



FREEDOM OF INFORMATION COVERSHEET

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

FOI reference: 22-060

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)	23 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

From: [REDACTED]
To: [EPSDFOI](#)
Cc: [REDACTED]
Subject: Access application under Freedom of Information Act 2016 - Application 2 of 14/04/2022
Date: Thursday, 14 April 2022 1:45:15 PM

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Application 2 of 14/04/2022

Good afternoon

Access application under *Freedom of Information Act 2016* (FOI Act)

This is an access application made under section 30 of the FOI Act.

Information sought

This access application is for all information relating to the Conservator of Flora and Fauna's decision to enter the following trees into the ACT Tree Register under the provisions of the *Tree Protection Act 2005* (ACT):

PTR1004

Block 11 Section 75 Ainslie

1 x *Quercus robur* (English oak)

PTR1017

Block 3 Section 79 Ainslie

1 x *Eucalyptus mannifera* (Red spotted gum)

PTR117 Group

Sections 23, 28, 29, 30 Ainslie

6 x *Quercus bicolor* (Swamp White Oak)

PTR118

Block 3 Section 79 Ainslie

1 x *Eucalyptus melliodora* (Yellow box) (the **Trees**).

To ensure certainty, this specifically includes but is not limited to:

- the tree nomination form or smartform for the Trees to be included on the ACT Tree Register;
- all other internal and external correspondence, file notes and any other records relating to the nomination for the Trees to be included on the ACT Tree Register and/or the Provisional Tree Register;
- the assessment against the formal criteria for the trees to be placed on the ACT Tree Register and/or Provisional Tree Register;
- all records relating to the decision-making process of the Conservator in deciding to enter the Trees into the ACT Tree Register and/or Provisional Tree Register, including correspondence, file notes and meeting minutes;
- policies, guidelines and codes of conduct that were specifically referred to in the decision-making process; and
- any other information relied upon in the decision-making process of the Conservator in deciding to enter the trees into the ACT Tree Register and/or Provisional Tree Register.

Statement on the public interest in disclosing the information

As permitted by section 30(4) of the FOI Act, we make the following statement of our views on the public interest in disclosing the information. We make this statement with specific reference to the 'factors favouring disclosure in the public interest' in Schedule 2 to the FOI Act.

Disclosure of the information would promote open discussion and accountability. This is because disclosure would increase public knowledge and understanding of government processes and enhance accountability regarding government decisions.

Disclosure of the information would contribute to positive and informed debate on a matter of public interest. This is because disclosure could reasonably be expected to provide contextual information regarding a government decision-making process and

enable the public to critically assess a government decision.
Disclosure of the information would inform the community of government operations. This is because disclosure could reasonably be expected to inform the community of the government's operations, including the policies, guidelines and codes of conduct followed by the government in its decision-making process; and inform the community in relation to how the agency undertakes its functions.
Disclosure of the information could reasonably be expected to reveal the reason for a government decision and any background or contextual information that informed the decision. This can serve to provide transparency and accountability to the decision-making process.

Kind regards

[Redacted signature block]



ACT
Government

Transport Canberra and
City Services

By email: [REDACTED]

Dear [REDACTED]

Freedom of Information Request - Reference 22-060

I refer to your application for access to government information received by Transport Canberra and City Services (TCCS) on 20 April 2022 seeking access to the following government information under the *Freedom of Information Act 2016*:

“This access application is for all information relating to the Conservator of Flora and Fauna’s decision to enter the following trees into the ACT Tree Register under the provisions of the Tree Protection Act 2005 (ACT):

- *PTR1004 - Block 11 Section 75 Ainslie, 1 x Quercus robur (English oak)*
- *PTR1017 - Block 3 Section 79 Ainslie, 1 x Eucalyptus mannifera (Red spotted gum)*
- *PTR117 Group - Sections 23, 28, 29, 30 Ainslie, 6 x Quercus bicolor (Swamp White Oak)*
- *PTR118 - Block 3 Section 79 Ainslie, 1 x Eucalyptus melliodora (Yellow box) (the Trees).”*

Timeframes

I thank you for agreeing to an extension until 24 May 2022.

Authority

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.

