

R/N 100/13360



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 2019/2137

- |   |  |
|---|--|
| <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/<br>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](http://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

AMP CAPITAL INVESTORS LTD

Owner(s) name

AMP CAPITAL INVESTORS

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. 145 Street OLD PITTPATER RD

Suburb [ ] BROOKVALE

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

Legal property description Lot: 100 Sect: DP/SP: 1015293

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        | CORYMBIA CITRORDORA     | REMOVE                              | TREE IS A HAZARD. CONTINUES TO DROP LIMBS INTO CHILDCARE PLAYGROUND + INTO PROPERTY NEXT DOOR |
| 2        |                         |                                     | DAMAGING VEHICLES   |
| 3        |                         |                                     |   |
| 4        |                         |                                     |   |
| 5        |                         |                                     |   |
| 6        |                         |                                     |   |
| 7        |                         |                                     |   |
| 8        |                         |                                     |   |
| 9        |                         |                                     |   |
| 10       |                         |                                     |   |
| 11       |                         |                                     |   |
| 12       |                         |                                     |   |
| 13       |                         |                                     |   |
| 14       |                         |                                     |   |
| 15       |                         |                                     |   |

## Part 2 Application Details

### 2.4 Sketch

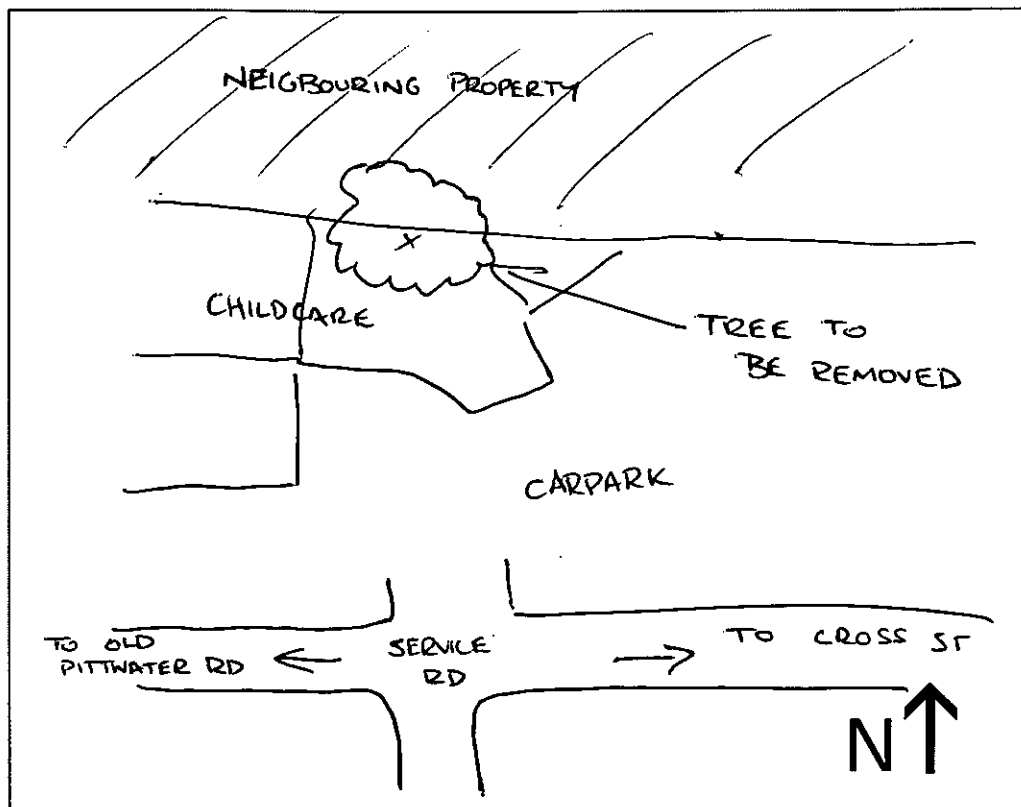
Please indicate in the box on the right:

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](http://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](http://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?

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

☒

☐



Team Leader Building Assessment & Compliance  
Warringah Council  
725 Pittwater Road  
DEE WHY NSW 2099

30 November 2010

To Whom It May Concern:

**RE: 145 OLD PITTWATER RD – WARRINGAH MALL  
OWNERS CONSENT TO LODGE DEVELOPMENT APPLICATION –  
TREE REMOVAL AND TREE PRUNING**

On behalf of the Lessor, we hereby give consent for Warringah Mall to lodge a Development Application for Tree Removal and Tree Pruning at Warringah Mall.

