

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

100289 488

Contact Us

The General Manager, 725 Pittwater Road, Dee Why NSW 2099 or
Customer Service Centre, Warringah Council DX9118 Dee Why

Email council@warringah.nsw.gov.au

Fax 9942 2606

If you need help lodging your application call Customer Service on (02) 9942 2111
or come in and talk to us at the Civic Centre, Dee Why.

Office Use Only

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- | | |
|--|---|
| ☐ WLEP 2000 Locality | ☐ WLEP 2011 Zone |
| ☐ Owners Consent | ☐ Flood Zone |
| ☐ Lot and DP | ☐ Riparian Zone |
| ☐ 40m Buffer | ☐ Vegetation/Threatened |
| ☐ Acid Sulfate | ☐ Wave Impact |
| ☐ Bushfire Zone | ☐ Coastal Zone |
| ☐ Heritage | ☐ 100m MHW/M |
| ☐ Slip Zone | |

For applicable fees and charges, please refer to Council's website: 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	JAN TOOHEY	
Owner(s) name	PETER & JAN TOOHEY	
If any owner/applicant of this development application is a current employee or elected representative of Warringah Council.	☐ Warringah Council Employee	
	☐ Elected Representative	

Part 2: Application Details

2.1 LOCATION OF THE PROPERTY			
We need this to correctly identify the land. These details are shown on your rates notice, property title etc.	Unit Number		House Number
	Street	BIRRONG AVE	Suburb
	Legal Property Description	Lot	31
		Sect	
	DP/SP	226095	

2.2 EXEMPTIONS

Council consent is not required for removal if the tree is less than 6 metres in height, the tree is dead, a noxious weed, is referred to in the list of exempt species in [Appendix 5 of the WDCP 2011](#), or is considered dangerous to life or property. Note: A tree less than 6 metres in height which has a canopy width exceeding 7 metres will require consent. (For properties within Deferred Lands under the WLEP 2000 then you must consider the Tree Preservation order). To find out more about the exemptions, please go to:

warringah.nsw.gov.au/planning-and-development/development-restrictions/trees-and-development

Trees which are considered a high risk/imminent danger to life and property by a Level 5 qualified Arborist are exempt development and can be removed without Council consent by the owner of the tree.

You need written confirmation from the Arborist and the report must clearly state the following:

- Qualifications: AQF Level 5 Arborist or equivalent (see WDCP 2011, Part H, Appendix 10)
- The tree(s) is declared a 'high risk' or is an imminent danger to life and property
- Immediate removal of the tree(s) is recommended

A copy of the report is to be sent to council for record keeping purposes.

You may also prune a tree by less than 10% of the foliage within a 12 month period without Council consent.

2.3 APPLICATION FEE

\$110 - Fee to be confirmed with Council's current Fees and Charges

2.4 OWNERS CONSENT

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 five years from the date on the determination.

2.5 DESCRIPTION OF WORKS

Please provide details of the work to be carried out in the box below. If your application is required as part of an Exempt and Complying Development (CDC) such as a secondary dwelling, pool etc. please refer to the Development Application Checklist in section 2.8 on page 4 for required information.

Tree No.	Tree species (if known)	Work required (prune/remove/assess)	Reason for the work
1	EUCALYPT ?	PRUNE	LARGE BRANCHES OVER WIRES & TREE KEEPS LOSING BRANCHES IN STORMS APRIL 2015, JUNE 2016
2			
3			
4			
5	SCAMIGGLY Gum	PRUNE	TREE BRANCHES HANG OVER HOUSE
6	SCAMIGGLY Gum	PRUNE	
7			\$DRIVEWAY, WOULD LIKE TO TRIM HEIGHT
8			
9			
10			
11			
12			
13			
14			

Please indicate whether any of the above trees are considered dangerous to life or property. Please refer to section 2.2 Exemptions

2.6 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



Indicate location of all underground infrastructure such as pipes, sewer etc. within 5 metres of the tree.

2.7 SITE DETAILS

For the purpose of providing safe access for the site inspection:

Are there any dogs on the property?

☒ Yes ☐ No

Are there any locked gates blocking access?

☐ Yes ☒ No

Special arrangement required for site access?

☐ Yes ☒ No

For the purpose of identifying the trees in section 2.5, please indicate clearly with tape, ribbon, paint spot or numbered tag each tree to be inspected.

2.8 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. If integrated additional payment (by Cheque) is required to relevant authority.

Fisheries Management Act 1994

☐ s144 ☐ s201 ☐ s205 ☐ s219

Heritage Act 1977

☐ s58

Mine Subsidence Compensation Act 1961

☐ s15

Mining Act 1992

☐ s63 ☐ s64

National Parks And Wildlife Act 1974

☐ s90

Petroleum (Onshore) Act 1991

☐ s9

Protection Of The Environment Operations Act 1997

☐ s43(a), (b), (d) ☐ s47 ☐ s48 ☐ s55 ☐ s122

Roads Act 1993

☐ s138

Rural Fires Act 1997

☐ s100b

Water Management Act 2000

☐ s90 ☐ s90 ☐ s91

2.9 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:
warringah.nsw.gov.au/plan_dev/PoliticalDonationsBill.aspxv

DEVELOPMENT APPLICATION CHECKLIST

Required	Supplied	
	Yes	No
DO YOU HAVE OWNER(S) CONSENT? (All owners of the property must give consent). (NOTE: If the trunk of the tree is located across property boundaries, consent of ALL owners of EACH property is required)	☒	☐
HAVE YOU ATTACHED A SKETCH OF THE PROPERTY? (All trees to be inspected are to be clearly marked on the sketch and on site with tape, ribbon, paint spot or numbered tag)	☒	☐
If you have indicated that the application is Integrated Development, HAVE YOU ATTACHED A CHEQUE? Please discuss with Council.	☐	☐
SUPPORTING DOCUMENTATION? Have you attached all relevant documentation, reports, photographs in <u>support</u> of the application? e.g. below - Arborist's Report (in accordance with Appendix of WDCP). Note: Council's assessment of your tree will be a visual observation made at ground level. Should your tree require detailed inspection or assessment of features located more than 2 metres above ground level, or below ground such as root mapping, to justify your application, you must provide a report from a qualified level 5 arborist detailing these issues - Sewer diagram, Plumbers report - Structural Engineers report detailing damage to property and why alternatives to removing the tree are not feasible	☐ ☐ ☐	☒ ☒ ☒
EXEMPT AND COMPLYING DEVELOPMENT Is this application required as part of an Exempt or Complying Development (CDC)? If Yes - have you attached <u>all relevant plans</u> ? A Site Plan must be provided showing existing and proposed development with trees identified in Part 2.5. Warringah Development Control Plan, Part H, Appendix 10 - Details to be contained in an Arborist report, Appendix 11 - Class 2-9 Building and Appendix 12 - Tree Protection Plan may apply.	☐ ☐	☒ ☒
For more information about Complying Development go to: warringah.nsw.gov.au/planning-and-development/trees-and-development		