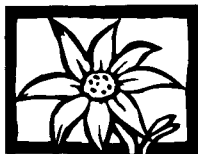


100 133693.



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

RECEIVED
WARRINGAH COUNCIL

5 - AUG 2011

MAIL ROOM

Office Use Only

Locality FS

D A 2 0 1 1 / 1 0 0 3

- | | |
|--|--|
| ☒ Owners Consent | ☐ Flood Zone |
| ☒ Lot and DP | ☐ Riparian Zone |
| ☐ 40m Buffer | ☐ Vegetation/
Threatened |
| ☒ Acid Sulfate | ☐ Wave Impact |
| ☐ Bushfire Zone | ☐ Coastal Zone |
| ☐ Heritage | ☐ 100m MHWM |
| ☐ Slip Zone | |

Nov 10

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 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

PETER WALSH

Owner(s) name

PETER WALSH AND CATHERINE WALSH

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.

8

Street

Holloway Place

Suburb

Curl Curl

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

Legal property
description

Lot: 7

Sect:

DP/SP: 242 144

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.

We make an application to remove the following tree;

The type of tree is a Eucalyptus Bicostata. It is a tree which is not native to the area. It grows in Victoria and the NSW ranges in wet forests that have fertile soils in sheltered areas in ranges away from the coast.

The reasons for the need to remove the tree are as follows;

- 1) The tree significantly impedes clear and reasonable access to the driveway. The trunk of the tree has encroached significantly onto the driveway making access most difficult. We believe that legally we have a right to reasonable access.
- 2) The tree roots have caused extensive structural damage to the driveway. As a result a seventy two year old grandfather tripped and almost fell last week when walking down the driveway. This was a terrifying scare.
- 3) Our neighbour is extremely concerned about the safety of both themselves and the general public as our street and verge is used as a thoroughfare to the local sporting fields at the bottom of the street. The tree regularly drops branches and being situated over power lines could cause significant harm to the public.
- 4) During weekends many of the public park in the street to attend the sporting fields which makes access to our driveway even more difficult as access becomes even tighter. This also poses a serious safety risk as the tree blocks all visibility to the public walking down the street.
- 5) According to an arborist it appears to be towards the end of its natural life. This in turn is accelerating the loss of branches and therefore increasing the risk to the public safety. The arborist (Kyle Hill from Growing my Way) was confident that we would achieve approval to remove this tree and hence did not believe it was ethical for him to accept \$700 to write a letter confirming his thoughts as we had already paid \$170 to achieve his opinion.
- 6) Our neighbour is agitated by the presence of the tree and this is causing tension within our small community.
- 7) The tree is causing damage to essential services, particularly the water supply.
- 8) During the recent high winds there was a real concern that the tree could drop significant branches on our two adjoining neighbours which would be disastrous.
- 9) We have four children that walk up and down the verge and we are also concerned about branches falling on them. Instructing them to cross the road is an additional risk which we don't believe is reasonable to request them to take in order to avoid being hit by a branch or a subsequent falling powerline.

Part 2 Application Details

2.4 Sketch

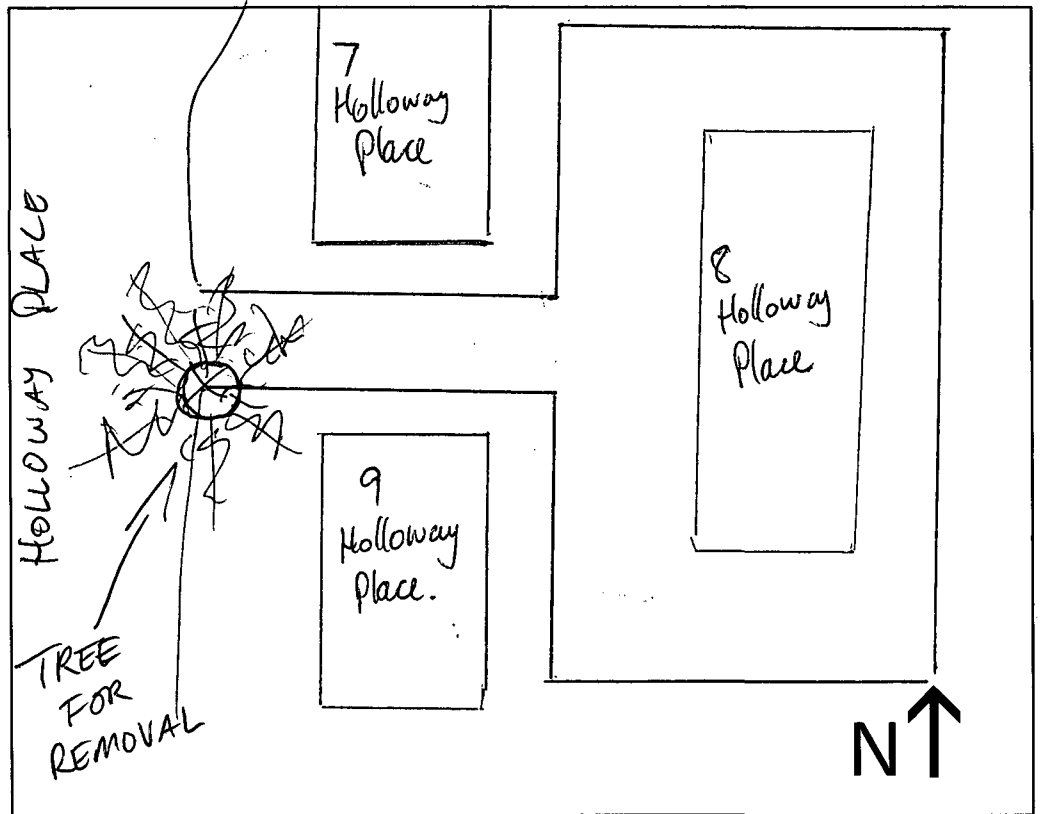
Please indicate in the box on the right:

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)

Yes

No

☒

☐

HAVE YOU ATTACHED A SKETCH OF THE PROPERTY?

☒

☐

HAVE YOU ATTACHED A CHEQUE? - CREDIT CARD

☒

☐

SUPPORTING DOCUMENTATION?

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

☐

☒