



## FREEDOM OF INFORMATION COVERSHEET

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

FOI reference: 24-082

Information to be published	Status
1. Access application	Published
2. Decision notice	Published
3. Schedule	Published
4. Documents	Published
5. Additional information identified	Not applicable
6. Fees	Waived
7. Processing time (in working days)	34 days
8. Decision made by Ombudsman	Not applicable
9. Additional information identified by Ombudsman	Not applicable
10. Decision made by ACAT	Not applicable
11. Additional information identified by ACAT	Not applicable

## Bruan, Nicole

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**From:** [REDACTED]  
**Sent:** Wednesday, 29 May 2024 11:54 AM  
**To:** TCCS\_FreedomOfInformation  
**Subject:** FOI Request - Tree Protection Unit

**Categories:** Application

**Caution:** This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe. [Learn why this is important](#)

Good morning

Under the FOI Act, I would like to request all documents held by the Tree Protection Unit and/or The Conservator and/or TCCS related to the removal of, or protection of, trees at Brindabella Christian College, 136 Brigalow St, Lyneham (also known as Block 4 Section 41 Lyneham) including, but not limited to, Assessment Officer reports, notices, Tree Damaging Activity Applications and responses and/or Tree Activity Applications and responses, and/or any complaints received regarding trees on the campus, since 2015.

We have observed during this period a number of large trees (ie 8+ metres in height) have been removed by the school and we seek to know the status and circumstances around their removal, particularly protected trees which had enhanced the amenity, green space and playground areas for the community.

[REDACTED]

[REDACTED]

## Freedom of Information Request - Reference 24-082

I refer to your application for access to government information received by Transport Canberra and City Services (TCCS) on 29 May 2024 seeking the following information under the Freedom of Information Act 2016 (the Act):

*“Under the FOI Act, I would like to request all documents held by the Tree Protection Unit and/or The Conservator and/or TCCS related to the removal of, or protection of, trees at Brindabella Christian College, 136 Brigalow St, Lyneham (also known as Block 4 Section 41 Lyneham) including, but not limited to, Assessment Officer reports, notices, Tree Damaging Activity Applications and responses and/or Tree Activity Applications and responses, and/or any complaints received regarding trees on the campus, since 2015”.*

### Timeframes

A decision on your access application was due on 10 July 2024. I thank you for granting an extension until 17 July 2024.

### 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 70 records have been identified.

Upon reviewing the information within the records, and applying the public interest test under section 17 of the FOI Act, I have decided to provide you with:

- Full access to 17 records; and
- Partial access to 53 records.

The records identified have captured some information relating to Brindabella Christian College that relates to other matters unrelated to trees. I have left this out-of-scope information within the records for context and transparency of the material.

The reasons for my decision are provided below under the heading ‘statement of reasons’.

The documents are listed in the schedule at [Attachment A](#), and a copy of the records with deletions applied to the information that I have found to be contrary to the public interest is at [Attachment B](#).

## Statement of Reasons

In reaching my decision, I have taken the following into account:

- the FOI Act.
- the content of the documents that fall within the scope of your request.
- the *Human Rights Act 2016*.

The FOI Act has a pro disclosure bias, which requires information to be disclosed unless doing so would be contrary to the public interest. As an Information Officer, I must decide where, on balance, public interest lies in the disclosure of government information. Section 17(1) of the Act sets out the steps for completing the public interest test. As part of this process, I must identify all relevant factors in schedule 1 of the FOI Act. If no factor in schedule 1 is found relevant, I must then consider the factors listed in schedule 2 of the FOI Act and determine, on balance, where the public interest lies.

### **Schedule 1**

- No relevant factors identified.

### **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; and
- Schedule 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*; and
- Section 2.2 (a)(xi) – prejudice trade secrets, business affairs or research of an agency or persons.

I consider that it is in the public interest to release most of this information. I have also placed weight on the FOI Act, which favours disclosure of information unless it is found to be contrary to the public interest.

In the review of factors favouring non-disclosure in schedule 2, I have considered the commercial information contained in record 2. The document consists of commercial information from a third-party contractor in relation to a quote for works at Brindabella Christian College. I have decided that the breakdown of costs for works holds commercial value which if disclosed could be used by competitors and prejudice business affairs. It is a fine balance to seek transparency in information release and protect against information being used to the commercial disadvantage of a third-party contractor.

I have also identified that some records contain personal information relating to third parties, including staff members mobile numbers. I consider that this information is not readily available to the public and has come into the possession of TCCS with the expectation that it be handled in accordance with the Territory Privacy Principles and the *Information Privacy Act 2014*. I consider that the disclosure of this information is likely to prejudice the protection of an individual's right to privacy under the *Human Rights Act 2004*. I have allocated significant weight to this factor, and I find 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 by the deletion of information which is contrary to the public interest. I have attached a list of the records at [Attachment A](#) and a copy of the records with redactions enclosed at [Attachment B](#).

### **Charges**

I have waived the fee of about \$70 as the number of pages exceeding the fee-free threshold is not substantial.

### **Online publishing – disclosure log**

Under section 28 of the Act, TCCS maintains an online record of access applications called a disclosure log. Your access application and this notice of decision will be published on the disclosure log within 3 – 10 business days. Your personal information will be removed from these documents prior to publication in the TCCS Disclosure Log.

### **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](mailto: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  
GPO Box 370  
CANBERRA CITY ACT 2601  
Telephone: (02) 6207 1740  
[www.acat.act.gov.au](http://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](mailto:tccs.foi@act.gov.au).

Yours sincerely



Lisa Johnson  
Information Officer

17 July 2024

## ATTACHMENT A - ACCESS APPLICATION SCHEDULE, FREEDOM OF INFORMATION

**Reference Number: 24-082**

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.cityservices.act.gov.au/about-us/freedom\\_of\\_information/disclosure-log](https://www.cityservices.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 2016*.

*Schedule 2, Section 2.2 (a)(xi) – prejudice trade secrets, business affairs or research of an agency or persons.*

Reference number	Page number	Description	Date	Status	Reason for non-release or deferral	Open Access release status
1	1	01. 20160429 - 20170505165105631 - Email - Subject - Referral Tree Protection	29 April 2016	Full release	Not applicable	Decision to be published on the <a href="#">TCCS Disclosure Log</a> .
2	6	02. 20160429 - 164848104 - Tree Damaging Activity application	29 April 2016	Partial release	Schedule 2.2(a)(ii) Schedule 2.2(a)	
3	17	03. 20160429 - 20170505165000003 - Conservators decision	6 May 2016	Partial release	Schedule 2.2(a)(ii)	
4	27	04. 20160429 - 20170505164921814 - pictures	Undated	Full release	Not applicable	
5	30	05. 20160506 - Letters and Tree Assessment Report	6 May 2016	Partial release	Schedule 2.2(a)(ii)	

<b>6</b>	<b>44</b>	06. 20160902 - Case summary - 00346075	2 September 2016	Full release	Not applicable
<b>7</b>	<b>53</b>	07. 20160902 - Case summary - 00346177	2 September 2016	Full release	Not applicable
<b>8</b>	<b>57</b>	08. 20161018 - Email with 1 attachment - Subject - Bindabella Christina College - Lisence	18 October 2016	Partial release	Schedule 2.2(a)(ii)
<b>9</b>	<b>59</b>	09. 20161018 - Attachment 1 of 1 - 1506.01 BCC Masterplan - Sheet - A1012 - SITE PLAN- PROPOSED	17 May 2016	Partial release	Schedule 2.2(a)(ii)
<b>10</b>	<b>60</b>	10. 20161020 - Email with one attachment - Brindabella Christian College tree removal	20 October 2016	Partial release	Schedule 2.2(a)(ii)
<b>11</b>	<b>61</b>	11. 20161020 - Attachmet 1 of 1 - Brindabella Christian College incident summary	20 October 2016	Partial release	Schedule 2.2(a)(ii)
<b>12</b>	<b>63</b>	12. 20161020 - Email with 4 attachments - TM20162398 TTE16-BLT-2459 Built Bringalow St Lyneham for approval	20 October 2016	Partial release	Schedule 2.2(a)(ii)
<b>13</b>	<b>65</b>	13. 20161020 - Attachment 1 of 4 - TTE16-BLT-2459-1-1	17 October 2016	Partial release	Schedule 2.2(a)(ii)
<b>14</b>	<b>66</b>	14. 20161020 - Attachment 2 of 4 - TTE16-BLT-2459-1-2 - drawing	17 October 2016	Partial release	Schedule 2.2(a)(ii)
<b>15</b>	<b>67</b>	15. Attachment 3 of 4 - 20161020 - 20161020114040957 - drawing	17 October 2016	Partial release	Schedule 2.2(a)(ii)
<b>16</b>	<b>68</b>	16. Attachment 4 of 4 - 20161020 - TTE16-BLT-2459-1-2 - drawing	17 October 2016	Partial release	Schedule 2.2(a)(ii)
<b>17</b>	<b>69</b>	17. 20161104 - Email and attachment - Subject - Brindabella Christian College re tree approvals	4 November 2016	Partial release	Schedule 2.2(a)(ii)

<b>18</b>	<b>70</b>	18. 20161111 - Email with 2 attachments - Subject - Brindabella Christian College - Landscape management and protection plan	11 November 2016	Partial release	Schedule 2.2(a)(ii)
<b>19</b>	<b>71</b>	19. 20161111 - Attachment 1 of 2 - 2016_642_BRINDABELLA CC_LMPP_L01	9 November 2016	Partial release	Schedule 2.2(a)(ii)
<b>20</b>	<b>72</b>	20. 20161111 - Attachment 2 of 2 - 2016_642_BRINDABELLA CC_LMPP_L02	9 November 2016	Partial release	Schedule 2.2(a)(ii)
<b>21</b>	<b>73</b>	21. 20161121 - Email with 2 attachments - Subject - Brindabella Christian College Lyneham - Marks up of tree	21 November 2016	Partial release	Schedule 2.2(a)(ii)
<b>22</b>	<b>74</b>	22. 20161121 - Attachment 1 of 2 - BCC - LMPP - Trees 3 and 4	Undated	Full release	Not applicable
<b>23</b>	<b>75</b>	23. 20161121 - Attachment 2 of 2 -BCC - LMPP - Trees 6 and 7 Visual	Undated	Full release	Not applicable
<b>24</b>	<b>76</b>	24. 20161122 - Email - Subject - Brindabella Christian College Lyneham - Marks up of tree and description of works	22 November 2016	Partial release	Schedule 2.2(a)(ii)
<b>25</b>	<b>80</b>	25. 20161221 - Ministerial request and response – 16/1307	13 October 2016	Partial release	Schedule 2.2(a)(ii)
<b>26</b>	<b>84</b>	26. 20170120 - Email with 1 attachment - Subject - Your statements - Brindabella School	20 January 2017	Partial release	Schedule 2.2(a)(ii)
<b>27</b>	<b>88</b>	27. 20170120 - Attachment 1 of 1 - Brindabella Christian College	20 January 2017	Partial release	Schedule 2.2(a)(ii)
<b>28</b>	<b>90</b>	28. 20170120 - Carma Sweet - Statement - Tree removals at Brindabella Christian College	20 January 2017	Partial release	Schedule 2.2(a)(ii)
<b>29</b>	<b>92</b>	29. 20170123 - Referral - Tree - 201630939	23 January 2017	Full release	Not applicable

<b>30</b>	<b>95</b>	30. 20170123 - picture of tree	Undated	Full release	Not applicable
<b>31</b>	<b>96</b>	31. 20170123 - picture of tree pic 2	Undated	Full release	Not applicable
<b>32</b>	<b>97</b>	32. 20170123 - picture of tree pic 3	Undated	Full release	Not applicable
<b>33</b>	<b>98</b>	33. 20170410 - Email - Subject - Brindabella Christian College - Existing Services with Verge	10 April 2017	Partial release	Schedule 2.2(a)(ii)
<b>34</b>	<b>99</b>	34. 20170510 - BCC Trees	10 May 2017	Partial release	Schedule 2.2(a)(ii)
<b>35</b>	<b>101</b>	35. 20170530 - email - Parking under trees at BCC	30 May 2017	Partial release	Schedule 2.2(a)(ii)
<b>36</b>	<b>105</b>	36. 20180412 - Email with one attachment - Subject - Block 24 Section 41 Lyneham	12 April 2018	Partial release	Schedule 2.2(a)(ii)
<b>37</b>	<b>107</b>	37. 20180412 - Attachment 1 of 1 - Permit 18042-20171030144149043	16 August 2017	Partial release	Schedule 2.2(a)(ii)
<b>38</b>	<b>118</b>	38. 20190322 - Email - Subject - 1506.01 Brindabella Christian College - Tree replanting discussion	22 March 2019	Partial release	Schedule 2.2(a)(ii)
<b>39</b>	<b>122</b>	39. 20190404 - Email with 5 attachments - BCC - application to undertake a tree damaging activity	4 April 2019	Partial release	Schedule 2.2(a)(ii)
<b>40</b>	<b>123</b>	40. 20190404 - Attachment 1 of 5 - 1506.01E - SP112 - SITE PLAN 2020	4 April 2019	Partial release	Schedule 2.2(a)(ii)
<b>41</b>	<b>124</b>	41. 20190404 - Attachment 2 of 5 - 11167.02_DT_001_REV A_SIGNED	19 January 2016	Partial release	Schedule 2.2(a)(ii)
<b>42</b>	<b>125</b>	42. 20190404 - Attachment 3 of 5 - ApplicationToUndertakeATreeDamagingActivitySigned	3 April 2019	Partial release	Schedule 2.2(a)(ii)
<b>43</b>	<b>129</b>	43. 20190404 - Attachment 4 of 5 - 1506.01E - SP113 - 3D - PROPOSED TREES PLANTING TO EAST	4 April 2019	Partial release	Schedule 2.2(a)(ii)

<b>44</b>	<b>130</b>	44. 20190404 - Attachment 5 of 5 - 190322 ClientAuthorityLetterSigned	22 March 2019	Partial release	Schedule 2.2(a)(ii)
<b>45</b>	<b>131</b>	45. 20190429 - Pictures of trees	29 April 2019	Full release	Not applicable
<b>46</b>	<b>153</b>	46. 20190503 - 150743434 -Conservator's Decision	3 May 2019	Partial release	Schedule 2.2(a)(ii)
<b>47</b>	<b>161</b>	47. 20190503 - 150759236 - Pictures	Undated	Full release	Not applicable
<b>48</b>	<b>165</b>	48. 20190503 - 150820844 - Pictures	Undated	Full release	Not applicable
<b>49</b>	<b>168</b>	49. 20190503 -150834298 - Pictures	Undated	Full release	Not applicable
<b>50</b>	<b>170</b>	50. 20190916 - Email with one attachment - Subject - 2322 - Le Courteur - Tree Removal at Brinda Christian College	16 September 2019	Partial release	Schedule 2.2(a)(ii)
<b>51</b>	<b>172</b>	51. 20190916 -2322 - Le Couteur - Tree Removal at Brindabella Christian College	Undated	Full release	Not applicable
<b>52</b>	<b>173</b>	52. 20191128 - Email - Subject - 1506.01 Brindabella Christian College - Tree replanting discussion	28 November 2019	Partial release	Schedule 2.2(a)(ii)
<b>53</b>	<b>177</b>	53. 20200304 - Email - Subject - 1506.01 BCC - New Trees to Oval	4 March 2020	Partial release	Schedule 2.2(a)(ii)
<b>54</b>	<b>179</b>	54. 20200312 - Email with 8 attachments - Subject - Input Request - State of the land at the back of BCC	12 March 2020	Partial release	Schedule 2.2(a)(ii)
<b>55</b>	<b>187</b>	55. 20200312 - Attachment 1 of 8 - 2016_642_BRINDABELLA CC_LMPP_L02	9 November 2016	Partial release	Schedule 2.2(a)(ii)
<b>56</b>	<b>188</b>	56. 20200312 - Attachment 2 of 8 - BCC - LMPP - Trees 3 and 4	Undated	Full release	Not applicable
<b>57</b>	<b>189</b>	57. 20200312 - Attachment 3 of 8 - 1506.01 BCC Masterplan - Sheet - A1012 - SITE PLAN- PROPOSED	17 May 2016	Partial release	Schedule 2.2(a)(ii)

<b>58</b>	<b>190</b>	58. 20200312 - Attachment 4 of 8 - TTE16-BLT-2459-1-1	17 October 2016	Partial release	Schedule 2.2(a)(ii)
<b>59</b>	<b>191</b>	59. 20200312 - Attachment 5 of 8 2016_642_BRINDABELLA CC_LMPP_L01	9 November 2016	Partial release	Schedule 2.2(a)(ii)
<b>60</b>	<b>192</b>	60. 20200312 - Attachment 6 of 8 - BCC - LMPP - Trees 6 and 7 Visual	Undated	Full release	Not applicable
<b>61</b>	<b>193</b>	61. 20200312 - Attachment 7 of 8 - Email - 1506.01 BCC - Tree replanting discussion	22 March 2019	Partial release	Schedule 2.2(a)(ii)
<b>62</b>	<b>197</b>	62. 20200312 - Attachment 8 of 8 - 20161020114040957 - drawings	10 April 2017	Partial release	Schedule 2.2(a)(ii)
<b>63</b>	<b>198</b>	63. 20201207 - Email - subject - Brindabella Christian School Trees	7 December 2020	Partial release	Schedule 2.2(a)(ii)
<b>64</b>	<b>209</b>	64. 20210708 - Email with 1 attachment - Subject - Lyneham Community Association - Update on investigation	8 August 2021	Partial release	Schedule 2.2(a)(ii)
<b>65</b>	<b>215</b>	65. 20210708 - Attachment 1 of 1 - Formal Complaint by LCA	24 May 2020	Partial release	Schedule 2.2(a)(ii)
<b>66</b>	<b>232</b>	66. 20220216 - Email with one attachment - Lyneham Community Association update on investigation blocks 4 and 23 section 41	16 February 2022	Partial release	Schedule 2.2(a)(ii)
<b>67</b>	<b>239</b>	67. 20220216 - Attachment 1 of 1 - 1506.01 BCC - New Trees to Oval	4 March 2020	Partial release	Schedule 2.2(a)(ii)
<b>68</b>	<b>241</b>	68. 20220413 - Email - Subject - Lyneham Community Association update on investigation	13 April 2022	Partial release	Schedule 2.2(a)(ii)
<b>69</b>	<b>246</b>	69. 20220421 - Email - BCC permit expiry	21 April 2022	Partial release	Schedule 2.2(a)(ii)
<b>70</b>	<b>248</b>	70. 20220421 - Email - Lyneham Community Association	21 April 2022	Partial release	Schedule 2.2(a)(ii)

Total number of documents: 70

**Raath, Terrance**

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**From:** Raath, Terrance  
**Sent:** Wednesday, 29 June 2016 12:43 PM  
**To:** McKeown, Helen  
**Subject:** FW: REFERRAL-TREE PROTECTION-201629628-4/41 LYNEHAM-01  
 [SEC=UNCLASSIFIED]  
**Attachments:** plans.obr; supporting docs.obr

Helen

Ref : Drawing 1/1 Landscape Concepts & Proposed Tree Replacements, Revision 1, dated 30/5/2016.  
 I recently attended this site to undertake a TDA. Several trees were approved for removal, however, I could not find criteria to support the removal of three trees which were requested for removal in relation to the current development.

The trees are noted as Numbers 75, 78 and 81.  
 Tree 75, Large medium-high quality Quercus palustris. Next to existing building north side of the block.  
 Tree 78, medium quality, co-dominant, Ulmus procera. Next to existing basketball court.  
 Tree 81, Large medium-high quality Quercus palustris. Adjacent to Brigalow Street .

All I can say is the site is well treed for the size of the site. Please read the comments below and see if they are appropriate.

Thanks  
 Terry

DA No 201629628

BLOCK:	SECTION:	DIVISION:
4	41	Lyneham

This DA has been assessed and the following Conservators Advice in accordance with Section 82 *Tree Protection Act 2005* is provided:

No regulated trees on the site	
Supported provided there are conditions of approval	
Advice for the applicant	
Not Supported	X
Further Information/amendments required	

Conditions/Comments/Advice:

Ref : Drawing 1/1 Landscape Concepts & Proposed Tree Replacements , Revision 1, dated 30/5/2016.  
 There are no non-development related criteria which could be found to support the removal of the three regulated trees requested for removal as part of the proposed development.  
 The trees are noted for removal are as follows: Numbers 75, 78 and 81.  
 Tree 75, Quercus palustris, Large medium-high quality. Located next to existing building north side of the block.

Tree 78, *Ulmus procera*, medium quality, co-dominant. Located next to existing basketball court.  
Tree 81, Large medium-high quality, *Quercus palustris*. Located adjacent to Brigalow Street .

It was noted that the site contains a wide mix of mature, semi-mature and young trees within the total landscape and that the school is located on quite a small block.

No other regulated trees on the site will be affected if the development if it is approved, however tree protection measures should be implemented if equipment, or materials are to be stored where there are regulated trees on site.

Terrance Raath | Technical Officer |  
Phone 02 6207 8145 | Fax 02 6207 6255 | Email [terrance.raath@act.gov.au](mailto:terrance.raath@act.gov.au)  
Urban Treescapes, City Services, Parks and City Services | Territory and Municipal Services Directorate | ACT Government  
Level 4, Macarthur House, 12 Wattle Street, Lyneham ACT 2602 | GPO Box 158 Canberra ACT 2601 |  
[www.act.gov.au](http://www.act.gov.au)

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**From:** Dojic, Rosie **On Behalf Of** Tree Protection - ACTPLA Ref  
**Sent:** Thursday, 23 June 2016 4:44 PM  
**To:** Raath, Terrance  
**Subject:** FW: REFERRAL-TREE PROTECTION-201629628-4/41 LYNEHAM-01 [SEC=UNCLASSIFIED]

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**From:** EPD, Customer Services  
**Sent:** Thursday, 23 June 2016 1:31 PM  
**To:** Tree Protection - ACTPLA Ref  
**Subject:** REFERRAL-TREE PROTECTION-201629628-4/41 LYNEHAM-01 [SEC=UNCLASSIFIED]

MANDATORY REFERRAL

**DEVELOPMENT APPLICATION NO: 201629628**  
**BLOCK: 4 SECTION: 41 DIVISION: LYNEHAM**

**Description: COMMUNITY FACILITY-EDUCATION. Construction of new junior school building including 15 classrooms and large assembly space.**

Pursuant to Section 148(1) of the Planning and Development Act 2007 the ACT Planning and Land Authority requests that you consider the abovementioned development application and provide any written advice no later than **15 working days** after the date of this notice (**14/07/2016**).

In accordance with Section 150 of the Planning and Development Act 2007 If advice is not received within the prescribed time it will be taken that you have supported the application.

Please forward any written advice via email to Customer Services –  
[EPDcustomerservices@act.gov.au](mailto:EPDcustomerservices@act.gov.au)

Please use the following format in the subject line of the email when providing advice:  
COMM-Agency Name-20080XXXX-Block XX Section XX SuburbXXXX-01  
Example: COMM-Heritage-200801234-Block 10 Section 10 Dickson-01

Regards

Customer Services

Phone 02 6207 1923

Access Canberra | ACT Government

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601

*Access Canberra is an ACT Government service that brings together customer and regulatory services, including the former Environment and Planning Directorates Customer Services Team. Access Canberra has been set up to make it easier for business, community organisations and individuals to work with ACT Government and deliver a more seamless experience.*

[www.planning.act.gov.au](http://www.planning.act.gov.au) | [EPDcustomerservices@act.gov.au](mailto:EPDcustomerservices@act.gov.au)



**Dojic, Rosie**

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**From:** McKeown, Helen  
**Sent:** Thursday, 30 June 2016 9:00 AM  
**To:** EPD, Customer Services  
**Cc:** Dojic, Rosie  
**Subject:** Comm -TREE PROTECTION-201629628-4/41 LYNEHAM-01 [SEC=UNCLASSIFIED]

DA No 201629628

BLOCK:	SECTION:	DIVISION:
4	41	Lyneham

This DA has been assessed and the following Conservators Advice in accordance with Section 82 *Tree Protection Act 2005* is provided:

No regulated trees on the site	
Supported provided there are conditions of approval	
Advice for the applicant	
Not Supported	X
Further Information/amendments required	

**Conditions/Comments/Advice:**

Ref : Drawing 1/1 Landscape Concepts & Proposed Tree Replacements , Revision 1, dated 30/5/2016.

There are no non-development related criteria which could be found to support the removal of the three regulated trees requested for removal as part of the proposed development.

The trees are noted for removal are as follows: Numbers 75, 78 and 81.

Tree 75, *Quercus palustris*, Large medium-high quality. Located next to existing building north side of the block.

Tree 78, *Ulmus procera*, medium quality, co-dominant. Located next to existing basketball court.

Tree 81, Large medium-high quality, *Quercus palustris*. Located adjacent to Brigalow Street .

It was noted that the site contains a wide mix of mature, semi-mature and young trees within the total landscape and that the school is located on quite a small block.

No other regulated trees on the site will be affected if the development if it is approved, however tree protection measures should be implemented if equipment, or materials are to be stored where there are regulated trees on site.

Helen McKeown | Conservator Liaison

Phone 02 6207 2247 |

Environment | Environment and Planning | ACT Government

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 | [www.environment.act.gov.au](http://www.environment.act.gov.au)

**Dojic, Rosie**

---

**From:** [REDACTED]@sqca.com.au]  
**Sent:** Friday, 29 April 2016 3:21 PM  
**To:** Tree Protection  
**Cc:** [REDACTED]  
**Subject:** 1506.02 BCC Sports Centre- Application to undertake a tree damaging activity  
**Attachments:** App to Undertake a Tree Damaging Activity.pdf

To whom it may concern,

I have attached our application to undertake tree damaging activity. Please advise if you require further information.

If you have any questions please do not hesitate to call

Kind Regards,



[REDACTED]  
ARCHITECT  
M Arch, Registered Architect ACT 2548

**SQC ARCHITECTURE**  
Suite 4 Hawker Professional Centre, Hawker Place, Hawker ACT  
T 02 6278 8500 M [REDACTED]  
E [REDACTED]@sqca.com.au  
sqca.com.au



Primary nominee: R. Small ACT 933, NSW 9354, F. Olbrich VIC 16775, N. Goodwin QLD 5020

## APPLICATION TO UNDERTAKE A TREE DAMAGING ACTIVITY (INCLUDING URGENT CIRCUMSTANCES OR MINOR WORKS APPROVAL)

Under the provisions of Sections 22 and 29 of the *Tree Protection Act 2005*

Before you complete this application we suggest you read the Tree Protection Information and Criteria for Approval of Activities which is available from the [Trees and Forests page on the TAMS website](#)

### 1. The Applicant

Title (e.g. Mr, Mrs)	First Name	Surname
[REDACTED]	[REDACTED]	[REDACTED]
Company	ACN / ABN	
SQC ARCHITECTURE	81 091 693 350	
Street Address		
SUITE 4 HAWKER PROFESSIONAL CENTRE, HAWKER PLACE		
Suburb	HAWKER	Post Code 2614
Postal Address (if different from above)		
P O BOX 4262		
Suburb	HAWKER	Post Code 2614
Telephone: Home	Work	Mobile
[REDACTED]	6278 8500	[REDACTED]
Facsimile	Email Address	
[REDACTED]	[REDACTED]@gmail.com	

### 2. Is the Applicant the Lessee of the Land on Which the Tree Damaging Activity is to be Conducted?

Yes  No

### 3. The Lessee (if different from the applicant)

Title (e.g. Mr, Mrs)	First Name	Surname
[REDACTED]	[REDACTED]	[REDACTED]
Company	ACN	
BRINDABELLA CHRISTIAN EDUCATION LTD	100 229 669	
Street Address		
136 BRIGALOW ST		
Suburb	LYNEHAM	ACT Post Code 2602
Postal Address (if different from above)		
PO BOX 5103		
Suburb	LYNEHAM	ACT Post Code 2602
Telephone: Home	Work	Mobile
[REDACTED]	02 6247 4644	[REDACTED]
Facsimile	Email Address	
02 4647 0287	finance@bcc.act.edu.au	



**ACT**  
Government

Territory and Municipal Services

Enquiries: phone Canberra Connect on 13 22 81  
Website: [www.tams.act.gov.au](http://www.tams.act.gov.au)

F00504 (1010) Issued: January 2013



**4. The Activity** (the location where the proposed tree damaging activity is to occur)

Street Address

136 BRIGALOW STREET	
Suburb LYNEHAM	Post Code 2602

Block

4
---

Section

41
----

**5. Type of Activity Requested**

Please tick the appropriate box(es) for the tree damaging activity which you are applying for:

<input checked="" type="checkbox"/> Tree felling or removal	<input type="checkbox"/> Prohibited groundwork in the tree protection zone: The protection zone for a protected tree is: (a) the area under the canopy of the tree; and (b) the 2 metre wide area surrounding the vertical projection of the canopy; and (c) the 4 metre wide area surrounding the trunk as measured at 1 metre above natural ground level.		
<input checked="" type="checkbox"/> Major pruning	<input type="checkbox"/> Other activity, please describe		
<input type="checkbox"/> Minor pruning (registered trees only)	<table border="1"><tr><td> </td></tr><tr><td> </td></tr></table>		
<input type="checkbox"/> Lopping	<table border="1"><tr><td> </td></tr><tr><td> </td></tr></table>		

**6. Block Plan**

Please provide the following information:

- the location of any significant tree/s affected by the proposal, including trees on adjacent blocks if you propose to undertake prohibited groundwork within the protection zone; and
- number each tree to which the application relates.

Diagram or sketch of the block and location of trees

REFER ATTACHMENT

**7. Reason/s for the Application**

- Tick the appropriate box:
- Block of land where the tree(s) is located is on the ACT Heritage Register or other heritage register.
  - Block of land where the tree(s) is located is on National Capital Authority (NCA) land.
  - The application is development related or associated with a proposed development.
  - Other

State the reason/s why the application is being made with regard to each tree (you should have regard to the criteria for approval). Include any arboriculturist reports, plumbing diagrams, receipts, structural engineers reports or other substantiating evidence that would assist the conservator in assessing the application.

Please note that delays may be experienced in processing your application if we are of the view that you have not provided sufficient or accurate information in order for a comprehensive assessment to be made.

1. THE SCHOOL HAVE 2 PROPOSED DEVELOPMENTS. A JUNIOR SECTION BUILDING & A SPORTS & PERFORMING ARTS CENTRE. CONSIDERING THE SCHOOL WILL HAVE TO DEMOLISH AN EXISTING CLASSROOM BLOCK IN ORDER TO BUILD THEIR NEW SPORTS CENTRE INDICATES THE SCARCITY OF FEASIBLE DEVELOPMENT SPACE ON THE SITE. TREE 100 IS UNFORTUNATELY LOCATED WITHIN THE PROPOSED LOCATION FOR THE SPORTS CENTRE. REFER ATTACHED DWGS.
2. REFER ATTACHMENT FOR HORTICULTURAL CONSULTANT TREE REPORT
3. SURVEY ATTACHED WITH TABLE OF TREE SIZES
4. SCHOOL FACILITIES MANAGER LETTER OF OPINION ATTACHED
5. THE SCHOOL HAVE A CONSTRUCTION START DATE DEADLINE DUE TO GOVERNMENT FUNDING & STUDENT NUMBER COMMITMENTS. ANY APPLICATION PROCESS DELAYS WITH IMPACT ON THIS PROGRAM & FUNDING
6. We also require tree 39 to be removed for the same reasons. [REDACTED] 2/5/16.

**8. Consent to Enter**

To enable assessment of this application, an authorised officer will require consent from the occupier to enter the land where the tree damaging activity is to occur.

Are you the current occupier of the property where the tree damaging activity is to occur?  
 Yes  No

**If Yes:** You must provide consent to enter by signing the occupier's declaration below.

**If No:** You must provide consent to enter from the occupier.  
 If the property is tenanted, consent to enter is required from the tenant.

**Note:** If the property is not occupied the lessee must sign the declaration.

### 9. Occupier's/Lessee's Declaration

I consent to an authorised person entering my premises between the hours of 8:30am and 5pm weekdays for the purposes of assessing this application.

Occupier's Name

BRINDABELLA CHRISTIAN COLLEGE

Telephone: Home

[Redacted]

Work

0261 474644

Mobile

[Redacted]

1. Is there clear access to the tree for the purpose of the inspection? Yes  No  During daytime  
2. Is there a dog in the yard? Yes  No  → report to office

Occupier's Signature and Date

[Redacted] 27/04/2016

### 10. Signature of the Applicant

Applicant's Signature and Date

[Redacted] 29/04/2016

### Important Disclosure of Information

This notice is issued for the purposes of Information Privacy Principle 2 of the *Privacy Act 1988* (Cwlth).

As part of this application, the Department of Territory and Municipal Services obtains information about you, including but not limited to personal details, property details, reports, assessments, and other supporting documentation.

This information is obtained pursuant to sections 22 and 29 of the *Tree Protection Act 2005*.

The purpose of this information is to process your application, undertake all necessary investigations and assessments in relation to the application and make a determination.

This information is usually passed on to some or all ACT Government Agencies or in accordance with legislation. These ACT Government Agencies may include, but are not limited to:

- Environment and Sustainable Development Directorate;
- Justice and Community Safety Directorate; and
- Health Directorate

You should be aware that any of these agencies may also exchange this information with other similar organisations relevant to the application.

Please acknowledge that the Department of Territory and Municipal Services has made you aware of its obligations under Information Privacy Principle 2 of the *Privacy Act 1988* (Cwlth) by signing below.

Signature and Date

[Redacted] 29/04/2016

This application should be lodged at:

Level 8  
Macarthur House  
12 Wattle Street  
Lyneham ACT 2602

OR by post to: Urban Treescapes  
GPO Box 158  
Canberra City  
ACT 2601

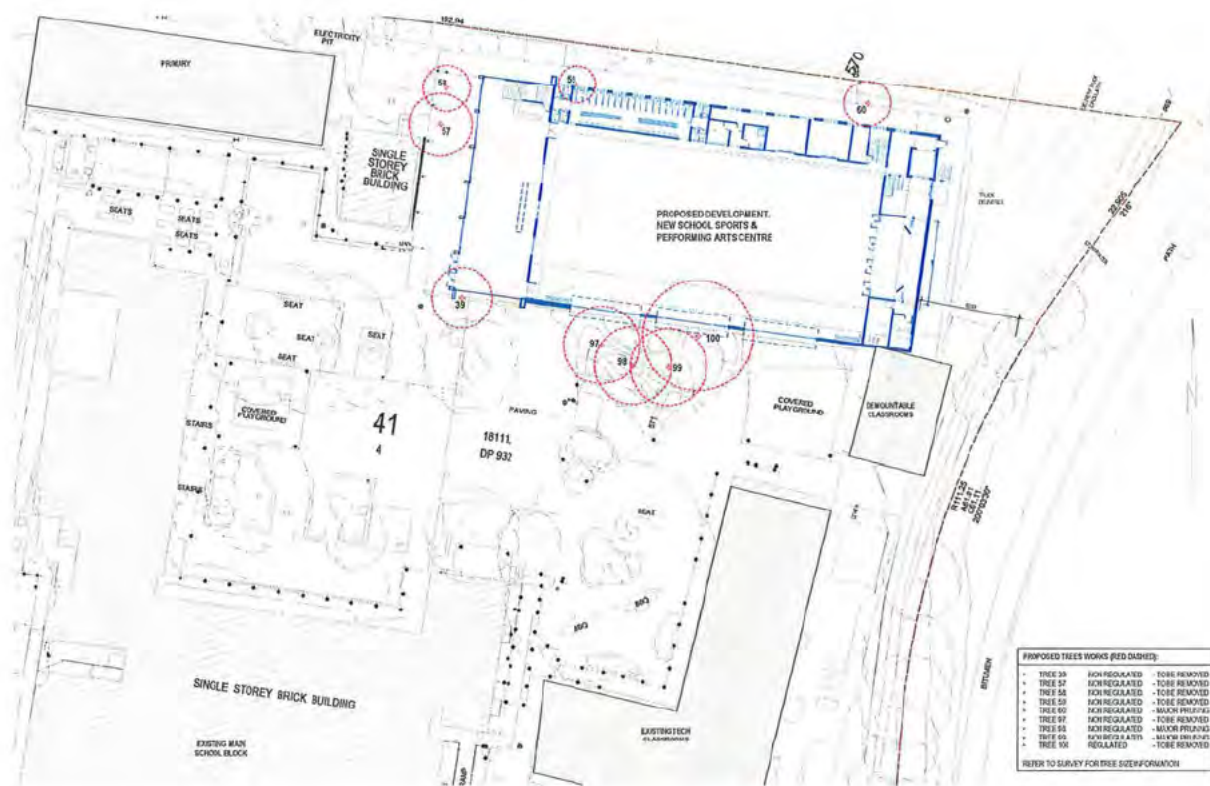
OR by fax to: 6207 5956

OR scan and email to:  
treeprotection@act.gov.au

Should you have any queries with regard to this application form please contact Canberra Connect on 13 22 81 for assistance.

Providing false and misleading information on this application is a serious offence under the *Criminal Code 2002*. Prosecution may result in a fine of up to \$10,000 for an individual, \$50,000 for a company and/or 12 months imprisonment.





**PROPOSED TREES WORKS (RED DASHES)**

• TREE 38	NON REGULATED	- TOBE REMOVED
• TREE 37	NON REGULATED	- TOBE REMOVED
• TREE 58	NON REGULATED	- TOBE REMOVED
• TREE 59	NON REGULATED	- TOBE REMOVED
• TREE 60	NON REGULATED	- TOBE REMOVED
• TREE 97	NON REGULATED	- TOBE REMOVED
• TREE 98	NON REGULATED	- TOBE REMOVED
• TREE 99	NON REGULATED	- TOBE REMOVED
• TREE 100	NON REGULATED	- TOBE REMOVED
• TREE 101	NON REGULATED	- TOBE REMOVED
• TREE 102	NON REGULATED	- TOBE REMOVED
• TREE 103	NON REGULATED	- TOBE REMOVED
• TREE 104	NON REGULATED	- TOBE REMOVED
• TREE 105	NON REGULATED	- TOBE REMOVED

REFER TO SURVEY FOR TREE SPECIFICATION

**FINAL SKETCH PLANS**

No	Rev	Description	Author	Project Name	Client	Design Title	Scale	Page Count	Sheet Number
1	001	FOR TREE REMOVAL WORKS		PROPOSED DEVELOPMENT, NEW SCHOOL SPORTS & PERFORMING ARTS CENTRE	BRINDABELLA CHRISTIAN COLLEGE	PROPOSED TREE REMOVAL PLAN	1:200 @ 11% Fall Scale @ A3	1008 02	SP0112 1



Project Name: PROPOSED DEVELOPMENT, NEW SCHOOL SPORTS & PERFORMING ARTS CENTRE  
Project Address: 136 Brindlow Street Lyngham ACT 2603  
Scale: 1:200 @ 11% Fall Scale @ A3

Design Title: PROPOSED TREE REMOVAL PLAN  
Client: BRINDABELLA CHRISTIAN COLLEGE

Scale: 1:200 @ 11% Fall Scale @ A3  
Page Count: 1008 02  
Sheet Number: SP0112 1

MAIH  
**Horticultural Consultant**  
**Garden Designer**  
ABN 99 345 163 307  
Ph

SQC Architecture  
Suite 4, Hawker Professional Centre  
Hawker Place, Hawker, A.C.T.

Ref: Brindabella Christian College  
Tree appraisal (Tree 100)

Dear ,  
Thank you for the opportunity to inspect 'Tree 100' at Brindabella Christian College.

The tree is a large *Fraxinus oxycarpa* (Desert Ash). The tree is in moderate condition but has a lot of dead branches or branches with die back in the upper canopy. There is also a fairly heavy leaf load on a lot of branches that were severely stressed and weakened at some stage of their growth. These branches in particular pose the risk of breaking and falling under stress such as in strong wind or storms. The drooping nature of these weakened branches also makes them within reach of children pulling on them, which could also add to the risk of breaking and falling.

The Tree 100 has also impacted the balance and growth of Tree 99, which would have much improved development without Tree 100. Trees 97, 98 & 99 form a lovely grove that provide good shade to this area which will not be affected significantly by the removal of Tree 100 and the grove will be able to develop more evenly. Tree 100 also overhangs the building significantly dropping a large amount of leaves, twigs and branches, which causes problems with water collection for the on-site recycled water system.

In conclusion, I don't believe the removal of Tree 100 will adversely affect the amenity of the area but will enable the improved development and balance of Tree 99, which will definitely add to the amenity of the area.

Yours truly,  
Horticultural Consultant



Tree Incident 6<sup>th</sup> February 2015

To Whom It May Concern,

As Property Manager for Brindabella Christian College and member of the school WHS Committee I note that a few large tree limbs have come down over the sand pit near the middle school playground.

One of the larger limbs was semi attached about 3-4 metres off the ground. After assessing the site, I noticed that the school quadrangle was quickly filling with children for the start of school.

Noting the precariousness of the hanging limbs and that any significant wind could dislodge them I immediately moved children away from the danger zone and alerted on duty staff to monitor the area to keep it clear of children. I went to collect ten bollards and barrier tape from our maintenance container to enclose the danger area.

After the bell rang the staff and students were notified of the danger & to keep well clear of the area until further notice (and barrier removed).

I phoned the school arborist and requested his advice and asked him to attend the school as a matter of urgency. I put on personal protective equipment (PPE) including full face arborist helmet, gloves and safety glasses. I removed the ground limbs and leaf litter which were a trip hazard and used an extension pole saw to remove the low lying weight from the hanging limbs.

I supervised the danger zone during the lunch breaks until the arborists arrived to remove the remaining limbs and reduce the weight in the wide branches with a Nifty travel tower (cherry picker).

The arborist noted the aging tree and that many of the high crooks in the branches can often be eaten out by the cockatoos and galahs making it difficult to ever know when a branch may give way.

At the WHS meeting we agreed that a bi annual assessment be carried out and the Fraxinus oxycarpa - Tree 81 as per Arborists Report or Tree 100 as per Land Data Surveys - should be removed if possible, in the light of a previous catastrophe at the school.

Best regards,

Property Manager

WISDOM INTEGRITY SERVICE EXCELLENCE

PO BOX 5103 LYNEHAM ACT 2602 • 136 BRIGALOW STREET, LYNEHAM ACT 2602  
[bcc.act.edu.au](http://bcc.act.edu.au) • P. 02 6247 4644 • F. 02 6247 0287





**Quote**

Date	Quote #
6th February 2015	756

**Job Number**

PO Box 4464  
Kingston ACT 2604  
02 61611800  
Trees@canopygroup.com.au  
http://www.canopygroup.com.au

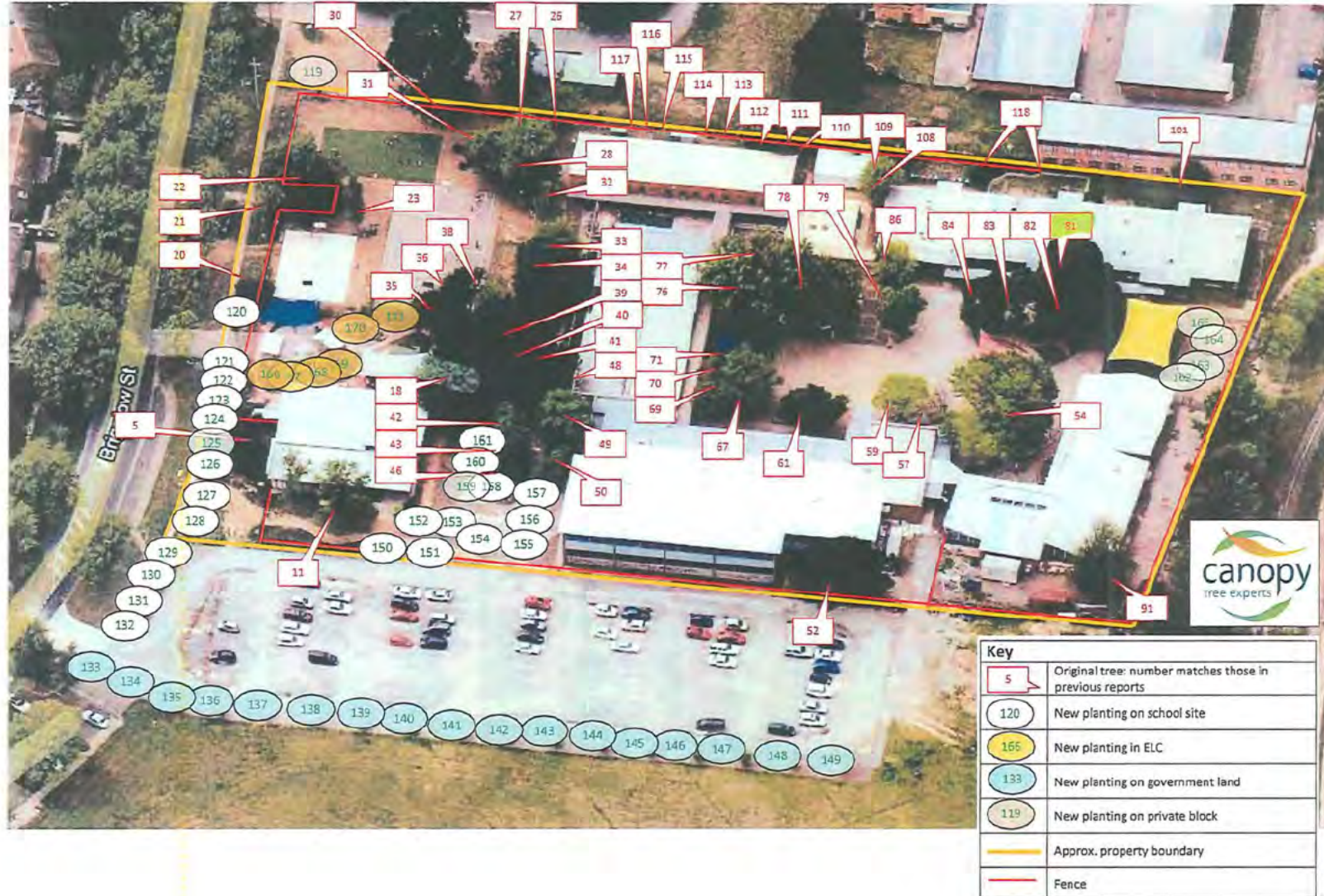
<b>Quote for:</b> [Redacted] Brindabella Christian College
--

<b>Job Address</b> 136 Brigalow Street Lyneham, ACT 2602
--

DESCRIPTION	Amount
Tree 81 Fraxinus oxycarpa over sand pit. Use Nifty travel tower to prune overall to reduce weight in wide branches	
[Redacted]	
<p><b>Note:</b> Quote valid for 30 days</p> <p>Thank you for the opportunity to help manage you trees</p>	<b>Subtotal</b>
	<b>GST</b>
	<b>Total</b>



Appendix 1 Tree Location Brindabella Christian College 2013



CONSERVATOR'S DECISION  
*Tree Protection Act 2005*

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**Applicant(s):** [REDACTED]  
SQC Architecture

**Address of Activity:** 136 BRIGALOW STREET  
LYNEHAM ACT 2602

**Application ID:** 32308      **Block:** 4      **Section:** 41

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Tree(s) 39: Ulmus procera

TREE ADDRESS: 136 BRIGALOW STREET

LOCATION ON BLOCK: As per the attached plan.

**DECISION SUMMARY:**

The request for approval of felling/removal of this tree is granted subject to the condition(s), if any, listed below.

As provided in Sections 27(1) and 27(2) of the Tree Protection Act 2005, this approval takes effect on the date stated in the notice ('Notice of Decision').

TREE DAMAGING ACTIVITY: FELLING/REMOVAL

CONSERVATOR'S DECISION: GRANTED

**BASIS FOR DECISION:**

The location of the tree is inappropriate given its potential size and growth habit (excluding remnant eucalypts).

Tree(s) 100: Fraxinus oxycarpa

TREE ADDRESS: 136 BRIGALOW STREET

LOCATION ON BLOCK: As per the attached plan.

**DECISION SUMMARY:**

The request for approval of felling/removal of this tree is granted subject to the condition(s), if any, listed below.

As provided in Sections 27(1) and 27(2) of the Tree Protection Act 2005, this approval takes effect on the date stated in the notice ('Notice of Decision').

TREE DAMAGING ACTIVITY: FELLING/REMOVAL

CONSERVATOR'S DECISION: GRANTED

**BASIS FOR DECISION:**

The location of the tree is inappropriate given its potential size and growth habit (excluding remnant eucalypts).

---

[REDACTED]  
[REDACTED]  
Delegate of the Conservator

6 May 2016



**ACT**  
Government

Territory and Municipal Services

[REDACTED]  
SQC Architecture  
PO Box 4262  
HAWKER ACT 2614

**NOTICE OF DECISION**  
*Tree Protection Act 2005*

Dear [REDACTED]

This letter is notice of the Conservator of Flora and Fauna's decision regarding an application for a proposed activity under the *Tree Protection Act 2005* (the Act) at **136 BRIGALOW STREET, LYNEHAM**. The notice is issued in accordance with section 26(2) of the Act. The location of the relevant tree/s and reasons are set out in the attached Conservator's decision, dated **6 May 2016**.

Where approval for an activity has been granted, it is a condition of approval that the activity cannot commence before **Thursday 26 May 2016** and is to be completed as soon as practicable after commencement, but in any case, no later than **Tuesday 25 May 2021**. If the approved activity is not carried out before this date a new application or request for extension needs to be submitted to the Tree Protection Unit for this activity to occur.

The Conservator's Decision (attached) is internally reviewable. You may apply for reconsideration of the decision under Section 106 of the Act. The application must be in writing and must set out the grounds upon which reconsideration of the decision is sought.

An electronic "Smartform" is available to download via the [Access Canberra website](http://www.tams.act.gov.au/parks-conservation/trees_and_forests/tree_activity_application_forms) link below [http://www.tams.act.gov.au/parks-conservation/trees\\_and\\_forests/tree\\_activity\\_application\\_forms](http://www.tams.act.gov.au/parks-conservation/trees_and_forests/tree_activity_application_forms). The application must be made within **14 days** of the date of this notice by **Monday 23 May 2016**. An application for internal review will suspend any regular activity on tree/s subject to the reconsideration appeal. The review process may take 60 days and may confirm, vary or set aside the first decision.

If you do not agree with the reconsidered decision, you may apply to the *ACT Civil and Administrative Tribunal* for review of the decision. You may also seek review of the decision under the *Administrative Decisions (Judicial Review) Act 1989*. You may also contact the *ACT Ombudsman* if you have concerns about the decision.

If you would like to discuss any aspect of the application, please contact the Tree Protection Unit on telephone (02) 6207 6203 during business hours.

Yours sincerely

[REDACTED]

Richard Allen  
Technical Manager, Urban Treescapes  
Delegate of the Conservator of Flora and Fauna  
Parks and Territory Services Division  
Territory and Municipal Services Directorate  
6 May 2016



**ACT**  
Government

Territory and Municipal Services

Brindabella Christian Education Ltd  
PO Box 5103  
LYNEHAM ACT 2602

**NOTICE OF DECISION**  
*Tree Protection Act 2005*

Dear Sir/Madam

This letter is notice of the Conservator of Flora and Fauna's decision regarding an application for a proposed activity under the *Tree Protection Act 2005* (the Act) at **136 BRIGALOW STREET, LYNEHAM**. The notice is issued in accordance with section 26(2) of the Act. The location of the relevant tree/s and reasons are set out in the attached Conservator's decision, dated **6 May 2016**.

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Yours sincerely

Richard Allen  
Technical Manager, Urban Treescapes  
Delegate of the Conservator of Flora and Fauna  
Parks and Territory Services Division  
Territory and Municipal Services Directorate  
6 May 2016



The Lessee/Occupant  
150 BRIGALOW STREET  
LYNEHAM ACT 2602

**NOTICE OF DECISION**  
*Tree Protection Act 2005*

Dear Lessee/Occupant

This letter is notice of the Conservator of Flora and Fauna's decision regarding an application for a proposed tree damaging activity under the provisions of the *Tree Protection Act 2005* (the Act) at **136 BRIGALOW STREET, LYNEHAM**.

This Notice of Decision is issued in accordance with Part 3, Section 26 (2)(d) of the Act where *the Conservator must give written notice of the decision on the application to the lessee of land that adjoins land where the tree is located.*

The location of the relevant tree/s, the approved activities and reasons are set out in the attached Conservator's decision, dated **6 May 2016**.

Where approval for an activity has been granted, it is a condition of approval that the activity cannot commence before **Thursday 26 May 2016** and is to be completed as soon as practicable after commencement, but in any case, no later than **Tuesday 25 May 2021**. If the approved activity is not carried out before this date a new application or request for extension needs to be submitted to the Tree Protection Unit for this activity to occur.

If you have any inquiries, please contact *Access Canberra* on telephone 13 22 81.

Yours sincerely

Richard Allen  
Technical Manager, Urban Treescapes  
Delegate of the Conservator of Flora and Fauna  
Parks and Territory Services Division  
Territory and Municipal Services Directorate

6 May 2016



The Lessee/Occupant  
39 MOUAT STREET  
LYNEHAM ACT 2602

**NOTICE OF DECISION**  
*Tree Protection Act 2005*

Dear Lessee/Occupant

This letter is notice of the Conservator of Flora and Fauna's decision regarding an application for a proposed tree damaging activity under the provisions of the *Tree Protection Act 2005* (the Act) at **136 BRIGALOW STREET, LYNEHAM**.

