



Warringah Council

Development Application Tree Removal and Tree Pruning

Made under the Environmental Planning and Assessment Act 1979 (Sections 78A)
for works associated with a Complying Development Certificate Application

Address the application to:

- ☐ The General Manager
Warringah Council
Civic Centre, 725 Pittwater Rd
Dee Why NSW 2099

Or

- ☐ Customer Service Centre
Warringah Council
DX 9118
Dee Why

If you need help lodging your application:

- ☐ Phone our Customer Service
Centre on (02) 9942 2111 or
come in and talk to us

Office Use Only

Locality

DA2011/0119

- | | |
|---|--|
| <input type="checkbox"/> Owners Consent | <input type="checkbox"/> Flood Zone |
| <input type="checkbox"/> Lot and DP | <input type="checkbox"/> Riparian Zone |
| <input type="checkbox"/> 40m Buffer | <input type="checkbox"/> Vegetation/
Threatened |
| <input type="checkbox"/> Acid Sulfate | <input type="checkbox"/> Wave Impact |
| <input type="checkbox"/> Bushfire Zone | <input type="checkbox"/> Coastal Zone |
| <input type="checkbox"/> Heritage | <input type="checkbox"/> 100m MHW |
| <input type="checkbox"/> Slip Zone | |

Aug 10

For applicable fees and charges, please refer to Council's website: www.warringah.nsw.gov.au
or contact our Customer Service Centre.

Privacy and Personal Information Protection Notice

The personal information requested in this form is required by or under the Environmental Planning and Assessment Act 1979 and will only be used by Warringah Council in connection with the requirements of that Act and any other relevantly applicable legislation relating to the subject-matter of this application. The information is being collected for the following purposes, namely, to enable us to (1) process and determine your application; (2) contact you in relation to your application should that be necessary; and (3) keep the public informed by making the application publicly accessible. If you do not provide the information, Council will not be able to process your application, and your application will be rejected.

Your application will be available to Councillors and Council Officers. Members of the public have certain rights of access to information and documents held by Council under the Government Information (Public Access) Act 2009 (GIPA), and under the Privacy and Personal Information Protection Act 1998 (NSW) to the extent permitted by those Acts.

Warringah Council is to be regarded as the agency that holds the information, which will be held on Council's records management system or in archives and may be displayed on E-Services Online (except as regards to personal particulars). You have a right to access information within the meaning of the Privacy and Personal Information Protection Act 1998 (NSW) on application to Council, and to have that information updated or corrected as necessary. Please contact Warringah Council if the information you have provided is incorrect or changes or if access is otherwise sought to the information. In addition, a person may request that any material that is available (or is to be made available) for public inspection by or under the Local Government Act 1993 (NSW) be prepared or amended so as to omit or remove any matter that would disclose or discloses the person's place of living if the person considers that the disclosure would place or places the personal safety of the person or of members of the person's family at risk. Any such request must be made to Council's General Manager: see s.739 of the Local Government Act 1993 (NSW).

Part 1 Summary Applicant(s) Details

Applicant(s) name

TIM HAYWARD

Owner(s) name

AUSTALIAN PROPERTY GROWTH FUND

If any owner/applicant of this development application is a current employee or elected representative of Warringah Council.

Warringah Council employee Yes ☐ No ☒ Elected representative Yes ☐ No ☒

Part 2 Application Details

2.1 Location of the property

Unit no.

House no.

12A

Street

ROOBOROUGH RD

Suburb

FRENCH'S FOREST

We need this to correctly identify the land. These details are shown on your rates notice, property title etc.

Legal property description

Lot:

1

Sect:

-

DP/SP:

855678

This information must be supplied.

Part 2 Application Details

2.2 Exemptions

Council consent is not required if the tree is less than 5 metres in height and with a foliage crown spread of less than 10 metres, the tree is dead, has been declared a noxious weed, is referred to as exempt in clause 8 of the Order, or is to be pruned by less than 10% of foliage within a 12 month period (refer to Tree Preservation Order for further clarification).

Application fee

\$110

The owner of the land on which the tree(s) are located must sign the consent on the application.

