



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

DA 2011/0399

- | | |
|---|--|
| <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 MHWM |
| <input type="checkbox"/> Slip Zone | |

Nov 10

For applicable fees and charges, please refer to Council's website: www.warringah.nsw.gov.au
or contact our Customer Service Centre. Rec: 100121750

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

JULIA GIBSON + ADAM CHRISTOPHER

Owner(s) name

JULIA GIBSON + ADAM CHRISTOPHER

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.

2

Street

GULLIVER ST

Suburb

BROOKVALE 2100

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

Legal property description

Lot:

9?

Sect:

2?

DP/SP:

?

This information must be supplied.

51

839 828 of 6

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	CHINESE ELM TREE	REMOVE	SUBSTANTIAL DAMAGE TO DRIVEWAY AND RETAINING WALL
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			

Part 2 Application Details

2.4 Sketch

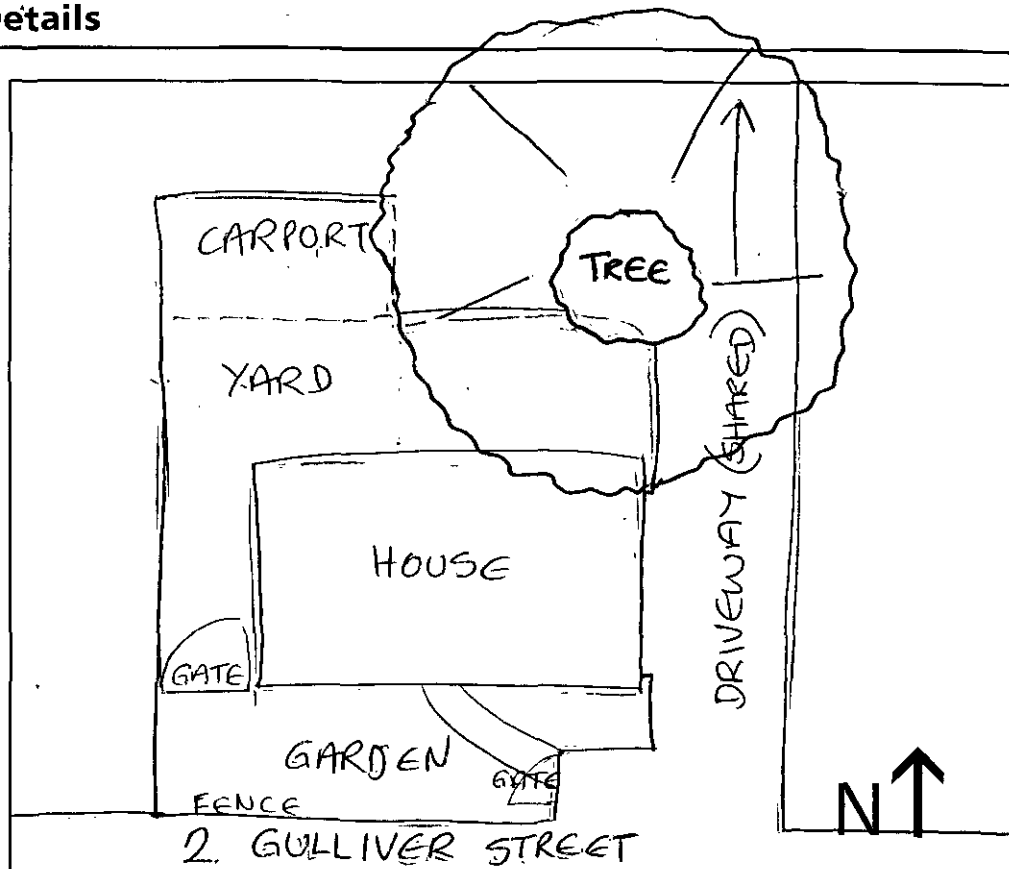
Please indicate in the box on the right:

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	<input type="checkbox"/> s144	<input type="checkbox"/> s201	<input type="checkbox"/> s205	<input type="checkbox"/> s219
Heritage Act 1977	<input type="checkbox"/> s58			
Mine Subsidence	<input type="checkbox"/> s15			
Compensation Act 1961				
Mining Act 1992	<input type="checkbox"/> s63	<input type="checkbox"/> s64		
National Parks and Wildlife Act 1974	<input type="checkbox"/> s90			
Petroleum (Onshore) Act 1991	<input type="checkbox"/> s9			
Protection of the Environment Operations Act 1997	<input type="checkbox"/> s43(a),(b),(d)	<input type="checkbox"/> s47	<input type="checkbox"/> s48	<input type="checkbox"/> s55 <input type="checkbox"/> s122
Roads Act 1993	<input type="checkbox"/> s138			
Rural Fires Act 1997	<input type="checkbox"/> s100B			
Water Management Act 2000	<input type="checkbox"/> s89	<input type="checkbox"/> s90	<input type="checkbox"/> 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	
	Yes	No
DO YOU HAVE OWNER(S) CONSENT? (NOTE: If the trunk of the tree is located across property boundaries, all owners consents are required)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
HAVE YOU ATTACHED A SKETCH OF THE PROPERTY?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
HAVE YOU ATTACHED A CHEQUE?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
SUPPORTING DOCUMENTATION? Arborist's Report (completed in accordance with Council's Guidelines)	<input checked="" type="checkbox"/>	<input type="checkbox"/>



Standfast Tree Services Pty Ltd

ABN: 73 099 603 817

PO Box 1266 Mona Vale 1660

Tel: (02) 9997 6574 or (02) 9997 7899

Email: info@standfast.com.au www.standfast.com.au fax: (02) 9997 8476

Arborists Report

Client: Julia Gibson
Address: 2 Gulliver St, Brookvale, 2100
Phone: 0412 350 997
Date: 1st February 2010
Re: Chinese Elm

Background:

Julia Gibson commissioned this arborists report because she was concerned with the state of the shared driveway owned by herself and her rear neighbour. The concrete was being lifted in several areas and a long crack had appeared in it. Please refer to figures 1 and 2. She and her neighbour were worried because of the significant damage already caused and that if it continued to get worse then the expense of having to have the driveway repaired would be considerable.

Julia Gibson had also noticed that a couple of sleepers in her retaining wall had been pushed out of alignment and broken. Please refer to figure 3.

She believes the most likely culprit for these problems is the Chinese elm situated next to the raised slabs of concrete and on top of the broken retaining wall.

I met Ms Gibson at 2 Gulliver St on 16/1/11. We inspected the situation and it was clear that the Chinese elm was the cause of the damage, refer to figure 4, which shows the base of the tree jammed in between the concrete edge of the driveway and the fence which stands on top of the retaining wall.

After our meeting the measurements and photographs in this report were gathered and a VTA carried out on the subject tree. I returned on 26/1/11 to take some more photos.

Findings:

- The tree is a Chinese elm or *Ulmus parvifolia* at the rear corner of the house next to the driveway, please refer to figure 5.
- Dimensions are 10/12/0.5 approximate metres (height/Crown spread/DBH).
- Age: Mature
Health: Good
Condition: Good
CFDP = 95%



- The base of the elm has now reached the point where it is too large for the narrow garden bed it stands in. It is pushing the concrete driveway out of place on one side and pushing the retaining wall and fence out of place on the other side. That is, the diameter of the base of the elm is now greater than the space it is supposed to occupy. Please refer to figure 6. From this point onwards with every passing day pressure will be increased on the surrounding built environment.
- A large portion of the canopy overhangs the roof of the house and pergola. Refer fig 7. It should be pointed out that Julia is not concerned about leaves falling on the roof and clogging the gutters, although it is a deciduous tree, but there is potential for serious damage being wrought on the roof if one of the branches overhanging it were to fail.

Conclusions:

- The elm is causing damage to the driveway and retaining wall. More damage will be caused if the tree is not removed.
- SULE 4D – removal
- SULE 3B – short SULE

Recommendation:

- Remove the chinese elm.

Please contact me on 0414 722 814 or our office on 9997 6574 if you would like to discuss this report or have any further queries.

Yours faithfully,

Nigel Dean
 Diploma in Horticulture (Arboriculture)
 UPCA Tree Care Certificate
 Standfast Tree Services P/L is a member of TCAA and NAAA



Figure 1
Raised concrete



Figure 2
Crack in driveway



Figure 3
Broken retaining wall



Figure 4
Base of tree lodged between driveway and fence



Figure 5
Ulmus parvifolia or Chinese elm



Figure 6
Tree has outgrown available space



Figure 7
Branches overhanging roof

1.0 TERMINOLOGY USED IN REPORT

1.1 Age classes

(I) *Immature* refers to a well established but juvenile tree.

(S) *Semi-mature* refers to a tree at growth stages between immaturity and full size.

(M) *Mature* refers to a full sized tree with some capacity for further growth.

(O) *Over-mature* refers to a tree about to enter decline or already declining.

1.2 **Health** refers to the tree's vigour as exhibited by the crown density, leaf colour, presence of epicormic shoots, ability to withstand disease invasion, and the degree of dieback. Classes are Excellent (E), Very Good (V), Good (G), Fair (F), Declining (D), Poor (P).