This Notice of Decision is issued in accordance with Part 3, Section 26 (2)(d) of the Act where *the Conservator must give written notice of the decision on the application to the lessee of land that adjoins land where the tree is located.*

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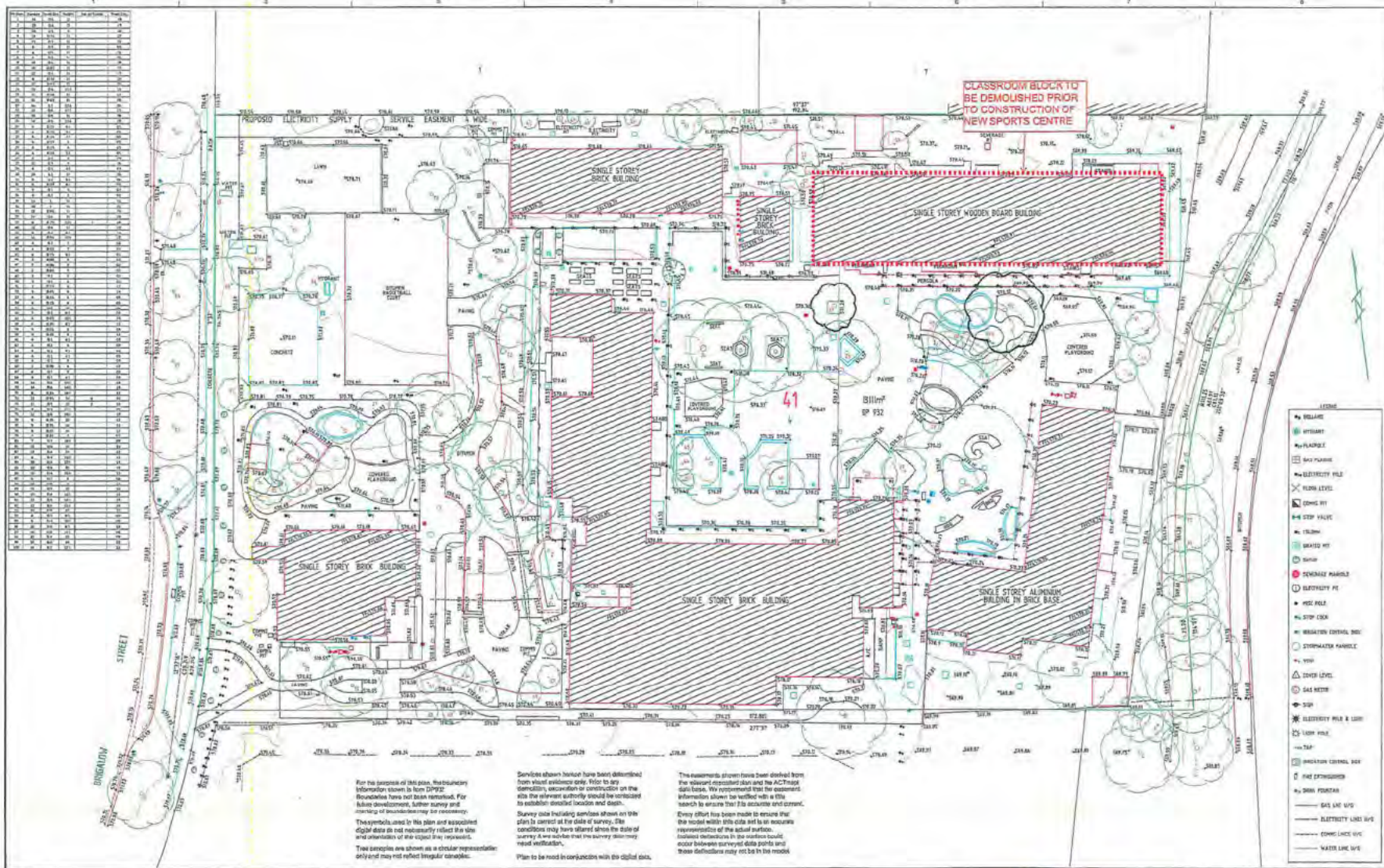
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Yours sincerely



Richard Allen  
Technical Manager, Urban Treescapes  
Delegate of the Conservator of Flora and Fauna  
Parks and Territory Services Division  
Territory and Municipal Services Directorate

6 May 2016



Station	Chainage	Point	Coordinates
1	0+00	1	100.000 100.000
2	0+05	2	100.000 100.000
3	0+10	3	100.000 100.000
4	0+15	4	100.000 100.000
5	0+20	5	100.000 100.000
6	0+25	6	100.000 100.000
7	0+30	7	100.000 100.000
8	0+35	8	100.000 100.000
9	0+40	9	100.000 100.000
10	0+45	10	100.000 100.000
11	0+50	11	100.000 100.000
12	0+55	12	100.000 100.000
13	0+60	13	100.000 100.000
14	0+65	14	100.000 100.000
15	0+70	15	100.000 100.000
16	0+75	16	100.000 100.000
17	0+80	17	100.000 100.000
18	0+85	18	100.000 100.000
19	0+90	19	100.000 100.000
20	0+95	20	100.000 100.000
21	1+00	21	100.000 100.000
22	1+05	22	100.000 100.000
23	1+10	23	100.000 100.000
24	1+15	24	100.000 100.000
25	1+20	25	100.000 100.000
26	1+25	26	100.000 100.000
27	1+30	27	100.000 100.000
28	1+35	28	100.000 100.000
29	1+40	29	100.000 100.000
30	1+45	30	100.000 100.000
31	1+50	31	100.000 100.000
32	1+55	32	100.000 100.000
33	1+60	33	100.000 100.000
34	1+65	34	100.000 100.000
35	1+70	35	100.000 100.000
36	1+75	36	100.000 100.000
37	1+80	37	100.000 100.000
38	1+85	38	100.000 100.000
39	1+90	39	100.000 100.000
40	1+95	40	100.000 100.000
41	2+00	41	100.000 100.000
42	2+05	42	100.000 100.000
43	2+10	43	100.000 100.000
44	2+15	44	100.000 100.000
45	2+20	45	100.000 100.000
46	2+25	46	100.000 100.000
47	2+30	47	100.000 100.000
48	2+35	48	100.000 100.000
49	2+40	49	100.000 100.000
50	2+45	50	100.000 100.000
51	2+50	51	100.000 100.000
52	2+55	52	100.000 100.000
53	2+60	53	100.000 100.000
54	2+65	54	100.000 100.000
55	2+70	55	100.000 100.000
56	2+75	56	100.000 100.000
57	2+80	57	100.000 100.000
58	2+85	58	100.000 100.000
59	2+90	59	100.000 100.000
60	2+95	60	100.000 100.000
61	3+00	61	100.000 100.000
62	3+05	62	100.000 100.000
63	3+10	63	100.000 100.000
64	3+15	64	100.000 100.000
65	3+20	65	100.000 100.000
66	3+25	66	100.000 100.000
67	3+30	67	100.000 100.000
68	3+35	68	100.000 100.000
69	3+40	69	100.000 100.000
70	3+45	70	100.000 100.000
71	3+50	71	100.000 100.000
72	3+55	72	100.000 100.000
73	3+60	73	100.000 100.000
74	3+65	74	100.000 100.000
75	3+70	75	100.000 100.000
76	3+75	76	100.000 100.000
77	3+80	77	100.000 100.000
78	3+85	78	100.000 100.000
79	3+90	79	100.000 100.000
80	3+95	80	100.000 100.000
81	4+00	81	100.000 100.000
82	4+05	82	100.000 100.000
83	4+10	83	100.000 100.000
84	4+15	84	100.000 100.000
85	4+20	85	100.000 100.000
86	4+25	86	100.000 100.000
87	4+30	87	100.000 100.000
88	4+35	88	100.000 100.000
89	4+40	89	100.000 100.000
90	4+45	90	100.000 100.000
91	4+50	91	100.000 100.000
92	4+55	92	100.000 100.000
93	4+60	93	100.000 100.000
94	4+65	94	100.000 100.000
95	4+70	95	100.000 100.000
96	4+75	96	100.000 100.000
97	4+80	97	100.000 100.000
98	4+85	98	100.000 100.000
99	4+90	99	100.000 100.000
100	4+95	100	100.000 100.000

For the purpose of this plan, the boundary information shown is from DP192. Boundaries have not been re-surveyed. For future development, further survey and copying of boundaries may be necessary.

The symbols used in this plan and associated digital data do not necessarily reflect the size and orientation of the objects they represent. Two examples are shown as a circular representation only and may not reflect irregular shapes.

Services shown (unless have been determined from visual evidence only). Prior to any demolition, excavation or construction on the site the relevant authority should be contacted to establish detailed location and depth.

Survey data including services shown on this plan is correct as the date of survey. The conditions may have altered since the date of survey. It is recommended that two survey stations may require verification.

Plan to be read in conjunction with the digital data.

The assessment shown here has been derived from the relevant recorded plan and the ACT's topographic data base. We represent that the assessment information shown is verified with a field search to ensure that it is accurate and current.

Every effort has been made to ensure that the data within this plan and its associated representations of the actual surface. Isolated omissions in the surface could occur between surveyed data points and these deficiencies may not be in the model.

CLIENT  
**SQC ARCHITECTURE**

NO.	DATE	BY	CHKD.	REVISION
1	18/12/2015	WJL	WJL	ISSUED FOR PERMIT
2	17/12/2015	WJL	WJL	ISSUED FOR PERMIT
3	17/12/2015	WJL	WJL	ISSUED FOR PERMIT
4	17/12/2015	WJL	WJL	ISSUED FOR PERMIT
5	17/12/2015	WJL	WJL	ISSUED FOR PERMIT
6	17/12/2015	WJL	WJL	ISSUED FOR PERMIT
7	17/12/2015	WJL	WJL	ISSUED FOR PERMIT
8	17/12/2015	WJL	WJL	ISSUED FOR PERMIT
9	17/12/2015	WJL	WJL	ISSUED FOR PERMIT
10	17/12/2015	WJL	WJL	ISSUED FOR PERMIT

**DISCLAIMER:**  
This plan of survey and its associated digital data was prepared under instructions to meet specifications as agreed. This information should not be used for other purposes by any other party.

Contour Interval: 0.25    DR: 50:100  
Datum: A.M.S.L.    RL: 570.350

Scale: 1:500

Surveyed: 18/12/2015  
Drawn: 17/12/2015  
Checked: [Redacted]  
Approved: [Redacted]

Statement: Prepared under the Surveyors Act 2003.

**LANDdata SURVEYS**

INCORPORATING:  
**WILLIAM SACKHOUSE**  
SURVEYING, PLANNING & DEVELOPMENT CONSULTANTS

T: (02) 9342 7600  
F: (02) 9342 7601  
14/43 Lacey Place  
WAGGAUWA, ACT 2614

T: (02) 9342 7600  
F: (02) 9342 7601  
14/43 Lacey Place  
WAGGAUWA, ACT 2614

**DETAIL SURVEY**  
BLOCK 4 SECTION 41  
LYNEHAM

Proj No. 11167.02    Rev A

Sheet No. 4 of 4    11/167.02\_04\_01

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Inspection by: <i>[Signature]</i>	Advisor Visit? Y <input checked="" type="checkbox"/> N <input type="checkbox"/>
Date: <i>2/5/2016</i>	
Applicant requests to be present during inspection	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>
Applicant/Lessee/Tenant present during inspection	<i>START</i> Y <input checked="" type="checkbox"/> N <input type="checkbox"/>

# TREE ASSESSMENT REPORT

Application ID: 32308 Date Received: 29-Apr-2016

Home Phone:  
Business Phone: 6278 8500  
Mobile:

Applicant Name: [REDACTED]

Tree Address: 136 BRIGALOW STREET Suburb: LYNEHAM

Block/s: 4 Section: 41 Block Size (m<sup>2</sup>): 18112.1

## ACTIVITY REQUIRED

Felling / Removal  Groundwork within the TPZ  Major pruning  Lopping  Minor Pruning  Other

## TREE DETAILS

Tree No 39 of      Genus and species: Ulmus procerus Regulated  Registered

Location on block: Outside D block, western end

The proposed activity is not subject to the legislation because it is:

under size  dead  a declared pest plant  on a rural lease  on unleased land  other

Height ~ 11.0 m Canopy 10.0 m Circumference ML 7 m 1.5

Proximity to substantial structure 

Trunk:	m	Canopy:	m	Overhang:	m
--------	---	---------	---	-----------	---

 Heritage Block:  Y  N

Proximity to powerlines 

Trunk:	m	Canopy:	m	Overhang:	m
--------	---	---------	---	-----------	---

 Possible Nomination for the tree register: Yes  No

Landscape values 

0	1	2	3	4	5	6	7	8	9	10
---	---	---	---	---	---	---	---	---	---	----

Isolated specimen	Remnant / planted / rare	Historical	Planting / Remnant / Commemorative
Group specimen	Remnant / planted	Prominent due to location / stature / height / age – (regardless stature)	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Indigenous	Remnant / planted	Habitat	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> (Nest – Hollow)
Cultural	Unusual form / habit / variety	License under the Nature Conservation Act 2014 required	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

Tree stable	<input checked="" type="checkbox"/> Yes / No <i>at present</i>	Root damage	Yes / No
Epicormic growth	Major / Minor / None <input checked="" type="checkbox"/>	Trunk damage	Yes / No
Foliage insects	Major / Minor / None <input checked="" type="checkbox"/>	Evidence of borers / termites	Yes / No
Deadwood	Major / Minor / None <input checked="" type="checkbox"/>	Evidence of fungal infestation	Yes / No
Previously pruned	Major / Minor / None <input checked="" type="checkbox"/>	Evidence of weak branch unions	<input checked="" type="checkbox"/> Yes / No <input type="checkbox"/>
Previously lopped	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Evidence of stress fractures	Yes / No
Causing drain blockages	Major / Minor / Not <input checked="" type="checkbox"/> evident	TPZ disturbance	Yes / No

Growth stage  juvenile /  semi mature / mature / over-mature / in decline  General health  excellent / good / fair / poor

Comments: 3 trunks - pos unions at Gh.





Inspection by: <i>TGH</i>	Advisor Visit? Y <input type="checkbox"/> N <input checked="" type="checkbox"/>
Date: <i>2/5/2016</i>	
Applicant requests to be present during inspection	Y <input type="checkbox"/> N <input checked="" type="checkbox"/>
Applicant/Lessee/Tenant present during inspection	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>

# TREE ASSESSMENT REPORT

Application ID: 32308 Date Received: 29-Apr-2016

Home Phone:  
Business Phone: 6278 8500  
Mobile:

Applicant Name: [REDACTED]

Tree Address: 136 BRIGALOW STREET Suburb: LYNEHAM

Block/s: 4 Section: 41 Block Size (m<sup>2</sup>): 18112.1

## ACTIVITY REQUIRED

Felling / Removal  Groundwork within the TPZ  Major pruning  Lopping  Minor Pruning  Other

## TREE DETAILS

Tree No *100* of  Genus and species: *Fraxinus oxycarpa* Regulated  Registered

Location on block: *Outside D Block, eastern side*

The proposed activity is not subject to the legislation because it is:

under size  dead  a declared pest plant  on a rural lease  on unleased land  other

Height *18.0* m Canopy *17.0* m Circumference *2.2* m

Proximity to substantial structure Trunk *9.0* m Canopy *1.0* m Overhang: m

Heritage Block: Y  N

Proximity to powerlines Trunk: m Canopy: m Overhang: m

Possible Nomination for the tree register: Yes  No

Landscape values 0 1 2 3 4 5 6 *7* 8 9 10

Isolated specimen	Remnant / planted / rare	Historical	Planting / Remnant / Commemorative
Group specimen	Remnant / planted <input checked="" type="checkbox"/>	Prominent due to location / stature / height / age – (regardless stature)	Yes / No
Indigenous	Remnant / planted	Habitat	Yes / No (Nest – Hollow)
Cultural	Unusual form / habit / variety	License under the Nature Conservation Act 2014 required	Yes / No

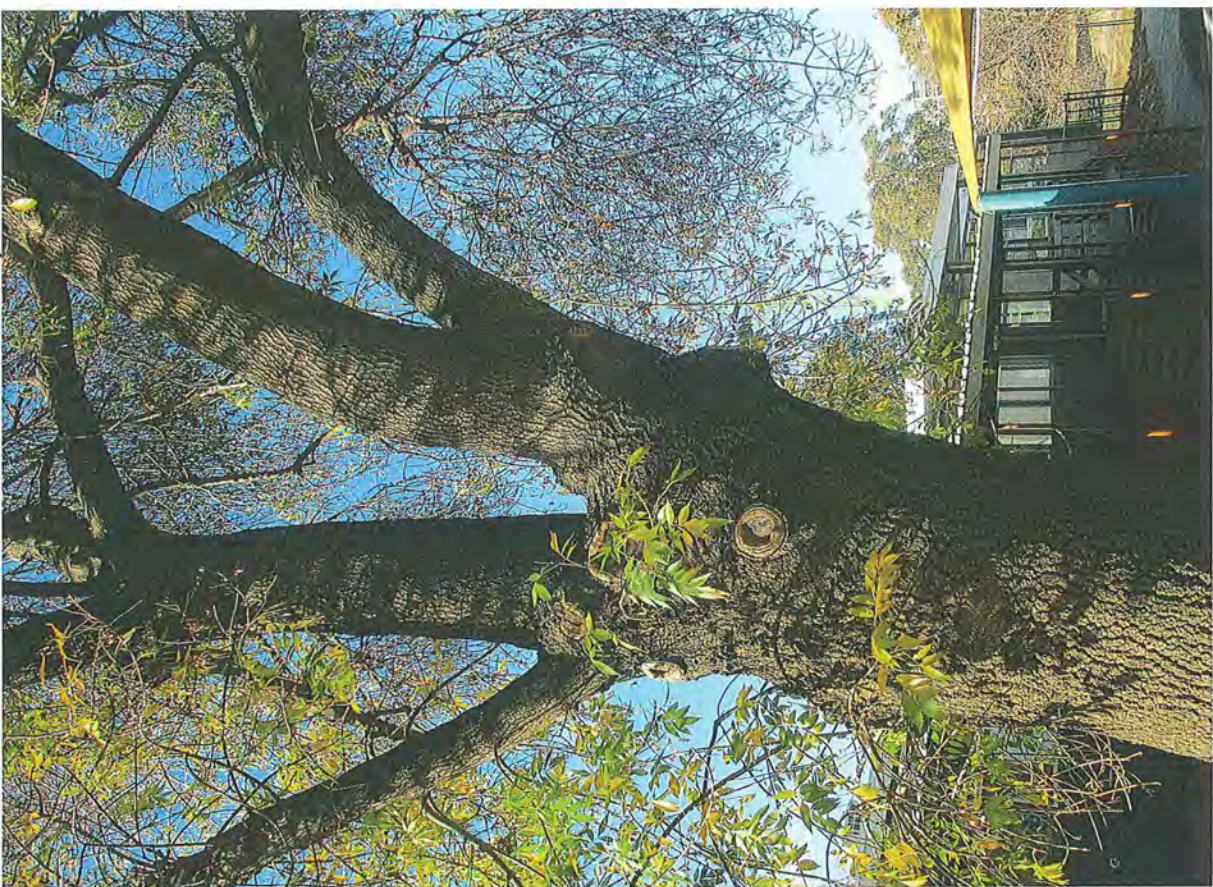
Tree stable	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Root damage	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Epicormic growth	Major / Minor / None <input checked="" type="checkbox"/>	Trunk damage	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Foliage insects	Major / Minor / None <input checked="" type="checkbox"/>	Evidence of borers / termites	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Deadwood	Major / Minor / None <input checked="" type="checkbox"/>	Evidence of fungal infestation	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Previously pruned	Major / Minor / None <input checked="" type="checkbox"/>	Evidence of weak branch unions	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Previously lopped	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Evidence of stress fractures	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Causing drain blockages	Major / Minor / Not evident <input checked="" type="checkbox"/>	TPZ disturbance	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

Growth stage juvenile / semi mature / *mature* / over-mature / in decline General health excellent / *good* / fair / poor

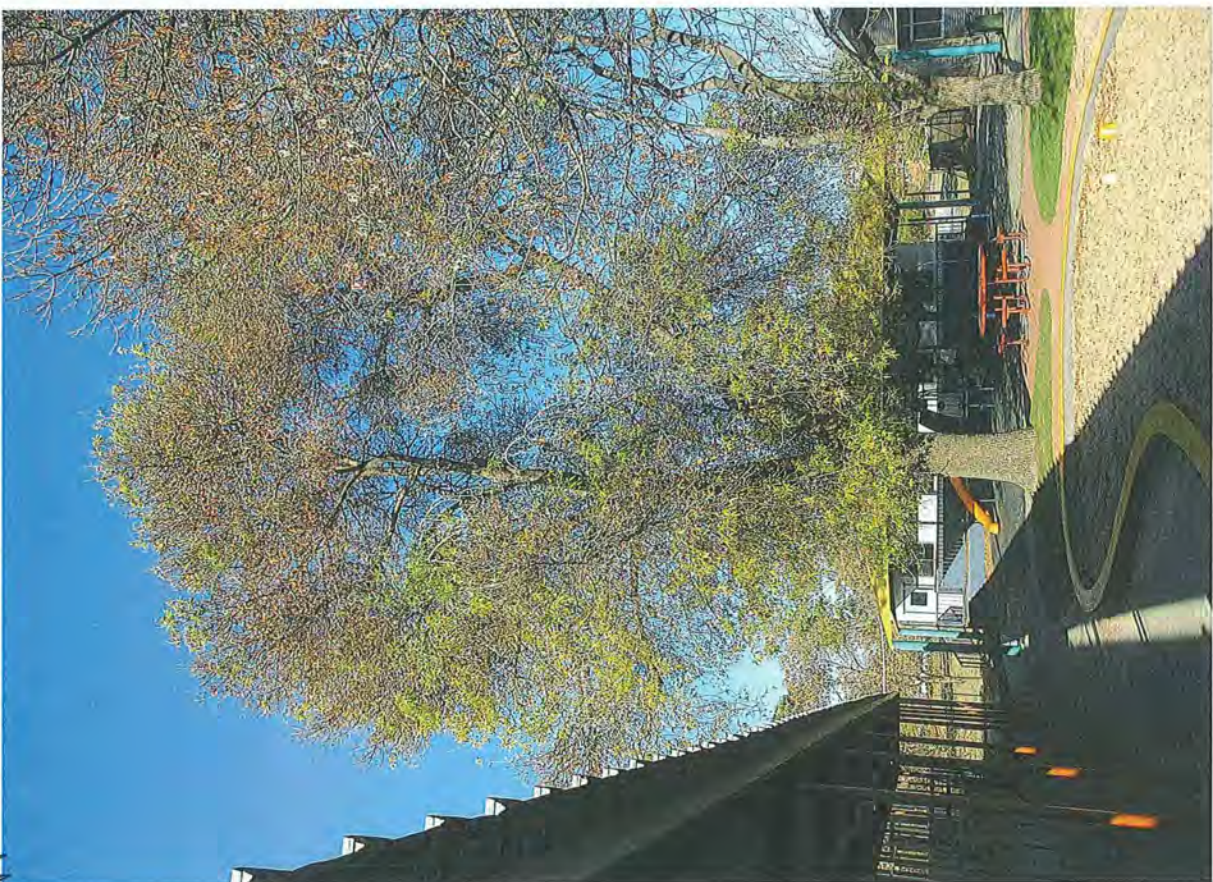
Comments:  
 \* The tree has a very leggy habit with extended branches.  
 \* Thinning & weight reduction would exacerbate the problem.  
 \* The tree is not long lived in Canberra / appears to be 40-50 years  
 \* Reasonable removal due to high ball-tin near.



Hydrangea 4-41



Tree 100



App 32308

App 32308

Tree 39

Hydrangea 4-41



Ulmus procera

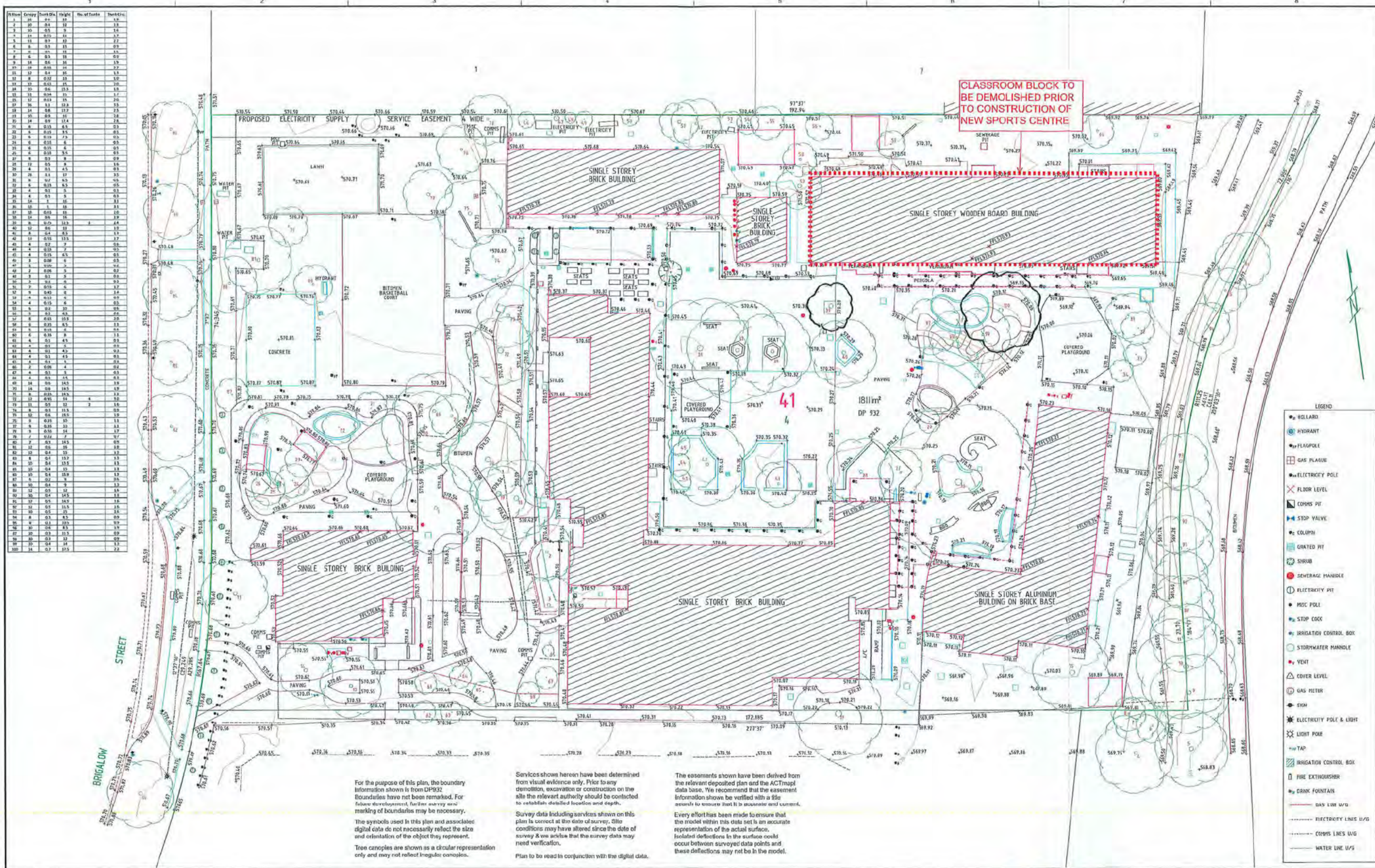
Poor -

Poor form.

Small tree

3 trunks @ C.G. / Poor Union

No space to develop fully.



Station	Energy	Depth (m)	Height	No. of Tanks	Remarks
1	10	0.4	12	1.8	
2	10	0.5	11	1.7	
3	11	0.7	12	2.2	
4	11	0.5	11	1.7	
5	11	0.7	12	2.2	
6	11	0.5	11	1.7	
7	11	0.7	12	2.2	
8	11	0.5	11	1.7	
9	11	0.7	12	2.2	
10	11	0.5	11	1.7	
11	11	0.7	12	2.2	
12	11	0.5	11	1.7	
13	11	0.7	12	2.2	
14	11	0.5	11	1.7	
15	11	0.7	12	2.2	
16	11	0.5	11	1.7	
17	11	0.7	12	2.2	
18	11	0.5	11	1.7	
19	11	0.7	12	2.2	
20	11	0.5	11	1.7	
21	11	0.7	12	2.2	
22	11	0.5	11	1.7	
23	11	0.7	12	2.2	
24	11	0.5	11	1.7	
25	11	0.7	12	2.2	
26	11	0.5	11	1.7	
27	11	0.7	12	2.2	
28	11	0.5	11	1.7	
29	11	0.7	12	2.2	
30	11	0.5	11	1.7	
31	11	0.7	12	2.2	
32	11	0.5	11	1.7	
33	11	0.7	12	2.2	
34	11	0.5	11	1.7	
35	11	0.7	12	2.2	
36	11	0.5	11	1.7	
37	11	0.7	12	2.2	
38	11	0.5	11	1.7	
39	11	0.7	12	2.2	
40	11	0.5	11	1.7	
41	11	0.7	12	2.2	
42	11	0.5	11	1.7	
43	11	0.7	12	2.2	
44	11	0.5	11	1.7	
45	11	0.7	12	2.2	
46	11	0.5	11	1.7	
47	11	0.7	12	2.2	
48	11	0.5	11	1.7	
49	11	0.7	12	2.2	
50	11	0.5	11	1.7	
51	11	0.7	12	2.2	
52	11	0.5	11	1.7	
53	11	0.7	12	2.2	
54	11	0.5	11	1.7	
55	11	0.7	12	2.2	
56	11	0.5	11	1.7	
57	11	0.7	12	2.2	
58	11	0.5	11	1.7	
59	11	0.7	12	2.2	
60	11	0.5	11	1.7	
61	11	0.7	12	2.2	
62	11	0.5	11	1.7	
63	11	0.7	12	2.2	
64	11	0.5	11	1.7	
65	11	0.7	12	2.2	
66	11	0.5	11	1.7	
67	11	0.7	12	2.2	
68	11	0.5	11	1.7	
69	11	0.7	12	2.2	
70	11	0.5	11	1.7	
71	11	0.7	12	2.2	
72	11	0.5	11	1.7	
73	11	0.7	12	2.2	
74	11	0.5	11	1.7	
75	11	0.7	12	2.2	
76	11	0.5	11	1.7	
77	11	0.7	12	2.2	
78	11	0.5	11	1.7	
79	11	0.7	12	2.2	
80	11	0.5	11	1.7	
81	11	0.7	12	2.2	
82	11	0.5	11	1.7	
83	11	0.7	12	2.2	
84	11	0.5	11	1.7	
85	11	0.7	12	2.2	
86	11	0.5	11	1.7	
87	11	0.7	12	2.2	
88	11	0.5	11	1.7	
89	11	0.7	12	2.2	
90	11	0.5	11	1.7	
91	11	0.7	12	2.2	
92	11	0.5	11	1.7	
93	11	0.7	12	2.2	
94	11	0.5	11	1.7	
95	11	0.7	12	2.2	
96	11	0.5	11	1.7	
97	11	0.7	12	2.2	
98	11	0.5	11	1.7	
99	11	0.7	12	2.2	
100	11	0.5	11	1.7	

For the purpose of this plan, the boundary information shown is from DP932 boundaries have not been remarked. For future development, further survey and marking of boundaries may be necessary.

The symbols used in this plan and associated digital data do not necessarily reflect the size and orientation of the object they represent.

Tree canopies are shown as a circular representation only and may not reflect irregular canopies.

Services shown hereon have been determined from visual evidence only. Prior to any demolition, excavation or construction on the site the relevant authority should be contacted to establish detailed location and depth.

Survey data including services shown on this plan is correct at the date of survey. Site conditions may have altered since the date of survey & we advise that the survey data may need verification.

Plans to be read in conjunction with the digital data.

The easements shown have been derived from the relevant deponent plan and the ACT map data base. We recommend that the easement information shown be verified with a site survey to ensure that it is accurate and current.

Every effort has been made to ensure that the model within this data set is an accurate representation of the actual surface. Isolated deflections in the surface could occur between surveyed data points and these deflections may not be in the model.

CLIENT  
**SQC ARCHITECTURE**

REVISION	DATE	ZONE
A	17/01/15	
PLAN UPDATED		

DISCLAIMER:  
This plan of survey and its associated digital data was prepared under instruction to meet specifications as agreed. This information should not be used or relied upon by any other party.

Contour Interval 0.25  
Datum A.H.D  
Scale 1:300

BM SR1481  
RL 570.580

0 5 10

Surveyed 16/12/2015  
Drawn 17/12/2015  
Checked  
Approved

Surveyor, registered under the Surveyors Act 2003.

**LANDdata SURVEYS**

T: (02) 6202 7600  
11-13 Lundy Place  
MACQUARIE, ACT 2611

INCORPORATING:  
**WILLIAM L. BACKHOUSE**  
SURVEYORS, PLANNERS & DEVELOPMENT CONSULTANTS

T: (02) 8824 2600  
Suite 8, 38 Brookholme Ave,  
Northwest Business Park  
8th Avenue Hills NSW 2153

**DETAIL SURVEY**  
BLOCK 4 SECTION 41  
LYNEHAM

Proj No. 11167.02  
Rev A

Sheet No. 1 of 1  
11167.02\_DT\_001

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CONSERVATOR'S DECISION  
*Tree Protection Act 2005*

---

**Address of Activity:** 136 BRIGALOW STREET  
LYNEHAM ACT 2602

**Application ID:** 32307      **Block:** 4      **Section:** 41

---

Tree(s) 75: *Quercus palustris*

TREE ADDRESS: 136 BRIGALOW STREET

LOCATION ON BLOCK: As per the attached plan.

DECISION SUMMARY:

The request for approval of felling/removal of this tree is not granted. Please see details below and recommendations, if any, in the attached Notice of Decision letter.

TREE DAMAGING ACTIVITY: FELLING/REMOVAL

CONSERVATOR'S DECISION: NOT GRANTED

BASIS FOR DECISION:

It has not been established that any of the criteria for removal have been satisfied in Clauses 1(1) and (2) of Schedule 1 of Disallowable Instrument DI2006-60, Tree Protection (Approval Criteria) Determination 2006 (No 2).

---

Tree(s) 78: *Ulmus procera*

TREE ADDRESS: 136 BRIGALOW STREET

LOCATION ON BLOCK: As per the attached plan.

DECISION SUMMARY:

The request for approval of felling/removal of this tree is not granted. Please see details below and recommendations, if any, in the attached Notice of Decision letter.

TREE DAMAGING ACTIVITY: FELLING/REMOVAL

CONSERVATOR'S DECISION: NOT GRANTED

BASIS FOR DECISION:

It has not been established that any of the criteria for removal have been satisfied in Clauses 1(1) and (2) of Schedule 1 of Disallowable Instrument DI2006-60, Tree Protection (Approval Criteria) Determination 2006 (No 2).

## CONSERVATOR'S DECISION

### *Tree Protection Act 2005*

---

Tree(s) 81: *Quercus palustris*

TREE ADDRESS: 136 BRIGALOW STREET

LOCATION ON BLOCK: As per the attached plan.

DECISION SUMMARY:

The request for approval of felling/removal of this tree is not granted. Please see details below and recommendations, if any, in the attached Notice of Decision letter.

TREE DAMAGING ACTIVITY: FELLING/REMOVAL

CONSERVATOR'S DECISION: NOT GRANTED

BASIS FOR DECISION:

It has not been established that any of the criteria for removal have been satisfied in Clauses 1(1) and (2) of Schedule 1 of Disallowable Instrument DI2006-60, Tree Protection (Approval Criteria) Determination 2006 (No 2).

---



✓ Delegate of the Conservator  
*E.* May 2016



**ACT**  
Government

Territory and Municipal Services

[REDACTED]  
SQC Architecture  
PO Box 4262  
HAWKER ACT 2614

**NOTICE OF DECISION**  
*Tree Protection Act 2005*

Dear [REDACTED]

This letter is notice of the Conservator of Flora and Fauna's decision regarding an application for a proposed activity under the *Tree Protection Act 2005* (the Act) at **136 BRIGALOW STREET, LYNEHAM**. The notice is issued in accordance with section 26(2) of the Act. The location of the relevant tree/s and reasons are set out in the attached Conservator's decision, dated **6 May 2016**.

The Conservator's Decision (attached) is internally reviewable. You may apply for reconsideration of the decision under Section 106 of the Act. The application must be in writing and must set out the grounds upon which reconsideration of the decision is sought. The application fee is \$104.00 under the *Tree Protection (Fees) Determination 2014 (No1) 1.1. 522* of the Act from 1 July 2015.

An electronic "Smartform" is available to download via the [Access Canberra website](http://www.tams.act.gov.au/parks-conservation/trees_and_forests/tree_activity_application_forms) link below [http://www.tams.act.gov.au/parks-conservation/trees\\_and\\_forests/tree\\_activity\\_application\\_forms](http://www.tams.act.gov.au/parks-conservation/trees_and_forests/tree_activity_application_forms). The application must be made within **14 days** of the date of this notice by **Monday 23 May 2016**. An application for internal review will suspend any regular activity on tree/s subject to the reconsideration appeal. The review process may take 60 days and may confirm, vary or set aside the first decision.

If you do not agree with the reconsidered decision, you may apply to the *ACT Civil and Administrative Tribunal* for review of the decision. You may also seek review of the decision under the *Administrative Decisions (Judicial Review) Act 1989*. You may also contact the *ACT Ombudsman* if you have concerns about the decision.

If you would like to discuss any aspect of the application, please contact the Tree Protection Unit on telephone (02) 6207 6203 during business hours.

Yours sincerely

[REDACTED]

[REDACTED]  
Technical Manager, Urban Treescapes  
Delegate of the Conservator of Flora and Fauna  
Parks and Territory Services Division  
Territory and Municipal Services Directorate  
6 May 2016



Brindabella Christian Education Ltd  
PO Box 5103  
LYNEHAM ACT 2602

**NOTICE OF DECISION**  
***Tree Protection Act 2005***

Dear Sir/Madam

This letter is notice of the Conservator of Flora and Fauna's decision regarding an application for a proposed activity under the *Tree Protection Act 2005* (the Act) at **136 BRIGALOW STREET, LYNEHAM**. The notice is issued in accordance with section 26(2) of the Act. The location of the relevant tree/s and reasons are set out in the attached Conservator's decision, dated **6 May 2016**.



The Conservator's Decision (attached) is internally reviewable. You may apply for reconsideration of the decision under Section 106 of the Act. The application must be in writing and must set out the grounds upon which reconsideration of the decision is sought. The application fee is \$104.00 under the *Tree Protection (Fees) Determination 2014 (No1) 1.1, 522* of the Act from 1 July 2015.

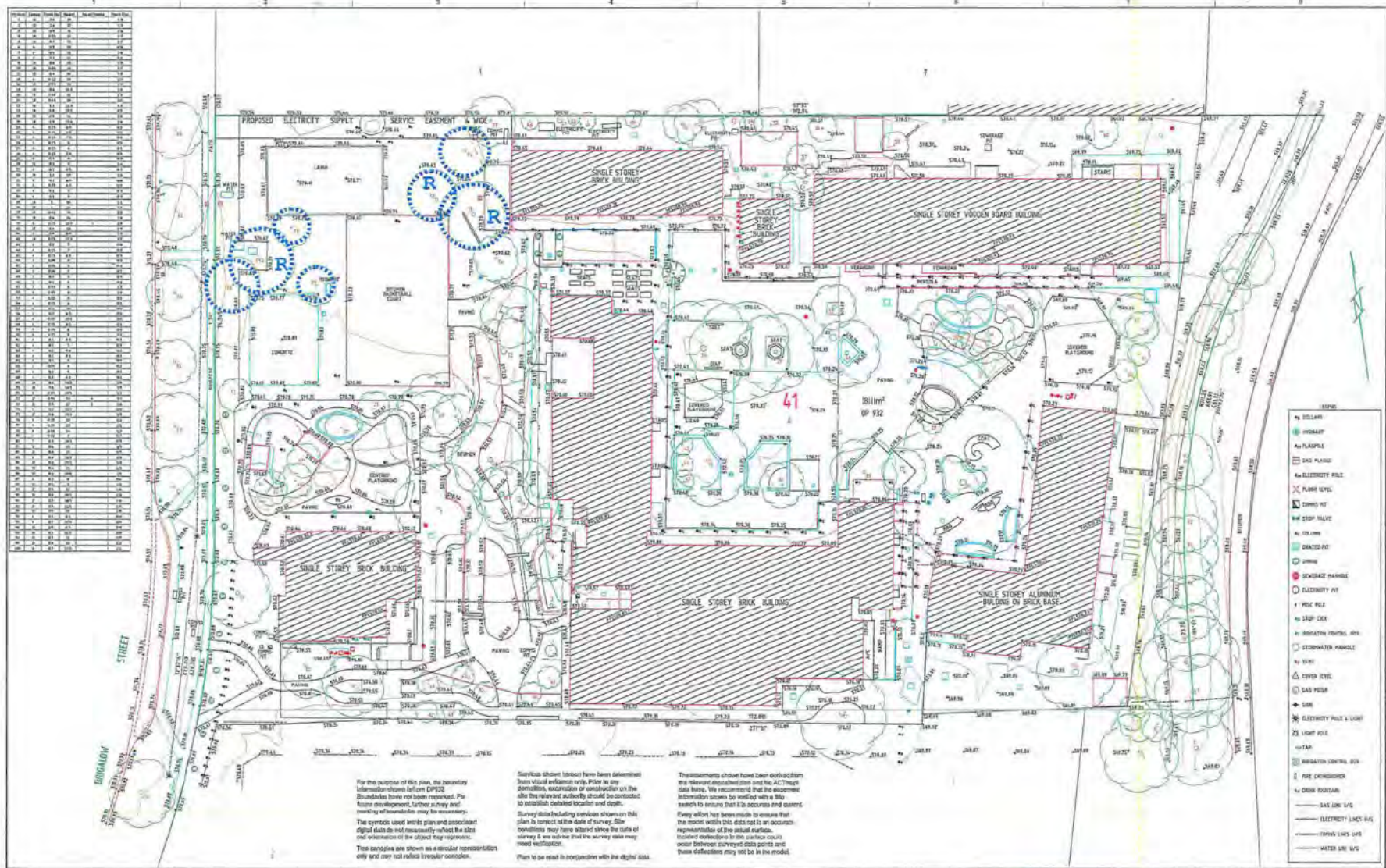
An electronic "Smartform" is available to download via the [Access Canberra website](http://www.tams.act.gov.au/parks-conservation/trees_and_forests/tree_activity_application_forms) link below [http://www.tams.act.gov.au/parks-conservation/trees\\_and\\_forests/tree\\_activity\\_application\\_forms](http://www.tams.act.gov.au/parks-conservation/trees_and_forests/tree_activity_application_forms). The application must be made within **14 days** of the date of this notice by **Monday 23 May 2016**. An application for internal review will suspend any regular activity on tree/s subject to the reconsideration appeal. The review process may take 60 days and may confirm, vary or set aside the first decision.

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If you would like to discuss any aspect of the application, please contact the Tree Protection Unit on telephone (02) 6207 6203 during business hours.

Yours sincerely

  
  
Technical Manager, Urban Treescapes  
Delegate of the Conservator of Flora and Fauna  
Parks and Territory Services Division  
Territory and Municipal Services Directorate  
6 May 2016



CLIENT  
**SQC ARCHITECTURE**

**DISCLAIMER:**  
This set of survey and its associated digital data was prepared under instruction to meet specification as agreed. This information should not be used or relied upon by any other party.

REVISION	DATE	ZONE
1	18/07/15	

For the purpose of this plan, the boundary information shown is from DP332. Boundaries have not been re-surveyed. For future development, further survey and zoning information may be necessary.

The symbols used in this plan and associated digital data do not necessarily reflect the size and orientation of the objects they represent.

This computer file shows an abstract representation only and may not reflect irregular corners.

Services shown (unless) have been determined from visual inspection only. Prior to any demolition, excavation or construction on the site the relevant authority should be contacted to establish detailed location and depth.

Survey data including services shown on this plan is correct within the date of survey. The conditions may have altered since the date of survey & we advise that the survey data may need verification.

Plan to be read in conjunction with the digital data.

The measurements shown have been established on the relevant cadastral plan and the ACT Topographic data base. We recommend that the appropriate information sources be visited with a theodolite to ensure that it is accurate and current.

Every effort has been made to ensure that the report within this data set is an accurate representation of the actual surface.

Isolated obstructions in the field such as rocks near between surveyed data points and these obstructions may not be in the model.

Control Interval: 0.25      BM 5811481  
 Datum A.H.I.D.      RL 570.385

Scale: 1:500

Surveyed: 15/02/2015  
 Drawn: 17/02/2015

Approved: [Signature]

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**LANDclear SURVEYS**

71 023 6202 7800  
 11-13 Lundy Place  
 WOODBINE, ACT 2614

INCORPORATING:  
**WILLIAM L. BACKHOUSE**  
 SURVEYING, ALTA SURVEY &  
 MULTIMEDIA TECHNOLOGIES

71 023 9214 2880  
 Suite 11, Endeavour Park,  
 Howard Business Park,  
 Macquarie Park, NSW 2107

**DETAIL SURVEY**  
**BLOCK 4 SECTION 41**  
**LYNEHAM**

Proj No. 11167.02      Rev A

11/16/24/01\_01



**ACT**  
Government  
Territory and Municipal Services

Inspection by: <u>TGR</u>	Advisor Visit? Y <input checked="" type="radio"/> N
Date: <u>3/5/2016</u>	
Applicant requests to be present during inspection	Y <input checked="" type="radio"/> N
Applicant/Lessee/Tenant present during inspection	<u>STAFF</u> O / N

# TREE ASSESSMENT REPORT

Application ID: **32307** Date Received: **29-Apr-2016**

Home Phone:  
Business Phone: **6278 8500**  
Mobile:

Applicant Name: [REDACTED]

Tree Address: **136 BRIGALOW STREET** Suburb: **LYNEHAM**

Block/s: **4** Section: **41** Block Size (m<sup>2</sup>): **18112.1**

## ACTIVITY REQUIRED

Felling / Removal  Groundwork within the TPZ  Major pruning  Lopping  Minor Pruning  Other

## TREE DETAILS

Tree No: 25 of 3 Genus and species: Quercus palustris Regulated  Registered

Location on block: As per the attached plan - tree next to the boundary

The proposed activity is not subject to the legislation because it is:

under size  dead  a declared pest plant  on a rural lease  on unleased land  other

Height 18.0 m

Canopy 10.0

*There are no non development related criteria to support the removal of the tree.*

Proximity to substantial structure Trunk: m Canopy:  Y  N

Proximity to powerlines Trunk: m Canopy:  Y  N

Landscape values 0 1 2 3 4 5  Y  N

Isolated specimen	Remnant / planted / rare	Historical	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N Information register: <input checked="" type="checkbox"/> No
Group specimen	Remnant / planted	Prominent stature / height (regardless of habitat)	
Indigenous	Remnant / planted	Habitat	
Cultural	Unusual form / habit / variety	License and Conservator required	

Tree stable	Yes / No	Root damage	Yes / No
Epicormic growth	Major / Minor / None	Trunk damage	Yes / No
Foliage insects	Major / Minor / None	Evidence of borers / termites	Yes / No
Deadwood	Major / Minor / None	Evidence of fungal infestation	Yes / No
Previously pruned	Major / Minor / None	Evidence of weak branch unions	Yes / No
Previously lopped	Yes / No	Evidence of stress fractures	Yes / No
Causing drain blockages	Major / Minor / Not evident	TPZ disturbance	Yes / No

Growth stage: juvenile / semi mature / mature / over-mature / in decline General health: excellent / good / fair / poor

Comments:







**ACT**  
Government

Territory and Municipal Services

Inspection by: <u>TSL</u>	Advisor Visit? Y <input checked="" type="checkbox"/> N
Date: <u>3/5/2016</u>	
Applicant requests to be present during inspection	Y <input checked="" type="checkbox"/> N
Applicant/Lessee/Tenant present during inspection	<u>STAFF</u> Y <input checked="" type="checkbox"/> N

# TREE ASSESSMENT REPORT

Application ID: 32307 Date Received: 29-Apr-2016

Home Phone:  
Business Phone: 6278 8500  
Mobile:

Applicant Name: XXXXXXXXXX

Tree Address: 136 BRIGALOW STREET Suburb: LYNEHAM

Block/s: 4 Section: 41 Block Size (m<sup>2</sup>): 18112.1

## ACTIVITY REQUIRED

Felling / Removal  Groundwork within the TPZ  Major pruning  Lopping  Minor Pruning  Other

## TREE DETAILS

Tree No 78 of      Genus and species: Ulmus procera Regulated  Registered

Location on block: As per the plan provided. - Western side next to the basket ball court  
The proposed activity is not subject to the legislation because it is:

under size  dead  a declared pest plant  on a rural lease  on unleased land  other

Height 17.0 m Canopy 11.0 m Circumference 1.6 m

Proximity to substantial structure Trunk:      m Canopy:      m Overhang:      m

Heritage Block:  Y  N

Proximity to powerlines Trunk:      m Canopy:      m Overhang:      m

**Possible Nomination for the tree register:**  
Yes  No

Landscape values                                    7               

Isolated specimen	Remnant / planted / rare	Historical	Planting / Remnant / Commemorative
Group specimen	Remnant / planted <input checked="" type="checkbox"/>	Prominent due to location / stature / height / age – (regardless stature)	Yes <input checked="" type="checkbox"/> No
Indigenous	Remnant / planted	Habitat	Yes <input checked="" type="checkbox"/> (Nest – Hollow)
Cultural	Unusual form / habit / variety	License under the Nature Conservation Act 2014 required	Yes <input checked="" type="checkbox"/> No

Tree stable	Yes <input checked="" type="checkbox"/> No	Root damage	Yes <input checked="" type="checkbox"/> No
Epicormic growth	Major / Minor / None <input checked="" type="checkbox"/>	Trunk damage	Yes <input checked="" type="checkbox"/> No
Foliage insects	Major / Minor / None <input checked="" type="checkbox"/>	Evidence of borers / termites	Yes <input checked="" type="checkbox"/> No
Deadwood	Major / Minor / None <input checked="" type="checkbox"/>	Evidence of fungal infestation	Yes <input checked="" type="checkbox"/> No
Previously pruned	Major / Minor / None <input checked="" type="checkbox"/>	Evidence of weak branch unions	Yes <input checked="" type="checkbox"/> No
Previously lopped	Yes <input checked="" type="checkbox"/> No	Evidence of stress fractures	Yes <input checked="" type="checkbox"/> No
Causing drain blockages	Major / Minor / None <input checked="" type="checkbox"/> evident	TPZ disturbance	Yes <input checked="" type="checkbox"/> No

Growth stage juvenile / semi mature / mature / over-mature / in decline General health excellent / good / fair / poor

Comments:

Assessment – TREE FELLING / REMOVAL (visual from ground level)

	Criteria	Reported	Assessed	Meets criteria	Justifying Comments
1.1.a	Life expectancy short ...	Yes / <del>No</del>	<del>Yes</del> / No	Yes / <del>No</del>	tree appear to be healthy & sound - Co dominant though no fracture
1.1.b	Unacceptable risk to public or private safety ...	<del>Yes</del> / No	<del>Yes</del> / No	Yes / <del>No</del>	
1.1.c	Causing / threatening to cause substantial damage ...	Yes / <del>No</del>	<del>Yes</del> / No	Yes / <del>No</del>	
1.1.d	Inappropriate location...	Yes / <del>No</del>	<del>Yes</del> / No	Yes / <del>No</del>	
1.1.e	Blocking solar access (excluding remnant Eucalypts)	Yes / <del>No</del>	<del>Yes</del> / No	Yes / <del>No</del>	
1.1.f	Causing allergic reaction to occupant...	Yes / No	Yes / No	Yes / No	
1.1.g	Part of close planting...	Yes / <del>No</del>	<del>Yes</del> / No	Yes / <del>No</del>	Other trees @ 30m
1.2	Schedule 2 Species	Yes / <del>No</del>	<del>Yes</del> / No	Yes / <del>No</del>	

Recommendation: APPROVE

**REJECT**

REPLACEMENT TREE Y/N

Alternative Recommendation: Selective Pruning / Dead wooding / other.....

Assessment - MAJOR PRUNING / LOPPING (visual from ground level)

	Criteria	Reported	Assessed	Meets criteria	Justifying Comments
1.5.a.i	As a remedial treatment	Yes / No	Yes / No	Yes / No	
1.5.a.ii	In the general interests of the health of the tree	Yes / No	Yes / No	Yes / No	
1.5.a.iii	To reduce an unacceptable risk to public or private safety	Yes / No	Yes / No	Yes / No	
1.5.a.iv	To reduce the risk of damage or prevent further damage to a substantial building, structure or service	Yes / No	Yes / No	Yes / No	
1.5.b	Substantially affecting solar access to the lessees lease, or neighbouring lease, during winter...(excluding remnant Eucalypts)	Yes / No	Yes / No	Yes / No	

Recommendation: APPROVE

REJECT

Assessment - GROUNDWORK (visual from ground level)

	Criteria	Reported	Assessed	Meets criteria	Justifying Comments
2	The groundwork will have minimal impact on the tree if the activity complies with the conditions stated in the approval	Yes / No	Yes / No	Yes / No	
s29(4)	The activity will have little or no adverse impact on the health or stability of the tree	Yes / No	Yes / No	Yes / No	

Recommendation: APPROVE

REJECT

T.A.P. DELEGATE ADVICE

Inspected site: Yes / No  
Agree with recommendation: Yes / No

See separate report: Yes / No  
Refer to Tree Advisory Panel: Yes / No

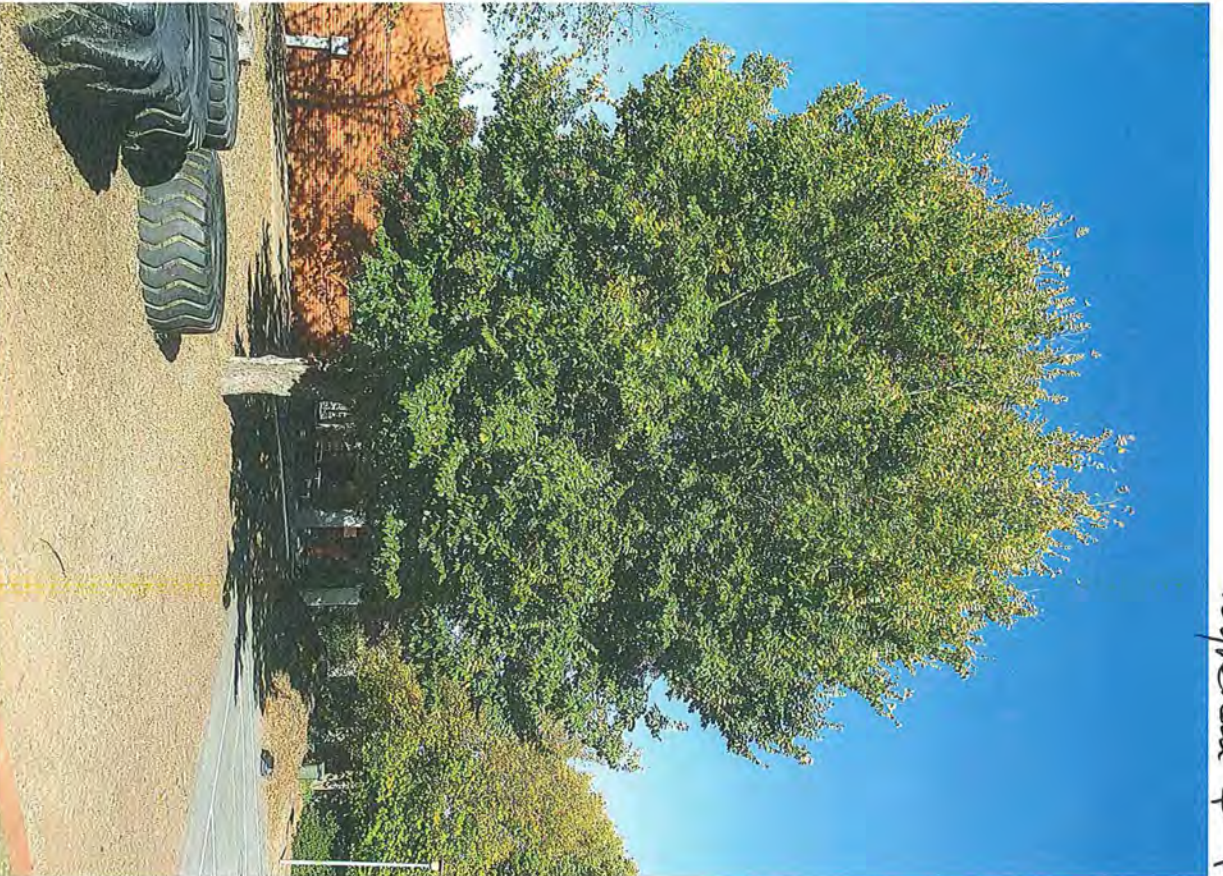
Signature:

Date:



Plum tree

Tree 78



Medium quality tree

Hydrangea 4-41



**ACT**  
Government

Territory and Municipal Services

# TREE ASSESSMENT REPORT

Application ID: 32307 Date Received: 29-Apr-2016

Applicant Name: [REDACTED]

Tree Address: 136 BRIGALOW STREET Suburb: LYNEHAM

Block/s: 4 Section: 41 Block Size (m<sup>2</sup>): 18112.1

Inspection by: TSC	Advisor Visit? Y <input type="radio"/> N <input checked="" type="radio"/>
Date: 3/5/2016	
Applicant requests to be present during inspection	Y <input type="radio"/> N <input checked="" type="radio"/>
Applicant/Lessee/Tenant present during inspection	STAFF <input checked="" type="radio"/> Y <input type="radio"/> N <input type="radio"/>

Home Phone:  
Business Phone: 6278 8500  
Mobile:

## ACTIVITY REQUIRED

Felling / Removal  Groundwork within the TPZ  Major pruning  Lopping  Minor Pruning  Other

## TREE DETAILS

Tree No 81 of \_\_\_ Genus and species: *Quercus palustris* Regulated  Registered

Location on block: *Western side of the basket ball court*

The proposed activity is not subject to the legislation because it is:

under size  dead  a declared pest plant  on a rural lease  on unleased land  other

Height  m Canopy  m Circumference  m

Proximity to substantial structure Trunk: \_\_\_ m Canopy: \_\_\_ m Overhang: \_\_\_ m

Heritage Block:  Y  N

Proximity to powerlines Trunk: \_\_\_ m Canopy: \_\_\_ m Overhang: \_\_\_ m

**Possible Nomination for the tree register:**  
Yes /  No

Landscape values 0 1 2 3 4 5 6 7 8  9 10

Isolated specimen	Remnant / planted / rare	Historical	Planting / Remnant / Commemorative
Group specimen	Remnant / planted	Prominent due to <i>location / stature / height / age</i> (regardless stature)	<input checked="" type="radio"/> Yes / No
Indigenous	Remnant / planted	Habitat	Yes <input checked="" type="radio"/> (Nest - Hollow)
Cultural	Unusual form / habit / variety	License under the <i>Nature Conservation Act 2014</i> required	Yes <input checked="" type="radio"/> No

Tree stable	<input checked="" type="radio"/> Yes / No	Root damage	Yes <input checked="" type="radio"/> No
Epicormic growth	Major / Minor / None	Trunk damage	Yes <input checked="" type="radio"/> No
Foliage insects	Major / Minor / None	Evidence of borers / termites	Yes <input checked="" type="radio"/> No
Deadwood	Major / Minor / None	Evidence of fungal infestation	Yes <input checked="" type="radio"/> No
Previously pruned	Major / Minor / None	Evidence of weak branch unions	Yes <input checked="" type="radio"/> No
Previously lopped	Yes <input checked="" type="radio"/> No	Evidence of stress fractures	Yes <input checked="" type="radio"/> No
Causing drain blockages	Major / Minor / Not evident	TPZ disturbance	Yes <input checked="" type="radio"/> No

Growth stage  General health

Comments:

Assessment – TREE FELLING / REMOVAL (visual from ground level)

	Criteria	Reported	Assessed	Meets criteria	Justifying Comments
1.1.a	Life expectancy short ...	Yes / <del>No</del>	<del>Yes</del> / No	Yes / <del>No</del>	<i>tree appear to be Very healthy</i>
1.1.b	Unacceptable risk to public or private safety ...	<del>Yes</del> / No	<del>Yes</del> / No	Yes / <del>No</del>	
1.1.c	Causing / threatening to cause substantial damage ...	Yes / <del>No</del>	<del>Yes</del> / No	Yes / <del>No</del>	
1.1.d	Inappropriate location...	Yes / <del>No</del>	<del>Yes</del> / No	Yes / <del>No</del>	
1.1.e	Blocking solar access (excluding remnant Eucalypts)	Yes / <del>No</del>	<del>Yes</del> / No	Yes / <del>No</del>	
1.1.f	Causing allergic reaction to occupant...	Yes / <del>No</del>	<del>Yes</del> / No	Yes / <del>No</del>	
1.1.g	Part of close planting...	Yes / <del>No</del>	<del>Yes</del> / No	Yes / <del>No</del>	
1.2	Schedule 2 Species	Yes / <del>No</del>	<del>Yes</del> / No	Yes / <del>No</del>	

Recommendation: APPROVE **REJECT** REPLACEMENT TREE Y / N

Alternative Recommendation: Selective Pruning / Dead wooding / other.....

