

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

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

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

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

Tree Assessment Officer