



ACT
Government

Transport Canberra and
City Services

FREEDOM OF INFORMATION COVERSHEET

The following information is provided pursuant to section 28 of the *Freedom of Information Act 2016*.

FOI reference: TCCSFOI 21-030

Information to be published	Status
1. Access application	Published
2. Decision notice and schedule	Published
3. Documents	Published
4. Additional information identified	n/a
5. Fees	n/a
6. Processing time (in working days)	24 days
7. Decision made by Ombudsman	n/a
8. Additional information identified by Ombudsman	n/a
9. Decision made by ACAT	n/a
10. Additional information identified by ACAT	n/a



ACT
Government

Transport Canberra
and City Services

Freedom of Information – Access Application Form

Privacy notice

The personal information you supply on this form will only be used for the purpose of processing your request. Your application must include an email or postal address to which the respondent can send notices under the *Freedom of Information Act 2016* (the Act). If all or some of this information is not collected, Transport Canberra and City Services may not be able to communicate with you, inhibiting their obligations under the Act. This could mean the request cannot be dealt with. Your personal information will not be disclosed to a third party without your consent unless statutory obligations require otherwise.

The Transport Canberra and City Services Privacy Policy contains information on how you can access or seek to correct any of your personal information that is held by the Transport Canberra and City Services, as well as the process for lodging a complaint about an alleged breach of the *Information Privacy Act 2014*. The Privacy Policy can be found at www.cityservices.act.gov.au.

Applicant details

I wish to make an access application to Transport Canberra and City Services under the *Freedom of Information Act 2016*.

Name	[REDACTED]
Address (where notices relating to this request can be sent – either postal or electronic)	[REDACTED]
Telephone (Business hours)	[REDACTED]
Telephone (Mobile)	[REDACTED]
Email	[REDACTED]

What documents are you requesting under the Act?

Documents generated or received by the ACT Government and Icon Water in relation to the large Plane tree [REDACTED] of [REDACTED] McKellar.

This would include the following:

- Correspondence between the ACT government and residents at [REDACTED]
- Documents that detail any work done by the ACT government or a third party on this tree or its roots.
- Documents that detail any work done by the ACT government on property or infrastructure damaged by the tree or its roots done by the ACT government or a third party.
- Assessments, reports, and correspondence between government workers or any third party that the ACT government contacted or contracted about this tree.



Fee waiver

If you wish to apply for a fee waiver, the Act sets out a number of provisions to do so:

- The information being requested was previously publicly available but no longer is.
- The information being requested is of special benefit to the public (Ombudsman guidelines see Section 66).
- The applicant is a concession card holder and demonstrates a material connection with the information requested (concession cards include a current health care or pensioner card issued under the [Social Security Act 1991](#); a current pensioner concession card issued in relation to a pension under the [Veterans' Entitlements Act 1986](#) or [the Military Rehabilitation and Compensation Act 2004](#); a current gold card; or a card prescribed by regulation).
- The applicant is a not-for-profit organisation and the application relates to the activities or purposes of the organisation.
- The applicant is a member of the Legislative Assembly.

Transport Canberra and City Services must waive any fees for providing information if the information was not publicly available and the agency makes the information publicly available before or within 3 working days after giving it to the applicant.

To apply for a fee waiver please complete the following.

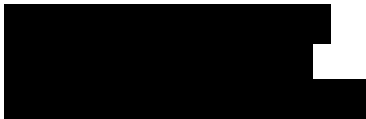
<p>I would like to apply for a fee waiver because (state reason/s from the list above).</p> <p>I make this request pursuant to section 30 of the FOI Act.</p> <p>As a member of the ACT Legislative Assembly, I note that any fees and charges associated with this request will be waived in pursuant to section 107 (2)(e) of the Act.</p> <p>Should you require any further information or clarification about my request, please contact my office on [REDACTED]</p>	
<p>I would like</p>	<p>a copy of these documents sent to the above address</p>

Applicant's signature	Date of request
[REDACTED]	19 March 2021



ACT
Government

Transport Canberra and
City Services



Dear [REDACTED]

Freedom of Information Request - Reference 21-030

I refer to your application for access to government information received by Transport Canberra and City Services (TCCS) on 22 March 2021 under the *Freedom of Information Act 2016* (FOI Act) seeking documents generated or received by the ACT Government and Icon Water in relation to the large Plane tree in [REDACTED] of [REDACTED], McKellar, which includes:

- correspondence between the ACT government and residents at [REDACTED];
- documents that detail any work done by the ACT government or a third party on this tree or its roots;
- documents that detail any work done by the ACT government on property or infrastructure damaged by the tree or its roots done by the ACT government or a third party; and
- assessments, reports, and correspondence between government workers or any third party that the ACT government contacted or contracted about this tree.

I am an Information Officer appointed by the Director-General under section 18 of the Act to deal with access applications made under Part 5 of the FOI Act.

A decision on your application was due by 21 April 2021. I thank you for agreeing to extension to 30 April 2021.

You will receive a separate response from Icon Water who has agreed to a partial transfer of your application under section 57 of the FOI Act.

Decision on access

Searches were undertaken for the documents you are seeking. The search identified 25 documents (54 pages) containing information within the scope of your access application. These are outlined in the schedule of document included at [Attachment A](#).

I have decided to:

- grant full access to 14 documents; and
- grant partial access to 11 documents.

I have refused access under section 35(1)(c) of the FOI Act to some of the information that you have requested as it is contrary to the public interest to release.

My access decision is detailed further in the following statement of reasons below.

Statement of Reasons

In making my decision on disclosing government information, I must identify all relevant factors in schedule 2 of the FOI Act and determine, on balance, where the public interest lies. In reaching my access decision, I have taken the following into account:

Factors favouring disclosure in the public interest (Schedule 2, Section 2.1)

- Section 2.1(a)(i) - promote open discussion of public affairs and enhance the government's accountability;
- Section 2.1(a)(iii) - inform the community of the government's operations, including the policies, guidelines and codes of conduct followed by the government in its dealings with members of the community;
- Section 2.1(a) (xi) - reveal environmental or health risks or measures relating to public health and safety; and
- Section 2.1(a)(viii) - reveal the reason for a government decision and any background or contextual information that informed the decision.

Factors favouring non-disclosure (Schedule 2, Section 2.2)

- Section 2.2 (a)(ii) – prejudice the protection of an individual's right to privacy or any other right under the *Human Rights Act 2004*.

I consider that it is in the public interest to release most of the information identified as relevant to your application. These documents discuss the management of trees on public land and streets within the urban areas of the ACT, and the disclosure is likely to inform the community of government processes.

However, in reviewing the information within these documents I have identified personal information of third parties. I have decided that names of third parties should not be released because the release could identify an individual and would prejudice their right to privacy under the *Human Rights Act 2004*.

I am satisfied that the factors in favour of release can still be met while protecting the personal information of individuals involved. I find the protection of this information outweighs disclosure. The documents at Attachment B are provided with deletions to information which is contrary to the public interest to disclose.

Charges

Pursuant to *Freedom of Information (Fees) Determination 2018* processing charges are applicable for this request because the total number of pages to release to you exceeds the charging threshold of 50 pages. However, the charges have been waived in accordance with section 107(2)(e) of the FOI Act.

Online publishing – disclosure log

Under section 28 of the Act, TCCS maintains an online record of access applications called a disclosure log. Your original access application, my decision and documents will be published in the TCCS disclosure log between 3-10 business days from the date of this decision.

Your personal contact details will not be published. You may view the TCCS' disclosure log at http://www.tccs.act.gov.au/about-us/freedom_of_information.

Ombudsman review

My decision on your access request is a reviewable decision as identified in Schedule 3 of the Act. You have the right to seek an Ombudsman review of this outcome under section 73 of the Act within 20 working days from the day that my decision is published in TCCS' disclosure log or a longer period allowed by the Ombudsman.

If you wish to request a review of my decision, you may write to the Ombudsman at:

The ACT Ombudsman
GPO Box 442
CANBERRA ACT 2601
Via email: actfoi@ombudsman.gov.au

ACT Civil and Administrative Tribunal (ACAT) review

Under section 84 of the Act, if a decision is made under section 82 on an Ombudsman review, you may apply to the ACAT for review of the Ombudsman decision.

Further information may be obtained from ACAT at:

ACT Civil and Administrative Tribunal
Level 4, 1 Moore Street
GPO Box 370
CANBERRA CITY ACT 2601
Telephone: (02) 6207 1740
www.acat.act.gov.au

If you have any queries concerning the directorate's processing of your request, or would like further information, please contact the TCCS FOI team on (02) 6207 2987 or email to tccs.foi@act.gov.au.

Yours sincerely



Kristine Scheul
Information Officer

27 April 2021

FREEDOM OF INFORMATION REQUEST SCHEDULE

Please be aware that under the *Freedom of Information Act 2016*, some of the information provided to you will be released to the public through the ACT Government's Open Access Scheme. The Open Access release status column of the table below indicates what documents are intended for release online through open access.

Personal information or business affairs information will not be made available under this policy. If you think the content of your request would contain such information, please inform the contact officer immediately.

Information about what is published on open access is available online at: https://www.tccs.act.gov.au/about-us/freedom_of_information/disclosure-log

File number		WHAT ARE THE PARAMETERS OF THE REQUEST				
FOI – 21-030		Large Palm Tree				
Ref No	No of Folios	Description	Date	Status	Reason for non-release or deferral	Open Access release status
1	1	Ministerial Request - S2018-0442	5 October 2018	Partial access	<i>Information Privacy Act 2014</i> Schedule 2, Section 2.2 (a)(ii) Prejudice the Protection of an Individual's Right to Privacy	Documents will be published on the TCCS Disclosure Log within 3 – 10 business days.
2	2-3	Ministerial Response -S2018-0442	12 November 2018	Partial access	<i>Information Privacy Act 2014</i> Schedule 2, Section 2.2 (a)(ii) Prejudice the Protection of an Individual's Right to Privacy	
3	4-5	CRM- Incident No # 180601-001620 – Tree Claim	1 June 2018	Partial access	<i>Information Privacy Act 2014</i> Schedule 2, Section 2.2 (a)(ii) Prejudice the Protection of an Individual's Right to Privacy	

