



Warringah Council

100135905

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 person to us

WARRINGAH COUNCIL

24 AUG 2011

MAIL ROOM

Office Use Only

Locality

DA2011/1089

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

JAMES & SHARON BRISEBOIS

Owner(s) name

JAMES & SHARON BRISEBOIS

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. Street

Suburb

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

Legal property description Lot: Sect: DP/SP:

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.

Tree no.	Tree species (if known)	Work required (prune/remove/assess)	Reason for the work
1	EUCALYPTUS	REMOVE	TREE IN POOR
2			HEALTH & POOR
3			CONDITION -
4			DANGER TO
5			LIFE & PROPERTY
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			

Part 2 Application Details

2.4 Sketch

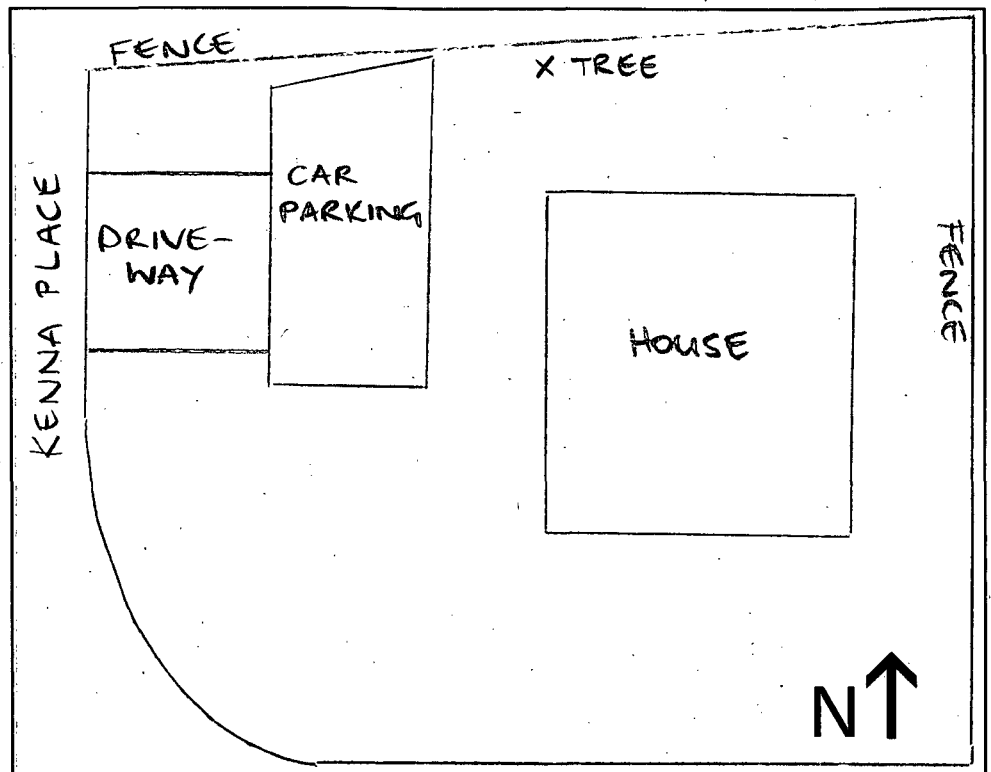
Please indicate in the box on the right:

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)

☒

☐

HAVE YOU ATTACHED A SKETCH OF THE PROPERTY?

☒

☐

HAVE YOU ATTACHED A CHEQUE?

☒

☐

SUPPORTING DOCUMENTATION?

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

☒

☐



Standfast Tree Services Pty Ltd

ABN: 73 099 603 817

PO Box 1266 Mona Vale 1660

Tel: (02) 9997 6574 or (02) 9997 7899

Email: info@standfast.com.au www.standfast.com.au fax: (02) 9997 8476

Arborists Report

Client: Sharon Brisebois
Site Address: 1 Kenna Pl, Cromer, 2099
Date: 22nd August 2011
Re: Eucalyptus spp.

Background:

In mid July Sharon Brisebois asked me to have a look at a large gum tree standing on her property at 1 Kenna Place, Cromer and to provide a verbal assessment of the tree's health and condition.

Mrs Brisebois told me that six years ago a large tree fell on her carport and car causing considerable damage, please refer to figure 1. She was now concerned about the safety of this tree because of its close proximity to the family home and in particular the children's bedrooms.

At that time I told Mrs Brisebois that I thought the gum tree was unhealthy because of the large amount of epicormic growth and deadwood in the canopy.

One or two weeks went by and on 31/7/11 I received an email from Mrs Brisebois saying that she and her husband wanted to apply to Warringah Council for the tree's removal and that in her view "...the symptoms of deterioration on that tree (the one that fell) were the same that we now see on this one."