Assessment - MAJOR PRUNING / LOPPING (visual from ground level)

	Criteria	Reported	Assessed	Meets criteria	Justifying Comments
1.5.a.i	As a remedial treatment	Yes / No	Yes / No	Yes / No	
1.5.a.ii	In the general interests of the health of the tree	Yes / No	Yes / No	Yes / No	
1.5.a.iii	To reduce an unacceptable risk to public or private safety	Yes / No	Yes / No	Yes / No	
1.5.a.iv	To reduce the risk of damage or prevent further damage to a substantial building, structure or service	Yes / No	Yes / No	Yes / No	
1.5.b	Substantially affecting solar access to the lessees lease, or neighbouring lease, during winter...(excluding remnant Eucalypts)	Yes / No	Yes / No	Yes / No	

Recommendation: APPROVE **REJECT**

Assessment - GROUNDWORK (visual from ground level)

	Criteria	Reported	Assessed	Meets criteria	Justifying Comments
2	The groundwork will have minimal impact on the tree if the activity complies with the conditions stated in the approval	Yes / No	Yes / No	Yes / No	
s29(4)	The activity will have little or no adverse impact on the health or stability of the tree	Yes / No	Yes / No	Yes / No	

Recommendation: APPROVE **REJECT**

T.A.P. DELEGATE ADVICE

Inspected site: Yes / No      See separate report: Yes / No  
 Agree with recommendation: Yes / No      Refer to Tree Advisory Panel: Yes / No

Signature:      Date:

App 32307

Tree 81

Lynelham 4-41



Q Palustris  
High Quality tree.



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**Case: 00346075**

Case Owner Trees  
Reassignment Reason

**Case Overview**

Case Number	00346075	AC Case Number	00780240
Feedback Type	TPU	Job Type	
Status	Case Closed	Technical Officer Required?	No
Sub Status	Action Not Required	Suburb	Lyneham
Priority		Storm Damage	No
Prioritisation Status		Claim Region	
Response Required?	No	Depot Region	Central
Correspondence History	No		

Subject Planning - Compliance - Unapproved Variation (Trees) - BRINDABELLA CHRISTIAN COLLEGE 136 BRIGALOW ST, LYNEHAM B4 S41

ACTCCS Description Notice of Decision dated 2/9/2016 (page 572 of EPSD FOD 19/28355) shows approval of the removal of only three regulated trees from the Brindabella Christian College Lyneham campus after review by the MPRG Team. Approval documents and Reason for Decision indicate (page 581) the Conservator did NOT initially support the application for construction of 15 classrooms known as the junior School Building. The Conservation, in consultation and assessment, noted "the site contains a mix of mature and semi-mature and young trees within the total landscape that the school is located on quite a small block. No other regulated trees on the site will be affected if the development is approved, based upon plans provided by SQC Architecture. Minutes of MPRG meetings (page 535) note "the development will still retain other regulated trees" and Condition B2 and C2 of the DA 201629628 required Tree Protection and "all existing trees and shrubs located on the site are to be protected" (page 573 & 574). The DA applicant was required to respond to Entity concerns and Representor concerns against the development and SQC Architects on behalf of the school, Brindabella Christian College respond to objection no 6 (page 498) being "the proposal requires the removal of a number of significant trees which are integral to and compliment the urban streetscape along brigalow st" to which SQC architecture states "to make up for the loss of trees we propose to replant a large number of trees and shrubs around the site and across the campus". and Item 3 & 4 page 500, objection states "It would be unfortunate to see mature trees removed" to which SQC responds stating "only three of the seven trees that we propose to demolish are regulated". "The landscape plan shows intent and commitment" to replant more trees. (item 4). The landscape plan can be found at Page 49 of Part 8 ([https://www.environment.act.gov.au/\\_\\_data/assets/pdf\\_file/0011/1447526/19\\_28355-Documents-Part-08.pdf](https://www.environment.act.gov.au/__data/assets/pdf_file/0011/1447526/19_28355-Documents-Part-08.pdf)) which clearly shows the seven trees to be removed. Complaint: I wish to bring to the Conservators attention that ALL trees and shrubs within the beige areas of the Landscape plan above have been removed contrary to the DA approval for the construction of the new Junior School Building in 2017 including large mature trees when a (2) two storey 9 classroom block was installed in March 2021 without BA or DA and is still awaiting a certificate of occupancy. We understand this block received a BA in Feb 23 however, the usual DA and BA entity and community consultation process was avoided when these buildings were installed in March 23, evidenced on Brindabella's own google reviews, though they were two storey they may have appeared to be demountable but and have subsequently been skinned and made permanent with concrete staircases and permanent fascades and electrical. A majority of mature trees and shrubs have also been removed from the green ELC playground area recently when (3) demountable buildings were installed into the playground area in July 23 school holidays. The new (2) two-storey, nine classroom building is located directly adjacent to the green ELC playground area, in the beige coloured area. There is also a smaller (1) demountable building installed during 2016 perpendicular to the carpark and adjacent to the ELC building in the beige area which is still on site and not temporary at all. We note it is not included in plans provided to EPSD for approval for the above DA and is also omitted from the landscape plan even though the plan from SQC Architecture is dated 2 June 2016.

ACTMAPi shows (1) demountable buildings perpendicular to the carpark were installed by March 2016 (not present in May 2015 images); (2) trees were removed and ground were cleared for the two storey demountable adjacent to ELC playground in the April 2020 image, cleared still in Feb 2021 and present in the April 2021 image. The most recent image July 2022 shows a significant reduction in trees and shrubs from the May 2015 images. There is also currently a stop work order issued by Planning RRRT due to possible encroachment of (3) demountables into the outdoor play area for the ELC in breach of regulations by ETD and CECA. We note the Landcape Plan submitted by SQC and subsequently approved for the above DA provided multiple assurances of retaining the natural landscape and protecting a large number of regulated trees. We also bring to your attention the blue playground areas on the landscape plan which show multiple trees and shrubs however, now only two or three trees remain. It is unfortunate that because the installation of demountable buildings for schools does not require a DA or BA and associated consultation processes, it may appear the school has been able to remove these trees and shrubs without opposition or proper scrutiny. The Outdoor Environment Guidelines and requirements for approval of centre based care services and the Lyneham Precinct Code and Territory Plan require the protection of trees, nature and recognise the importance of the natural environment as well as outdoor play and sunlight as essential to children's development, growth and well being. We ask your review and audit of trees on the site given the three sets (1), (2) and (3) buildings constructed on the site since the last DA process and assessment by the Conservator and Planning and Land.

### Resident Details

Account Name	Contact Email
Contact Phone	

### Tree Details

Asset ID	Communicated with the Customer?	No
	Communication Comment	

### Claims

ACTIA/TAMS Identification No.	Claim Number
Claims Case	Claim Amount Threshold
Is Claim Being Honoured?	Claim Amount

### Assessment Details

Assessor	Diameter at Brest Height (DBH)
Date Assessed	Tree Height
Calling Card No	Work Comments
Added to Field Maps	

### Field Work Comments

Field Work Comments

### Equipment Required

Chipper	No	Mini Tower	No
Crane Truck	No	Pole Saw	No
Flying Crew	No	Travel Tower	No
Gang	No	Climber	No

### Work Type

Removal	No	Line of Site	No
---------	----	--------------	----

GP/DW	No	Lift	No
Branch Pick Up	No	Street Pruning	
Habitat Prune	No	No Action	No
Mulch		Streetlight Pruning	
		Log	

**Case Details**

Source	Access Canberra	Incident Address	BRINDABELLA CHRISTIAN COLLEGE 136 BRIGALOW ST, LYNEHAM ACT 2602
Case Origin	FMS Form	ACTCCS Latitude	-35.24900319
Date/Time Opened	5/09/2023 12:33 PM	ACTCCS Longitude	149.12763934
Date/Time Closed	13/09/2023 5:52 PM		

**System Information**

Created By	AC TCCS Integration, 5/09/2023 12:33 PM	Last Modified By	Rosie Dojcic, 13/09/2023 5:52 PM
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**Case History**

**13/09/2023 5:52 PM**

User **Rosie Dojcic**  
Action **Changed Status from Unassigned to Case Closed. Changed Sub Status from Unresolved to Action Not Required.**

**7/09/2023 9:00 AM**

User **Andrew Diehm**  
Action **Changed Feedback Type from Other to TPU.**

**5/09/2023 12:33 PM**

User **AC TCCS Integration**  
Action **Changed Feedback Type to Other. Changed Sub Status to Unresolved. Changed Case Owner from AC TCCS Integration to Trees. Deleted Medium in Priority. Changed Case Origin to FMS Form. Changed Status from Assigned to Unassigned. Changed Case Record Type from TCCS General to Trees. Created.**

**Notes**

**Duplicate case created**

Last Modified **5/09/2023 4:16 PM**  
Owner **AC TCCS Integration**  
Text Preview **Duplicate case created 00781068 to be referred to TCCS TPU**

**Customer Entry (Auto Note)**

Last Modified **5/09/2023 12:34 PM**  
Owner **AC TCCS Integration**  
Text Preview **This is an auto note of the original customer submission. Subject: possible unlawful removal of trees including regulated trees Category: Land, Planning & Building > Environment AC Description (forms): Notice of Decision dated 2/9/2016 (page 572 of EPSD**

**Customer Entry (Auto Note)**

Last Modified **5/09/2023 12:34 PM**  
Owner **AC TCCS Integration**  
Text Preview **This is an auto note of the original customer submission. Subject: possible unlawful removal of trees including regulated trees Category: Land, Planning & Building > Environment AC Description (forms): Notice of Decision dated 2/9/2016 (page 572 of EPSD**

**Customer Entry (Auto Note)**

Last Modified **5/09/2023 12:34 PM**  
Owner **AC TCCS Integration**  
Text Preview **This is an auto note of the original customer submission. Subject: possible unlawful removal of trees including regulated trees Category: Land, Planning & Building > Environment AC Description (forms): Notice of Decision dated 2/9/2016 (page 572 of EPSD**

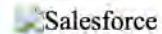
**Customer Entry (Auto Note)**

Last Modified **5/09/2023 12:34 PM**  
Owner **AC TCCS Integration**  
Text Preview **This is an auto note of the original customer submission. Subject: possible unlawful removal of trees including regulated trees**

**Category: Land, Planning & Building >**  
**Environment AC Description (forms): Notice**  
**of Decision dated 2/9/2016 (page 572 of EPSD)**



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## Case: 00346075

Case Officer Case OwnerTrees  
Reassignment Reason

### Case Overview:

Case Number	00346075	AC Case Number	00780240
Feedback Type	TPU	Job Type	
Status	Case Closed	Technical Officer Required?	No
Sub Status	Action Not Required	Suburb	Lyneham
Priority		Storm Damage	No
Prioritisation Status		Claim Region	
Response Required?	No	Depot Region	Central
Correspondence History	No		

Subject ACTCCS Description  
 Planning - Compliance - Unapproved Variation (Trees) - BRINDABELLA CHRISTIAN COLLEGE 136 BRIGALOW ST, LYNEHAM B4 S41  
 Notice of Decision dated 2/9/2016 (page 572 of EPSD FOD 19/28355) shows approval of the removal of only three regulated trees from the Brindabella Christian College Lyneham campus after review by the MPRG Team. Approval documents and Reason for Decision indicate (page 581) the Conservator did NOT initially support the application for construction of 15 classrooms known as the junior School Building. The Conservation, in consultation and assessment, noted "the site contains a mix of mature and semi-mature and young trees within the total landscape that the school is located on quite a small block. No other regulated trees on the site will be affected if the development is approved, based upon plans provided by SQC Architecture. Minutes of MPRG meetings (page 535) note "the development will still retain other regulated trees" and Condition B2 and C2 of the DA 201629628 required Tree Protection and "all existing trees and shrubs located on the site are to be protected" (page 573 & 574). The DA applicant was required to respond to Entity concerns and Representor concerns against the development and SQC Architects on behalf of the school, Brindabella Christian College respond to objection no 6 (page 498) being "the proposal requires the

removal of a number of significant trees which are integral to and compliment the urban streetscape along brigalow st" to which SQC architecture states "to make up for the loss of trees we propose to replant a large number of trees and shrubs around the site and across the campus". and Item 3 & 4 page 500, objection states "It would be unfortunate to see mature trees removed" to which SQC responds stating "only three of the seven trees that we propose to demolish are regulated". "The landscape plan shows intent and commitment" to replant more trees. (item 4). The landscape plan can be found at Page 49 of Part 8 ([https://www.environment.act.gov.au/\\_\\_data/assets/pdf\\_file/0011/1447526/19\\_28355-Documents-Part-08.pdf](https://www.environment.act.gov.au/__data/assets/pdf_file/0011/1447526/19_28355-Documents-Part-08.pdf)) which clearly shows the seven trees to be removed. Complaint: I wish to bring to the Conservators attention that ALL trees and shrubs within the beige areas of the Landscape plan above have been removed contrary to the DA approval for the construction of the new Junior School Building in 2017 including large mature trees when a (2) two storey 9 classroom block was installed in March 2021 without BA or DA and is still awaiting a certificate of occupancy. We understand this block received a BA in Feb 23 however, the usual DA and BA entity and community consultation process was avoided when these buildings were installed in March 23, evidenced on Brindabella's own google reviews, though they were two storey they may have appeared to be demountable but and have subsequently been skinned and made permanent with concrete staircases and permanent fascades and electrical. A majority of mature trees and shrubs have also been removed from the green ELC playground area recently when (3) demountable buildings were installed into the playground area in July 23 school holidays. The new (2) two-storey, nine classroom building is located directly adjacent to the green ELC playground area, in the beige coloured area. There is also a smaller (1) demountable building installed during 2016 perpendicular to the carpark and adjacent to the ELC building in the beige area which is still on site and not temporary at all. We note it is not included in plans provided to EPSD for approval for the above DA and is also omitted from the landscape plan even though the plan from SQC Architecture is dated 2 June 2016. ACTMAPi shows (1) demountable buildings perpendicular to the carpark were installed by March 2016 (not present in May 2015 images); (2) trees were removed and ground were cleared for the two storey demountable adjacent to ELC playground in the April 2020 image, cleared still in Feb 2021 and present in the April 2021 image. The most recent image July 2022 shows a significant reduction in trees and shrubs from the May 2015 images. There is also currently a stop work order issued by Planning RRRT due to possible encroachment of (3) demountables into the outdoor play area for the ELC in breach of regulations by ETD and CECA. We note the Landscape Plan submitted by SQC and subsequently approved for the above DA provided multiple assurances of retaining the natural landscape and protecting a large number of regulated trees. We also bring to your attention the blue playground areas on the landscape plan which show multiple trees and shrubs however, now only two or three trees remain. It is unfortunate that because the installation of demountable buildings for schools does not require a DA or BA and associated consultation processes, it may appear the school has been able to remove these trees and shrubs without opposition or proper scrutiny. The Outdoor Environment Guidelines and requirements for approval of centre based care services and the Lyneham Precinct Code and Territory Plan require the protection of trees, nature and recognise the importance of the natural environment as well as outdoor play and sunlight as essential to children's development, growth and well being. We ask your review and audit of trees on the site given the three sets (1), (2) and (3) buildings constructed on the site since the last DA process and assessment by the Conservator and Planning and Land.

## **Resident Details:**

Account Name Contact Email  
Contact Phone Contact Mobile

## **ACTCCS Contact Details:**

ACTCCS Contact First Name ACTCCS Contact Last Name  
ACTCCS Contact Phone ACTCCS Contact Mobile  
ACTCCS Contact Email

**Tree Details:**

Asset ID Communicated with the Customer?No  
Communication Comment

**Claims:**

ACTIA/TAMS Identification No. Claim Number  
Claims Case  Not Checked Claim Amount Threshold  
Is Claim Being Honoured?  Not Checked Claim Amount

**Assessment Details:**

Assessor Diameter at Brest Height (DBH)  
Date Assessed Tree Height  
Calling Card No Work Comments  
Added to Field Maps  Not Checked

**Field Work Comments:**

Field Work Comments

**Equipment Required:**

Chipper NoMini Tower No  
Crane TruckNoPole Saw No  
Flying CrewNoTravel TowerNo  
Gang NoClimber No

**Work Type:**

Removal NoLine of Site No  
GP/DW NoLift No  
Branch Pick UpNoStreet Pruning

Habitat Prune NoNo Action No  
Mulch Streetlight Pruning  
Log

## Case Details:

Source Access Canberra Incident Address BRINDABELLA CHRISTIAN COLLEGE 136 BRIGALOW ST, LYNEHAM ACT 2602  
Case Origin FMS Form ACTCCS Latitude -35.24900319  
Date/Time Opened 5/09/2023 12:33 PM ACTCCS Longitude 149.12763934  
Date/Time Closed 13/09/2023 5:52 PM

## System Information:

Created By AC TCCS Integration, 5/09/2023 12:33 PM Last Modified By Sandip Bijlwan, 7/05/2024 4:04 PM  
Case Sharing ID ACTCCSTRS Date Created in FMS 4/09/2023 2:11 PM

## Case History

### 13/09/2023 5:52 PM

User Rosie Dojcic  
Action Changed Status from Unassigned to Case Closed. Changed Sub Status from Unresolved to Action Not Required.

### 7/09/2023 9:00 AM

User Andrew Diehm  
Action Changed Feedback Type from Other to TPU.

### 5/09/2023 12:33 PM

User AC TCCS Integration  
Action Changed Feedback Type to Other. Changed Case Sharing ID ACTCCS to TRS. Changed Sub Status to Unresolved. Changed Case Owner from AC TCCS Integration to Trees. Deleted Medium in Priority. Changed Case Origin to FMS Form. Changed Status from Assigned to Unassigned. Changed Case Record Type from TCCS General to Trees. Created.

## Notes

## Duplicate case created

**Last Modified** 5/09/2023 4:16 PM

**Owner** AC TCCS Integration

**Text Preview** Duplicate case created 00781068 to be referred to TCCS TPU

## Customer Entry (Auto Note)

**Last Modified** 5/09/2023 12:34 PM

**Owner** AC TCCS Integration

**Text Preview** This is an auto note of the original customer submission. Subject: possible unlawful removal of trees including regulated trees  
Category: Land, Planning & Building > Environment AC  
Description (forms): Notice of Decision dated 2/9/2016 (page 572 of EPSD

## Customer Entry (Auto Note)

**Last Modified** 5/09/2023 12:34 PM

**Owner** AC TCCS Integration

**Text Preview** This is an auto note of the original customer submission. Subject: possible unlawful removal of trees including regulated trees  
Category: Land, Planning & Building > Environment AC  
Description (forms): Notice of Decision dated 2/9/2016 (page 572 of EPSD

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Category: Land, Planning & Building > Environment AC  
Description (forms): Notice of Decision dated 2/9/2016 (page 572 of EPSD

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**Last Modified** 5/09/2023 12:34 PM

**Owner** AC TCCS Integration

**Text Preview** This is an auto note of the original customer submission. Subject: possible unlawful removal of trees including regulated trees  
Category: Land, Planning & Building > Environment AC  
Description (forms): Notice of Decision dated 2/9/2016 (page 572 of EPSD

**Case: 00346177**

20/06/2024, 08:03

Case: 00346177 ~ Salesforce - Unlimited Edition

<b>Case Officer</b>		<b>Case Owner</b>	Trees
<b>Reassignment Reason</b>			

**Case Overview**

<b>Case Number</b>	00346177	<b>AC Case Number</b>	00781068
<b>Feedback Type</b>	TPU	<b>Job Type</b>	
<b>Status</b>	Case Closed	<b>Technical Officer Required?</b>	No
<b>Sub Status</b>	Action Not Required	<b>Suburb</b>	Lyneham
<b>Priority</b>		<b>Storm Damage</b>	No
<b>Prioritisation Status</b>		<b>Claim Region</b>	
<b>Response Required?</b>	No	<b>Depot Region</b>	Central
<b>Correspondence History</b>	No		

**Subject** TCCS - Tree Protection - Removal of regulated trees

**ACTCCS Description**

Notice of Decision dated 2/9/2016 (page 572 of EPSD FOD 19/28355) shows approval of the removal of only three regulated trees from the Brindabella Christian College Lyneham campus after review by the MPRG Team. Approval documents and Reason for Decision indicate (page 581) the Conservator did NOT initially support the application for construction of 15 classrooms known as the junior School Building. The Conservation, in consultation and assessment, noted "the site contains a mix of mature and semi-mature and young trees within the total landscape that the school is located on quite a small block. No other regulated trees on the site will be affected if the development is approved, based upon plans provided by SQC Architecture. Minutes of MPRG meetings (page 535) note "the development will still retain other regulated trees" and Condition B2 and C2 of the DA 201629628 required Tree Protection and "all existing trees and shrubs located on the site are to be protected" (page 573 & 574). The DA applicant was required to respond to Entity concerns and Representor concerns against the development and SQC Architects on behalf of the school, Brindabella Christian College respond to objection no 6 (page 498) being "the proposal requires the removal of a number of significant trees which are integral to and compliment the urban streetscape along brigalow st" to which SQC architecture states "to make up for the loss of trees we propose to replant a large number of trees and shrubs around the site and across the campus". and Item 3 & 4 page 500, objection states "It would be unfortunate to see mature trees removed" to which SQC responds stating "only three of the seven trees that we propose to demolish are regulated". "The landscape plan shows intent and commitment" to replant more trees. (item 4). The landscape plan can be found at Page 49 of Part 8 ([https://www.environment.act.gov.au/\\_\\_data/assets/pdf\\_file/0011/1447526/19\\_28355-Documents-Part-08.pdf](https://www.environment.act.gov.au/__data/assets/pdf_file/0011/1447526/19_28355-Documents-Part-08.pdf)) which clearly shows the seven trees to be removed. Complaint: I wish to bring to the Conservators attention that ALL trees and shrubs within the beige areas of the Landscape plan above have been removed contrary to the DA approval for the construction of the new Junior School Building in 2017 including large mature trees when a (2) two storey 9 classroom block was installed in March 2021 without BA or DA and is still awaiting a certificate of occupancy. We understand this block received a BA in Feb 23 however, the usual DA and BA entity and community consultation process was avoided when these buildings were installed in March 23, evidenced on Brindabella's own google reviews, though they were two storey they may have appeared to be demountable but and have subsequently been skinned and made permanent with concrete staircases and permanent fascades and electrical. A majority of mature trees and shrubs have also been removed from the green ELC playground area recently when (3) demountable buildings were installed into the playground area in July 23 school holidays. The new (2) two-storey, nine classroom building is located directly adjacent to the green ELC playground area, in the beige coloured area. There is also a smaller (1) demountable building installed during 2016 perpendicular to the carpark and adjacent to the ELC building in the beige area which is still on site and not temporary at all. We note it is not included in plans provided to EPSD for approval for the above DA and is also omitted from the landscape plan even though the plan from SQC Architecture is dated 2 June 2016. ACTMAPi shows (1) demountable buildings perpendicular to the carpark were installed by March 2016

20/06/2024, 08:03

approved for the above DA provided multiple assurances of retaining the natural landscape and protecting a large number of regulated trees. We also bring to your attention the blue playground areas on the landscape plan which show multiple trees and shrubs. However, only two or three trees remain. It is unfortunate that because the installation of demountable buildings for schools does not require a DA or BA and associated consultation processes, it may appear the school has been able to remove these trees and shrubs without opposition or proper scrutiny. The Outdoor Environment Guidelines and requirements for approval of centre based care services and the Lyneham Precinct Code and Territory Plan require the protection of trees, nature and recognise the importance of the natural environment as well as outdoor play and sunlight as essential to children's development, growth and well being. We ask your review and audit of trees on the site given the three sets (1), (2) and (3) buildings constructed on the site since the last DA process and assessment by the Conservator and Planning and Land.

**Resident Details**

Account Name	Contact Email
Contact Phone	Contact Mobile

**ACTCCS Contact Details**

ACTCCS Contact First Name	ACTCCS Contact Last Name
ACTCCS Contact Phone	ACTCCS Contact Mobile
ACTCCS Contact Email	

**Tree Details**

Asset ID	Communicated with the Customer?	No
	Communication Comment	

**Claims**

ACTIA/TAMS Identification No.	Claim Number
Claims Case <input type="checkbox"/>	Claim Amount Threshold
Is Claim Being Honoured? <input type="checkbox"/>	Claim Amount

**Assessment Details**

Assessor	Diameter at Brest Height (DBH)
Date Assessed	Tree Height
Calling Card No	Work Comments
Added to Field Maps <input type="checkbox"/>	

**Field Work Comments**

Field Work Comments

**Equipment Required**

Chipper	No	Mini Tower	No
---------	----	------------	----

**Work Type**

20/06/2024, 08:03

Case: 00346177 ~ Salesforce - Unlimited Edition

Removal	No	Line of Site	No
GP/DW	No	Lift	No
Branch Pick Up	No	Street Pruning	
Habitat Prune	No	No Action	No
Mulch		Streetlight Pruning	
		Log	

**Case Details**

Source	Access Canberra	Incident Address	BRINDABELLA CHRISTIAN COLLEGE 136 BRIGALOW ST, LYNEHAM ACT 2602
Case Origin	FMS Form	ACTCCS Latitude	-35.24900319
Date/Time Opened	5/09/2023 4:17 PM	ACTCCS Longitude	149.12763934
Date/Time Closed	13/09/2023 5:49 PM		

**System Information**

Created By	AC TCCS Integration, 5/09/2023 4:17 PM	Last Modified By	Sandip Bijlwan, 7/05/2024 4:03 PM
Contact Name		Date Created in FMS	5/09/2023 4:14 PM
Description			
Case Sharing ID ACTCCS	TRS		

**Case History**

**13/09/2023 5:49 PM**

User **Rosie Dojic**  
Action **Changed Status from Unassigned to Case Closed. Changed Sub Status from Unresolved to Action Not Required.**

**7/09/2023 9:00 AM**

User **Andrew Diehm**  
Action **Changed Feedback Type from Other to TPU.**

**5/09/2023 4:17 PM**

User **AC TCCS Integration**  
Action **Changed Feedback Type to Other. Changed Case Sharing ID ACTCCS to TRS. Changed Sub Status to Unresolved. Changed Case Owner from AC TCCS Integration to Trees. Deleted Medium in Priority. Changed Case Origin to FMS Form. Changed Case Record Type from TCCS General to Trees. Created.**

**Notes**

**Sending the Case to TCCS**

Last Modified **5/09/2023 4:18 PM**  
Owner **AC TCCS Integration**  
Text Preview **Good afternoon,Please see the below complaint for your consideration**

**Sending the Case to TCCS**

Last Modified **5/09/2023 4:18 PM**  
Owner **AC TCCS Integration**  
Text Preview **Good afternoon,Please see the below complaint for your consideration**

**Sending the Case to TCCS**

Last Modified **5/09/2023 4:18 PM**

**Sending the Case to TCCS**

Last Modified **5/09/2023 4:18 PM**

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20/06/2024, 08:03

Case: 00346177 ~ Salesforce - Unlimited Edition

**Bruan, Nicole**

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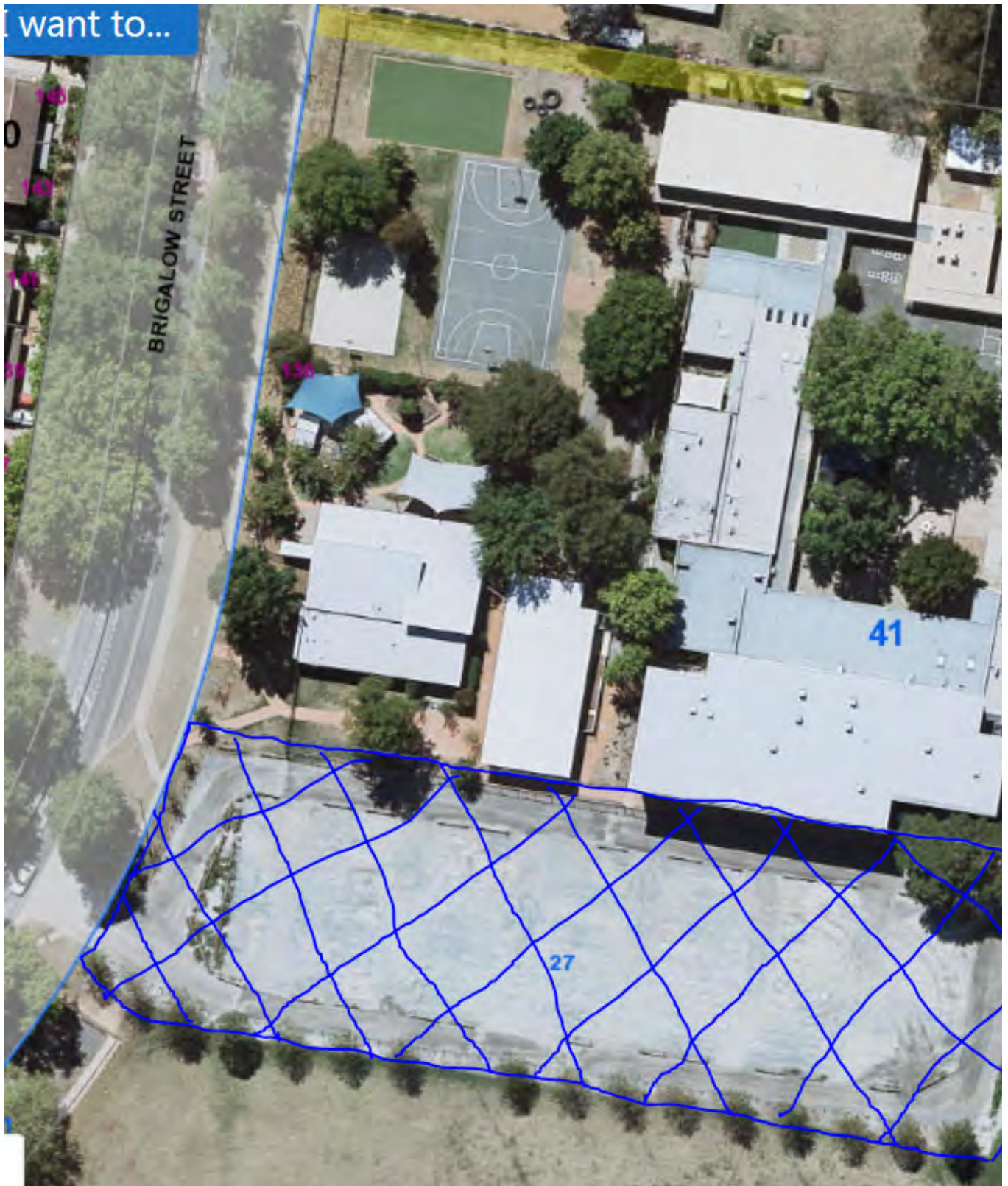
**From:** Sparke, Chris  
**Sent:** Tuesday, 18 October 2016 2:11 PM  
**To:** Sweet, Carma  
**Subject:** Brindabella Christina College - Lisence [SEC=UNCLASSIFIED, DLM=Sensitive]  
**Attachments:** 1506.01 BCC Masterplan - Sheet - A1012 - SITE PLAN- PROPOSED.PDF

Hi Carma

Below is a map which has the area that is sub-leased from the Territory (Active Canberra).

Attached is also a copy of what the College has propped for development pruposes.

Happy to discuss.



Regards

**Chris Sparke | Project Manager | Office of the Coordinator-General, Project Facilitation and Direct Sales | Urban  
Renewal | Chief Minister, Treasury and Economic Development Directorate | ACT Government  
Phone: 02 6205 2404**

Level 6 Transact House, 470 Northbourne Avenue, Dickson ACT 2602  
GPO Box 158 Canberra ACT 2601 | [www.economicdevelopment.act.gov.au](http://www.economicdevelopment.act.gov.au)



**PARKING CALCULATIONS:**

EXISTING PARKING: 116 CAR SPACES  
PROPOSED AVAILABLE PARKING: 158 CAR SPACES

**PARKING CALCULATIONS BASED ON FORECASTED 2023 POPULATION OF:**

ELC CHILD CARE SPACES: 4  
ELC STAFF: 7  
PRESCHOOL: 72  
PRIMARY: 504  
SECONDARY: 285  
COLLEGE: 90

**CAR SPACES CALCULATED:**

ELC PARKING SPACES: 16  
PRESCHOOL, PRIMARY, HIGH SCH: 103  
COLLEGE: 18  
TOTAL REQUIRED: 137 CAR SPACES

CARPARK (SUB-LEASE)  
PART BLOCK 23  
6472 SQM  
AVAILABLE CAR SPACES:  
158  
INDICATIVE PARKING  
LAYOUT SHOWN



SCALE: 1:500 @ ORIGINAL SCALE

**PRELIMINARY**  
17.05.16 - SPORTS COURTS ON CARPARK LAYOUT



**SQC ARCHITECTURE**  
Suite 4 Hawker Professional Centre  
Hawker ACT 2602  
ABN 81091603350  
P: 02 6278 8500  
E: studio@sqca.com.au  
Primary Nominee: ACT 933 NSW 9354



Client: BRINDABELLA CHRISTIAN COLLEGE  
Project Title: BCC MASTERPLAN

Project Address: 136 BRIGALOW STREET, LYNEHAM ACT 2602  
Block: Section: Division:  
41 LYNEHAM

ALL DIMENSIONS IN MILLIMETRES. DO NOT SCALE DRAWING. ALL DIMENSIONS AND LEVELS TO BE VERIFIED ON SITE BY CONTRACTOR BEFORE COMMENCING WORK OR PREPARATION OF SHOP DRAWINGS. WHERE PROVIDED, DRAWINGS MUST BE READ IN CONJUNCTION WITH SCHEDULE OF WORK OR SPECIFICATION.

Drawing Title: SITE PLAN PROPOSED  
Director: Reviewer: Drawn:

Project No: 1  
QA Reference: 1506.01- A1012- 3  
Sheet No: A1012  
Current Rev Issue Date: 17.05.16  
Scale: 1: 500 @A1  
Amendment: 3  
© Copyright

## **Bruan, Nicole**

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**From:** Sweet, Carma  
**Sent:** Thursday, 20 October 2016 2:56 PM  
**To:** Potter, Matt  
**Cc:** Sloan, Sean  
**Subject:** Brindabella Christian College tree removals [SEC=UNCLASSIFIED]  
**Attachments:** Brindabella Christian College.doc

Hi Matt,

Please find attached the outline I put together for the unauthorised tree removals undertaken by Brindabella Christian College. The images are stored at <G:\CPIImages\Urban Treescapes\Compliance breaches\Brindabella Christian College>

Thank you for your help in pursuing this matter.

Kind regards,  
Carma

**Carma Sweet | A/g New Asset Coordinator**

Phone: 02 6205 8679 | Mobile: [REDACTED] | Email: [carma.sweet@act.gov.au](mailto:carma.sweet@act.gov.au)

**Urban Treescapes | City Presentation | Transport Canberra and City Services Directorate | ACT Government**

Level 8, Macarthur House, 12 Wattle Street, Lyneham ACT 2602 | GPO Box 158 Canberra ACT 2601 | [www.act.gov.au](http://www.act.gov.au)

### Brindabella Christian College (Block 4 Section 41 Lyneham)

Unapproved removals along shared path:

- 6 *Quercus lusitanica* in urban open space
- 3 regulated *Q. lusitanica* within the block boundary, 1 unregulated oak
- approx. 3 eucalypts in u.o.s

#### Incident summary:

05.10.16 Andrew Diehm received CRM enquiry asking for information regarding tree removals. Enquiry submitted by [REDACTED], a local resident.

07.10.16 A.Diehm met [REDACTED] onsite to discuss row of removed oaks and machinery beneath retained trees. Best estimate measurements of stumps from path taken (stumps behind site fence erected on public land). Photos taken.

12.10.16 Carma Sweet and A.Diehm inspected site. Discussed issue with head of maintenance [REDACTED] and BCC Principal [REDACTED].

U.O.S has been ripped up and will need to be rectified. Damaged trees require pruning and 2 small trees should be removed.

12.10.16 C.Sweet called [REDACTED] to let him know we were following up the incident and requested a copy of photos he took on 04.10.16.

13.10.16 ABC 666 interviewed Michael Brice.

[REDACTED] *asserted:*

-They removed trees because they were located along the school boundary making it difficult to realign school fence along property line

-BCC removed trees in-house ([REDACTED] undertook removals) and contracted arborist company to chip trees (company unknown).

-Removals were done with his authority and responsibility lies with him. Implied ignorance of tree protection requirements and approval process however acknowledged that school had recently submitted development application.

- Ripped up ground to clear site for site sheds. Site manager ([REDACTED]) installed site fence and site sheds. CS left message to call Urban Trees 14.10.16 with no call back to date.

-Direct sale for use of u.o.s underway (B23 S41 Lyneham).

-Canberra Times had contacted school and requested comment. [REDACTED] had not responded to the request and did not intend to do so.

#### Further information:

- A.Diehm believes it is unlikely that maintenance staff had capacity to remove such large trees.

-Trees have also been moved by heavy machinery before they were chipped. [REDACTED] noticed contractors name and phone number on digger that excavated ground (and potentially moved trees), Nicol Contracting Excavation & Earth Moving Equipment [REDACTED].

-Removed trees not covered in recent DA submission but trees included in survey plan.

-Appears to be no existing permit in place for use of public land.

Colin Evans (ACT Roads): no TTMP has been lodged.

Darren Gerrad (L&C): No current license in place for use of public land. The last permit was temporary and expired in 2009. This permit covered the car park area only and was intended for use during construction of school wing. Did not cover use of not the adjacent u.o.s. where machinery was parked 12.10.16 and trees removed for access into car park.

Direct sale likely to be granted as long as car park is open to the public.

Christine Luchetti (CMTEDD Direct Sales): Application for Direct Sale waiting on advice from EPD.

Land use may not be compatible with zoning so unsure if sale will go ahead. Will send through a plan outlining boundaries of DS.

DA background:

A number of DA's have been submitted by the College indicating a familiarity with the DA process.

Records from 2006, 2007 and 2009 (updated 25.08.15), 2015 and 2016.

24.01.12 Request for College car park (B4 & 23 S41 Lyneham) to be DA exempt. Request for exemption denied 16.03.12.

## Bruan, Nicole

---

**From:** Sweet, Carma  
**Sent:** Thursday, 20 October 2016 2:50 PM  
**To:** Roberts, Tessa  
**Cc:** Potter, Matt  
**Subject:** FW: TM20162398 TTE16-BLT-2459 "Built" Brigalow St Lyneham for approval. [SEC=UNCLASSIFIED]  
**Attachments:** TTE16-BLT-2459-1-1.pdf; TTE16-BLT-2459-1-2.pdf; 20161020114040957.pdf; TTE16-BLT-2459-1-2.pdf

Hi Tessa,

Brindabella Christian College in Lyneham are doing some construction works within their block and have removed about a dozen big trees along their back boundary/shared path without approval (mostly oaks). They've also been moving excavators around and have really dug up the ground in the adjacent urban open space between Sullivans Ck and the car park they installed in 2009 (under a temporary permit).

The College has just submitted a TTM with Roads for use of a section of the u.o.s for contractor parking, cranes etc and I think we should knock them back – particularly considering they can use the existing gravel car park. The use of this space won't impact on any public trees though so considering the history I thought you might like to take a look to see if you had any issues with them using the grassed area for parking? I've attached the TTM plans (the last two are the latest versions), would you mind taking a look?

Happy to fill you in with some more detail if you'd like and if you want to check out the photos, the link is <G:\CPImages\Urban Treescapes\Compliance breaches\Brindabella Christian College>

Thank you,  
Carma

**Carma Sweet | A/g New Asset Coordinator**

Phone: 02 6205 8679 | Mobile: [REDACTED] | Email: [carma.sweet@act.gov.au](mailto:carma.sweet@act.gov.au)

**Urban Treescapes | City Presentation | Transport Canberra and City Services Directorate | ACT Government**

Level 8, Macarthur House, 12 Wattle Street, Lyneham ACT 2602 | GPO Box 158 Canberra ACT 2601 | [www.act.gov.au](http://www.act.gov.au)

---

**From:** Evans, Colin  
**Sent:** Tuesday, 18 October 2016 12:07 PM  
**To:** Sweet, Carma  
**Subject:** FW: TM20162398 TTE16-BLT-2459 "Built" Brigalow St Lyneham for approval. [SEC=UNCLASSIFIED]

Carma,

Following our discussion last week regarding this site you might be interested in having a look at the TTM's which were lodged today and see if you have any issues or concerns.

Regards

Colin

---

**From:** TTE Apps [<mailto:apps@territorytraffic.com.au>]  
**Sent:** Tuesday, 18 October 2016 10:15 AM  
**To:** TCCS\_RA TTM  
**Cc:** [apps@territorytraffic.com.au](mailto:apps@territorytraffic.com.au)  
**Subject:** TM20162398 TTE16-BLT-2459 "Built" Brigalow St Lyneham for approval.

Colin,

Please see the attached application for approval. This TCP is for the site establishment & traffic control for crane & site deliveries to the construction of the Junior School, Brindabella Cristian College. All signs & devices involved in the stopping of traffic will be removed or covered when not required. T2-25 signage (truck symbolic) will be covered or removed out of working hours or when site is idle.

--

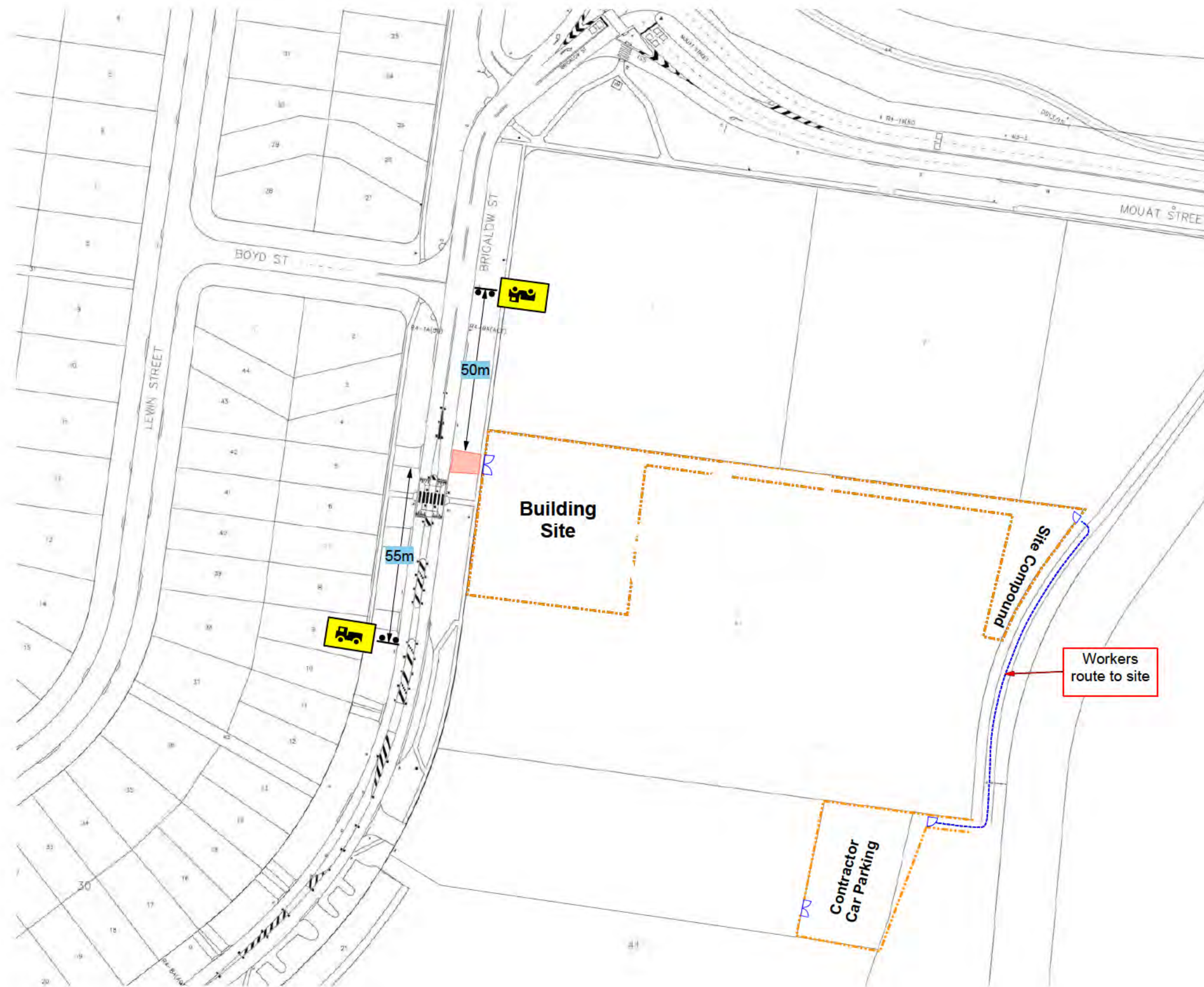


Swire Insignia

## **Territory Traffic Engineering Pty Ltd**

14/160 Lysaght Street | Mitchell | ACT 2911

PO Box 545 | Mitchell | ACT 2911



- NOTES**  
\*\*\*\*\*
- (1) All Temporary Traffic Management Devices are to be in accordance with the A.S. 1742.3
  - (2) ALL sign facings SHALL be of CLASS 1 MATERIAL as specified in the AS/NZS 1906-1
  - (3) Employees are to wear High Visibility Clothing
  - (4) All signs & devices SHALL be erected within line of sight of the road users. They SHALL NOT be obscure by vegetation or parked vehicles & SHALL be positioned where they do not become a hazard to pedestrians or vehicles
  - (5) All conflicting signage, including Parking Signs within the work site SHALL be covered or removed while traffic operation is in progress
  - (6) ALL T2-25 (Truck Symbolic) SHALL be covered out of working hours
  - (7) The contractor responsible for the work site Temporary Traffic Management SHALL comply with the requirements of the A.S. 1742.3 2009
  - (8) EMERGENCY VEHICLE ACCESS SHALL BE MAINTAINED AT ALL TIMES**

**Legend**

- Consolidated Driveway
- Site Fence
- Workers route to site

D	-	-
C	-	-
B	-	-
A	-	-
REV	DESCRIPTION	DATE

Designed By: [REDACTED]  
 PWZTMP: 0027992538  
 EXP: 18/12/2018

Checked By: [REDACTED]  
 PWZTMP : 0032738360

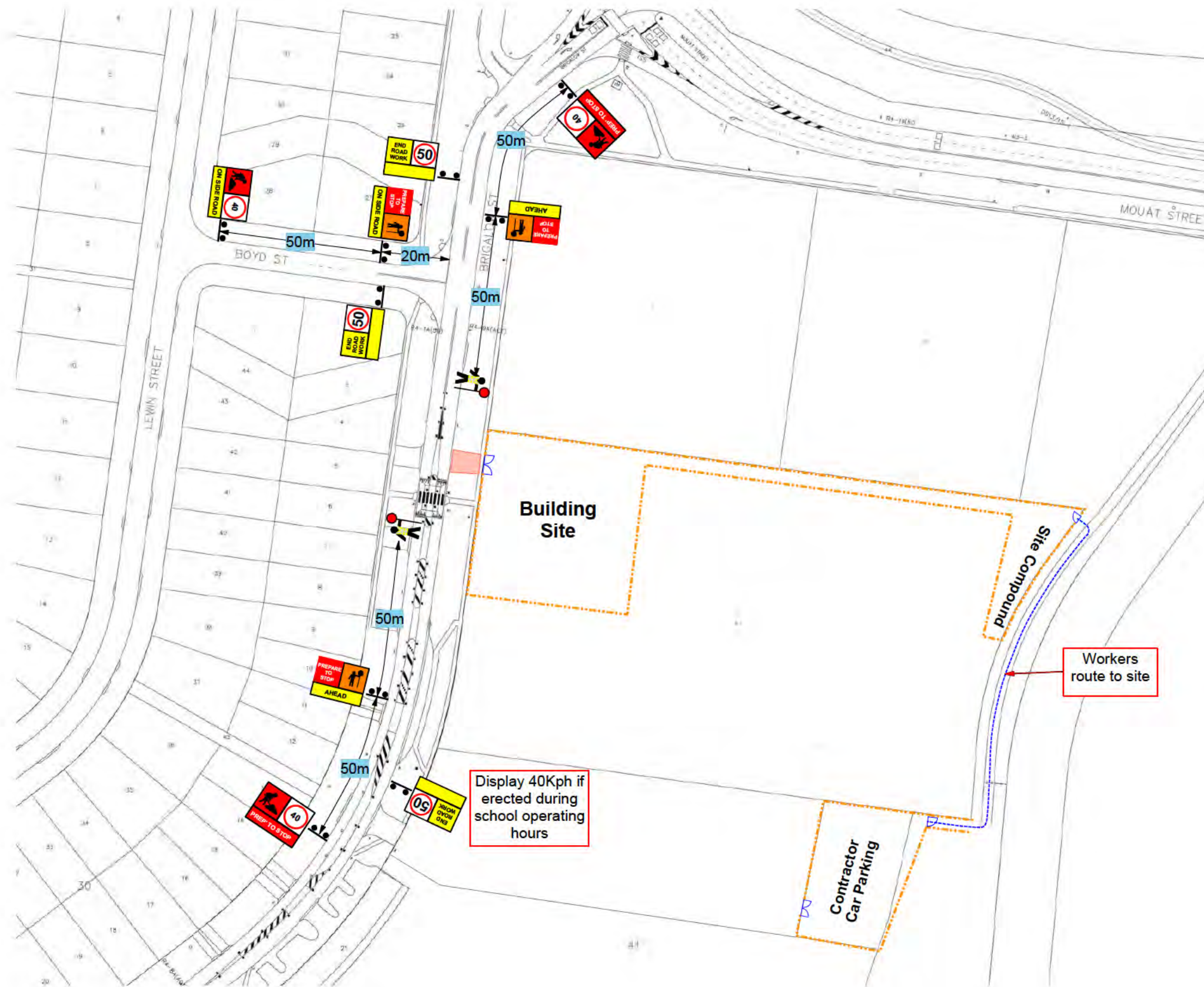
**Territory Traffic Engineering**  
 14/160 Lysaght Street Mitchell ACT 2911  
 PO Box 545 Mitchell ACT 2911  
 T: 02 6241 3230 F: 02 6241 0230

Client:

Project:  
**Brindabella Christian College**  
 136 Brigalow St Lyneham

Drawing Title:  
**Site Establishment Plan**

Temporary Traffic Management Plan		
Designed to comply with A.S. 1742.3		
Project Number:	Stage:	Plan Number:
<b>TTE16-BLT-2459</b>	<b>1</b>	<b>1</b>
Scale: NTS	Compilation Date: <b>17/10/2016</b>	Rev: -



- NOTES**  
\*\*\*\*\*
- (1) ALL TEMPORARY TRAFFIC MANAGEMENT DEVICES ARE TO BE IN ACCORDANCE WITH A.S. 1742.3
  - (2) ALL SIGN FACINGS SHALL BE OF CLASS 1 MATERIAL AS SPECIFIED IN THE AS/NZS 1906-1
  - (3) EMPLOYEE'S ARE TO WEAR HIGH VISIBILITY CLOTHING
  - (4) ALL SIGNS & DEVICES SHALL BE ERECTED WITHIN LINE OF SIGHT OF ROAD USERS. THEY SHALL NOT BE OBTURED BY VEGETATION OR PARKED VEHICLES & SHALL BE POSITIONED WHERE THEY DO NOT BECOME A HAZARD TO PEDESTRIANS OR VEHICLES
  - (5) ALL CONFLICTING SIGNAGE, INCLUDING PARKING SIGNS WITHIN THE WORK SITE SHALL BE COVERED OR REMOVED WHILE TRAFFIC OPERATION IS IN PROGRESS
  - (6) ALL T1-5 (Workers Symbolic), T1-34 (Flagman Symbolic) & T1-18 (Prepare To Stop) & SPEED RESTRICTIONS SHALL BE COVERED OR REMOVED OUTSIDE WORKING HOURS OR WHEN SITE IS IDLE
  - (7) THE CONTRACTOR RESPONSIBLE FOR THE WORK SITE TEMPORARY TRAFFIC MANAGEMENT SHALL COMPLY WITH THE REQUIREMENTS OF THE A.S. 1742.3 2009
  - (8) EMERGENCY VEHICLE ACCESS SHALL BE MAINTAINED AT ALL TIMES

