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BLAND SHIRE COUNCIL TREE REMOVAL DEVELOPMENT APPLICATION FORM

Please attach all the plans and supporting information required to this form.

SECTION A (to be completed in full) ▶ GENERAL INFORMATION

APPLICANT'S DETAILS

Title (Mr, Mrs, Ms, Miss, Dr, Etc): _____

Full Name/Company Name: _____

Postal Address: _____

Daytime Contact Details:

Phone: _____

Mobile: _____

Email: _____

Fax: _____

Signature: _____

WHAT PROPERTY IS THE SUBJECT OF THIS APPLICATION?

Street Address: _____

Locality: _____

Lot, Section, DP/SP: _____

DEVELOPMENT DESCRIPTION

Briefly describe everything you want Council to approve:

APPLICATION NUMBER –OFFICE USE ONLY

DA

SECTION C TYPE OF APPROVAL

TREE REMOVAL DETAIL

Application to:

- Remove
- Lop
- Selective pruning
- Under-prune
- Prune overhanging branches
- Root pruning

No. _____ Size: _____

Reason: _____

Note: A plan of the location of the tree/s and distances from buildings and nearby property boundaries. Include the location of, and distances to any underground services such as water, storm water, sewer, telephone and overhead power lines. You may wish to include photographs of the subject tree/s with your application.

PLEASE USE SITE PLAN TEMPLATE ON PAGE 3 OF THIS APPLICATION FORM

SECTION A (CONTINUED)
▶ GENERAL INFORMATION

PROPERTY OWNER'S CONSENT

(Note: All owners must sign this consent)

As the owner/s of the above property, I/we consent to the lodgement of this Application. I/we permit officers of Council to enter the land to carry out inspections as required for the assessment of this application and will provide access where required.

Name _____

Signature _____

Date _____

Name _____

Signature _____

Date _____

Company Name

Name _____

Signature _____

Date _____

IMPACT STATEMENT

Is or does the tree/s form part of a heritage item or that is within a heritage conservation area. No Yes

Is or does the tree/s form part of an Aboriginal object or that is within an Aboriginal place of heritage significance. No Yes

Will the removal, lop, prune, root pruning have an adverse impact on the amenity of the area including the biodiversity of the area. No Yes

Notes:

1. If you have answered "Yes" to any item in questions 2,3,4,5 or 6 you should provide details of the likely impact(s) and the proposed means of mitigating or reducing such impact(s).

SECTION A (CONTINUED)
▶ GENERAL INFORMATION

DISCLOSURE OF POLITICAL DONATIONS & GIFTS

State legislation requires us to ask whether you, or any person with a financial interest in this Application, made a reportable political donation or given a gift to any local Councillor or Council employee within the last 2 years?

Yes No

Note: If you have ticked 'Yes' above you must complete the attached disclosure form (see pp. 7 – 9. For the meaning of 'reportable political donation', 'gift' and 'person with a financial interest', please see the notes on page 8.

▶ ADDITIONAL INFORMATION

PRIVACY AND PERSONAL INFORMATION PROTECTION ACT 1998 (Section 10)

The information you have provided with this application is considered 'personal information' for the purposes of the *Privacy and Personal Information Protection Act (PPIA) 1998*, and is being collected as to enable an efficient and accurate assessment of your application. The intended recipients of the information are officers within Council assessing the application, and any other agent of Council. The information required by this application is required by law, and failure to provide the information requested will result in Council being unable to process your application. You may make application to access and correct the information you have provided by contacting Bland Shire Council.

PLANS AND SUPPORTING INFORMATION

Please attach ALL of the plans and supporting information that is required for your application. Be advised that Council cannot be held responsible for any delays in processing arising out of inadequacies in the material submitted in support of this application.