Yours faithfully,  
Kim Wheatley  
Centre Manager  
AMP Warringah Mall Pty Ltd and Westfield Management Ltd



## **SYDNEY ARBOR TREES PTY LTD**

P O Box 796  
COOGEE NSW 2034  
Tel 9666 6821  
Fax 9666 6312

**ABN: 39 106 413 610**

### **TREE REPORT**

**ADDRESS: Little Stars Daycare Centre, Warringah Mall**

**PREPARED FOR: Brett Williamson ISS Facility Management**

**PREPARED BY : Tom Hare**  
**Certificate iv Arboriculture, Ryde TAFE**

**DATE: 26/10/2010**

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### **Aim:**

**The aim of this report is to assess the health and vigour and structural stability of a mature *Corymbia citriodora* located in a daycare centre in Warringah Mall.**

### **Methodology:**

**A visual tree assessment was carried out from ground level. Height and DBH of trees has been estimated, No aerial inspection, no resistograph or picus tomograph was done, and no below ground inspection was carried out.**

## **Tree specifications:**

### **Tree #1**

|                       |                              |
|-----------------------|------------------------------|
| <b>Species</b>        | <b>: Corymbia citriodora</b> |
| <b>Age Class</b>      | <b>: Mature</b>              |
| <b>Health +Vigour</b> | <b>: Good</b>                |
| <b>Structure</b>      | <b>: Good</b>                |
| <b>Height</b>         | <b>: 20m</b>                 |
| <b>D.B.H</b>          | <b>: 800mm</b>               |

## **Observations:**

### **Biological:**

The tree was showing good vitality, the leaves were normal size and colour, normal leaf coverage, and wound wood development was also normal in most areas, there is one large wound on the main stem (fig 2+3) approximately 200mm in diameter which does not appear to be occluding very well, wounds such as this can allow decay pathogens to enter at these sites.

### **Mechanical:**

The tree has a slight lean towards the daycare centre building which is causing the *Eucalyptus microcorys* and the *Eucalyptus robusta* underneath to become somewhat suppressed (fig 1). There is a basketball ring near the base of the tree which has been screwed or bolted into the tree, but a vigorous tree will compartmentalize these wounds quite well, there is also evidence of fairly major pruning close to the basketball ring (fig4). There have been two previous branch failures from this *Corymbia* the most recent of which caused some damage to some cars in the property next door. The tree was showing no obvious signs of stress or structural weakness and apart from the large wound mentioned previously the tree appears to be in good condition.

### **Discussion:**

**This tree provides valuable amenity through aesthetic value, shade and habitat for native birds and animals. The location is not ideal as having a tree of this size over a daycare centre does create a very high target potential. This species of tree is known to suffer from 'summer branch drop', where seemingly healthy limbs are shed without warning and not associated with excessive wind loading. However this phenomenon has no scientific basis and the reasons behind this phenomenon are as yet unknown, so to classify this as a potential hazard would be hard to quantify. There is always an inherent risk when living in close proximity with trees as even healthy trees can fail without warning and with no obvious reason behind the failures.**

### **Recommendations:**

**I would recommend regular aerial inspections of the canopy to inspect branch unions and remove any major dead wood which may be present. Inspect poorly occluded wound.**



Figure 1: *Corymbia citriodora* (centre) the *Eucalyptus microcorys* to the left of the picture and the *Eucalyptus robusta* to the right of the picture are clearly being suppressed by the *Corymbia*.



Figure 2: *Corymbia citriodora* showing signs of previous pruning and staining coming from a poorly occluded wound.



Figure 3: Staining from the large pruning wound which does not appear to be occluding as well as could be expected.