**Legend**

- Consolidated Driveway
- Site Fence
- Workers route to site

D	-	-
C	-	-
B	-	-
A	-	-
REV	DESCRIPTION	DATE

Designed By: [Redacted]  
 PWZTMP: 0027992538  
 EXP: 18/12/2018

Checked By: [Redacted]  
 PWZTMP : 0032738360

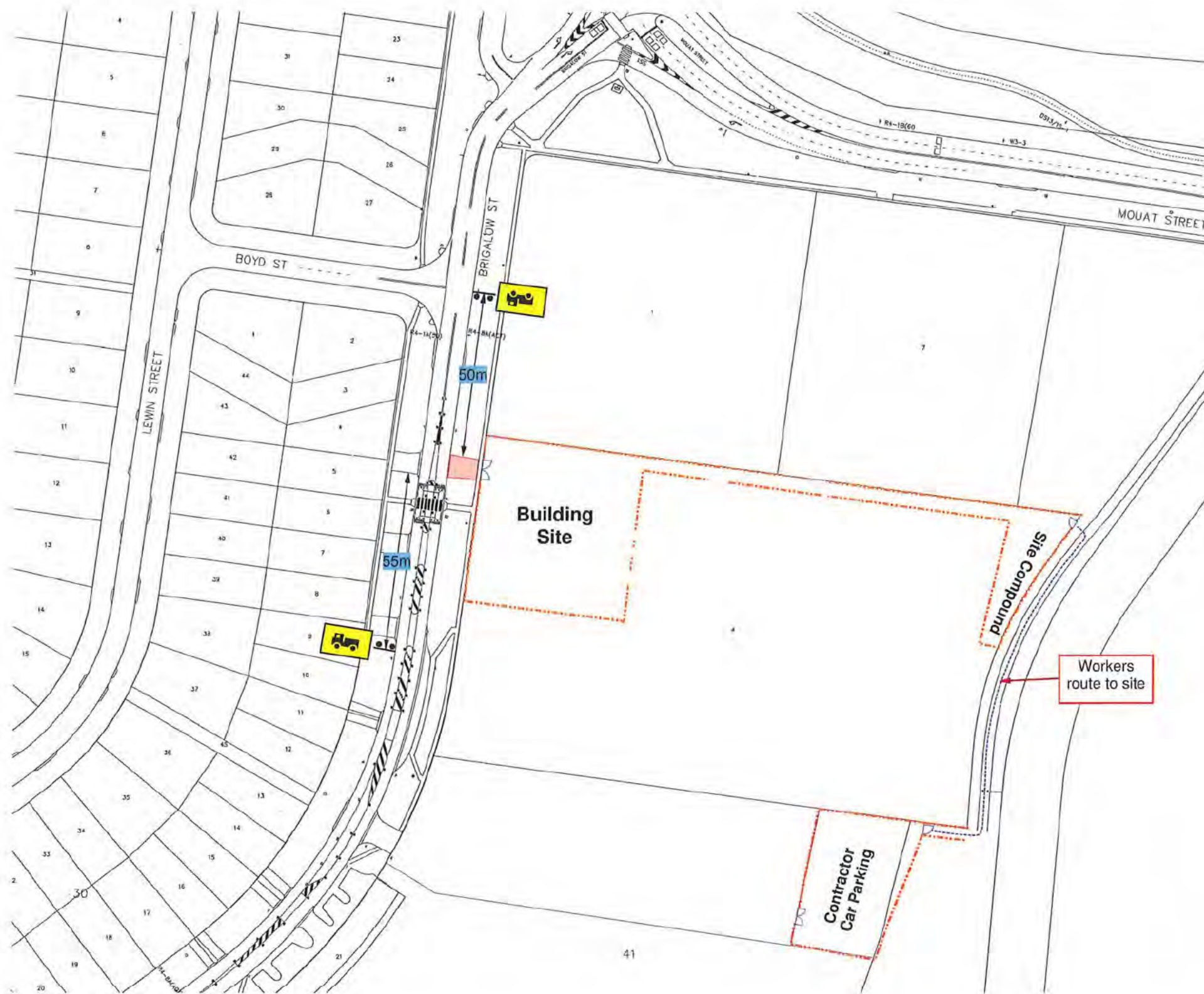
**Territory Traffic Engineering**  
 14/160 Lysaght Street Mitchell ACT 2911  
 PO Box 545 Mitchell ACT 2911  
 T: 02 6241 3230 F: 02 6241 0230

Client:

Project:  
**Brindabella Christian College**  
 136 Brigalow St Lyneham

Drawing Title:  
**Traffic Control for Site Delivery & Crane Set up**

Temporary Traffic Management Plan		
Designed to comply with A.S. 1742.3		
Project Number:	Stage:	Plan Number:
<b>TTE16-BLT-2459</b>	<b>1</b>	<b>2</b>
Scale: NTS	Compilation Date: <b>17/10/2016</b>	Rev: -



- NOTES**  
\*\*\*\*\*
- (1) All Temporary Traffic Management Devices are to be in accordance with the A.S. 1742.3
  - (2) ALL sign facings SHALL be of CLASS 1 MATERIAL as specified in the AS/NZS 1906-1
  - (3) Employees are to wear High Visibility Clothing
  - (4) All signs & devices SHALL be erected within line of sight of the road users. They SHALL NOT be obscure by vegetation or parked vehicles & SHALL be positioned where they do not become a hazard to pedestrians or vehicles
  - (5) All conflicting signage, including Parking Signs within the work site SHALL be covered or removed while traffic operation is in progress
  - (6) ALL T2-25 (TruckSymbolic) SHALL be covered out of working hours
  - (7) The contractor responsible for the work site Temporary Traffic Management SHALL comply with the requirements of the A.S. 1742.3 2009
  - (8) **EMERGENCY VEHICLE ACCESS SHALL BE MAINTAINED AT ALL TIMES**

**Legend**

- Consolidated Driveway (Red shaded area)
- Site Fence (Dashed orange line)
- Workers route to site (Dashed black line)

REV	DESCRIPTION	DATE
D	-	-
C	-	-
B	-	-
A	-	-

Designed By: [Redacted]  
PWZTMP: 0027992538  
EXP: 18/12/2018

Checked By: [Redacted]  
PWZTMP: 0032738360

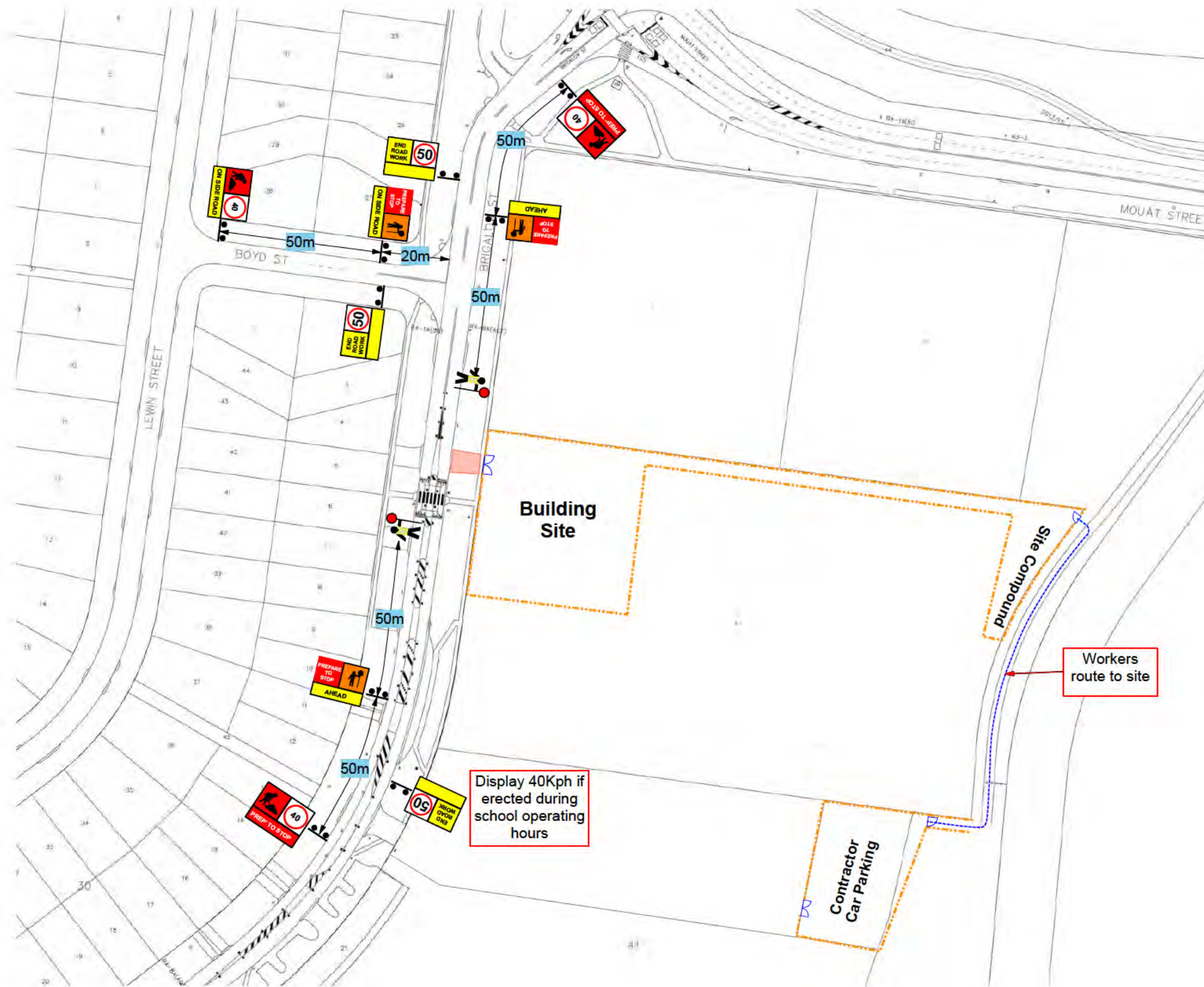
**Territory Traffic Engineering**  
14/160 Lysaght Street Mitchell ACT 2911  
PO Box 545 Mitchell ACT 2911  
T: 02 6241 3230 F: 02 6241 0230

Client:

Project: **Brindabella Christian College**  
136 Brigalow St Lyneham

Drawing Title: **Site Establishment Plan**

Temporary Traffic Management Plan		
Designed to comply with A.S. 1742.3		
Project Number:	Stage:	Plan Number:
<b>TTE16-BLT-2459</b>	<b>1</b>	<b>1</b>
Scale:	Compilation Date:	Rev:
NTS	<b>17/10/2016</b>	-



- NOTES**  
\*\*\*\*\*
- (1) ALL TEMPORARY TRAFFIC MANAGEMENT DEVICES ARE TO BE IN ACCORDANCE WITH A.S. 1742.3
  - (2) ALL SIGN FACINGS SHALL BE OF CLASS 1 MATERIAL AS SPECIFIED IN THE AS/NZS 1906-1
  - (3) EMPLOYEE'S ARE TO WEAR HIGH VISIBILITY CLOTHING
  - (4) ALL SIGNS & DEVICES SHALL BE ERECTED WITHIN LINE OF SIGHT OF ROAD USERS. THEY SHALL NOT BE OBTSCURED BY VEGETATION OR PARKED VEHICLES & SHALL BE POSITIONED WHERE THEY DO NOT BECOME A HAZARD TO PEDESTRIANS OR VEHICLES
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  - (7) THE CONTRACTOR RESPONSIBLE FOR THE WORK SITE TEMPORARY TRAFFIC MANAGEMENT SHALL COMPLY WITH THE REQUIREMENTS OF THE A.S. 1742.3 2009
  - (8) EMERGENCY VEHICLE ACCESS SHALL BE MAINTAINED AT ALL TIMES

**Legend**

- Consolidated Driveway
- Site Fence
- Workers route to site

D	-	-
C	-	-
B	-	-
A	-	-
REV	DESCRIPTION	DATE

Designed By: [REDACTED]  
 PWZTMP: 0027992538  
 EXP: 18/12/2018

Checked By: [REDACTED]  
 PWZTMP : 0032738360

**Territory Traffic Engineering**  
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 T: 02 6241 3230 F: 02 6241 0230

Client:

Project:  
**Brindabella Christian College**  
 136 Brigalow St Lyneham

Drawing Title:  
**Traffic Control for Site Delivery & Crane Set up**

Temporary Traffic Management Plan		
Designed to comply with A.S. 1742.3		
Project Number:	Stage:	Plan Number:
<b>TTE16-BLT-2459</b>	<b>1</b>	<b>2</b>
Scale: NTS	Compilation Date: <b>17/10/2016</b>	Rev: -

## **Bruan, Nicole**

---

**From:** Sweet, Carma  
**Sent:** Friday, 4 November 2016 2:50 PM  
**To:** Milner, Mark  
**Subject:** Brindabella Christian College tree removals [SEC=UNCLASSIFIED]  
**Attachments:** Brindabella Christian College.doc

Hi Mark,

Please see the attached incident summary outlining Urban Treescapes involvement with after being notified of the unapproved tree removals along the boundary of Brindabella Christian College.

These are my own notes made prior to the meeting held 18.10.2016 and I have not updated with any further information. For example, the status of the car park adjacent to the school may be out of date/incorrect because I believe George indicated in the meeting that EPD were not supportive of the direct sale.

If I can add any further detail please let me know.

Kind regards,

Carma

**Carma Sweet | A/g New Asset Coordinator**

Phone: 02 6205 8679 | Mobile: [REDACTED] | Email: [carma.sweet@act.gov.au](mailto:carma.sweet@act.gov.au)

**Urban Treescapes | City Presentation | Transport Canberra and City Services Directorate | ACT Government**

Level 8, Macarthur House, 12 Wattle Street, Lyneham ACT 2602 | GPO Box 158 Canberra ACT 2601 | [www.act.gov.au](http://www.act.gov.au)

## Bruan, Nicole

---

**From:** [REDACTED]@built.com.au>  
**Sent:** Friday, 11 November 2016 2:37 PM  
**To:** Sweet. Carma  
**Cc:** [REDACTED]  
**Subject:** Brindabella Christian College - Landscape Management and Protection Plan (Updated)  
**Attachments:** 2016\_642\_BRINDABELLA CC\_LMPP\_L01.pdf; 2016\_642\_BRINDABELLA CC\_LMPP\_L02.pdf

Hi Carma,

Following our phone conversation the other week guidance on our requirements, please find attached revised LMPP as requested. Grateful if you can review and advise if changes need to be made. We are really keen to commence work on this project and your assistance has been appreciated.

Kind Regards,

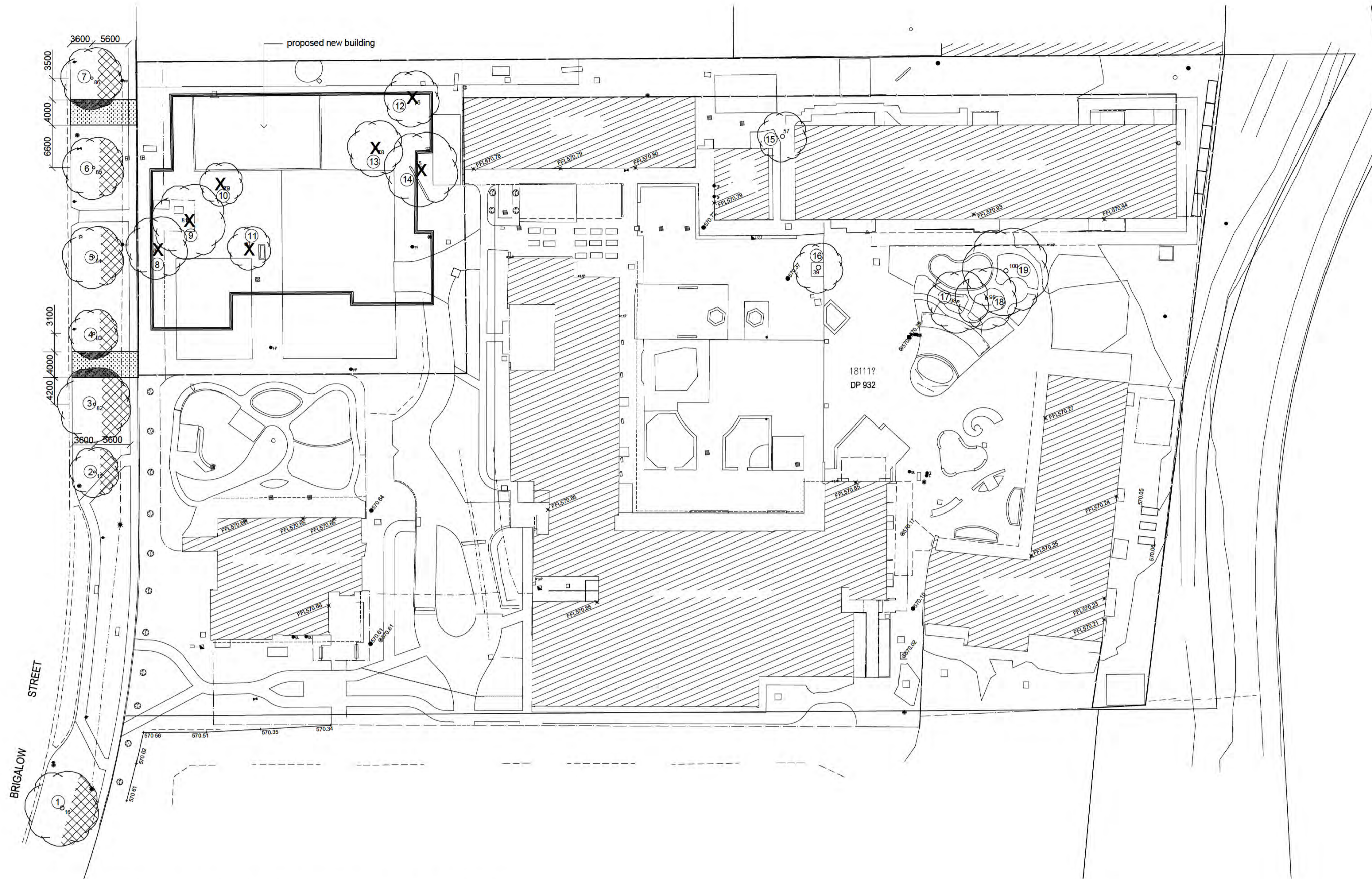
[REDACTED]  
Project Manager



Sydney | Melbourne | Brisbane | Perth | Canberra | Adelaide  
Unit 1/59 Wentworth Ave Kingston ACT 2604  
[m] [REDACTED] [t] 02 6232 6193 [f] 02 6232 6197  
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# LANDSCAPE MANAGEMENT & PROTECTION PLAN



## landscape management notes

- all works to comply with the standard specification for urban infrastructure 2002
- the storage of construction materials and the parking of vehicles or equipment on verges or adjacent open spaces are generally not permitted without prior approval.
- generally, site sheds, storage sheds, site amenities or billboards shall not be erected on verges or open spaces without prior approval.
- continuous chain mesh fencing to 1800h to be installed as per plan at commencement of construction works and to be removed upon completion of works. Where adjacent to an existing footpath or cycleway, protective fencing including the concrete pedestals shall be erected to provide a clear and unobstructed set back of 600mm from each side of footpath or cycleway.
- roadside footpaths and verge driveways to remain unobstructed throughout the construction process to provide safe pedestrian movement
- top soils to be kept and reused where possible on site, boundary levels are to be maintained
- the builder is to take responsibility to ensure that any damage caused to verge, trees, paths, kerbs, roadways or services occurring from either construction works or storage of machinery and materials during the construction works are rectified to the satisfaction of the relevant authorities

## existing trees

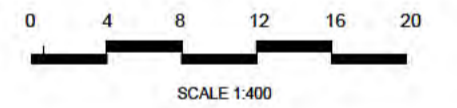
- all trees located in the road reserve, verge, public open space and on unleased Territory land, are to be retained and remain undamaged.
- ensure construction equipment can pass beneath lowest limb, through driveway access.
- for regulated trees - any changes to soil levels or disturbance around tree root zone should be minimised and supervised by an arborist.
- supplementary watering around the tree is required during periods of below average rainfall.
- trees adjacent to access point are to have supplementary watering to drip zone on a weekly basis over summer, fortnightly during Autumn and Spring and once a month during the winter. apply seasoal fertiliser at recommended rates every 4 weeks to drip zone.

## tree root protection

- the majority of tree roots grow in the top 300mm of the soil. These are the feeder roots, often very fine roots that provide the tree with water, oxygen, and nutrients. These roots typically grow between the trees trunk to well beyond the 'drip-line' (the canopy edge).
- excavation that occurs within the drip zone of a tree must be supervised by an arborist and is to be realistically minimised.
- do not sever large roots (>30mm diameter) closer than halfway from the drip-line to the trunk. Hand trenching to a depth of 300mm is required to locate these roots before any mechanical trenching is undertaken.
- all roots must be cut cleanly with equipment specifically designed to cut roots cleanly or other suitable pruning equipment.
- roots exposed during excavation must be protected from desiccation. Keep lightly watered or cover with hessian, which must be kept moist.
- water trees that have had disturbance in their root zone. The amount and frequency of water needs to be adapted to the trees requirement and seasonal conditions.

## legend

- 1,800H temporary chain mesh fencing
- existing tree
- tree to be removed
- stabilised access point - see detail
- proposed activity within Tree Protection Zone of Regulated Tree
- extent of tree pruning by ACTEW arborist



## TREE ASSESSMENT & TREE MANAGEMENT

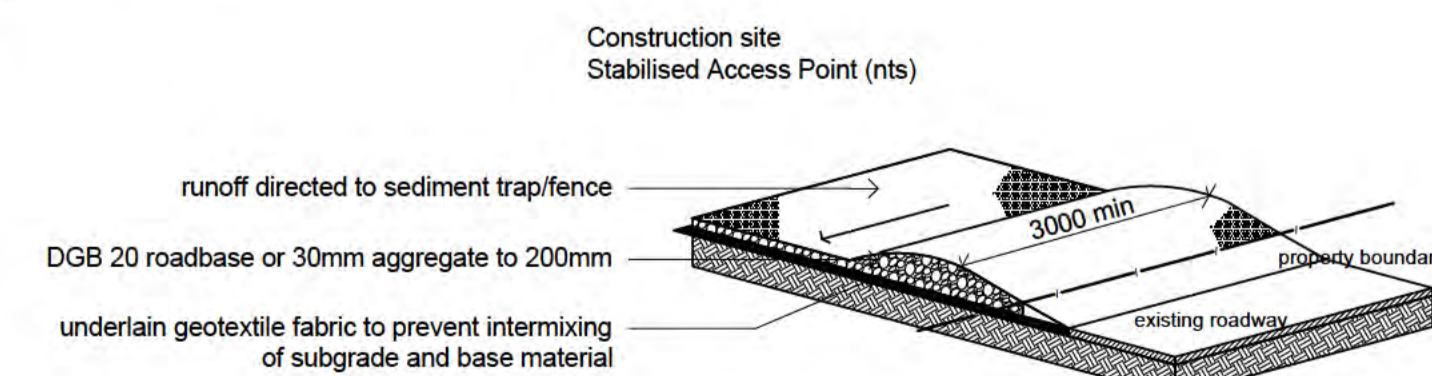
### tree assessment

species	av height (m)	girth (mm)	no. of trunks	health	tree surgery	drip area (m)	m/mnt status	Regulated tree	comment
1 Platanus orientalis	15	2000	1	M	-	12	M	Y	
2 Platanus orientalis	13	1000	1	M	-	8	M	Y	
3 Platanus orientalis	15	1300	1	M	-	12	M	Y	Platanus trees recently pruned by ACTEW arborist, this pruning will limit stress caused by small area of drip zone being used as access point
4 Platanus orientalis	13.7	1300	1	M	-	8	M	Y	Platanus trees recently pruned by ACTEW arborist, this pruning will limit stress caused by small area of drip zone being used as access point
5 Platanus orientalis	13.5	1300	1	M	-	10	M	Y	
6 Platanus orientalis	15	1300	1	M	-	10	M	Y	Platanus trees recently pruned by ACTEW arborist, this pruning will limit stress caused by small area of drip zone being used as access point
7 Platanus orientalis	15.9	1300	1	M	-	10	M	Y	Platanus trees recently pruned by ACTEW arborist, this pruning will limit stress caused by small area of drip zone being used as access point
8 Platanus orientalis	9	1300	1	M	-	10	R	N	
9 Quercus species	16	1900	1	P	-	12	R	Y	poor health, die back evident in upper canopy (Tree Report 15_4_16)
10 Liquidamber styraciflua	7	700	1	F	-	7	R	N	
11 Liquidamber styraciflua	14.5	900	1	F	-	7	R	Y	
12 Ulmus procera	10	1100	1	F	-	9	R	N	Species not suited to small school environment (Tree Report 15_4_16)
13 Ulmus procera	14	1700	1	P	-	9	R	Y	Species not suited to small school environment, showing signs of Elm Beetle Attack (Tree Report 15_4_16)
14 Quercus species	18.5	1900	1	P	-	12	R	Y	poor health, die back evident in upper canopy (Tree Report 15_4_16)
15 Platanus orientalis	10.5	1300	1	F	-	8	M	N	
16 Quercus species	12.5	2400	3	M	-	8	M	Y	
17 Fraxinus species	12	900	1	M	-	10	M	Y	
18 Fraxinus species	14	1300	1	M	-	10	M	Y	
19 Fraxinus oxycarpa	17.5	2200	1	F	-	14	R	Y	

## tree assessment notes

Health: E - excellent, G - good, M - medium, F - fair, P - poor  
 Trunk girth: measured in mm at 1m above ground level  
 Management Status: E - exceptional, H - high, M - medium, R - remove  
 RT: meets criteria for Regulated Tree - Y - Yes/ N - No  
 Tree Surgery - LP - light prune and remove dead wood, HP - general tree surgery, FP - formative pruning

Assessor: [redacted] (Grad Dip LA, BA BSc) & [redacted] Horticulturist (MAIH)  
 Date: 9/11/2016



## PLEASE NOTE

- The recent pruning of the street trees Platanus orientalis by an ACTEW arborist to keep the trees away from the power lines has significantly reduced the leaf surface area of the trees.
- This in turn will reduce any stress that may be caused to the trees by the area of stabilised access point that crosses over the canopy drip zone of trees 3, 4, 6 & 7.

date:	no.:	issue/amendment:	app:
9-11-2016	a	documentation for DA	rs

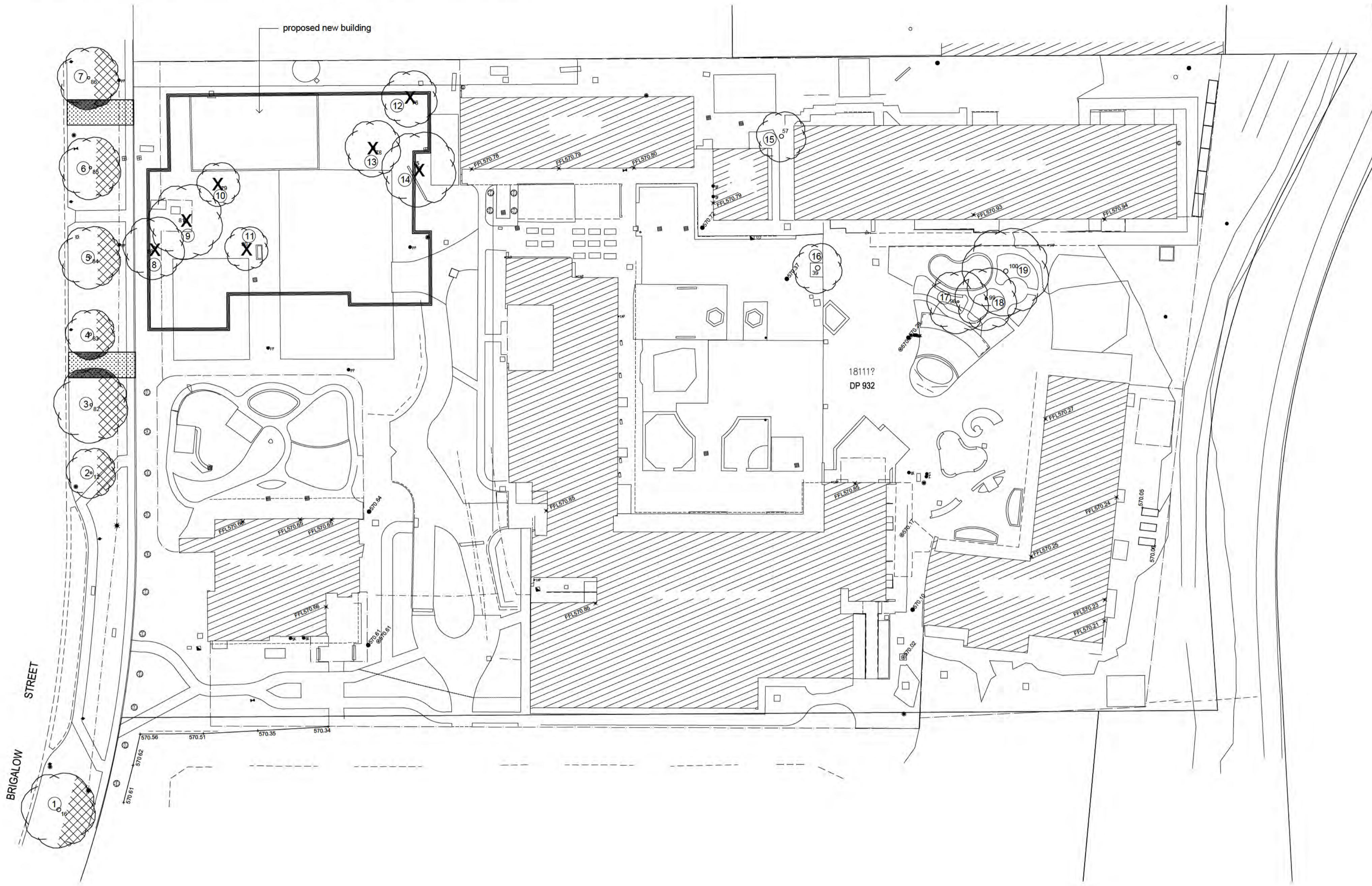
**Built.**

notes:  
 all dimensions in millimeters. do not scale drawing all dimensions and levels to be verified on site by contractor before commencing work or preparation of shop drawings. where provided, drawings must be read in conjunction with schedule of work or specification

project title:  
**Brindabella Christian College Building Construction**  
 client:  
**Built**  
 address:  
 135 Brigalow Street, Lyneham ACT 2602  
 block section  
 4 41

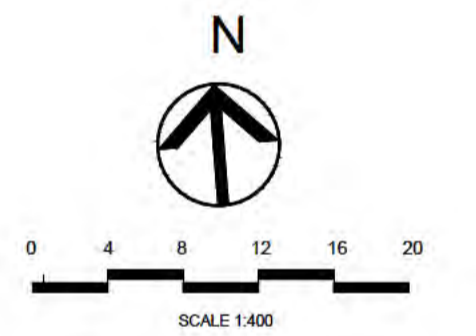
drawing title:  
**Landscape Management & Protection Plan**  
 scale date  
 1:400 @ A1 November 9th 2016  
 project no. sheet no. issue  
 2016\_642\_LMPP L8102 a  
 beracah gardens 2016 ©

# LANDSCAPE MANAGEMENT & PROTECTION PLAN



**legend**

- 1,800H temporary chain mesh fencing
- existing tree
- tree to be removed
- stabilised access point - see detail
- proposed activity within Tree Protection Zone of Regulated Tree
- extent of tree pruning by ACTEW arborist



date:	no.:	issue/amendment:	app:
9-11-2016	a	documentation for DA	rs

**Built.**

**notes:**  
all dimensions in millimeters. do not scale drawing  
all dimensions and levels to be verified on site by contractor  
before commencing work or preparation of shop drawings,  
where provided. drawings must be read in conjunction with  
schedule of work or specification

**project title:**  
Brindabella Christian College  
Building Construction  
**client:**  
Built  
**address:**  
136 Brigalow Street, Lyneham ACT 2602  
**block:** section  
4 41

**drawing title:**  
Landscape Management &  
Protection Plan

scale	date	
1:400 @ A1	November 9th 2016	
project no.	sheet no.	issue
2016_642_LMPP	L02/02	a

beracah gardens 2016 ©

## VERGE CONDITION & RESTORATIVE VERGE WORKS

- existing conditions of verge**
- the existing vegetation of the verge consists of mature, regulated street trees. We recommend all trees be protected and retained. the ground cover of the verge is grassed and is in fair condition
- verge management notes**
- all works to be contained within the building site except for approved service connections in the verge or other approved exceptions.
  - during the progress of the works, all existing verge grass cover and trees shall be maintained in pre-existing condition. This can include regular watering of grass and trees in dryer conditions.
  - restore all grassed and landscaped areas damaged by the construction works to original or better condition upon completion of works
  - all builders rubble and construction materials to be removed from site, before soil restorative works commenced

- restorative verge works**
- all existing verge grass cover and trees shall be maintained in pre-existing condition.
  - should damage occur, the verge shall be restored to better than pre-existing condition as part of the development works. grass re-establishment to be part of restorative verge works. water as required to establish.
  - during restorative verge works, topsoil shall not be removed and the soil level shall not be changed within the drip zone of trees.
  - for grassed areas, spread soil from site (where possible), top with 50-100mm type C top soil, smoothed, free of lumps of soil or stones and gradually blend into adjoining areas of undisturbed ground. Where topsoiling is carried out adjacent to kerbs, footpaths, mowing strips or other hard paved surfaces, the topsoiling shall finish flush with those surfaces unless specified otherwise.
  - grassing - spray grass seed mix to match existing, straw mulch and bitumen emulsion spray, water as required to establish.

## Bruan, Nicole

---

**From:** [REDACTED]@built.com.au>  
**Sent:** Monday, 21 November 2016 4:30 PM  
**To:** Sweet, Carma  
**Subject:** Brindabella Christian College Lyneham - Marks up of Tree and description of works  
**Attachments:** BCC - LMPP - Trees 3 and 4.pdf; BCC - LMPP - Trees 6 and 7 Visual.pdf

Hi Carma,

Thanks for your time on the phone today. Please find attached mark-up showing proposed driveway between trees as discussed. I confirm the following for each condition:

### Temporary Driveway between trees 3 and 4:

- A small branch will need to be pruned back, this branch has a diameter of approximately 55mm and no other pruning would be required for construction vehicles to access under the tree canopies.
- The driveway will be centred within the tree trunks as requested.
- No excavation will be required for the establishment of the temporary driveway, we will install a geotechnical fabric and lay road base material over with a make good at the end of the project.

### Temporary Driveway between tree 6 and 7:

- No pruning is required for construction vehicles to access under the canopy.
- The driveway will be centred within the tree trunks as requested.
- No excavation will be required for the establishment of the temporary driveway, we will install a geotechnical fabric and lay road base material over with a make good at the end of the project.

I trust this clarifies any queries or concerns, however please feel free to call with any queries.

Kind Regards,

[REDACTED]  
Project Manager

**Built.**

Sydney | Melbourne | Brisbane | Perth | Canberra | Adelaide  
Unit 1/59 Wentworth Ave Kingston ACT 2604

[m] [REDACTED] [t] 02 6232 6193 [f] 02 6232 6197

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---

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---





## Bruan, Nicole

---

**From:** [REDACTED]@built.com.au>  
**Sent:** Tuesday, 22 November 2016 8:28 AM  
**To:** Sweet, Carma  
**Cc:** Evans, Colin  
**Subject:** RE: Brindabella Christian College Lyneham - Marks up of Tree and description of works [SEC=UNCLASSIFIED]

Hi Carma,

Thank you for your email. I will arrange a TAMS approved arborist to inspect and provide advise/action as requested. I appreciate your guidance in assisting us close this out.

Kind Regards,

[REDACTED]  
Project Manager

**Built.**

Sydney | Melbourne | Brisbane | Perth | Canberra | Adelaide  
Unit 1/59 Wentworth Ave Kingston ACT 2604  
[m] [REDACTED] [t] 02 6232 6193 [f] 02 6232 6197  
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---

**From:** Sweet, Carma [mailto:Carma.Sweet@act.gov.au]  
**Sent:** Monday, 21 November 2016 5:13 PM  
**To:** [REDACTED]@built.com.au>  
**Cc:** Evans, Colin <Colin.Evans@act.gov.au>  
**Subject:** RE: Brindabella Christian College Lyneham - Marks up of Tree and description of works [SEC=UNCLASSIFIED]

Hi [REDACTED],

Thank you for providing this additional information to support the Landscape Management and Protection Plans (L01/02 Issue A and L02/02 Issue A dated 9.11.16) to show how the street trees on Brigalow Street will be protected during access for construction inside of the Brindabella Christian College.

Urban Treescapes can support access within tree protection zones providing trees on the verge are surrounded by temporary fencing during works and the 55mm branch that requires removal for access is pruned by a TAMS approved arborist. The arborist may also be able to advise that the branch can be tied back rather than removed.

Please contact Urban Treescapes if it becomes apparent that there may be further conflicts between vehicles and tree canopies.

Kind regards,

Carma

Carma Sweet | A/g New Asset Coordinator

Phone: 02 6205 8679 | Mobile: [REDACTED] | Email: [carma.sweet@act.gov.au](mailto:carma.sweet@act.gov.au)

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

Level 8, Macarthur House, 12 Wattle Street, Lyneham ACT 2602 | GPO Box 158 Canberra ACT 2601 | [www.act.gov.au](http://www.act.gov.au)

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**From:** [REDACTED]@built.com.au]

**Sent:** Monday, 21 November 2016 4:30 PM

**To:** Sweet, Carma

**Subject:** Brindabella Christian College Lyneham - Marks up of Tree and description of works

Hi Carma,

Thanks for your time on the phone today. Please find attached mark-up showing proposed driveway between trees as discussed. I confirm the following for each condition:

**Temporary Driveway between trees 3 and 4:**

- A small branch will need to be pruned back, this branch has a diameter of approximately 55mm and no other pruning would be required for construction vehicles to access under the tree canopies.
- The driveway will be centred within the tree trunks as requested.
- No excavation will be required for the establishment of the temporary driveway, we will install a geotechnical fabric and lay road base material over with a make good at the end of the project.

**Temporary Driveway between tree 6 and 7:**

- No pruning is required for construction vehicles to access under the canopy.
- The driveway will be centred within the tree trunks as requested.
- No excavation will be required for the establishment of the temporary driveway, we will install a geotechnical fabric and lay road base material over with a make good at the end of the project.

I trust this clarifies any queries or concerns, however please feel free to call with any queries.

Kind Regards,

[REDACTED]  
Project Manager

**Built.**

Sydney | Melbourne | Brisbane | Perth | Canberra | Adelaide

Unit 1/59 Wentworth Ave Kingston ACT 2604

[m] [REDACTED] [t] 02 6232 6193 [f] 02 6232 6197

[www.Built.com.au](http://www.Built.com.au)

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Due to MACS EG/110  
Due to DG: 2/11

MIN/16/1307

Hart, Meaghan

**From:** Fisk, Kaye on behalf of CMTEDD MLO  
**Sent:** Thursday, 13 October 2016 3:09 PM  
**To:** TCCS\_Correspondence  
**Subject:** CMTEDD ministerial  
**Attachments:** Original email from [REDACTED] to Minister Barr - Removal of trees at Brindabella Christian College LYNEHAM.msg

Hi

Please find attached a CMTEDD Ministerial for Reply by Directorate.

Please review the attached and advise the MLO via [cmtedd.mlo@act.gov.au](mailto:cmtedd.mlo@act.gov.au) if this ministerial has been allocated incorrectly. This will allow redirection to the correct area without delay.

Due date to the Chief Minister is: 28 October 2016.

Please provide CMTEDD MLO with your Directorate's reference number for our TRIM records.

For record-keeping purposes, please treat attached email as the original correspondence and file accordingly.

Thank you  
CMTEDD MLO  
Ext: 54058

Hi,

Directorate response please.

Thanks.

-----< HP Records Manager Record Information >-----

Record Number : MIN:2016/005056  
Title : Caretaker - email from [REDACTED] to CM - removal of trees

-----< HP Records Manager Record Information >-----

Record Number : MIN:2016/005056-001  
Title : Original email from [REDACTED] to Minister Barr - Removal of trees at Brindabella Christian College LYNEHAM

**Hart, Meaghan**

---

**From:** Bron, Benjamin on behalf of BARR  
**Sent:** Thursday, 13 October 2016 2:33 PM  
**To:** CMTEDD MLO  
**Subject:** FW: Removal of trees at Brindabella Christian College LYNEHAM  
**Attachments:** LCA re BCEL Tree removal Oct 2016 issue.pdf

**Categories:** Kaye

Hi,

Directorate response please.

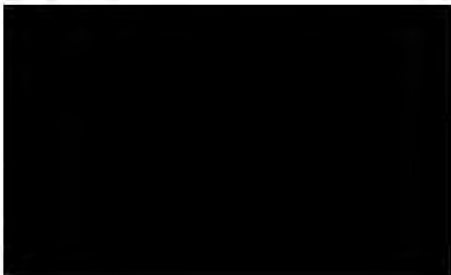
Thanks.

---

**From:** [REDACTED]  
**Sent:** Tuesday, 11 October 2016 11:22 PM  
**To:** BARR; FITZHARRIS; GENTLEMAN; Environment  
**Cc:** [committee@lyneham.org.au](mailto:committee@lyneham.org.au)  
**Subject:** Removal of trees at Brindabella Christian College LYNEHAM

Dear ministers and environment department  
Please note, and promptly act upon the attached letter of concern regarding the recent removal of trees on and adjacent to the Brindabella Christian College LYNEHAM

Regards



## Lyneham Community Association

Chief Minister, Andrew Barr  
[barr@act.gov.au](mailto:barr@act.gov.au)  
Minister for Transport Canberra and City Services Meegan Fitzharris  
[fitzharris@act.gov.au](mailto:fitzharris@act.gov.au)  
Minister for Planning and Land Management  
[gentleman@act.gov.au](mailto:gentleman@act.gov.au)  
Environment and Planning Directorate  
[environment@act.gov.au](mailto:environment@act.gov.au)



### Re: Concern about tree removal at 136 Brigalow St, Lyneham ACT (Brindabella Christian College)

It has come to our attention that some 16 trees have been removed from the boundary of Brindabella Christian College (BCC) and we request an urgent response as to whether the removal of these trees was authorised.

We assume the removal of these trees are part of the building works being undertaken at the BCC (refer to Development Application (DA) 201629628), which listed 7 trees to be removed on the footprint of the building. However, we note that:

- Four of the trees removed are on public (government) land;
- A further 6 trees are right on the boundary (refer to the schedule below);
- A number of other trees appear to have been removed along the northern boundary and elsewhere on the BCC site; and
- The 7 trees noted in the DA are not included in the numbers above.

The Lyneham Community Association is deeply concerned about the removal of these trees, as many members of the local community have contacted us, incensed and concerned about whether the BCC have removed trees without approval.

Would you please advise us of the following:

- Was the tree removal authorised by the ACT Government?
  - We can find no reference to additional tree removal in the Notice of decision issued on 02/09/2016.
  - Was the DA modified after public consultation? If so on what grounds, given that:
    - Some of the trees are protected under the *Tree Protection Act 2005* and others under the *Trespass on Territory Land Act 1932*?
    - If approval was given, why was the community not consulted?
- If the tree removal was not approved, what do you propose to do about it?

If the removal of these trees was unauthorised, it is a potentially significant election issue in the Kurrajong electorate, so we would request an urgent response by 5pm Wednesday 12 October 2016.

Kind regards



Chair, Lyneham Community Association  
[contact@lyneham.org.au](mailto:contact@lyneham.org.au)

11/10/2016

The aim of the Lyneham Community Association is 'To protect, promote and enhance the economic, cultural, social and environmental wellbeing of the Lyneham community'

**Trees Removed (eastern boundary) October  
2016 by Brindabella Christian Education LTD**

<b>Tree No (From DA Survey)</b>	<b>Tree Location (Block No) Section 41</b>	<b>Custodian</b>	<b>Land Use</b>
4	4	ACT Government	PRZ1
5	4	ACT Government	PRZ1
6	4	Brindabella Christian College	CF
7	4	Brindabella Christian College	CF
8	4	Brindabella Christian College	CF
9	4	Brindabella Christian College	CF
10	4,24	ACT Gov/BCC boundary	PRZ1/CF
11	4,24	ACT Gov/BCC boundary	PRZ1/CF
89	4,24	ACT Gov/BCC boundary	PRZ1/CF
90	4,24	ACT Gov/BCC boundary	PRZ1/CF
91	4	Brindabella Christian College	CF
92	4,24	ACT Gov/BCC boundary	PRZ1/CF
93	41	ACT Government	PRZ1
94	41	ACT Government	PRZ2
95	41	ACT Government	PRZ3
96	4	Brindabella Christian College	CF



**ACT**  
Government

Transport Canberra and  
City Services

[REDACTED]  
[REDACTED]

Dear [REDACTED]

I refer to your letter on behalf of the Lyneham Community Association of 11 October 2016 to the Chief Minister, Mr Andrew Barr MLA, about the removal of trees at Brindabella Christian College, Lyneham. I am responding to you on behalf of the Chief Minister, as the matter you have raised is operational in nature and is managed by the Transport Canberra and City Services Directorate (TCCS). I apologise for the delay in responding.

Trees are an integral part of Canberra's landscape and design and allegations or complaints received of alleged tree damage or unauthorised removal are investigated thoroughly. In relation to the removal of trees at Brindabella Christian College, I can advise you that the case has been allocated to an investigating officer who is currently reviewing the matter.

I have passed your details onto the investigation team, who will contact you to discuss the findings.

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

Yours sincerely

[REDACTED]

Ben Ponton  
A/g Director-General

21 December 2016

## Bruan, Nicole

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**From:** Diehm, Andrew  
**Sent:** Friday, 20 January 2017 2:56 PM  
**To:** Denyer, Joseph  
**Cc:** Sweet, Carma  
**Subject:** FW: Your Statements - Brindabella School [DLM=Sensitive: Legal]  
**Attachments:** Statement\_Brindabella Christian College.doc

Hi Joe,

Attached is a statement of the tree removals as per your request.

Kind regards

Andrew Diehm | Tree Claims Officer | Urban Treescapes  
Phone: 62072504 | e-mail: [andrew.diehm@act.gov.au](mailto:andrew.diehm@act.gov.au)  
City Presentation | Roads and Infrastructure | Transport Canberra and City Services Directorate - TCSS | ACT Government  
Level 8, Macarthur house, 12 Wattle Street, Lyneham ACT 2602 | GPO Box 158 ACT 2601 | [www.gov.au](http://www.gov.au)

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**From:** Denyer, Joseph  
**Sent:** Thursday, 19 January 2017 8:52 AM  
**To:** Diehm, Andrew; Sweet, Carma  
**Cc:** Harrison, Wendy Maree  
**Subject:** RE: Your Statements - Brindabella School [DLM=Sensitive: Legal]

Yes Andrew

I require one from you.

You need to corroborate the visit to the school with Carma. You need to put your quals in.

Just do the best you can in draft form and when I have them both then we'll meet and fine tune them if needs be

*Joe Denyer*

Joe Denyer | Building & Compliance Inspector | Enforcement Unit  
Phone 02 6205 4298 | **Mobile** [REDACTED] | Email [joseph.denyer@act.gov.au](mailto:joseph.denyer@act.gov.au)  
**Construction, Environment and Workplace Protection | Access Canberra | ACT Government**  
Dame Pattie Menzies House, Challis Street, Dickson  
GPO Box 158 Canberra ACT 2601 | [www.act.gov.au/accesscbr](http://www.act.gov.au/accesscbr)



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**From:** Diehm, Andrew  
**Sent:** Thursday, 19 January 2017 8:41 AM  
**To:** Denyer, Joseph  
**Cc:** Sweet, Carma; Cilliers, George  
**Subject:** RE: Your Statements - Brindabella School [DLM=Sensitive: Legal]

Hi Joe,

Let me know if you require a statement from me? Carma is looking after this request.

Kind regards

Andrew Diehm | Tree Claims Officer | Urban Treescapes  
Phone: 62072504 | e-mail: [andrew.diehm@act.gov.au](mailto:andrew.diehm@act.gov.au)  
City Presentation | Roads and Infrastructure | Transport Canberra and City Services Directorate - TCSS | ACT Government  
Level 8, Macarthur house, 12 Wattle Street, Lyneham ACT 2602 | GPO Box 158 ACT 2601 | [www.gov.au](http://www.gov.au)

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**From:** Sweet, Carma  
**Sent:** Wednesday, 18 January 2017 3:36 PM  
**To:** Denyer, Joseph; Diehm, Andrew; Cilliers, George  
**Subject:** RE: Your Statements - Brindabella School [DLM=Sensitive: Legal]

Hi Joe,

My apologies for not getting back to you before now. Unfortunately while I have made a start on the statement I have had to keep putting it aside to meet work deadlines.

Is it okay if I send the statement through by the end of this week? Again I apologise for the inconvenience.

Regards,

Carma

Carma Sweet | A/g New Asset Coordinator  
Phone: 02 6205 8679 | Mobile: [REDACTED] | Email: [carma.sweet@act.gov.au](mailto:carma.sweet@act.gov.au)  
Urban Treescapes | City Presentation | Transport Canberra and City Services Directorate | ACT Government  
Level 8, Macarthur House, 12 Wattle Street, Lyneham ACT 2602 | GPO Box 158 Canberra ACT 2601 | [www.act.gov.au](http://www.act.gov.au)

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**From:** Denyer, Joseph  
**Sent:** Wednesday, 18 January 2017 3:33 PM  
**To:** Diehm, Andrew; Sweet, Carma; Cilliers, George  
**Subject:** FW: Your Statements - Brindabella School [DLM=Sensitive: Legal]

Hi All

Does anyone need help with their statements?

*Joe Denyer*

Joe Denyer | Building & Compliance Inspector | Enforcement Unit  
Phone 02 6205 4298 | Mobile [REDACTED] | Email [joseph.denyer@act.gov.au](mailto:joseph.denyer@act.gov.au)  
Construction, Environment and Workplace Protection | Access Canberra | ACT Government

Dame Pattie Menzies House, Challis Street, Dickson  
GPO Box 158 Canberra ACT 2601 | [www.act.gov.au/accesscbr](http://www.act.gov.au/accesscbr)



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**From:** Denyer, Joseph  
**Sent:** Wednesday, 11 January 2017 11:27 AM  
**To:** Cilliers, George; Sweet, Carma; Diehm, Andrew  
**Cc:** Harrison, Wendy Maree; Keppell, Kassandra  
**Subject:** Your Statements - Brindabella School [DLM=Sensitive: Legal]

Hi Guys

I am just following up on the matter concerning the Brindabella School and the issues we had with the tree removals, not in compliance with the Development Approval

Could you complete your statements and forward them onto me please.

Wendy Harrison, Manager at Fair Trading (enforcement and investigations) is my partner in the investigation, so if I am not around and you need to speak with someone, call Wendy

This is a high profile case so community groups and senior management are looking for results.

*Joe Denyer*

Joe Denyer | Building & Compliance Inspector | Enforcement Unit

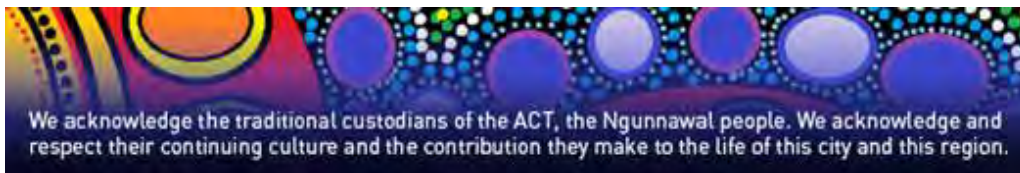
Phone 02 6205 4298 | **Mobile** [REDACTED] | Email [joseph.denyer@act.gov.au](mailto:joseph.denyer@act.gov.au)

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### **Brindabella Christian College (Block 4 Section 41 Lyneham)**

Unapproved removals along shared path:

- 6 *Quercus lusitanica* in urban open space
- 3 regulated *Q. lusitanica* within the block boundary, 1 unregulated oak
- approx. 3 eucalypts in u.o.s

#### **Incident summary:**

05.10.16 Andrew Diehm received CRM enquiry asking for information regarding tree removals. Enquiry submitted by [REDACTED], a local resident.

07.10.16 A.Diehm met [REDACTED] onsite to discuss row of removed oaks and machinery beneath retained trees. Best estimate measurements of stumps from path taken (stumps behind site fence erected on public land). Photos taken.

12.10.16 Carma Sweet and A.Diehm inspected site. Discussed issue with head of maintenance [REDACTED] and BCC Principal [REDACTED].

U.O.S has been ripped up and will need to be rectified. Damaged trees require pruning and 2 small trees should be removed.

12.10.16 C.Sweet called [REDACTED] to let him know we were following up the incident and requested a copy of photos he took on 04.10.16.

13.10.16 ABC 666 interviewed Michael Brice.

[REDACTED] *asserted:*

-They removed trees because they were located along the school boundary making it difficult to realign school fence along property line

-BCC removed trees in-house ([REDACTED] undertook removals) and contracted arborist company to chip trees (company unknown).

-Removals were done with his authority and responsibility lies with him. Implied ignorance of tree protection requirements and approval process however acknowledged that school had recently submitted development application.

- Ripped up ground to clear site for site sheds. Site manager [REDACTED] installed site fence and site sheds. CS left message to call Urban Trees 14.10.16 with no call back to date.

-Direct sale for use of u.o.s underway (B23 S41 Lyneham).

-Canberra Times had contacted school and requested comment. [REDACTED] had not responded to the request and did not intend to do so.

#### *Further information:*

- A.Diehm believes it is unlikely that maintenance staff had capacity to remove such large trees.

-Trees have also been moved by heavy machinery before they were chipped. [REDACTED] noticed contractors name and phone number on digger that excavated ground (and potentially moved trees), Nicol Contracting Excavation & Earth Moving Equipment [REDACTED].

-Removed trees not covered in recent DA submission but trees included in survey plan.

-Appears to be no existing permit in place for use of public land.

Colin Evans (ACT Roads): no TTMP has been lodged.

Darren Gerrad (L&C): No current license in place for use of public land. The last permit was temporary and expired in 2009. This permit covered the car park area only and was intended for use during construction of school wing. Did not cover use of not the adjacent u.o.s. where machinery was parked 12.10.16 and trees removed for access into car park.

Direct sale likely to be granted as long as car park is open to the public.

Christine Luchetti (CMTEDD Direct Sales): Application for Direct Sale waiting on advice from EPD.

Land use may not be compatible with zoning so unsure if sale will go ahead. Will send through a plan outlining boundaries of DS.

DA background:

A number of DA's have been submitted by the College indicating a familiarity with the DA process.

Records from 2006, 2007 and 2009 (updated 25.08.15), 2015 and 2016.

24.01.12 Request for College car park (B4 & 23 S41 Lyneham) to be DA exempt. Request for exemption denied 16.03.12.

**Statement by Carma Sweet for Tree removals at Brindabella Christian College  
(Block 4 Section 41 Lyneham)**

My name is Carma Sweet and I am the acting New Asset Coordinator for Urban Treescapes in TCCS. The following statement is a chronological breakdown of my involvement in the issue of the unauthorised removal of the regulated trees and public trees outside Brindabella Christian College (BCC) in Lyneham.

10.10.2016: The situation was first brought to my attention when my colleague Andrew Diehm asked if I had any knowledge of a proposal to remove the trees at the boundary between Block 4 Section 41 Lyneham and the adjacent urban open space. I had not received a development application or a pre-application query so I asked my colleague in the Tree Protection Unit, Terrance Raath (whose role is to provide advice on trees located within private leases), if he had seen a development application for the school or had seen a Tree Damaging Activity application proposing to remove the trees.

T.Raath had come across a recent DA for the school and showed me the landscape and demolition plans and the survey plan that included the location and size of existing trees on and adjacent to the site. He explained which trees had been requested for removal and which regulated and non-regulated trees were approved or rejected for removal inside the lease. No approval was given to remove trees from public land near BCC. The DA documentation did not include a proposal to remove a number of the trees that were subsequently removed in October 2017.

From the survey plan, Actmapi and Google street view it could be seen that there had been approximately 12 unauthorised removals. These included six *Quercus lusitanica* removed from urban open space near BCC, three regulated *Q.lusitanica* and one additional unregulated (unprotected) *Q.lusitanica* within the BCC block and at least three eucalypts in urban open space.

11.10.2016: The Lyneham Community Association wrote to various Government Ministers and the Environment and Planning Directorate outlining their concerns about the unauthorised removal of trees at and adjacent to BCC and seeking an urgent response from Government.

12.10.2016: A.Diehm and I inspected site from outside school and took photographs of tree stumps, cleared land and a construction fence located on public land.

We signed into the school office and discussed tree removals with BCC Principal, [REDACTED] and head of maintenance, [REDACTED]. I informed them that damaged trees required pruning and the 2 small damaged trees should also be removed and explained that the dryland grass ripped up in the urban open space needed to be remediated.

During this interview [REDACTED] asserted:

-He had arranged the tree removals because they were located along the school boundary making it difficult to realign the school fence along the property line (fence line had been set a couple of metres back from the property line).

-BCC removed trees in-house and contracted an arborist company to chip the felled trees (company unknown). [REDACTED] stated that he undertook removals himself. Trees were moved by heavy machinery before they were chipped.

-The ground was ripped up to clear site for site sheds. Site Manager [REDACTED] installed the site fence and the site sheds.

-Direct Sale for use of urban open space for school car park (Block 23 Section 41 Lyneham) was underway.

-Canberra Times had contacted the school and requested comment. [REDACTED] had not responded to the request and did not intend to do so.

12.10.2016: Following the meeting I called [REDACTED] to inform him that we were following up the incident. He explained that he had photographs taken by himself on 4.10.2016 and also photographs taken a little earlier by a neighbour. I requested copies of the photographs and received them via email later that afternoon.

13.10.2016: ABC 666 interviewed Michael Brice from Urban Treescapes and asked about the removals outside BCC.

13.10.2016: [REDACTED] emailed me to identify the digger that had been used during the unauthorised works and appeared in one of the photographs. This was described as a "big yellow Komatsu digger with 'Nicol Contracting [REDACTED]' on the side.