OFFICE USE ONLY

Fee Type	Fee \$	Job No.
Dev. Application	_____	4410-1402-0001
Advertising	_____	4410-1402-0005
Photocopy	_____	4410-1803-0000

Total Fee _____ **Int.** _____

Receipt No. _____ Date. _____

► SITE PLAN

A plan of the site is required, showing property boundaries, the location of all trees and buildings on site. The plan must be drawn to scale showing a North point and including all measurements from boundaries to the tree/s to be removed and/or lopped.

Key

R = Remove	L - Lop	SP = Selective pruning	UP = Under-prune
PO = Prune overhanging branches	RP = Root pruning	W = Water	SW = Storm water
S = Sewer	PH = telephone	P = Power lines (overhead /underground)	

POLITICAL DONATIONS & GIFTS DISCLOSURE STATEMENT

BLAND SHIRE COUNCIL

Office use only:

Date received: ____/____/____

Application no. _____

This form may be used to make a political donations and gifts disclosure under section 147(4) and (5) of the *Environmental Planning Assessment Act 1979* for applications or public submissions to a council.

Please read the following information before filling out the Disclosure Statement on page 10 of this form. Also refer to the 'Glossary of terms' provided overleaf (for definitions of terms in *italics* below).

Once completed, please attach the completed declaration to your planning application or submission.

Explanatory information

Making a planning application to a council

Under section 147(4) of the Environmental Planning and Assessment Act 1979 ('the Act') a person who makes a *relevant planning application* to a council is required to disclose the following *reportable political donations and gifts* (if any) made by any *person with a financial interest* in the application within the period commencing 2 years before the application is made and ending when the application is determined:

- (a) all reportable political donations made to any local councillor of that council
- (b) all gifts made to any local councillor or employee of that council.

Making a public submission to a council

Under section 147(5) of the Act a person who makes a *relevant public submission* to a council in relation to a relevant planning application made to the council is required to disclose the following reportable political donations and gifts (if any) made by the person making the submission or any *associate of that person* within the period commencing 2 years before the submission is made and ending when the application is determined:

- (a) all reportable political donations made to any local councillor of that council
- (b) all gifts made to any local councillor or employee of that council.

A reference in sections 147(4) and 147(5) of the Act to a reportable political donation made to a 'local councillor' includes a reference to a donation made at the time the person was a candidate for election to the council.

How and when do you make a disclosure?

The disclosure of a reportable political donation or gift under section 147 of the Act is to be made:

- (a) in, or in a statement accompanying, the relevant planning application or submission if the donation or gift is made before the application or submission is made, or
- (b) if the donation or gift is made afterwards, in a statement of the person to whom the relevant planning application or submission was made within 7 days after the donation or gift is made.

What information needs to be in a disclosure?

The information requirements of the disclosure are outlined in the Act under section 147(9) for political donations and section 147(10) for gifts.

Page 3 of this document includes a Disclosure Statement Template which outlines the relevant information requirements for disclosures to a council.

Note: A separate Disclosure Statement Template is available for disclosures to the Minister or the Director-General of the Department of Planning.

Warning: A person is guilty of an offence under section 125 of the *Environmental Planning and Assessment Act 1979* in connection with the obligations under section 147 only if the person fails to make a disclosure of a political donation or gift in accordance with section 147 that the person knows, or ought reasonably to know, was made and is required to be disclosed under section 147. The maximum penalty for any such offence is the maximum penalty under Part 6 of the *Election Funding and Disclosures Act 1981* for making a false statement in a declaration of disclosures lodged under that Part. Note: The maximum penalty is currently 200 penalty units (currently \$22,000) or imprisonment for 12 months, or both.

**SHOULD YOU HAVE ANY QUESTIONS ABOUT THE LEGISLATION PLEASE CONTACT THE
NSW DEPARTMENT OF PLANNING – www.planning.nsw.gov.au**

Glossary of terms (under section 147 of the *Environmental Planning and Assessment Act 1979*)

gift means a gift within the meaning of Part 6 of the *Election Funding and Disclosures Act 1981*. Note. A gift includes a gift of money or the provision of any other valuable thing or service for no consideration or inadequate consideration.

