



**ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979 (AS AMENDED)  
NOTICE TO APPLICANT OF DETERMINATION OF A DEVELOPMENT APPLICATION**

**TREE WORKS CONSENT**

**Applicant's Name and Address:**

ALBERT JOHN WESTLEY HARDMAN  
75 ALEXANDRA CRESCENT  
BAYVIEW NSW 2104

Being the applicant in respect of Development Application T0004/16

Pursuant to section 80(1) of the Act, notice is hereby given of the determination by Pittwater Council, as the consent authority, of the Development Application for:

Tree/Bushland Works

**Property Details: 75 ALEXANDRA CRESCENT BAYVIEW NSW 2104  
Lot 18 DP 11186**

**Determination:**

The Development Application has been determined by the granting of consent based on information provided by the applicant in support of the application.

The reason for the imposition of the attached conditions is to ensure that the development consented to is carried out in such a manner as to achieve the objectives of the Environmental Planning and Assessment Act 1979 (as amended), pursuant to section 5(a) of the Act, having regard to the relevant matters for consideration contained in section 79C of the Act and the Environmental Planning Instruments applying to the land, as well as section 80A of the Act which authorises the imposing of the consent conditions.

**Date of Determination: 8/01/2016**

**Conditions of Consent**

Removal Spotted gum in poor condition fungal decay and recent branch failures. Planting of 2x spotted gums on site in suitable positions.

GENERAL:

1. The consent or a true copy is to be displayed on the land on which the works are to be carried out, in a position that will enable it to be read prior to the commencement of and during the carrying out of the works. Failure to display the consent will render the consent invalid.
2. All work to be carried out by a qualified and insured tree contractor.  
Any pruning work is to be carried out in accordance with **AS 4373 - 2007**.
3. The consent of the owner/s of the land on which the tree stands must be obtained before any work is carried out.

4. Where the tree is on a boundary between two or more properties, the consent of all owners must be obtained before any work is carried out.
5. This consent does not give any person the right to enter upon any land without the consent of the owner/s of that land.
6. The tree works must not adversely affect the stability of the site with regard to geotechnical processes.
7. Hollows in trees are to be inspected prior to the commencement of any tree works. Should fauna be present the services of a qualified wildlife expert are to be engaged.
8. The hours of tree work are restricted to between the hours of 7:00am and 5:00pm Monday to Friday and 7:00am to 1:00pm on Saturdays. No works are to be carried out on Sundays or Public Holidays.

**General Notes:**

1. This determination relates to the condition of the tree/s at the time of inspection by Council and is limited to a partial visual assessment of the subject tree from ground level.
2. The responsibility for routine inspection and maintenance of trees located on private property is the responsibility of the relevant landowner.
3. Tree owners are strongly advised by Council to have their trees regularly inspected and maintained by an appropriately qualified person, to prevent the likelihood of branch or tree failure.
4. In accordance with section 95 of the EP&A Act 1979, any consent given shall be void if the work to which it refers is not commenced within two (2) years after the date of determination.  
NOTE: Council may consider an extension of this consent period for a further 12 months, however, the request for extension would have to be received during the initial 2 year period.

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MARK FERGUSON  
General Manager

Per:  
Tree Assessment Officer



# PITTWATER COUNCIL

## DEVELOPMENT APPLICATION ASSESSMENT REPORT – TREE WORKS

APPLICATION NO:

SUBJECT: Tree/Bushland Works

PROPERTY DETAILS: 75 Alexander.

APPLICANT:

OWNERS:

RECOMMENDATION: Consent or ~~Refusal~~

### DEVELOPMENT CONTROLS:

Pittwater Local Environmental Plan 1993 *Clause 33* Preservation of trees or vegetation.  
Pittwater 21 Development Control Plan applies B4.22 Preservation of Trees or Bushland Vegetation

Heritage Listed - X

Geotechnical Risk - X

Natural Environment - X

### NOTIFICATION:

General notification is not required.

Where a tree, due to its size, type or prominence, is deemed significant and is recommended for removal by Council's Tree Management Officers, nearby properties and ward Councillors will be notified of the removal and the reasons.

### INSPECTION FINDINGS:

Date of Inspection - 2.1.16.

Photo Required - X

Location of Tree/s - Rear yard,

Species of Tree/s - C. maculata,

Cultural Significance/s - X

Threatened Species - X

Overall Condition of Tree/s - Poor - multiple branch failures evidence of brown rot

Structure - Poor

Other Visible defects –

Visible Structural damage –

Root zone – on rock shelf.

Bank disturbance – retaining wall.

Geotechnical issues – x

Heritage Consideration – x

Significant Tree - ✓

## CONCLUSION

The Development Application has been assessed in accordance with the provisions of Section 79C of the Environmental Planning and Assessment Act 1979, Pittwater Local Environmental Plan 1993 and Pittwater 21 DCP and other relevant Council policies.

That Council as the consent authority pursuant to Section 80 of the Environmental Planning and Assessment Act 1979 grant consent to refuse development application as set out in the Notice of Determination.

The application is determined under the delegated authority of:

Tree Assessment Officer:

Signed:



Date:

7.1.16.