



## “GROWING MY WAY”

### Tree Consultants

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ABN 97 965 355 200

21 May 2022

RDO Architect  
c/ Mark Sheppard (Builder)  
79 Sheppherd Street  
CHIPPEMDALE, NSW 2008

### **1A The Serpentine, Bilgola Beach – Section 4.55** **Modification to Consent** **(Development Application DA2021/0148)**

Works within the subject site at the time of assessment is being undertaken as per the DA ‘*Conditions of Consent*’ (DA2021/0148) FOR Alterations & additions to a dwelling house.

Please find helpful our requested response & recommendations for the management of two (2) *Livistona sustralis* (Cabage Tree Palms) exposed as being a significant contributory cause to structural damage, essential to be remedied.

Additional other non-protected trees species are also noted within the immediate area of the two (2) focused upon trees. Their genus/species range includes *Archontophoenix cunninghamiana* (Bangalow Palms), *Syagrus romanzoffianum* (Cocos palms) & *Strelitzia nicolai* (Giant Bird of Paradise). On the basis these trees are exempt species (as well as not being locally indigenous species within the *Littoral Rainforest* plant community) they are not discussed any further as they can be removed at any time.

These two (2) focused upon trees are protected by multiple layers; including the NBC (old *Pittwater Council DCP – Pittwater 21 – see B4.17 Littoral Rainforest – Endangered Ecological Community*) plus an additional layer of protection as the trees are part of a ‘locally listed ‘*Heritage Item*’, (I2270031).

The site was visited on Thursday, 5 May 2022 in the presence of Mark Sheppard, (Contracted Builder).

We confirm to have researched the status & contents of the determined DA2021/0148, with a focus upon the; ‘*Heritage Referral Response*’ (dated 08/06/2021) & the ‘*Natural Environment Response*’ (dated 06/06/2021). In summary, both responses raised no objections to the DA as lodged.

Onsite assessment was undertaken from both outside the dwelling footprint as well as inside the dwelling. (The internal floor & vertical walls closet to the discussed trees had been removed so access was excellent. Soil, structural damage & ‘live tree roots’ were all visible from within the dwelling. (See Attachment A Photographs.)

The two (2) trees focused upon are considered to be a very minor component of the very much larger group of the single species trees listed as a ‘*Heritage Item*’.

*Simply, the two (2) focused upon trees as well as several not protected trees are assessed as being in direct conflict with the dwelling & the works approved or being sought to be approved as part of the current Section 4.55 process. (See Attachment A Photographs.)*

*The not protected trees are supported to be removed/replaced. The two (2) focused upon trees are supported to be either removed & replaced with the same species trees or potentially relocated. (See Attachment A Photographs.)*

As briefed, the existing footings supporting the portion of the dwelling floor & vertical walls are both compromised & defective (resulting in very obvious structural damage not probably considered until demolition works commenced. It is our understanding the footing/floor area/vertical walls damaged have to be totally replaced. They are proposed to be supported with strip concrete & brick footings to mediate the very significant as observed structural damage the discussed tree ‘live roots’ are assessed as being a contributor to. (See Attachment A Photographs.)

It is our opinion the removal/replacement of the two (2) focused upon trees will not result in any disruption to the ecology or character of the listed ‘*Heritage Item*’. Only persons familiar with the project would be able to visually identify the supported removal/replacement process as a minor change to existing character.

By genus/species the two (2) focused upon trees could be successfully relocated. This is not our preferred option as there is no guarantee of success whereas same species (purchased) imported trees by genetic pool character may actually be of a benefit to the listed ‘*Heritage Item*’ group of trees within the Bilgola Beach valley area.

On the basis, tree management is now identified as a major issue relative to completing the project it is our opinion the garden bed area outside the immediate area where remedial building works are essential will now be captured by the provisions within the *Australian Standard (AS4970-2009 Protection of trees on development sites*. (See Chapters 3, 4 & 5 of this guideline document.)

We suggest the trees not impacted upon by the remedial works within this area (i.e., trees captured as part of the ‘*Heritage Item*’) be isolated by standard Tree Protection Zone (from herein TPZ) temporary metal mesh fencing panels with above ground supports as a group planting. Once instated, any DA modified ‘Conditions of Consent’ would require a ‘*Compliance Certificate*’ prepared by the sites retained Project Arborist in writing with supporting photographic evidence.

Should anyone with any questions require additional information please contact Kyle A Hill by either email ([klyeahill@optusnet.com.au](mailto:klyeahill@optusnet.com.au)) or phone (61 412 221 962) during normal Monday thru Friday business hours.

