

# Development Application for Tree Works

Section 78A Environmental Planning & Assessment Act 1979



APPLICATION/REFERENCE NUMBER: .....

Effective 1 July 2018 to 30 June 2019

## ABOUT THIS FORM

Use this form to apply for development consent to prune or remove any tree that is within a Heritage Conservation Area or forms part of a Heritage Item, is or forms part of an Aboriginal object or is within an Aboriginal place of heritage significance or which is listed on Council's Register of Significant Trees, where those tree works will have an impact on heritage significance or amenity.

This form is not to be used for requesting the pruning or removal of trees on public land such as verges, open space areas, parks, reserves, road islands, median strips, etc.

If you wish to remove a tree or trees that have been conditioned to be retained as part of an approved development consent, you are required to apply for a section 96 amendment to your development consent.

## WHAT YOU'LL NEED

- Property Owner's Consent
- Site Plan/Map
- Arborist's Report
- Supporting Documents/Reports
- Tree Owner's Consent (major pruning only)
- Exempt & Complying Development (if application required as part of CDC)

## APPLICANT DETAILS

Title:  Mr  Mrs  Ms  Other: .....

Applicant's Name: .....

Company Name / Contact: .....

Postal Address: .....

Suburb: ..... Post Code: .....

Email: ..... Fax / DX: .....

Phone No(s): ..... Mobile: .....

## GET IN CONTACT

Randwick City Council  
30 Frances Street  
Randwick NSW 2031  
ABN: 77 362 844 121

Phone 1300 722 542  
Fax (02) 9319 1510  
[council@randwick.nsw.gov.au](mailto:council@randwick.nsw.gov.au)  
[www.randwick.nsw.gov.au](http://www.randwick.nsw.gov.au)

## TREE SITE DETAILS *(If different from above)*

(Please note that if applying for a number of trees within several properties, a separate Development Application for each property must be submitted as Council is only able to issue one Development Consent per property)

Unit/Street No: ..... Street: .....

Suburb: ..... Post Code: .....

Lot No(s): ..... Strata/Deposited Plan Number(s): .....

Owner's Name: Surname (or Company): .....

Given Name: .....

Additional Details: .....

(if required)

**Note:** If the tree/s is located on an adjoining property and major pruning is being requested, the tree owner must give written consent for the lodging of this form. Any approval granted will not allow pruning beyond the common property boundary or entry into the tree owner's property.

## DETAILS OF TREE/S ON SITE

*(Please tick appropriate box)*

- |   |                              |                             |
|---|------------------------------|-----------------------------|
| Are there visual signs that tree/s are unhealthy or in poor health?               | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Can you see evidence of structural damage to property or structures?              | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Are the tree/s prominent because of height, age, size or position?                | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Do you think removal of the tree/s will diminish scenic/visual amenity?           | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Will removal/pruning of tree/s adversely affect wildlife habitat and food source? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

## TREE/S HERITAGE SIGNIFICANCE

Can the tree/s be specifically categorised using any of the following criteria? (tick where applicable)\*

- Remnant vegetation
- Important landmark specimen
- Historic garden
- Outstanding example of species
- Rare or localised species
- Particularly old or venerable specimen
- Outstanding height, trunk circumference, canopy spread
- Curious/abnormal/unusual growth habit
- Commemorating particular event/occasion
- Planted by famous person
- Indigenous/cultural association

Is the tree/s listed as an Environmental Heritage Item?  Yes  No

Is the tree/s listed on Council's Significant Tree Register?  Yes  No

\*Council may request property owners/managers to provide a Heritage Impact Statement/Report where significant tree/s are nominated for removal or significant pruning.

**ADDITIONAL INFORMATION***(Please tick appropriate box)*

Is the site subject to a current Development Application?

 Yes  No

DA No: .....

Is this the first application for this tree/s?

 Yes  No

If no, date of last application: .....

Was the application approved?

 Yes  No

Is the owner/applicant lodging this Development Application a current employee or elected representative of Randwick City Council?

 Yes  No**SITE ACCESS DETAILS***(Please tick appropriate box)*

(An inspection may be scheduled more promptly if there is access to the site)

Does Council need to contact someone to arrange access to the property?

 Yes  NoIf yes, name of contact person  
and contact number: .....*A Council officer will be in contact if necessary*

Are there any dogs or security measures we need to know about?

