (P), Very Poor (VP). this refers to the tree's form & growth habit, as modified by its environment (aspect suppression by other tree/s, soils,) & the state of the scaffold (i.e. trunk & major branches), including structural defects such as cavities, crooked trunks or weak trunk/branch junctions. These are not directly connected with health & it is possible for a tree to be healthy but in poor condition/vigour.

APPENDIX B: SIGNIFICANCE OF A TREE, ASSESSMENT RATING SYSTEM* (IACA 2010) – S.T.A.R.S. ©

Significance of a Tree, Assessment Rating System* (IACA 2010) – S.T.A.R.S. ©

The landscape significance of a tree is an essential criterion to establish the importance that a particular tree may have on a site. However, rating the significance of a tree becomes subjective and difficult to ascertain in a consistent and repetitive fashion due to assessor bias. It is therefore necessary to have a rating system utilising structured qualitative criteria to assist in determining the retention value for a tree. To assist this process all definitions for terms used in the *Tree Significance - Assessment Criteria* and *Tree Retention Value - Priority Matrix*, are taken from the IACA Dictionary for Managing Trees in Urban Environments 2009.

This rating system will assist in the planning processes for proposed works, above and below ground where trees are to be retained on or adjacent a development site. The system uses a scale of *High*, *Medium* and *Low* significance in the landscape. Once the landscape significance of an individual tree has been defined, the retention value can be determined. An example of its use in an Arboricultural report is shown as Appendix A.



Tree Significance - Assessment Criteria

High Significance in landscape

- The tree is in Good condition and Good vigour;
- The tree has a form typical for the species;
- The tree is a remnant or is a planted locally indigenous specimen and/or is rare or uncommon in the local area or of botanical interest or of substantial age;
- The tree is listed as a Heritage Item, Threatened Species or part of an endangered ecological community or listed on Councils Significant Tree Register;
- The tree is visually prominent and visible from a considerable distance when viewed from most directions within the landscape due to its size and scale and makes a positive contribution to the local amenity;
- The tree supports social and cultural sentiments or spiritual associations, reflected by the broader population or community group or has commemorative values;
- The tree's growth is unrestricted by above and below ground influences, supporting its ability to reach dimensions typical for the taxa *in situ* - tree is appropriate to the site conditions.

Medium Significance in landscape

- The tree is in Fair-Good condition and Good or Low vigour;
- The tree has form typical or atypical of the species;
- The tree is a planted locally indigenous or a common species with its taxa commonly planted in the local area
- The tree is visible from surrounding properties, although not visually prominent as partially obstructed by other vegetation or buildings when viewed from the street,
- The tree provides a fair contribution to the visual character and amenity of the local area,
- The tree's growth is moderately restricted by above or below ground influences, reducing its ability to reach dimensions typical for the taxa *in situ*.

Low Significance in landscape

- The tree is in fair-poor condition and good or low vigour;
- The tree has form atypical of the species;
- The tree is not visible or is partly visible from surrounding properties as obstructed by other vegetation or buildings,
- The tree provides a minor contribution or has a negative impact on the visual character and amenity of the local area,
- The tree is a young specimen which may or may not have reached dimension to be protected by local Tree Preservation orders or similar protection mechanisms and can easily be replaced with a suitable specimen,
- The tree's growth is severely restricted by above or below ground influences, unlikely to reach dimensions typical for the taxa *in situ* - tree is inappropriate to the site conditions,
- The tree is listed as exempt under the provisions of the local Council Tree Preservation Order or similar protection mechanisms,
- The tree has a wound or defect that has potential to become structurally unsound.

Environmental Pest / Noxious Weed Species

- The tree is an Environmental Pest Species due to its invasiveness or poisonous/ allergenic properties,
- The tree is a declared noxious weed by legislation.

Hazardous/Irreversible Decline

- The tree is structurally unsound and/or unstable and is considered potentially dangerous,
- The tree is dead, or is in irreversible decline, or has the potential to fail or collapse in full or part in the immediate to short term.

The tree is to have a minimum of three (3) criteria in a category to be classified in that group.

Note: The assessment criteria are for individual trees only, however, can be applied to a monoculture stand in its entirety e.g. hedge.

Institute of Australian Consulting Arboriculturists (IACA 2010), *IACA Significance of a Tree, Assessment Rating System (STARS)*, www.iaca.org.au

Table 1.0 Tree Retention Value - Priority Matrix.

| | | Significance | | | | |
|---------------------------|-----------------------------|---|---|--|---|--|
| | | 1. High Significance in Landscape | 2. Medium Significance in Landscape | 3. Low Significance in Landscape | Environmental Pest / Noxious Weed Species | Hazardous / Irreversible Decline |
| Estimated Life Expectancy | 1. Long >40 years | | | | | |
| | 2. Medium 15-40 Years | | | | | |
| | 3. Short <1-15 Years | | | | | |
| | Dead | | | | | |

| Legend for Matrix Assessment | |
|------------------------------|--|
| | Priority for Retention (High) - These trees are considered important for retention and should be retained and protected. Design modification or re-location of building/s should be considered to accommodate the setbacks as prescribed by the Australian Standard AS4670 Protection of trees on development sites. Tree sensitive construction measures must be implemented e.g. pier and beam etc if works are to proceed within the Tree Protection Zone. |
| | Consider for Retention (Medium) - These trees may be retained and protected. These are considered less critical, however their retention should remain priority with removal considered only if adversely affecting the proposed building/works and all other alternatives have been considered and exhausted. |
| | Consider for Removal (Low) - These trees are not considered important for retention, nor require special works or design modification to be implemented for their retention. |
| | Priority for Removal - These trees are considered hazardous, or in irreversible decline, or weeds and should be removed irrespective of development. |

USE OF THIS DOCUMENT AND REFERENCING The IACA Significance of a Tree, Assessment Rating System (STARS) is free to use, but only in its entirety and must be cited as follows: IACA, 2010, *IACA Significance of a Tree, Assessment Rating System (STARS)*, Institute of Australian Consulting Arboriculturists, Australia, www.iaca.org.au

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