18.10.2016: Received an email from Colin Evans (ACT Roads) regarding Temporary Traffic Management Plans for approved development works for BCC. The TTM plans proposed vehicle access from Brigalow St (between street trees) and access for site workers from the eastern section of the informal car park (urban open space Block 23 Section 41) to the back of the BCC site.

18.10.2016: Attended internal Government meeting regarding removal of trees at Brindabella Christian College. Meeting also attended by Fleur Flanery, Sean Sloan, George Cilliers and Mark Milner.

20.10.2016: Met with Sean Sloan and Matt Potter to discuss the incident and provide more detail than discussed earlier in the week (e.g. photographs).

31.10.2016: [REDACTED] emailed me asking for an update and if trees were removed without authorisation. I told him the matter was currently under investigation and that a number of tree removals were not approved by TCCS Urban Treescapes.

04.11.2016 I emailed Mark Millner a copy of the incident summary that I had been keeping as a record of my involvement in the follow up of tree removals outside BCC.

21.11.2016: [REDACTED] called regarding site access during construction as I had requested more detail regarding tree protection measures (primarily overhead clearance beneath tree canopies and measures to mitigate root compaction). I had tried to call him in October regarding the tree removals (at some point between 12.10.2016 and 18.10.2016) but he did not answer or call back and I was advised not to pursue the matter in the meeting held 18.10.2016. He then sent through a follow up email to confirm the tree protection measures discussed.

13.12.2016: Attended meeting with Sean Sloan, Cassandra Keppell and Joseph Denyer to discuss incident and the investigation to date.

## Bruan, Nicole

---

**From:** Allen, Richard  
**Sent:** Monday, 23 January 2017 4:57 PM  
**To:** EPD, Customer Services  
**Subject:** FW: REFERRAL-TREE-201630939-4/41 LYNEHAM-01 [SEC=UNCLASSIFIED]  
**Attachments:** plans#2.obr; supporting docs#2.obr

Good Afternoon,  
Please see comments below,

Richard

DA No 201630939

<b>BLOCK:</b>	<b>SECTION:</b>	<b>DIVISION:</b>
4	41	LYNEHAM

This DA has been assessed and the following Conservators Advice in accordance with Section 82 *Tree Protection Act 2005* is provided:

No regulated trees on the site	
Supported provided there are conditions of approval	
Advice for the applicant	
Not Supported	X
Further Information/amendments required	

Conditions/Comments/Advice:

The DA is not supported .

The development requires the removal of a high quality *Ulmus procera* . The tree provides amenity and aesthetic contribution to the site. The tree does not meet criteria for removal under the provisions of the *Tree Protection Act 2005*.

*Richard Allen* | Technical Manager Urban Treescapes |

Phone 02 62075878 | Fax 02 6207 5956 | Email: richard.allen@act.gov.au

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

Level 8, Macarthur House, 12 Wattle Street, Lyneham ACT 2602 | GPO Box 158 Canberra ACT 2601 | [www.act.gov.au](http://www.act.gov.au)

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**From:** EPD, Customer Services  
**Sent:** Friday, 13 January 2017 11:51 AM  
**To:** TCCS\_CP TreeProtectionACTPLARef  
**Subject:** REFERRAL-TREE-201630939-4/41 LYNEHAM-01 [SEC=UNCLASSIFIED]

**DEVELOPMENT APPLICATION NO: 201630939**

**BLOCK: 4 SECTION: 41 DIVISION: LYNEHAM**

**Description - PROPOSAL FOR ADDITIONS TO EXISTING SCHOOL - construction of a new maintenance shed.**

Pursuant to Section 148(1) of the Planning and Development Act 2007 the ACT Planning and Land Authority requests that you consider the above mentioned development application and provide any written advice no later than 15 working days after the date of this notice (**06/02/2017**).

In accordance with Section 150 of the Planning and Development Act 2007 If advice is not received within the prescribed time it will be taken that you have supported the application.

Please forward any written advice via email to Customer Services

[EPDcustomerservices@act.gov.au](mailto:EPDcustomerservices@act.gov.au)

**Please use the following format in the subject line of the email when providing advice:**

**COMM-Agency Name-20080XXXX-Block XX Section XX SuburbXXXXX-01**

**Example: COMM-Heritage-200801234-Block 10 Section 10 Dickson-01**

Kind Regards

Customer Services

**Phone 02 6207 1923**

**Access Canberra | ACT Government**

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601

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## Bruan, Nicole

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**From:** Sweet, Carma  
**Sent:** Monday, 10 April 2017 10:27 AM  
**To:** [REDACTED]  
**Subject:** RE: Brindabella Christian College - Existing Services with Verge [SEC=UNCLASSIFIED]

Hi [REDACTED],

Thank you for getting in touch with us. Urban Treescapes usually condition that disconnected ties be abandoned rather than removed in situations where ties beneath healthy trees are to be decommissioned. Unfortunately we did not get an opportunity to comment on the offsite works for this DA otherwise the Notice of Decision would have included the condition that there was to be no trenching beneath trees to install or remove disconnected services. Could you please leave the pipes in situ after they are disconnected from the water service to avoid digging close to the tree?

Also I was wondering if you have installed the new water tie yet? Trenching to install new ties should also be avoided within tree protection zones and services should be installed using trenchless methodology (e.g. under-boring beneath root systems).

Kind regards,

Carma

**Carma Sweet | A/g New Asset Coordinator**

Phone: 02 6205 8679 | Mobile: [REDACTED] | Email: [carma.sweet@act.gov.au](mailto:carma.sweet@act.gov.au)

**Urban Treescapes | City Presentation | Transport Canberra and City Services Directorate | ACT Government**

Level 8, Macarthur House, 12 Wattle Street, Lyneham ACT 2602 | GPO Box 158 Canberra ACT 2601 | [www.act.gov.au](http://www.act.gov.au)

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**From:** [REDACTED]@built.com.au]  
**Sent:** Tuesday, 4 April 2017 2:33 PM  
**To:** Sweet, Carma  
**Subject:** Brindabella Christian College - Existing Services with Verge

Hi Carma,

I wanted to query something regarding the verge outside the Brindabella Christian College in Lyneham. As part of our works, we constructed a new water meter pit and de-commissioned the old one. ICON have requested that we remove the redundant pipes which run from the main water supply to the site (a new policy they are trying to implement) . This is all within the verge are tree area we needed to be delicate with when establishing our site.

In order to remove the existing pipe work, we will be required to dig up and excavate the area to expose the pipe work and remove. Given the sensitive nature of the area and tree, I'd like to get your input if possible?

Happy to discuss over the phone if easier.

Kind Regards,

[REDACTED]  
Project Manager



Sydney | Melbourne | Brisbane | Perth | Canberra | Adelaide  
Unit 1/59 Wentworth Ave Kingston ACT 2604

[m] [REDACTED] [t] 02 6232 6193 [f] 02 6232 6197

[www.Built.com.au](http://www.Built.com.au)

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**Bruan, Nicole**

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**From:** [REDACTED]@hotmail.com>  
**Sent:** Wednesday, 10 May 2017 12:41 PM  
**To:** Denyer, Joseph; Sweet, Carma  
**Subject:** BCC trees

Joe, Carma,

I took a couple of photos on my way home from meeting with Joe this morning.

The first shows that the cars aren't parked under the trees today, unlike last Thursday.

I was interested, Joe, when you said that construction fencing should be within the property boundary. The second photo, on the Brigalow St side, shows the fencing all the way to the edge of the footpath, which I believe means it is one or two metres beyond the property boundary.

Joe: The chair of BCC's board is [REDACTED]:  
[http://www.bcc.act.edu.au/staff/\[REDACTED\]](http://www.bcc.act.edu.au/staff/[REDACTED])

Also coming is the audio of last year's ABC radio interview with the tree protection person (Michael Bryce ?).

I'll have to send the second photo and audio in separate emails: the email bounces when they're all together (too large).

Regards,



**Bruan, Nicole**

---

**From:** [REDACTED]@hotmail.com>  
**Sent:** Tuesday, 30 May 2017 9:34 AM  
**To:** Sweet. Carma  
**Cc:** [REDACTED]  
**Subject:** parking under trees at BCC

Hi Carma,

I walked along the bike path near the BCC construction this morning (at 9.15).  
I'm not clear what the exact rule is, but at least one car (YLS 32V) was parked well within the drip line of one of the trees.  
Other cars were close, but not within the drip line.

Photos attached.

Regards,

[REDACTED]







## Bruan, Nicole

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**From:** TCCS\_LC PermitApprovals  
**Sent:** Thursday, 12 April 2018 9:41 AM  
**To:** Sweet, Carma; Taylor, Lachlan  
**Cc:** Adrian, Tristan  
**Subject:** RE: Block 24 Section 41, Lyneham [SEC=UNCLASSIFIED]  
**Attachments:** 20171030144149043.pdf

Good morning Lachlan and Carma

Please find attached the approved permit.

Please let me know if you need anything further

Many thanks  
Tash

### **Natasha Siebels | A/g Public Use Bookings Officer**

Phone 6205 9850 | Fax 6207 7133 | Email [tccs.publiclanduse@act.gov.au](mailto:tccs.publiclanduse@act.gov.au)  
Licensing and Compliance | City Presentation | Transport Canberra and City Services  
ACT Government  
255 Canberra Avenue, Fyshwick ACT 2609 | GPO Box 158 Canberra ACT 2601 | [www.act.gov.au](http://www.act.gov.au)

---

**From:** Sweet, Carma  
**Sent:** Thursday, 12 April 2018 9:24 AM  
**To:** Taylor, Lachlan <[Lachlan.Taylor@act.gov.au](mailto:Lachlan.Taylor@act.gov.au)>; TCCS\_LC PermitApprovals <[TCCS.PermitApprovals@act.gov.au](mailto:TCCS.PermitApprovals@act.gov.au)>  
**Subject:** RE: Block 24 Section 41, Lyneham [SEC=UNCLASSIFIED]

Hi Tash,

Could you please send us through a copy of the approved set up plan when you get a chance?

Thanks a lot,  
Carma

### **Carma Sweet | Design & Development Coordinator**

Phone: 02 6205 8679 | Mobile: [REDACTED] | Email: [carma.sweet@act.gov.au](mailto:carma.sweet@act.gov.au)  
Urban Treescapes | 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](http://www.act.gov.au)

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**From:** Taylor, Lachlan  
**Sent:** Thursday, 12 April 2018 9:22 AM  
**To:** TCCS\_LC PermitApprovals <[TCCS.PermitApprovals@act.gov.au](mailto:TCCS.PermitApprovals@act.gov.au)>  
**Cc:** Sweet, Carma <[Carma.Sweet@act.gov.au](mailto:Carma.Sweet@act.gov.au)>  
**Subject:** RE: Block 24 Section 41, Lyneham [SEC=UNCLASSIFIED]

Thanks Tash,

Hoping there is at least one condition about re-establishing the site prior to completion of works and not parking under/near the trees?

Kind regards,

**Lachlan Taylor | Technical Officer - Urban Treescapes**

Phone 02 6207 1884 | Mobile [REDACTED] | Email [lachlan.taylor@act.gov.au](mailto: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](http://www.act.gov.au)

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**From:** TCCS\_LC PermitApprovals

**Sent:** Thursday, 12 April 2018 9:17 AM

**To:** Taylor, Lachlan <[Lachlan.Taylor@act.gov.au](mailto:Lachlan.Taylor@act.gov.au)>

**Cc:** Sweet, Carma <[Carma.Sweet@act.gov.au](mailto:Carma.Sweet@act.gov.au)>

**Subject:** RE: Block 24 Section 41, Lyneham [SEC=UNCLASSIFIED]

Good morning Lachlan

There is an approved permit in place which was active from 16/08/2017 to 19/09/2018.

Please let me know if I can assist further

Many thanks

Tash

**Natasha Siebels | A/g Public Use Bookings Officer**

Phone 6205 9850 | Fax 6207 7133 | Email [tccs.publiclanduse@act.gov.au](mailto:tccs.publiclanduse@act.gov.au)

Licensing and Compliance | City Presentation | Transport Canberra and City Services

ACT Government

255 Canberra Avenue, Fyshwick ACT 2609 | GPO Box 158 Canberra ACT 2601 | [www.act.gov.au](http://www.act.gov.au)

---

**From:** Taylor, Lachlan

**Sent:** Thursday, 12 April 2018 9:10 AM

**To:** TCCS\_LC PermitApprovals <[TCCS.PermitsApprovals@act.gov.au](mailto:TCCS.PermitsApprovals@act.gov.au)>

**Cc:** Sweet, Carma <[Carma.Sweet@act.gov.au](mailto:Carma.Sweet@act.gov.au)>

**Subject:** Block 24 Section 41, Lyneham [SEC=UNCLASSIFIED]

Hi,

Can you please let me know if there are any permits to use this land for access/machinery storage behind the Brindabella Christian College

Kind regards,

**Lachlan Taylor | Technical Officer - Urban Treescapes**

Phone 02 6207 1884 | Mobile [REDACTED] | Email [lachlan.taylor@act.gov.au](mailto: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](http://www.act.gov.au)



Version 1.2

**Application to use a public place  
For construction activities under  
Section 45, Public Unleased Land Act 2013**

**Return to the Reid Depot**  
2 Elimatta St, Reid  
Transport Canberra and City Services  
GPO Box 158 Canberra ACT 2601  
Telephone: Access Canberra 13 22 81  
Fax: (02) 6207 7133  
[tccs.publiclanduse@act.gov.au](mailto:tccs.publiclanduse@act.gov.au)

**Permit Number:**  
(Office use only)

18042

**Please note: A minimum of 28 days is required for processing.**

All applications have a maximum length of two years.

**The following supporting documentation must be attached to the application:**

**Detailed sketch plan**

This needs to detail the location, objects, boundaries, dimensions, footpaths and nature strip trees etc. The Applicant needs to clearly indicate the nature of the object and give particulars of its design, position and size, specify the use to which the object will be put and include what type of substances, materials or items will be stored, placed or used.

**Risk assessment plan**

Identifying possible risks and risk reduction methods.

**Evidence of public liability insurance**

\$20 million public liability insurance required for all construction activities.

Please ensure you give full details of your activity including objects or size of structures to be used, requirements for access to gates and any other points which may help in the processing of your application. Attach additional information if needed.

**Applicant's details**

Name of organisation

Built Pty Ltd

Name of applicant

Surname [Redacted]  
Given name [Redacted]

Applicant's address

Suite 1/59 Westmarch Ave Suburb Kingston State ACT Postcode 2604

Email address

[Redacted]@built.com.au

ABN

24 093 929 045

ACN

093 929 045

Telephone

Business hrs 6232 6193 Mobile [Redacted] Fax 6232 6197

Application to Use a Public Place

**Locality details**

Address

Suburb  State  Postcode

Date from and time from

am or pm (please circle)

Date to and time to

am or  pm (please circle)

Block (if known)

Section (if known)

Amount of public land used in m<sup>2</sup>

Activity (please tick)

- Scaffolding
- Hazardous or flammable materials
- Hoarding over pedestrians
- Skips (industrial bins)
- Site compound fence
- Hoarding on fence

Other (please Specify)

Other details relating to the use of public land that may support your application:

**Public liability insurance**

**Indemnity**

In consideration of the Territory permitting the Applicant to use the public place, the Applicant indemnifies the Territory, its employees and agents against liability in respect of all claims, costs and expenses in relation to all loss, damage, injury or death to persons or property caused by the Applicant, in connection with the use of the public place, except to the extent that the Territory caused the relevant loss, damage or injury.

**Claims to be made good**

The Applicant must make good at their expense the amount of all claims, loss, damage, costs and expenses subject to the above indemnity.

**Public liability insurance**

During its occupation and use of the public place, the Applicant must effect and maintain:

1. all insurance coverage required to be effected by it by law; and

Application to Use a Public Place

- public liability insurance coverage in the amount of not less than \$20 million (or any other amount notified by the Territory) in respect of each claim, with an insurance provider approved by the Territory and must produce evidence of that insurance as required by the Territory.

I acknowledge and accept all attached standard conditions & will also abide by any additional conditions attached on approval.

Signature \_\_\_\_\_ Date \_\_\_\_ / \_\_\_\_ / \_\_\_\_ Witness \_\_\_\_\_

Please note: It is an offence to carry out work on public unleased land without prior approval.

It is an offence not to produce a copy of this approval when requested to by a police officer or officer authorised under the *Public Unleased Land Act 2013*.

**The below section is for office use only.**

**Approved/Not approved** \_\_\_\_\_ Date 30 / 10 / 17  
on behalf of Australian Capital Territory

Address

39 Mowat Street

Suburb

Lynham

Block

4

Section

41

Fees

\$27,200 + \$1000 bond. Bond form received 27/10/17. An invoice was raised on 30/10/17 for land use fees.

Approved from

16 / 8 / 17

Approved to

19 / 9 / 18

Additional conditions

Please see attached additional conditions

Application to Use a Public Place

**Approval under section 57 of the *Public Unleased Land Act 2013*  
Standard Terms and Conditions**

**Definitions**

The '**Applicant**' is defined as the person who completes and signs this 'Application to Use a Public Place'. Where the applicant represents an organisation or company, the applicant is assumed to have authority from the organisation or company to act on its behalf and enter into this agreement.

The '**Territory**' refers to the Australian Capital Territory Government and its agencies.

'**Transport Canberra and City Services**' (TCCS) is a Directorate within the Australian Capital Territory Government responsible for the management and use of unleased Territory land.

**Applicant responsibilities**

This permit authorises the permit holder for the use of unleased Territory land only. It is the responsibility of the Applicant to seek all necessary advice on further licensing requirements by other agencies (eg. Justice and Community Services for liquor licences, Roads ACT for Road opening and closing, Environment Protection Authority for noise related permits and the National Capital Authority for the use of national land) in relation to the event.

**Fees**

Fees are charged for the use of public unleased land for construction. Please check the website at [www.tccs.act.gov.au](http://www.tccs.act.gov.au) or contact the Land Use Team on (02) 6205 8794 for details.

**Guarantee**

A Guarantee or Bond may be required depending on the type of works and possible potential damage to Territory land. This determination will be made by the Public Use Coordinator.

**Legal compliance**

The Applicant must ensure that all persons involved in the activity are aware of and abide by laws and regulations governing the area, as shown by local regulatory signage and any additional conditions that may be attached to the approved application.

**Gates/vehicle access**

It is the Applicant's responsibility to leave the gate as found (open or closed, locked or unlocked), unless otherwise authorised by TCCS. A gate unlocked by the Applicant must be attended while open then locked after use. A fee may apply for gate access. If access to gates is required please provide additional information on this application.

Vehicle access into irrigated parks will not be generally supported. If vehicle access is permitted, access must be kept to a minimum and must be for set-up and emergency purposes only. Vehicles over 4 tonne are not permitted under any circumstances.

**Power access**

If your activity is using power, any power leads crossing pedestrian areas must be suspended at least 2.4 metres above the pavement. Power cables must carry an inspection tag which is less than three months old. For further information please contact WorkSafe ACT on (02) 6207 3000.

If access to public power is required please provide additional information on this application.

## Application to Use a Public Place

### **Damage to Territory property**

The Applicant will be responsible for any damage to Territory property caused by the activity. This includes damage to roads, footpaths, kerbs and gutters, fences, gates, furniture, signs, BBQs, trees, lawn, turf, irrigation systems or any other property. The Applicant agrees to report any such damage to Land Use Team on (02) 6205 8794 as soon as practicable, and to repair or make good the damage or reimburse the Territory for costs incurred in repairing the damage.

### **Removal of litter and waste**

The Applicant will ensure that all litter and rubbish resulting from the activity is removed from the site immediately after the event. This includes temporary signage. In formal recreation areas where bins are provided, these may be used for rubbish disposal. In areas where no bins are provided, waste must be removed and properly disposed of by the Applicant. Temporary toilets may be required as a site-specific condition of approval. If extra bins are required for waste collection, please contact Access Canberra on telephone 13 22 81. A fee will apply for the provision of extra bins.

### **Public safety and insurance**

The Applicant will take all reasonable steps to ensure the safety of participants and members of the general public in the activity. In particular, the Applicant will inspect the area immediately prior to use to ensure that it is safe for that use and report to the Territory as soon as possible any hazard detected on that inspection. Commercial operators must provide evidence of a current Public Liability Insurance Policy to a value of at least \$20 million, or as determined by the ACT Insurance Authority in conjunction with TCCS.

### **Cancellation or modification of approval**

It may be necessary to include additional conditions or for an activity to be cancelled at any time if required for safety reasons including the likelihood of damage to Territory property as a result of rainfall, Total Fire Ban or other natural event or conditions. In such cases, the Territory will not be liable for any losses incurred by the Applicant(s), but will refund any fees paid. Should the need arise the area is to be vacated within a period specified by the Territory.

The Applicant should, as a matter of courtesy, inform the Land Use Team if an approved activity is to be cancelled by the Applicant for any reason.

A full refund will be provided for cancellations by the Applicant, if notification is given to the Land Use Team at least seven days before the scheduled activity date. Cancellations within seven days of the event date may be refunded, at the discretion of the Land Use Team.

### **Exclusive use**

It should be noted that, although approval has been given to use unleased Territory land for your event, it does not guarantee exclusive use of that land as it always remains a public place. TCCS will, however, seek to avoid any conflicts arising with other approved events.

### **Irrigation**

Where there is an irrigation system in the park, it must be protected where activities include erecting structures and/or driving pegs or stakes into grassed areas. Pegs should not be driven more than 200mm deep within irrigated areas. Where appropriate, you may be referred to park maintenance contractors to arrange for the marking of the irrigation system and to ensure that it is turned off at the time of your event.

Application to Use a Public Place

**Sound**

Applicants must ensure the sound generated does not impact adversely on nearby businesses or residents and must comply with the levels list below.

Further information on acceptable noise levels can be obtained by contacting the Environment Protection Authority on 13 22 81.

<b>Location</b>	<b>7am–10pm (8am-10pm Sunday &amp; Public Holidays)</b>	<b>10pm–7am (10pm-8am Sunday &amp; Public Holidays)</b>
Civic centre and other major town centres (Belconnen, Gungahlin, Woden and Tuggeranong)	60dB(A)	50dB(A)
Group centres such as Dickson and Kingston	55dB(A)	45dB(A)
Smaller local centres such as Griffith and Lyneham	50dB(A)	35dB(A)
Residential areas	45dB(A)	35dB(A)

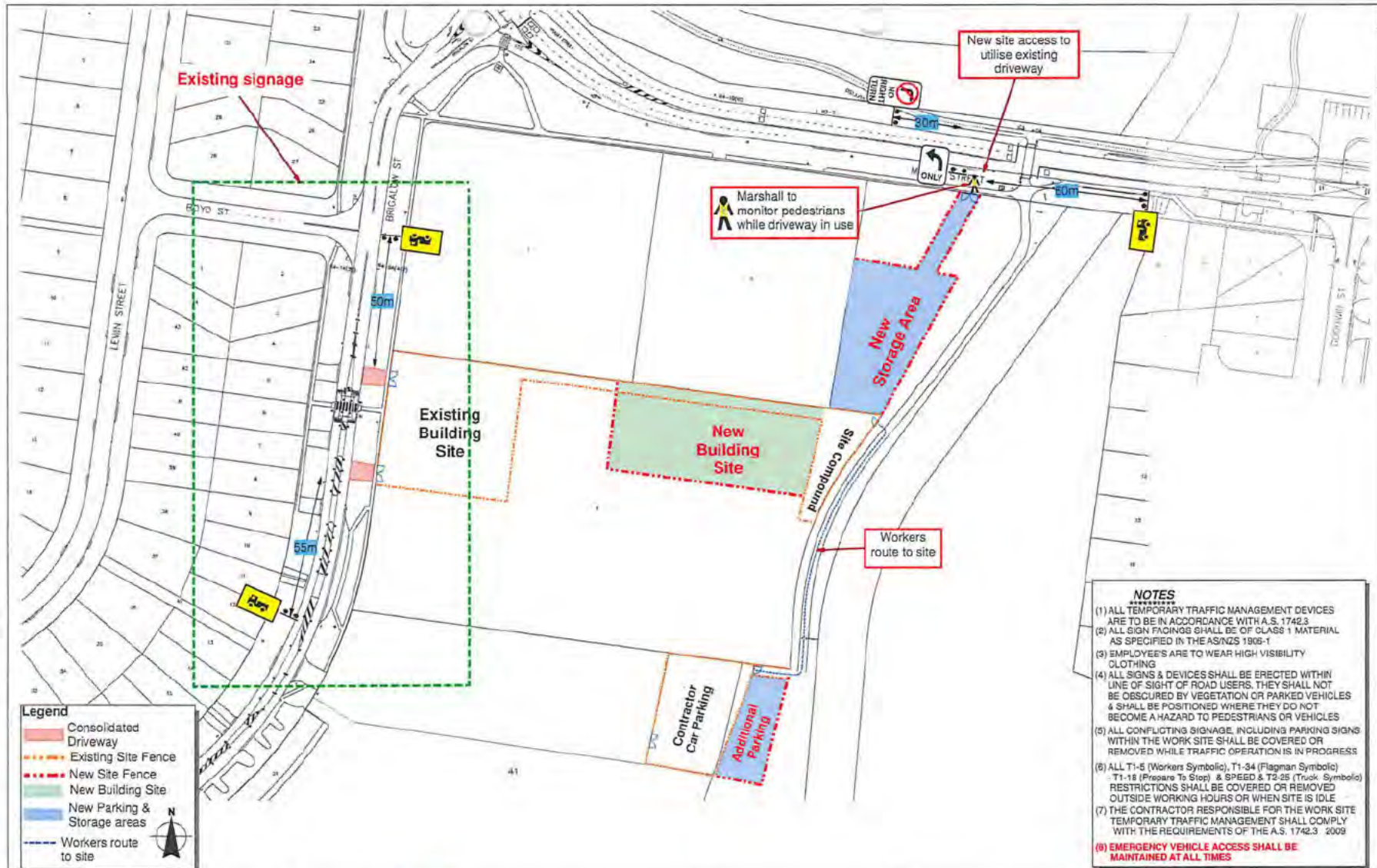
**Structures on designated land**

Several parks within the ACT require Works Approval from the National Capital Authority for the erection of any structures. You will be advised if this requirement applies upon application.

**Additional conditions**

Approval for activity may include site or event-specific conditions as determined by TCCS.

**Failure to comply with the conditions of a public unleased land permit is an offence under the *Public Unleased Land Act 2013*.**



REV	DESCRIPTION	DATE
D	-	-
C	-	-
B	-	-
A	-	-

Designed by: [Redacted]  
 PWZ1MP: 0027992538  
 EXP: 18/12/2016

Checked By: [Redacted]  
 PWZ1MP: 0032738360

**Territory Traffic Engineering**  
 14/160 Lysaght Street Mitchell ACT 2911  
 PO Box 545 Mitchell ACT 2911  
 T: 02 6241 3230 F: 02 6241 0230

Client: **Built.**

Project: Brindabella Christian College  
 136 Brigalow St Lyneham  
 Drawing Title: Site Establishment Plan  
 Stage TWO

Temporary Traffic Management Plan		
Designed to comply with A.S. 1742.3		
Project Number:	Stage:	Plan Number:
TTE17-BLT-2459	2	1
Scale: NTS	Compilation Date: 25/08/2017	Rev: -



**Additional conditions for construction activity permit – temporary storage of materials**

Permit: 18042  
Event type: Construction  
Event Location: Block 4, Section 41 Lyneham  
Date of commencement: 16/8/2017 to 19/9/2018

Additional Information:

**Additional conditions to be read in conjunction with the standard permit terms and conditions.**

The temporary storage of material in a public place requires approval. The storage of materials refers to an object temporarily located in a public place, such as skips, construction fencing, signs, materials and equipment.

This construction activity (temporary storage of construction materials) permit approval does not include the approval of the actual construction activities. It is only for the construction compound and the temporary storage of materials on public un-leased land.

If conditions for the permit are not adhered to, the construction permit will be revoked and all activities associated on TCCS unleased land will be required to cease.

**THE SITE**

- TCCS Place Management gives approval for the compound located on Block 24 Section 41 Lyneham.

**SITE INSPECTION**

- Contact the Operations Support Officer Tristan Adrian (62070949 [tristan.adrian@act.gov.au](mailto:tristan.adrian@act.gov.au)) to arrange a construction activity site inspection to discuss the proposal and identify any dilapidation issues. This will need to be arranged before any approvals for the permit are granted.

**BOND**

- A \$1000.00 bond is required for the construction activity. This amount is estimated to be the value required to reinstate the area should the applicant not undertake the reinstatement and consolidation works.
- The bond shall be released to the applicant after restoration and consolidation of the site has been completed to the satisfaction of TCCS.

**DILAPIDATION REPORT**

- The images in the dilapidation report submitted on the 29/9/2017 were taken after Built Pty Ltd had setup at the site. The dilapidation report cannot be accepted as evidence of the areas condition prior to the construction permit. As part of the permit approval Built Pty Ltd is required to re-grass the entire area as per the TCCS landscape specifications including top dressing, seeding and bitumen straw mulch or equivalent.

**COMMENCEMENT/END OF WORKS**



- The applicant is to advise TCCS Operations officer Tristan Adrian via email [tristan.adrian@act.gov.au](mailto:tristan.adrian@act.gov.au) or call 6207 0940 when works are scheduled to be complete and site compound removed.
- The applicant will advise TCCS Operations Officer Tristan Adrian when all reinstatement and restoration works are scheduled to be complete.

#### **RESTORATION AND CONSOLIDATION OF THE SITE**

- As part of the permit approval Built Pty Ltd is required to re-grass the entire area as per the TCCS landscape specifications including top dressing, seeding and bitumen straw mulch or equivalent.
- All damage to be repaired at the expense of the applicant to satisfaction of TCCS.
- All soft-works are to be consolidated/ watered etc for 13 weeks after final acceptance by TCCS to ensure that the site is adequately reinstated. Refer to the TCCS Standard Specification for Urban Infrastructure Works
- All hard works reinstated such as bollards and paved areas shall be reinstated to the satisfaction of TCCS.

Refer to the TCCS Standard Specification for Urban Infrastructure Works. Refer to below link:

[http://www.tams.act.gov.au/data/assets/pdf\\_file/0005/397121/SS09\\_Landscape\\_01\\_00.pdf](http://www.tams.act.gov.au/data/assets/pdf_file/0005/397121/SS09_Landscape_01_00.pdf)

[http://www.tams.act.gov.au/data/assets/pdf\\_file/0004/397111/SS08\\_Incidental\\_Works\\_01\\_00.pdf](http://www.tams.act.gov.au/data/assets/pdf_file/0004/397111/SS08_Incidental_Works_01_00.pdf)

#### **TRAFFIC MANAGEMENT**

- Roads ACT Approval and/or Temporary Traffic Management is required.
- Any Road closures are to be approved by Roads ACT.

#### **INSURANCE**

- Current Insurances are required.

#### **STANDARDS/CODES AND GUIDELINES**

- All works associated with the construction compound must meet the relevant Australian Standards, codes and guidelines and other appropriate approvals such as but not limited to Development Approvals.

#### **RISK MANAGEMENT**

- A Risk Management Plan is required
- Consideration is to be given to other users of the Park or urban open space area.
- Construction activities are not to obstruct pedestrian footpaths or thoroughfares.
- Safety barriers for pedestrian protection are required and are to comply with relevant guidelines and codes.

#### **CONTAMINATED WASTE**

- The applicant is responsible for investigating possible buried hazardous or contaminated waste at the proposed site compound prior to commencement of works.
- The applicant must take all appropriate precautions and report to TCCS if any contaminated material is found.
- The applicant is responsible for making the site safe if contaminated or hazardous material is uncovered.
- The applicant is responsible for any financial expenses associated with making safe the site.

#### **EXISTING UTILITIES**



- The applicant must undertake all relevant dial before you dig and underground utility searches prior to commencement of works.
- The applicant is responsible for any damage to utilities.

#### **VEHICLE ACCESS**

- Vehicle access is APPROVED into the park or urban open space area for contractor parking on the condition that the entire block is reinstated with grassing at the completion of the permit.
- No vehicle access in the construction permit zone during or 1 week after heavy rain. This time frame will be dependent on site soil and draining conditions.
- No vehicles permitted on grass with frost.

#### **CONSTRUCTION COMPOUND and OR SCAFFOLDING**

- Construction or scaffolding compound shall be erected as per relevant standards, guidelines and codes.
- Construction compound or scaffolding must not interfere with members of the public or thoroughfares.
- Construction compound weighted support footings must not be located in pedestrian walkways.
- Construction compound or scaffolding shall not interfere with existing trees.
- Construction compound or scaffolding shall not interfere with existing structures in open space areas such as shade sails.
- Applicant is responsible for any items left in the site compound.
- Location of the construction compound must not interfere with line of sight requirement for vehicles and pedestrians.
- No material shall be stored outside the construction compound.

#### **GATE ACCESS**

- 24 hour access to the site is not endorsed. Construction hours 7am – 5:00pm Monday to Friday. No construction vehicles to enter or exit the site after 5:00pm weekday.

#### **TREES and LARGE SHRUBS**

- No ground level change under the existing trees.
- No placement of mulch or other material up against the existing tree trunks.
- No storage of material under the tree canopy.
- Nothing is to be attached to the existing street trees.
- No activity associated with the construction permit including access routes is permitted within the Tree Canopy.
- Trees are to be protected from works with 1.8m standard high mesh fencing to outside the line of the canopy.

#### **WASTE MANAGEMENT**

- Applicant shall submit a waste management plan for review and approval prior to commencement of works.
- At the end of each day all litter and waste associated with the works must be contained or removed from site.
- Applicant responsible for removal off site of all waste associated with the construction activities.
- No rubbish associated with works to be placed in public garbage bins
- Site to be left clean and tidy to satisfaction of TCCS at the completion of works.
- The applicant will be responsible for any new illegal dumping which occurs during the term of the public land use permit.



**POOR WEATHER**

- Storm or inclement weather may cause closure or postponement of works
- No vehicle access in the construction permit zone during or 1 week after heavy rain. This timeframe will be dependant on site soil and draining conditions.
- No construction works or vehicle access to occur on public open space during total fire ban.

Thankyou

Tristan Adrian

**Operations Support Officer**

**Phone 02 62070940 |**

Date: 4/10/2017

## Bruan, Nicole

---

**From:** Raath, Terrance  
**Sent:** Friday, 22 March 2019 2:15 PM  
**To:** [REDACTED]  
**Cc:** Sweet, Carma; Dawes, Rachael  
**Subject:** RE: 1506.01 Brindabella Christian College - Tree replanting discussion [SEC=UNCLASSIFIED]

Hi [REDACTED]  
FYI Carma/ Rachael

Thanks for your attention to the matter.

TCCS Urban Treescapes can confirm support the location of the new plantings as indicated on your attached plan.

- As discussed a new set of design standards being developed, however attached are some of the currently published guidelines from the TCCS web page.
- A sizable hole and some improved soil be incorporated when the trees are planted.
- A well should be placed around the base of the planting for water retention
- Can the school provide a 4 x cornered tree guard around the trees to minimise the likelihood of vandalism.
- Top dressing around the row of trees may minimise the issue with exposed tree roots and potential trip hazards. However as we discussed the kids will gravitate to the trees.

We can discuss future landscape proposals in regard the past removals at a later date when you are have more idea of future intentions for the site.

Also, as discussed the management of the parking area at the rear of the school should be addressed due to the pedestrian/vehicle conflicts. It may be prudent to re-iterate the issue with the school and get the contractors to appropriately formalise their works compound and parking arrangements.

I hope this information is of assistance.

Regards  
Terrance Raath

**Terrance Raath** | A/g Design and Development Co-ordinator | Urban Treescapes |  
City Presentation | Roads and Infrastructure | Transport Canberra and City Services Directorate | ACT Government  
☎ Tel: (02) 62058679 | ✉ E-mail: [terrance.raath@act.gov.au](mailto:terrance.raath@act.gov.au) | [www.tccs.act.gov.au](http://www.tccs.act.gov.au) | [www.act.gov.au](http://www.act.gov.au)  
Level 2, WOTSO House, 490 Northbourne Avenue, Dickson ACT | GPO Box 158, Canberra City ACT 2601



[https://www.tccs.act.gov.au/Development\\_and\\_Project\\_Support/pre-development-applications/estate-development-plans/design\\_standards](https://www.tccs.act.gov.au/Development_and_Project_Support/pre-development-applications/estate-development-plans/design_standards)

[https://www.tccs.act.gov.au/data/assets/pdf\\_file/0005/396887/ds23\\_plantspecies.pdf](https://www.tccs.act.gov.au/data/assets/pdf_file/0005/396887/ds23_plantspecies.pdf)

[https://www.tccs.act.gov.au/\\_data/assets/pdf\\_file/0004/396886/ds22\\_softlandscape.pdf](https://www.tccs.act.gov.au/_data/assets/pdf_file/0004/396886/ds22_softlandscape.pdf)

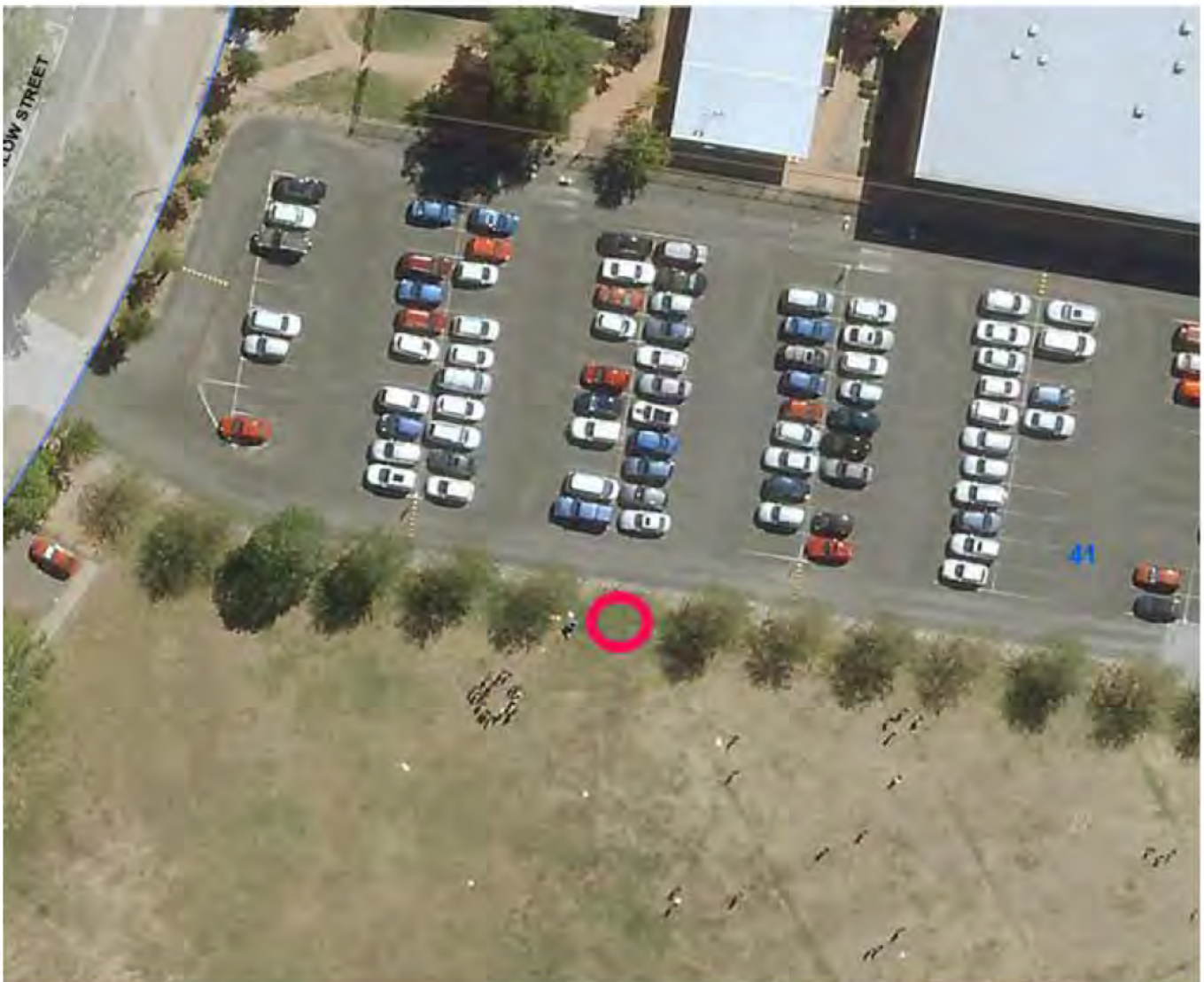
<https://www.tccs.act.gov.au/city-living/trees/design-standards-23-draft-tree-species-list>

**From:** [REDACTED]@sqca.com.au  
**Sent:** Friday, 22 March 2019 8:57 AM  
**To:** Raath, Terrance <Terrance.Raath@act.gov.au>  
**Cc:** [REDACTED]@sqca.com.au; [REDACTED]  
[REDACTED]@bcc.act.edu.au; Dawes, Rachael <Rachael.Dawes@act.gov.au>  
**Subject:** RE: 1506.01 Brindabella Christian College - Tree replanting discussion

Morning Terry,

Thank you for your time on Wednesday. I am writing to confirm the agreed key outcomes from our discussions which have been listed below:

- Number of trees: 5 trees had been agreed to be planted in the locations shown in the image below. The spacing will be to match the existing tree spacing;



- Species & Size: The species will be to match existing which we understood were Platanus Orientalus & they were to be 2.5m high semi mature trees;
- Method: They will be planted according to the Landscape Guidelines you mentioned. **Can you please confirm where this document can be found. I have been scouring the TCCS website looking for this document.**
- Maintenance: Apart from watering & the essential survival of the 5 trees, the school will also be allowed to prune the trees to ensure the crown of the tree moves higher as the tree grows;
- Tree guards: Your preference was to have a 4 post barrier around the tree.

Please note the only items listed above are the ones related to the condition of approval in the DA Notice of Decision. Can you please confirm in anything has been captured incorrectly. The school will make arrangements for planting when you are happy with this & arrange for a site inspection post planting.

If you have any questions please do not hesitate to call.

Kind Regards,



[REDACTED]  
**ARCHITECT**  
March, Registered Architect ACT 2548

**SQC ARCHITECTURE**  
Unit 3, Level 1, 22 Thynne Street, Bruce ACT 2617  
**T** 02 6278 8500 **M** [REDACTED]  
**E** [REDACTED]@sqca.com.au  
[sqca.com.au](http://sqca.com.au)



Primary nominee: R. Small ACT 933, NSW 9354, F. Olbrich VIC 16775, N. Goodwin QLD 5020, SA 3434

---

**From:** Raath, Terrance [<mailto:Terrance.Raath@act.gov.au>]  
**Sent:** Tuesday, 19 March 2019 4:30 PM  
**To:** [REDACTED]@sqca.com.au>  
**Subject:** RE: 1506.01 Brindabella Christian College - Tree replanting discussion [SEC=UNCLASSIFIED]

Hi [REDACTED]  
I've just been sent this meeting request are you available Thursday sometime.  
Terrance Raath

**Terrance Raath** | A/g Design and Development Co-ordinator | Urban Treescapes |  
City Presentation | Roads and Infrastructure | Transport Canberra and City Services Directorate | ACT Government  
☎ Tel: (02) 62058679 | ✉ E-mail: [terrance.raath@act.gov.au](mailto:terrance.raath@act.gov.au) | [www.tccs.act.gov.au](http://www.tccs.act.gov.au) | [www.act.gov.au](http://www.act.gov.au)  
Level 2, WOTSO House, 490 Northbourne Avenue, Dickson ACT | GPO Box 158, Canberra City ACT 2601

-----Original Appointment-----

**From:** Dawes, Rachael **On Behalf Of** [REDACTED]  
**Sent:** Tuesday, 19 March 2019 4:26 PM  
**To:** Raath, Terrance  
**Subject:** FW: 1506.01 Brindabella Christian College - Tree replanting discussion

**When:** Wednesday, 20 March 2019 11:00 AM-11:30 AM (UTC+10:00) Canberra, Melbourne, Sydney.  
**Where:** Brindabella Christian College, Lyneham- Reception

-----Original Appointment-----

**From:** [REDACTED]@sqca.com.au]

**Sent:** Tuesday, 19 March 2019 2:18 PM

**To:** [REDACTED]; Dawes, Rachael; [REDACTED]; [REDACTED]

**Subject:** 1506.01 Brindabella Christian College - Tree replanting discussion

**When:** Wednesday, 20 March 2019 11:00 AM-11:30 AM (UTC+10:00) Canberra, Melbourne, Sydney.

**Where:** Brindabella Christian College, Lyneham- Reception

-----  
This email, and any attachments, may be confidential and also privileged. If you are not the intended recipient, please notify the sender and delete all copies of this transmission along with any attachments immediately. You should not copy or use it for any purpose, nor disclose its contents to any other person.  
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## Bruan, Nicole

---

**From:** [REDACTED]@sqca.com.au>  
**Sent:** Thursday, 4 April 2019 10:33 AM  
**To:** TCCS CP TreeProtection  
**Cc:** [REDACTED]; [REDACTED]  
**Subject:** 1506.01E Brindabella Christian College - Application to undertake a Tree Damaging Activity  
**Attachments:** 1506.01E - SP112 - SITE PLAN 2020.pdf; 1506.01E - SP113 - 3D - PROPOSED TREES PLANTING TO EAST.pdf; 11167.02\_DT\_001\_REV A\_SIGNED.pdf; 190322 ClientAuthorityLetterSigned.pdf; ApplicationToUndertakeATreeDamagingActivitySigned.pdf

Hi,

Please be advised that this is an Application to undertake a Tree Damaging Activity at 136 Brigalow Street, Lyneham. The attached documents are as follows:

- Application to Undertake a Tree Damaging Activity Form;
- Survey Certificate;
- Occupant letter of Authorisation to apply to their behalf;
- Site plan (SP112) to be read in conjunction with the 'Reasons for the application' section of the form;
- 3D view (SP113) showing indicative tree planting proposal to be read in conjunction with the 'Reasons for the application' section of the form.

Please advise if you require further documentation.

If you have any questions please do not hesitate to call.

Kind Regards,



[REDACTED]  
**ARCHITECT**  
March, Registered Architect ACT 2548

**SQC ARCHITECTURE**  
Unit 3, Level 1, 22 Thynne Street, Bruce ACT 2617  
**T** 02 6278 8500 **M** [REDACTED]  
**E** [REDACTED]@sqca.com.au  
[sqca.com.au](http://sqca.com.au)



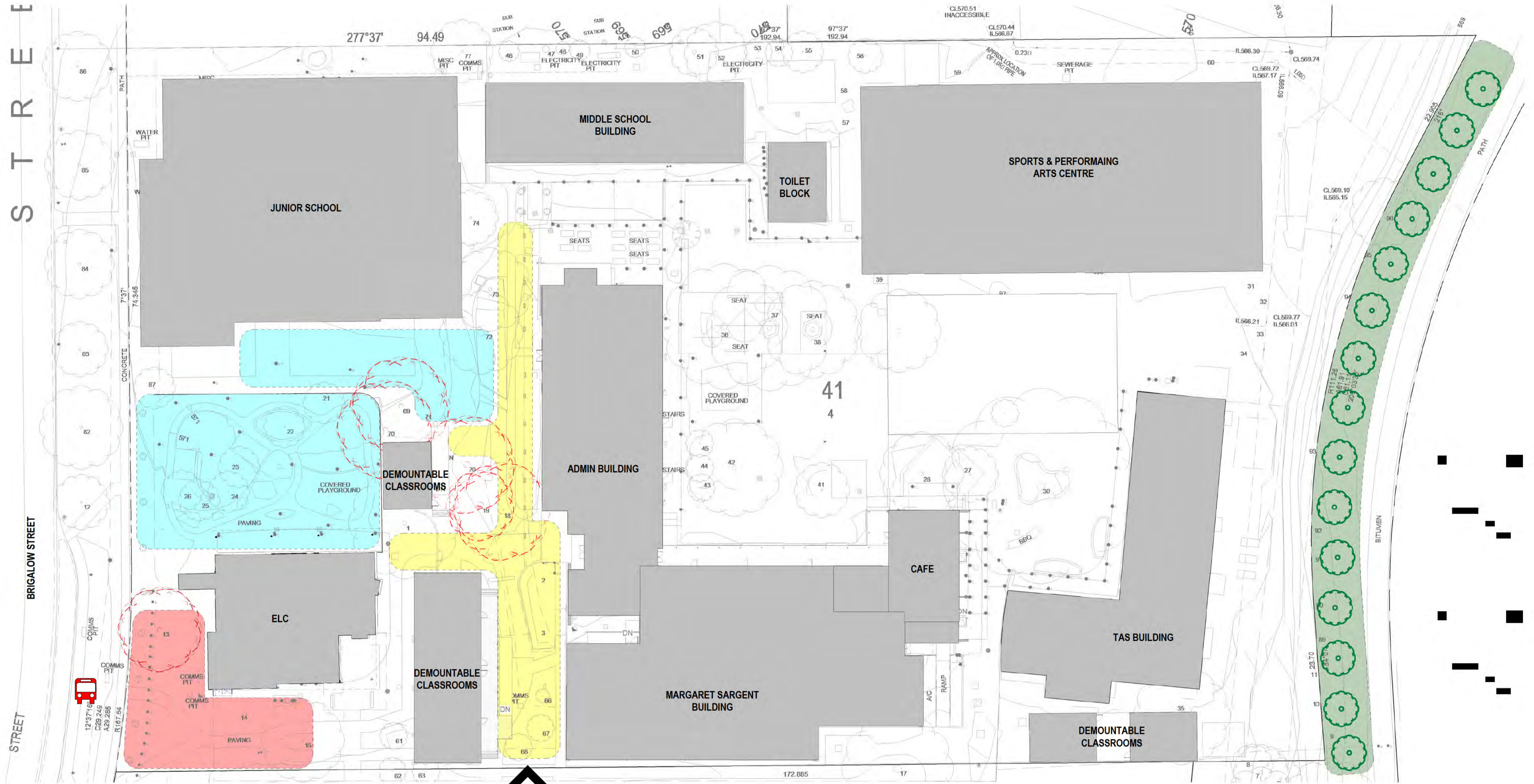
Primary nominee: R. Small ACT 933, NSW 9354, F. Olbrich VIC 16775, N. Goodwin QLD 5020, SA 3434



S T R E E T

BRIGALOW STREET

STREET



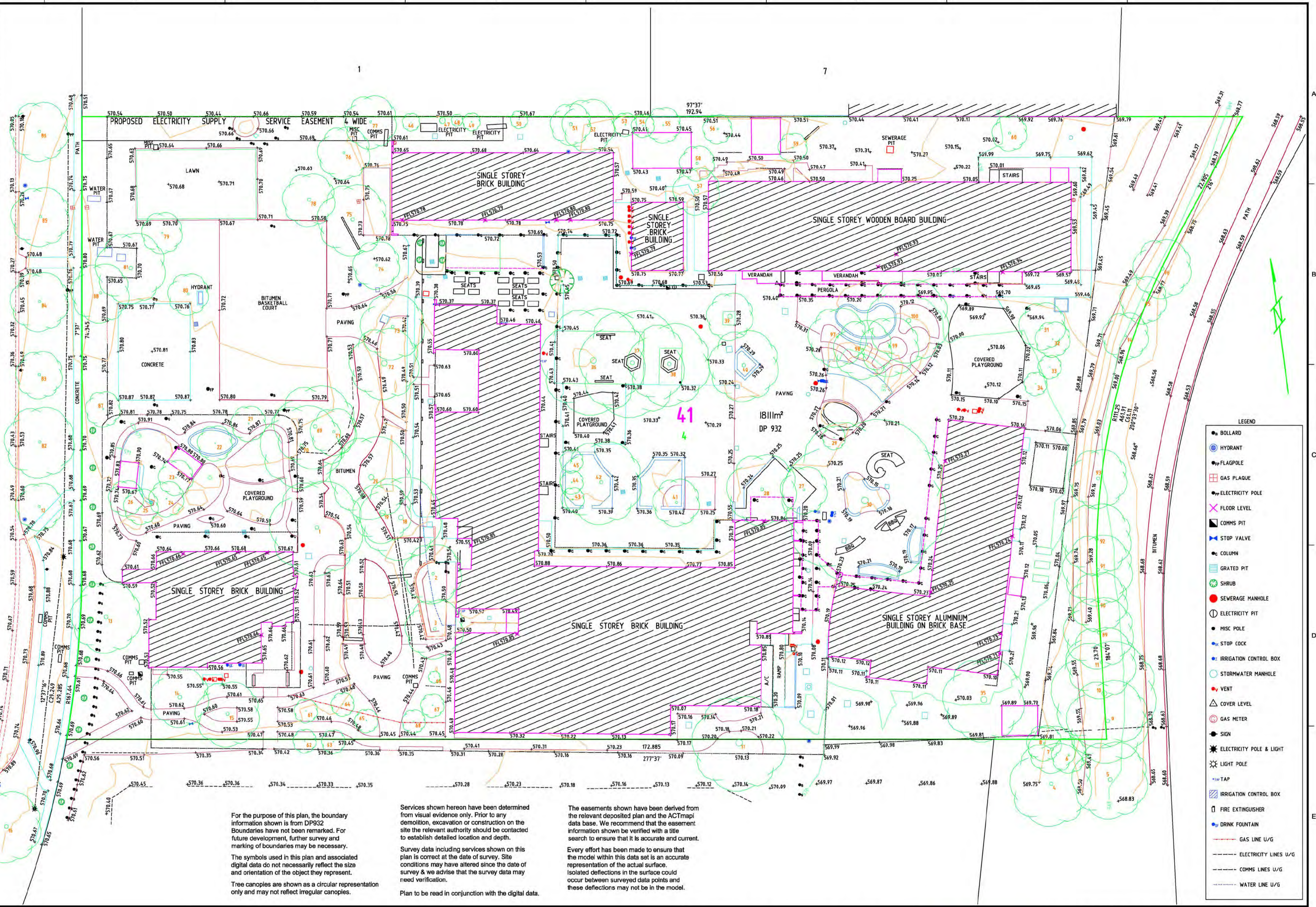
MAIN SCHOOL  
SITE ENTRY

LEGEND- SITE PLAN	
	EXISTING TREES. REFER SURVEY FOR TREE SIZE
	TREES PROPOSED TO BE REMOVED. REFER SURVEY FOR TREE SIZE. TREES 13, 18, 19, 20, 69, 70
	INDICATIVE TREES PROPOSED TO BE PLANTED IN RELATION TO TREE DAMAGING ACTIVITY APPLICATION. SPECIES & SIZE AT PLANTING WILL BE LIAISED WITH URBAN TREESCAPE
	BUS DROP-OFF & PICK UP LOCATION
	HIGH PEDESTRIAN TRAFFIC AREAS
	JUNIOR SCHOOL & PRESCHOOL OUTDOOR PLAY AREAS
	SCHOOL BUS WAITING ZONE
	INDICATIVE PROPOSED TREE REPLANTING ZONE
	EXISTING BUILDINGS

SCALE: 1:300 @ ORIGINAL SCALE

 SQCA ARCHITECTURE ARCHITECTURE ACCESS HERITAGE INTERIORS	SQC ARCHITECTURE Level 1, 22 Thynne Street Bruce ACT 2617 T +61 2 6278 8500 E studi@sqa.com.au <small>ALIN 81079694.550 Primary Industries © Small ACT 981 \ NSW 834 \ F Oztech VIC 1678 \ N Goodwin Q1 D 5003</small>	Client: <b>BRINDABELLA CHRISTIAN COLLEGE</b>  Project Title: <b>MASTERPLANNING STUDIES</b>	Project Status: <b>TREE DAMAGING ACTIVITY APPLICATION</b>  Project Address: 136 BRIGALOW STREET, LYNEHAM ACT 2602	Drawing Title: <b>SITE PLAN 2020</b>  Design Project Manager: [ ] Project Architect: [ ] Design Verifier: [ ]  Scale: As indicated @ A1 Date: 04.04.19 Project No: <b>1506.01E</b> Sheet No: <b>SP112</b> Amendment: <b>1</b>
	All dimensions in millimetres. Do not scale drawing. All dimensions and levels to be verified on site.		Block: 4 Section: 41 Divison: Lyneham	© Copyright 14/02/19 10:21:09 AM

Pt Num	Canopy	Trunk Dia.	Height	No. of Trunks	Trunk Circ.
1	16	0.4	1.9	1	1.9
2	10	0.4	1.3	1	1.3
3	10	0.5	1.6	1	1.6
4	14	0.5	1.7	1	1.7
5	13	0.7	2.2	1	2.2
6	6	0.3	1.3	0.9	0.9
7	8	0.5	1.6	1	1.6
8	6	0.3	1.1	0.9	0.9
9	14	0.5	1.6	1.9	1.9
10	14	0.5	1.6	2.1	2.1
11	12	0.4	1.5	1.9	1.9
12	8	0.32	1.3	1.0	1.0
13	12	0.48	1.5	2.0	2.0
14	10	0.5	1.5	1.9	1.9
15	11	0.54	1.5	1.7	1.7
16	12	0.48	1.5	2.0	2.0
17	16	1.1	12.3	3.5	3.5
18	14	0.8	11.7	2.5	2.5
19	10	0.9	11.6	2.8	2.8
20	14	0.9	11.4	2.8	2.8
21	6	0.15	6.5	0.5	0.5
22	6	0.15	6.5	0.5	0.5
23	6	0.15	7.5	0.5	0.5
24	6	0.15	8	0.5	0.5
25	6	0.15	8.5	0.5	0.5
26	6	0.15	5.5	0.5	0.5
27	8	0.3	8	0.5	0.5
28	12	0.5	8	0.5	0.5
29	4	0.1	4.5	0.3	0.3
30	38	1.1	4.5	1.1	1.1
31	8	0.2	6.5	0.6	0.6
32	6	0.15	6.5	0.5	0.5
33	4	0.1	5	0.3	0.3
34	4	0.1	5	0.3	0.3
35	14	1	16	1.1	1.1
36	14	0.5	16	1.9	1.9
37	14	0.5	16	2.0	2.0
38	8	0.25	12.5	2.4	2.4
39	12	0.5	12	1.9	1.9
40	12	0.5	13	1.9	1.9
41	8	0.4	8.5	1.1	1.1
42	14	0.55	12.5	1.7	1.7
43	4	0.2	7	0.6	0.6
44	4	0.15	6.5	0.5	0.5
45	4	0.15	6.5	0.5	0.5
46	3	0.18	6	0.3	0.3
47	4	0.15	6.5	0.5	0.5
48	2	0.15	5	0.2	0.2
49	3	0.1	5	0.3	0.3
50	3	0.1	5	0.3	0.3
51	7	0.15	6	0.5	0.5
52	3	0.45	8	1.4	1.4
53	4	0.15	6	0.5	0.5
54	4	0.15	6	0.5	0.5
55	6	0.2	30	0.6	0.6
56	5	0.2	6.5	0.6	0.6
57	8	0.65	10.5	2.0	2.0
58	6	0.35	6.5	1.1	1.1
59	5	0.25	12	0.5	0.5
60	6	0.35	8	1.1	1.1
61	4	0.1	4.5	0.3	0.3
62	4	0.1	5	0.3	0.3
63	4	0.1	4.5	0.3	0.3
64	4	0.1	5	0.3	0.3
65	4	0.1	5	0.3	0.3
66	2	0.05	4	0.2	0.2
67	4	0.1	5	0.3	0.3
68	4	0.1	5	0.3	0.3
69	14	0.6	14.5	1.9	1.9
70	14	0.5	14.5	1.9	1.9
71	12	0.5	14.5	1.9	1.9
72	12	0.5	14.5	1.9	1.9
73	12	0.5	14.5	1.9	1.9
74	8	0.3	11.5	0.9	0.9
75	12	0.5	14.5	1.9	1.9
76	9	0.35	30	1.1	1.1
77	9	0.35	30	1.1	1.1
78	9	0.35	34	1.7	1.7
79	7	0.22	7	0.7	0.7
80	7	0.3	14.5	0.9	0.9
81	12	0.5	14.5	1.9	1.9
82	12	0.5	14.5	1.9	1.9
83	8	0.4	13.7	1.3	1.3
84	10	0.4	13.5	1.3	1.3
85	10	0.4	13	1.3	1.3
86	10	0.4	13.9	1.3	1.3
87	6	0.2	8	0.9	0.9
88	10	0.4	13	1.3	1.3
89	12	0.5	14.5	1.6	1.6
90	10	0.4	14.5	1.3	1.3
91	12	0.5	14.5	1.6	1.6
92	10	0.3	11.5	0.9	0.9
93	10	0.3	11.5	0.9	0.9
94	10	0.3	11.5	0.9	0.9
95	8	0.3	10.5	0.9	0.9
96	10	0.4	13	1.3	1.3
97	10	0.3	11.5	0.9	0.9
98	10	0.3	12	0.9	0.9
99	10	0.4	14	1.3	1.3
100	14	0.7	17.5	2.2	2.2



For the purpose of this plan, the boundary information shown is from DP92. Boundaries have not been remarked. For future development, further survey and marking of boundaries may be necessary. The symbols used in this plan and associated digital data do not necessarily reflect the size and orientation of the object they represent. Tree canopies are shown as a circular representation only and may not reflect irregular canopies.