 Yes  No

If yes, please specify: .....

Note: If the tree/s are located within an adjacent property and there is no tree owner consent, Council will not enter that property to assist in assessing this application.

**PROPOSED WORKS***(Attach additional pages if necessary)*

You must complete this section by identifying the location of all nominated tree/s, the works proposed and the reasons for undertaking those works.

Tree species/Common Name	Location (front/rear/side)	Work required (tick)		Reason for Works
		Prune	Remove	
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				

## BLOCK PLAN

Please provide sufficient details to locate nominated tree/s within the site. Label tree/s numerically, draw property boundaries, all buildings in relation to property boundaries, driveway, etc. – and include street name and property address.

(To clarify the identification of tree/s to be assessed, where possible mark those trees on-site with ribbon/tape to assist the tree officer undertaking the inspection)

## EXEMPTIONS

Approval is *not* required to remove or prune a tree/s on private property:

- if the tree is dying or dead or is a risk to human life or property and is not required as the habitat of native fauna (<http://www.environment.nsw.gov.au/resources/cpp/AssessHabitat.pdf>) Details of the tree species, its condition, location, the risk it poses and digital photographs should be provided to Council to verify that a tree is dying, dead or dangerous **PRIOR** to the removal/pruning of any such tree/s. Such evidence should also include a report by an AQF5 qualified arborist or a written statement from the State Emergency Services (SES) if any tree works are undertaken by the SES at the owner's request.
- if the species is exempt as detailed in Council's Local Environmental Plan or Development Control Plan;
- where tree works are required to give effect to an existing development consent that permits the pruning or removal of the subject tree/s;
- where pruning is required or authorised to be done under the Electricity Supply Act 1995;
- where the pruning is in accordance with the Australian Standard (AS 4373 - 2007) to provide 500mm clearance of insulated domestic electricity supply cables;
- for plants declared under the Noxious Weeds Act 1993 to be a noxious weed in respect of land within the Randwick Local Government Area or any tree listed as exempt in the LGA can also be pruned or removed without Council consent;
- for the removal of dead branches, palm fronds or palm fruit;
- for remedial pruning or removal to make a tree safe following severe storm damage or sudden branch failure;
- for works carried out by State or Federal Government departments or authorities under current legislative requirements.

## OWNER'S CONSENT

- NB: SINGLE / JOINT OWNERSHIP: ➤ All named owners must sign (if more than one owner, every owner must sign).
- STRATA TITLED PROPERTY: ➤ The strata secretary must sign the form and attach the strata seal.
- COMPANY / BUSINESS OWNED PROPERTY: ➤ The director/s or company secretary must sign the form and attach the company seal or provide a signed company letterhead with the ABN included giving consent to this application, together with a copy of the Minutes of a meeting verifying that the majority of owners consent to any proposed tree works.

- I hereby consent to the submission of this application and to a representative of Council entering the site for the purpose of a site inspection, and
- For Council to make copies of all documents for the purpose of determining the application or to provide copies to persons who may be affected by the proposal.
- If you are signing on the owner's behalf, please state the nature of your legal authority and attach full documentary evidence – e.g., Power of Attorney.

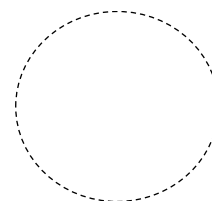
Signature: ..... Name: ..... Date: .....

Signature: ..... Name: ..... Date: .....

Company/Strata Corp: .....

Position: .....

ABN No: .....



Council will not process this application without the registered property owner's consent.

AFFIX COMMON SEAL

## ACKNOWLEDGEMENT

Upon receipt of your application and payment of the applicable fee you will be given a receipt number specifying the amount paid and the number of the application.

## DECLARATION

(An application cannot be processed without this section being signed and dated by the applicant)

I apply for development consent to carry out the works described in this application. I declare that all the information given is true and correct. I also understand and accept that:

- if the information is incomplete, the application may be delayed or rejected or more information may be requested.
- if the information provided is misleading any approval granted may be void.
- Council cannot be held liable for delays in processing arising out of the inadequacies in the material submitted in support of this application.
- Council's inspection will be a visual assessment only of the tree/s from ground level. There will be no diagnostic testing or aerial inspection made.

**I have read and agree to the terms and conditions outlined in this form.**

Signature: .....

Name: ..... Date: .....