1.3 **Condition** refers to the tree's form and growth habit, as modified by its environment (aspect, suppression by other trees, soils) and the state of the scaffold (i.e. trunk and major branches), including structural defects such as cavities, crooked trunks or weak trunk/branch junctions. These are not directly connected with health and it is possible for a tree to be healthy but in poor condition. Classes are Good (G), Fair (F), Declining (D), Poor (P), Very Poor (VP).

1.4 **Diameter at Breast Height (DBH)** refers to the tree trunk diameter at breast height (1.4 metres above ground level)

1.5 **Critical Root Zone (CRZ)** refers to a radial offset of five (5) times the trunk DBH measured from the centre of the trunk. Rounded to the nearest 0.5 metre.

1.6 **Primary Root Zone (PRZ)** refers to a radial offset of ten (10) times the trunk DBH measured from the centre of the trunk. Rounded to the nearest 0.5 metre.

1.7 **Within Building Footprint (WBF)** refers to those trees within the footprint of the proposed development.

1.8 **Crown Foliage Density Potential (CFDP)** refers to the percentage of foliage in the canopy of tree in comparison to the same age and type of tree grown in optimal conditions.

1.9 **Visual Tree Assessment (VTA)** refers to a site assessment carried out by a qualified arborist not using resistograph technology, pathology analysis or other similar methods.

SULE categories (after Barrell 1996)

The four categories and their sub-groups are as follows:

1. Long SULE – tree appeared retainable at the time of assessment for over 40 years with an acceptable degree of risk, assuming reasonable maintenance:

- A. structurally sound trees located in positions that can accommodate future growth
- B. trees which could be made suitable for long term retention by remedial care
- C. trees of special significance which would warrant extraordinary efforts to secure their long term retention

2. Medium SULE – tree appeared to be retainable at the time of assessment for 15 – 40 years with an acceptable degree of risk, assuming reasonable maintenance

- A. trees which may only live from 15 – 40 years
- B. trees which may live for more than 40 years but would be removed for safety or nuisance reasons
- C. trees which could be made suitable for retention in the medium term by remedial care

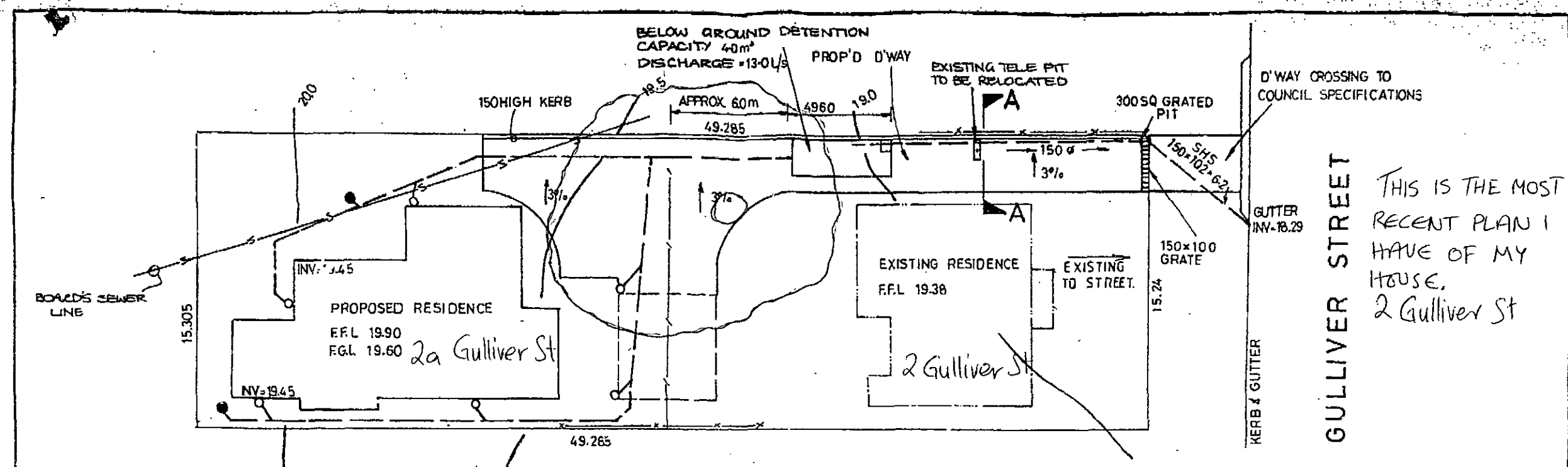
3. Short SULE – tree appeared to be retainable at the time of assessment for 5 – 15 years with an acceptable degree of risk, assuming reasonable maintenance:

- A. trees which may only live from 5 – 15 years
- B. trees which may live for more than 15 years but would be removed for safety or nuisance reasons
- C. trees which may live for more than 15 years but would be removed to prevent interference with suitable individuals or to provide space for new planting
- D. trees which require substantial remediation and are only suitable for retention in the short term

4. Removal – trees which should be removed within the next 5 years

- A. dead, dying, suppressed or declining trees
- B. dangerous trees through instability or recent loss of adjacent trees
- C. trees which may live for more than 5 years but would be removed to prevent interference with more suitable individuals or to provide space for new planting
- D. trees which are damaging or may cause damage to existing structures within the next 5 years.

○ = TREE



THIS IS THE MOST
RECENT PLAN I
HAVE OF MY
HOUSE.
2 Gulliver St

SYMBOLS / NOTATIONS

- STORMWATER LINES
- DOWNPIPE
- 100 DIA YARD SUMP
- INV INVERT LEVEL (PIPE/PIT)
- NS EXISTING NATURAL SURFACE LEVEL
- SL FINISHED SURFACE LEVEL
- F.F.L FINISHED FLOOR LEVEL
- F.P.L FINISHED PLATFORM LEVEL
- SEDIMENT CONTROL BARRIER
- F.G.L FINISHED GARAGE LEVEL
- BOUNDARY FENCE

DRAINAGE CALCULATIONS:

TOTAL SITE AREA 479.24m²
EXISTING IMPERVIOUS 0m²
PROPOSED IMPERVIOUS 336.50m²
 $t_c = 13 \text{ min (ARR 1977)}$ $i_s = 115 \text{ mm/hr}$
 $i_{100} = 201 \text{ mm/hr}$

PSD SITE AS IT EXISTS
 $C_y = F F_y \times C_{y0}$
 $Q_5 = 13.10 \text{ L/s}$
 $Q_{100} = 35.80 \text{ L/s}$
VOLUME BASED ON STAGE/STORAGE
ILSAX PROGRAMME
 $V = 4.0 \text{ m}^3$

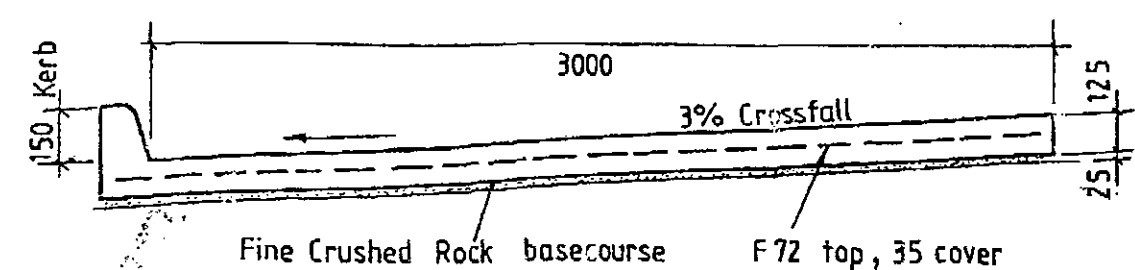
DRAINAGE PLAN

SCALE 1:200

ALL STORMWATER LINES TO BE
90 DIA UPVC AT 1% MINIMUM
GRADE .U.N.O.

NOTE: ALL SURFACE WATER TO BE DIRECTED
TOWARDS INLET SUMPS BY MEANS OF
SITE REGRADE.
- FUTURE PATHS TO SLOPE TOWARD SUMPS.

AMENDED



NOTE Concrete to be 20 MPa
Expansion joints at 6m centers

John
BE MIE Aust.

A. VOLUME RECALCULATED		10.8.95
ISSUE	AMENDMENTS	DATE
STRUCTURAL PLAN		
CLIENT A.V. JENNINGS (JOHN VIC & CO. PTY LTD)		
LOT 9, N°2 GULLIVER ST, BROOKVALE.		
DESIGNED JD	DRAINAGE DETAILS	
DRAWN DK	OUR CAD REF	JOB No.
CHECKED JD 7.7.93	E10276	SHEET No.
SCALE		1
DONOVAN CONSULTANTS PTY. LTD.		
ENGINEERS AND SURVEYORS		
SUITE 201, 30 COWPER STREET, PARRAMATTA NSW 2150		
Telephone (02) 633 9211, FAX (02) 691 2806, DX 28 325 PARRAMATTA		