Note: Under section 84(1) of the *Election Funding and Disclosures Act 1981* gift is defined as follows:

gift means any disposition of property made by a person to another person, otherwise than by will, being a disposition made without consideration in money or money's worth or with inadequate consideration, and includes the provision of a service (other than volunteer labour) for no consideration or for inadequate consideration.

local councillor means a councillor (including the mayor) of the council of a local government area.

relevant planning application means:

- a) a formal request to the Minister, a council or the Director-General to initiate the making of an environmental planning instrument or development control plan in relation to development on a particular site, or
 - b) a formal request to the Minister or the Director-General for development on a particular site to be made State significant development or declared a project to which Part 3A applies, or
 - c) an application for approval of a concept plan or project under Part 3A (or for the modification of a concept plan or of the approval for a project), or
 - d) an application for development consent under Part 4 (or for the modification of a development consent), or
 - e) any other application or request under or for the purposes of this Act that is prescribed by the regulations as a relevant planning application,
- but does not include:
- f) an application for (or for the modification of) a complying development certificate, or
 - g) an application or request made by a public authority on its own behalf or made on behalf of a public authority, or
 - h) any other application or request that is excluded from this definition by the regulations.

relevant period is the period commencing 2 years before the application or submission is made and ending when the application is determined.

relevant public submission means a written submission made by a person objecting to or supporting a relevant planning application or any development that would be authorised by the granting of the application.

reportable political donation means a reportable political donation within the meaning of Part 6 of the *Election Funding and Disclosures Act 1981* that is required to be disclosed under that Part. Note. Reportable political donations include those of or above \$1,000.

Note: Under section 86 of the *Election Funding and Disclosures Act 1981* reportable political donation is defined as follows:

86 Meaning of “reportable political donation”

- (1) For the purposes of this Act, a reportable political donation is:
 - (a) in the case of disclosures under this Part by a party, elected member, group or candidate—a political donation of or exceeding \$1,000 made to or for the benefit of the party, elected member, group or candidate, or
 - (b) in the case of disclosures under this Part by a major political donor—a political donation of or exceeding \$1,000:
 - (i) made by the major political donor to or for the benefit of a party, elected member, group or candidate, or
 - (ii) made to the major political donor.
- (2) A political donation of less than an amount specified in subsection (1) made by an entity or other person is to be treated as a reportable political donation if that and other separate political donations made by that entity or other person to the same party, elected member, group, candidate or person within the same financial year (ending 30 June) would, if aggregated, constitute a reportable political donation under subsection (1).
- (3) A political donation of less than an amount specified in subsection (1) made by an entity or other person to a party is to be treated as a reportable political donation if that and other separate political donations made by that entity or person to an associated party within the same financial year (ending 30 June) would, if aggregated, constitute a reportable political donation under subsection (1). This subsection does not apply in connection with disclosures of political donations by parties.
- (4) For the purposes of subsection (3), parties are associated parties if endorsed candidates of both parties were included in the same group in the last periodic Council election or are to be included in the same group in the next periodic Council election.

a person has a financial interest in a relevant planning application if:

- a) the person is the applicant or the person on whose behalf the application is made, or
- b) the person is an owner of the site to which the application relates or has entered into an agreement to acquire the site or any part of it, or
- c) the person is associated with a person referred to in paragraph (a) or (b) and is likely to obtain a financial gain if development that would be authorised by the application is authorised or carried out (other than a gain merely as a shareholder in a company listed on a stock exchange), or
- d) the person has any other interest relating to the application, the site or the owner of the site that is prescribed by the regulations.

persons are associated with each other if:

- a) they carry on a business together in connection with the relevant planning application (in the case of the making of any such application) or they carry on a business together that may be affected by the granting of the application (in the case of a relevant planning submission), or
- b) they are related bodies corporate under the *Corporations Act 2001* of the Commonwealth, or
- c) one is a director of a corporation and the other is any such related corporation or a director of any such related corporation, or
- d) they have any other relationship prescribed by the regulations

