NORTHERN BEACHES
COUNCIL

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TREE APPLICATION ASSESSMENT REPORT

Development Application Number:	DA2017/0375
Property Address:	12 Innes Road MANLY VALE
Legal Address	Lot 4 DP 308176
Proposal Description:	Tree Application
Recommendation:	**APPROVED with Conditions**
Notification Required?	No

Applicable Controls: EPA Act 1979, EPA Regulations 2000, WLEP 2011, WDCP 2011	
SEPPs: Applicable?	No
REPs: Applicable?	No
LEPs Applicable?	Yes

Section 79C Act 1979	
Section 79C (1) (a)(i) – Have you considered all relevant provisions of any relevant environmental planning instrument?	Yes
Section 79C (1) (a)(iii) – Have you considered all relevant provisions of any provisions of any development control plan	Yes
Section 79C (1) (a)(iv) - Have you considered all relevant provisions of any Regulations?	Yes
Section 79C (1) (b) – Are the likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality acceptable?	Yes

Consistent with the Warringah Local Environmental Plan 2011 (WLEP2011)	
Land Use Zone	R2 - Low Density Residential
Aims and Objectives consistent with the zone objectives	Yes
WLEP 2011 Permissible or Prohibited Land Use	Permissible
Does the proposed development meet the objectives of CL 5.9 WLEP 2011 “Preservation of Trees or Vegetation”	Yes

Consistent with the Warringah Development Control Plan 2011	Applicable – Yes or No
D1 - Landscaped Open Space and Bushland Setting	Yes
E1 - Private Property Tree Management	Yes
E2 - Prescribed Vegetation	Yes
E3 - Threatened species, populations, ecological communities listed under State or Commonwealth legislation, or High Conservation Habitat	Yes
E6 - Retaining Unique Environmental Features on Site	Yes
E8 - Waterways and Riparian Lands	Yes

Consideration of Removal of Tree Test (WDCP Appendix 8)	Tree No.1	Tree No.2	Tree No.3	Tree No.4
1. The Unacceptable Risk Test Does the tree pose an unacceptable risk that cannot be adequately or appropriately managed by arboricultural treatment or other risk management measures? the tree pose an unacceptable risk that cannot be adequately or appropriately managed by arboricultural treatment or other risk management measures?				
2. The Diseased Condition Test Is the tree in a diseased condition that cannot be corrected by pruning or other arboricultural treatment? And all possible options for managing the diseased condition have been considered prior to issuing consent for the removal of a tree.				
3. Remaining Life Expectancy Test The remaining life expectancy of the tree has been identified to be less than 5 years therefore consent for the removal of the tree is justified subject to replacement planting.				
4. Property Damage Test Is the tree significantly affecting public or private property by way of its presence/location or growth? All abatement options have been considered and removal of the tree is the only option to avoid further conflict?				
5. Public Infrastructure Works Test Is the tree likely to succumb to major injury as a result of public infrastructure work where all alternatives such as relocation or reconfiguration of the works have been considered?				
6. Proposed Driveway Crossings, Private Structures or Works Affecting Public Land Test Is the tree located in an area required for a Proposed Driveway Crossings, or other Private Structures? Council is satisfied that the proposal would maximize public benefit, that there is no reasonable alternative to removing the tree, and would not have any adverse heritage, pedestrian, streetscape or traffic impacts.				
Conclusion	**Tree No.1**	**Tree No.2**	**Tree No.3**	**Tree No.4**
Based on the above matters, the assessment against the Environmental Planning Instrument Provisions, and the Development Control Plan, is the removal of the Tree Warranted / Justified in the circumstances of the case?	YES WDCP 2011 Exempt < 3m BLD	YES WDCP 2011 Appendix 5	YES WDCP 2011 Exempt < 3m BLD	YES WDCP 2011 Exempt < 3m BLD

Additional Comments:

APPLICATION DETERMINATION

RECOMMENDATION - APPROVAL with Conditions

That Council as the consent authority:

GRANT DEVELOPMENT CONSENT to the development application subject to:

The conditions detailed within the associated notice of determination; and

“I am aware of Council’s Code of Conduct and, in signing this report, declare that I do not have a Conflict of Interest”

The application is determined under the delegated authority of:

Signed

Tree Assessment Officer

Appendix A: Tree Inspection Schedule: Refer to the Explanatory Criteria on pages 6 and 7