4	6	Drawing of blocks - undated	Undated	Full access	N/A
5	7-8	CRM – Incident No # - Incident No. # 180601-001620 – Tree claim	1 June 2018	Partial access	<i>Information Privacy Act 2014</i> Schedule 2, Section 2.2 (a)(ii) Prejudice the Protection of an Individual's Right to Privacy
6	9-13	Email - Subject - IAMS Enquiry 1056358	5 June 2018	Partial access	<i>Information Privacy Act 2014</i> Schedule 2, Section 2.2 (a)(ii) Prejudice the Protection of an Individual's Right to Privacy
7	14-16	Field Note and Pictures related CRM - 180601-001620 Pictures of tree	26 June 2018	Partial access	<i>Information Privacy Act 2014</i> Schedule 2, Section 2.2 (a)(ii) Prejudice the Protection of an Individual's Right to Privacy
8	17-19	Email and attachment – Subject [REDACTED] – Attachment - Subject - Solar Access for private property	19 October 2019	Partial access	<i>Information Privacy Act 2014</i> Schedule 2, Section 2.2 (a)(ii) Prejudice the Protection of an Individual's Right to Privacy
9	20-23	Email and attachment Ministerial Request – Tree Issue in Mckellar – S2019-1415	29 April 2019	Partial access	<i>Information Privacy Act 2014</i> Schedule 2, Section 2.2 (a)(ii) Prejudice the Protection of an Individual's Right to Privacy
10	24-29	Pictures of tree and driveway - undated	Undated	Full access	N/A

11	30	Ministerial response to ministerial request of 12 April 2019 – S2019-1415	12 June 2019	Partial access	<i>Information Privacy Act 2014</i> Schedule 2, Section 2.2 (a)(ii) Prejudice the Protection of an Individual's Right to Privacy
12	31-33	Ministerial – S2019-1511	15 April 2019	Partial access	<i>Information Privacy Act 2014</i> Schedule 2, Section 2.2 (a)(ii) Prejudice the Protection of an Individual's Right to Privacy
13	34	Email with 3 attached images - Subject [REDACTED] Mckellar	2 May 2019	Partial access	<i>Information Privacy Act 2014</i> Schedule 2, Section 2.2 (a)(ii) Prejudice the Protection of an Individual's Right to Privacy
14	35	Attachment 1 - IMG - 560	2 May 2019	Full access	N/A
15	36	Attachment 2 - IMG - 565	2 May 2019	Full access	N/A
16	37	Attachment 3 - IMG - 566	2 May 2019	Full access	N/A
17	38	Email with 3 attachments - Subject - [REDACTED] Mckellar Ministerial	2 May 2019	Partial access	<i>Information Privacy Act 2014</i> Schedule 2, Section 2.2 (a)(ii) Prejudice the Protection of an Individual's Right to Privacy
18	39	Attachment 1 - Image 1 - 558	2 May 2019	Full access	N/A
19	40	Attachment 2 - Image 2 - 563	2 May 2019	Full access	N/A
20	41	Attachment 3 - Image 3 - 565	2 May 2019	Full access	N/A

21	42-44	CRM - Incident No. #190502-002048 – Tree claim	2 May 2018	Partial access	<i>Information Privacy Act 2014</i> Schedule 2, Section 2.2 (a)(ii) Prejudice the Protection of an Individual's Right to Privacy
22	45-47	Email and Attachment - Subject DG 2020-5684 Ministerial Request - Dangerous Tree on [REDACTED]	31 August 2020	Partial access	<i>Information Privacy Act 2014</i> Schedule 2, Section 2.2 (a)(ii) Prejudice the Protection of an Individual's Right to Privacy
23	48-51	Email – Subject– Urgent – MLA DG2020-5684 - Dangerous tree on [REDACTED] Mckellar - Tree	13 October 2020	Partial access	<i>Information Privacy Act 2014</i> Schedule 2, Section 2.2 (a)(ii) Prejudice the Protection of an Individual's Right to Privacy
24	52	Attachment referenced in xxx Text from Geoff regarding tree at [REDACTED]	14 September 2020	Full access	N/A
25	53-54	DG Response - 2020-5684 - Dangerous tree on [REDACTED] [REDACTED] Mckellar	16 October 2020	Partial access	<i>Information Privacy Act 2014</i> Schedule 2, Section 2.2 (a)(ii) Prejudice the Protection of an Individual's Right to Privacy

[REDACTED]
McKellar
ACT 2617

[REDACTED]
5th October 2018

Dear Suzanne Orr,

I have a problem in my street. It is with a government tree that has been planted in [REDACTED]. The tree is a Plane tree. Great for parks, but not for a suburb. The tree has caused a bit of damage with the roots. It has broken up my rock wall, and has damaged the [REDACTED] drive. [REDACTED] has put a complaint in to the government. They sent a worker out to look at the damage. He has said that you can't waste ratepayer's money to take the tree down. I fear there is a lot of ratepayer's money that is wasted in Canberra. [REDACTED].

In the winter the tree is so big it blocks the sun from getting to my sola panels. The tree is feeding from my sewerage pipes. I have to call out Icon water to get my sewerage unblocked a few times in the year. I have had to have my stormwater pipes renewed as the pipes were completely blocked. It seems there is ongoing cost to the government.

It seems to me that common sense has gone out the window. There are some nice government trees in McKellar. Why they put Plane trees in [REDACTED] I don't know. The roots are quite big. If the tree happens to fall down in the night, I worry that it would fall on our bedroom, and possibly do us some harm.

I am hoping that you can do something for us. I don't mind if you put another tree there. As long as it is not a Plane tree.

[REDACTED] but I am not happy with this situation.

Yours Sincerely

[REDACTED]



ACT
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Transport Canberra and
City Services

RECEIVED
DATE 8.11.18 BY JK

Ministerial Cover Sheet

SUBJECT: [REDACTED] – Nature Strip Tree
OBJECTIVE FILE NUMBER: S2018/0442
MINISTER: Steel, Chris MLA
CRITICAL DATE: 6/11/2018
CRITICAL REASON:
CONTACT OFFICER: Jeffrey Albrecht

COMMENTS:

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ACT
Government

E-MAILED

12-11-18

Chris Steel MLA

Minister for City Services
Minister for Community Services and Facilities
Minister for Multicultural Affairs
Minister for Roads
Member for Murrumbidgee

Dear [REDACTED]

Thank you for your email of 5 October 2018 to Ms Suzanne Orr MLA regarding the tree outside your house at [REDACTED] McKellar. I am responding as the Minister for City Services.

Transport Canberra and City Services (TCCS) is responsible for the management and maintenance of more than 760,000 trees on public land and streets within urban areas of the ACT. Street trees are a significant part of the public urban landscape of Canberra and provide many benefits, including reduced cooling costs, increased property values, reduction in glare and the effects of wind and solar radiation, stormwater management, reduction in air pollution, improvement of biodiversity, natural beauty, visual interest and public and private amenity, including privacy and noise reduction.

I acknowledge your concerns about the tree in front of your property. I have been advised that the tree appears to be healthy and sound and provides significant benefits to the streetscape. The damage that the tree has caused can be mitigated and on this basis, removal of the tree is not warranted.

I understand that a TCCS officer met with you on 18 October 2018 to discuss your concerns and provided you with policy guidelines relating to solar access and tree root damage to sewer/storm water and pavement. The TCCS officer has advised that the plumbing issue on unleased land has been mitigated and there is no plumbing issue within your lease. Grinding of surface roots away from services will be undertaken to reduce the likelihood of further damage.

I understand that you have been asked to submit quotes to repair the damage to the retaining wall in order for the ACT Government to assess this claim. A TCCS officer also met with [REDACTED] at [REDACTED] to inspect and ascertain if the driveway damage is tree root related.

Thank you for raising this matter. I trust this information is of assistance.

Yours sincerely

Chris Steel MLA
Minister for City Services

12 NOV 2018

ACT Legislative Assembly

London Circuit, Canberra ACT 2601, Australia GPO Box 1020, Canberra ACT 2601, Australia
Phone +61 2 6205 1470 Email steel@act.gov.au



@ChrisSteelMLA



chrysteellabor



chrissteelmla





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TREE CLAIM

** Tree Root Damage
to pavement!
* Take Photos (before tree)
for site inspection*

Incident No. # 180601-001620

Date Received: 01/06/2018 04.18 PM

Subject: Driveway Damage : Fix My Street Report Submission

Incident Type: Public Liability Claims

Contact Name: [REDACTED]

Best Contact Number: [REDACTED]

Email: [REDACTED]

Location:

[REDACTED] McKellar ACT 2617, Australia , McKellar

Suburb: McKellar

Dear [REDACTED] - I found a job reference that you have raised and please refer to this reference for further correspondence. Kind regards, John

Hi Urban Trees

A work order has been created for the repair of the driveway. Please investigate the tree removal request.

Kind regards,

Municipal Services

Access Canberra

ICON water came out tonight 25/6 to clear tree roots out of sewer and agreed it will happen again if something is not done about offending tree.

They have had to do this before and I consider it not to be very cost effective if they are continually being called out for such a service when the problem could be solved by removing the tree.

Positional data at time of incident submissions was:

Latitude: [REDACTED]

Longitude: [REDACTED]

Google Url: <http://maps.google.com.au/maps?>

Google Address: [REDACTED] McKellar ACT 2617, Australia
roots from tree next door (which is on govt land) is raising my driveway and also the new concrete which was installed when the govt fixed the sewer problem caused by same tree roots is also damaged. The roots have also damaged the [REDACTED] retaining wall