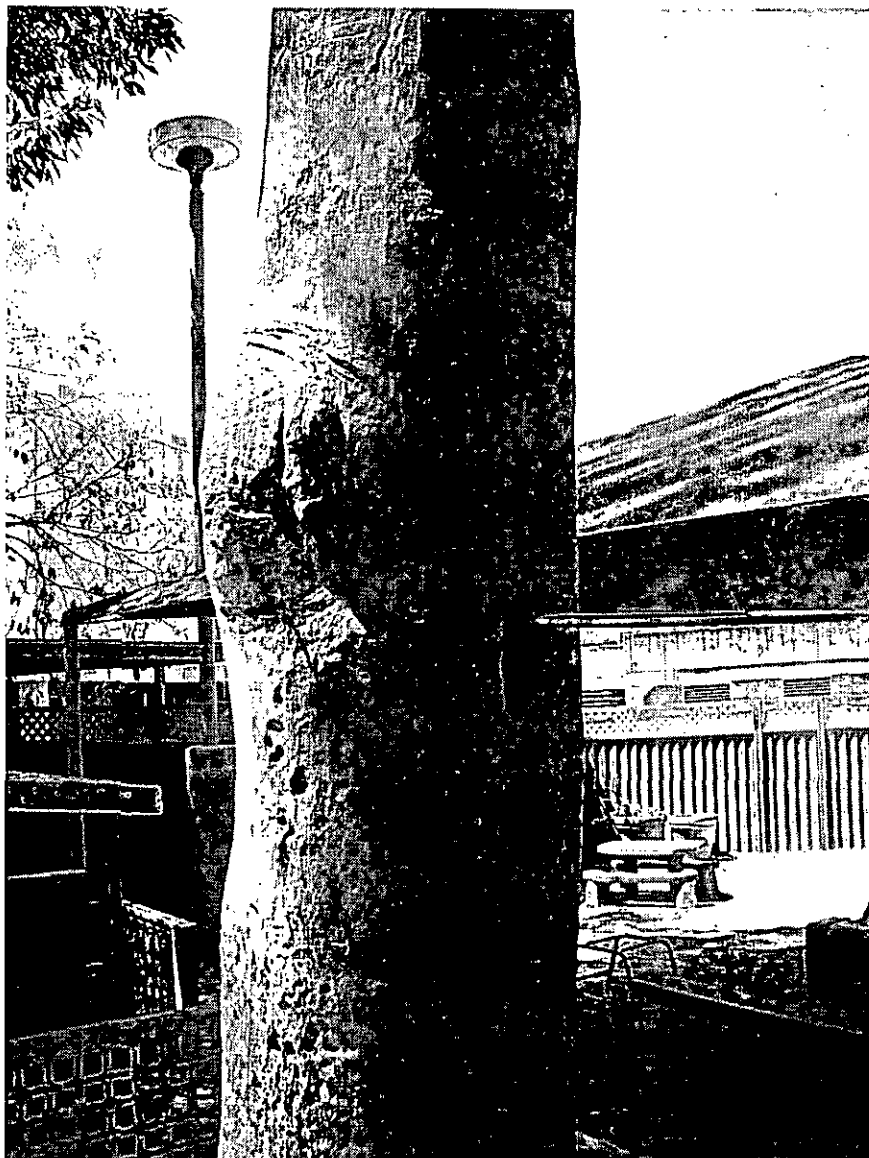


Figure 4: The basketball ring and signs of fairly major pruning near the base of the tree.



# Liability Incident Report

AMP Group Insurance  
Level 22, AMP Building  
33 Alfred Street  
Sydney NSW 2000 Australia  
Telephone 61 2 9257 6644  
Email brian\_anderson@amp.com.au

Case Number: L06432  
Report Created on: 2010-09-21 00:00:00  
Filled In By: B Anderson

## INCIDENT OVERVIEW:

|                    |  |
|--------------------|--|
| Involved Party:    | Tenant / Business                      |
| Location:          | (23138) Warringah Mall Shopping Centre |
| Principal Factor:  | Falling Object (40)                    |
| Date and Time:     | 2010-09-05 12:00:00                    |
| Business Involved: | Bill Buckle Auto Group                 |
| Severity:          | No Treatment                           |

## PERSON COMPLETING THIS INCIDENT REPORT:

|                |                                      |
|----------------|--------------------------------------|
| Name:          | Andrew Lewis                         |
| Phone Contact: | 0418 600 843                         |
| Email:         | warringah.security@securecorp.com.au |
| Role:          | security                             |
| Relates to:    | Tenant / Business                    |

## PROPERTY LOCATION:

|  |  |
|--|--|
| Where the Incident occurred:   |  |
| Name of AMP Property and Cost Centre Code:   | (23138) Warringah Mall Shopping Centre                   |
| Method of Notification:  | By Telephone   |
| Is the person reporting, involved in the Incident?   | No   |
| Name of person who notified the incident:  | Dean Bridgman  |
| Address of person who notified the incident:   | Bill Buckle Auto Group 790 Pittwater Rd, Brookvale, 2100 |
| Phone number of person who notified the incident:  | 02 9939 7766   |
| Relationship between person who notified incident and business/tenant who suffered injury or damage: | New & Used Car Pre-Delivery Manager                      |

## WHEN DID THE INCIDENT OCCUR?

|                                 |            |
|---------------------------------|------------|
| Time:                           | 12:00:00   |
| Date:                           | 2010-09-05 |
| Is the area under surveillance? | No         |