## APPLICATION CHECKLIST

**DO YOU HAVE OWNER(S) CONSENT?** (All owners of the property must give consent).  Yes  No

NOTE: If the trunk of the tree is located across property boundaries, consent of ALL owners of EACH property is required.

**HAVE YOU ATTACHED A BLOCK PLAN OF THE PROPERTY?**  Yes  No

All trees to be inspected are to be clearly marked on the plan and on site with tape, ribbon, paint or numbered tags.

## SUPPORTING DOCUMENTATION

Have you attached all relevant documentation, reports, photographs in support of the application – e.g.,

- Arborist's report - 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 two metres above ground level, or below ground such as root mapping, to justify your application, you must provide a report from a qualified AQF level 5 arborist detailing these issues.  Yes  No
- Sewer diagram, Plumber's report.  Yes  No
- Structural Engineer's report detailing damage to property and why alternatives to removing the tree are not feasible.  Yes  No

**Note:** A written quote for the proposed removal/tree works from a qualified professional should be submitted with the application as evidence of the cost of development.

## EXEMPT AND COMPLYING DEVELOPMENT

Where tree removal/pruning approval is granted as part of Exempt and Complying Development, a condition of consent will apply, prohibiting any tree works to be carried out until the complying development certificate is issued from your certifier.

Should consent not be granted to prune or remove a tree or trees, you can lodge a development application for the proposed work. This allows the matter to be considered in more detail and may require additional information such as an arborist's report or root mapping report.

## REVIEW OF DECISION

Any applicant who is dissatisfied with Council's decision can request a review by lodging a Request for a Review of a Determination outlining the reasons for seeking the review and attaching any relevant **new** information. This information should include documentation such as a detailed arborist's report, a structural engineer's report and/or a plumber's report with diagrams of any affected/damaged pipes and/or underground services.

Upon receipt of any such request Council will review the documentation and if the new information provides enough evidence to then support a decision to approve the request a final decision will be made to either approve or refuse the review.

## DISCLOSURE OF POLITICAL DONATIONS AND GIFTS

Under section 147 of the Environmental Planning and Assessment Act 1979 any reportable political donation to an elected representative of Council (Mayor or Councillor) and/or any gift to an elected representative or 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, you are required to complete a Political Donations and Gifts disclosure statement and lodge it with this application. If no, in signing this application I undertake to advise 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.

## HOW TO LODGE THIS APPLICATION

**BY MAIL** with a cheque attached **OR**  
**OVER THE COUNTER** at Council with payment made via cash, cheque, credit card or EFTPOS.

Address the Application to: Randwick City Council

Post: 30 Frances Street, Randwick NSW 2031

DX: DX 4121 Maroubra Junction

Fax: (02) 9319 1510

Courier or Personal Delivery to our Customer Service Centre:

*Randwick City Council*  
30 Frances Street  
Open 8:30am – 5:00pm, Mon-Fri

## FEES

Application fees are in accordance with Council's Fees and Charges Policy. Fees may be paid by cash, cheque, MasterCard, Visa, American Express & EFTPOS. Do not send cash in the mail. Make cheques payable to Randwick City Council.

FEE TYPE	RECEIPT CODE	FEE	GST
DA for Tree Works inspection fee – per tree		\$116.00	N/A
	<b>TOTAL:</b>	<b>\$</b>	

## PROCESSING DETAILS

The processing period for applications is approximately four (4) weeks. During this period a Council tree officer will inspect the site and if necessary will advise neighbouring tree owner/s of any approved tree works. At the conclusion of the inspection and assessment process a written Notice of Determination will be forwarded to the applicant or property owner. Council will prioritise applications accompanied by a qualified arborist's report detailing any elevated risk or potential danger associated with a protected tree.

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.

## PRIVACY NOTIFICATION

The personal details requested on this form are required under the Environmental Planning and Assessment Act 1979 and will only be used in connection with the requirements of this legislation. This form will be stored electronically in the Council's electronic document management system. Access to this information is restricted to Randwick City Council officers and other people authorised under the Act. Council is to be regarded as the agency that holds the information. You may make application for access or amendment to information held by Council. You may also request Council to suppress your personal information from a public register.

## OFFICE USE ONLY

Application/Request received by:

Date:

Referred to: .....

Date: .....

Issued/Completed by: .....

Completed Date: .....

Receipt No: .....

Date: .....

Fee: \$ .....