



**Warringah
Council**

5 October 2010

Jurgen & Louise Treichel
19 Devere Ave
Belrose NSW 2085

Civic Centre 725 Pittwater Road
Dee Why NSW 2099
DX 9118
Telephone (02) 9942 2111
Facsimile (02) 9971 4522

Website www.warringah.nsw.gov.au
Email council@warringah.nsw.gov.au
ABN 31 565 068 406

Dear Sir/Madam

*Please see
Amended Details*

*Ryan could you
please call me
to discuss please
Thank Louise J*

Re: Development Application Tree Removal and Tree Pruning

Council has received an Application for Tree Removal and Tree Pruning at **19 Devere Ave, Belrose** dated **1 October 2010**.

Upon review of your application against Council's records, it has come to our attention that your application is deficient as detailed below and therefore cannot be processed by Council.

- ☐ Lot/DP has not been provided. As per Section 3.1 of the form the Lot and DP number must be provided for the subject land.
- ☒ Lot & DP being provided does not match Council Records. *Lot 36 238042*
- ☐ Owners Consent not provided (both owners must sign)
- ☐ Payment not included/Cheque not signed
- ☐ Land owners consent has not been provided for the lodgement of the application in accordance with the provisions of the Environmental Planning and Assessment Regulation 2000. In this regard, prior to Council considering your application, you are required to provide written land owners consent for the lodgement of the application from all property owners.

(NOTE: If your application is from a strata body, the application must be accompanied by the Strata Seal and the body corporate approval for the lodgement of the application. Email's are not accepted).

Notwithstanding the above, if this is an urgent matter (and all of the legal owners of the tree agree) and a qualified arborist provides a written statement that the tree/s in question are dead or there is imminent danger to life or property, Council's Tree Preservation Order (enacted under Clause 31 of Warringah Local Environment Plan 2000) allows for the tree/s to be removed subject to a written statement and photographic evidence being forwarded to Council within seven (7) days of the tree/s being removed.

Yours faithfully

Ryan Cole

Team Leader Development Assessment

Enquiries: Planning & Development Enquiries Counter on 9942 2111

Enquiries: Customer Service Centre, 02 9942 2111.



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
WARRINGAH COUNCIL

1 - OCT 2010

MAIL ROOM

Office Use Only

Locality

DA 2010/1652

- | | |
|---|--|
| ☐ 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 | ☐ 100m MHW |

Aug 10

For applicable fees and charges, please refer to Council's website: www.warringah.nsw.gov.au
or contact our Customer Service Centre. 100185832

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

Mr Jürgen & Mrs Louise Treichel

Owner(s) name

As Above

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. 19 Street Devere Avenue

Suburb Belrose

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

Legal property description Lot: 110/63 Sect: DP: 238042

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	Pyrus sp (ornamental pear)	Removal	Please see letter dated 10/8/2010 attached.
2			
3			
4			Has caused significant property damage as well as being a health risk to persons entering our property.
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			

We have also ongoing drainage problems because of the invasive tree roots, even after laying new drainage.

Across the road at NO 3 Devere Ave, you gave permission to remove a huge liquid amber because of "Significant property damage". I.E. The brick wall 1/2 m high has crack in it. It's a cracked driveway and danger not "Significant".