ACTION/REMARKS

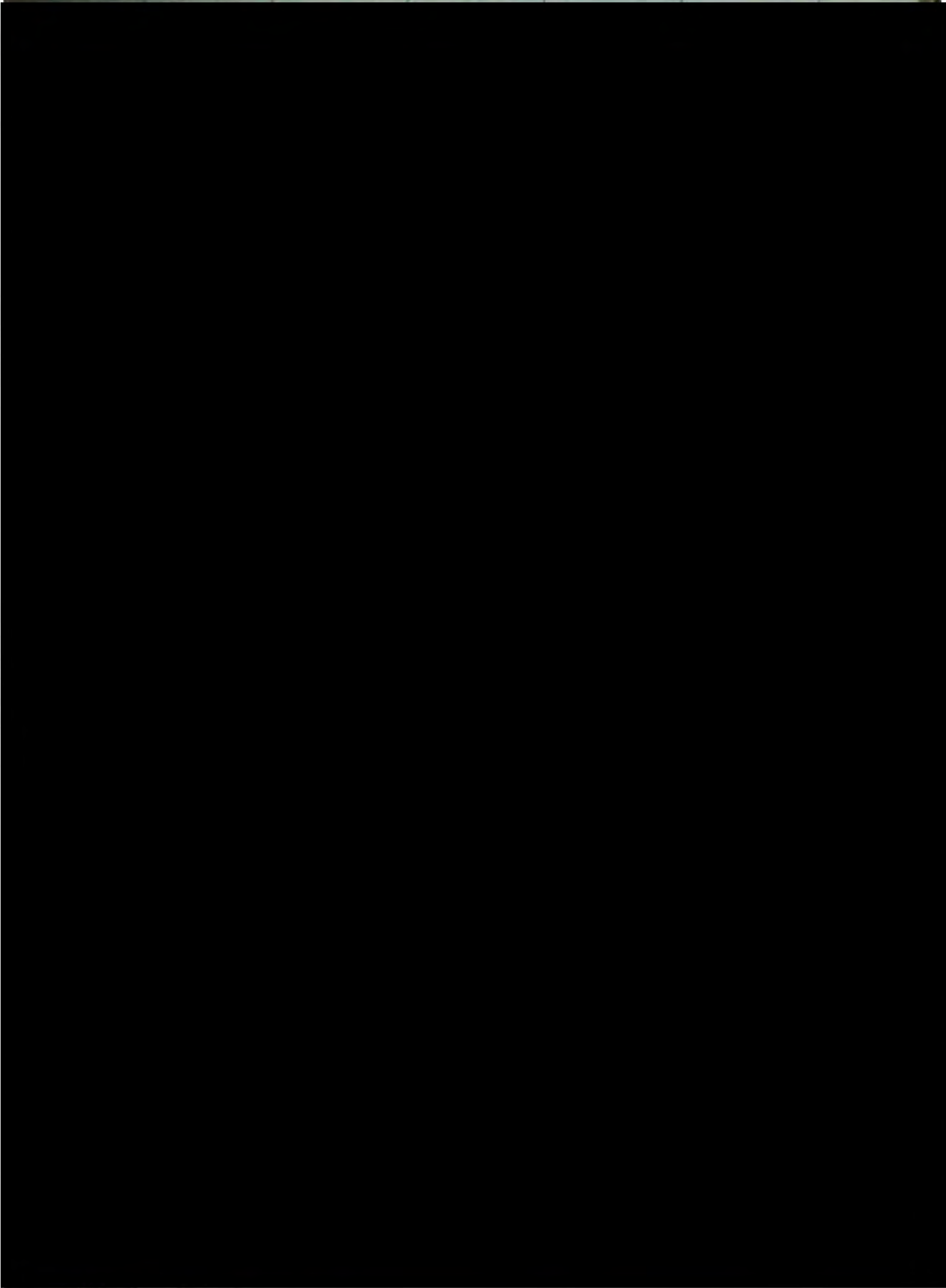
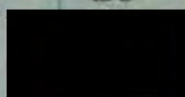
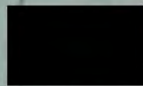
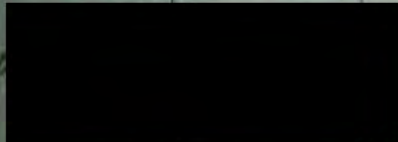
This Incident to be completed/resolved by:

Date Received: 01/06/2018 04.18 PM **Date Actioned:**

Action Taken:

Work has been carried out in accordance with the required specifications

BLOCKS





ACT
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**Access
Canberra.**

TREE CLAIM

Incident No. # 180601-001620

Date Recieved: 01/06/2018 04.18 PM

Subject: Driveway Damage : Fix My Street Report Submission

Incident Type: Public Liability Claims

Contact Name: [REDACTED]

Best Contact Number: [REDACTED]

Email: [REDACTED]

Location:

[REDACTED] McKellar ACT 2617, Australia , McKellar

Suburb: McKellar

Dear [REDACTED] - I found a job reference that you have raised and please refer to this reference for further correspondence. Kind regards, John

Hi Urban Trees

A work order has been created for the repair of the driveway. Please investigate the tree removal request.

Kind regards,

Municipal Services

Access Canberra

ICON water came out tonight 25/6 to clear tree roots out of sewer and agreed it will happen again if something is not done about offending tree.

They have had to do this before and I consider it not to be very cost effective if they are continually being called out for such a service when the problem could be solved by removing the tree.

Positional data at time of incident submissions was:

Latitude: [REDACTED]

Longitude: [REDACTED]

Google Url: <http://maps.google.com.au/maps?>

*Act on water
Talk to us*

q=loc [REDACTED]
Google Address: [REDACTED] McKellar ACT 2617, Australia
roots from tree [REDACTED] (which is on govt land) is raising my driveway and also the new concrete which was installed when the govt fixed the sewer problem caused by same tree roots is also damaged. The roots have also damaged the [REDACTED] retaining wall

ACTION/REMARKS

This Incident to be completed/resolved by:

Date Received: 01/06/2018 04.18 PM **Date Actioned:**

Action Taken:

Work has been carried out in accordance with the required specifications

Peri, John

From: Healand, Martin
Sent: Tuesday, 5 June 2018 3:18 PM
To: Taylor, Lachlan; Peri, John
Subject: IAMS Enquiry 1056358 [SEC=UNCLASSIFIED]
Attachments: WP_20180605_10_50_14_Pro.jpg; WP_20180605_10_49_57_Pro.jpg

*Icon Water # Driveway repairs/replacement.
- free removal?
- [redacted].com.au*

Good Afternoon [redacted]

I've responded to the above enquiry at [redacted] McKellar, where the MOP has asked for an assessment of her driveway as she believes that it has been damaged by tree roots from [redacted] naturestrip tree. It appears the external section of the driveway hasn't moved aside from repairs done to the sewer which has caused the surrounding concrete to subside, probably due to poor compaction, but the first panel of the driveway within the property line looks like it may have tilted due to tree root activity.

I have told the MOP that I would refer on to your area for assessment (she also believes the tree roots may have damaged the sewer line, but I have already referred this on to Icon Water for assessment).

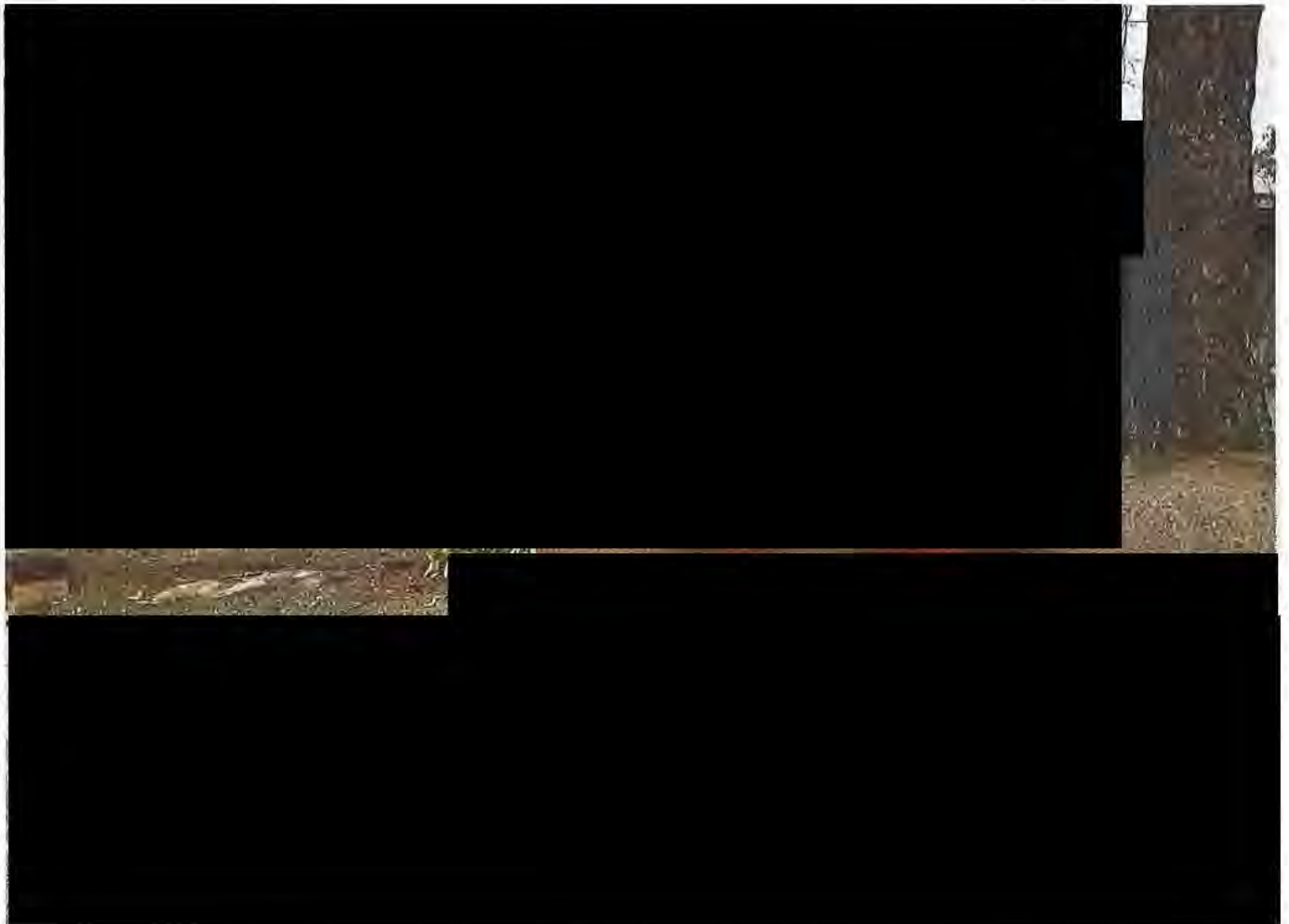
Regards [redacted]