I returned to 1 Kenna Place on 18/8/11 to carry out a visual tree assessment and to gather the information contained in this report.

Findings:

- The Eucalyptus spp., possibly Eucalyptus scoparia, stands approximately 3 metres from the end of the garage and approximately 3 metres from two houses; the dwelling at 1 Kenna Place and their neighbour's home. Please refer to figure 2.
- The tree is approximately 20 metres in height with a crown spread of 12 metres and a DBH of 850mm.
- Age = Over mature
Health = Poor
Condition = Poor
CFDP = 75%
- Health is given as Poor due to the large amounts of epicormic growth and deadwood in the canopy, please refer to Figure 3.

- Condition is given as Poor because of the four codominant stems which meet at a fork approximately 10 metres above ground level, please refer to Figure 4. There is no central leader for the upper 10 metres of canopy. Three of the stems are approximately 250mm in diameter and the fourth is approximately 100mm diameter.

Conclusion:

The old gum is about 3 metres from three permanent structures – two houses and a garage. If one of the three large codominant stems were to fail then one of these targets would most likely be hit by a sizeable section of the tree falling from approx 10 metres above ground level.

The poor state of the canopy suggests that the tree is in decline and will die sooner rather than later.

It is advisable to remove the gum tree in the near future, and remove the risk associated with it, rather than wait until the tree is dead.

SULE 4A – Removal; dead, dying, suppressed or declining trees.

Recommendation:

The recommendation of this report is that the gum tree should be removed.

Please contact me on 0414 722 814 or our office on 9997 6574 if you would like to discuss this report or have any further queries.

Yours faithfully,

Nigel Dean
Diploma in Horticulture (Arboriculture)
UPCA Tree Care Certificate
Standfast Tree Services P/L is a member of TCAA and NAAA



Figure 1

Tree that fell onto carport and car six years ago.

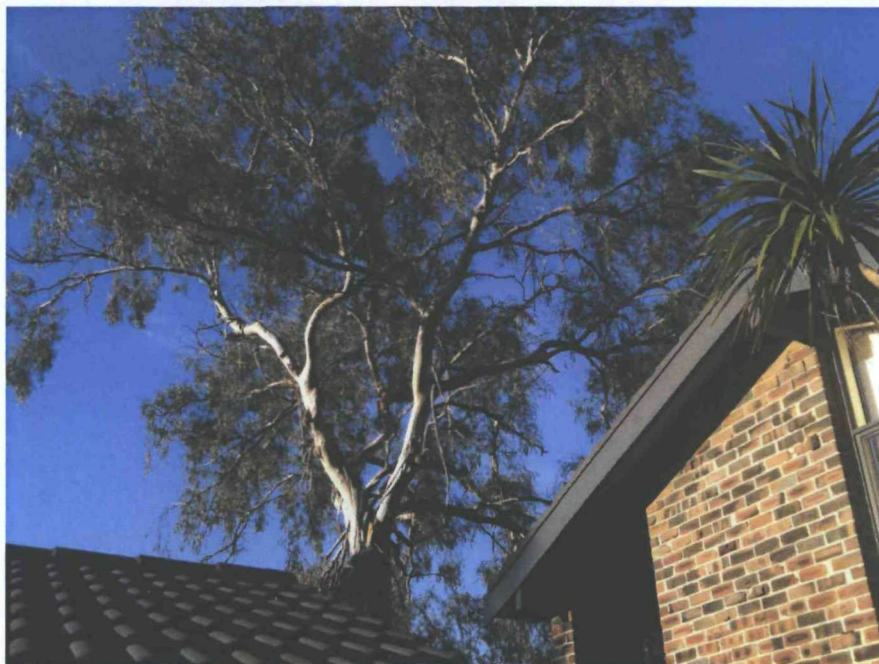


Figure 2

Large gum within three metres of two houses.