Decision on access

In accordance with the FOI Act, a search of TCCS records has been completed and eight records have been identified as relevant to your application.

In reviewing the information within these records and applying the public interest test under section 17 of the FOI Act, I have decided to provide you with partial access to these records.

The documents are listed in the schedule at [Attachment A](#). A copy of the records with deletions applied to the information I have found to be contrary to the public interest is at [Attachment B](#). The reasons for my decision are provided below under “statement of reasons”.

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)

- Schedule 2.1(a)(i) - promote open discussion of public affairs and enhance the government's accountability;
- Schedule 2.1(a)(ii) - contribute to positive and informed debate on important issues or matters of public interest;
- Schedule 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; 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 2016*.

In reviewing the relevant record, personal information relating to third parties has been identified and therefore find that factor 2.2(a)(ii) is relevant to this information. I have considered that this information is not readily available to the public and find that the disclosure is likely to prejudice the protection of an individual's right to privacy under the *Human Rights Act 2004* and find that this factor carries significant weight. In this instance, I have found the disclosure of personal information to be, on balance, contrary to the public interest.

I have found that the factors favouring disclosure can be satisfied the deletion of information which is contrary to the public interest.

Charges

No fees are applicable to this application as the number of pages being released are within the fee-free threshold.

Online publishing – disclosure log

Under section 28 of the Act, TCCS maintains an online record of access applications called a [disclosure log](#). A copy of your application, this notice of decision and documents will be published in the TCCS disclosure log within 3 – 10 business days from the date of this decision.

Your personal information will be removed from these documents prior to publication.

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

24 May 2022

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

Factors favouring non-disclosure:

- Schedule 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*

Reference number		Description				
FOI – 22-060		Decisions relating to the Conservator of Flora and Fauna's decision to enter specified trees into the ACT Tree Register				
Ref No	Page	Description	Date	Status	Reason for non-release or deferral	Open Access release status
1	1 - 5	Ainslie-PTR117-Group	8 March 2013	Full disclosure	Full disclosure applicable	Documents to be published.
2	6 - 9	Ainslie-PTR118#2	8 March 2013	Full disclosure	Full disclosure applicable	
3	10 - 12	Ainslie PTR1004#2	12 December 2018	Full disclosure	Full disclosure applicable	
4	13 - 14	Recommendation_Tree Protection Act 2005	12 December 2018	Full disclosure	Full disclosure applicable	
5	15 - 16	Notification to surrounding areas	17 January 2019	Full disclosure	Full disclosure applicable	
6	17 - 18	Notification of outcome to applicant	17 January 2019	Partial disclosure	Schedule 2, Section 2.2 (a)(ii)	
7	19 - 20	Notification of outcome DG EPSDD	18 January 2019	Full disclosure	Full disclosure applicable	
8	21 - 23	Ainslie PTR1017	Undated	Full disclosure	Full disclosure applicable	



