



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

**Warringah Council
Received**

17 MAY 2010

Office Use Only

Locality 100088101

DA2010/0741

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

June 09

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 Freedom of Information Act 1989 (NSW), s.12 of the Local Government Act 1993 (NSW), 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 DAs 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 **EUGENE BEKLER**

Owner(s) name **EUGENE + LIBBY BEKKER**

If any owner/applicant of this development application is a current employee or elected representative of Warringah Council, your application will be assessed by an independent town planning consultant.

Warringah Council employee Yes ☐ No ☒ Elected representative Yes ☐ No ☒

Part 2 Application Details

2.1 Location of the property Unit no. **-** House no. **12** Street **BEN LOVE PLACE**

Suburb **BEACON HILL**

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

Legal property description Lot: **11** Sect: **DP/SP: 1128779**

This information must be supplied.

1 of 6

* PLEASE CALL URGENT AS BLDG WORK IS DUE TO COMMENCE {EUGENE 0408629077}

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	SYDNEY BLUE GUM	REMOVAL	See Reports attached
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			

Part 2 Application Details

2.4 Sketch

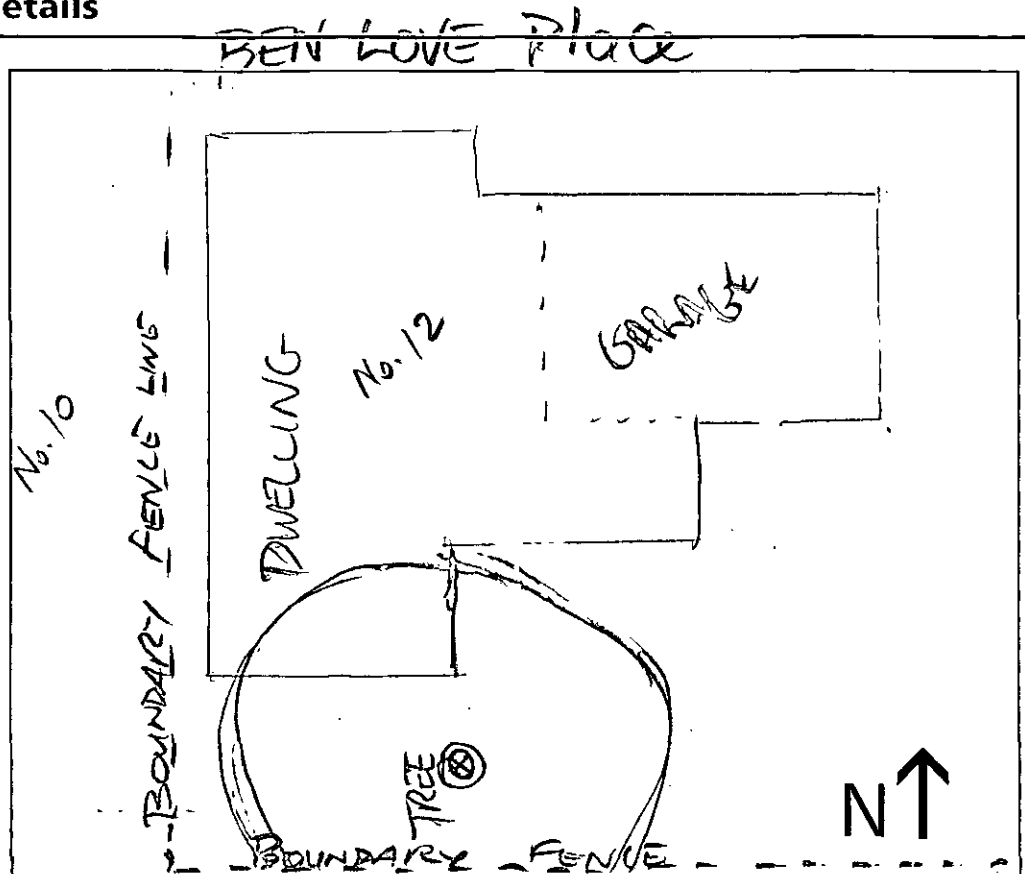
Please indicate in the box on the right:

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 ☐ 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

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) NA

☐
☐

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)

☒
☐



BRADSHAW

Tree Services
Pty Ltd

Tree Assessment and Arborist Report

12 Ben Love PL Beacon Hill

PO BOX 32,
Pymble 2073
Ph: 0411 608 001
Ph: (02) 9943 5063
Fax: (02) 9943 5074
Email:
btsnsw@optusnet.com.au
NAAA member No: 14
ISAAC Member NO: 1286

ABN: 71 131 908 195



BRADSHAW
Tree Services
Pty Ltd

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1. Introduction

Eugene Bekker has commissioned this report and the address of the site in which the tree is located is 12 Ben Love Pl Beacon Hill. This report was completed on the 6/5/2010.

This report has been written regarding the large Eucalypt at the rear of the property and its proximity to the proposed house.

The Aim of this report is to document the tree inspecting the health and the condition of the tree.

2. The Site

The site is a cleared block of land with the tree located at the rear of the property.

3. Methodology

A visual tree assessment was carried out on 21/4/2010. This is a standard assessment when inspecting trees.

The tree's characteristics have been included in the results.

4. Tree Survey Terminology

When describing the health of a tree a rating was given:

Excellent
Good
Fair
Poor

When determining the health of a tree, such factors including the tree's vigour, crown density, leaf colour, presence of epicormic shoots, degree of deadwood, dieback and its ability to withstand disease invasion are assessed.

The age of the tree was determined using the following criteria:

Over Mature (O): A tree about to enter decline or is already declining.
Mature (M): Full size tree with minor capacity for future growth
Semi Mature (S): A tree that is currently showing shoot extension
Immature (I): Well established but juvenile tree.



