Warringah Council

TREE APPLICATION ASSESSMENT REPORT

Application No. DA2010/0141
Proposal Description: Tree Application
Legal Address: Lot 6 DP 8260
Property Address: 150 Queenscliff Road QUEENSCLIFF NSW 2096

Assessment Officer:	Antonio De Abreu
Notification Required?	☐ Yes (14 days) ☑ No
Applicable Controls:	☑ EPA Act 1979 ☑ EPA Regulations 2000 ☑ WLEP 2000 ☑ WDCP
SEPPs: Applicable?: **REPs: Applicable?:** **LEPs Applicable?**	☐ Yes ☑ No ☐ Yes ☑ No ☑ Yes ☐ No
WLEP	
Locality:	G8 Queenscliff
Category of Development	Category 2 (other works)
Draft WLEP 2009 Permissible or Prohibited Land use:	R2 Low Density Residential
Desired Future Character Consideration: **Is the development considered to be consistent with the Locality's Desired Future Character Statement?**	☑ Yes ☐ No
Built Form Controls: Applicable?	☐ Yes ☑ No
General Principles of Development Control (GP's): Applicable?	☑ Yes ☐ No
(Relevant GP's are:) **CL56** **Retaining Unique Environmental Features on Site** **CL58** **Protection of Existing Flora** **CL59** **Koala Habitat Protection** **CL60** **Watercourses & Aquatic Habitats** **CL63** **Landscaped Open Space**	Compliant? ☑ Yes ☐ No ☑ Yes ☐ No ☑ Yes ☐ No ☑ Yes ☐ No ☑ Yes ☐ No
Schedules: Applicable?	☑ Yes ☐ No

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Schedule 8 Site analysis	Adequate Detail? ☑ Yes ☐ No

Clause 31 (How can Council make Tree Preservation Orders (TPO)?)

Does the proposed development meet the objectives of the TPO?

☑ Yes , subject to condition ☐ No

To use this inspection criteria: Bold highlight denotes code, where there is no bold, check the accompanying notes and use the appropriate code or insert the necessary information.

Information Category	**No 1**	**No 2**
Species	Hakea salicifolia	Casuarina cunninghamiana
Remnant/**P**lanted/ **S**elf sown	P	P
Special significance	-	-
Age class **Y/S/M/O**	M	M
Tree height **(m)**	8	9
Average crown diameter **(m)**	4	6
Crown condition **0, 1, 2, 3, 4, 5**	4	5
Root zone	Ga	Ga
Defects	I	-
Services/adjacent structures	-	-
Failure potential **1, 2, 3, 4**	1	1
Size of defective part **1, 2, 3, 4**	1	1
Target rating **1, 2, 3, 4**	1	1
Hazard Rating **(-/12)**	3	3
Recommendations		
Remove Tree		N
Pruning	Y	Y
Repair/replace surface		
Root pruning/root barrier		
Replanting required		
Other		

Additional Comments:

Both trees are in good health and condition; reasons listed for removal of tree 2 are not justifiable.

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SECTION 79C EPA ACT 1979

Section 79C (1) (a)(i) – Have you considered all relevant provisions of any relevant environmental planning instrument?	☑ Yes ☐ No
Section 79C (1) (a)(ii) – Have you considered all relevant provisions of any provisions of any draft environmental planning instrument	☑ Yes ☐ No
Section 79C (1) (a)(iii) – Have you considered all relevant provisions of any provisions of any development control plan	☑ Yes ☐ No
Section 79C (1) (a)(iiia) - Have you considered all relevant provisions of any Planning Agreement or Draft Planning Agreement	☐ Yes ☐ No ☑ N/A
Section 79C (1) (a)(iv) - Have you considered all relevant provisions of any Regulations?	☑ Yes ☐ No
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 ☐ No
Section 79C (1) (c) – It the site suitable for the development?	☑ Yes ☐ No
Section 79C (1) (d) – Have you considered any submissions made in accordance with the EPA Act or EPA Regs?	☑ Yes ☐ No
Section 79C (1) (e) – Is the proposal in the public interest?	☑ Yes ☐ No

DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS:

Draft Warringah Local Environmental Plan 2009 (Draft WLEP 2009)

Definition: Tree Removal

Land Use Zone: Low Density Residential

Permissible or Prohibited: Permissible

Additional Permitted used for particular land – Refer to Schedule 1:

Principal Development Standards:

Development Standard	Required	Proposed	Complies	Clause 4.6 Exception to Development Standard
Minimum Subdivision Lot Size:	N/A			
Rural Subdivision:	N/A			
No Strata Plan or Community Title Subdivisions in certain rural and environmental zones:	N/A			
Height of Buildings:	N/A			

The proposed development is consistent with the aims and objectives of the Draft WLEP 2009.

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APPLICATION DETERMINATION

Conclusion:

The site has been inspected and the application assessed having regard to the provisions of Section 79C of the Environmental Planning and Assessment Act, 1979, the provisions relevant Environmental Planning Instruments including Warringah Local Environment Plan 2000, Draft Warringah Local Environmental Plan 2009 and the relevant codes and policies of Council and the proposed development is considered to be:

☑ Yes, subject to condition

☐ Unsatisfactory

Recommendation:

That Council as the consent authority

☑ **GRANT DEVELOPMENT CONSENT** to the development application subject to:

(a) the conditions detailed within the associated notice of determination; and
(b) the consent lapsing within three (3) years from operation.

☐ **REFUSE development consent** to the development application subject to:

(a) the reasons detailed within the associated notice of determination.

"I am aware of Warringah'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:

Antonio De Abreu	Signed	Date

Tree Assessment Officer

Ryan Cole	Signed	Date

Team Leader, Development Assessment

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Explanatory Criteria for Tree Inspection Schedule within Assessment Report

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 Council's Planning and Development 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 5 Excellent (100% crown cover, no deadwood or other problems)	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 O Other	More than one of these may apply
Defects	B Borers C Cavity D Decay PF Previous Failures I Inclusions L Lopped M Mistletoe / Parasites S Splits / cracks T Termites F Fungi E Epicormics MD Mechanical Damage O Other	More than one of these may apply
Services / adacent structures	Bs Bus stop Bu Building 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