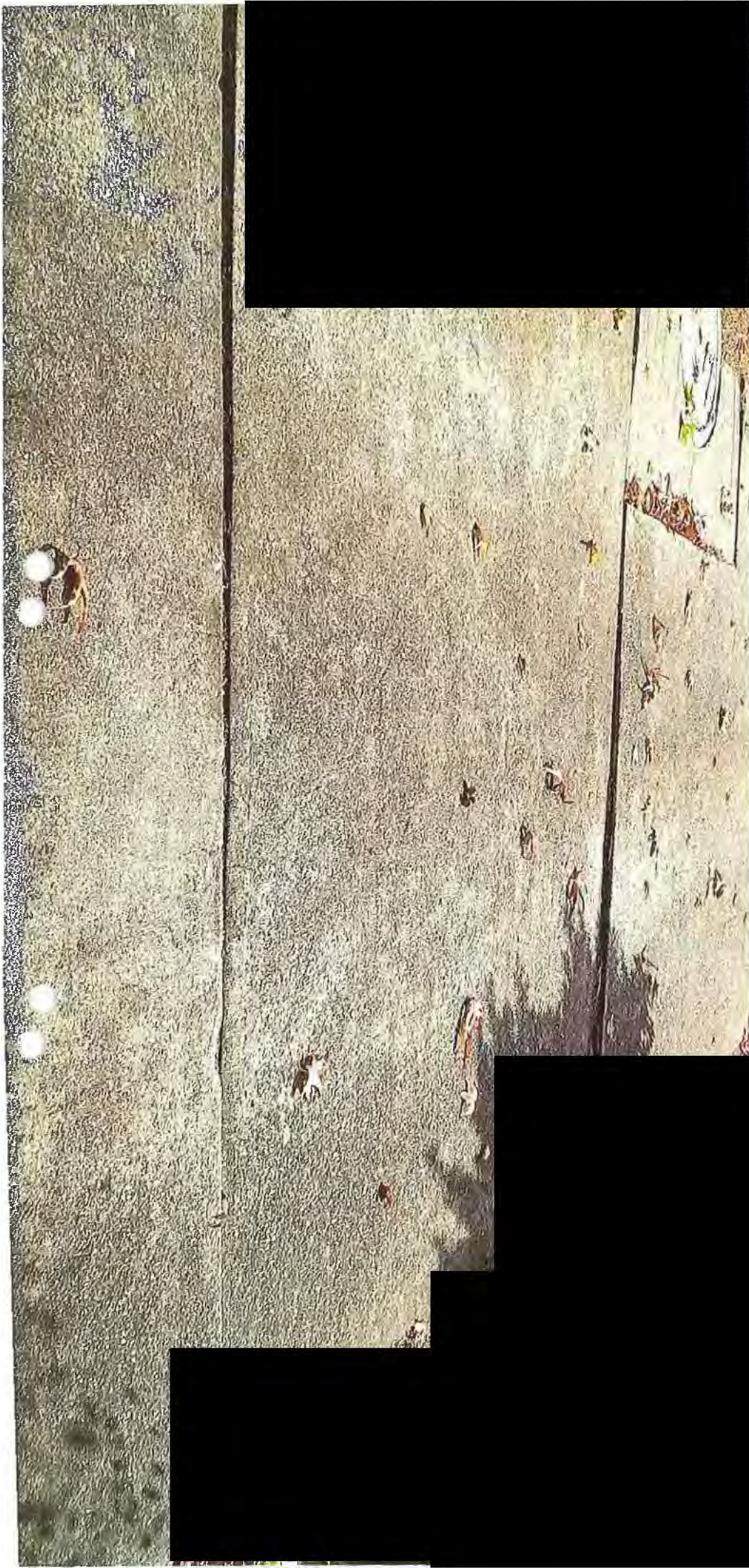
Martin Healand | Planning and Investigations Officer
Phone: 02 6207 7449 | Mob: [redacted] | Email: Martin.Healand@act.gov.au
Road Maintenance, Roads ACT | Transport Canberra and City Services | ACT Government
255 Canberra Ave Fyshwick ACT 2609 | PO Box 777 Fyshwick ACT 2609 | www.act.gov.au

- Set up CRM'

[redacted] [redacted]









2/9/11

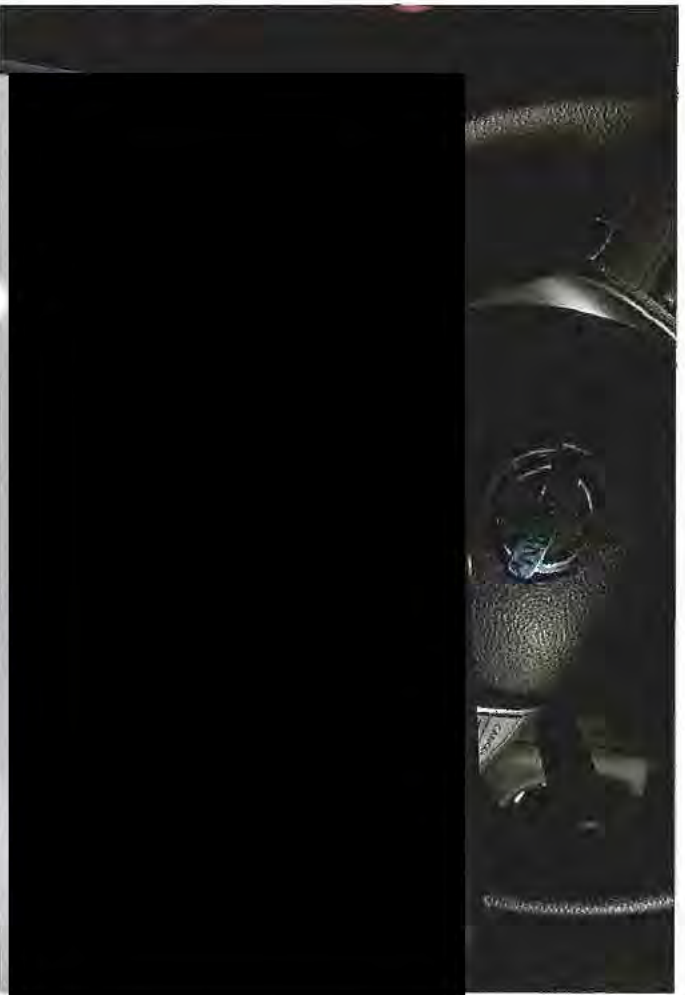
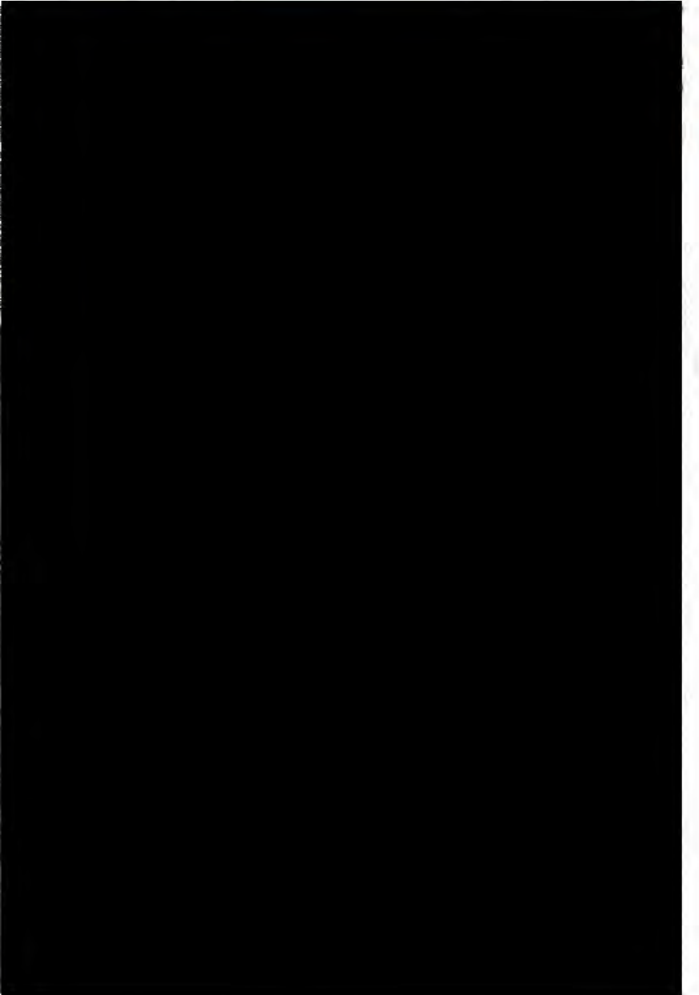
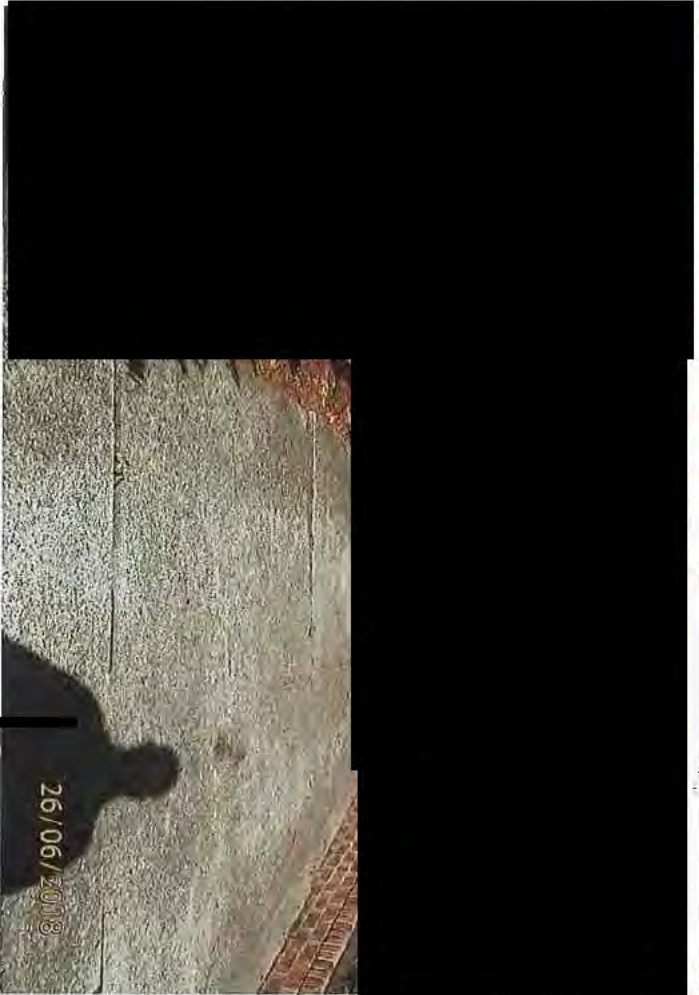
On site & took photos - platinum orientalis

- Driveway talked? - Driver [redacted]
- Sewer near pool house [redacted]
- Spoke to [redacted] and [redacted]
- he provided me with history of [redacted]
- he mentioned - solar - Option to remove tree.
- considering rust damage

- \$600

CR# 180601-001620

McKellar





Bruan, Nicole

From: Schwartzkoff, Brent
Sent: Friday, 19 October 2018 3:15 PM
To: Warry, Tom
Subject: FW: [REDACTED] Mackellar. [SEC=UNCLASSIFIED, DLM=For-Official-Use-Only]
Attachments: 20181019134915450.pdf

-----Original Message-----

From: Schwartzkoff, Brent
Sent: Friday, 19 October 2018 3:13 PM
To: [REDACTED]
Subject: [REDACTED] Mackellar. [SEC=UNCLASSIFIED, DLM=For-Official-Use-Only]

Good afternoon [REDACTED]

Regarding the Street Tree Platanus orientalis located on the verge at [REDACTED] McKellar.

We will organize the exposed roots in the front yard to be ground by a stump grinder.

As per discussion the retaining wall repair will need to have three quotes sought for the repair and submitted with a following discussion in regards to payment arrangement.

Ideally have the repair work quoted at square meterage.

A Policy "Tree root damage to sewer and storm water" been provided for future reference as well as the Government Policy in relation to Solar access.

Regards,

Brent Schwartzkoff | A/g Tree Protection Officer-Urban Trees Phone 0262071884 | Mobile [REDACTED] | Email brent.schwartzkoff@act.gov.au City Presentation | Roads and Infrastructure | Transport Canberra & City Services Directorate | ACT Government Level 2, Wotso House, 490 Northbourne Avenue, Dickson ACT 2602 | gpo Box 158 Canberra 2601 | www.act.gov.au



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SOLAR ACCESS FOR PRIVATE PROPERTY

Policy and guidelines in regards to impact on solar access by trees

Transport Canberra and City Services (TCCS) is the ACT Government agency responsible for the management of Canberra's urban trees.