Services shown hereon have been determined from visual evidence only. Prior to any demolition, excavation or construction on the site the relevant authority should be contacted to establish detailed location and depth. Survey data including services shown on this plan is correct at the date of survey. Site conditions may have altered since the date of survey & we advise that the survey data may need verification. Plan to be read in conjunction with the digital data.

The easements shown have been derived from the relevant deposited plan and the ACTmap1 data base. We recommend that the easement information shown be verified with a title search to ensure that it is accurate and current. Every effort has been made to ensure that the model within this data set is an accurate representation of the actual surface. Isolated deflections in the surface could occur between surveyed data points and these deflections may not be in the model.

**LEGEND**

- BOLLARD
- FLAGPOLE
- GAS PLAQUE
- ELECTRICITY POLE
- ✕ FLOOR LEVEL
- COMMS PIT
- STOP VALVE
- COLUMN
- GRATED PIT
- SHRUB
- SEWERAGE MANHOLE
- ELECTRICITY PIT
- MISC POLE
- STOP COCK
- IRRIGATION CONTROL BOX
- STORMWATER MANHOLE
- VENT
- △ COVER LEVEL
- GAS METER
- SIGN
- ELECTRICITY POLE & LIGHT
- LIGHT POLE
- TAP
- IRRIGATION CONTROL BOX
- FIRE EXTINGUISHER
- DRINK FOUNTAIN
- GAS LINE U/G
- ELECTRICITY LINES U/G
- COMMS LINES U/G
- WATER LINE U/G

CLIENT  
**SQC ARCHITECTURE**

REVISION	DATE	ZONE
A PLAN UPDATED	19/01/16	

**DISCLAIMER:**  
This plan of survey and its associated digital data was prepared under instruction to meet specification as agreed. This information should not be used or relied upon by any other party.

Contour Interval 0.25 BM SR1481  
Datum A.H.D RL 570.560

Scale 1:300

Surveyed 16/12/2015  
Drawn 17/12/2015  
Checked  
Approved

Surveyor, Registered under the Surveyors Act 2007.

**LANDdata SURVEYS**

T: (02) 6202 7600  
11-13 Lawry Place  
MACQUARIE, ACT 2614

INCORPORATING:  
**WILLIAM L. BACKHOUSE**  
SURVEYORS, PLANNERS & DEVELOPMENT CONSULTANTS.

T: (02) 9634 2866  
Suite 8, 38 Bookbinder Ave.,  
Northwest Business Park,  
Baulkham Hills, NSW 2153

**DETAIL SURVEY**  
**BLOCK 4 SECTION 41**  
**LYNEHAM**

Proj No. 11167.02 Rev A

Sheet No. 1 of 1 11167.02\_DT\_001

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# APPLICATION TO UNDERTAKE A TREE DAMAGING ACTIVITY (INCLUDING URGENT CIRCUMSTANCES OR MINOR WORKS APPROVAL)

Under the provisions of Sections 22 and 29 of the *Tree Protection Act 2005*

Before you complete this application we suggest you read the Tree Protection Information and Criteria for Approval of Activities which is available on the [Transport Canberra and City Services website](#).

## 1. The Applicant

Title (e.g. Mr, Mrs)	First name	Surname
[REDACTED]	[REDACTED]	[REDACTED]
Company	ACN	ABN
SQC Architecture		083 074 611 215
Street address		
Unit 3, Level 1, 22 Thynne Street		
Suburb		Post code
Bruce ACT		2617
Postal Address (if different from above)		
[REDACTED]		
Suburb		Post code
Telephone: Home	Work	Mobile
[REDACTED]	02 6278 8500	[REDACTED]
Facsimile	Email address	
[REDACTED]	[REDACTED]@sqca.com.au	

## 2. Is the Applicant also the Lessee (owner) of the land on which the Tree Damaging Activity is to be conducted?

Yes  No

## 3. The Lessee (compulsory information)

Title (e.g. Mr, Mrs)	First Name	Surname
[REDACTED]	[REDACTED]	[REDACTED]
Company	ACN	
Brindabella Christian College Education Ltd	100 229 669	
Street address		
136 Brigalow Street		
Suburb		Post code
Lyneham ACT		2602
Postal Address (if different from above)		
PO Box 5103		
Suburb		Post code
Lyneham ACT		2602
Telephone: Home	Work	Mobile
[REDACTED]	02 6247 4644	[REDACTED]
Facsimile	Email Address	
02 4647 0287	[REDACTED]	

**4. The activity** (the location where the proposed tree damaging activity is to occur)

Street address

136 Brigalow Street	
Suburb Lyneham ACT	Post code 2602

Block

Section

**5. Type of activity requested**

Please tick the appropriate box(es) for the tree damaging activity which you are applying for:

Tree felling or removal

Prohibited groundwork in the tree protection zone:

The protection zone for a protected tree is:

(a) the area under the canopy of the tree; and

(b) the 2 metre wide area surrounding the vertical projection of the canopy; and

(c) the 4 metre wide area surrounding the trunk as measured at 1 metre above natural ground level.

Major pruning

Minor pruning (registered trees only)

Lopping

Other activity, please describe


**6. Block plan**

Please provide the following information:

- the location of any significant tree/s affected by the proposal, including trees on adjacent blocks if you propose to undertake prohibited groundwork within the protection zone; and
- **number each tree to which the application relates.**

*Diagram or sketch of the block and location of trees*

Refer attachments for plans & supporting documents.

## 7. Reason/s for the application

- Tick the appropriate box:
- Block of land where the tree(s) is located is on the ACT Heritage Register or other heritage place.
  - Block of land where the tree(s) is located is on National Capital Authority (NCA) land.
  - The application is development-related or associated with a proposed development.
  - Other (private property/leased land)

State the reason/s why the application is being made with regard to each tree (you should have regard to the criteria for approval). Include any arborists' reports, plumbing diagrams, receipts, structural engineers' reports or other substantiating evidence that would assist the conservator in assessing the application.

Please note that delays may be experienced in processing your application if you have not provided sufficient or accurate information in order for a comprehensive assessment to be made.

Historically, Brindabella Christian College has experienced a number of random tree limbs dropping despite ensuring the trees are cared for, sadly this has resulted in the death of a young student while the school was under the care of the Uniting Church. The school has since been taken over by independent interests and as a result of the death adopted a more conservative approach to removing problematic trees from the site, ensuring child safety is ensured. Apart from the school's site manager, who keeps a very close eye on potential problematic trees, the school also has a tree maintenance program where an Arborist visits the site annually to inspect the existing trees for maintenance and signs of potential issues.

The trees being applied for removal directly in the front of the Schools Administration Building have encountered continual falling limbs, which has subsequently triggered a number of staff and parent concerns. Even though the school appreciates the benefits of having these trees, their concern for the staff, parent & student safety & well being far out weighs this.

These trees 18, 19, 20, 69 & 70 have been of major concern for a some time due to their proximity to peak hour parent and child traffic as well as branches overreaching into the Junior School & Preschool playgrounds. These trees are Casuarina Oaks & have been consistently pruned to avoid any further incidents, however, the risk of another injury or worse has been a major driving factor for this application.

Further to this, Tree 13 is an Elm & is located at the school's bus waiting zone for the children. The proximity of this tree to a large number of waiting children is a red flag & is also considered to be a significant risk to child safety if a limb fell. The school have no other potential bus waiting zones & this location is the only safe location where students can prepare to board the buses safely from behind the main school fence.

Notwithstanding the school's intent to remove problematic trees, they appreciate the benefit of having the right species of trees around the site at the right locations away from children waiting or high traffic areas. As part of the school's masterplanning & to help recover the greenery that would otherwise be removed, they propose to plant 12-15 trees along the outside of the eastern boundary adjacent to the cycling path. Adjacent to the proposed newly planted trees, along the actual school's boundary, the school proposes to create a stone retaining wall with a rod fence over for improved aesthetics; but more importantly site security as the school & the adjacent Lyneham Primary School have had concerns over unwanted visitors to the site and numerous thefts.

## 8. Consent to enter (compulsory information)

To enable assessment of this application, consent is required from the tenant/occupier to enter the land where the tree damaging activity is to occur.

Are you the current occupier of the property where the tree damaging activity is to occur?

Yes  No

**If Yes:** You must provide consent to enter by signing the occupier's declaration below.

**If No:** You must provide consent to enter from the occupier.  
If the property is tenanted, consent to enter is required from the tenant.

**Note:** If the property is not occupied the lessee **must** sign the declaration.

**9. Occupier's/lessee's declaration (compulsory)**

I consent to an authorised person entering my premises between the hours of 8:30am and 5pm weekdays for the purposes of assessing this application.

Occupier's name

Brindabella Christian College

Telephone: Home

Work

02 6247 4644

Mobile

- 1. Is there clear access to the tree for the purpose of the inspection? Yes  No
- 2. Is there a dog in the yard? Yes  No

Occupier's

[Redacted signature] 3 / 4 / 19

**10. Signature of the applicant**

Applicant's signature and date

[Redacted signature] 3 / 4 / 19

**Important disclosure of information**

This notice is issued for the purposes of Information Privacy Principle 2 of the *Privacy Act 1988* (Cwth).

As part of this application, the Transport Canberra and City Services Directorate obtains information about you, including but not limited to personal details, property details, reports, assessments, and other supporting documentation. This information is obtained pursuant to sections 22 and 29 of the *Tree Protection Act 2005*.

The purpose of this information is to process your application, undertake all necessary investigations and assessments in relation to the application and make a determination. This information is usually passed on to some or all ACT Government agencies or in accordance with legislation. These ACT Government agencies may include, but are not limited to:

- Environment and Sustainable Development Directorate;
- Justice and Community Safety Directorate; and
- Health Directorate

You should be aware that any of these agencies may also exchange this information with other similar organisations relevant to the application.

Please acknowledge the Transport Canberra and City Services Directorate has made you aware of its obligations under Information Privacy Principle 2 of the *Privacy Act 1988* (Cwth) by signing below.

Signature and date

[Redacted signature] 3 / 4 / 19

This application should be lodged as follows:

<b>In person at:</b>	<b>OR</b>	<b>By post to:</b>	<b>OR</b>	<b>Scan and email to:</b>
Reception		Urban Treescapes		
Transport Canberra and City Services		GPO Box 158		<a href="mailto:treeprotection@act.gov.au">treeprotection@act.gov.au</a>
496 Northbourne Avenue		Canberra City		
DICKSON ACT 2602		ACT 2601		

Should you have any queries with regard to this application form, please visit the [Access Canberra website](#) or call 13 22 81 for assistance.

**Providing false and misleading information on this application is a serious offence under the *Criminal Code 2002*. Prosecution may result in a fine of up to \$10,000 for an individual, \$50,000 for a company and/or 12 months imprisonment.**



PROPOSED INDICATIVE TREES TO BE PLANTED

PROPOSED INDICATIVE FENCE & RETAINING STONE WALL TO EAST

EXISTING BICYCLE FOOTPATH TO EAST

C:\Users\BCC\Documents\00 Rev\Project Local\1506.01E Masterplan\1506.01E Masterplanning Studies.rvt

 <p><b>SQCA ARCHITECTURE</b> Level 1, 22 Thynne Street Bruce ACT 2617 T +61 2 6278 8500 E studio@sqca.com.au</p> <p><small>ABN 810291693350 Primary Nominee: R.Smail ACT 933 \\\ NSW 8354 \\\ F. Obrich VIC 1675 \\\ N. Goodwin QLD 3020</small></p> <p><a href="http://sqca.com.au">sqca.com.au</a></p> <p>ARCHITECTURE ACCESS HERITAGE INTERIORS</p>	<p>Client: <b>BRINDABELLA CHRISTIAN COLLEGE</b></p> <p>Project Title: MASTERPLANNING STUDIES</p>	<p>Project Status: <b>TREE DAMAGING ACTIVITY APPLICATION</b></p> <p>Project Address: 136 BRIGALOW STREET, LYNEHAM ACT 2602</p>	<p>Drawing Title: <b>3D - PROPOSED TREES PLANTING TO EAST</b></p> <table border="1"> <tr> <td>Design Project Manager:</td> <td>Project Architect:</td> <td>Design Verifier:</td> </tr> <tr> <td></td> <td></td> <td></td> </tr> <tr> <td>Scale: @ A1</td> <td>Date: 04.04.19</td> <td>Drawn:</td> </tr> <tr> <td>Project No: <b>1506.01E</b></td> <td>Sheet No: <b>SP113</b></td> <td>Amendment: <b>1</b></td> </tr> </table>	Design Project Manager:	Project Architect:	Design Verifier:				Scale: @ A1	Date: 04.04.19	Drawn:	Project No: <b>1506.01E</b>	Sheet No: <b>SP113</b>	Amendment: <b>1</b>
	Design Project Manager:	Project Architect:	Design Verifier:												
Scale: @ A1	Date: 04.04.19	Drawn:													
Project No: <b>1506.01E</b>	Sheet No: <b>SP113</b>	Amendment: <b>1</b>													
<p><small>All dimensions in millimetres. Do not scale drawing. All dimensions and levels to be verified on site.</small></p>		<p>Block: 4      Section: 41      Division: Lyneham</p>	<p>3/04/2019 5:14:08 PM © Copyright</p>												

Level 1, 22 Thynne Street  
Bruce ACT 2617  
ABN: 83 074 611 215  
T 02 6278 8500  
e studio@sqca.com.au



SQC ARCHITECTURE

## Client Authority

I (We), the undersigned, confirm that I am (we are) the current lessee, or authorised representative of the lessee of the property identified below, and authorise the firm:

### SQC Architecture

1. to **examine** government and other authority files held on the property; and to obtain copies as required for the purposes of assisting us in pursuing examinations on the property on our behalf, and
2. to **sign on our behalf** in matters of submissions, authority approvals and private certification of the property.

The lessee shall reimburse the consultant for the cost of copies taken, and fees paid on their behalf.

NAME OF LESSEE(S)	Brindabella Christian College Education Ltd		
ADDRESS	136 Brigalow Street, Lyneham ACT 2602		
THE PROPERTY:	Brindabella Christian College, Lyneham Campus		
BLOCK	SECTION / DP	DIVISION	
4	41	Lyneham	

Tick and sign the applicable category

<input checked="" type="checkbox"/>	SIGNATURE OF LESSEE(S)		DATE	24/3/19
OR				
<input type="checkbox"/>	SIGNATURE OF AUTHORISED REPRESENTATIVE		DATE	





























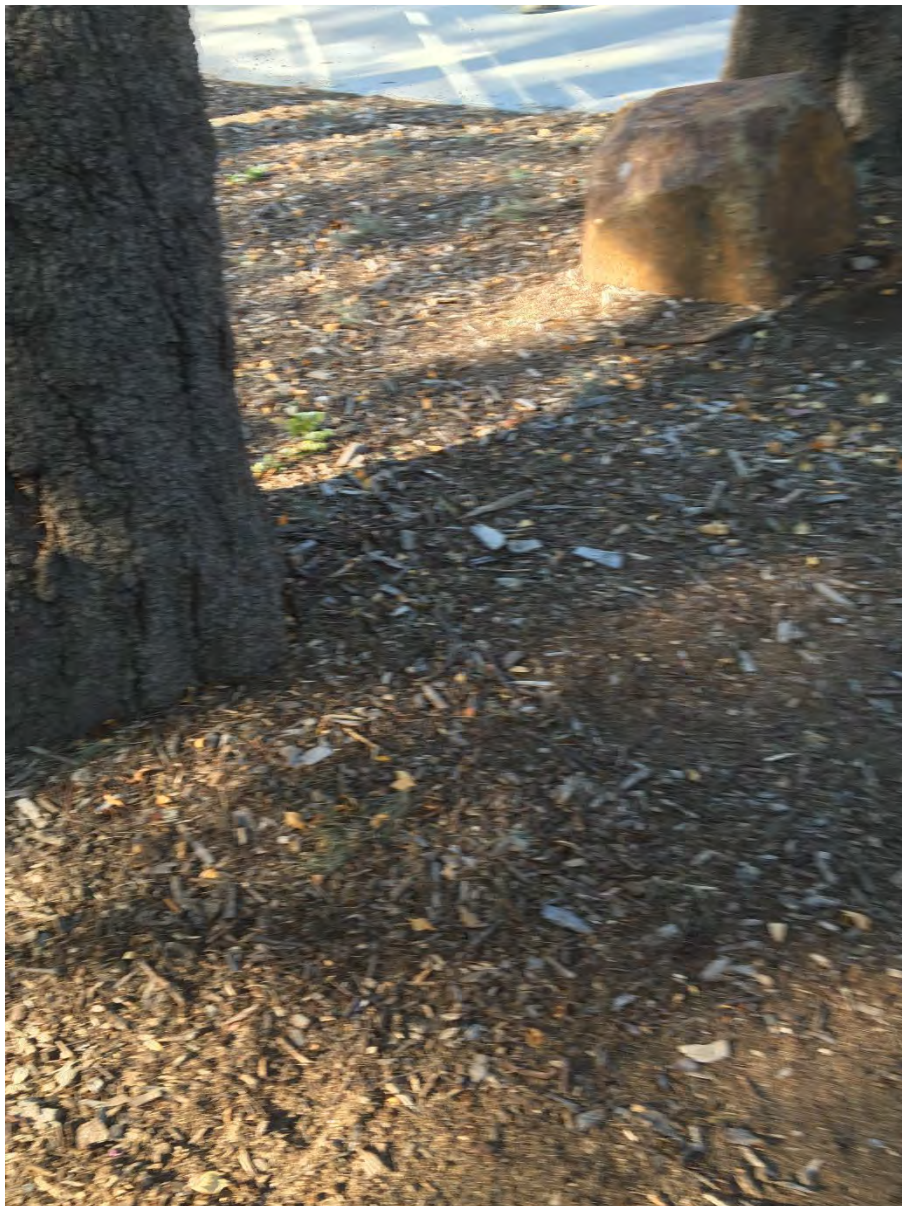
















CONSERVATOR'S DECISION  
*Tree Protection Act 2005*

---

**Address of Activity:** 136 BRIGALOW STREET  
LYNEHAM ACT 2602

**Application ID:** 39264      **Block:** 4      **Section:** 41

---

Tree(s) 13: Quercus robur

TREE ADDRESS: 136 BRIGALOW STREET

LOCATION ON BLOCK: As per the attached site plan.

DECISION SUMMARY:

The request for approval of felling/removal of this tree is not granted. Please see details below and recommendations, if any, in the attached Notice of Decision letter.

TREE DAMAGING ACTIVITY: FELLING/REMOVAL

CONSERVATOR'S DECISION: NOT GRANTED

BASIS FOR DECISION:

It has not been established that any of the criteria for removal have been satisfied in Clauses 1(1) and (2) of Schedule 1 of Disallowable Instrument DI2006-60, Tree Protection (Approval Criteria) Determination 2006 (No 2).

---

Tree(s) 18,19,20, 69 & 70: Casuarina cunninghamiana

TREE ADDRESS: 136 BRIGALOW STREET

LOCATION ON BLOCK: As per the attached site plan.

DECISION SUMMARY:

The request for approval of felling/removal of these trees is granted subject to the condition(s), if any, listed below.

TREE DAMAGING ACTIVITY: FELLING/REMOVAL

CONSERVATOR'S DECISION: GRANTED

BASIS FOR DECISION:

Removal of unsuitable or hazardous trees subject to replacement plantings being undertaken where necessary.

---

  
Delegate of the Conservator  
3 May 2019

**READ CONDITION(S) CAREFULLY**



**ACT**  
Government

Transport Canberra and  
City Services

[REDACTED]  
SQC Architecture  
Unit 3, Level 1, 22 Tynne Street  
BRUCE ACT 2617

**NOTICE OF DECISION**  
***Tree Protection Act 2005***

Dear [REDACTED]

This letter is notice of the Conservator of Flora and Fauna's decision regarding an application for a proposed activity under the *Tree Protection Act 2005* (the Act) at **136 BRIGALOW STREET, LYNEHAM**. The notice is issued in accordance with section 26(2) of the Act. The location of the relevant tree/s and reasons are set out in the attached Conservator's decision, dated **3 May 2019**.

The Conservator's Decision (attached) is internally reviewable. You may apply for reconsideration of the decision under section 107 of the Act. The application must be in writing and must set out the grounds upon which reconsideration of the decision is sought. The application fee is \$114.40 under the *Tree Protection (Fees) Determination 2014 (No1) 1.1. S22* of the Act from 1 July 2018.

An electronic (Application for Reconsideration) "Smartform" is available to download via the [Access Canberra website](http://www.tccs.act.gov.au/city-living/trees/tree_activity_application_forms) link: [http://www.tccs.act.gov.au/city-living/trees/tree\\_activity\\_application\\_forms](http://www.tccs.act.gov.au/city-living/trees/tree_activity_application_forms). The application must be made within **14 days** of the date of this notice by **Monday 20 May 2019**. An application for internal review will suspend any regular activity on tree/s subject to the reconsideration appeal. The review process may take 60 days and may confirm, vary or set aside the first decision.

If you do not agree with the reconsidered decision, you may apply to the *ACT Civil and Administrative Tribunal* for review of the decision. You may also seek review of the decision under the *Administrative Decisions (Judicial Review) Act 1989*. You may also contact the *ACT Ombudsman* if you have concerns about the decision.

**Please Note:** The Conservator of Flora and Fauna has approved the removal of five trees, numbered 18, 19, 20, 69 & 70 (*Casuarina cunninghamiana*). Under normal circumstances the applicant would be required to wait fourteen days after the 'Notice of Decision' was received, prior to undertaking the activity. In this instance, the Conservator is willing to waive the fourteen day period, as there are no adjoining lessees to be notified of the decision and the approval takes effect upon receipt of this notice.

If you would like to discuss any aspect of the application, please contact the Tree Protection Unit on telephone (02) 6207 6203 during business hours.

Yours sincerely

[REDACTED]  
Terrance S Raath  
A/g Assistant Director - Technical, Urban Treescaping  
Delegate of the Conservator of Flora and Fauna  
City Places and Infrastructure Division  
Transport Canberra and City Services Directorate  
3 May 2019



**ACT**  
Government

Transport Canberra and  
City Services

Brindabella Christian College Education Ltd  
PO Box 5103  
LYNEHAM ACT 2602

**NOTICE OF DECISION**  
***Tree Protection Act 2005***

Dear Sir/Madam

This letter is notice of the Conservator of Flora and Fauna's decision regarding an application for a proposed activity under the *Tree Protection Act 2005* (the Act) at **136 BRIGALOW STREET, LYNEHAM**. The notice is issued in accordance with section 26(2) of the Act. The location of the relevant tree/s and reasons are set out in the attached Conservator's decision, dated **3 May 2019**.

The Conservator's Decision (attached) is internally reviewable. The right to appeal the Conservator's Decision is, however, restricted to the original applicant only. If you wish to appeal the decision outlined in this notice, you will need to discuss the internal review process with the original applicant. You may also consider submitting a fresh application to undertake a tree damaging activity in your name. In this situation, a different assessing officer would assess your new application.

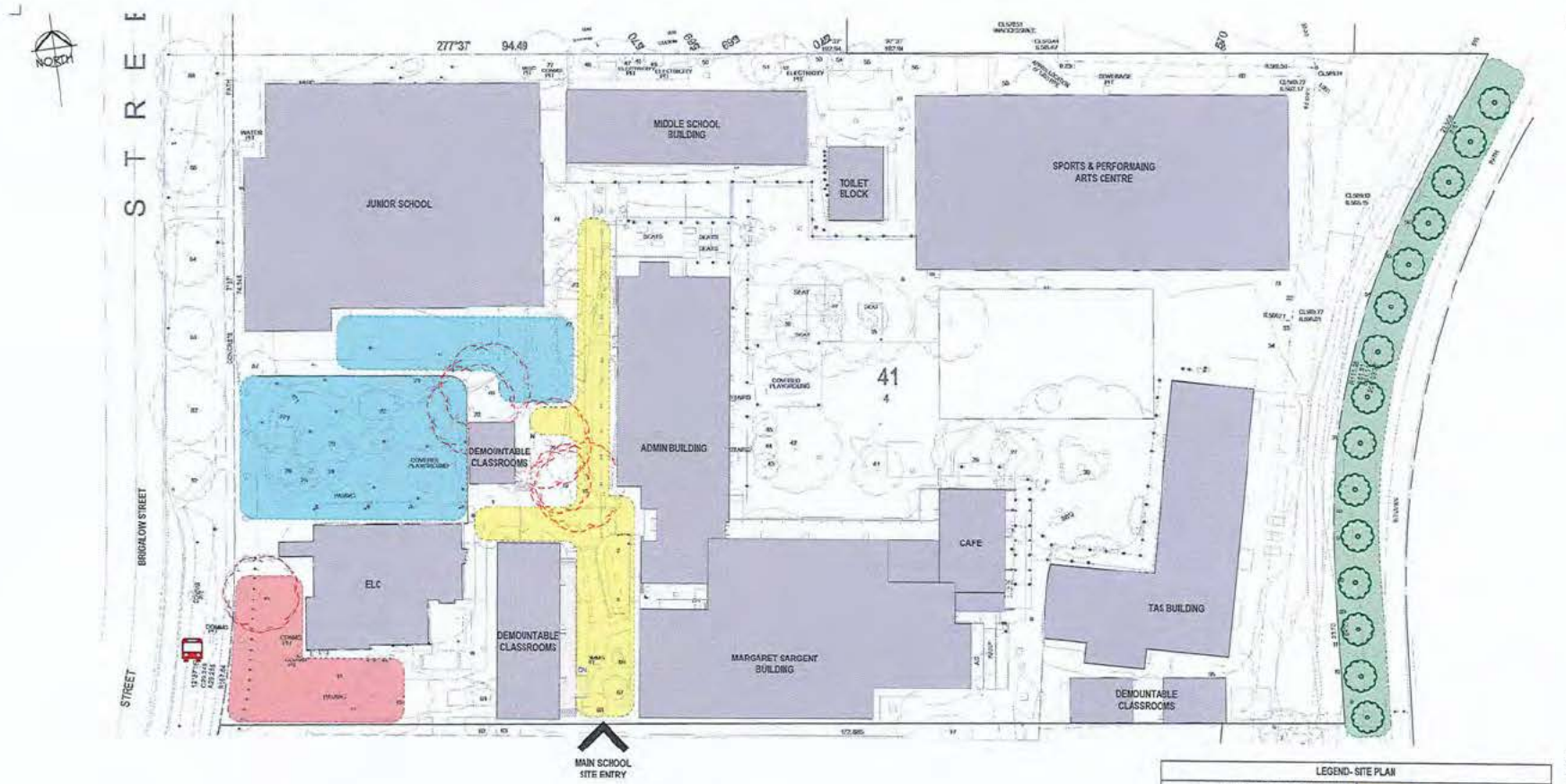
**Please Note:** The Conservator of Flora and Fauna has approved the removal of five trees, numbered 18, 19, 20, 69 & 70 (*Casuarina cunninghamiana*). Under normal circumstances the applicant would be required to wait fourteen days after the 'Notice of Decision' was received, prior to undertaking the activity. In this instance, the Conservator is willing to waive the fourteen day period, as there are no adjoining lessees to be notified of the decision and the approval takes effect upon receipt of this notice.

If you would like to discuss any aspect of the application, please contact the Tree Protection Unit on telephone (02) 6207 6203 during business hours.

Yours sincerely



Terrance S Raath  
A/g Assistant Director - Technical, Urban Treescapes  
Delegate of the Conservator of Flora and Fauna  
City Places and Infrastructure Division  
Transport Canberra and City Services Directorate  
3 May 2019



SCALE: 1:300 @ ORIGINAL SCALE

LEGEND- SITE PLAN	
	EXISTING TREE SURVEY FOR TREE SIZE
	TREES PROPOSED TO BE RETAINED. REFER SURVEY FOR TREE SIZE. TREES 10, 11, 12, 13, 14, 15
	INDICATIVE TREES PROPOSED TO BE PLANTED IN RELATION TO TREE CHANGING ACTIVITY. APPLICATIONS SHOULD BE LODGED AT AN APPROPRIATE STAGE WITH OTHER TREEWORK RELATED WITH OTHER TREEWORK.
	BUS STOP/STOP & PICK UP LOCATION
	HIGH PEDESTRIAN TRAFFIC AREAS
	JUNIOR SCHOOL & PRESCHOOL OUTDOOR PLAY AREAS
	SCHOOL BUS WAITING ZONE
	INDICATIVE PROPOSED TREE REPLANTING ZONE
	EXISTING BUILDINGS

<p><b>SQCA ARCHITECTURE</b>                  Level 1.22, Thyne Street                  Bruce ACT 2617                  Tel: 6289 8000                  studio@sqca.com.au                  www.sqca.com.au</p> <p>ARCHITECTURE ACCESS HERITAGE INTERIORS</p>	Client: <b>BRINDABELLA CHRISTIAN COLLEGE</b>	Project Status: <b>TREE DAMAGING ACTIVITY APPLICATION</b>	Drawing Title: <b>SITE PLAN 2020</b>
	Project Address: 131 BRIGALOW STREET, LYNEHAM ACT 2602	Design/Project Manager: ASH PROSPERITY PT	Date: 04/04/19
All dimensions in millimetres. Do not scale drawing. All dimensions and levels to be verified on site.	Sheet: 41	Section: 41	Sheet No: 1506.01E SP112



**ACT**  
Government

Transport Canberra and  
City Services

Inspected by: <u>Bs</u>	Advisor Visit? Y/ <input checked="" type="checkbox"/> N
Date: <u>29.4.19</u>	
Applicant requests – to be present	Y/ <input checked="" type="checkbox"/> N
Applicant/Lessee/Tenant - present	<input checked="" type="checkbox"/> Y/N

# TREE ASSESSMENT REPORT

Application ID: **39264** Date Received: **04-Apr-2019**

Home Phone:  
Business Phone: **6278 8500**  
Mobile: [REDACTED]

Applicant Name: Mr [REDACTED]

Tree Address: **136 BRIGALOW STREET** Suburb: **LYNEHAM**

Block/s: **4** Section: **41** Block Size (m<sup>2</sup>): **18112.1**

**ACTIVITY REQUIRED:**

Felling/Removal  Groundwork within the TPZ  Major pruning  Lopping  Minor pruning  Other

**TREE DETAILS:**

Tree/s No: 13 of 8 Genus & species Quercus robur Regulated  Registered

Location on block: As per the site plan

*The proposed activity is not subject to the legislation because it is:*

under size  dead  a declared pest plant  unleased land  rural lease  other

Height: ~ 14 m Canopy: ~ 16 m Circumference: 2.15 m Heritage Block: Y/N

Proximity to substantial structure: Trunk: ~ 6 m Canopy: ~ 5 m Overhang:     m

Proximity to powerlines: NA Trunk:     m Canopy:     m Overhang:     m

Landscapes values:     1     2     3     4     5     6     7     8     9     10

Possible nomination for the tree register:  
Yes /  No

Isolated specimen	Remnant / planted / rare	Historical	Planting / Remnant / Commemorative
Group specimen	Remnant / planted <input checked="" type="checkbox"/>	Prominent due to location / stature / height / age – (regardless stature)	Yes / <input checked="" type="checkbox"/> No
Indigenous	Remnant / planted	Habitat	Yes / <input checked="" type="checkbox"/> No (Nest - Active / Hollow)
Cultural	Unusual form / habit / variety	License under the Nature Conservation Act 2014 required	Yes / <input checked="" type="checkbox"/> No

Tree stable	Yes / <input checked="" type="checkbox"/> No	Root damage	Yes / <input checked="" type="checkbox"/> No
Epicormic growth	Major / <input checked="" type="checkbox"/> Minor / None	Trunk damage	Yes / <input checked="" type="checkbox"/> No
Foliage insects	Major / <input checked="" type="checkbox"/> Minor / None	Evidence of borers / termites	Yes / <input checked="" type="checkbox"/> No
Deadwood	Major / <input checked="" type="checkbox"/> Minor / None	Evidence of fungal infestation	Yes / <input checked="" type="checkbox"/> No
Previously pruned	Major / <input checked="" type="checkbox"/> Minor / None	Evidence of weak branch unions	Yes / <input checked="" type="checkbox"/> No
Previously lopped	Yes / <input checked="" type="checkbox"/> No	Evidence of stress fractures	Yes / <input checked="" type="checkbox"/> No
Causing drain blockages	Major / Minor / <input checked="" type="checkbox"/> Not evident	TPZ disturbance	Yes / <input checked="" type="checkbox"/> No

Growth stage  juvenile / semi-mature  mature / over-mature / in decline General health  excellent  good / fair / poor

*- Tree appears structurally sound. No indication of root plate movement, FFB/rot or included timber.*  
*- Tree is appropriately located with good vitality.*

Assessment – TREE FELLING / REMOVAL (visual from ground level)

	Criteria	Reported	Assessed	Meets criteria	Justifying Comments:
1.1.a	Life expectancy short ...	Yes / No	Yes / No	Yes / No	
1.1.b	Unacceptable risk to public or private safety ...	Yes / No	Yes / No	Yes / No	<i>Tree appears structurally sound.</i>
1.1.c	Causing / threatening to cause substantial damage ...	Yes / No	Yes / No	Yes / No	
1.1.d	Inappropriate location...	Yes / No	Yes / No	Yes / No	
1.1.e	Blocking solar access (excluding remnant Eucalypts)	Yes / No	Yes / No	Yes / No	
1.1.f	Causing allergic reaction to occupant...	Yes / No	Yes / No	Yes / No	
1.1.g	Part of close planting...	Yes / No	Yes / No	Yes / No	
1.2	Schedule 2 Species	Yes / No	Yes / No	Yes / No	

Recommendation: APPROVE REJECT REPLACEMENT TREE: Y / N

Alternative Recommendation: Selective Pruning / Dead wooding / other... *Regular Arbor assessment.*

Assessment - MAJOR PRUNING / LOPPING (visual from ground level)

	Criteria	Reported	Assessed	Meets criteria	Justifying Comments:
1.5.a.i	As a remedial treatment	Yes / No	Yes / No	Yes / No	
1.5.a.ii	In the general interests of the health of the tree	Yes / No	Yes / No	Yes / No	
1.5.a.iii	To reduce an unacceptable risk to public or private safety	Yes / No	Yes / No	Yes / No	
1.5.a.iv	To reduce the risk of damage or prevent further damage to a substantial building, structure or service	Yes / No	Yes / No	Yes / No	
1.5.b	Substantially affecting solar access to the lessees lease, or neighbouring lease, during winter...(excluding remnant Eucalypts)	Yes / No	Yes / No	Yes / No	

Recommendation: APPROVE REJECT

Assessment - GROUNDWORK (visual from ground level)

	Criteria	Reported	Assessed	Meets criteria	Justifying Comments:
2	The groundwork will have minimal impact on the tree if the activity complies with the conditions stated in the approval	Yes / No	Yes / No	Yes / No	
s29(4)	The activity will have little or no adverse impact on the health or stability of the tree	Yes / No	Yes / No	Yes / No	

Recommendation: APPROVE REJECT

TAP DELEGATE ADVICE:

Inspected site: Yes / No See separate report: Yes / No  
Agree with recommendation: Yes / No Refer to Tree Advisory Panel: Yes / No

Signature: Date:



**ACT**  
Government

Transport Canberra and  
City Services

Inspected by: <u>B</u>	Advisor Visit? Y/N <input checked="" type="checkbox"/>
Date: <u>29.4.19</u>	
Applicant requests – to be present	Y/N <input checked="" type="checkbox"/>
Applicant/Lessee/Tenant - present	<input checked="" type="checkbox"/> N

# TREE ASSESSMENT REPORT

Application ID: 39264 Date Received: 04-Apr-2019

Home Phone:  
Business Phone: 6278 8500  
Mobile: [REDACTED]

Applicant Name: [REDACTED]

Tree Address: 136 BRIGALOW STREET Suburb: LYNEHAM

Block/s: 4 Section: 41 Block Size (m<sup>2</sup>): 18112.1

## ACTIVITY REQUIRED:

Felling/Removal  Groundwork within the TPZ  Major pruning  Lopping  Minor pruning  Other

## TREE DETAILS:

Tree/s No: 18, 19, 20, 69, 70 of 6 Genus & species Casuarina cunninghamiana Regulated  Registered

Location on block: As per the site plan

The proposed activity is not subject to the legislation because it is:

under size  dead  a declared pest plant  unleased land  rural lease  other

Height: ~17 m Canopy: ~10 m Circumference: ~7.8 m Heritage Block: Y  N

Proximity to substantial structure: Trunk: ~4.6 m Canopy: ~1 m Overhang:     m

Proximity to powerlines: NA Trunk:     m Canopy:     m Overhang:     m

Landscapes values: 

1	2	3	4	5	<u>6</u>	7	8	9	10
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Possible nomination for the tree register:  
Yes / No

Isolated specimen	Remnant / planted / rare	Historical	Planting / Remnant / Commemorative
Group specimen	Remnant / planted <input checked="" type="checkbox"/>	Prominent due to location / stature / height / age – (regardless stature)	Yes / No <input checked="" type="checkbox"/>
Indigenous	Remnant / planted	Habitat	Yes / No <input checked="" type="checkbox"/> (Nest - Active / Hollow)
Cultural	Unusual form / habit / variety	License under the Nature Conservation Act 2014 required	Yes / No <input checked="" type="checkbox"/>

Tree stable	Yes <input checked="" type="checkbox"/> No	Root damage	Yes / No <input checked="" type="checkbox"/>
Epicormic growth	Major / Minor / None	Trunk damage	Yes / No <input checked="" type="checkbox"/>
Foliage insects	Major / Minor / None	Evidence of borers / termites	Yes / No <input checked="" type="checkbox"/>
Deadwood	Major / Minor / None	Evidence of fungal infestation	Yes / No <input checked="" type="checkbox"/>
Previously pruned	Major / Minor / None	Evidence of weak branch unions	Yes / No <input checked="" type="checkbox"/>
Previously lopped	Yes / No <input checked="" type="checkbox"/>	Evidence of stress fractures	Yes / No <input checked="" type="checkbox"/>
Causing drain blockages	Major / Minor / Not evident	TPZ disturbance	Yes / No <input checked="" type="checkbox"/>

Growth stage:  juvenile /  semi-mature /  mature /  over-mature /  in decline  
General health:  excellent /  good /  fair /  poor

Comments: - tree appear structurally sound however are large specimens in a high traffic school scenario.  
- Removal approved as unsuitable species without the possibility to mitigate work by sectioning off area.

8.1 - Unsuitable species for centre of school zone location.

Assessment – TREE FELLING / REMOVAL (visual from ground level)

	Criteria	Reported	Assessed	Meets criteria	Justifying Comments:
1.1.a	Life expectancy short ...	Yes / No	Yes / No	Yes / No	
1.1.b	Unacceptable risk to public or private safety ...	Yes / No	Yes / No	Yes / No	Trees appear structurally sound.
1.1.c	Causing / threatening to cause substantial damage ...	Yes / No	Yes / No	Yes / No	
1.1.d	Inappropriate location...	Yes / No	Yes / No	Yes / No	
1.1.e	Blocking solar access (excluding remnant Eucalypts)	Yes / No	Yes / No	Yes / No	
1.1.f	Causing allergic reaction to occupant...	Yes / No	Yes / No	Yes / No	
1.1.g	Part of close planting...	Yes / No	Yes / No	Yes / No	
1.2	Schedule 2 Species	Yes / No	Yes / No	Yes / No	

Recommendation: **APPROVE** **REJECT** **REPLACEMENT TREE: Y / N**

Alternative Recommendation: Selective Pruning / Dead wooding / other.....

Assessment - MAJOR PRUNING / LOPPING (visual from ground level)

	Criteria	Reported	Assessed	Meets criteria	Justifying Comments:
1.5.a.i	As a remedial treatment	Yes / No	Yes / No	Yes / No	
1.5.a.ii	In the general interests of the health of the tree	Yes / No	Yes / No	Yes / No	
1.5.a.iii	To reduce an unacceptable risk to public or private safety	Yes / No	Yes / No	Yes / No	
1.5.a.iv	To reduce the risk of damage or prevent further damage to a substantial building, structure or service	Yes / No	Yes / No	Yes / No	
1.5.b	Substantially affecting solar access to the lessees lease, or neighbouring lease, during winter...(excluding remnant Eucalypts)	Yes / No	Yes / No	Yes / No	

Recommendation: **APPROVE** **REJECT**

Assessment - GROUNDWORK (visual from ground level)

	Criteria	Reported	Assessed	Meets criteria	Justifying Comments:
2	The groundwork will have minimal impact on the tree if the activity complies with the conditions stated in the approval	Yes / No	Yes / No	Yes / No	
s29(4)	The activity will have little or no adverse impact on the health or stability of the tree	Yes / No	Yes / No	Yes / No	

Recommendation: **APPROVE** **REJECT**

TAP DELEGATE ADVICE:

Inspected site: Yes / No      See separate report: Yes / No  
 Agree with recommendation: Yes / No      Refer to Tree Advisory Panel: Yes / No

Signature:      Date:

136 Brigalow Street Lyneham  
4-41





136 Brigalow street Lynnham  
4-41

39264



136 Brigalow Street Lynnham  
4-41

39264



136 Brigalow Street Lynnham  
4-41

39264



136 Brigalow Street Lyneham  
H-41

39264



136 Brigalow Street Lynnham  
4-41

39264



136 Brigalow Street Lyneham  
H-#1

39264



136 Brigalow Street Lyneham  
H-41

39264



## Bruan, Nicole

---

**From:** Sweet, Carma  
**Sent:** Monday, 16 September 2019 2:15 PM  
**To:** Dawes, Rachael  
**Subject:** FW: 2322 - Le Couteur - Tree Removal at Brindabella Christian College (A18906788) [SEC=UNCLASSIFIED, DLM=Sensitive]  
**Attachments:** 2322 - Le Couteur - Tree Removal at Brindabella Christian College (A18906788).docx

Hi Rach

For your info. Also would you like me to add more information regarding the number of tree removals or do you think Stephen has decided to keep it brief/

Thank you

Carma

**Carma Sweet | A/g Assistant Director Policy, Planning & Contracts**

Phone: 02 6207 7158 | Mobile: [REDACTED] | Email: [carma.sweet@act.gov.au](mailto:carma.sweet@act.gov.au)

**Urban Treescapes | 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](http://www.act.gov.au)

---

**From:** Vigor, Catriona  
**Sent:** Monday, 16 September 2019 11:36 AM  
**To:** Sweet, Carma <[Carma.Sweet@act.gov.au](mailto:Carma.Sweet@act.gov.au)>  
**Cc:** Alegria, Stephen <[Stephen.Alegria@act.gov.au](mailto:Stephen.Alegria@act.gov.au)>; Pham, Julie <[Julie.Pham@act.gov.au](mailto:Julie.Pham@act.gov.au)>  
**Subject:** FW: 2322 - Le Couteur - Tree Removal at Brindabella Christian College (A18906788)

**UNCLASSIFIED Sensitive**

Hello Carma (and Stephen)

Thanks for the phone message on Friday. I'm sorry that both Julie and I were away on Friday.

As discussed on Thursday afternoon with yourself, and then with Stephen, below is the matter raised at CM's Talkback two weeks ago.

Stephen sent though the attached information (for checking against Hansard) and indicated he'd come back with **more information relating to the carpark.**

If you have further information to add as input to the briefing for this Friday's CM Talkback, then please send it through to us... a paragraph at most.

Thanks again for whatever you might like to send, else for advice that you think the attached is sufficient.

Regards

Catriona Vigor

---

**From:** Vigor, Catriona  
**Sent:** Thursday, 12 September 2019 3:25 PM  
**To:** Alegria, Stephen <[Stephen.Alegria@act.gov.au](mailto:Stephen.Alegria@act.gov.au)>

Cc: Pham, Julie <Julie.Pham@act.gov.au>

Subject: RE: 2322 - Le Couteur - Tree Removal at Brindabella Christian College (A18906788)

UNCLASSIFIED Sensitive

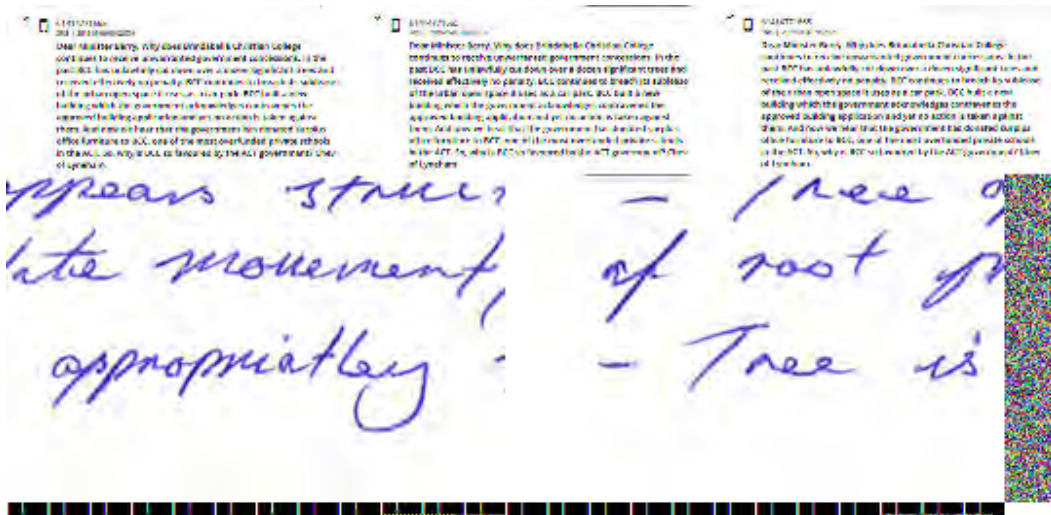
Thanks Stephen

As discussed, below was the question from CM talkback on 6 September 2019... Julie and I don't know whether the Treasury DLO is seeking the components of information for the answer separately from different sources ... however we'll convey what is in Hansard (based on the attached), so hopefully you (or your team) don't get asked for this twice...

Regards

Catriona  
FABG, Treasury, CMTEDD

X53187



From: Alegria, Stephen <Stephen.Alegria@act.gov.au>  
Sent: Thursday, 12 September 2019 2:26 PM  
To: Vigor, Catriona <Catriona.Vigor@act.gov.au>  
Subject: 2322 - Le Couteur - Tree Removal at Brindabella Christian College (A18906788)

UNCLASSIFIED Sensitive

Hi Catriona,

QON as requested. Suggest you check Hansard to ensure this was the published version.

In relation to the carpark I'll come back to you with more info.

Regards  
Stephen  
x79833

**MINISTER FOR CITY SERVICES**

**ACT LEGISLATIVE ASSEMBLY QUESTION**

**Questions on Notice Paper, No 29**

**Question No. 2322**

**Ms Le Couteur – Asked the Minister for City Services**

- (1) What compliance action has taken place in regard to the removal of large established trees on 4 October 2016 that were cut down without approval at Brindabella Christian College.
- (2) Was a penalty applied to Brindabella Christian College for the removal of these trees; if there has been no penalty applied, why not; if there has yet to be a penalty applied over two years later, why not.

**Mr Steel - The answer to the Member's question is as follows:**

- (1) A preliminary investigation was undertaken by Access Canberra.
- (2) No penalty was applied. Conditions of approval were imposed on the development application submitted by Brindabella Christian College (BCC). These conditions require BCC to replant four advanced trees on the southern boundary of the site at the completion of construction works. Transport Canberra and City Services (TCCS) has provided recommendations for the species selection and placement of the trees and has arranged to be present to ensure planting is undertaken to specifications. The construction compound currently obstructing the planting location is due to be removed in March 2019, with the trees to be planted subsequently during autumn.

Approved for circulation to the Member and incorporation in Hansard.

Chris Steel MLA  
Minister for City Services

Date:.....

This response required 40 mins to complete, at an approximate cost of \$82.99

## Bruan, Nicole

---

**From:** Dawes, Rachael  
**Sent:** Thursday, 28 November 2019 1:42 PM  
**To:** [REDACTED]  
**Cc:** Sweet, Carma  
**Subject:** RE: 1506.01 Brindabella Christian College - Tree replanting discussion [SEC=UNCLASSIFIED]

H [REDACTED]  
As discussed on the phone, I'm looking for some updated information on the planting of the trees at the Brindabella College site. If you could please pass me on to the correct person I would be grateful.  
Thanks  
Rach Dawes

Rachael Dawes | Senior Director Urban Treescapes  
Phone 02 6205 5263 | Mob [REDACTED] | Email: [rachael.dawes@act.gov.au](mailto: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](http://www.act.gov.au)

---

**From:** Raath, Terrance  
**Sent:** Friday, 22 March 2019 2:15 PM  
**To:** [REDACTED]@sqca.com.au  
**Cc:** Sweet, Carma <Carma.Sweet@act.gov.au>; Dawes, Rachael <Rachael.Dawes@act.gov.au>  
**Subject:** RE: 1506.01 Brindabella Christian College - Tree replanting discussion [SEC=UNCLASSIFIED]

H [REDACTED]  
FYI Carma/ Rachael  
Thanks for your attention to the matter.  
TCCS Urban Treescapes can confirm support the location of the new plantings as indicated on your attached plan.

- As discussed a new set of design standards being developed, however attached are some of the currently published guidelines from the TCCS web page.
- A sizable hole and some improved soil be incorporated when the trees are planted.
- A well should be placed around the base of the planting for water retention
- Can the school provide a 4 x cornered tree guard around the trees to minimise the likelihood of vandalism.
- Top dressing around the row of trees may minimise the issue with exposed tree roots and potential trip hazards. However as we discussed the kids will gravitate to the trees.

We can discuss future landscape proposals in regard the past removals at a later date when you are have more idea of future intentions for the site.

Also, as discussed the management of the parking area at the rear of the school should be addressed due to the pedestrian/vehicle conflicts. It may be prudent to re-iterate the issue with the school and get the contractors to appropriately formalise their works compound and parking arrangements.

I hope this information is of assistance.

