

8.18. 85 Broughton Street Kirribilli - Jacaranda Tree Removal Application

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ENDORSED BY: Rob Emerson, Director Open Space and Environmental Services

ATTACHMENTS:

1. Photo of Jacaranda Tree [8.18.1 - 1 page]

PURPOSE:

To consider an application from the property owners of 85 Broughton Street, Kirribilli for the removal of a Jacaranda tree to prevent Brush Turkeys from roosting in the canopy.

EXECUTIVE SUMMARY:

An application for tree removal has been received from the owners of 85 Broughton Street, Kirribilli to remove a Jacaranda tree located in the rear yard to prevent Brush Turkeys roosting in the tree. The application for removal under Council's Tree and Vegetation Management Policy has been declined under delegated authority by Council staff.

It is believed that to remove a tree for the purposes of preventing wildlife for using a tree for habitat is not consistent with Council's tree protection policies and would set an unreasonable precedent.

FINANCIAL IMPLICATIONS:

Nil.

RECOMMENDATION:

1. **THAT** Council refuse the application to remove the Jacaranda tree.

LINK TO COMMUNITY STRATEGIC PLAN

The relationship with the Community Strategic Plan is as follows:

1. Our Living Environment
- 1.2 North Sydney is sustainable and resilient
- 1.3 Quality urban greenspaces

BACKGROUND

In April 2020 the owners of 85 Broughton Street, Kirribilli, applied to remove the Jacaranda (*Jacaranda mimosifolia*) tree located in their backyard under Council's Tree & Vegetation Management Policy.

The Jacaranda has become a roosting site for Brush Turkeys (*Alectura lathami*) and the owners want to remove the tree due to loss of amenity and what they consider a health risk from the bird droppings onto their land.

Brush Turkeys are native wildlife protected under the Biodiversity Conservation Act 2016. They cannot be relocated or destroyed without the landholder gaining consent from the NSW National Parks & Wildlife Service after applying for a Licence to Harm Fauna Landholders permit.

The Jacaranda tree is a healthy specimen and the application for removal was not approved by staff under the Tree & Vegetation Management Policy. The property owners have requested the application for removal is reviewed by Council.

CONSULTATION REQUIREMENTS

Community engagement is not required.

DETAIL

Council received an application to remove the mature Jacaranda tree located in the backyard of 85 Broughton Street, Kirribilli on 25 April 2020. The property is a terrace house and the tree is approximately 15m tall with a 10m canopy spread. Brush Turkeys roost in the Jacaranda and the bird droppings have affected the amenity and enjoyment of the backyard for the residents. They also consider the excrement a health issue for the family.

Council receives many requests to heavily prune or remove protected trees each year because fauna (mainly Fruit Bats, Possums and bird species) are using the tree for habitat purposes. The removal or over-pruning of trees on this basis is not a reason that

Council provides consent under the Tree & Vegetation Management Policy. The approval of permits on this basis would see the wholesale removal of many trees on both private and public land.

Council has had contact with the owners of the property in order to alleviate the concerns of the household. Council conducted a letterbox drop of the surrounding area instructing residents not to feed any Brush Turkeys and that any other food sources are made inaccessible to the birds to discourage them from roosting in the area.

The NSW National Parks & Wildlife Service was also contacted and they advised that if Brush Turkeys are causing safety concerns or undue hardship on a property then the landholder can apply for a Licence to Harm Fauna Landholders permit under the Biodiversity Conservation Act 2016.

In addition to seeking this advice, Council has also contacted the NSW Department of Housing to educate residents at nearby Greenway not to feed fauna and placed signage around the area that feeding wildlife is prohibited.

Removing the Jacaranda tree at 85 Broughton Street, Kirribilli will only cause the birds to roost on trees in adjoining properties.

It would also set a precedent in that the reason for the consent was not that the tree itself was unsafe or dangerous but rather the presence of the fauna roosting in the canopy that was considered a nuisance.

It is recommended that the Jacaranda tree be retained.