The people of Canberra are constantly benefiting from the trees in Canberra's urban forest. Trees provide a varying range of benefits - economic, climatic, environmental, aesthetic and social. Larger, older and long-lived trees can provide the greatest benefits. A description of the benefits includes:

- > reducing cooling costs, asset protection and increased property values;
- > micro-climatic influence, reduction in glare and the effects of wind and solar radiation;
- > stormwater management, reduction in air pollution and improvement of biodiversity;
- > natural beauty, visual interest and softening of rigid lines and harsh textures;
- > public and private amenity, including privacy and noise reduction; and
- > reducing incidences of skin cancer, asthma, hypertension, and stress related illness.

It is important to prioritise these multi-faceted benefits when considering trees and solar access in Canberra's urban environment. The Territory Plan development codes were modified in 2016 to integrate sound environmental design to optimise solar efficiency in dwellings. This correctly ensures that reasonable solar access is considered at the planning and development stage of all dwellings. Previous development codes have required dwellings to have solar access to reasonable sunlight hours.

The ACT Government has encouraged the use of domestic solar hot water systems and domestic solar electricity production and though the micro and medium feed-in tariff schemes have closed, a reasonable rate of rooftop solar installation continues in the ACT.

<https://www.environment.act.gov.au/energy/cleaner-energy>

Statement:

All existing trees have priority over solar access issues and concerns relating to solar access in established areas will continue to be subject to assessment of individual circumstances. The numerous tangible benefits that existing trees provide outweigh the single issue of solar access.

There is no intention to remove sound healthy trees solely to improve access to solar energy in established suburbs. However, where trees require pruning, this can, at times, improve solar capture.

The ACT Government will continue to promote solar efficiency and solar access in new and redeveloped dwellings through sound environmental planning and design. Careful tree species selection within new subdivisions will complement current solar access principles.

Guidelines:

Trees on the ACT Tree Register

- > All registered trees have priority for retention regardless of solar access issues.

Existing Dwellings and Redevelopments of an Existing Dwelling

- > Solar system installation should avoid shading from existing trees, any solar system relocation costs are borne by the householder.
- > Existing trees have priority over new solar system installations or potential installations.
- > Where streets have a homogenous street planting style, replacement plantings will have the same priority as existing trees. Replacement plantings will represent the original landscape intent, using the same or similar species as the previous tree.

New Developments

- > Subdivisions will integrate sound environmental design to optimise solar efficiency in dwellings.
- > Where a street verge has a dominant northerly aspect (>60% of blocks on that side of the street), that whole side of the street will be planted with a mid-sized deciduous tree, where feasible.

Trees on Private Lease

- > All trees will be assessed against the existing approval criteria as set out in the *Tree Protection Act 2005 under the provisions of the Disallowable Instrument Tree Protection (Approval Criteria) Determination 2006 (No2)*.

Contact Access Canberra on 13 22 81 or enquire through Fix My Street at <https://www.act.gov.au/> if you want to have trees near your home assessed.

Bruan, Nicole

From: Taylor, Lachlan
Sent: Monday, 29 April 2019 10:16 AM
To: Warry, Tom
Subject: FW: MINISTERIAL REQUEST: [REDACTED] 'Tree issue in McKellar' [SEC=UNCLASSIFIED]
Attachments: scan_thomas mckernan_2019-04-23-10-52-36.pdf

Hi Tom,

Can you please follow up with this resident and make a few calls to the other parties to see if this can be resolved quicker. Also, please do a tree inspection to make sure there are no defects/other tree related issues that might come back to bite us

Kind regards,

Lachlan Taylor | A/g Assistant Director, Operations - Urban Treescapes

Phone 02 6207 7852 | Mobile [REDACTED] | Email lachlan.taylor@act.gov.au

City Presentation | Transport Canberra and City Services Directorate | ACT Government

Level 2, 490 Northbourne Avenue, Dickson ACT 2602 | GPO Box 158 Canberra ACT 2601 | www.act.gov.au

From: STEEL
Sent: Wednesday, 24 April 2019 5:11 PM
To: TCCS_Ministerial <TCCS.Ministerial@act.gov.au>
Cc: TCCS_DLO <TCCS.DLO@act.gov.au>
Subject: MINISTERIAL REQUEST: [REDACTED] 'Tree issue in McKellar'

Hi MACS,

Please find attached the details of a City Services issue raised by a constituent, [REDACTED].

I would appreciate if you could please provide us with a Ministerial response regarding this issue.

I have also been asked by the office if the tree could please be inspected again.

Constituent Details:

[REDACTED]

██████████
McKellar ACT 2617

Kind regards,

Tom McKernan
Office Manager to Minister Chris Steel MLA
Member for Murrumbidgee
E: Thomas.McKernan@act.gov.au
T. (02) 6205 1812 | ██████████
www.chrissteel.com.au

From: McKernan, Thomas <thomas.mckernan@act.gov.au>

Sent: Tuesday, 23 April 2019 10:53 AM

To: McKernan, Thomas <Thomas.McKernan@act.gov.au>

Subject: Your scan (Scan to My Email)

12th April 2019

Mr. Chris Steel MLA
Minister for City Services
ACT Legislative Assembly
GPO Box 1020
Canberra ACT 2601

TREE REMOVAL and INFRASTRUCTURE DAMAGE – [REDACTED] MCKELLAR

Dear Minister

I refer to my previous correspondence and your unacceptable replies to an issue that is continuing to become a dangerous situation with regards to the tree on the plantation land at [REDACTED] McKellar. The reason I say dangerous relates to the fact that in drought conditions the tree has become more exposed from the ground and as you would surely understand it will continue to create further danger in the next few years if not removed. Contrary to your views nothing has been mitigated and the issue raised will continue to cause concerns for my family and my neighbors.

In your letter of 19 December 2018 to [REDACTED] of [REDACTED] despite your assurance that certain actions would be undertaken by Sections of your Government, your promises are worthless, as only one matter has been rectified. That is the roots have been ground, to hide any evidence of a problem. The rest includes the repair work to be completed on the sump area of the [REDACTED] residence. Repair work started by Icon Water and with not even the decency to return and finish the task. It was left to [REDACTED] to make adjustments for safety purposes before Christmas. It is not our place to contact Icon Water as your Department started this process and you have responsibility to ensure the task is completed. You are elected to help the Community.

Since I commenced raising this tree issue with you the situation has become intolerable and it defies logic that you have asked me and [REDACTED] to obtain quotes to repair the walls that have been damaged by this tree and the growth associated with the roots. I have no doubt I will be asking for its removal in a few years, if not done now.

In my humble opinion it would be a total waste of tax payer's money to have the wall on my property and that of [REDACTED] repaired at this stage. My wall has crumbled further in the past couple of months.

I have spoken to an Arborist and I am advised that the tree can grow into a size with the trunk reaching 10 feet in circumference and 100 feet tall. At this time, I would consider the tree is

two thirds of its possible height and 6 foot in circumference. With winter approaching and leaves falling, I am sure you do not have to spend hours upon hours raking up leaves at your own property. Well that is what I am faced with each week. In [REDACTED] [REDACTED] [REDACTED], but no I must rake up leaves to make my property safe, especially after rain as the leaves become slippery. It is a tree not suitable for urban growth and I expect in time a couple of others in the street will have to be removed. The leaves blow everywhere and are always blocking the drains. I thought the saying was 'drains are for rain'. Well in my street, the rain can't find its way into the drains because of leaves.

Minister I have been more than patient with this matter, and it is now my intention to elevate this to another level, by sending all letters to the Media, to the Chief Minister and to the Leader of the Opposition.

I have been a loyal and committed retired Australian, paid my taxes accordingly and with one simple request for assistance from you and your Government, you have failed with regards to all aspects. I might remind you that if I was seeking the removal for development purposes as was the case last year in Manuka by a Construction Firm you would support it, as you can see your Government benefitting from the development. In my view double standards and a failure by you to fully comprehend the concerns I have raised.

I have endeavored to have this matter resolved in an amicable manner when I know of people who have just removed their large trees without any form of questioning.

With your failure to have this matter resolved it makes one wonder what is needed before the correct action is taken -- are you waiting for the tree to fall and to do far more serious damage?

In conclusion, this is not my normal way to deal with people and I have always been tolerable and accepting on face value those people who are genuine and show that they are willing to assist. At this stage my approach to you has been a total waste of your time and mine. Again, in my opinion as [REDACTED] you are a failure.

I look forward to this matter being resolved as a matter of urgency.

[REDACTED]

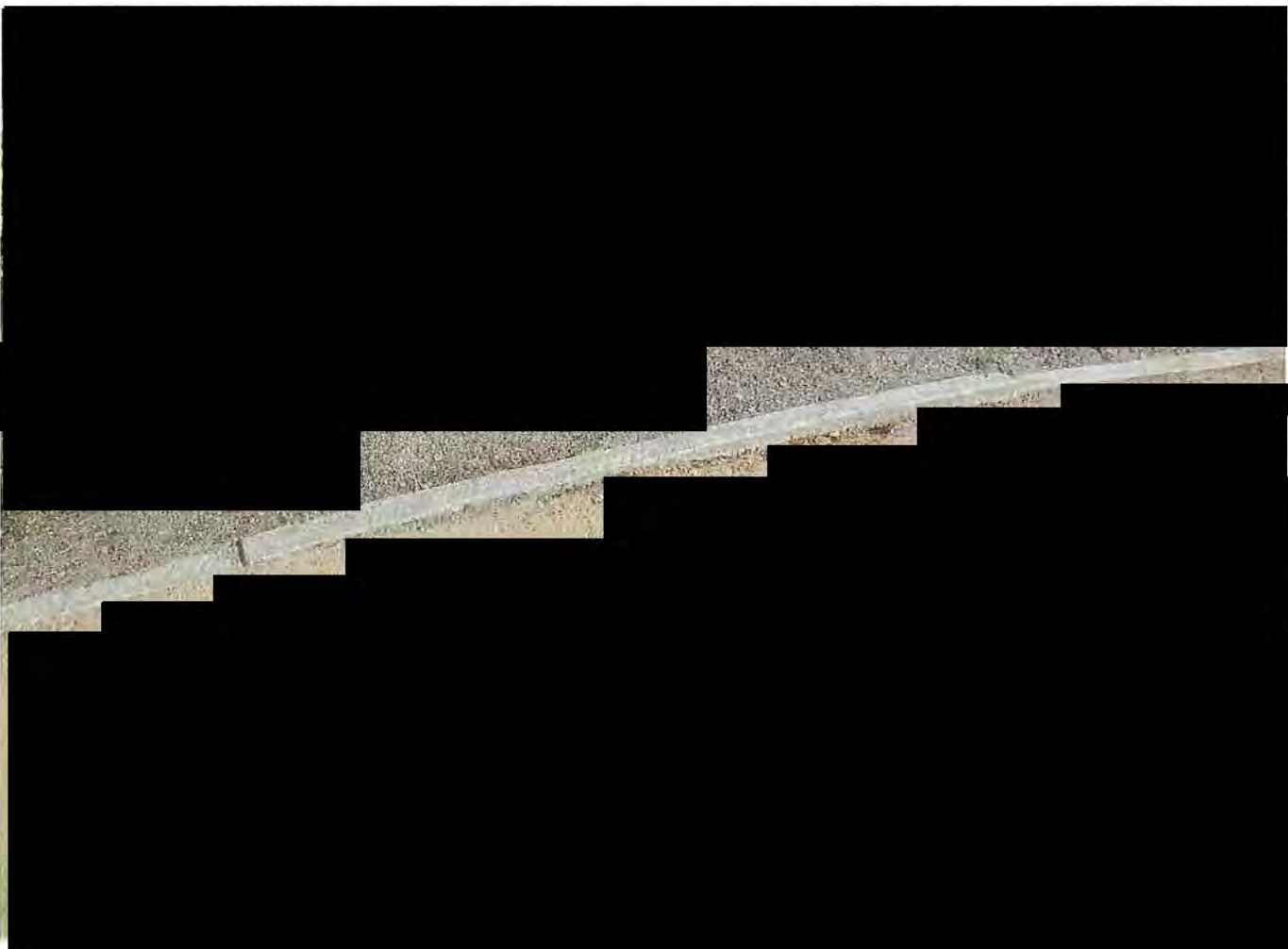
Ph: [REDACTED]