ACT
Government

Territory and Municipal Services

ACT Tree Register

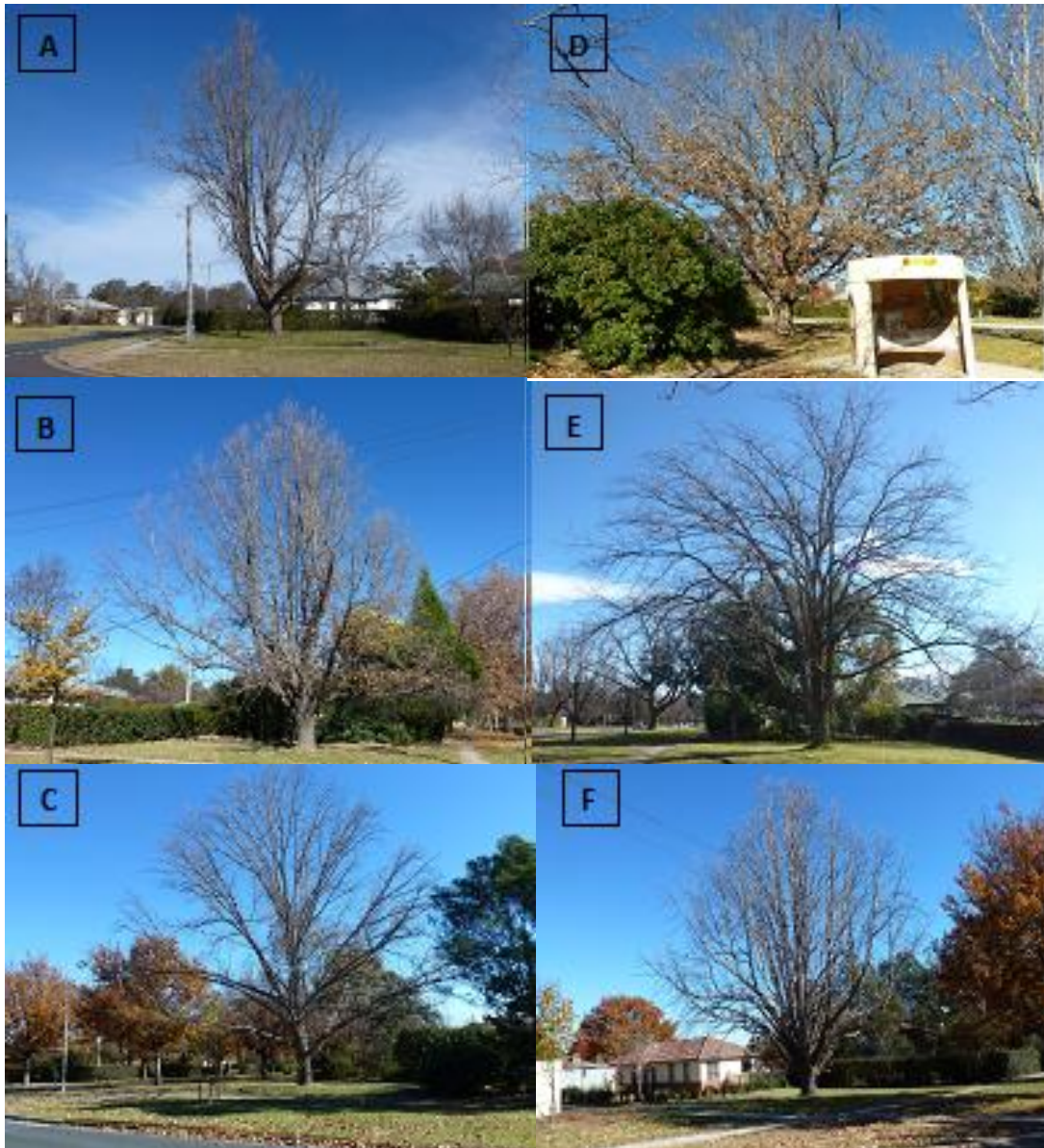
Tree Registration

Nomination 117 Tree Number PTR117 - Group

Species: *Quercus bicolor* (Swamp White Oak)

Location: Sections 23, 28, 29, 30 Ainslie

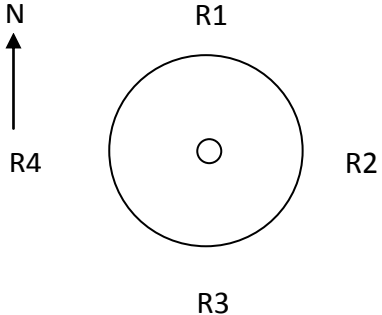
Photos of trees:



Aerial photo showing location of *Quercus bicolor* PTR117-Group trees A, B, C, D, E & F in Ainslie



Criteria	Details of trees
Street address	Cowper Street and Wakefield Avenue
Location on block	The trees are located on each corner of Cowper Street and Wakefield Avenue and Wakefield Gardens in Ainslie
Botanical name:	<i>Quercus bicolor</i>
Common name:	Swamp White Oak
Tree height	PTR117A 21.0m; PTR117B 20.0m; PTR117C 21.0m; PTR117D 24.0m; PTR117E 18.0m; PTR117F 19.0m.