Regards  
Terrance Raath

**Terrance Raath** | A/g Design and Development Co-ordinator | Urban Treescapes |  
City Presentation | Roads and Infrastructure | Transport Canberra and City Services Directorate | ACT Government  
☎ Tel: (02) 62058679 | ✉ E-mail: [terrance.raath@act.gov.au](mailto:terrance.raath@act.gov.au) | [www.tccs.act.gov.au](http://www.tccs.act.gov.au) | [www.act.gov.au](http://www.act.gov.au)  
Level 2, WOTSO House, 490 Northbourne Avenue, Dickson ACT | GPO Box 158, Canberra City ACT 2601



[https://www.tccs.act.gov.au/Development\\_and\\_Project\\_Support/pre-development-applications/estate-development-plans/design\\_standards](https://www.tccs.act.gov.au/Development_and_Project_Support/pre-development-applications/estate-development-plans/design_standards)

[https://www.tccs.act.gov.au/\\_data/assets/pdf\\_file/0005/396887/ds23\\_plantspecies.pdf](https://www.tccs.act.gov.au/_data/assets/pdf_file/0005/396887/ds23_plantspecies.pdf)

[https://www.tccs.act.gov.au/\\_data/assets/pdf\\_file/0004/396886/ds22\\_softlandscape.pdf](https://www.tccs.act.gov.au/_data/assets/pdf_file/0004/396886/ds22_softlandscape.pdf)

<https://www.tccs.act.gov.au/city-living/trees/design-standards-23-draft-tree-species-list>

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**From:** [REDACTED]@sqca.com.au]

**Sent:** Friday, 22 March 2019 8:57 AM

**To:** Raath, Terrance <Terrance.Raath@act.gov.au>

**Cc:** [REDACTED]@sqca.com.au>; [REDACTED]

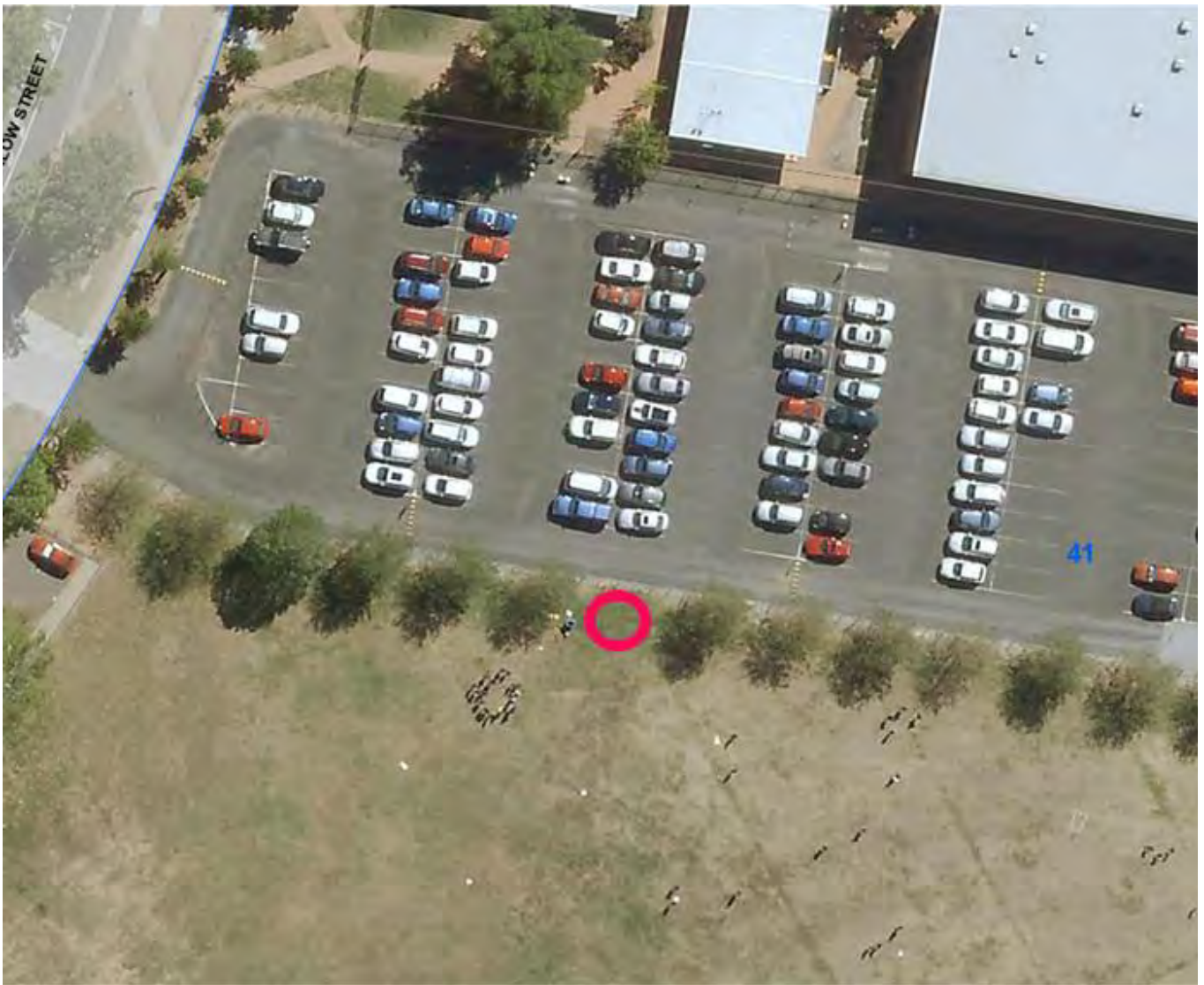
[REDACTED]@bcc.act.edu.au>; Dawes, Rachael <Rachael.Dawes@act.gov.au>

**Subject:** RE: 1506.01 Brindabella Christian College - Tree replanting discussion

Morning Terry,

Thank you for your time on Wednesday. I am writing to confirm the agreed key outcomes from our discussions which have been listed below:

- Number of trees: 5 trees had been agreed to be planted in the locations shown in the image below. The spacing will be to match the existing tree spacing;



- Species & Size: The species will be to match existing which we understood were Platanus Orientalus & they were to be 2.5m high semi mature trees;
- Method: They will be planted according to the Landscape Guidelines you mentioned. **Can you please confirm where this document can be found. I have been scouring the TCCS website looking for this document.**
- Maintenance: Apart from watering & the essential survival of the 5 trees, the school will also be allowed to prune the trees to ensure the crown of the tree moves higher as the tree grows;
- Tree guards: Your preference was to have a 4 post barrier around the tree.

Please note the only items listed above are the ones related to the condition of approval in the DA Notice of Decision. Can you please confirm in anything has been captured incorrectly. The school will make arrangements for planting when you are happy with this & arrange for a site inspection post planting.

If you have any questions please do not hesitate to call.

Kind Regards,



[REDACTED]  
**ARCHITECT**  
March, Registered Architect ACT 2548

**SQC ARCHITECTURE**  
Unit 3, Level 1, 22 Thynne Street, Bruce ACT 2617  
**T** 02 6278 8500 **M** [REDACTED]  
**E** [REDACTED]@sqca.com.au  
[sqca.com.au](http://sqca.com.au)



Primary nominee: R. Small ACT 933, NSW 9354, F. Olbrich VIC 16775, N. Goodwin QLD 5020, SA 3434

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**From:** Raath, Terrance [<mailto:Terrance.Raath@act.gov.au>]  
**Sent:** Tuesday, 19 March 2019 4:30 PM  
**To:** [REDACTED]@sqca.com.au>  
**Subject:** RE: 1506.01 Brindabella Christian College - Tree replanting discussion [SEC=UNCLASSIFIED]

Hi [REDACTED]  
I've just been sent this meeting request are you available Thursday sometime.  
Terrance Raath

**Terrance Raath** | A/g Design and Development Co-ordinator | Urban Treescapes |  
City Presentation | Roads and Infrastructure | Transport Canberra and City Services Directorate | ACT Government  
☎ **Tel: (02) 62058679** | ✉ **E-mail: [terrance.raath@act.gov.au](mailto:terrance.raath@act.gov.au) | [www.tccs.act.gov.au](http://www.tccs.act.gov.au) | [www.act.gov.au](http://www.act.gov.au)**  
Level 2, WOTSO House, 490 Northbourne Avenue, Dickson ACT | GPO Box 158, Canberra City ACT 2601

-----Original Appointment-----

**From:** Dawes, Rachael **On Behalf Of** [REDACTED]  
**Sent:** Tuesday, 19 March 2019 4:26 PM  
**To:** Raath, Terrance  
**Subject:** FW: 1506.01 Brindabella Christian College - Tree replanting discussion  
**When:** Wednesday, 20 March 2019 11:00 AM-11:30 AM (UTC+10:00) Canberra, Melbourne, Sydney.  
**Where:** Brindabella Christian College, Lyneham- Reception

-----Original Appointment-----

**From:** [REDACTED]@sqca.com.au]  
**Sent:** Tuesday, 19 March 2019 2:18 PM  
**To:** [REDACTED]; Dawes, Rachael; [REDACTED]; [REDACTED]  
**Subject:** 1506.01 Brindabella Christian College - Tree replanting discussion  
**When:** Wednesday, 20 March 2019 11:00 AM-11:30 AM (UTC+10:00) Canberra, Melbourne, Sydney.  
**Where:** Brindabella Christian College, Lyneham- Reception

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This email, and any attachments, may be confidential and also privileged. If you are not the intended recipient, please notify the sender and delete all copies of this transmission along with any attachments immediately. You should not copy or use it for any purpose, nor disclose its contents to any other person.

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## Bruan, Nicole

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**From:** [REDACTED]@sqca.com.au>  
**Sent:** Wednesday, 4 March 2020 3:09 PM  
**To:** Dawes, Rachael  
**Subject:** 1506.01 BCC - New Trees to Oval

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi Rachel,

Please see photos of the agreed replanted trees at the Brindabella Christian College.

Kind Regards,

[REDACTED]  
**ARCHITECT**  
March, Registered Architect ACT 2548 VIC 20916

**SQC ARCHITECTURE**  
Unit 3, Level 1, 22 Thynne Street, Bruce ACT 2617  
**T** 02 6278 8500 **M** [REDACTED]  
**E** [REDACTED]@sqca.com.au  
[sqca.com.au](http://sqca.com.au)



Primary nominee: R. Small ACT 933, NSW 9354, N. Goodwin QLD 5020, SA 3434, WA 3228, J. Ramanu VIC 20196

---

**From:** [REDACTED]  
**Sent:** Wednesday, 4 March 2020 11:55 AM  
**To:** [REDACTED]  
**Cc:** [REDACTED]; [REDACTED]  
**Subject:** BCC - New Trees to Oval

Hi [REDACTED]

Sorry for the late reply. Please see attached photos of the trees planted to the oval side of the carpark as requested by Urban Treescapes.

Could you please liaise with them so we can close this out for the school.

Thanks.



Phil Ma



17/27 Yallourn Street  
Fyshwick ACT 2609 AUSTRALIA  
M +61 [REDACTED]  
E [REDACTED] [vamosgroup.com.au](http://vamosgroup.com.au)

## Bruan, Nicole

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**From:** Sweet, Carma  
**Sent:** Thursday, 12 March 2020 12:37 PM  
**To:** Santillan, Diego  
**Cc:** Dawes, Rachael; Adrian, Tristan  
**Subject:** RE: INPUT REQUEST - State of the public land at the back of the Brindabella Christian College Lyneham  
**Attachments:** 2016\_642\_BRINDABELLA CC\_LMPP\_L02.pdf; 2016\_642\_BRINDABELLA CC\_LMPP\_L01.pdf; BCC - LMPP - Trees 3 and 4.pdf; BCC - LMPP - Trees 6 and 7 Visual.pdf; 1506.01 BCC Masterplan - Sheet - A1012 - SITE PLAN- PROPOSED.PDF; RE: 1506.01 Brindabella Christian College - Tree replanting discussion [SEC=UNCLASSIFIED]; TTE16-BLT-2459-1-1.pdf; 20161020114040957.pdf

UNCLASSIFIED

Hi Diego

There is a lot of background to the development of the Brindabella Christian College (BCC) and I'm afraid I have swamped you with attached plans and correspondence.

To give you a quick summary:

- In October 2016 BCC removed approximately 12 trees without approval, including six mature oak trees and three eucalypts in urban open space behind the school (in the area shown in red in Tristan's email). This was investigated by EPSDD and the decision was made to require the school to replant five plane trees to the south of the school.
- I have reviewed TTM's for use of the urban open space between the carpark and site compound at the back of the school and also tree management plans for the protection of the verge trees (all attached). I also enquired into whether there was an active lease for the carpark in Section 27 (site plan attached) and spoke to the foreman on a couple of occasions about parking beneath the trees in UOS adjacent to Mouat Street.
- I have not been directly involved with the replant requirement but was copied into the attached email which outlines the planting requirements (attached). I do not think the trees have been planted yet but Rachael may know more. The replants do not seem to be covered by the permit agreement however so should not hold this up if other rectification works have been completed.

Thank you and again sorry for all of the plans.

Kind regards  
Carma

Carma Sweet | A/g Assistant Director Policy, Planning & Contracts

Phone: 02 6207 7158 | Mobile: [REDACTED] | Email: [carma.sweet@act.gov.au](mailto:carma.sweet@act.gov.au)

Urban Treescapes | 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](http://www.act.gov.au)

---

**From:** Santillan, Diego <Diego.Santillan@act.gov.au>  
**Sent:** Friday, 6 March 2020 3:29 PM  
**To:** Sweet, Carma <Carma.Sweet@act.gov.au>  
**Subject:** FW: INPUT REQUEST - State of the public land at the back of the Brindabella Christian College Lyneham

UNCLASSIFIED

Hi Carma,

Please see below regarding construction works behind Brindabella Cristian College in Lyneham.

According to Tristan, a tree management plan and fencing may have been managed by ACT urban trees.

Could you please advise?

Thanks,  
Diego

---

**From:** TCCS\_CP Commlanduse <[TCCS.Commlanduse@act.gov.au](mailto:TCCS.Commlanduse@act.gov.au)>  
**Sent:** Friday, 6 March 2020 15:26  
**To:** Adrian, Tristan <[Tristan.Adrian@act.gov.au](mailto:Tristan.Adrian@act.gov.au)>  
**Cc:** Santillan, Diego <[Diego.Santillan@act.gov.au](mailto:Diego.Santillan@act.gov.au)>; Ellis, Pamela <[Pamela.Ellis@act.gov.au](mailto:Pamela.Ellis@act.gov.au)>; TCCS\_CP Commlanduse <[TCCS.Commlanduse@act.gov.au](mailto:TCCS.Commlanduse@act.gov.au)>  
**Subject:** RE: INPUT REQUEST - State of the public land at the back of the Brindabella Christian College Lyneham

UNCLASSIFIED

Good Afternoon Tristan,

Please see above copies of the approved application, conditions and site map for **permit 20880**, this permit expired on 15/03/2019

You are correct that in the conditions it is stated:

**RESTORATION AND CONSOLIDATION OF THE SITE**

- As part of the permit approval Built Pty Ltd is required to re-grass the entire area as per the TCCS landscape specifications including top dressing, seeding and bitumen straw mulch or equivalent.
- All damage to be repaired at the expense of the applicant to satisfaction of TCCS.
- All soft-works are to be consolidated/ watered etc for 13 weeks after final acceptance by TCCS to ensure that the site is adequately reinstated. Refer to the TCCS Standard Specification for Urban Infrastructure Works
- All hard works reinstated such as bollards and paved areas shall be reinstated to the satisfaction of TCCS.

Refer to the TCCS Standard Specification for Urban Infrastructure Works. Refer to below link:

[http://www.tams.act.gov.au/\\_data/assets/pdf\\_file/0005/397121/SS09\\_Landscape\\_01\\_00.pdf](http://www.tams.act.gov.au/_data/assets/pdf_file/0005/397121/SS09_Landscape_01_00.pdf)

[http://www.tams.act.gov.au/\\_data/assets/pdf\\_file/0004/397111/SS08\\_Incidental\\_Works\\_01\\_00.pdf](http://www.tams.act.gov.au/_data/assets/pdf_file/0004/397111/SS08_Incidental_Works_01_00.pdf)

If you need anything further, please let me know

Kind regards

**Eboney Smith**

**Municipal Land Use Officer**

**Phone 02 6205 9850 | Fax 6207 7133**

**Licensing and Compliance | City Services | Transport Canberra and City Services Directorate**

**ACT Government**

Ground Floor, 255 Canberra Avenue, Fyshwick ACT 2609 | GPO Box 158 Canberra ACT 2601

[www.act.gov.au](http://www.act.gov.au) | [www.tccs.act.gov.au](http://www.tccs.act.gov.au) | [@tccs\\_act](https://twitter.com/tccs_act)



**Connected services for the people of Canberra**

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**From:** Ellis, Pamela <[Pamela.Ellis@act.gov.au](mailto:Pamela.Ellis@act.gov.au)>  
**Sent:** Friday, 6 March 2020 2:41 PM  
**To:** Smith, Ebony <[Ebony.Smith@act.gov.au](mailto:Ebony.Smith@act.gov.au)>; TCCS\_CP Commlanduse <[TCCS.Commlanduse@act.gov.au](mailto:TCCS.Commlanduse@act.gov.au)>  
**Subject:** FW: INPUT REQUEST - State of the public land at the back of the Brindabella Christian College Lyneham

UNCLASSIFIED

Hi Ebony

Could you please have a look at this is Tash's absence and advise Tristan by replay email.

Please CC me into the response

Thank you

Pam

---

**From:** Adrian, Tristan <>  
**Sent:** Friday, 6 March 2020 1:47 PM  
**To:** Santillan, Diego <>; Siebels, Natasha <[Natasha.Siebels@act.gov.au](mailto:Natasha.Siebels@act.gov.au)>  
**Cc:** Ellis, Pamela <[Pamela.Ellis@act.gov.au](mailto:Pamela.Ellis@act.gov.au)>  
**Subject:** RE: INPUT REQUEST - State of the public land at the back of the Brindabella Christian College Lyneham

UNCLASSIFIED

Hi Tash,

Can you please pull the permit for construction works behind Brindabella Cristian College in Lyneham. The permit has probably expired however I believe there was a condition that the construction company would remediate all of the grassing on and adjacent to the site.

We have received a ministerial request to ensure that this work is undertaken (see attached).



Diego - The other issues including a tree management plan and fencing may have been managed by ACT urban trees. It would be worth asking Carma Sweet if she knows anything about this.

Thank you

Tristan Adrian | Assistant Director, Place Management  
Phone 02 6207 0940 | Email [tristan.adrian@act.gov.au](mailto:tristan.adrian@act.gov.au)  
Place Management, City Presentation, Roads and Infrastructure Division, Transport Canberra and City Services Directorate | ACT Government  
Level 2, Watso House, 490 Northbourne Avenue, Dickson ACT 2602 | GPO Box 158 Canberra ACT 2601 | [www.act.gov.au](http://www.act.gov.au)

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**From:** Santillan, Diego <[Diego.Santillan@act.gov.au](mailto:Diego.Santillan@act.gov.au)>  
**Sent:** Friday, 6 March 2020 12:36 PM  
**To:** Adrian, Tristan <[Tristan.Adrian@act.gov.au](mailto:Tristan.Adrian@act.gov.au)>  
**Subject:** FW: INPUT REQUEST - State of the public land at the back of the Brindabella Christian College Lyneham

UNCLASSIFIED

Hi Tristan,

We've been tasked to provide input for this request.

**Requesting Directorate:** CMTEDD, Access Canberra

**Responding TCCS Division:** City presentation

**Please address the following issue:**

- Remediation of unleased land
- A response in relation to the tree question regarding replanting and any compliance action that can/will be taken
- Fencing along the boundary

Please have a read below for some context on the issue and let me know if it is possible to address the issues.

Thanks,  
Diego

---

**From:** Kennedy, Karen <[Karen.Kennedy@act.gov.au](mailto:Karen.Kennedy@act.gov.au)> **On Behalf Of** TCCS\_DLO  
**Sent:** Tuesday, 3 March 2020 11:01  
**To:** TCCS\_Ministerial <[TCCS.Ministerial@act.gov.au](mailto:TCCS.Ministerial@act.gov.au)>  
**Subject:** FW: INPUT REQUEST - State of the public land at the back of the Brindabella Christian College Lyneham

UNCLASSIFIED

Hi MSU,

Could TCCs please provide some input as requested below by 11 March.

Thanks  
KK

**Karen Kennedy** | Directorate Liaison Officer  
T - 6205 2790 | E - [TCCS.DLO@act.gov.au](mailto:TCCS.DLO@act.gov.au)  
Office of Minister Steel MLA  
Office of Minister Berry MLA (Sportsgrounds)  
**Transport Canberra and City Services** | ACT Government  
GPO Box 158 Canberra ACT 2601 | [www.act.gov.au](http://www.act.gov.au)

---

**From:** Matthews, Catherine <[Catherine.Matthews@act.gov.au](mailto:Catherine.Matthews@act.gov.au)> **On Behalf Of** ACDLO  
**Sent:** Tuesday, 3 March 2020 10:53 AM  
**To:** TCCS\_DLO <[TCCS.DLO@act.gov.au](mailto:TCCS.DLO@act.gov.au)>  
**Subject:** INPUT REQUEST - State of the public land at the back of the Brindabella Christian College Lyneham

UNCLASSIFIED

Hi KK

Could you please seek input from TCCS regarding the attached correspondence?

Could we please have input on the following:

- Remediation of unleased land
- A response in relation to the tree question regarding replanting and any compliance action that can/will be taken
- Fencing along the boundary

Would it be possible to have this back by 11 March please?

Kind regards  
Cath

**Cath Matthews**  
**A/g Directorate Liaison Officer | ACT Legislative Assembly**  
Minister Gordon Ramsay | Business and Regulatory Services  
Minister Suzanne Orr | Employment and Workplace Safety  
Minister Shane Rattenbury | Justice and Consumer Affairs and Road Safety  
Minister Mick Gentleman | Environment and Heritage

**Access Canberra | Chief Minister Treasury and Economic Development Directorate | ACT Government**  
GPO Box 158, Canberra, ACT 2601  
Phone: 6205 4007 | Email: [acdlo@act.gov.au](mailto:acdlo@act.gov.au)

---

**From:** White, Michael <[Michael.White@act.gov.au](mailto:Michael.White@act.gov.au)>  
**Sent:** Friday, 28 February 2020 2:54 PM  
**To:** ACDLO <[ACDLO@act.gov.au](mailto:ACDLO@act.gov.au)>  
**Cc:** RAMSAY <[RAMSAY@act.gov.au](mailto:RAMSAY@act.gov.au)>  
**Subject:** FW: State of the public land at the back of the BrindabellaChristian College Lyneham

For Ministerial Response.

**Michael White**  
**Adviser**  
Office of Gordon Ramsay MLA | Member for Ginninderra  
Attorney-General  
Minister for the Arts, Creative Industries and Cultural Events  
Minister for Building Quality Improvement  
Minister for Business and Regulatory Services  
Minister for Seniors and Veterans  
Phone: 6205 7101 | Email: [michael.white@act.gov.au](mailto:michael.white@act.gov.au)



---

**From:** White, Michael  
**Sent:** Friday, 28 February 2020 2:53 PM  
**To:** Kandola, Shobaz <[Shobaz.Kandola@act.gov.au](mailto:Shobaz.Kandola@act.gov.au)>  
**Cc:** Crossman, Louise <[Louise.Crossman@act.gov.au](mailto:Louise.Crossman@act.gov.au)>  
**Subject:** RE: State of the public land at the back of the BrindabellaChristian College Lyneham

Hey Shobaz,

Sorry for the delay in getting back to you, I've been waiting for advice from Access Canberra.

The first two questions are one for AC, with TCCS support. There is apparently a DA condition for the college to get a management plan approved by TCCS and follow it. AC are attempting to work out from TCCS whether that has occurred and whether they are following it. TCCS have provided AC no information as yet.

On the last point, AC are still looking at it and will come back to me on it soon. It may be TCCS as its public land, and AC are also checking whether there is a condition for them to build a fence. Once they get back to me, I'll let you know.

Happy for it to come our way, given at least 2/3 AC is the regulator at the end of the chain. I don't think it's been formally referred to us by the Steel Office. We had assumed they were comfortable taking the lead, given they had responded to the constituent.

**Michael White**

**Adviser**

Office of Gordon Ramsay MLA | Member for Ginninderra  
Attorney-General  
Minister for the Arts, Creative Industries and Cultural Events  
Minister for Building Quality Improvement  
Minister for Business and Regulatory Services  
Minister for Seniors and Veterans  
Phone: 6205 7101 | Email: [michael.white@act.gov.au](mailto:michael.white@act.gov.au)



---

**From:** Kandola, Shobaz <[Shobaz.Kandola@act.gov.au](mailto:Shobaz.Kandola@act.gov.au)>  
**Sent:** Tuesday, 25 February 2020 10:32 AM  
**To:** White, Michael <[Michael.White@act.gov.au](mailto:Michael.White@act.gov.au)>  
**Cc:** Crossman, Louise <[Louise.Crossman@act.gov.au](mailto:Louise.Crossman@act.gov.au)>  
**Subject:** FW: State of the public land at the back of the BrindabellaChristian College Lyneham

Hi Michael

In Brookes absence can we please discuss. The strong advice I have is this a matter for Access Canberra to lead. If it helps, I am happy to have Ben Ponton come up and sit in a meeting with David Pryce to work out who should lead. We really need to sort this ASAP.

Kind regards

Shobaz

---

**From:** LCA <[contact@lyneham.org.au](mailto:contact@lyneham.org.au)>  
**Sent:** Sunday, 16 February 2020 6:29 PM  
**To:** STEEL <[STEEL@act.gov.au](mailto:STEEL@act.gov.au)>  
**Cc:** GENTLEMAN <[GENTLEMAN@act.gov.au](mailto:GENTLEMAN@act.gov.au)>; RAMSAY <[RAMSAY@act.gov.au](mailto:RAMSAY@act.gov.au)>; RATTENBURY <[RATTENBURY@act.gov.au](mailto:RATTENBURY@act.gov.au)>; STEPHEN-SMITH <[STEPHEN-SMITH@act.gov.au](mailto:STEPHEN-SMITH@act.gov.au)>; LEE <[LEE@parliament.act.gov.au](mailto:LEE@parliament.act.gov.au)>  
**Subject:** RE: State of the public land at the back of the BrindabellaChristian College Lyneham

Hi Peter

We have been checking our correspondence and we believe that we never received a response to this letter. We understand that the Brindabella Christian College told its student community at the end of last year that all the building work has finished but the public land next to the school has still not yet been cleaned up. Given this lack of action could you please provide a detailed response to our concerns as soon as practicable.

Thanks

  
Secretary

---

**From:** [STEEL](#)  
**Sent:** Thursday, 24 October 2019 1:26 PM  
**To:** [LCA](#)  
**Subject:** RE: State of the public land at the back of the BrindabellaChristian College Lyneham

Good afternoon 

Thank you for your email regarding public land at the back of the Brindabella Christian College in Lyneham.

I have brought this to the attention of Minister Steel.

I have also passed your correspondence to Transport Canberra and City Services.

When we receive information from the directorate, the Minister will directly respond.

Kind regards,

**Peter Kuschert**  
**Office Manager to Chris Steel MLA**  
Member for Murrumbidgee  
Minister for Transport  
Minister for City Services  
Minister for Multicultural Affairs  
Minister for Roads & Active Travel  
Minister for Recycling & Waste Reduction  
ACT Legislative Assembly  
GPO Box 1020, CANBERRA, ACT 2601 Australia  
E. [Peter.Kuschert@act.gov.au](mailto:Peter.Kuschert@act.gov.au) | T. (02) 6205 1470  
[www.chrissteel.com.au](http://www.chrissteel.com.au)

---

**From:** LCA <[contact@lyneham.org.au](mailto:contact@lyneham.org.au)>  
**Sent:** Thursday, 24 October 2019 11:57 AM

**To:** STEEL <[STEEL@act.gov.au](mailto:STEEL@act.gov.au)>; GENTLEMAN <[GENTLEMAN@act.gov.au](mailto:GENTLEMAN@act.gov.au)>; RAMSAY <[RAMSAY@act.gov.au](mailto:RAMSAY@act.gov.au)>  
**Cc:** RATTENBURY <[RATTENBURY@act.gov.au](mailto:RATTENBURY@act.gov.au)>; STEPHEN-SMITH <[STEPHEN-SMITH@act.gov.au](mailto:STEPHEN-SMITH@act.gov.au)>; LEE <[LEE@parliament.act.gov.au](mailto:LEE@parliament.act.gov.au)>  
**Subject:** State of the public land at the back of the Brindabella Christian College Lyneham

Dear Ministers and MLAs

Attached is a letter from the Lyneham Community Association regarding the poor condition of the public land at the back of the Brindabella Christian College in Lyneham caused by the building work at the College.  
We look forward to your response.

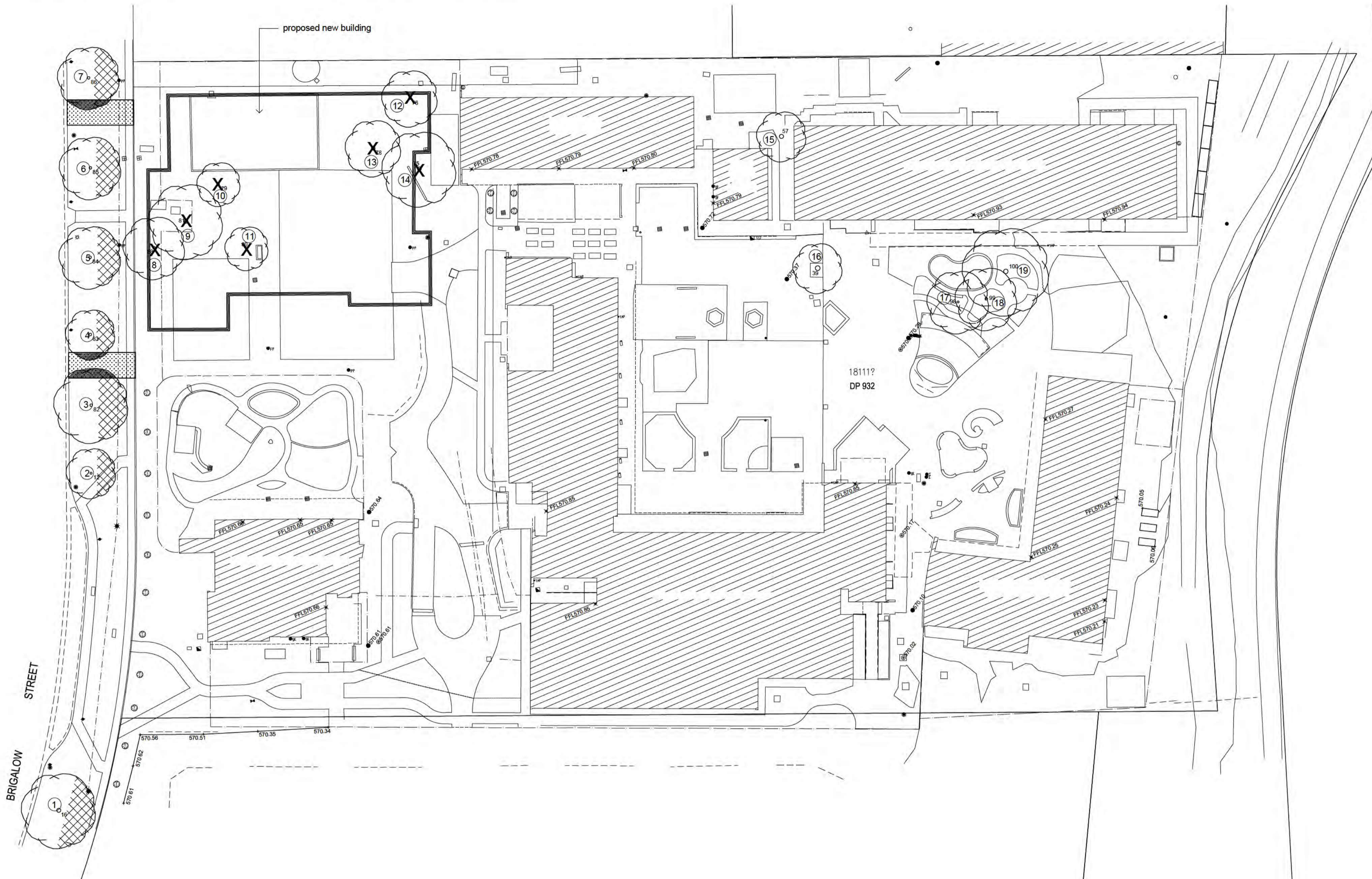
Regards



Secretary

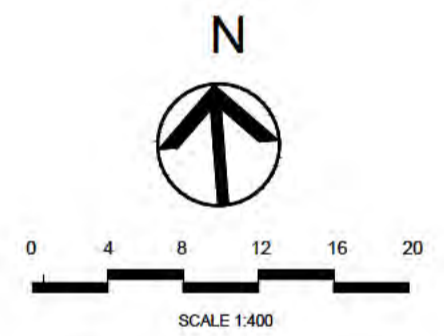
-----  
This email, and any attachments, may be confidential and also privileged. If you are not the intended recipient, please notify the sender and delete all copies of this transmission along with any attachments immediately. You should not copy or use it for any purpose, nor disclose its contents to any other person.  
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# LANDSCAPE MANAGEMENT & PROTECTION PLAN



**legend**

- 1,800H temporary chain mesh fencing
- existing tree
- tree to be removed
- stabilised access point - see detail
- proposed activity within Tree Protection Zone of Regulated Tree
- extent of tree pruning by ACTEW arborist



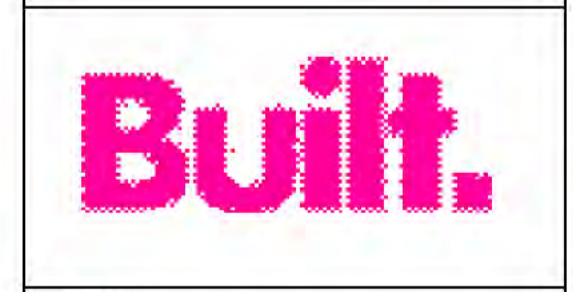
## VERGE CONDITION & RESTORATIVE VERGE WORKS

- existing conditions of verge**
- the existing vegetation of the verge consists of mature, regulated street trees. We recommend all trees be protected and retained. the ground cover of the verge is grassed and is in fair condition
- verge management notes**
- all works to be contained within the building site except for approved service connections in the verge or other approved exceptions.
  - during the progress of the works, all existing verge grass cover and trees shall be maintained in pre-existing condition. This can include regular watering of grass and trees in dryer conditions.
  - restore all grassed and landscaped areas damaged by the construction works to original or better condition upon completion of works
  - all builders rubble and construction materials to be removed from site, before soil restorative works commenced

- restorative verge works**
- all existing verge grass cover and trees shall be maintained in pre-existing condition.
  - should damage occur, the verge shall be restored to better than pre-existing condition as part of the development works. grass re-establishment to be part of restorative verge works. water as required to establish.
  - during restorative verge works, topsoil shall not be removed and the soil level shall not be changed within the drip zone of trees.
  - for grassed areas, spread soil from site (where possible), top with 50-100mm type C top soil, smoothed, free of lumps of soil or stones and gradually blend into adjoining areas of undisturbed ground. Where topsoiling is carried out adjacent to kerbs, footpaths, mowing strips or other hard paved surfaces, the topsoiling shall finish flush with those surfaces unless specified otherwise.
  - grassing - spray grass seed mix to match existing, straw mulch and bitumen emulsion spray, water as required to establish.

date:	no.:	issue/amendment:	app:
9-11-2016	a	documentation for DA	

tender documentation  
not for construction



**notes:**  
all dimensions in millimeters. do not scale drawing  
all dimensions and levels to be verified on site by contractor  
before commencing work or preparation of shop drawings,  
where provided. drawings must be read in conjunction with  
schedule of work or specification

**project title:**  
Brindabella Christian College  
Building Construction  
**client:**  
Built  
**address:**  
136 Brigalow Street, Lyneham ACT 2602  
**block:** section  
4 41

**drawing title:**  
Landscape Management &  
Protection Plan

scale	date
1:400 @ A1	November 9th 2016
project no.	sheet no.
2016_642_LMPP	L02/02
	a





**PARKING CALCULATIONS:**

EXISTING PARKING: 116 CAR SPACES  
PROPOSED AVAILABLE PARKING: 158 CAR SPACES

**PARKING CALCULATIONS BASED ON FORECASTED 2023 POPULATION OF:**

ELC CHILD CARE SPACES: 4  
ELC STAFF: 7  
PRESCHOOL: 72  
PRIMARY: 504  
SECONDARY: 285  
COLLEGE: 90

**CAR SPACES CALCULATED:**

ELC PARKING SPACES: 16  
PRESCHOOL, PRIMARY, HIGH SCH: 103  
COLLEGE: 18  
TOTAL REQUIRED: 137 CAR SPACES

CARPARK (SUB-LEASE)  
PART BLOCK 23  
6472 SQM  
AVAILABLE CAR SPACES:  
158  
INDICATIVE PARKING  
LAYOUT SHOWN



0 5 10 15 20 25 30 35 40 m  
SCALE: 1:500 @ ORIGINAL SCALE

**PRELIMINARY**  
17.05.16 - SPORTS COURTS ON CARPARK LAYOUT



**SQC ARCHITECTURE**  
Suite 4 Hawker Professional Centre  
Hawker ACT 2602  
ABN 81091603350  
P: 02 6278 8500  
E: studio@sqca.com.au  
Primary Nominee ACT 933 NSW 9354



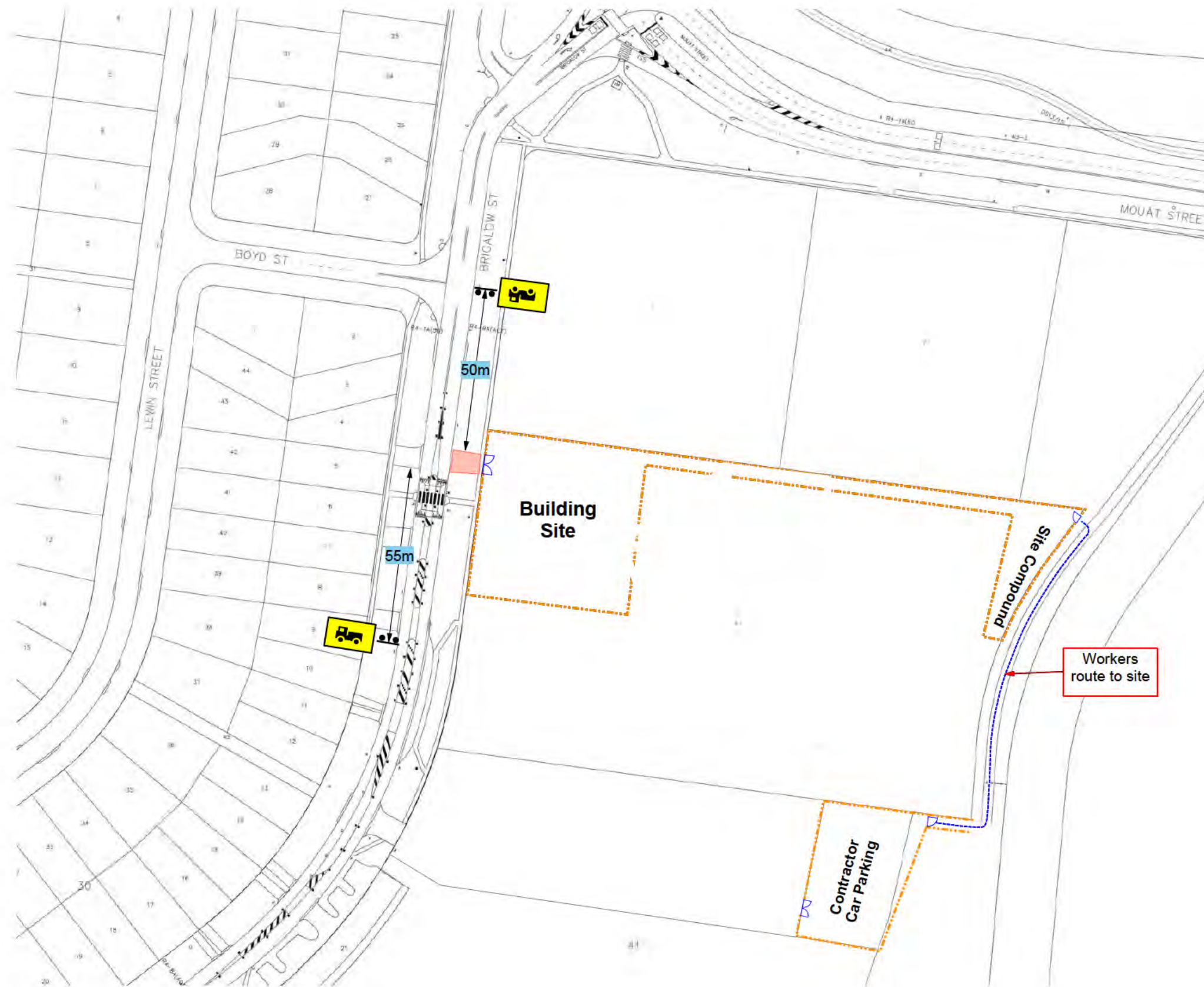
Client: BRINDABELLA CHRISTIAN COLLEGE  
Project Title: BCC MASTERPLAN

Project Address: 136 BRIGALOW STREET, LYNEHAM ACT 2602  
Block: Section: Division:  
41 LYNEHAM

ALL DIMENSIONS IN MILLIMETRES. DO NOT SCALE DRAWING. ALL DIMENSIONS AND LEVELS TO BE VERIFIED ON SITE BY CONTRACTOR BEFORE COMMENCING WORK OR PREPARATION OF SHOP DRAWINGS. WHERE PROVIDED, DRAWINGS MUST BE READ IN CONJUNCTION WITH SCHEDULE OF WORK OR SPECIFICATION.

Drawing Title: SITE PLAN PROPOSED  
Director: Reviewer: Drawn:

Project No: 1  
QA Reference: 1506.01- A1012- 3  
Sheet No: A1012  
Current Rev Issue Date: 17.05.16  
Scale: 1: 500 @A1  
Amendment: 3  
© Copyright



- NOTES**  
\*\*\*\*\*
- (1) All Temporary Traffic Management Devices are to be in accordance with the A.S. 1742.3
  - (2) ALL sign facings SHALL be of CLASS 1 MATERIAL as specified in the AS/NZS 1906-1
  - (3) Employees are to wear High Visibility Clothing
  - (4) All signs & devices SHALL be erected within line of sight of the road users. They SHALL NOT be obscure by vegetation or parked vehicles & SHALL be positioned where they do not become a hazard to pedestrians or vehicles
  - (5) All conflicting signage, including Parking Signs within the work site SHALL be covered or removed while traffic operation is in progress
  - (6) ALL T2-25 (Truck Symbolic) SHALL be covered out of working hours
  - (7) The contractor responsible for the work site Temporary Traffic Management SHALL comply with the requirements of the A.S. 1742.3 2009
  - (8) EMERGENCY VEHICLE ACCESS SHALL BE MAINTAINED AT ALL TIMES**

**Legend**

- Consolidated Driveway
- Site Fence
- Workers route to site

D	-	-
C	-	-
B	-	-
A	-	-
REV	DESCRIPTION	DATE

Designed By: [REDACTED]  
 PWZTMP: 0027992538  
 EXP: 18/12/2018

Checked By: [REDACTED]  
 PWZTMP : 0032738360

**Territory Traffic Engineering**  
 14/160 Lysaght Street Mitchell ACT 2911  
 PO Box 545 Mitchell ACT 2911  
 T: 02 6241 3230 F: 02 6241 0230

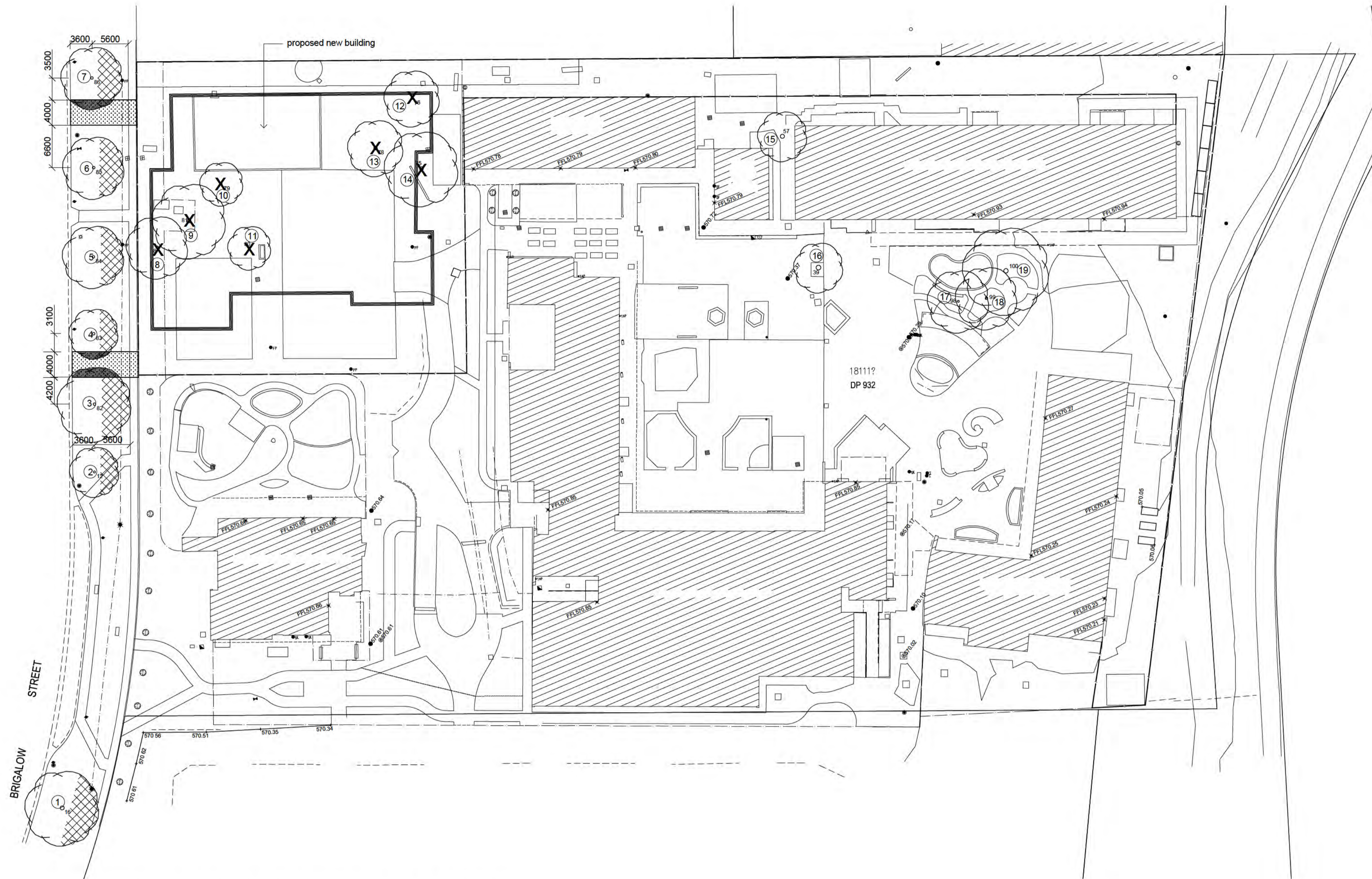
Client:

Project:  
**Brindabella Christian College**  
 136 Brigalow St Lyneham

Drawing Title:  
**Site Establishment Plan**

Temporary Traffic Management Plan		
Designed to comply with A.S. 1742.3		
Project Number:	Stage:	Plan Number:
<b>TTE16-BLT-2459</b>	<b>1</b>	<b>1</b>
Scale: NTS	Compilation Date: <b>17/10/2016</b>	Rev: -

# LANDSCAPE MANAGEMENT & PROTECTION PLAN



## landscape management notes

- all works to comply with the standard specification for urban infrastructure 2002
- the storage of construction materials and the parking of vehicles or equipment on verges or adjacent open spaces are generally not permitted without prior approval.
- generally, site sheds, storage sheds, site amenities or billboards shall not be erected on verges or open spaces without prior approval.
- continuous chain mesh fencing to 1800h to be installed as per plan at commencement of construction works and to be removed upon completion of works. Where adjacent to an existing footpath or cycleway, protective fencing including the concrete pedestals shall be erected to provide a clear and unobstructed set back of 600mm from each side of footpath or cycleway.
- roadside footpaths and verge driveways to remain unobstructed throughout the construction process to provide safe pedestrian movement
- top soils to be kept and reused where possible on site, boundary levels are to be maintained
- the builder is to take responsibility to ensure that any damage caused to verge, trees, paths, kerbs, roadways or services occurring from either construction works or storage of machinery and materials during the construction works are rectified to the satisfaction of the relevant authorities

## existing trees

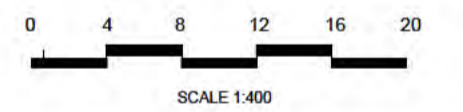
- all trees located in the road reserve, verge, public open space and on unleased Territory land, are to be retained and remain undamaged.
- ensure construction equipment can pass beneath lowest limb, through driveway access.
- for regulated trees - any changes to soil levels or disturbance around tree root zone should be minimised and supervised by an arborist.
- supplementary watering around the tree is required during periods of below average rainfall.
- trees adjacent to access point are to have supplementary watering to drip zone on a weekly basis over summer, fortnightly during Autumn and Spring and once a month during the winter. apply seasoal fertiliser at recommended rates every 4 weeks to drip zone.

## tree root protection

- the majority of tree roots grow in the top 300mm of the soil. These are the feeder roots, often very fine roots that provide the tree with water, oxygen, and nutrients. These roots typically grow between the trees trunk to well beyond the 'drip-line' (the canopy edge).
- excavation that occurs within the drip zone of a tree must be supervised by an arborist and is to be realistically minimised.
- do not sever large roots (>30mm diameter) closer than halfway from the drip-line to the trunk. Hand trenching to a depth of 300mm is required to locate these roots before any mechanical trenching is undertaken.
- all roots must be cut cleanly with equipment specifically designed to cut roots cleanly or other suitable pruning equipment.
- roots exposed during excavation must be protected from desiccation. Keep lightly watered or cover with hessian, which must be kept moist.
- water trees that have had disturbance in their root zone. The amount and frequency of water needs to be adapted to the trees requirement and seasonal conditions.

## legend

- 1,800H temporary chain mesh fencing
- existing tree
- tree to be removed
- stabilised access point - see detail
- proposed activity within Tree Protection Zone of Regulated Tree
- extent of tree pruning by ACTEW arborist



## TREE ASSESSMENT & TREE MANAGEMENT

### tree assessment

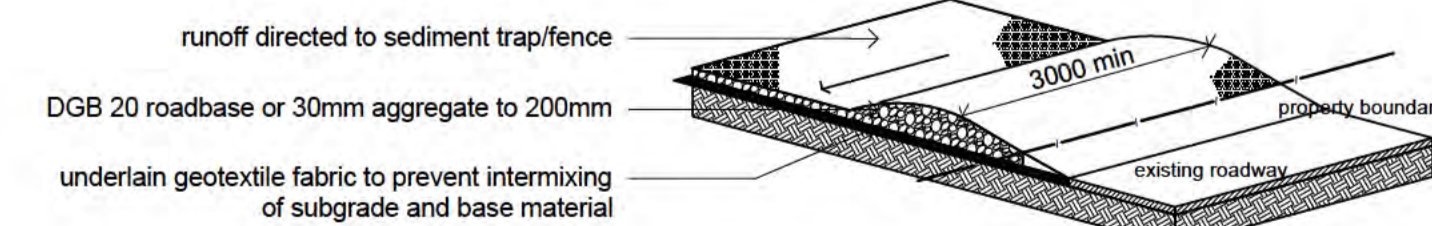
species	av height (m)	girth (mm)	no. of trunks	health	tree surgery	drip area (m)	m/mnt status	Regulated tree	comment
1 Platanus orientalis	15	2000	1	M	-	12	M	Y	
2 Platanus orientalis	13	1000	1	M	-	8	M	Y	
3 Platanus orientalis	15	1300	1	M	-	12	M	Y	Platanus trees recently pruned by ACTEW arborist, this pruning will limit stress caused by small area of drip zone being used as access point
4 Platanus orientalis	13.7	1300	1	M	-	8	M	Y	Platanus trees recently pruned by ACTEW arborist, this pruning will limit stress caused by small area of drip zone being used as access point
5 Platanus orientalis	13.5	1300	1	M	-	10	M	Y	
6 Platanus orientalis	15	1300	1	M	-	10	M	Y	Platanus trees recently pruned by ACTEW arborist, this pruning will limit stress caused by small area of drip zone being used as access point
7 Platanus orientalis	15.9	1300	1	M	-	10	M	Y	Platanus trees recently pruned by ACTEW arborist, this pruning will limit stress caused by small area of drip zone being used as access point
8 Platanus orientalis	9	1300	1	M	-	10	R	N	
9 Quercus species	16	1900	1	P	-	12	R	Y	poor health, die back evident in upper canopy (Tree Report 15_4_16)
10 Liquidamber Styraciflua	7	700	1	F	-	7	R	N	
11 Liquidamber Styraciflua	14.5	900	1	F	-	7	R	Y	
12 Ulmus procera	10	1100	1	F	-	9	R	N	Species not suited to small school environment (Tree Report 15_4_16)
13 Ulmus procera	14	1700	1	P	-	9	R	Y	Species not suited to small school environment, showing signs of Elm Beetle Attack (Tree Report 15_4_16)
14 Quercus species	18.5	1900	1	P	-	12	R	Y	poor health, die back evident in upper canopy (Tree Report 15_4_16)
15 Platanus orientalis	10.5	1300	1	F	-	8	M	N	
16 Quercus species	12.5	2400	3	M	-	8	M	Y	
17 Fraxinus species	12	900	1	M	-	10	M	Y	
18 Fraxinus species	14	1300	1	M	-	10	M	Y	
19 Fraxinus oxycarpa	17.5	2200	1	F	-	14	R	Y	

## tree assessment notes

Health: E - excellent, G - good, M - medium, F - fair, P - poor  
 Trunk girth: measured in mm at 1m above ground level  
 Management Status: E - exceptional, H - high, M - medium, R - remove  
 RT: meets criteria for Regulated Tree - Y - Yes/ N - No  
 Tree Surgery - LP - light prune and remove dead wood, HP - general tree surgery, FP - formative pruning

Assessor: [REDACTED] (Grad Dip LA, BA BSc) & Ian Menzies Horticulturist (MAIH)  
 Date: 9/11/2016

Construction site  
 Stabilised Access Point (nts)



## PLEASE NOTE

- The recent pruning of the street trees Platanus orientalis by an ACTEW arborist to keep the trees away from the power lines has significantly reduced the leaf surface area of the trees.
- This in turn will reduce any stress that may be caused to the trees by the area of stabilised access point that crosses over the canopy drip zone of trees 3, 4, 6 & 7.

date:	no.:	issue/amendment:	app:
9-11-2016	a	documentation for DA	[initials]

**Built.**

notes:  
 all dimensions in millimeters. do not scale drawing all dimensions and levels to be verified on site by contractor before commencing work or preparation of shop drawings, where provided, drawings must be read in conjunction with schedule of work or specification

project title:  
**Brindabella Christian College Building Construction**  
 client:  
**Built**  
 address:  
 135 Brigalow Street, Lyneham ACT 2602  
 block section  
 4 41

drawing title:  
**Landscape Management & Protection Plan**

scale	date
1:400 @ A1	November 9th 2016
project no.	sheet no.
2016_642_LMPP	L8102
	a



## Bruan, Nicole

---

**From:** Raath, Terrance  
**Sent:** Friday, 22 March 2019 2:15 PM  
**To:** [REDACTED]  
**Cc:** Sweet, Carma; Dawes, Rachael  
**Subject:** RE: 1506.01 Brindabella Christian College - Tree replanting discussion [SEC=UNCLASSIFIED]

Hi [REDACTED]  
FYI Carma/ Rachael

Thanks for your attention to the matter.

TCCS Urban Treescapes can confirm support the location of the new plantings as indicated on your attached plan.

- As discussed a new set of design standards being developed, however attached are some of the currently published guidelines from the TCCS web page.
- A sizable hole and some improved soil be incorporated when the trees are planted.
- A well should be placed around the base of the planting for water retention
- Can the school provide a 4 x cornered tree guard around the trees to minimise the likelihood of vandalism.
- Top dressing around the row of trees may minimise the issue with exposed tree roots and potential trip hazards. However as we discussed the kids will gravitate to the trees.

We can discuss future landscape proposals in regard the past removals at a later date when you are have more idea of future intentions for the site.

Also, as discussed the management of the parking area at the rear of the school should be addressed due to the pedestrian/vehicle conflicts. It may be prudent to re-iterate the issue with the school and get the contractors to appropriately formalise their works compound and parking arrangements.

I hope this information is of assistance.