M. [REDACTED] Mr. Andrew Barr -- ACT Chief Minister

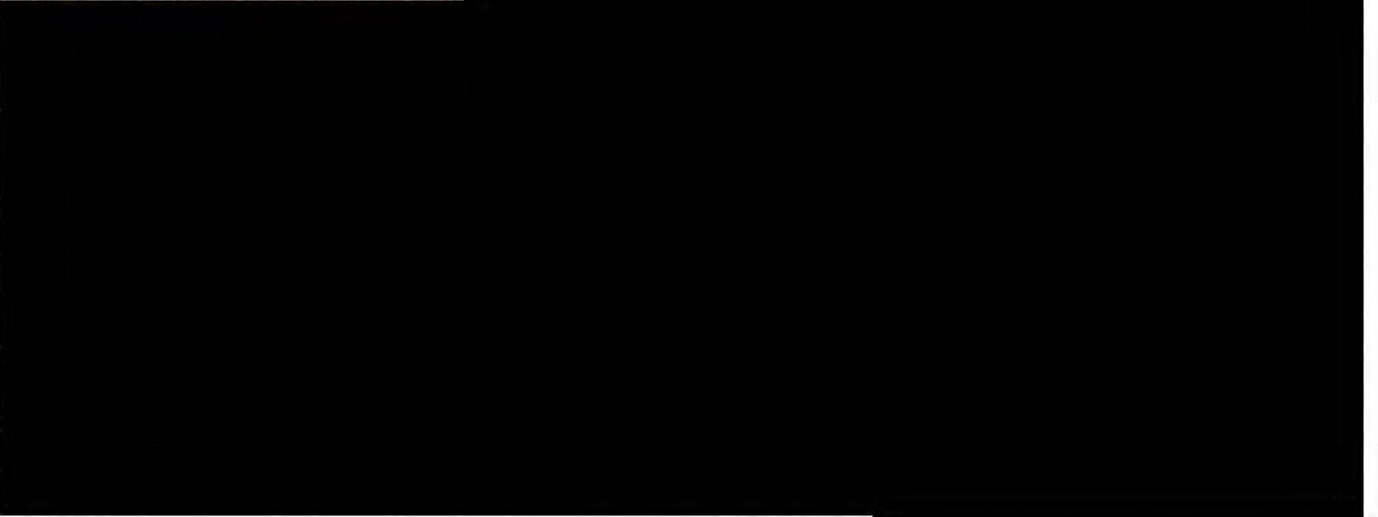
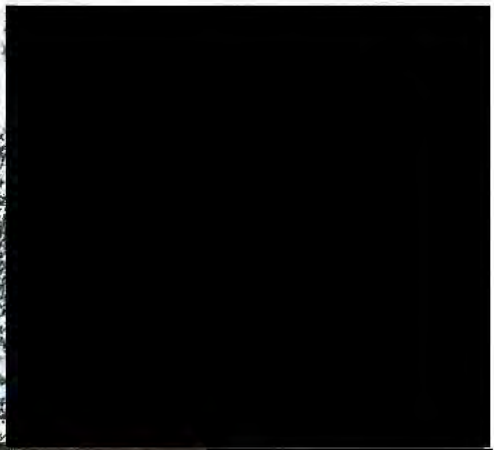
[REDACTED] - 2CC Morning Breakfast

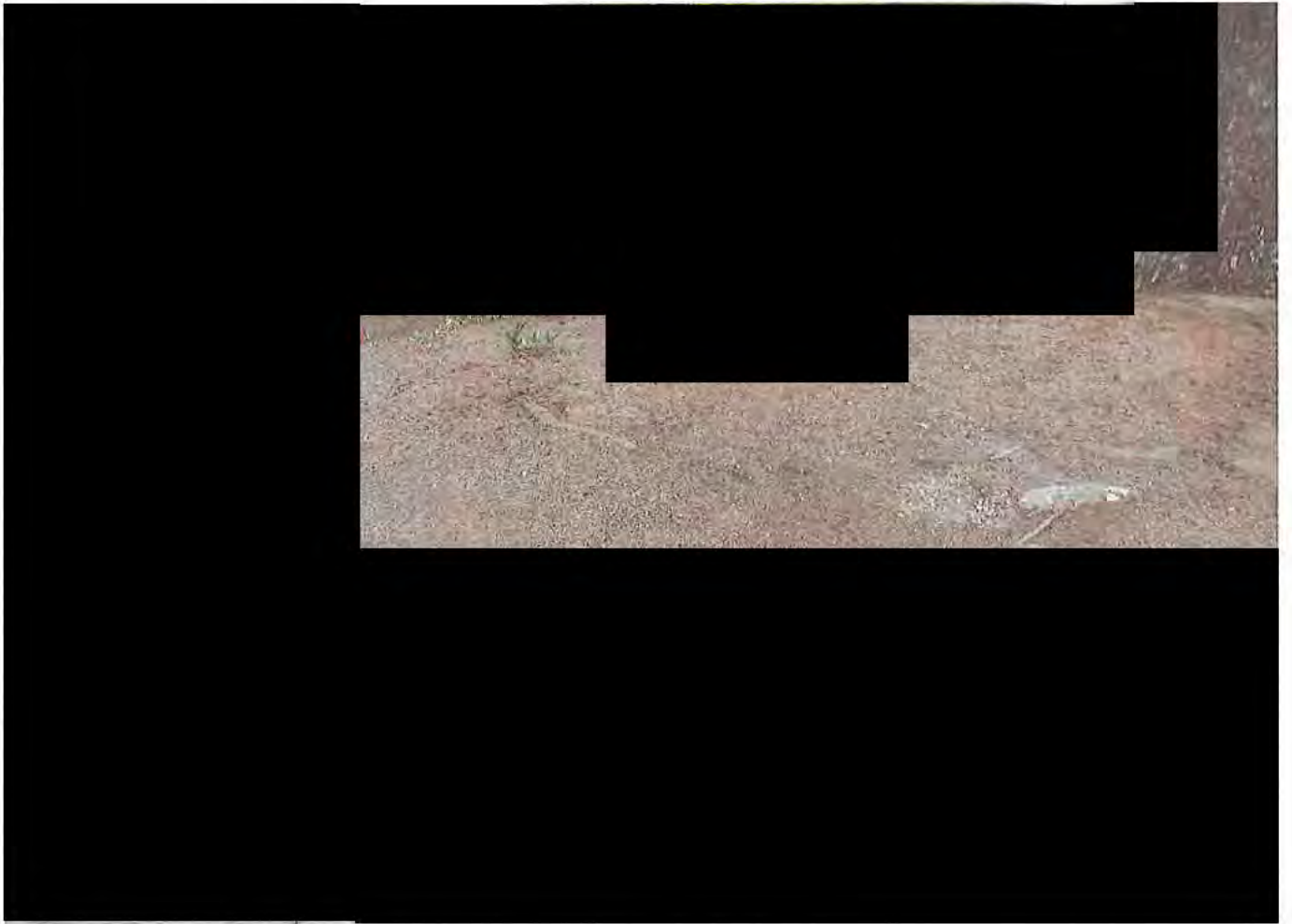
The Editor Canberra Times

[REDACTED] [REDACTED] [REDACTED]















Chris Steel MLA

Minister for City Services
Minister for Community Services and Facilities
Minister for Multicultural Affairs
Minister for Roads
Member for Murrumbidgee

[REDACTED]
[REDACTED]
MCKELLAR ACT 2617

COPY

Dear [REDACTED]

Thank you for your further letter of 12 April 2019 regarding a tree removal at [REDACTED] McKellar. I apologise for the delay in responding.

I am advised a representative from Transport Canberra and City Services (TCCS) met with you onsite to discuss the claims process and your ongoing issues with the street tree. I understand that an aerial inspection of the tree has been undertaken and the tree was found to be sound and healthy.

In relation to your concerns about the damaged stone wall, further discussion and investigation (digging) showed no signs of any significant roots that could cause the damage. The TCCS officer also noted that the stone wall appears to have no foundation. Should you wish to pursue a claim for repairs to the wall, you may seek a quote (or three quotes if more than \$2,000) and liaise with the TCCS officer who is managing your case, prior to commissioning repair works.

I am also advised that the work required by Icon Water has been completed.

Thank you for raising this matter. I trust this information is of assistance.

Yours sincerely

Chris Steel MLA
Minister for City Services

19 JUN 2019

ACT Legislative Assembly

London Circuit, Canberra ACT 2601, Australia GPO Box 1020, Canberra ACT 2601, Australia
Phone +61 2 6205 1470 Email steel@act.gov.au



@ChrisSteelMLA



christeellabor



chrissteelmla



[REDACTED]
McKellar. ACT 2617

15 April 2019

Mr. Andrew Barr
Chief Minister
ACT Legislative Assembly
GPO Box 1020
Canberra ACT 2601

**Tree Removal and Infrastructure Damage - [REDACTED]
McKellar.**

Dear Chief Minister

I am sending you this letter and a copy of a letter to Minister Chris Steel.

I have requested the removal of the tree in my [REDACTED]. It is a London Plane tree. This tree should never have been planted in a suburb. I have put in a request, which has been denied by the minister. It has broken my rock wall and damaged [REDACTED] drive.

Last August Icon Water and Sewage came and broke the concrete around the sewage inspection plate. They have not returned.

The roots have damaged [REDACTED] drive.

I am not happy with the minister. The last time I put in a request he wrote back to [REDACTED] but didn't have the decency to write to me.

