

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

October 2013

Office Use Only

- ☐ WLEP 2000 Locality
☐ WLEP 2011 Zone

DA 2014/1208

- | | |
|---|--|
| <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 | |

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 stored 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 **RAYMOND GEORGE CHIVERS**

Owner(s) name **RAYMOND GEORGE CHIVERS**

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

Warringah Council Employee Yes ☐ Elected Representative Yes ☐

Part 2 Application Details

2.1 Location of the property

Unit no. House no **41** Street **SUNSHINE**

Suburb **MANLY VALE**

Legal property description Lot **102** Sect DR/SP **11320**

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

This information must be supplied

Part 2 Application Details

2.2 Exemptions

Council consent is not required for removal if the tree is less than 5 metres in height or seven (7) metres in canopy width, the tree is dead, a noxious weed, is referred to in the list of exempt species in Appendix 5 of WDCP, or is considered dangerous to life or property

If a level 5 qualified arborist provides written confirmation that a tree is dangerous to life or property, the tree can be removed without obtaining Consent from Council. Please forward a copy of the arborist's report to Council prior to removal if practical.

You may also prune a tree by less than 10% of the foliage within a 12 month period without Council consent

2.3 Application Fee

\$110 - Fee to be confirmed with Council's current Fees and Charges

2.4 Owners Consent

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 five years from the date on the determination

2.5 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	EUCALYPT (NOT	REMOVE	• TREE REGULARLY DROPS LARGE BRANCHES
2	INDIGENOUS)		ONTO NO 41 AND ADJACENT NATURE STRIP.
3			• COMPLAINTS FROM NEIGHBOURS AT NO 39 AND NO 43. IN PARTICULAR:
4			1. DURING JANUARY 2016 THE TREE DROPPED LARGE LIMBS IN EXCESS OF 20 FEET IN LENGTH.
5			2. ON 14 JULY 2016 NEIGHBOUR AT NO 39 ADVISED THAT SHORTLY BEFORE THAT DATE A LARGE BOUGH HAD FALLEN ONTO HER CAR AND BROKEN THE WINDSCREEN WHILE SHE WAS REMOVING HER BABY FROM A BABY SEAT. THIS CAUSED SIGNIFICANT DISTRESS BUT NO INJURY.
6			• THE TREE IS CAUSING THE COLLAPSE OF THE FRONT BRICK FENCE
7			• THE TREE OVERHANGS THE STREET WHICH IS THE MAIN PEDESTRIAN ACCESS FOR CHILDREN ATTENDING MARY VILLE PRIMARY SCHOOL WITH THE POTENTIAL FOR SERIOUS INJURY OR DEATH.
8			• TREE OVERHANGS ELECTRIC WIRES
9			• TREE'S ROOTS PENETRATION OF FRONT LAWN AREA.
10			
11			
12			
13			
14			

Please indicate whether any of the above trees are considered dangerous to life or property. Please refer to section 2.2 Exemptions

Part 2 Application Details

2.6 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 ☒

Are there any locked gates blocking access?

Yes ☐ No ☒

SUNSHINE STREET

NATURE STRIP

O TREE No. 1. (EUCALYPT)

HOUSE No. 41

No 43

No 39

N ↑

Indicate location of all underground infrastructure such as pipes, sewer etc within 5 metres of the tree

2.7 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 If integrated additional payment (by Cheque) is required to relevant authority

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

2.8 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 Council's website at www.warringah.nsw.gov.au/plan_dev/PoliticalDonationsBill.aspx

Development Application Checklist

Required	Supplied	
DO YOU HAVE OWNER(S) CONSENT? (All owners of the property must give consent) (NOTE: If the trunk of the tree is located across property boundaries, consent of ALL owners of EACH property is required)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
HAVE YOU ATTACHED A SKETCH OF THE PROPERTY? (All trees to be inspected are to be clearly marked on the sketch and on site with tape, ribbon, paint spot or numbered tag)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If you have indicated that the application is Integrated Development HAVE YOU ATTACHED A CHEQUE? Please discuss with Council	<input type="checkbox"/>	<input type="checkbox"/>
SUPPORTING DOCUMENTATION? Have you attached all relevant documentation, reports, photographs in <u>support</u> of the application? e.g. below		
<ul style="list-style-type: none"> <input type="checkbox"/> Arborist's Report (in accordance with Appendix of WDCP) Note: Council's assessment of your tree will be a visual observation made at ground level. Should your tree require detailed inspection or assessment of features located more than 2 metres above ground level, or below ground such as root mapping, to justify your application, you must provide a report from a qualified level 5 arborist detailing these issues. 	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <input type="checkbox"/> Sewer diagram, Plumbers report 	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <input type="checkbox"/> Structural Engineers report detailing damage to property and why alternatives to removing the tree are not feasible 	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Exempt and Complying Development</u>		
Is this application required as part of an Exempt or Complying Development?	<input type="checkbox"/>	<input type="checkbox"/>
If Yes - have you attached <u>all relevant plans</u> ?		
A Site Plan showing existing and proposed development with trees identified in Part 2.5 Warringah Development Control Plan, Part H, Appendix 11 - Class 2-9 Building and Appendix 12 - Tree Protection Plan may apply	<input type="checkbox"/>	<input type="checkbox"/>