<p>Description of radial measurement</p>	 <p>The diagram shows a central circle representing a tree canopy. Four radial measurement points are marked: R1 at the top, R2 at the right, R3 at the bottom, and R4 at the left. A north arrow is positioned to the left of the canopy, pointing upwards.</p>
<p>Canopy radial measurement</p>	<p>Tree A R1: 12.0m; R2: 12.0m; R3: 11.5m; R4: 10.0m</p> <p>Tree B R1: 10.7m; R2: 11.5m; R3: 9.5m; R4: 8.7m</p> <p>Tree C R1: 10.9m; R2: 9.0m; R3: 9.2m; R4: 8.3m</p> <p>Tree D R1: 11.0m; R2: 10.5m; R3: 9.4m; R4: 10.3m</p> <p>Tree E R1: 8.0m; R2: 12.0m; R3: 12.0m; R4: 10.0m</p> <p>Tree F R1: 10.0m; R2: 8.5m; R3: 6.5m; R4: 9.0m</p>

Trunk circumference:	Tree A 2.75m; Tree B 2.37m; Tree C 2.86m; Tree D 2.40m; Tree E 2.24m; Tree F 2.54m
Number of trunks:	Each tree has a single trunk
Grid co-ordinates: AGD 66 Grid	Tree A X 211974.948 Y 606,009.669 Tree B X 211,938.217 Y 606,015.739 Tree C X 211,942.731 Y 606,061.575 Tree D X 211,984.543 Y 606,053.871 Tree E X 212,059.761 Y606,039.778 Tree F X 212,053.031 Y606,001.596

Registration Criteria that presently apply, other criteria may apply after further assessment.

(1) Natural or cultural heritage value

The object of this value is to identify trees that are of particular importance to the community due to their intrinsic heritage values.

A tree may be considered to be of natural or cultural heritage value when it is:

(c) associated with a heritage nominated place and representative of that same historic period.

(2) Landscape and aesthetic value

The object of this value is to identify trees that are of particular importance to the community due to their substantial contribution to the surrounding landscape.

A tree may be considered to be of landscape and aesthetic value if it is situated in a prominent location when viewed from a public place and it:

(a) contributes significantly to the surrounding landscape based on its overall form, structure, vigour and aesthetic values; or

(b) represents an outstanding example of the species, including age, size or habit; or

Statement against the Criteria

This group of six exceptional *Quercus bicolor* have been selected for inclusion to the ACT Provisional Tree Register because of the important contribution they play within the heritage precinct of Wakefield Gardens in Ainslie. The trees are significant because of their mature size, good health and very prominent location. The trees are set out on six corners at the intersection of Cowper Street and Wakefield Avenue and Wakefield Avenue and Wakefield Gardens. It is unusual that so much space was provided for the planting of additional trees when the suburb was already well endowed with planned street tree plantings located on very wide nature strips. These six trees are in excellent health and condition and are likely to continue to grow and develop well into the future. The registration of the trees may allow more Canberrans to appreciate these fine trees.

Nomination 117

Tree Number PTR117-Group (6 trees)

***Quercus bicolor* (Swamp White Oak)**

ACT Tree Register

(Registration)

Pursuant to Division 7.2 of the *Tree Protection Act 2005* as the Conservator of Flora and Fauna the following decision has been made under section 52(1) to enter or not enter the above tree(s) to the ACT Tree Register

Registration

Yes

Alan Traves

A/g Conservator of Flora and Fauna 08/03/2013

Requests for further information should be made to:

Tree Protection Unit
PO Box 158
Canberra City, ACT 2601

Telephone: (02) 6207 8145
Facsimile: (02) 6207 5956
Email: treeprotection@act.gov.au



ACT
Government

Territory and Municipal Services

ACT Tree Register

Tree Registration

Nomination 118 Tree Number PTR118

Species: *Eucalyptus melliodora* (Yellow box)

Location: Block 3 Section 79 Ainslie

Photo of tree:



Photo showing location of *Eucalyptus melliodora* PTR118 in Ainslie



Criteria	Details of tree
Street address	Patterson Street
Location on block	Located on the eastern side of the park near the community hall
Botanical name:	<i>Eucalyptus melliodora</i>
Common name:	Yellow box
Tree height	19.2m
Canopy broadest diameter:	26.2m
Description of radial measurement	
Canopy radial measurement	R1: 6.2m R2: 14.8m R3: 6.6m R4: 11.4m
Trunk circumference:	Combined trunks >3.0m
Number of trunks:	1

Criteria	Details of tree
Grid co-ordinates: AGD 66 Grid	X 212,003.840 Y 605,237.206

Registration Criteria that presently apply, other criteria may apply after further assessment.