Figure 3

Large amounts of deadwood and epicormic growth

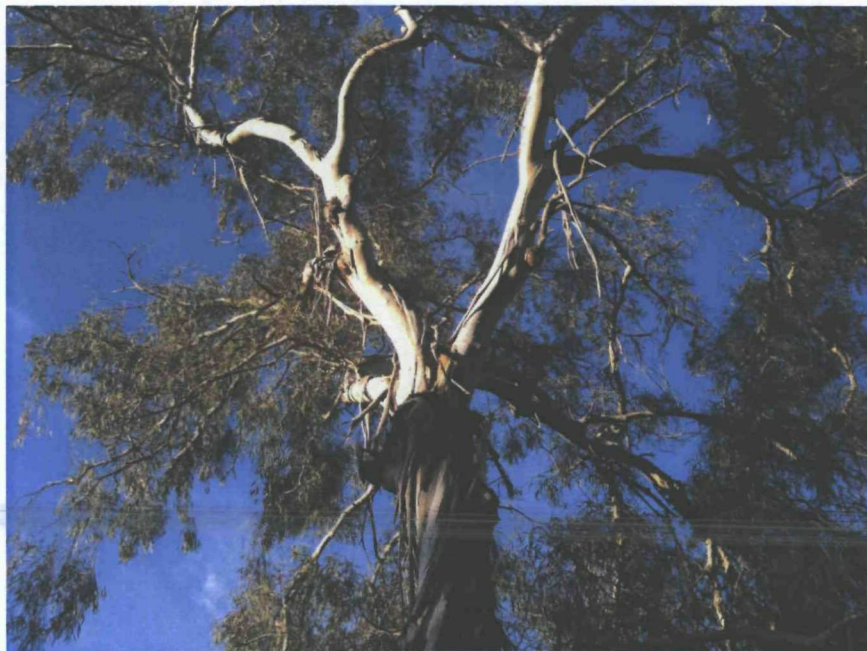


Figure 4

Four codominant stems with no central leader

1.0 TERMINOLOGY USED IN REPORT

1.1 Age classes

(I) *Immature* refers to a well established but juvenile tree.

(S) *Semi-mature* refers to a tree at growth stages between immaturity and full size.

(M) *Mature* refers to a full sized tree with some capacity for further growth.

(O) *Over-mature* refers to a tree about to enter decline or already declining.

1.2 **Health** refers to the tree's vigour as exhibited by the crown density, leaf colour, presence of epicormic shoots, ability to withstand disease invasion, and the degree of dieback. Classes are Excellent (E), Very Good (V), Good (G), Fair (F), Declining (D), Poor (P).

1.3 **Condition** refers to the tree's form and growth habit, as modified by its environment (aspect, suppression by other trees, soils) and the state of the scaffold (i.e. trunk and major branches), including structural defects such as cavities, crooked trunks or weak trunk/branch junctions. These are not directly connected with health and it is possible for a tree to be healthy but in poor condition. Classes are Good (G), Fair (F), Declining (D), Poor (P), Very Poor (VP).

1.4 **Diameter at Breast Height (DBH)** refers to the tree trunk diameter at breast height (1.4 metres above ground level)

1.5 **Critical Root Zone (CRZ)** refers to a radial offset of five (5) times the trunk DBH measured from the centre of the trunk. Rounded to the nearest 0.5 metre.

1.6 **Primary Root Zone (PRZ)** refers to a radial offset of ten (10) times the trunk DBH measured from the centre of the trunk. Rounded to the nearest 0.5 metre.

1.7 **Within Building Footprint (WBF)** refers to those trees within the footprint of the proposed development.

1.8 **Crown Foliage Density Potential (CFDP)** refers to the percentage of foliage in the canopy of tree in comparison to the same age and type of tree grown in optimal conditions.

1.9 **Visual Tree Assessment (VTA)** refers to a site assessment carried out by a qualified arborist not using resistograph technology, pathology analysis or other similar methods.

ATTACHMENT 2 –

SULE categories (after Barrell 1996)

The four categories and their sub-groups are as follows:

1. Long SULE – tree appeared retainable at the time of assessment for over 40 years with an acceptable degree of risk, assuming reasonable maintenance:

- A. structurally sound trees located in positions that can accommodate future growth
- B. trees which could be made suitable for long term retention by remedial care
- C. trees of special significance which would warrant extraordinary efforts to secure their long term retention

2. Medium SULE – tree appeared to be retainable at the time of assessment for 15 – 40 years with an acceptable degree of risk, assuming reasonable maintenance

- A. trees which may only live from 15 – 40 years
- B. trees which may live for more than 40 years but would be removed for safety or nuisance reasons
- C. trees which could be made suitable for retention in the medium term by remedial care

3. Short SULE – tree appeared to be retainable at the time of assessment for 5 – 15 years with an acceptable degree of risk, assuming reasonable maintenance:

- A. trees which may only live from 5 – 15 years
- B. trees which may live for more than 15 years but would be removed for safety or nuisance reasons
- C. trees which may live for more than 15 years but would be removed to prevent interference with suitable individuals or to provide space for new planting
- D. trees which require substantial remediation and are only suitable for retention in the short term

4. Removal – trees which should be removed within the next 5 years

- A. dead, dying, suppressed or declining trees
 - B. dangerous trees through instability or recent loss of adjacent trees
 - C. trees which may live for more than 5 years but would be removed to prevent interference with more suitable individuals or to provide space for new planting
 - D. trees which are damaging or may cause damage to existing structures within the next 5 years.
-