I hope that you can help. I am willing to plant two decent trees in place of the Plane tree. I have been in Canberra for 49 years. I am now retired, and do not ask the government for anything. I have paid my taxes. The treatment I am getting is not what I would expect.

The tree also blocks my solar panels in the winter months. It seems this government has a problem with renewable energy. It puts the tree before solar energy.

I look forward to hearing from you.

Yours Sincerely
[REDACTED]



4 April 2019

Mr. Chris Steel MLA
Minister for City Services
ACT Legislative Assembly
GPO Box 1020
Canberra ACT 2601

TREE REMOVAL and INFRASTRUCTURE DAMAGE - [REDACTED] MCKELLAR

Dear Minister

I refer to my previous correspondence and your unacceptable replies to an issue that is continuing to become a dangerous situation with regards to the tree on the plantation land at [REDACTED] McKellar. The reason I say dangerous relates to the fact that in drought conditions the tree has become more exposed from the ground and as you would surely understand it will continue to create further danger in the next few years if not removed. Contrary to your views nothing has been mitigated and the issue raised will continue to cause concerns for my family and [REDACTED]

In your letter of 19 December 2018 to [REDACTED] of [REDACTED] despite your assurance that certain actions would be undertaken by Sections of your Government, your promises are worthless, as not one matter has been rectified. That includes the repair work to be completed on the sump area of the driveway [REDACTED] residence. Repair work started by Icon Water and with not even the decency to return and finish the task. It was left to [REDACTED] to make adjustments for safety purposes before Christmas. It is not our place to contact Icon Water as your Department started this process and you have responsibility to ensure the task is completed. You are elected to help the Community.

Since I commenced raising this tree issue with you the situation has become intolerable and it defies logic that you have asked me and [REDACTED] to obtain quotes to repair the walls that have been damaged by this tree and the growth associated with the roots. I have no doubt I will be asking for its removal in a few years, if not done now.

In my humble opinion it would be a total waste of tax payer's money to have the wall on my property and that of [REDACTED] repaired at this stage. My wall has crumbled further in the past couple of months.

I have spoken to an Arborist and I am advised that the tree can grow into a size with the trunk reaching 10 feet in circumference and 100 feet tall. At this time, I would consider the tree is two thirds of its possible height and 6 foot in circumference. With winter approaching and

leaves falling, I am sure you do not have to spend hours upon hours raking up leaves at your own property. Well that is what I am faced with each week. [REDACTED]
[REDACTED], but no I must rake up leaves to make my property safe, especially after rain as the leaves become slippery. It is a tree not suitable for urban growth and I expect in time a couple of others in the street will have to be removed. The leaves blow everywhere and are always blocking the drains. I thought the saying was 'drains are for rain'. Well in my street, the rain can't find its way into the drains because of leaves.

Minister I have been more than patient with this matter, and it is now my intention to elevate this to another level, by sending all letters to the Media, to the Chief Minister and to the Leader of the Opposition.

I have been a loyal and committed retired Australian, paid my taxes accordingly and with one simple request for assistance from you and your Government, you have failed with regards to all aspects. I might remind you that if I was seeking the removal for development purposes as was the case last year in Manuka by a Construction Firm you would support it, as you can see your Government benefitting from the development. In my view double standards and a failure by you to fully comprehend the concerns I have raised.

I have endeavored to have this matter resolved in an amicable manner when I know of people who have just removed their large trees without any form of questioning.

With your failure to have this matter resolved it makes one wonder what is needed before the correct action is taken – are you waiting for the tree to fall and to do far more serious damage?

In conclusion, this is not my normal way to deal with people and I have always been tolerable and accepting on face value those people who are genuine and show that they are willing to assist. At this stage my approach to you has been a total waste of your time and mine. Again, in my opinion as [REDACTED] you are a failure.

I look forward to this matter being resolved as a matter of urgency.

Yours Sincerely

[REDACTED]

[REDACTED]

Mr. Andrew Barr – ACT Chief Minister
[REDACTED] – 2CC Morning Breakfast
The Editor Canberra Times
[REDACTED]

Bruan, Nicole

From: Warry, Tom
Sent: Thursday, 2 May 2019 4:23 PM
To: Taylor, Lachlan
Subject: [REDACTED] McKellar [SEC=UNCLASSIFIED]
Attachments: IMG_0566.JPG; IMG_0565.JPG; IMG_0560.JPG

Hi Lachie

In response to the ministerial at [REDACTED].

I have created a CRM job for Rocky to do a light lift and to inspect the main union.

Tom Warry | A/g Tree Claims Officer-Urban Trees

Phone 0262071884 | Mobile [REDACTED] | Email tom.warry@act.gov.au

City Presentation | Roads and Infrastructure | Transport Canberra & City Services Directorate | ACT Government

Level 2, Wotso House, 490 Northbourne Avenue, Dickson ACT 2602 | gpo Box 158 Canberra 2601 | www.act.gov.au







Bruan, Nicole

From: Warry, Tom
Sent: Thursday, 2 May 2019 2:06 PM
To: Garner, Andrew
Subject: [REDACTED] Mckellar Ministerial [SEC=UNCLASSIFIED]
Attachments: IMG_0558.JPG; IMG_0563.JPG; IMG_0565.JPG

G'day Rocky.

As discussed on the phone I've attached a couple of photos including the main union that will need to be checked plus a light lift.

I will also create a CRM.

Any Questions give me a ring.

Kind regards

Tom Warry | A/g Tree Claims Officer-Urban Trees

Phone 0262071884 | Mobile [REDACTED] | Email tom.warry@act.gov.au

City Presentation | Roads and Infrastructure | Transport Canberra & City Services Directorate | ACT Government

Level 2, Wotso House, 490 Northbourne Avenue, Dickson ACT 2602 | gpo Box 158 Canberra 2601 | www.act.gov.au









Access Canberra.

TREE CLAIM

Incident No. # 190502-002048

Date Recieved: 02/05/2019 02.23 PM

Subject: Good afternoon. Can you please light lift the Plane tree at [redacted] Mckellar and also inspect the main union of the tree and take photos. Thank you Kind regards Tom....

Incident Type: General Prune

Contact Name: [redacted]

Best Contact Number: [redacted]

Email: [redacted]

Location:

[redacted] McKellar

Suburb: McKellar

Hi.
The Plane tree is at [redacted] My contact number is [redacted]. This is an ongoing problem that I am not happy about.
Thank you for letting me know

Regards
[redacted]



Access Canberra.

On 02/05/2019 you contacted the ACT Government and an enquiry was submitted. Below is a summary of your correspondence and the response to your enquiry.

Subject

Good afternoon. Can you please light lift the Plane tree at [REDACTED] Mckellar and also Inspect the main union of the tree and take photos. Thank you Kind regards Tom...

Message

Response By Email (Urban Trees) (03/05/2019 08.02 AM)

Dear [REDACTED]

Thank you for your tree related request for service. An assessment has been carried out and the work has been categorised as high priority. During peak periods the trees and shrubs team receive over 200 public requests per week. To effectively manage this workload, service requests are categorised into high (aim to complete within 6 weeks), medium (up to 6 months) and low priority (up to 12 months). This work will now be scheduled for one of our work crews to action and you will be notified when the work has been completed.

Regards,
Urban Trees

Customer By Phone (Urban Trees) (02/05/2019 02.23 PM)

Good afternoon.
Can you please light lift the Plane tree at [REDACTED] Mckellar and also Inspect the main union of the tree and take photos.

Thank you
Kind regards

Tom.

Your Details

First Name: [REDACTED]
Last Name: [REDACTED]
Contact Number: not provided
Email Address: [REDACTED]

Additional Details (if available)

Reference #: 190502-002048
Date Created: 02/05/2019 02.23 PM
Status: In Progress
Category: Trees & Shrubs
Type of Correspondence:

You can [update or track your correspondence](#) on our website.

Positional data at time of incident submissions was:

Latitude:

Longitude:

Google Url:

Google Address: [REDACTED]

Good afternoon.

Can you please light lift the Plane tree at [REDACTED] Mckellar and also inspect the main union of the tree and take photos.

Thank you

Kind regards

Tom.

ACTION/REMARKS

This Incident to be completed/resolved by:

Date Received: 02/05/2019 02.23 PM **Date Actioned:**

Action Taken:

Work has been carried out in accordance with the required specifications

Bruan, Nicole

From: STEEL
Sent: Monday, 31 August 2020 4:34 PM
To: TCCS_Ministerial
Cc: TCCS_DLO
Subject: MINISTERIAL REQUEST: [REDACTED]
Attachments: 20200828 [REDACTED] to Steel, Dangerous Tree [REDACTED]
Categories: Liana

Hi MACS,

Please find attached the details of a TCCS issue raised by [REDACTED]

I would appreciate if you could please provide us with a Ministerial response regarding this issue.

Kind regards,

Dom Hale

Office Manager to Chris Steel MLA

Member for Murrumbidgee

Minister for City Services

Minister for Multicultural Affairs

Minister for Recycling and Waste Reduction

Minister for Roads and Active Travel

Minister for Transport

ACT Legislative Assembly

GPO Box 1020, CANBERRA, ACT 2601 Australia

E. Dominic.Hale@act.gov.au | T. (02) 6205 1470

www.chrissteel.com.au



Mr Chris Steel

Minister for City Services

Legislative Assembly for the ACT

196 London Circuit

CANBERRA CITY, ACT 2601

Dear Minister,

I have been contacted by a constituent who is frustrated with TCCS and Icon Water. The constituent is a resident of [REDACTED] I am told that they have contacted your office several times to have the issue resolved.

The issue involves a large Plane tree that is causing damage to the constituent's property as well as [REDACTED] Damage caused, includes a cracked and buckling driveway, clogged storm water drains, compromised plumbing and a damaged wall.

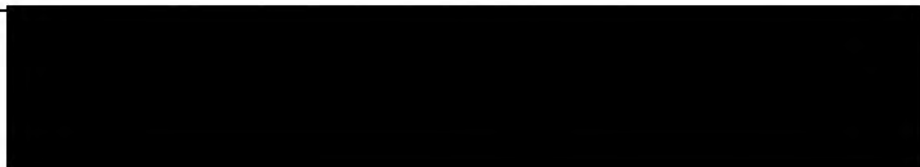
While the constituents understand that the tree is healthy, they remain committed to wanting the tree removed for the following reasons.

- The tree is large and were it to fall during one of Canberra's wild storms, the property could sustain serious damage.
- The constant damage to the driveway is a costly expenditure to the constituent who is a pensioner.
- The properties pipes have been damaged by the roots and the resident forced to pay close to \$2,000. They worry that should the tree be allowed to remain; they will inevitably have to pay a similar cost again.

So far, the constituent has been repeatedly rebuffed from his attempts to have the tree removed and worries that eventually this tree may be the ruin of his home finances. He does not object to having a new tree planted and wishes only that the new tree is one more suited to urban living that will not put his livelihood in danger.