(1) Natural or cultural heritage value

The object of this value is to identify trees that are of particular importance to the community due to their intrinsic heritage values.

A tree may be considered to be of natural or cultural heritage value when it is:

- (b) of high cultural heritage value to the community or cultural group, including trees associated with aboriginal heritage and culture; or
- (c) associated with a heritage nominated place and representative of that same historic period.

(2) Landscape and aesthetic value

The object of this value is to identify trees that are of particular importance to the community due to their substantial contribution to the surrounding landscape.

A tree may be considered to be of landscape and aesthetic value if it is situated in a prominent location when viewed from a public place and it:

- (a) contributes significantly to the surrounding landscape based on its overall form, structure, vigour and aesthetic values.

Statement against the Criteria

The Corroboree trees is an iconic landmark located in one of the most high profiles parks in Canberra. The tree has been selected for inclusion to the ACT Tree Register in recognition of its cultural importance and landscape significance within Corroboree Park.

It is claimed that the tree was a focal point for the local indigenous community although aboriginal history associated with the site is not well documented. What is important however is that the tree symbolises a link with the past and connects that to the present. Ainslie residents have expressed a desire to see that this mature remnant tree is cared for and maintained and that it remains as an important part of the Canberra landscape within the Corroboree Park Heritage Precinct for as long as possible.

Nomination 118
Tree Number PTR118
***Eucalyptus melliodora* (Yellow Box)**

ACT Tree Register

(Registration)

Pursuant to Division 7.2 of the *Tree Protection Act 2005* as the Conservator of Flora and Fauna the following decision has been made under section 52(1) to enter or not enter the above tree(s) to the ACT Tree Register

Registration

Yes

Alan Traves
A/g Conservator of Flora and Fauna 08/03/2013

Requests for further information should be made to:

Tree Protection Unit
PO Box 158
Canberra City, ACT 2601

Telephone: (02) 6207 8145
Facsimile: (02) 6207 5956
Email: treeprotection@act.gov.au



ACT Tree Register

Tree Registration

Nomination 1004 PTR1004

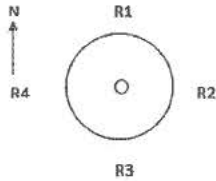
Species: *Quercus robur* (English oak)

Location: Block 11 Section 75 Ainslie



Location of *Quercus robur* PTR1004 in Ainslie



Criteria	Details of tree
Street address	11 Davenport Street Ainslie
Location on block	In the backyard
Botanical name	<i>Quercus robur</i>
Common name	English oak
Tree height	Approx. 17m
Canopy broadest diameter	Approx. 19m
Description of radial measurement	
Canopy radial measurement	R1: 12.5m R2: approx. 8.0m R3: approx. 7.0m R4: approx. 10.0m
Trunk circumference	3.16m
Number of trunks	2
Grid co-ordinates MGA Zone 55	X 695282.76 Y 6096270.58

Registration Criteria that presently apply, other criteria may apply after further assessment.

(2) Landscape and aesthetic value

The object of this value is to identify trees that are of particular importance to the community due to their substantial contribution to the surrounding landscape.

A tree may be considered to be of landscape and aesthetic value if it is situated in a prominent location when viewed from a public place and it:

- (a) contributes significantly to the surrounding landscape based on its overall form, structure, vigour and aesthetic values; or
- (b) represents an outstanding example of the species, including age, size or habit; or
- (c) is an exceptional example of a locally native species that reached maturity prior to urban development in its immediate vicinity.

Statement against the Criteria

This magnificent oak rises over the surrounding homes. It is a sound and healthy tree with a symmetrical, dense canopy and has the unique characteristic of having never produced an acorn.

It represents an outstanding example of the species due to its age, large size and sculptural habit. It contributes significantly to the surrounding landscape and is a worthy inclusion to the ACT Tree Register.

