



northern  
beaches  
council

27 May 2021

Ben Nemeny  
402 Darling Street  
BALMAIN NSW 2041

Dear Sir/Madam,

**RE: Permit No: TA2021/0350**  
**Description: No appointment required**  
**Address: 78 Hudson Parade CLAREVILLE**

We are writing to advise you that the abovementioned Permit (for the removal / pruning of a tree) has now been determined. The formal determination notice is attached.

This determination includes the reasons behind Council's determination to refuse your application.

Should you require any further information on this matter, please do not hesitate to contact myself between the hours of 9.30am and 10.30am or 3.00pm and 4.00pm, Monday to Friday, on telephone number **1300 434 434**, referencing the Permit number at [council@northernbeaches.nsw.gov.au](mailto:council@northernbeaches.nsw.gov.au)

Yours faithfully

*Michael Nolan*  
**Tree Assessment Officer**



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## NOTICE OF DETERMINATION OF PERMIT

Permit No:	TA2021/0350
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### PERMIT DETAILS

Applicant Name and Address:	B Nemeny 402 Darling Street BALMAIN NSW 2041
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Land (Address):	78 Hudson Parade CLAREVILLE
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Proposed Details:	Tree Removal (1 tree)
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### APPLICATION REFUSED

Made on (Date):	27 May 2021
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#### Reasons for Refusal:

1. The tree appeared to be in decline and has been noted to be in decline at the start of the project. Due to the significance of the tree and the current D.A. and construction. The customer has been asked to submit a modification to the D.A. The public expectations that the process for the removal such a significant is consistent and adheres to the D.A conditions and in this case a modification is required.

#### **NOTE:**

*This determination is relates to the condition of the tree/s at the time of inspection by Council and is limited to a visual assessment of the subject tree from ground level.*

*The responsibility of routine inspection and maintenance of trees located on private property is the responsibility of the relevant landowner.*

*Tree owners are strongly advised by Council to have their trees regularly inspected and maintained, to prevent the likelihood of branch or tree failure.*

**Right of Appeal**

If you are dissatisfied with this decision Section 97 of the Environmental Planning & Assessment Act 1979 may give you the right to appeal to the Land and Environment Court within 3 months after the date on which you receive this notice.

**Signed**     ***Michael Nolan***     on behalf of the consent authority

Name       Michael Nolan     Tree Assessment Officer