

## 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

October 2013

### Office Use Only

- ☐ WLEP 2000 Locality:  
☐ WLEP 2011 Zone:

DA2013/1458

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

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

SATENDER JAIN (AKA SATYEN KUMAR)

Owner(s) name

VARDHMAN HOLDINGS P/L

If any owner/applicant of this development application is a current employee or elected representative of Warringah Council:

Warringah Council Employee Yes ☐

Elected Representative Yes ☐

## Part 2 Application Details

2.1 Location of the  
property

Unit no.

House no.

18

Street

MYOORA RD

Suburb

TERREY HILLS

NSW

2084

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

Legal property  
description

Lot: 2

Section:

DP/SP:

1133931

This information must be supplied.

## Part 2 Application Details

### 2.2 Exemptions

Council consent is not required for removal if the tree is less than 5 metres in height or seven (7) metres in canopy width, the tree is dead, a noxious weed, is referred to in the list of exempt species in Appendix 5 of WDCP, or is considered dangerous to life or property.

**If a level 5 qualified arborist provides written confirmation that a tree is dangerous to life or property, the tree can be removed without obtaining Consent from Council. Please forward a copy of the arborist's report to Council prior to removal if practical.**

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.

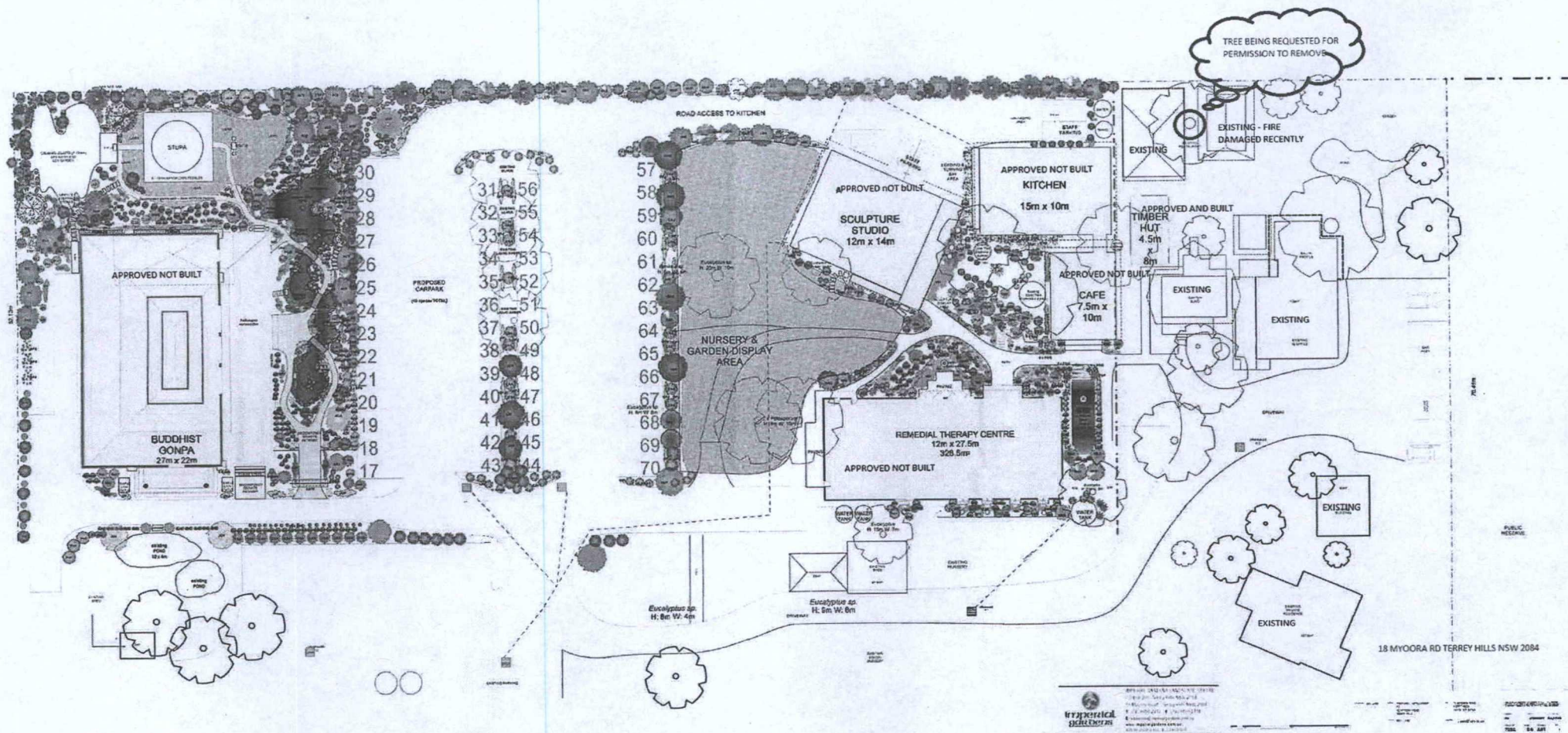
Any consent issued as a result of this application is not a directive or order and does not oblige the owner to undertake the consented works. The consent is valid for **five years** from the date on the determination.