Part 2 Application Details

2.4 Sketch

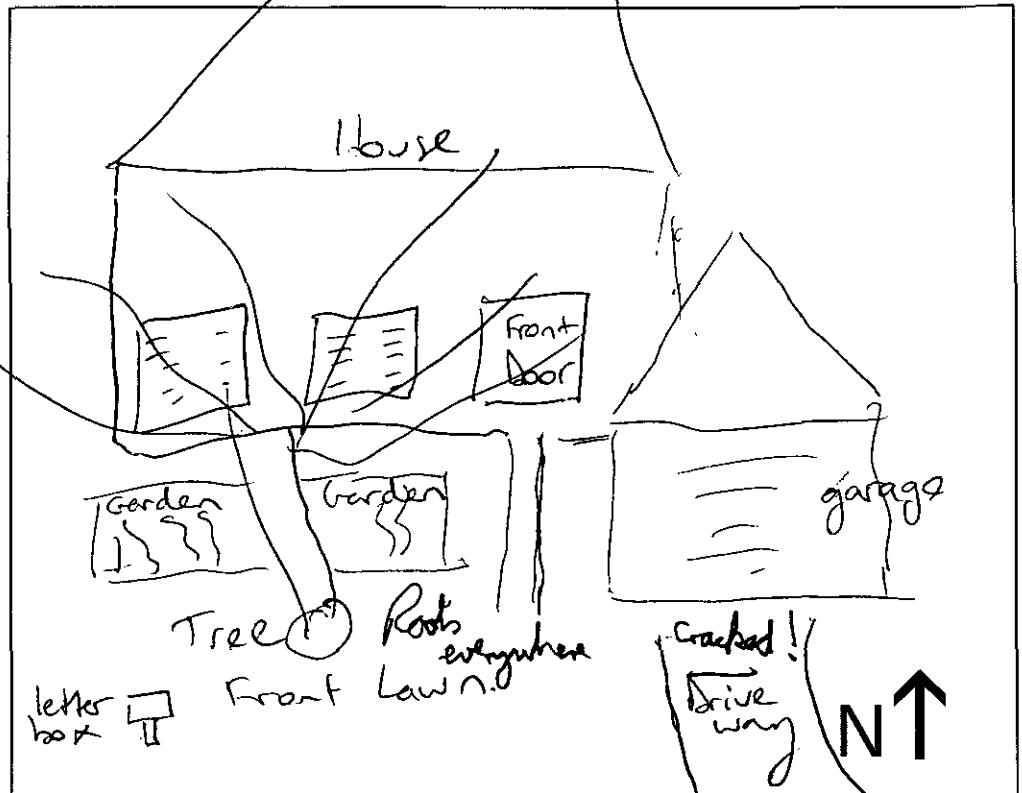
Please indicate in the box on the right:

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	
	Yes	No
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? <i>→ Credit Card</i>	☒	☐
SUPPORTING DOCUMENTATION? <i>Yes Photos</i> Arborist's Report (completed in accordance with Council's Guidelines)	☒	☐

10th August, 2010

Warringah Council
Civic Centre, 725 Pittwater Road
DEE WHY NSW 2099

DA 2009/0885

Sent in
16/8/2010

Dear Sirs,

With reference to earlier discussions we are seeking Council's assistance in granting permission to remove the Ornamental Pear tree in front of our house. Cutting visible roots – as it was suggested and what we tried – has not improved our situation.

The trees extremely aggressive roots system has lifted up concrete plates. (see photo attached) and is especially at night a hazard and can cause injury to visitors when walking to our front door.

Apart from the fact that the roots have severely uplifted concrete plates near our entrance which causes danger to property and life. The big roots have caused considerable damage to our drainage system. We were forced to spend more than \$3,000 for new pipes and drainage. (see photos attached)

In addition, the tree and its massive roots are less than 3.5metres from our house. We are unable to continue with completion of works on our front yard and are at present unable to establish a safe entrance to our house.

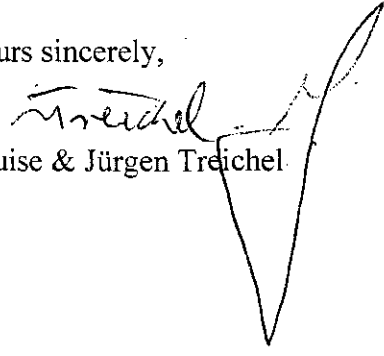
The removal of this tree should fall under Section 2.8 sub a) ii) and 2.8 sub e) of the Councils tree preservation order.

We love trees and undertake immediately after the removal of his troublesome tree to replace and plant a new advanced Australian Native tree which has a non-invasive root system such as:

- a) Blue Salinash – grows to a height of 4 x 2.5metres
- b) Bush Cherry grows to 5metre height by 2.5metre width, alternative
- c) Two Magenta Cherry Red which each grow to about 3metre height x 1.5metre width or
- d) Alternatively we are happy to consider Council's suggestion in respect of a suitable native tree.

Thank you for your assistance in this matter.