Any consent issued as a result of this application is not a directive or order and does not oblige the owner to undertake the consented works. The consent is valid for **three years** from the date on the determination.

2.3 Description of works

Please provide details of the work to be carried out in the box below.

Tree no.	Tree species (if known)	Work required (prune/remove/assess)	Reason for the work
1	CABBAGE PALM	REMOVE	ELECTRICITY COMMISSION DEMAND
2	CABBAGE PALM	REMOVE	ELECTRICITY COMMISSION DEMAND.
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			

WITHIN DANGEROUS LOCATION + JEOPARDIZING POWER GRID,
AS PER ATTACHED DOCUMENTATION

Part 2 Application Details

2.4 Sketch

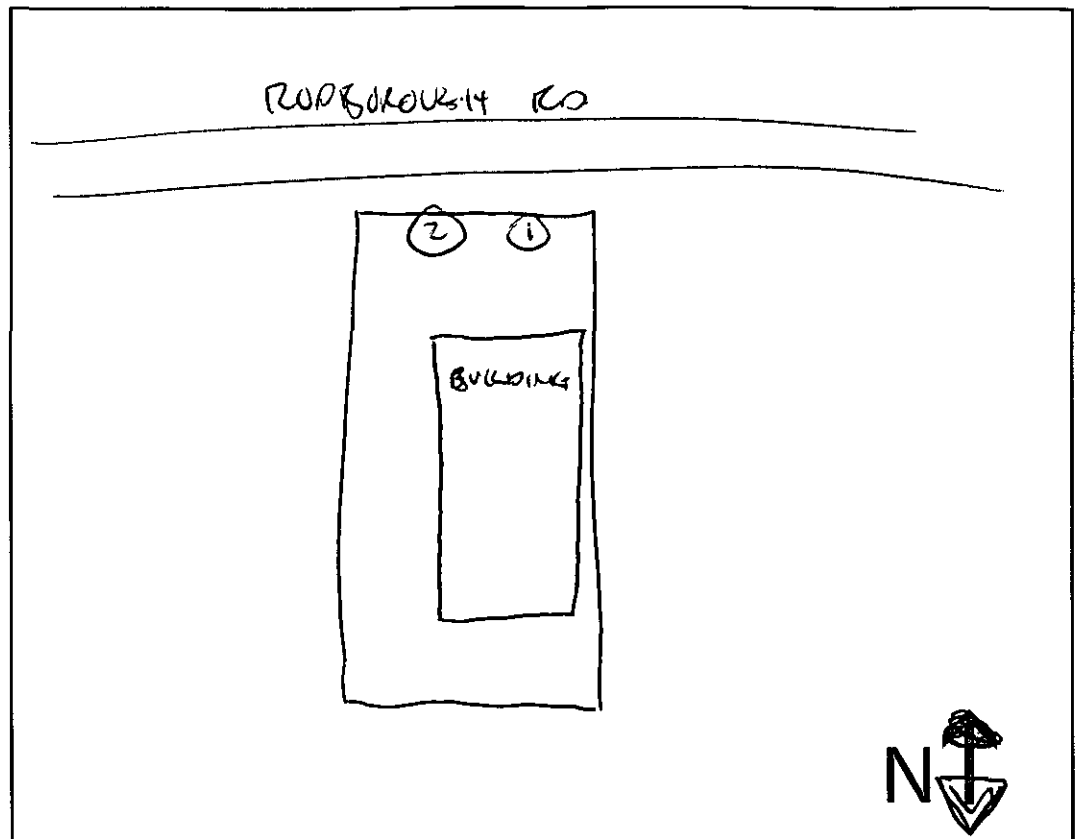
Please indicate in the box on the right:

Sketch the outline of the allotment, street, position of structures eg. house, garage and the location of each tree as numbered in 2.3

Please tie a yellow ribbon around the tree trunk.

Are there any dogs on the property?

Yes ☐ No ☒



2.5 Integrated development

Is this application for integrated development?

Please tick appropriate boxes.

Yes ☐ No ☒

Integrated development is development that requires licences or approvals from other consent authorities. Most forms of development will not be "integrated". See Part 4, Division 5, Section 91 of the Environmental Planning and Assessment Act 1979 - www.legislation.nsw.gov.au.