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Condition

This refers to the tree's form and growth habit. It looks at the structural stability of the tree noting any defects such as inclusions, cavities or fungal diseases. It is entirely possible for a tree to appear healthy yet its condition to be poor.

When describing the Condition of a tree a rating was given:

Excellent
Good
Fair
Poor

Safe Useful Life Expectancy (SULE)

In a planning context, the time a tree can expect to be usefully retained is the most important long-term consideration. SULE is a system designed to classify trees into a number of defined categories so that information regarding tree retention can be concisely communicated in a non-technical manner. SULE categories are easily verifiable by experienced personnel without great disparity.

A tree's SULE category is the life expectancy of the tree modified by its age, health, condition, safety and location (to give safe life expectancy), then by economics (i.e. cost of maintenance; retaining trees at an excessive management cost is not normally acceptable), effects on better trees, and sustained amenity (i.e. establishing range of age classes in a local population).

SULE assessments are not static but may be modified as dictated by changes in tree health and environment. Trees with short SULE may at present be making a contribution to the landscape but their value to the local community will decrease rapidly towards the end of this period, prior to their being removed for safety or aesthetic reasons. For details of SULE categories see Appendix A, adapted from Barrell (1993 and 1996).

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Results

The tree has been identified as a *Eucalyptus saligna* (Sydney Blue Gum), this tree measures 15 metres in height, has a canopy spread of 11 metres and a DBH of 620mm.

Excavation has occurred in close proximity to the trunk of the tree.

5. Report Findings

The tree located at the rear of the property is in fair condition and good health. The tree has extensive epicormic shoots up the trunk signifying a degree of stress. There is minor dieback within the canopy of the tree and significant pruning has occurred many years prior at the base of the tree.

The history of branch failure from this tree is not known, yet it can be clearly seen that a branch approximately 70mm has dropped from this tree. This may be due to a structural flaw in the tree or due to strong winds.

I would expect strong winds have caused this branch to fail along with other branches over the life of the tree. The tree is in a very exposed position with no protection from other trees, and unfortunately this tree is more upright and top heavy, hence more prone to losing branches.

An additional problem is the position of the proposed house, a corner of the house is 2.5 metres from this tree. This tree is not mature and will double in size, this tree is a hazard to the new property.

During the clearing of the property and setting the levels, excavation has occurred within 500mm of the trunk to a depth of 400mm on one side of the tree. As 90% of a tree's root system is in the top 350mm of soil there would be few roots left on this side of the tree affecting the stability. Further excavation has occurred on two more sides of the tree the top soil has been scrapped off at an angle to a maximum depth of 250mm. This has also removed a large proportion of the root system.

Due to the openness of the site, lack of protection for the tree and the fact that a large proportion of the tree's root system has been removed this tree is a hazard and now has the potential to collapse. The root damage will further weaken the tree, reducing the tree's health. It is anticipated that the tree will decline over the coming years and will require removal in the next 5 years if this tree has not already collapsed.

I recommend that this tree is removed as it has the potential in the future to collapse onto new dwellings injuring or killing someone.

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This assessment was carried out from the ground, and covers what was reasonably able to be assessed and available to this assessor at the time of inspection. No aerial or subterranean inspections were carried out. The preservation methods recommended are not a guarantee of the tree survival but are designed to reduce impacts and give the trees the best possible chance of adapting to new surroundings.

Limitations on the use of this report:

This report is to be utilised in its entirety only. Any written or verbal submission, report or presentation that includes statements taken from the findings, discussions, conclusions or recommendations made in this report, may only be used where the whole or the original report is referenced in, and directly attached to that submission, report or presentation.

Assumptions:

Care has been taken to obtain information from reliable resources. All data has been verified insofar as possible: however, Bradshaw Tree Services can neither guarantee nor be responsible for the accuracy of information provided by others.

Unless stated otherwise:

- *Information contained in this report covers only the tree/s that was/were examined and reflects the condition of the tree at the time of the assessment: and*
- *The inspection was limited to visual examination of the subject tree without dissection, excavation, probing or coring. There is no warranty or guarantee, expressed or implied, that problems or deficiencies of the subject tree may not arise in the future.*

Yours sincerely

Tristan Bradshaw (BhortSci (USYD), Arborist Cert)

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WARRINGAH COUNCIL
725 Pittwater Rd
Dee Why 2099

E. + L. BEKKER
9/4-6 Ashburner St.
Manly 2095

Dear Sir/Madam

RE: TREE REMOVAL APPLICATION - Supporting Documentation

Address : 12 BEN LOVE Pl. BEACON HILL NSW 2100

We are writing regarding the tree removal application to inform the Council that if permission was granted for the removal we would be more than happy to plant new, smaller trees as required.

We would appreciate your advice and recommendations in due course.

Thank you,

Eugene Bekker

EBekker

WARWICK COUNCIL
725 Pittwater Rd.
Dee Why 2099

Dear Sir/Madam,

RE: TREE REMOVAL - Supporting Documentation
Address : 12 BEN LOVE PL. BEACON HILL NSW 2100

On behalf of our neighbour STEVE + CHARIS NEWMAN
at No. 10 Ben Love Pl. Beacon Hill
Contact Steve - mob 0419 124695

We are writing as he has expressed his concern last
week after strong winds had caused a branch from
our tree to fall onto his property, (about 600wilyang)
He is concerned for the personal safety of his family as
well as his new dwelling.
He stated that he would not object to the removal
of this tree as it could be dangerous.

Yours sincerely,
EUGENE BEKKER
E. Bekker

E+L BEKKER
9/4-6 Ashburner St
Mandy 2095