Yours sincerely,


Louise & Jürgen Treichel



Invasive Root system has broken up concrete driveway and pavers. Root damage caused to date a lift-off of 8 cm which is a Hazard and can cause bodily injury when entering the house.



19, DEVERE AVE. BELROSE 2085

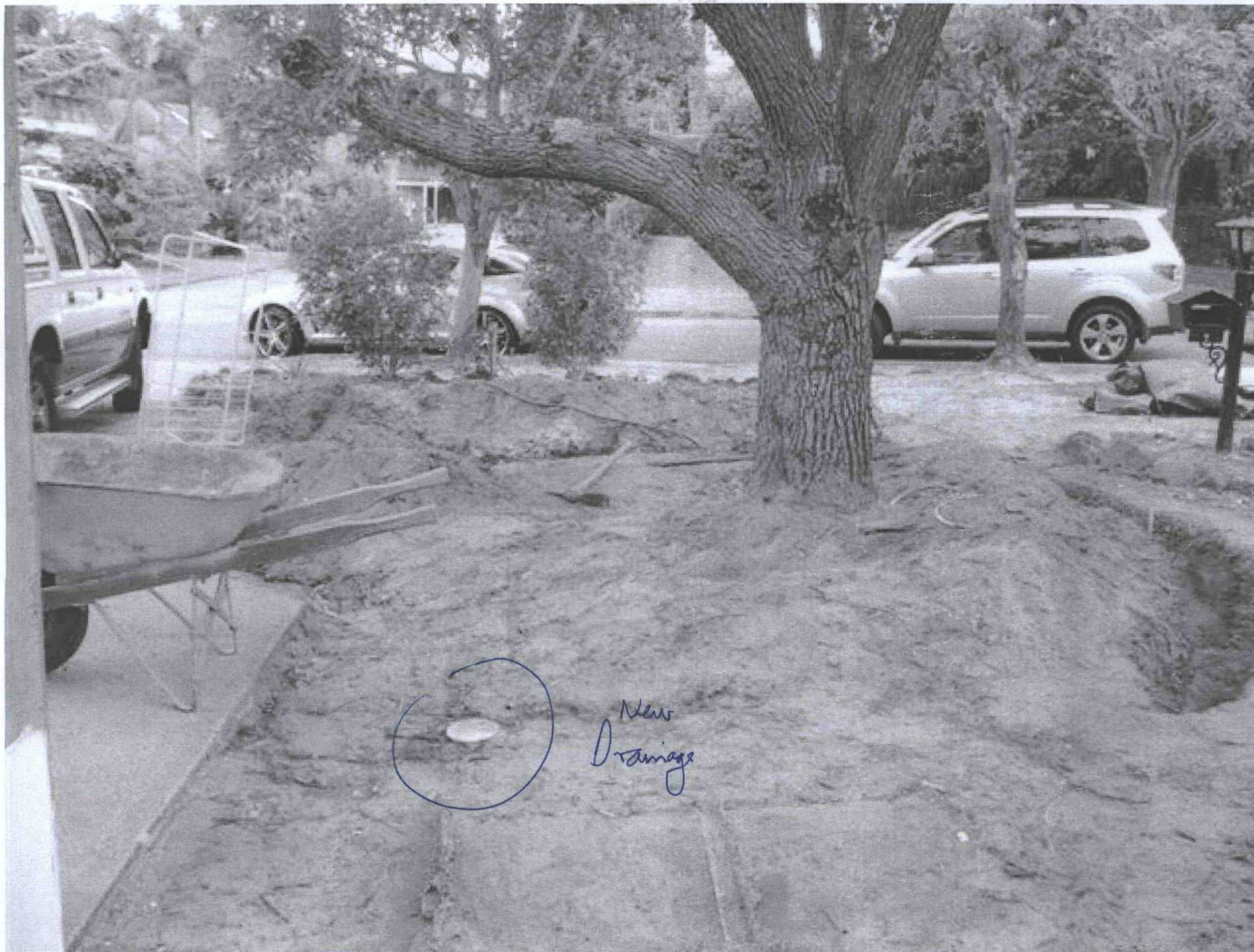


Plumber

Plumber







New
Drainage