Fisheries Management Act 1994 ☐ s144 ☐ s201 ☐ s205 ☐ s219

Heritage Act 1977 ☐ s58

Mine Subsidence ☐ s15

Compensation Act 1961

Mining Act 1992 ☐ s63 ☐ s64

National Parks and ☐ s90

Wildlife Act 1974

Petroleum (Onshore) Act 1991 ☐ s9

Protection of the Environment ☐ s43(a),(b),(d) ☐ s47 ☐ s48 ☐ s55 ☐ s122

Operations Act 1997

Roads Act 1993 ☐ s138

Rural Fires Act 1997 ☐ s100B

Water Management Act 2000 ☐ s89 ☐ s90 ☐ s91

Part 2 Application Details

2.6 Disclosure of political donations and gifts

Note: gift means a gift within the meaning of section 84 of the Election Funding & Disclosures Act 1981. Failure to disclose relevant information is considered an offence under Part 6 section 96H of the Election Funding and Disclosures Act 1981.

Under section 147 of the Environmental Planning and Assessment Act 1979 any reportable political donation to an elected representative of Warringah Council (Mayor or Councillor) and/or any gift to an elected representative or Warringah Council employee within a two (2) year period commencing two (2) years before the date of this application and ending when the application is determined must be disclosed.

Are you aware of any person with a financial interest in this application who made a reportable donation or gave a gift in the last two (2) years.

☐ Yes

☒ No

If yes, complete the Political Donation Declaration and lodge it with this application. If no, in signing this application I undertake to advise the Council in writing if I become aware of any person with a financial interest in this application who has made a political donation or has given a gift in the period from the date of lodgement of this application and the date of its determination.

For further information visit Councils website at:
www.warringah.nsw.gov.au/plan_dev/PoliticalDonationsBill.aspx

Development Application Checklist

Required

Supplied

DO YOU HAVE OWNER(S) CONSENT?

(NOTE: If the trunk of the tree is located across property boundaries, all owners consents are required)

☒

☐

HAVE YOU ATTACHED A SKETCH OF THE PROPERTY?

☒

☐

HAVE YOU ATTACHED A CHEQUE?

☒

☐

SUPPORTING DOCUMENTATION? - SEE ATTACHED

Arborist's Report (completed in accordance with Council's Guidelines)

☒

☐

**ASIC**Australian Securities & Investments
Commission**National Names****Index**Index of corporate and business
names**SEARCH TIPS**

Extracted from ASIC's database at AEST 15:55:26 on 20/01/2011

Name APGF MANAGEMENT LIMITED**ACN** 090 257 480**ABN** 50 090 257 480**Type** Australian Public Company, Limited By Shares**Registration Date** 29/10/1999**Next Review Date** 29/10/2011**Status** Registered**Locality of Registered Office** Brisbane QLD 4000**Jurisdiction** Australian Securities & Investments Commission**Former Name(s)** LEYSHON CORPORATION LIMITED

These are the documents that ASIC has most recently received from or in relation to this organisation. Page numbers are shown if processing is complete and the document is available for purchase.

Date	Number	Pages	Description
12/04/2010	026723025	15	311A Notification of Assignment of Charge
12/04/2010	026723026	15	311A Notification of Assignment of Charge
12/04/2010	026723027	15	311A Notification of Assignment of Charge

☒ Complete Document Listing☐ Document Listing Between DatesExclude form 7053A (Disclosure notice for disclosing entity) ☐Start Date 29 Oct 1999 End Date 20 Jan 2011 **SEARCH**Billpay Code: 17301
Ref: 2290902574800Billpay Code: 8929
Ref: 2290 9025 7480 061☒ by phone 13 18 16
pay by Mastercard or VISA☒ internet postbillpay.com.au
pay by Mastercard or VISA

You can find out more about this company or order copies of the documents from the following ASIC information brokers:

[Veda Advantage Limited](#)[eSearch](#)

[Dun & Bradstreet \(Australia\) Pty Limited](#)

[Hazlett Information Services](#)

[Access Business Information](#)

[Espreon](#)

[ABR Pty Ltd](#)

[Universal Title Searches](#)

[Shelco Searches and Services](#)

[Tri-Search](#)

[National Data Centre Pty Ltd](#)

You can also view this company's entry in the [Australian Business Register](#).