Yours faithfully,



[Kyle A Hill, AQF level 5 Diploma in Horticulture/Arboriculture, (TAFE NSW) & AQF level 8 Post Graduate Certificate in Arboriculture, (University of Melbourne), Member of Arboriculture Australia, (#1884), International Society of Arboriculture, (#14117), Victorian Tree Industry Association, (#V10715 2019)]

**Attachment A:**

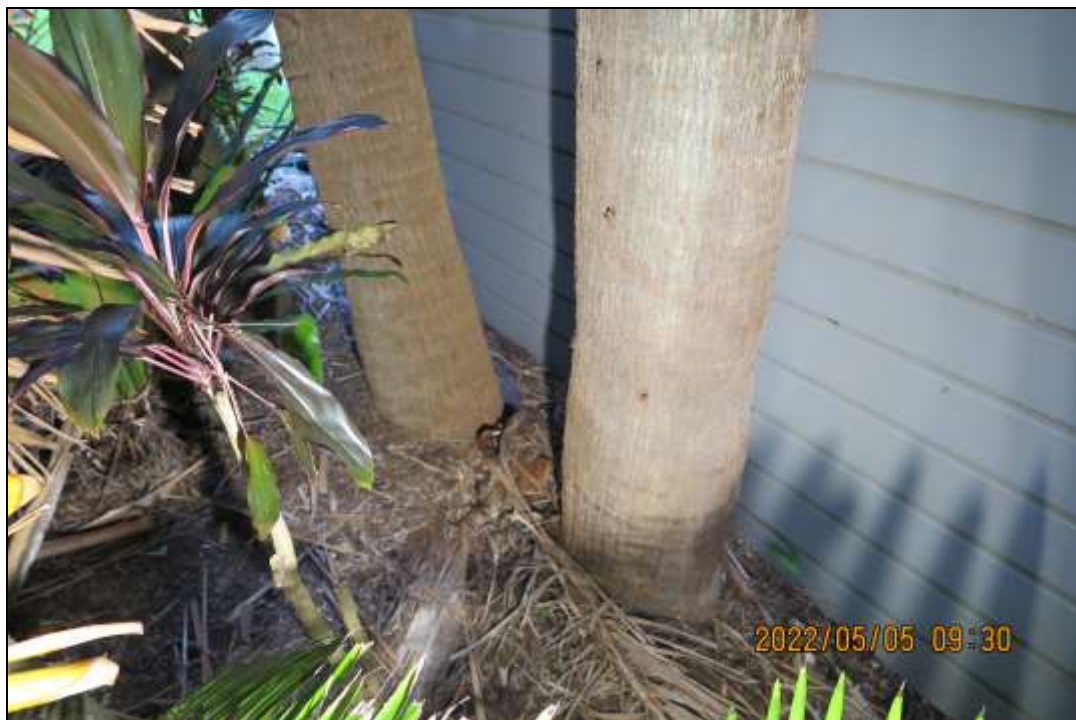


**Figure 1: Above photographs confirm soil level conflicts, damaged built form & tree roots penetrating into & under the original floor.**





**Figure 2: Above illustrates the discussed trees & nearby vegetation. Below illustrates the location of the two (2) focused upon trees supported to be removed/replaced.**



**Attachment B:**  
**CURRICULUM VITAE – May 2022**

Kyle A. Hill

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**Education/Qualifications:**

- Post Graduate Certificate-Arbiculture (AQF level 8)
- Diploma of Horticulture - Arboriculture (AQF level 5)
- Workplace Training & Assessment (AQF level 4)
- Certificate of Horticulture, (AQF level 4)
- Advanced Tree Surgery Certificate

**Professional Development:**

- 2021 & 2022 VALID – Risk Benefits
- 2020 Tree Anatomy Workshop, Arborist Network
- 2018: Frank Renn, Ryde TAFE
- 2018: Quantified Tree Risk Assessment
- 2017 & 2018: Is it VALID? Tree defects, Decay & Decisions
- 2013: Tree Risk Assessment Qualification, ISA (updated 2018)

**Employment History:**

- 2014 - 2015: Tree Management Officer, Lane Cove Council Part time
- 2007 - present: Senior Consultant Arborist, AURA Tree Services
- 2000 - 2005: Field consultant & technical sales manager. Plateau Tree Services
- 1977 - 2005: Founder of Growing My Way Tree Services (tree division)
- 2000 - present: Growing My Way Tree Services (consultancy division)
- 1983 - 2017: TAFE NSW, Part Time Lecturer

**Community Projects:**

- 2006 - present: Newport Residents Association, Roles have included Secretary, President, Vice President & Treasurer
- Garden Design & Development Committee, Maria Regina Primary School
- Garden Committee, Barrenjoey Montessori School
- Founding member Newport Beach Apex Club

**Professional Associations:**

- Arboriculture Australia, Founding Member & Ex Director (2010-2015)
- National Arborists Association (now Arb Aust.), Founding Member, Ex Board Member, Ex Vice President & Treasurer)
- Consulting Arborists division of NAA, (now Arb. Aust.)
- Member International Society of Arboriculture, (USA)
- Member of Victorian Tree Industry Organization (Victoria Aust.)

**Referees:**

- Richard Turnbull, QC
- Andrew Thor, Senior Tree Management Officer Northern Beaches Council
- Judy Fakes, Retired Commissioner of NSW Land & Environment Court
- John Douglas, Senior Head Teacher of Arboriculture, RYDE