Nomination 1004

Number PTR1004

***Quercus robur* (English oak)**

ACT Tree Register

(Registration)

Pursuant to Division 7.2 of the *Tree Protection Act 2005* as the Conservator of Flora and Fauna the following decision has been made under section 52(1) to enter or not enter the above tree(s) to the ACT Tree Register

Registration

Yes / No / Discuss


Conservator of Flora and Fauna 12/12/2018

Requests for further information should be made to:

Tree Protection Unit
PO Box 158
Canberra City, ACT 2601

Telephone: (02) 6207 8145
Facsimile: (02) 6207 5956
Email: treeprotection@act.gov.au

Tree Protection Act 2005 – inclusion of tree to the ACT Tree Register

To: Conservator of Flora and Fauna
Environment Protection and Sustainable Development Directorate

Recommendations

That you:

1. Make a decision to proceed or not proceed with the inclusion of PTR1003 Lyons and PTR1004 Ainslie to the ACT Tree Register under provisions of the *Tree Protection Act 2005* (the Act).
2. Sign the attached profiles (Attachment C) if the decision is made to progress to full registration
3. Sign the attached certificate for PTR1004 Ainslie as the tree is inside the lease (Attachment D) if the decision is made to progress to full registration of PTR1004 Ainslie.

Background

Nomination 1003 Lyons is a nomination for a *Eucalyptus nicholli* tree located inside the lease of 10 Quamby Place Lyons. The nomination was received from the owner of the property on advisement of Tree Protection Officers. The owner notes in their nomination that the tree houses several bird families, including a tawny frog mouth family.

Nomination 1004 Ainslie is a *Quercus robur* tree located inside the lease of 11 Davenport Street Ainslie. The nomination was received from the owner of the property who is very fond of the tree. The owner nominated the tree on account of its age and size and her desire to ensure the tree is protected

Issues

The Act states that within 1 year after the day the tree was provisionally registered, the Conservator must decide whether to register the tree. PTR1003 Lyons and PTR1004 Ainslie were both placed on the Provisional ACT Tree Register on the 30 January 2018 (see Attachment A).

A representative from the Tree Advisory Panel inspected the two trees on the 8 November 2018 and the report was discussed at the panel meeting on the 22 November 2018 (please see Attachment B for the panel's report). The panel recommends that both trees progress to full registration.

They noted that PTR1003 Lyons was an excellent specimen of its species and discussed that *Eucalyptus nicholli* has been listed as vulnerable by the Federal Department of the

Environment and Energy under the *Environment Protection and Biodiversity Conservation Act 1999*. This means that this excellent specimen also has scientific value due to genetic value that is not well represented in the Australia.

The panel also noted that PTR1004 Ainslie was an excellent specimen for the species given its impressive size and its prominence in the landscape.

Media issues

If a decision is made to register the trees, this decision will be publicly notified at http://www.cmd.act.gov.au/open_government/inform/find-a-public-notice.

Financial implications

Nil

Linkages to other briefs and ministerial

Nil

T S Raath 29/11/2018

Name Terrance Raath
Position title/branch A/g Technical Manager, Urban Treescapes
Division Transport Canberra and City Services Directorate

Contact Samantha Ning
Position title/Branch Technical Officer, Urban Treescapes
Phone No Ext 78145

PTR1003 Lyons
PTR1004 Ainslie

NOT REGISTER / REGISTER DISCUSS
NOT REGISTER / REGISTER DISCUSS



Conservator of Flora and Fauna..... 12/12/18



The Lessee
11 Davenport Street
AINSLIE ACT 2602

Dear Sir/Madam

This letter is notice of the Conservator of Flora and Fauna's decision to enter the following tree to the ACT Tree Register under the provisions of the *Tree Protection Act 2005* (the Act).

The registration consists of the following:

- PTR1004 Block 11 Section 75 Ainslie 1 x *Quercus robur* (English oak)

You are receiving this notification as the tree is located close to your home. This tree has been placed on the ACT Tree Register in recognition of its symmetrical, dense canopy and excellent health and structure. It provides a high landscape and aesthetic value to the surrounding landscape.

In accordance with Section 52(1) of the *Tree Protection Act 2005* (the Act) the Conservator must make a decision regarding full registration of a tree within a year of it being provisionally registered. This tree was included on the ACT Provisional Tree Register on 30 January 2018.