## DETAILS OF THE PARTY INVOLVED IN THE INCIDENT:

|   |   |
|---|---|
| Involved Tenant/Business Name:              | Bill Buckle Auto Group                                  |
| Involved Tenant/Business Address:           | 790 Pittwater Rd, Brookvale, 2100                       |
| Involved Tenant/Business Occupation:        | Car Dealer  |
| Contact Name for Involved Business/ Tenant: | Dean Bridgman   |
| Involved Tenant/Business Contact Details:   | 02 9939 7766 Business Hours<br>0412 670 858 After Hours |

## INCIDENT CLASSIFICATION:

|                                       |                     |
|---------------------------------------|---------------------|
| Area of incident:                     | Other External Area |
| Severity of injury or damage:         | No Treatment        |
| Type of injury / or damage:           | Damage Only         |
| Floor/Ground surface of the incident: | Other - External    |
| What caused the incident to occur:    | Falling Object (40) |

## INCIDENT DETAILS:

Detailed description of the Incident as noted by person attending to incident:

On the 16/09/2010 the following details were relayed to me by Dean Bridgman, an employee of Bill Buckle Auto Group. Dean reported that on the 09/09/2010 it was discovered that some branches from trees located next to Star Child Care fell on cars located in the holding yard at 75 Old Pittwater road. He believes that the branches had come down during the storms we had on the 5th and 6th of September. None of the cars have rego plates, all damage on these cars were photographed by me at the direction of Dean Bridgman on the 16/09/2010 along with the cars details. The cars had by this stage been moved to another area. An employee of Harrisons, employee working in the holding yard, supplied a photo of the cars and branches where the damage occurred.

|   |  |
|---|--|
| Detailed location of the Incident:                                      | It was discovered that some branches from trees located next to Star Child Care fell on cars located in the holding yard at 75 Old Pittwater road. |
| Involved Tenant/ Business version of the incident:                      | As above   |
| Additional known Details:   | Nil  |
| Will a copy of floor plan or sketch of area be sent to Group Insurance? | No   |

#### WITNESS DETAILS:

How many people witnessed the incident: 0

Please have all eyewitnesses complete the witness statement. If you are unable to upload to this report, please forward to the Claims Manager, Group Insurance, brian\_anderson@amp.com.au, Tel 02 9257 6644

#### EFFECT ON TRADE:

|  |                              |
|--|------------------------------|
| To what extent was the Involved Tenants/ Business Trade effected:            | Affected cars require repair |
| Status of Involved Tenant/ Business (Continued trading, Ceased trading etc): | Continued trading            |

#### FAULT:

|   |                               |
|---|-------------------------------|
| Did the Involved Tenant / Business admit fault?   | No                            |
| Did the Involved Business/ Tenant or anyone else allege the area of the incident was unsafe?    | Yes                           |
| Describe what was allegedly unsafe:   | Trees in need of trimming     |
| Do you expect to hear further from the Involved Tenant/ Business in respect of this incident?   | Yes                           |
| Why do you expect to hear from the Involved Tenant/ Business again in respect of this incident? | Contact has already been made |

#### OTHER PARTIES:

|   |                           |
|---|---------------------------|
| Indicate if any other parties were involved in this incident: | No Other Parties Involved |
|---|---------------------------|

#### WEATHER AND SITE CONDITIONS:

|   |        |
|---|--------|
| Did site or weather conditions contribute to this incident?     | Yes    |
| Weather condition:  | N/A    |
| Lighting condition at incident site:                            | Storms |
| Features such as seating planter boxes etc at incident site:    | Trees  |
| Condition of flooring at incident site:                         | N/A    |
| Existence of steps, gutters, ramps, bumps etc at incident site: | N/A,   |
| Existence of escalator, travelator, elevators at incident site: | N/A,   |

#### PROPERTY DAMAGE:

|   |                                |
|---|--------------------------------|
| Indicate what property was damaged as a result of this incident:  | Damage to Third Party property |
| Property owners names, contact details, the description, value and extent of damage to the property sustained in the incident | 4 cars - Bill Buckle           |

#### CLEANING:

|   |    |
|---|----|
| Can the incident be attributable to any failure of cleaning requirements: | No |
|---|----|

#### IMAGES:

See Last Page

#### FILES:

See Annotation on Side of Page or the Attachments Tab

#### COMMENTS:

|                          |   |
|--------------------------|---|
| Managers Comments:       | Please refer to email from Louise Feltham dated 21/9/10. This report replaces property report P05465. |
| Claim Managers Comments: | No Comments Saved   |