[SEARCH AGAIN](#)

To purchase further information about companies, contact our [Information brokers](#).

Important Notice

This service is provided solely for general information purposes. By provision of the service ASIC does not provide legal or other professional advice. ASIC expressly disclaims any liability arising from use of the service. If you require legal or other expert advice or assistance, you should seek the services of a competent professional person.

Created by the Australian Securities and Investments Commission. <http://www.asic.gov.au>

Copyright © 2000 Australian Securities and Investments Commission.

To give us your comments send feedback to netsearch@asic.gov.au.

EXECUTED on behalf of)
APGF MANAGEMENT LIMITED)
ACN 090 257 480 by its duly)
authorised attorney Luis Garcia under)
Power of Attorney dated 15 July, 2008)
registered Book 4549 No. 448 and who)
declares that this power of attorney has)
not been revoked, in the presence of)

Signature of Luis Garcia

Signature of witness

IAN FORTESCUE
Name of witness

POWER OF ATTORNEY

APGF MANAGEMENT LIMITED
(ACN 090 257 480)

THE ATTORNEY NAMED IN SCHEDULE 2



DIBBS ABBOTT STILLMAN LAWYERS

Level 8 Angel Place 123 Pitt Street Sydney NSW 2000

GPO Box 983 Sydney NSW 2001 DX 101 Sydney

Tel 61 2 8233 9500 Fax 61 2 8233 9555

www.daslaw.com.au

POWER OF ATTORNEY

THE CORPORATION named in Schedule 1 (Principal) declares as follows:

1. APPOINTMENT

The Principal appoints each person named in Schedule 2 (respectively an Attorney) severally as the Principal's attorney.

2. POWERS

Each Attorney may do any of the following in the Principal's name or in his or her own name as the act of the Principal:

- (a) execute under hand or under seal:
 - (i) each document described in Schedule 3; and
 - (ii) any other instrument referred to in or relating to each document described in Schedule 3.(each a Document);
- (b) approve the terms and form of, and the identity of the parties to, any Document for execution by the Attorney (including approval of material amendments or additions to any draft of a Document as the Attorney sees fit);
- (c) exchange or deliver (unconditionally or with such conditions as the Attorney sees fit) any Document;
- (d) complete any blanks in any Document;
- (e) give notices and communications under or in connection with any Document;
- (f) exercise any right or power or discharge any obligation of the Principal, or take any other action, under any Document;
- (g) execute under hand or under seal and exchange or deliver (conditionally or unconditionally) any document or agreement that amends, supplements, replaces, novates, terminates or rescinds any Document;
- (h) generally, do anything which in the opinion of the Attorney is necessary, advisable or incidental in connection with any transaction contemplated by any Document or the effective exercise of any of these powers, including to manage, administer and terminate any Document; and
- (i) appoint one or more substitute attorneys to exercise any of these powers and to revoke any such appointment.

3. RATIFICATION

The Principal agrees to ratify anything done by an Attorney under this Power of Attorney (including any act done between the time of revocation of this Power of Attorney and the time of the revocation becoming known to the Attorney).

4. **DELEGATION**

This Power of Attorney applies to a sub-attorney. An Attorney may execute any Document on behalf the Principal even if it contains a power of attorney or other delegation.

5. **CONFLICT OF INTEREST**

An Attorney may execute a Document or do anything (and that Document or thing will be valid) even if the Attorney is in any way:

- (a) interested in the Document or thing; or
- (b) connected with a person who is in any way interested in the Document or thing.

6. **INDEMNITY**

The Principal agrees to indemnify each Attorney against any loss, cost, charge, liability or expense the Attorney may sustain or incur as a direct or indirect consequence of the exercise of any power under this Power of Attorney.

7. **NON-REVOCATION**

Any person dealing with the Attorney in good faith may accept a written statement or certificate by, or provision in any document executed by, the Attorney to the effect that this Power of Attorney has not been revoked as conclusive evidence of that fact.