Section 106 of the Act provides for this decision to be reviewed. The right to appeal the decision is, however, restricted to the applicant/nominee of the tree.

The decision to enter the tree to the ACT Tree Register will be publicly notified at http://www.cmd.act.gov.au/open_government/inform/find-a-public-notice Copies of the entry can be viewed at http://www.tccs.act.gov.au/city-living/trees/act_tree_register or in person in the foyer of Wotso House, Dickson ACT.

If you would like to discuss this matter please contact Samantha Ning on 6207 8145.

Yours sincerely

Mark Diehm
Delegate of the Conservator
A/g Technical Manager, Urban Treescapes
Transport Canberra and City Services Directorate

17 January 2019



Location of *Quercus robur* PTR1004 in Ainslie





[Redacted]

11 Jervis Street
Canberra ACT 2600

To: [Redacted]

refer to your application to nominate the Change your Angles as a business name backwards as a
Development Street Address for inclusion on the ACT Tree Register.

I'm pleased to advise you that the Consultant will be able to provide you with a copy of the
copy of the ACT Tree Register and the conditions of the Tree Protection Order 2019 (the Act).

The register is comprised of the following:

- The ACT Government Sector 32.4 rate (see Queensland (English))

The tree register is part of the ACT Tree Register recognition of the environmental, scenic
and historical values and structures of the ACT landscape and heritage value of
the surrounding landscape.

As you are not a member of the ACT Tree Register you will not be able to nominate trees
under a section 32.4 rate for registration. You will need to be a member of the ACT Tree Register
to register. This has not been done on the ACT Tree Register on 30 January 2019.

Section 100 of the Act prohibits a person from taking any action that might result in the
destruction or removal of trees or the application of a tree protection order.

The section to enter your name on the ACT Tree Register will be public notified on
www.act.gov.au/transport-and-city-services/foi and you will be able to view a copy of the Act on
the website at www.act.gov.au/transport-and-city-services/foi in person at the
Government House, Canberra ACT.

Thank you for bringing this matter to our attention and for your cooperation. If you would
like to discuss this matter please contact Sarah the Project Officer on 02 6201 3000.

Yours sincerely

Mark Perry
Deputy of the Commissioner
1st Assistant Manager, Urban Services
Transport Canberra and City Services Directorate

17 January 2019

Certificate of Recognition

Awarded to the resident of
11 Davenport Street Ainslie

for the inclusion of their

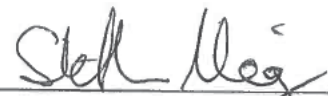
Quercus robur

onto the ACT Tree Register

This tree has been identified as a significant tree under the *Tree Protection Act 2005* and will be included on the ACT Tree Register. The tree has been registered due to its outstanding landscape and aesthetic value. It contributes significantly to the surrounding landscape based on its form and size.



Conservator of Flora and Fauna



Director of City Presentations





Ben Ponton
Director-General
Environment, Planning and Sustainable Development Directorate
Dame Pattie Menzies House
Level 3 South
Dickson ACT 2602

Dear Mr Ponton

This letter is notice of the Conservator of Flora and Fauna's decision to enter the following tree to the ACT Provisional Tree Register under the provisions of *Tree Protection Act 2005* (the Act).

The registrations consist of the following:

- PTR1017 Block 3 Section 79 Ainslie 1 x *Eucalyptus mannifera*

In accordance with Section 52(1) of the Act the Conservator will make a decision regarding registration of this tree within a year of it being provisionally registered. This decision will take into consideration any submissions or other relevant information received within the 21-day period after notification and/or information subsequently requested.

The decision to provisionally register a tree is non-appealable, however I would encourage lodgement of any additional information by parties who may be affected by a registration.

The Conservator has also made a decision to enter the following tree to the ACT Tree Register under the provisions of *Tree Protection Act 2005* (the Act).

- PTR1003 Block 19 Section 22 Lyons 1 x *Eucalyptus nicholli*
- PTR1004 Block 11 Section 75 Ainslie 1 x *Quercus robur*

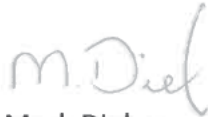
PTR1003 and PTR1004 were placed on the ACT Provisional Tree Register on the 30 January 2018 in recognition of their exceptional landscape and aesthetic value. In accordance with Section 52(1) of the *Tree Protection Act 2005* (the Act) the Conservator must make a decision regarding full registration of the tree within a year of it being provisionally registered.

