

**TREE APPLICATION ASSESSMENT REPORT**

Application No. DA2009/0495

Proposal Description: Removal of 5 & Pruning of 1 trees

Legal Address: Lot 1 DP 18022

Property Address: 54 Abbott Road NORTH CURL CURL NSW 2099

<b>Assessment Officer:</b>	Jason Goldstein
<b>Notification Required?</b>	<input type="checkbox"/> Yes (14 days) <input checked="" type="checkbox"/> No
<b>Applicable Controls:</b>	<input checked="" type="checkbox"/> EPA Act 1979 <input checked="" type="checkbox"/> EPA Regulations 2000 <input checked="" type="checkbox"/> WLEP 2000 <input checked="" type="checkbox"/> WDCP
<b>SEPPs: Applicable?:</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>REPs: Applicable?:</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>LEPs Applicable?</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>WLEP</b>	
<b>Locality:</b>	F5 Curl Curl
<b>Category of Development</b>	Category 2 (other works)
<b>Desired Future Character Consideration:</b>	
<b>Is the development considered to be consistent with the Locality's Desired Future Character Statement?</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Built Form Controls: Applicable?</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>General Principles of Development Control (GP's): Applicable?</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>(Relevant GP's are:)</b>	Compliant?
<b>CL56</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Retaining Unique Environmental Features on Site</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>CL58</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Protection of Existing Flora</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>CL59</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Koala Habitat Protection</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>CL60</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Watercourses &amp; Aquatic Habitats</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>CL63</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Landscaped Open Space</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Schedules: Applicable?</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Schedule 8 Site analysis</b>	Adequate Detail?
	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

**Clause 31 (How can Council make Tree Preservation Orders (TPO)?)**

**Does the proposed development meet the objectives of the TPO?**

Yes , subject to condition  No

To use this inspection criteria: Bold highlight denotes code, where there is no bold, check the accompanying notes and use the appropriate code or insert the necessary information.

<b>Information Category</b>	<b>No 1</b>	<b>No 2</b>	<b>No 3</b>
Species	Cupressus sp	Celtis Australis	Banksia serrata
<b>Remnant/Planted/ Self sown</b>	P	S	P
<b>Special significance</b>			
Age class <b>Y/S/M/O</b>	M	Y	M
Tree height (m)	10	4	8
Average crown diameter (m)	8	4	6
Crown condition <b>0, 1, 2, 3, 4, 5</b>	4	4	4
Root zone	Gr	Gr	Ga
Defects			
Services/adjacent structures			Bu
Failure potential <b>1, 2, 3, 4</b>	1	1	1
Size of defective part <b>1, 2, 3, 4</b>	1	1	1
Target rating <b>1, 2, 3, 4</b>	2	2	2
Hazard Rating <b>(-/12)</b>	4	4	4
<b>Recommendations</b>			
Remove Tree	Y	Y	Y
Pruning			
Repair/replace surface			
Root pruning/root barrier			
Replanting required	Y	Y	Y
Other			

**Additional Comments:** Trees 1 & 2 are exempt from Councils TPO.

<b>Information Category</b>	<b>No 4</b>	<b>No 5</b>	<b>No 6</b>
Species	Fraxinus x 'Raywood'	Melaleuca armillaris	Unknown
Remnant/Planted/ Self sown	P	P	P
<b>Special significance</b>			
Age class Y/S/M/O	M	O	M
Tree height (m)	8	4	15
Average crown diameter (m)	6	4	15
Crown condition <b>0, 1, 2, 3, 4, 5</b>	3	1	4
Root zone	Ga	Ga	Gr
Defects			
Services/adjacent structures	Bu		
Failure potential <b>1, 2, 3, 4</b>	1	1	1
Size of defective part <b>1, 2, 3, 4</b>	1	1	1
Target rating <b>1, 2, 3, 4</b>	2	2	2
Hazard Rating <b>(-/12)</b>	4	4	4
<b>Recommendations</b>			
Remove Tree	Y	Y	
Pruning			Y
Repair/replace surface			
Root pruning/root barrier			
Replanting required	Y	Y	
Other			

**Additional Comments:** Tree 5 is exempt from Councils TPO. Tree 6 is unknown in name but is similar to a Eucalypt.

**SECTION 79C EPA ACT 1979**

Section 79C (1) (a)(i) – Have you considered all relevant provisions of any relevant environmental planning instrument?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Section 79C (1) (a)(ii) – Have you considered all relevant provisions of any provisions of any draft environmental planning instrument	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Section 79C (1) (a)(iii) – Have you considered all relevant provisions of any provisions of any development control plan	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Section 79C (1) (a)(iiia) - Have you considered all relevant provisions of any Planning Agreement or Draft Planning Agreement	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Section 79C (1) (a)(iv) - Have you considered all relevant provisions of any Regulations?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Section 79C (1) (b) – Are the likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality acceptable?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Section 79C (1) (c) – Is the site suitable for the development?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Section 79C (1) (d) – Have you considered any submissions made in accordance with the EPA Act or EPA Regs?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Section 79C (1) (e) – Is the proposal in the public interest?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

**APPLICATION DETERMINATION****Conclusion:**

The proposal has been considered against the relevant heads of consideration under S79C of the EPA Act 1979 and the proposed development is considered to be:

- Yes, subject to condition  
 Unsatisfactory

**Recommendation:****That Council as the consent authority**

- GRANT DEVELOPMENT CONSENT** to the development application subject to:

- (a) the conditions detailed within the associated notice of determination; and  
(b) the consent lapsing within three (3) years from operation.

- REFUSE development consent** to the development application subject to:

- (a) the reasons detailed within the associated notice of determination.

The application is determined under the delegated authority of:

Jason Goldstein

Signed

Date

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**Tree Assessment Officer**