I would appreciate any answers you have to the following questions:

- As I am sure you are aware, the resident has tried multiple avenues to have this tree removed. Are there any other avenues that the resident could go down to get this tree removed?





- [REDACTED]
- [REDACTED]
- A nearby home on [REDACTED] has had two trees removed recently. The reason stated was because one tree was poisoned, and the other tree was causing significant damage that could not be mitigated. If the tree is not removed, will the ACT Government guarantee that they will take proactive steps to mitigate any damage the tree on [REDACTED] may cause? If so, what steps will they take?
 - Can the constituent apply to have the tree significantly pruned, the roots ground down and any roots close to interfering with the plumbing removed?

Yours Sincerely,

[REDACTED]

[REDACTED]

Bruan, Nicole

From: Dawes, Rachael
Sent: Tuesday, 13 October 2020 7:52 PM
To: Ning, Samantha
Subject: Re: URGENT - [REDACTED] - Dangerous tree on [REDACTED], McKellar - Trees - Removal (fA10396623)

Thanks Sam. I'll sort it in the morning. No stress.

Rachael Dawes | Senior Director Urban Treescapes
Phone 02 6205 5263 | Mob [REDACTED] Email: rachael.dawes@act.gov.au
Urban Treescapes, City Presentation | Transport Canberra and City Services Directorate | ACT Government
Level 2, 490 Northbourne Avenue, Dickson 2602 | GPO Box 158 Canberra ACT 2601 | www.act.gov.au

From: Ning, Samantha <Samantha.Ning@act.gov.au>
Sent: Tuesday, October 13, 2020 7:50:46 PM
To: Dawes, Rachael <Rachael.Dawes@act.gov.au>
Subject: FW: URGENT - [REDACTED] - Dangerous tree on [REDACTED], McKellar - Trees - Removal (fA10396623)

OFFICIAL

Some info to help...

I had Geoff drive past the tree and attached are the screen shots of the text messages he sent me. Also attached is an email from Tom and the original ministerial about the job he mentions in the email train (14 Sept 12:12pm).

Here is a quick summary from Tom:

[Good morning Sam.](#)

In relation to [REDACTED] Mckellar the attending officers to assess the tree and the area have been:

[Andrew Garner](#)
[Lachie Taylor](#)
[John Peri](#)
[Brent Schwartzkoff](#)

Tom Warry
Jeff Albrecht

We have given the resident ([REDACTED]) policies containing Tree Root Damage to Private Property and Tree Root Damage to Sewage and storm Water and also a Solar policy.

We also highlighted a few exposed tree roots for grinding which was undertaken by [REDACTED] and [REDACTED] from Canscape Landscaping.

I do believe ICON Water has also been out there to inspect the sewage/stormwater manhole.

We arranged Andrew Garner to general prune and lift the tree (Platanus orientalis) which was completed.

It appears we have been there a number of times and the policies have been provided. I can ask Tom to arrange a meeting with him to explain the policy and procedure again if that is deemed necessary.

Thanks

Sam

Samantha Ning | Assistant Director Tree Protection
P 62075878 | E Samantha.ning@act.gov.au
Urban Treescapes, City Presentation
Transport Canberra & City Services Directorate | ACT Government
480 Northbourne Avenue, Dickson | GPO Box 158 Canberra ACT 2601
www.act.gov.au | cityservices.act.gov.au

Please note, I work part time – Tuesday to Friday

-----Original Message-----

From: Ning, Samantha

Sent: Tuesday, 13 October 2020 7:09 PM

To: Dawes, Rachael <Rachael.Dawes@act.gov.au>

Subject: FW: URGENT - [REDACTED] Dangerous tree on [REDACTED], McKellar - Trees - Removal (fA10396623)

OFFICIAL

Hi Rach,

I saw this had come back with comments from Jim and was going to look at it on Thursday and organise for Tom to go and speak with the resident. I am sorry that it has come to you and I didn't get to it on time. Happy to chat with you about it tomorrow too. My apologies.

Sam

Samantha Ning | Assistant Director Tree Protection P 62075878 | E Samantha.ning@act.gov.au Urban Treescapes, City Presentation Transport Canberra & City Services Directorate | ACT Government
480 Northbourne Avenue, Dickson | GPO Box 158 Canberra ACT 2601 www.act.gov.au | cityservices.act.gov.au

Please note, I work part time – Tuesday to Friday

-----Original Message-----

From: Brozic, Liana <Liana.Brozic@act.gov.au>

Sent: Tuesday, 13 October 2020 4:53 PM

To: Neal, Colleen <Colleen.Neal@act.gov.au>; Dawes, Rachael <Rachael.Dawes@act.gov.au>; Ning, Samantha <Samantha.Ning@act.gov.au>

Cc: Haraldson, Greg <Greg.Haraldson@act.gov.au>; Halls, Luke <Luke.Halls@act.gov.au>; Riley, Lindsay <Lindsay.Riley@act.gov.au>

Subject: RE: URGENT - [REDACTED] - Dangerous tree on [REDACTED], McKellar - Trees - Removal (fA10396623)

OFFICIAL

Hi Coll

All done - this is with Rachael now.

Thank you

Liana

-----Original Message-----

From: Neal, Colleen <Colleen.Neal@act.gov.au>

Sent: Tuesday, 13 October 2020 4:29 PM

To: Dawes, Rachael <Rachael.Dawes@act.gov.au>; Ning, Samantha <Samantha.Ning@act.gov.au>; Brozic, Liana <Liana.Brozic@act.gov.au>

Cc: Haraldson, Greg <Greg.Haraldson@act.gov.au>; Halls, Luke <Luke.Halls@act.gov.au>; Riley, Lindsay <Lindsay.Riley@act.gov.au>

Subject: URGENT - [REDACTED] - Dangerous tree on [REDACTED], McKellar - Trees - Removal (fA10396623)

Importance: High

OFFICIAL

Hi Rachael/Luke

The DG's office has advised she wants to clear this [REDACTED] one tomorrow so we need to push it through ASAP.

I note it is sitting with Sam Ning in objective but she is on leave. Liana can we get this reallocated to Rachael?

In the meantime, Rachael/Luke, can you please see Jim's comments in the letter and address them ASAP.

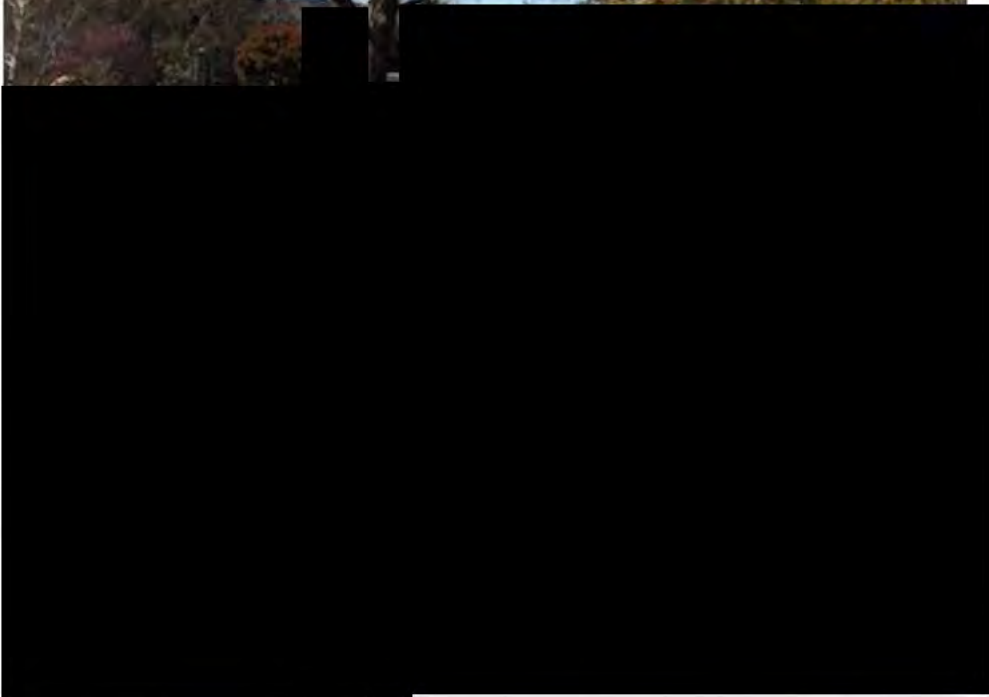
Please let me know when completed via email.

Thanks so much

Coll



Geoff >



██████████ McKellar. The tree has good structural habit. It has some bird damage in one of the union's, but doesn't warrant removal.

Bruan, Nicole

From: TCCS_Correspondence
Sent: Friday, 16 October 2020 2:39 PM
To: [REDACTED]
Subject: Response to [REDACTED] - Dangerous tree on [REDACTED] McKellar
Categories: Red Category

OFFICIAL



[REDACTED]

[REDACTED]

Dear [REDACTED]

I refer to your letter of 31 August 2020 to the Minister for City Services, Mr Chris Steel MLA about a tree removal at [REDACTED] in McKellar. As you are aware the ACT Government is currently operating under caretaker conventions, and as such, I am responding to you directly.

Transport Canberra and City Services (TCCS) is responsible for the management and maintenance of more than 760,000 trees on public land and streets within urban areas of the ACT. Street trees are a significant part of the public urban landscape of Canberra and provide many benefits, including reduced cooling costs, increased property values, reduction in glare and the effects of wind and solar radiation, stormwater management, reduction in air pollution, improvement of biodiversity, natural beauty, visual interest and public and private amenity.

I am advised that the tree on the nature strip has been assessed several times in response to enquiries by the resident of [REDACTED]. During the tree inspection it was determined that the street tree does not present any indicators that pose an unacceptable risk to the community. TCCS has previously carried out a general prune and lift of the tree and surface roots were ground down in 2019.

Most recently, an officer from TCCS inspected the tree on 14 September 2020 and determined that the tree remains in good health and has sound structure. Whilst I am sympathetic to the problems that your constituent has raised, removal of the tree is not considered to be an acceptable management option at this stage. TCCS arborists will, however, continue to monitor the condition of the tree.

TCCS has procedures regarding claims for tree root damage to private infrastructure, sewage and stormwater, available at www.cityservices.act.gov.au/trees-and-nature/trees/trees-on-public-land.

I have been advised that the resident of [REDACTED] has been provided with these policies. The Territory does not automatically accept liability for damage until the circumstances have been investigated. TCCS will consider a claim for reimbursement of the costs of associated repairs within the lease, if it can be clearly demonstrated that roots from a government tree have caused the issue.

Every claim and request for tree removal is assessed on an individual basis considering all factors. If your constituent wishes to discuss pruning of the tree or root treatments, they can report these directly to the Fix My Street page on the ACT Government Website at www.act.gov.au/fixmystreet or via Access Canberra on 13 22 81 so prompt action can be taken.

I trust this information is of assistance.

Yours sincerely
Jim Corrigan
Deputy Director-General