Information Category	**Tree No.1**	**Tree No.2**	**Tree No.3**	**Tree No.4**
Species	**Ficus rubiginosa**	**Oleander WDCP 2011: Exempt Species**	**Jacaranda mimosifolia**	**Glochidion ferdinandii**
Remnant/**P**lanted/ **S**elf sown				
Special significance				
Age class **Y/S/M/O**				
Tree height **(m)**				
Average crown diameter **(m)**				
Crown condition **0, 1, 2, 3, 4, 5**				
Root zone				
Defects				
Services/adjacent structures	**WDCP 2011 Exempt <3m BLD**	**WDCP 2011 Exempt <3m BLD**	**WDCP 2011 <3m BLD**	**WDCP 2011 Exempt <3m BLD**
Failure potential **1, 2, 3, 4**				
Size of defective part **1, 2, 3, 4**				
Target rating **1, 2, 3, 4**				
Hazard Rating **(-/12)**				
Recommendations	**Tree No.1**	**Tree No. 2**	**Tree No.3**	**Tree No.4**
Remove Tree	**Yes**	**Yes WDCP 2011: Exempt**	**Yes**	**Yes**
Pruning				**Yes**
Root pruning/root barrier				
Replanting required	**Yes**			**Yes**
Other				

Explanatory Criteria for Tree Inspection Schedule within Appendix A

Note: The detail below is general and is provided in good faith as a guide to assist persons reviewing the assessment report understand and interpret the assessment and a determination which may include the removal of a tree outside the criteria set can be for reasons beyond technical consideration and can be based on the expertise of the Council Officer conducting the assessment. If you require clarification or have any questions, please contact Tree Assessment Officer.

Key	**Criteria**	**Comments**
Tree No.	Must relate to the number on your site diagram	
Species	May be coded – include a key to the codes; botanical names and common names in key. (eg Lc = Lophostemon confertus Brush Box)	
Remnant/ Planted / Self sown	Self explanatory; of use when negotiating cost sharing for line clearing operations	
Special Significance	A Aboriginal C Commemorative Ha Habitat Hi Historic M Memorial R Rare U Unique form O Other	This may require specialist knowledge
Age Class	Y Young = recently planted S Semi mature (<20% of life expectancy) M Mature (20-80% of life expectancy) O Over-mature (>80% of life expectancy)	
Height	In metres	
Spread	Average diameter of canopy in metres	
Crown condition	Overall vigour and vitality 0 Dead 1 Severe decline (<20% canopy; major dead wood 2 Declining (20-60% canopy density; twig and branch dieback) 3 Average/low vigour (60-90% canopy density; twig dieback) 4 Good (90-100% crown cover; little or no dieback or other problems, good response growth) 5 Excellent (100% crown cover, no deadwood or other problems, good response growth)	This requires knowledge of species
Failure Potential	Identifies the most likely failure and rates the likelihood that the structural defect(s) will result in failure within the inspection period. 1. Low – defects are minor (eg dieback of twigs, small wounds with good wound wood development) 2. Medium – defects are present and obvious (eg cavity encompassing 10-25% of the circumference of the trunk) 3. High – numerous and/or significant defects present (eg cavity encompassing 30-50% of the circumference of the trunk, major bark inclusions) 4. Severe – defects are very severe (eg heart rot fruiting bodies, cavity encompassing more than 50% of the trunk)	This requires specialist knowledge
Size of Defective Plant	Rates the size of the part most likely to fail. The larger the part that fails, the greater the potential for damage. 1. Most likely failure less than 150mm in diameter 2. Most likely failure 150-450mm in diameter 3. Most likely failure 450-750mm in diameter 4. Most likely failure more than 750mm in diameter	

Key	Criteria	Comments
Target Rating*	Rates the use and occupancy of the area that would be struck by the defective part. 1. Occasional use (eg jogging/cycle track) 2. Intermittent use (picnic area, day use parking) 3. Frequent use, secondary structure (eg seasonal camping area, storage facilities) 4. Constant use, structures (eg year-round use for a number of hours each day, residences)	
Hazard Rating*	Failure potential + size of part + target rating. Add each of the above sections for a number out of 12.	The final number identifies the degree of risk. The next step is to determine a management strategy. A rating in this column does not condemn a tree but may indicate the need for more investigation and a risk management strategy.
Root Zone	C Compaction D Damaged / wounded roots (eg by mowers E Exposed Roots Ga Trees in Garden Bed Gi Girdled Roots Gr Grass K Kerb close to tree L+ Raised soil level L - Lowered soil level M Mulched Pa Paving / concrete / bitumen Pr Roots pruned S Shallow soils A Altered soil / root environment e.g . saturated soils Cl Site clearing Ex Exposure to winds O Other	More than one of these may apply
Defects	B Borers Pd Pests and diseases C Cavity D Decay Dm Dead / missing bark W Wounds PF Previous Failures I Inclusions L Lopped M Mistletoe / Parasites S Splits / cracks Co Co-dominate stems / Multi leaders P Poor banch attachment / poor form T Termites F Fungi E Epicormics MD Mechanical Damage O Other	More than one of these may apply
Services / adjacent structures	Bs Bus stop Bu Building within 3m St Structures within 3m HVo High voltage open-wire construction HVb High voltage bundled (ABC) LVo Low voltage open-wire construction LVb Low voltage bundled (ABC) Na No services above Nb No services above ground Si Signage Sl Street light T Transmission lines (>33KV) U Underground services O Other	More than one of these may apply