### 2.5 Description of works

Please provide details of the work to be carried out in the box below

| Tree no. | Tree species (if known) | Work required (prune/remove/assess) | Reason for the work                          |
|----------|-------------------------|-------------------------------------|----------------------------------------------|
| 1        | PINE TREE               | REMOVAL                             | ① HAS BEEN DAMAGED IN A FIRE RECENTLY        |
| 2        |                         |                                     | ② BEING TOO CLOSE TO TWO TIMBER BUILDINGS    |
| 3        |                         |                                     | IT IS A SAFETY HAZARD IN CASE A BRANCH FALLS |
| 4        |                         |                                     | ③ DROPS TOO MANY PINE LEAVES ON              |
| 5        |                         |                                     | TIMBER CLADDED ROOF OF THE TWO BUILDINGS     |
| 6        |                         |                                     | VERY CLOSE TO IT.                            |
| 7        |                         |                                     |                                              |
| 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



THIS PLAN TO BE READ IN  
CONJUNCTION WITH

DA2007/0841

WARRINGAH COUNCIL



## Part 2 Application Details

### 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

**Please tie a yellow ribbon around the tree trunk.**

Are there any dogs on the property?

Yes ☒ No ☐

Are there any locked gates blocking access?

Yes ☐ No ☒

AS ATTACHED



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

### 2.7 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). 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 ☐ 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

### 2.8 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? (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)

Yes



No



#### 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 support of the application? e.g: below

- Aborist'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?



If Yes - have you attached all relevant plans?

A Site Plan showing existing and proposed development with trees identified in Part 2.5. Warringah Development Control Plan, Part H, Appendix 11 - Class 2-9 Building and Appendix 12 - Tree Protection Plan may apply.



**Required****Supplied**

- ☐ Development compliance with building heights, building height planes, setbacks and building envelope controls (if applicable) marked on plans, sections and elevations
- ☐ Drawings of the proposed landscape area, including species selected and materials to be used, presented in the context of the proposed building or buildings, and the surrounding development and its context
- ☐ If the proposed development is within an area in which the built form is changing, statements of the existing and likely future contexts
- ☐ Detailed sections of proposed facades
- ☐ Proposed parking arrangements, entry and exit points for vehicles, and provision for movement of vehicles within the site (including dimensions where appropriate)
- ☐ Photomontages of the proposed development in the context of surrounding development

**Yes****No**☐ **ON-SITE STORMWATER DETENTION (OSD) CHECKLIST**

Alterations and additions to existing dwellings will not require on-site stormwater detention.

To seek an exemption for new single residential dwellings, an OSD checklist must be submitted. This checklist is available at [www.warringah.nsw.gov.au](http://www.warringah.nsw.gov.au), Planning and Development/Online Forms/Development Applications.

- ☐ Stormwater On-site detention drainage plans are to be in accordance with Council's On-site Stormwater Detention Technical Specifications and Policy. (Available at [www.warringah.nsw.gov.au/plan\\_dev/Engineering\\_Specifications.aspx#On](http://www.warringah.nsw.gov.au/plan_dev/Engineering_Specifications.aspx#On))
- ☐ ILSAX or DRAINS model are to be supplied on CD in accordance with Council's On-site Stormwater Detention Technical Specification.
- ☐ If your property does not drain to the street, please see Council's Policy PDS – POL 136: Stormwater drainage from Low Level Properties.

☐ **STORMWATER DRAINAGE ASSETS**

Should the subject property be burdened by a public stormwater drainage system or easement, the applicant is required to demonstrate compliance with Council's Policy PAS-PL 130 Building Over or Adjacent to Constructed Drainage Systems and Easements.

To determine if the subject property is burdened by a public stormwater drainage system, refer to Warringah Council website – Planning and Development – Applications (e services) – Planning - Planning maps – stormwater maps or follow the link below: <http://www.warringah.nsw.gov.au/ePlanning/pages/xc.plan/PlanningMapsEsri.aspx?cid=&a=&l=-1>

To demonstrate compliance with the policy it is recommended that the following details are submitted with the application.

- ☐ Accurately locate, confirm dimensions including depth and plot to scale Council's stormwater pipelines and associated infrastructure on the DA site plans that outline the proposal. This should be carried out by a service locating contractor and registered surveyor. (Evidence of methodology used for locating stormwater system should be provided)
- ☐ All structures are to be located clear of any Warringah Council pipeline or easement. Footings of any structure adjacent to an easement or pipeline are to be designed in accordance with the above-mentioned policy.
- ☐ Structural details prepared by a suitably qualified Civil Engineer demonstrating compliance with Council's policy are to be submitted.