8. **PERSONAL LIABILITY AND NO WARRANTY**

An Attorney's exercise of any power under this Power of Attorney does not involve on the part of the Attorney, or any entity of which the Attorney is an employee:

- (a) any personal liability in connection with that exercise or its consequences; or
- (b) an express or implied warranty as to the Attorney's authority to exercise the power or the validity of this Power of Attorney.

9. **STAMPING AND REGISTRATION**

The Principal agrees to procure registration of this Power of Attorney in any jurisdiction where registration is necessary or advisable for validity. Any Attorney may stamp and register this Power of Attorney and the Principal agrees to reimburse the Attorney for any costs of stamping and registration.

SCHEDULE 1**Principal**

APGF Management Limited (ACN 090 257 480)

SCHEDULE 2**Attorney**

Luis Garcia

SCHEDULE 3**Documents**

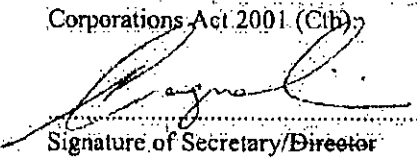
Any document which the Attorney executing the same deems (as conclusively evidenced by its execution) necessary or desirable to be executed by or on behalf of the Principal in connection with the operation of the business of the Principal that relates to any of the following syndicates or trusts:

1. Austgrowth Property Syndicate Number 18 (ARSN 104 390 016);
2. Ausigrowth Property Syndicate Number 18 Unit Trust (ARSN 104 389 933);
3. Austgrowth Property Syndicate No. 20 (ARSN 105 382 250);
4. Austgrowth Property Syndicate No. 20 Unit Trust (ARSN 105 382 438);
5. Austgrowth Property Syndicate No. 21 (ARSN 107 016 044);
6. Austgrowth Property Syndicate No. 22 (Frenchs Forest) (ARSN 109 579 366);
7. Austgrowth Property Syndicate No. 23 (St Kilda Road) (ARSN 108 542 043);
8. Austgrowth Property Syndicate No. 24 (533 Little Lonsdale Street) (ARSN 114 228 590);
9. Brisbane Property Syndicate (ARSN 100 197 546);
10. Brisbane Unit Trust (ARSN 100 197 555);
11. Brisbane CBD Property Syndicate (ARSN 098 268 510);
12. Brisbane CBD Unit Trust (ARSN 098 268 592);
13. Burwood Property Syndicate (ARSN 086 646 086);
14. Burwood Unit Trust (ARSN 086 645 481);
15. Canberra Property Syndicate (ARSN 099 015 013);
16. Canberra Unit Trust (ARSN 099 015 031);
17. Melbourne Property Syndicate (ARSN 101 809 269);

18. Melbourne Unit Trust (ARSN 101 809 401);
19. APGF Diversified Property Fund (ARSN 107 197 231);
20. APGF Property Syndicate No. 4 (ARSN 103 224 880);
21. APGF Property Syndicate No. 5 (ARSN 104 789 997);
22. APGF Property Syndicate No. 7 (ARSN 108 582 636); and
23. APGF Property Syndicate 2000 (ARSN 092 766 571).

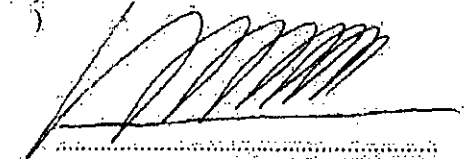
EXECUTED as a deed on the 15 day of JULY 2008.

EXECUTED by)
 APGF MANAGEMENT LIMITED)
 (ACN 090.257.480))
 in accordance with section 127 of the)
 Corporations Act 2001 (Cth))

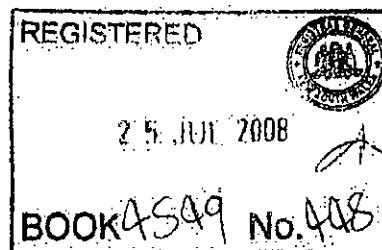

 Signature of Secretary/Director

Adriano Julius Cragnolini

Name of Secretary/Director (Print)


 Signature of Director
Geoffrey Michael McMahon

Name of Director (Print)



Work Order No 2795

W/O Group No 0

**Requester's Information**

Name: Brett

Request No:

Details:

Mobile No:

Enquiries to CPM / Australis Helpdesk 1300 360 536 Email Help@australisfm.com.au Fax 02 9666 3741**Asset Information**

Asset No: Gardening 009

Gardening

APGF

Australian Property Growth Fund

009 12a Rodborough Rd FF

ADPF Sub Trust No 1

At completion of works please contact the Helpdesk on 1300 360 536 and send all invoices noting order number and Marked APGF CO CPM / Australis FM, PO Box 473 Dulwich Hill NSW 2203

Contractor:

Contact:

Ph No:

Work Details

Job Description: Please attend site and remove the 2 tallest palms closest to the power lines as per request inclusive of removal of all wasted from site. Stumps to be cut to ground level only. \$1850 + GST- Apply to council for the removal of the Palms \$120 + GST + Council fees.

Instructions:**Safety Notes:** Hayward Landscape Service

Priority: 3 Within 3 Days

Job Type: Correct

Status: 2 - Ready To Start

Account Code: 402-9

Reference No:

Frequency:

Duration: 0.00

h

Policy No:

Department: Hayward

Raised: 13/10/2010

Due Start:

Start:

Due Finish

Finish:

Trades Information

Trade Code	Name	Due Start	Est Duration	Date Started	Act Duration	Signature

Estimated Costs

Labour:	\$0.00	Material:	\$0.00	Other:	\$1970.00
Total Cost:					\$1970.00

Work History Comments

Tim Hayward

From: Andrew Fusca [afusca@cpm-pl.com.au]
Sent: Wednesday, 8 September 2010 8:27 AM
To: Tim Hayward
Subject: FW: Palm removal 12a Rodborough Rd Frenchs Forest

Tim,

Please find attached the email as discussed.

Regards,

Andrew Fusca
Managing Director

Commercial Portfolio Management Pty Ltd Level 4
2 Barrack Street
SYDNEY NSW 2000

PH: (02) 9262 3636
FAX: (02) 9262 6163
www.commercialportfoliomanagement.com.au

Confidentiality Caution

This email is confidential and intended for the use of the individual or entity named above. If you are not the intended recipient, we advise that any dissemination, distribution or copying of this email is strictly prohibited. If you have received this email in error, please notify us immediately by return email or telephone and please destroy the original message.

Virus

Please note that we may intercept and monitor incoming/outgoing email and, therefore, you should neither expect nor intend any email to be private in nature. We believe, but cannot guarantee, that the email is virus free prior to leaving our computer system. You should, however, satisfy yourself that it is free from harmful components as we do not accept responsibility for any loss or damage it may cause to your computer systems

-----Original Message-----

From: Karina Clemmensen [mailto:karina@auts.com.au]
Sent: Friday, 3 September 2010 10:34 AM
To: Andrew Fusca
Subject: Palm removal 12a Rodborough Rd Frenchs Forest

Hello Andrew

A couple of years ago I contacted you in regards to the removal of 2 palms at the above address which are within minimum clearances of 33kv powerlines.

At the time you advised that the owner of the property did not want the palms to be removed and the file was subsequently put on hold pending further assessment.

It has been noted that the palms have since grown and one in particular (the tallest of the 2) has again been identified as a threat to the High voltage grid. An arborist from EnergyAustralia has re-inspected the site and agreed

that the tallest palm needs to be removed to ensure reliability of their network.

In view of the fact that 2 years have elapsed since we last corresponded and the larger palm has grown even closer to the powerlines, could you please advise whether the owner of the property would now agree to its removal.

Kind regards

Karina Clemmensen
Vegetation Removal Co-coordinator
Australian Urban Tree Services
PO Box 361
Artarmon NSW 1570

Mobile: 0424 224 724
Office: 9460 7044
Fax: 9460 7055

--

Message protected by CleanMail: e-mail anti-virus, anti-spam and content filtering.<http://www.pacific.net.au/security/cleanmail/>
Click here to report this message as spam:
<https://login.mailguard.com.au/report/1ACyKnqZa6/DZablchwokkbvPN29eKKN5/0>

--

Message protected by CleanMail: e-mail anti-virus, anti-spam and content filtering.<http://www.pacific.net.au/security/cleanmail/>