Section 106 of the Act provides for this decision to be reviewed. The right to appeal the decision is, however, restricted to the applicant/nominee of the tree.

The decision to enter the trees to the ACT Tree Register will be publicly notified at http://www.cmd.act.gov.au/open_government/inform/find-a-public-notice Copies of the entry can be viewed at www.tccs.act.gov.au/city-living/trees/act_tree_register or in person in the foyer of Wotso House, Dickson ACT.

If you would like to further discuss this matter please contact Samantha Ning on 62078145.

Yours sincerely



Mark Diehm
Delegate of the Conservator
A/g Technical Manager, Urban Treescapes
Transport Canberra and City Services Directorate

18 January 2019

ACT Tree Register

Provisional Tree Registration

Nomination 1017 PTR1017

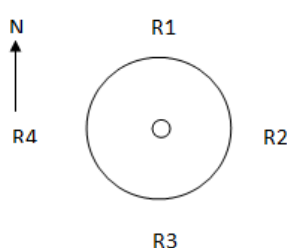
Species: *Eucalyptus mannifera* (Red spotted gum)

Location: adjacent to Block 3 Section 79 Ainslie



Location of *Eucalyptus mannifera* PTR1017 in Ainslie



Criteria	Details of tree
Street address	Opposite 40 Paterson Street Ainslie
Location on block	Located on the nature strip
Botanical name	<i>Eucalyptus mannifera</i>
Common name	Red spotted gum
Tree height	Horizontal trunk 6.5m, vertical trunk 5.5m
Canopy broadest diameter	10.0m
Description of radial measurement	 <p>The diagram shows a central point representing the trunk. Four radial lines extend from this center to the outer edge of the canopy, labeled R1 (top), R2 (right), R3 (bottom), and R4 (left). A north arrow is positioned to the left of the center, pointing upwards.</p>
Canopy radial measurement	R1: 4.4m R2: 4.4m R3: 3.9 R4: 5.6m
Trunk circumference	1.7 (at 1m along horizontal trunk)
Number of trunks	1
Grid co-ordinates MGA	X 694924.27 Y 6095038.16

Registration Criteria that presently apply, other criteria may apply after further assessment.

(2) Landscape and aesthetic value

The object of this value is to identify trees that are of particular importance to the community due to their substantial contribution to the surrounding landscape.

A tree may be considered to be of landscape and aesthetic value if it is situated in a prominent location when viewed from a public place and it:

- (a) contributes significantly to the surrounding landscape based on its overall form, structure, vigour and aesthetic values; or
- (b) represents an outstanding example of the species, including age, size or habit; or
- (c) is an exceptional example of a locally native species that reached maturity prior to urban development in its immediate vicinity.

Statement against the Criteria

This individual *Eucalyptus mannifera* located on the nature strip of Corroboree Park is iconic to the suburb of Ainslie. It's interesting, unique partially horizontal form makes it stand out as a feature of the park and contributes significantly to the surrounding landscape. The tree is important to the surrounding residents and visitors to the park and has provided a point of interest and even an unofficial seat for many passers-by. Its uniqueness means that it has high landscape and aesthetic value and has been included on the ACT Provisional Register for this reason.

Nomination 1017

Number PTR1017

Eucalyptus mannifera (red spotted gum)

ACT Tree Register

(Provisional Registration)

Pursuant to Division 7.2 of the *Tree Protection Act 2005* as the Conservator of Flora and Fauna the following decision has been made under section 47(1) to enter or not enter the above tree(s) in the Tree Register as a provisional registration

Provisional Registration

Yes / No / Discuss

Conservator of Flora and Fauna / /2018

Any comments on the proposed registration of the tree may be given to the Conservator on or before (21days after notification).

Requests for further information should be made to:

Tree Protection Unit
PO Box 158
Canberra City, ACT 2601

Telephone: (02) 6207 8145
Facsimile: (02) 6207 5956
Email: treeprotection@act.gov.au