Regards  
Terrance Raath

**Terrance Raath** | A/g Design and Development Co-ordinator | Urban Treescapes |  
City Presentation | Roads and Infrastructure | Transport Canberra and City Services Directorate | ACT Government  
☎ Tel: (02) 62058679 | ✉ E-mail: [terrance.raath@act.gov.au](mailto:terrance.raath@act.gov.au) | [www.tccs.act.gov.au](http://www.tccs.act.gov.au) | [www.act.gov.au](http://www.act.gov.au)  
Level 2, WOTSO House, 490 Northbourne Avenue, Dickson ACT | GPO Box 158, Canberra City ACT 2601



[https://www.tccs.act.gov.au/Development\\_and\\_Project\\_Support/pre-development-applications/estate-development-plans/design\\_standards](https://www.tccs.act.gov.au/Development_and_Project_Support/pre-development-applications/estate-development-plans/design_standards)

[https://www.tccs.act.gov.au/data/assets/pdf\\_file/0005/396887/ds23\\_plantspecies.pdf](https://www.tccs.act.gov.au/data/assets/pdf_file/0005/396887/ds23_plantspecies.pdf)

[https://www.tccs.act.gov.au/\\_data/assets/pdf\\_file/0004/396886/ds22\\_softlandscape.pdf](https://www.tccs.act.gov.au/_data/assets/pdf_file/0004/396886/ds22_softlandscape.pdf)

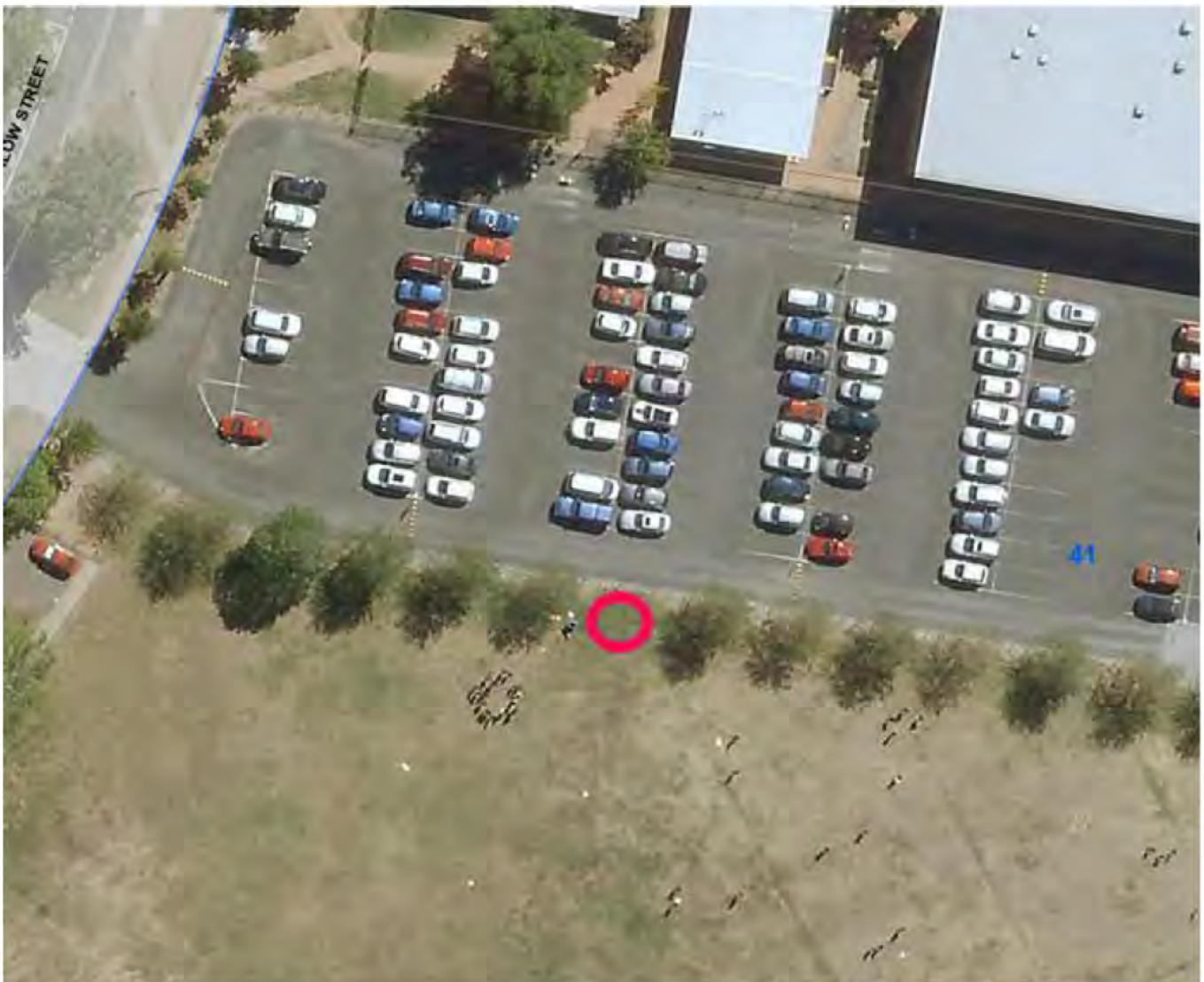
<https://www.tccs.act.gov.au/city-living/trees/design-standards-23-draft-tree-species-list>

**From:** [REDACTED]@sqca.com.au]  
**Sent:** Friday, 22 March 2019 8:57 AM  
**To:** Raath, Terrance <Terrance.Raath@act.gov.au>  
**Cc:** [REDACTED]@sqca.com.au; [REDACTED]  
[REDACTED]@bcc.act.edu.au; Dawes, Rachael <Rachael.Dawes@act.gov.au>  
**Subject:** RE: 1506.01 Brindabella Christian College - Tree replanting discussion

Morning Terry,

Thank you for your time on Wednesday. I am writing to confirm the agreed key outcomes from our discussions which have been listed below:

- Number of trees: 5 trees had been agreed to be planted in the locations shown in the image below. The spacing will be to match the existing tree spacing;



- Species & Size: The species will be to match existing which we understood were Platanus Orientalus & they were to be 2.5m high semi mature trees;
- Method: They will be planted according to the Landscape Guidelines you mentioned. **Can you please confirm where this document can be found. I have been scouring the TCCS website looking for this document.**
- Maintenance: Apart from watering & the essential survival of the 5 trees, the school will also be allowed to prune the trees to ensure the crown of the tree moves higher as the tree grows;
- Tree guards: Your preference was to have a 4 post barrier around the tree.

Please note the only items listed above are the ones related to the condition of approval in the DA Notice of Decision. Can you please confirm in anything has been captured incorrectly. The school will make arrangements for planting when you are happy with this & arrange for a site inspection post planting.

If you have any questions please do not hesitate to call.

Kind Regards,



[REDACTED]  
**ARCHITECT**  
March, Registered Architect ACT 2548

**SQC ARCHITECTURE**  
Unit 3, Level 1, 22 Thynne Street, Bruce ACT 2617  
**T** 02 6278 8500 **M** [REDACTED]  
**E** [REDACTED]@sqca.com.au  
[sqca.com.au](http://sqca.com.au)



Primary nominee: R. Small ACT 933, NSW 9354, F. Olbrich VIC 16775, N. Goodwin QLD 5020, SA 3434

---

**From:** Raath, Terrance [<mailto:Terrance.Raath@act.gov.au>]  
**Sent:** Tuesday, 19 March 2019 4:30 PM  
**To:** [REDACTED]@sqca.com.au>  
**Subject:** RE: 1506.01 Brindabella Christian College - Tree replanting discussion [SEC=UNCLASSIFIED]

Hi [REDACTED]  
I've just been sent this meeting request are you available Thursday sometime.  
Terrance Raath

**Terrance Raath** | A/g Design and Development Co-ordinator | Urban Treescapes |  
City Presentation | Roads and Infrastructure | Transport Canberra and City Services Directorate | ACT Government  
☎ Tel: (02) 62058679 | ✉ E-mail: [terrance.raath@act.gov.au](mailto:terrance.raath@act.gov.au) | [www.tccs.act.gov.au](http://www.tccs.act.gov.au) | [www.act.gov.au](http://www.act.gov.au)  
Level 2, WOTSO House, 490 Northbourne Avenue, Dickson ACT | GPO Box 158, Canberra City ACT 2601

-----Original Appointment-----

**From:** Dawes, Rachael **On Behalf Of** [REDACTED]  
**Sent:** Tuesday, 19 March 2019 4:26 PM  
**To:** Raath, Terrance  
**Subject:** FW: 1506.01 Brindabella Christian College - Tree replanting discussion

**When:** Wednesday, 20 March 2019 11:00 AM-11:30 AM (UTC+10:00) Canberra, Melbourne, Sydney.  
**Where:** Brindabella Christian College, Lyneham- Reception

-----Original Appointment-----

**From:** [REDACTED]@sqca.com.au]

**Sent:** Tuesday, 19 March 2019 2:18 PM

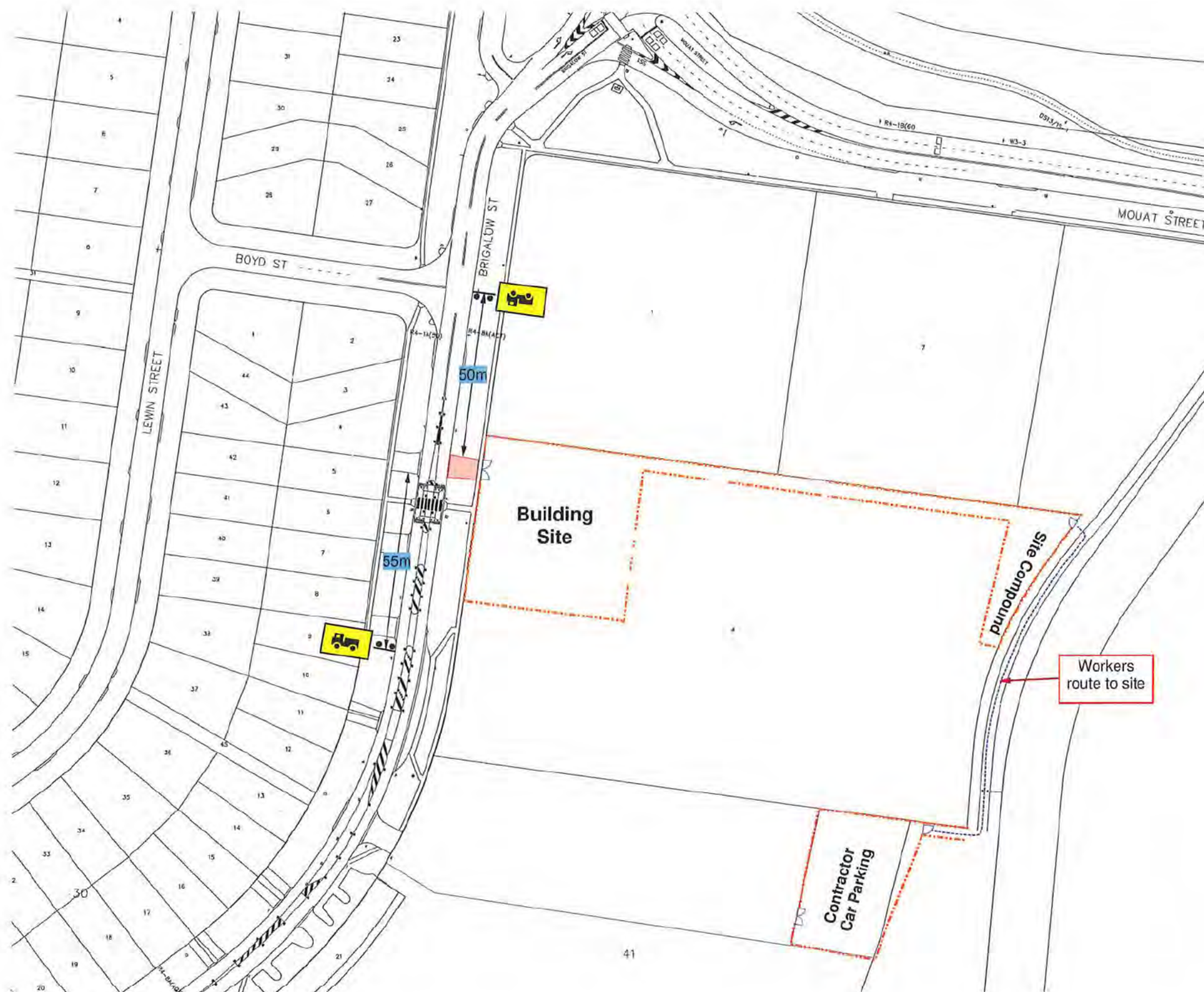
**To:** [REDACTED]; Dawes, Rachael; [REDACTED]; [REDACTED]

**Subject:** 1506.01 Brindabella Christian College - Tree replanting discussion

**When:** Wednesday, 20 March 2019 11:00 AM-11:30 AM (UTC+10:00) Canberra, Melbourne, Sydney.

**Where:** Brindabella Christian College, Lyneham- Reception

-----  
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-----



- NOTES**  
\*\*\*\*\*
- (1) All Temporary Traffic Management Devices are to be in accordance with the A.S. 1742.3
  - (2) ALL sign facings SHALL be of CLASS 1 MATERIAL as specified in the AS/NZS 1906-1
  - (3) Employees are to wear High Visibility Clothing
  - (4) All signs & devices SHALL be erected within line of sight of the road users. They SHALL NOT be obscure by vegetation or parked vehicles & SHALL be positioned where they do not become a hazard to pedestrians or vehicles
  - (5) All conflicting signage, including Parking Signs within the work site SHALL be covered or removed while traffic operation is in progress
  - (6) ALL T2-25 (Truck Symbolic) SHALL be covered out of working hours
  - (7) The contractor responsible for the work site Temporary Traffic Management SHALL comply with the requirements of the A.S. 1742.3 2009
  - (8) **EMERGENCY VEHICLE ACCESS SHALL BE MAINTAINED AT ALL TIMES**

**Legend**

- Consolidated Driveway
- Site Fence
- Workers route to site

REV	DESCRIPTION	DATE
D	-	-
C	-	-
B	-	-
A	-	-

Designed By: [Redacted]  
PWZTMP: 0027992538  
EXP: 18/12/2018

Checked By: [Redacted]  
PWZTMP: 0032738360

**Territory Traffic Engineering**  
14/160 Lysaght Street Mitchell ACT 2911  
PO Box 545 Mitchell ACT 2911  
T: 02 6241 3230 F: 02 6241 0230

Client:

Project:  
**Brindabella Christian College**  
136 Brigalow St Lyneham

Drawing Title:  
**Site Establishment Plan**

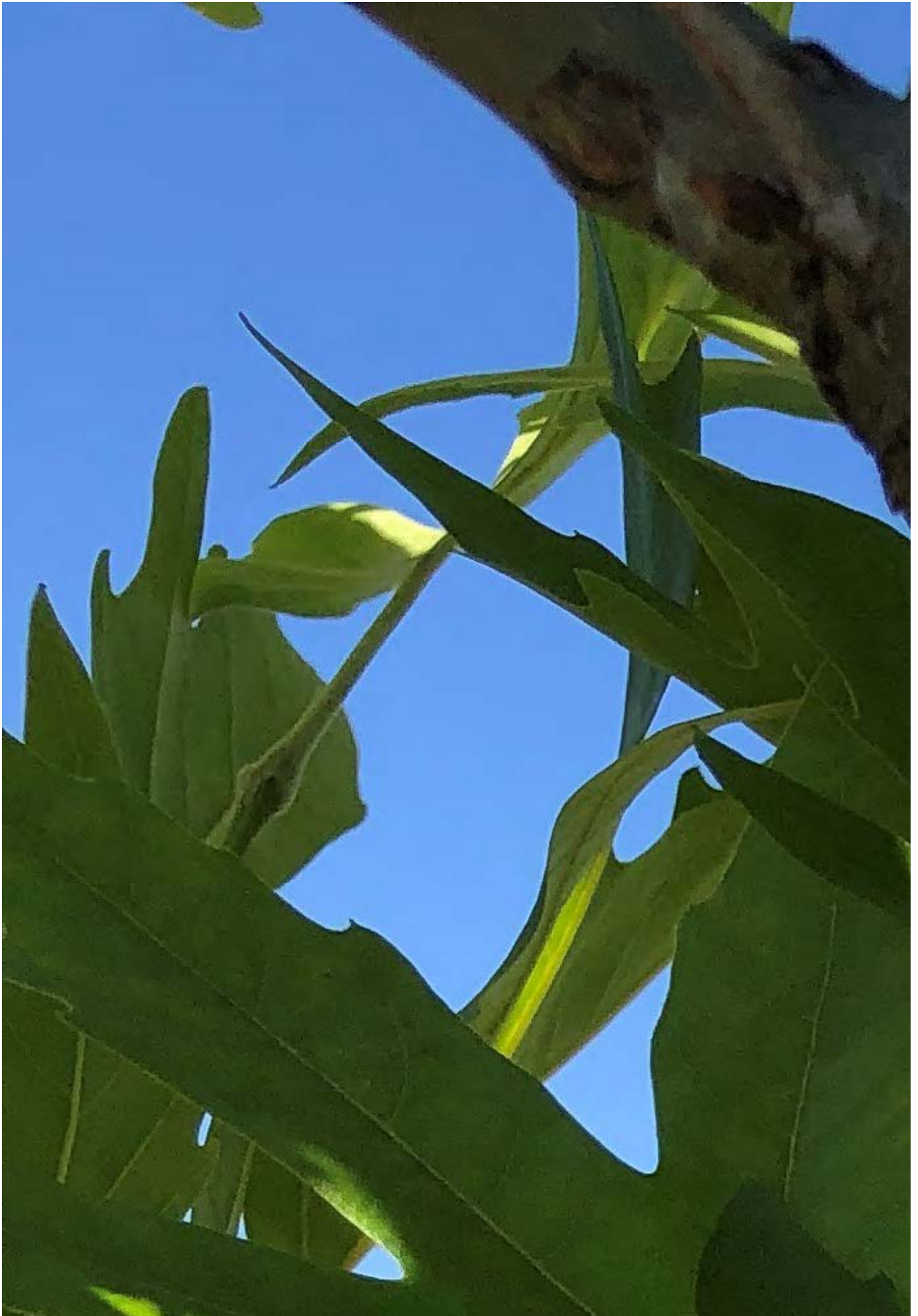
Temporary Traffic Management Plan		
Designed to comply with A.S. 1742.3		
Project Number:	Stage:	Plan Number:
<b>TTE16-BLT-2459</b>	<b>1</b>	<b>1</b>
Scale:	Compilation Date:	Rev:
NTS	<b>17/10/2016</b>	-

**Bruan, Nicole**

---

**From:** Strupitis-Haddrick, Madelin  
**Sent:** Monday, 7 December 2020 4:41 PM  
**To:** Sweet, Carma; Dawes, Rachael  
**Subject:** Re: Brindabella Christian School Trees

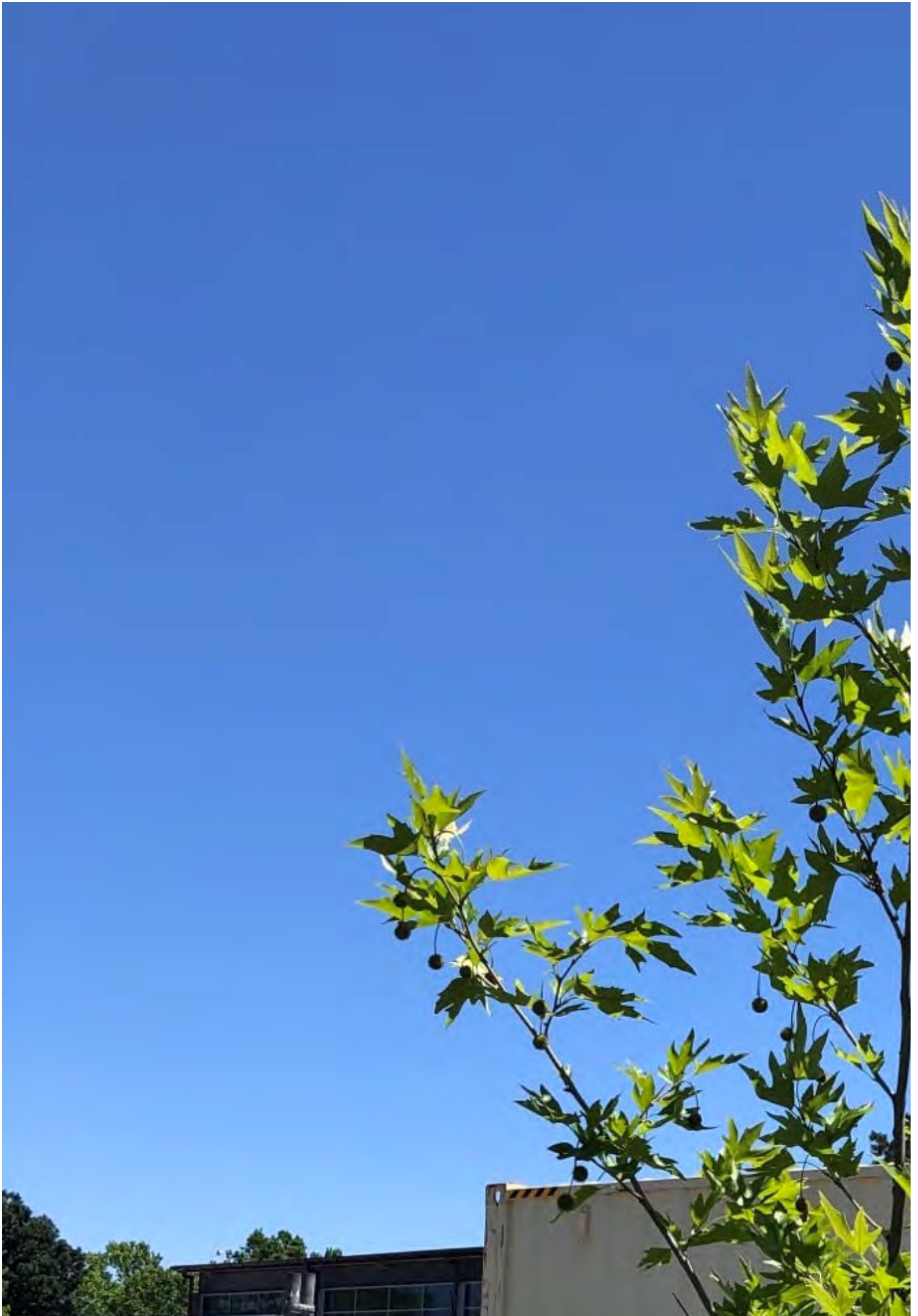
Looking at this now I realise not all the pictures sent when I was on site. Here are the rest.







Get [Outlook for  
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**From:** Sweet, Carma <Carma.Sweet@act.gov.au>  
**Sent:** Monday, December 7, 2020 1:37:32 PM  
**To:** Strupitis-Haddrick, Madelin <Madelin.Strupitis-Haddrick@act.gov.au>  
**Subject:** RE: Brindabella Christian School Trees

**OFFICIAL**

Thanks Madelin. Their maintenance is atrocious – I'll talk to Rach about the best way to approach BCC to improve their mowing, weeding and (no doubt) watering.

Appreciate you checking this out. Just FYI, I misunderstood which trees Rachael was actually asking about, apparently BCC have also been asked to replant trees at the back of the school, along the stormwater channel. From what Rachael has said, the conditions provided to BCC were a bit vague on what was required and when but I can see from your photos that the site fencing is still up so there would not be enough space for them to have planted trees between the school and the path.

We'll have to follow up with them, I'll just get some advice from Rachael first.

Thanks

Carma

Carma Sweet | A/g Assistant Director Policy, Planning & Contracts

Phone: 02 6207 7158 | Mobile: [REDACTED] | Email: [carma.sweet@act.gov.au](mailto:carma.sweet@act.gov.au)

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

Level 4, 480 Northbourne Avenue Dickson ACT 2602 | GPO Box 158 Canberra ACT 2601 | [www.act.gov.au](http://www.act.gov.au)

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**From:** Strupitis-Haddrick, Madelin <Madelin.Strupitis-Haddrick@act.gov.au>  
**Sent:** Friday, 4 December 2020 11:38 AM  
**To:** Sweet, Carma <Carma.Sweet@act.gov.au>; Dawes, Rachael <Rachael.Dawes@act.gov.au>  
**Subject:** Brindabella Christian School Trees

Hi Rach and Carma,

4 Platanus orientalis 'Digitata' have been planted alongside the school to complete the line between the carpark and the public oval. Their maintenance regime is severely lacking and one tree had an obvious wound but they seem otherwise large and healthy.







Cheers,  
Madelin  
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## Bruan, Nicole

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**From:** Eppelstun, Krystal  
**Sent:** Thursday, 8 July 2021 3:10 PM  
**To:** Sweet, Carma  
**Cc:** Cross, Heather; Strategic Compliance and Coordination  
**Subject:** FW: Lyneham Community Association (LCA) update on investigation Blocks 4 and 23 Section 41 Lyneham, Brindabella Christian College  
**Attachments:** Complaint-24May20.pdf

### OFFICIAL

Hi Carma,

Heather has been giving me a hand with a case to do with Lyneham Community Association, Brindabella Christian College and the removal of Trees.

This case fell to me while I was acting in the SOG A role in the Construction Compliance area of Access Canberra and I have taken it with me to help [REDACTED] find some closure. As you can see by the email trail [REDACTED] raised a number of issues some of which sat with Access Canberra and some which did not. On most of the issues I have been able to find responses to thanks to the help of lovely people like Heather.

The last issue left of the list of things [REDACTED] is seeking information on is the tree removal.

Heather let me know you may have some background on this matter and maybe some info that I might be able to provide to [REDACTED]. [REDACTED] has helpfully attached his complaint and it mentions you so I thought you might be able to provide me with some info as to where this case landed and what, if anything, I might be able to tell Mr [REDACTED].

Thanks very much for any help you can provide.

Kind regards  
Krystal

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**From:** [REDACTED]@hotmail.com>  
**Sent:** Friday, 2 July 2021 7:07 PM  
**To:** Eppelstun, Krystal <Krystal.Eppelstun@act.gov.au>  
**Cc:** Strategic Compliance and Coordination <strategiccompliance@act.gov.au>; Lyneham Community Association <contact@lyneham.org.au>  
**Subject:** Re: Lyneham Community Association (LCA) update on investigation Blocks 4 and 23 Section 41 Lyneham, Brindabella Christian College

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Hi Krystal

Thanks for your response, and the information.

On issue 1 and your questions:

How many trees? No count could be done, but it seems to be around 12 or 13.

What location? Next to the bike path along Sullivan's creek, adjacent to BCC.

When were they removed? Tuesday 4 October 2016.

Those details (as best they were known) were included in my original complaint, including the name of the TCCS officer who informed me the trees had been removed without approval. Presumably that meant she already knew there was no application to undertake tree damaging activity.

The original complaint also includes the name of the officer who investigated the removal of the trees, who would not have done so if the trees had been removed with approval. And photos showing a number of the trees that had been cut down.

I've attached the original complaint, in case it's useful to pass that on to the new TCCS people.

I've also attached a photo from Google Street View from 2014 which shows the line of trees next to the bike path.

Anyone visiting the site today will see that the first 10 or so trees in this photo have been removed, and some out of image to the right.

Regards





On 1 Jul 2021, at 9:02 pm, Eppelstun, Krystal <[Krystal.Eppelstun@act.gov.au](mailto:Krystal.Eppelstun@act.gov.au)> wrote:

**OFFICIAL**

Hi [REDACTED]

I do have an update for you, and a few questions.

Please see below.

Kind regards  
Krystal

Krystal Eppelstun-Lee | Director  
Access Canberra | Construction, Utilities and Environmental Protection | ACT Government  
P: 02 6207 4844 | E: [krystal.eppelstun@act.gov.au](mailto:krystal.eppelstun@act.gov.au)

**Issue 1 alleged removal of trees on adjacent Government land**

**Status:** ongoing

A recent desktop investigation by Transport Canberra and City Services (TCCS), conducted at my request, shows no change in tree coverage in areal photographs. That is not to say there has not been a change, just that it is not apparent in the images we have access to.

TCCS staff are looking to see if there has been any application to 'undertake a tree damaging activity' in the area and will get back to me, this should confirm if the alleged tree removal was approved or not. For your information trees on public land are managed by TCCS and should not be removed unless written approval has been granted.

Finally TCCS staff have let me know that an investigation would only be conducted into this matter if there was no application to undertake a tree damaging activity in place and there was witnesses and proof of tree damage/removal. I understand you may have already provided all this information so will not ask for it again unless it is absolutely necessary. Could you please, however, give me some information on the following:

- How many trees were removed?
- What location were they removed from exactly?
- When were they removed?

**Issue 3 – Rehabilitation of site**

**Status:** no breach

Transport Canberra and City Services has investigated this issue. There is an approved Land Use permit for the construction area. As you can see in the below aerial image, the area off Mouat Street which is used for access is quite scarred. The area has been used for construction access since August 2017 and the permit end date is March 2022.

<image001.png>

**From:** [REDACTED] <[REDACTED]@hotmail.com>  
**Sent:** Wednesday, 16 June 2021 5:56 PM  
**To:** Eppelstun, Krystal <[Krystal.Eppelstun@act.gov.au](mailto:Krystal.Eppelstun@act.gov.au)>  
**Cc:** Strategic Compliance and Coordination <[strategiccompliance@act.gov.au](mailto:strategiccompliance@act.gov.au)>  
**Subject:** Re: Lyneham Community Association (LCA) update on investigation Blocks 4 and 23 Section 41 Lyneham, Brindabella Christian College

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Hello Krystal

It's been another 6 months, and I'm just wondering if there's any further news on Issues 1 and 3. We've heard nothing about them, despite the hoped-for update before the xmas break (Issue 1), and there's been no change (as an external observer) to the worksite (Issue 3).

Thanks for your time.

Regards

[REDACTED]

On 4 Dec 2020, at 10:45 am, Eppelstun, Krystal <[Krystal.Eppelstun@act.gov.au](mailto:Krystal.Eppelstun@act.gov.au)> wrote:

**OFFICIAL**

Hi [REDACTED]

Thanks for your time on the phone yesterday. As discussed please see below a written update on each of the aspects of the complaint that was lodged. I have also made notes of our conversation. Please get in touch if there is anything I have missed.

Kind regards  
Krystal

Krystal Eppelstun-Lee | Director  
Access Canberra | Construction, Utilities and Environmental Protection | ACT Government  
P: 02 6207 4844 | E: [krystal.eppelstun@act.gov.au](mailto:krystal.eppelstun@act.gov.au)

**Issue 1 alleged removal of trees on adjacent Government land**

- **Status:** ongoing
- This matter is being looked into by the Senior Director of Construction Utilities and Environmental Protection Branch of Access Canberra. AN update will be provided before the holiday Government shut down.

**Issue 2 – alleged Building encroachment**

- **Status:** closed – there is no breach identified
- **Details**
  - The building in question is the new building on block 4 facing Brigalow Street, and the “curved wall” refers to a vertical sun shade structure fixed on to the front and side facades of the building
  - There is no encroachment by this structure over block boundaries

- A previous audit found the curved wall (a shade structure) is not consistent with the development approval (DA) in terms of front boundary setback (1.5m), however, the structure is consistent with the building approval (BA) in terms of front boundary setback (1m), and the length. Survey plan also shows the front boundary setback as 1.02m.
- The discrepancy in front boundary setback dimension (498mm) between DA and BA could be due to DA exemption provisions for external shades in s1.26A or shade structures in Section 1.99J School-shade structures in Schedule 1 of Planning and Development Regulation. The curved wall being a shade structure means it meets the criteria of both Sections 1.26A & 1.99J.
- Further it is also possible to apply s1.99C of Planning and Development Regulation. Changed location of the structure could be also exempted pursuant to s1.99C Schools-new buildings or alterations to buildings in Schedule 1 of the Planning and Development Regulation. The alteration occurred meet all the criteria under s1.99C.

**Issue 3 – Rehabilitation of site**

**Status:** unresolved

- This matter has been referred to TCCS with Access Canberra to continue to follow up and update LCA as appropriate

**Issue 4 – alleged breach of the sub-lease at Block 23 S41 Lyneham**

**Details:** closed, no action can be taken by Access Canberra at this time

- [REDACTED] on behalf of LCA enquired as to the possibility of lodging a formal objection to this lease and requested the community be consulted before the lease expired on 30 April 2029 if Brindabella Christian College or other entity request a continuation or release of the land.
- Krystal agreed to look into this matter and get back to [REDACTED] before the holiday Government shut down period
- [REDACTED] noted the LCA would most likely approach the Minister for Business and Better Regulation Tara Cheyne MLA to request the amenity and wellbeing of the community be considered in any future decisions in relation to this land.

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## Formal Complaint by LCA on BCC issues 24 May 2020

For many years the Lyneham Community Association (LCA) has encountered a variety of concerning issues centred around the Brindabella Christian College (BCC).

The LCA has typically approached those issues either by reporting them through Access Canberra to the relevant government unit, or by bringing the issue directly to the attention of the responsible Government Minister. Often the latter course has been adopted when the former course fails to find a satisfactory resolution.

The LCA is now lodging a formal complaint, on advice, to bring the various issues together.

The issues involving BCC are:

1. Unauthorised removal of significant trees  
Why aren't BCC being fined?
2. Building encroachment  
Why was the building permitted to be put in the wrong place?  
Why isn't the offending structure being removed?
3. Rehabilitation of construction site and boundary fence alignment  
Why isn't the rehabilitation happening?  
What process is in place to ensure the new boundary is correctly placed?
4. Breach of sub-lease  
How can the lease continue when BCC is in breach of the lease conditions?

Please contact [REDACTED] (LCA Deputy Chair) with any questions about this complaint, on [REDACTED] or contact@lyneham.org.au.

## 1. Unauthorised removal of trees

Following their failure in 2014-2015 to take over part of Lyneham Neighbourhood Oval for the construction of a school building, BCC gained approval to build on their original block of land.

Thanks to a local resident, LCA was informed early on about the removal of trees as part of BCC's new construction work. [REDACTED] (a committee member) made the following notes in the days following at the request of Joe Denyer, the investigating officer:

### Notes on Removed Trees

1. I was alerted by a local resident on Tuesday 4 October 2016 that trees were being cut down near Lyneham Neighbourhood Oval, between the bike path and Brindabella Christian College.
2. I visited the site that day, around 11am, and took a number of photos of the area. At the time, no-one was cutting down trees, but many trees had been cut and removed. There were a small number of workers around, one carrying a chainsaw, but I didn't speak with anyone. There was a white station wagon present, I think from ACT Workcover or similar.
3. Later that day I phoned Access Canberra querying whether the removal of trees was authorised. I was told someone would get back to me.

4. Perhaps a couple of days later (Thursday 6 October?) I received a call from someone (a male) in the Tree Protection Department. To make it clear which trees were in question I met the officer onsite shortly afterwards. By that stage, construction fencing had been erected near the bike path, effectively hiding the stumps of most of the removed trees. The officer took photos.
5. On 12 October I received a phone call from Carma Sweet from Urban Treescapes, who asked for a copy of any photos I took. I sent 11 photos (including 3 from the local resident who had alerted me initially).
6. On Friday 13 October I noticed that the name of a contractor was visible in one of the photos, and informed Carma in case she had also missed the detail. The text on the machinery was "Nicol Contracting [REDACTED]". I had also realized that google street view held images of the area prior to the cutting down of the trees, but Carma was already aware of this.
7. On 31 October Carma informed me that the trees were removed without approval, and the matter was being investigated.

[REDACTED]  
T: [REDACTED]  
E: [REDACTED]@hotmail.com

Here are three of those photos. The first shows the contractor's machinery described on the above notes (6).







This is the confirmation from Carma Sweet on 31 October:

Hi [REDACTED]

Yes, I can confirm the trees were removed without Government approval. The matter is being investigated and has been escalated above my position so I should not make any specific comment although I can say that the nature of this process means that it will likely be a while before any further information is released. When the outcome of the investigation can be made available I will make sure to update you.

Thank you again for all of your help to date. The photographs in particular have lent a lot of weight to the investigation.

Kind regards,

Carma

**Carma Sweet | A/g New Asset Coordinator**

Phone: 02 6205 8679 | Mobile: [REDACTED] | Email: [carma.sweet@act.gov.au](mailto:carma.sweet@act.gov.au)

**Urban Treescapes | City Presentation | Transport Canberra and City Services Directorate | ACT Government**

Level 8, Macarthur House, 12 Wattle Street, Lyneham ACT 2602 | GPO Box 158 Canberra ACT 2601 |

[www.act.gov.au](http://www.act.gov.au)

ABC Local Radio also [interviewed](#) a TAMS representative on the issue on 12 October, following a tip-off from a local resident.

██████, as an initial complainant, and as an LCA representative, met and maintained contact with Joe Denyer (Enforcement Unit within Construction, Environment & Workplace Protection), who had the task of investigating the removal and negotiating an appropriate outcome. Joe was keen to pursue an outcome of benefit to the community, rather than simply fine BCC (to the tune of \$90K).

By February 2018, the negotiations had been taken from Joe's desk, and given to Peter Apps. When ██████ spoke with him early in 2018, he left the impression that he hadn't got his head inside the issue: didn't seem to know the details of how many trees, or when they had been cut down, etc.

In August 2018, ██████ was told by Peter Apps that the material sent to Peter by Joe Denyer (through internal courier) had gone missing.

On 13 November 2018, LCA wrote the following to Minister Steel:

Minister Chris Steel  
Minister for Community Services and Facilities  
[steel@act.gov.au](mailto:steel@act.gov.au)

Dear Minister Steel

**Unlawful removal of trees by Brindabella Christian College**

It is now over 2 years since the unauthorised removal by Brindabella Christian College (BCC) of over a dozen significant trees along the Lyneham bike path.

In that time the Lyneham Community Association has learnt of attempts by Government case officers to negotiate with BCC for an appropriate outcome for the community, whose amenity was removed along with the trees. Rather than benefitting the community, negotiation seemed headed in a direction that would have BCC perform already-planned improvements to the landscaping around the school. How can it be that BCC gets any say in its "punishment", let alone gets to propose actions that would enhance its business operations?

We have also watched as one case officer was replaced by another, and with each change the issue has been given lower priority. Our requests to the current case officer seeking the status of the issue have not been returned. It appears the issue has been forgotten, or ignored.

We think it is time for action and the BCC should be fined with no further negotiation attempted. Some of the fine should be earmarked for improvements to the area in consultation with the local community (including, but not limited to, the planting of replacement trees).

We would appreciate this issue being resolved with expedience and would be pleased to meet with you to discuss this in more detail.

Sincerely,

[REDACTED]

Chair, Lyneham Community Association  
[contact@lyneham.org.au](mailto:contact@lyneham.org.au)

13 November 2018

Cc: Andrew Barr, Candice Burch, Elizabeth Lee, Shane Rattenbury, Rachel Stephen-Smith

We received a [response](#) from Minister Steel on 19 December 2018, which seemed to miss the point entirely, and misrepresented the facts. Here is the text from that reply:

[REDACTED]  
Chair, Lyneham Community Association  
[contact@lyneham.org.au](mailto:contact@lyneham.org.au)

Dear [REDACTED]

Thank you for your email of 13 November 2018 regarding the removal of trees by Brindabella Christian College in Lyneham.

Conditions of approval for the development application in 2017 included the replanting of four semi mature trees on the southern boundary of the Brindabella Christian College (BCC) at the completion of construction works. Transport Canberra and City Services (TCCS) has provided recommendations for the species selection and placement of the trees and has arranged to be present to ensure planting is undertaken to specifications.

I am advised that neighbours, the Lyneham Community Association and the North Canberra Community Council were consulted in June 2017 about the planned replacement of trees and bollards.

The construction compound currently obstructing the planting location is due to be removed in March 2019, with the trees to be planted subsequently during autumn. TCCS will continue to liaise with BCC throughout the process and ensure that the planting is undertaken to a high standard.

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

Yours sincerely

Chris Steel MLA  
Minister for City Services

We wrote back to Minister Steel on 11 February:

Minister Chris Steel  
Minister for Community Services and Facilities  
[steel@act.gov.au](mailto:steel@act.gov.au)

Dear Minister Steel

### **Unlawful removal of trees by Brindabella Christian College**

Thank you for your reply on 19 December 2018 to our letter of 13 October 2018.

Unfortunately you seem to have missed the point of our letter. We were not referring to the few trees which Brindabella Christian College (BCC) had permission under the approved Development Approval (DA) to remove. We were referring to the dozen or so additional trees which were unlawfully removed by BCC on the eastern boundary.

Also, your letter inaccurately claims the Lyneham Community Association (LCA) had been consulted in June 2017 about the planned replacement (of legally removed) trees and bollards. No consultation with LCA has ever taken place on that issue.

The trees we are focussed on were cut down by a contractor employed by BCC on 4 October 2016. Most were significant trees along the eastern edge of BCC, near the bike path along Sullivan's Creek in Lyneham.



The matter was reported at the time to the relevant authorities. A representative of TAMS was interviewed by ABC Local Radio. The audio of that interview is available [here](#). Later, Carma Sweet of TCCS informed us as follows: 'I can confirm the trees were removed without Government approval.'

There followed 12 months of investigation and negotiation by compliance officer, Joe Denyer. Early in 2018 the case was handed over to another officer, Peter Apps. Negotiations with BCC unfortunately began turning towards BCC paying for facilities which would benefit

only them, and not the wider community. We have heard nothing of significance since early 2018, despite repeated attempts to contact the case officer.

It's been well over 2 years now since the trees were unlawfully removed. We believe it's time the government took action and fined BCC for breaching the law.

We would appreciate this issue being resolved with expedience and would be pleased to meet with you to discuss this in more detail.

Sincerely,

[REDACTED]

Chair, Lyneham Community Association  
[contact@lyneham.org.au](mailto:contact@lyneham.org.au)

11 February 2019

Cc: Andrew Barr, Candice Burch, Elizabeth Lee, Shane Rattenbury, Rachel Stephen-Smith

We were advised on 19 March by Caroline Le Couteur MLA of a question she had asked on Minister Steel, and his answer dated 12 March 2019. From [Hansard](#)

**Municipal services—trees**  
**(Question No 2322)**

**Ms Le Couteur** asked the Minister for City Services, upon notice, on 22 February 2019:

- (1) What compliance action has taken place in regard to the removal of large established trees on 4 October 2016 that were cut down without approval at Brindabella Christian College.
- (2) Was a penalty was applied to Brindabella Christian College for the removal of these trees; if there has been no penalty applied, why not; if there has yet to be a penalty applied over two years later, why not.

**Mr Steel:** The answer to the member's question is as follows:

- (1) A preliminary investigation was undertaken by Access Canberra.
- (2) No penalty was applied. Conditions of approval were imposed on the development application submitted by Brindabella Christian College (BCC). These conditions require BCC to replant four advanced trees on the southern boundary of the site at the completion of construction works. Transport Canberra and City Services (TCCS) has provided recommendations for the species selection and placement of the trees and has arranged to be present to ensure planting is undertaken to specifications. The construction compound

currently obstructing the planting location is due to be removed in March 2019, with the trees to be planted subsequently during autumn.

So, instead of a fine of the order of \$70,000 to \$90,000 for the removal of over a dozen 'significant' trees, some of which were on public land, BCC has to plant four trees somewhere else.

LCA frustrations with the tree issue was mentioned in our [letter](#) of 24 October 2019 to Ministers Steel, Gentlemen, and Ramsay, highlighting our concerns on the (lack of) rehabilitation of the construction site, the lack of compensation by BCC for the illegal removal of trees, and what will be done to ensure the boundary fence is placed in the correct position.

Receiving no response, we again emailed Minister Steel on 16 February 2020:

We have been checking our correspondence and we believe that we never received a response to this letter. We understand that the Brindabella Christian College told its student community at the end of last year that all the building work has finished but the public land next to the school has still not yet been cleaned up. Given this lack of action could you please provide a detailed response to our concerns as soon as practicable.

On 15 May 2020 we received a [reply](#) from Minister Ramsay containing the following alarming statement:

The unfortunate removal of trees between the college site and the bike path was investigated. I am advised investigators were unable to determine the party responsible for the removal of trees, which prevents regulatory action being taken.

So we had gone from reporting the illegal action within hours of its occurrence, with evidence, to a point where no one knew anything!

Fortunately Ramsay's letter nominated Kystal Eppelstun-Lee, Acting Senior Director, Construction Compliance as a point of contact to discuss the matter further.

█ spoke with Krystal by phone on Wednesday 20 May. Krystal was appropriately sympathetic to our frustrations, and suggested LCA lodge a formal complaint through Access Canberra.

### Unresolved Issues

- **Why isn't BCC being fined?**
- **How is it that effectively no action has been taken against someone who illegally removed over a dozen very large trees, most of them public land?**
- **How could the matter just disappear over the course of less than four years?**

## 2. Building encroachment

BCC constructed a large building on the Brigalow St side of their block, almost in time for the start of classes in 2018.

When it was nearing completion, [REDACTED] (a committee member) noticed that the curved shade facade was very close to the fence along the footpath, which presumably is the boundary.

[REDACTED] raised the issue with someone from Surveyor Generals.

Progress was slow, with many misunderstandings that we were suggesting the facade was outside the BCC boundary, rather than our real concern, that the facade was closer to the boundary than permitted under the DA.

Caroline Le Couteur asked a question in the Legislative Assembly on 8 June and received a response on 28 June 2018 (from Hansard):

**Planning—development applications  
(Question No 1513)**

**Ms Le Couteur** asked the Minister for Regulatory Services, upon notice, on 8 June 2018:

(1) In relation to the recently completed construction of a new building at the north-western corner of Block 4, Section 41, Lyneham, fronting onto Brigalow Street at Brindabella Christian College and the Brigalow Street frontage that includes a curved wall on a slab, is the separation between the block boundary to Brigalow Street and the curved wall (not the slab) consistent with the approved development application for the building.

**Mr Ramsay:** The answer to the member's question is as follows:

(1) Access Canberra Building Inspectors have attended the site and have concluded that the 'curved wall' is not consistent with the approved development application for the building.

Access Canberra is continuing to investigate any potential harm caused by the 'curved wall' encroachment and will consider what action to take, if any.

On 13 August 2018 LCA issued a media release:

**MEDIA RELEASE – 13 August 2018**

**Planning compliance in Canberra is a shambles**

Compliance with planning and development approvals is being left to the community to monitor and when an issue has been identified, it takes many months to confirm and then still does not guarantee any action is taken.

"This is making a mockery of having the requirements there in the first place," said Lyneham Community Association Chair, [REDACTED].

Since January this year the Lyneham Community Association has been trying to confirm with the ACT Government whether Brindabella Christian College's new building on Brigalow Street in Lyneham was located in breach of its development approval. The breach was recently confirmed in a response from Minister Ramsey on 28 June 2018 to a question asked by Ms Le Couteur, MLA:

*Access Canberra building inspectors have attended the site and have concluded that the 'curved wall' is not consistent with the approved development application for the building.*

*Access Canberra is continuing to investigate any potential harm caused by the 'curved wall' encroachment and will consider what action to take, if any.*

"This response is very concerning to us," said [REDACTED].

"This shows planning and development approvals are not scrutinised properly. No action is taken unless they are found to be 'harmful'. Development requirements are supposed to protect and maintain community amenities. If 'harm' is the criteria then residents could build anything, anywhere and without approval, and then argue that the illegal construction is not causing harm."

The original complaint about the building setback was made to Government before the school had opened for the new year and the building was still unfinished. Had the Government responded in a timely manner, the issue could have been addressed before school returned.

"It is disappointing that it has taken so long to get a response to this issue and that it's up to the community to monitor compliance," said [REDACTED].

The Lyneham Community Association was established in 2015 with a focus on creating a more liveable, loveable Lyneham. The group has organised events that bring the community together, such as the recent and very successful Light Up Lyneham event, which attracted around 700 adults and children. The group also continues to engage with the ACT Government to ensure planning and developments in Lyneham deliver the best outcomes for Lyneham residents.

"How carefully is the Government looking at other building works happening around the community to ensure they are compliant?" said [REDACTED].

"Planning rules that apply to the entire community must be followed by everyone and it is up to the ACT government to ensure compliance and penalties are applied for any breaches."

For more information about the Lyneham Community Association, visit [lyneham.org.au](http://lyneham.org.au).

Contact [REDACTED] on [REDACTED] or [contact@lyneham.org.au](mailto:contact@lyneham.org.au)

This resulted in one radio interview with 2CC.

During the conversation (20 May 2020) with [REDACTED], Krystal gave a possible explanation of the 'no harm' response from Minister Steel. [REDACTED] understands this as effectively the same as if your house has an unapproved structure. You won't be asked to remove it unless it is dangerous.

Of course, this case differs in that the breach was reported before the building works were completed. And the building inspector should have picked up on it.

#### **Unresolved Issues**

- **Why was the building allowed to be constructed in breach of the DA?**
- **Why isn't the 'curved wall' being removed?**

There is a related issue here too. The school fence between the building and the footpath is right up against the footpath. This causes a hazard to the cyclists using the path (who are often young children) as their bike's handlebars catch in the fence. BCC should be required to realign the footpath at a safe distance from the fence.

### 3. Rehabilitation of construction site

As the construction of BCC's building's came to completion, we were concerned that the boundary fence between BCC and the bike path would be built in the wrong place, and once built, would not be altered (under the 'doing no harm,' principle).

We note Minister Steel's reply to Question 2322 (above) on 12 March 2019 states "The construction compound currently obstructing the planting location is due to be removed in March 2019".

In November 2019, April Witteveen (a BCC parent at the time) informed LCA that 'there is no more building happening' at BCC. We are unable to ascertain the truth of this. There was no activity at the construction site we could see.

On 24 October LCA wrote a [letter](#) to Ministers Steel, Gentlemen, and Ramsay, highlighting our concerns on the (lack of) rehabilitation of the construction site, the lack of compensation by BCC for the illegal removal of trees, and what will be done to ensure the boundary fence is placed in the correct position.

Receiving no response, we again emailed Minister Steel on 16 February 2020:

We have been checking our correspondence and we believe that we never received a response to this letter. We understand that the Brindabella Christian College told its student community at the end of last year that all the building work has finished but the public land next to the school has still not yet been cleaned up. Given this lack of action could you please provide a detailed response to our concerns as soon as practicable.

On 15 May 2020 we received a [reply](#) from Minister Ramsay, in which we were told they'd keep an eye on the fence (basically through the same processes that keep an eye on building construction, and we've seen how well that works!).

No rehabilitation of the construction site has commenced yet (23 May 2020).

#### Unresolved Issues

- **Why hasn't rehabilitation of the site been completed?**
- **What steps will be taken to ensure the boundary fence is built on the boundary, avoiding a repeat of the 'curved wall' scenario in which it's left in the wrong place as it 'does no harm'?**

### 4. Breach of the sub-lease

BCC leases part of Lyneham Neighbourhood Oval, that part which they use as a carpark. The lease was taken up after BCC built a new building in 2009(?) on their old car park with BER funding.

The construction of the car park happened without any real public consultation.

It has been a long-held goal of LCA to obtain a copy of the lease. After many failed attempts, LCA committee members [REDACTED], [REDACTED] and [REDACTED] met with Ross Burden and were allowed to view (but not copy) the lease. Here is [REDACTED] report from that meeting:

All

This my report from the meeting with Ross Burden from Sport & Rec held yesterday (9 May, from 1-2:30pm).

Present: [REDACTED], [REDACTED], [REDACTED], Ross Burden & Tanya Evans

Ross and Tanya were very friendly and helpful.

#### **Sublease**

The discussion started with Brindabella Christian College's sublease of Area 1 of Lyneham Neighbourhood Oval (LNO) from Sport & Rec. This is the area which BCC uses as their car park.

While Ross was unable to let us take a copy of the lease with us, he was quite happy for us to see a copy, with just the financial bits missing. Some of those bits, like the annual rent (of \$1000) we already knew anyway. He was keen for us to understand that there was nothing improper or mysterious about the lease. The bulk of the lease is standard, with just the annexe describing those elements particular to the land in question.

Generically, use of the land is restricted to uses allowed on PRZ1 land (the underlying zoning of LNO).

So, the sublease commenced on 1 May 2009, and goes for 20 years, until 30 April 2029.

The purpose is for "outdoor sports facility and ancillary thereto car parking".

When we suggested that the lack of outdoor sports facility meant that BCC was in breach of the lease, Ross said words to the effect that "no one here [in Sport & Rec] thinks they're in breach of the lease." [REDACTED] view (I think) is that he said 'no one here cares that they're in breach of the lease'.

There is nothing in the lease that required BCC to seal the car park. [We'd often been told that the lease required them to do so].

The lease gives BCC an option to extend the duration of the lease upon expiry. Ross said that the option is not wholly at the whim of BCC, and still requires government agreement for a continuation. When I suggested S&R should seek community views in 2028 about a continuation, he wasn't so keen.

#### **Car park**

Ross was clear that the car park is available to the public, and seemed to think BCC had already agreed to make it so (by not chaining it up). We suggested that if it is a public car park, it would be good if it were signed as such so that the public were aware of that fact. Ross seemed keen to look into that with a view to putting a sign up. One of the lease standard conditions is that BCC needs to get S&R permission to do things like put signs up, or seal the car park. Seems they didn't for either of those.

During the discussion we pointed out that the small, sealed carpark on Brigalow was being parked out by BCC staff, and suggested that a time limit of 2 or 4 hours wouldn't interfere with people who park there to use the oval. We learned that that carpark is owned by "Roads ACT", and that we should contact the Director, Ken Marshall, if we wished.

No "public car park" sign has been forthcoming.

On 12 June 2018, LCA requested the car park be kept open for public use:

[REDACTED]  
Principal  
Brindabella Christian College Brigalow St, Lyneham  
principal@bcc.act.edu.au

Dear [REDACTED]

**Re: Public access to the car park next to Brindabella Christian College**

We write to ask you to arrange for there to be public access to the public car park adjacent to Brindabella Christian College at all times.

As you know, the car park is on the portion of Lyneham Neighbourhood Oval known as Area 1, and sub-leased by Brindabella Christian College. The local Lyneham community has been advised on numerous occasions that the car park is a public car park, most recently by Mr Ross Burden of Sport and Recreation Facilities. However, the car park entrance continues to be routinely chained off preventing public access, as this photo (taken 10 June) illustrates.



On behalf of the local community, we respectfully request that you arrange for there to be public access to this public car park at all times.

Sincerely,

The Committee of the Lyneham Community Association

[REDACTED]  
[REDACTED]  
contact@lyneham.org.au

12 June 2018

Cc:  
Ross Burden  
Sport and Recreation Facilities  
Transport Canberra and City Services Directorate  
ross.burden@act.gov.au

We received a very nice [reply](#) indicating the car park would now be left open.

In June 2018 LCA wrote to Minister Berry about the apparent breach of the sub-lease by BCC:

Minister Yvette Berry  
Minister for Sport and Recreation  
[berry@act.gov.au](mailto:berry@act.gov.au)

Dear Minister Berry

**Re: Breach of sub-lease by Brindabella Christian College**

We wish to draw your attention to an apparent breach by Brindabella Christian College of the sub-lease they hold over part of Lyneham Neighbourhood Oval.

The sub-lease is administered by Sport and Recreation Facilities, and covers the portion of the PRZ1-zoned Lyneham Neighbourhood Oval designated "Area 1". The clearly noted purpose of the sub-lease is for:

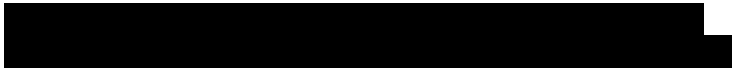
**"outdoor sports facility and ancillary thereto car parking".**

The only purpose to which the land in question is currently being used is for car parking for the school. There is no outdoor sports facility, and never has been. Clearly the sub-lease purpose requires that the car parking be ancillary to a sports facility. It follows then that if there is no sports facility, there can be no car parking under the sub-lease conditions.

Therefore, by using the sub-leased land for car parking (not ancillary to an outdoor sports facility), Brindabella Christian College is in breach of the sub-lease.

Given that Brindabella Christian College is in breach of the sub-lease, we request that the sub-lease be terminated immediately.

Sincerely,

The Committee of the Lyneham Community Association  
  
[contact@lyneham.org.au](mailto:contact@lyneham.org.au)

12 June 2018

We received a [reply](#) on 9 July, in which the Minister indicated TCCS would investigate and let us know when a position had been determined.

In November we again wrote to Minister Berry:

Minister Yvette Berry  
Minister for Sport and Recreation  
[berry@act.gov.au](mailto:berry@act.gov.au)

Dear Minister Berry

**Re: Breach of sub-lease by Brindabella Christian College**

In June 2018 the Lyneham Community Association drew your attention (see below) to an apparent breach by Brindabella Christian College of the sub-lease they hold over part of Lyneham Neighbourhood Oval. You kindly responded on 9 July to say TCCS was investigating and would inform us of the outcome.

We have heard nothing in the intervening time, and would like to know the state of the investigation. Would you please advise us about the outcome of the TCCS investigation.

Sincerely,

[REDACTED]

Chair, Lyneham Community Association  
[contact@lyneham.org.au](mailto:contact@lyneham.org.au)

13 November 2018

Cc: Andrew Barr, Candice Burch, Caroline Le Couteur, Elizabeth Lee, Shane Rattenbury, Rachel Stephen-Smith

We received a reply on 19 February 2019:

Dear [REDACTED]

Thank you for your follow up email of 13 November 2018 on behalf of the Lyneham Community Association regarding a potential breach of the sub-lease on Lyneham Community Oval. I apologise for the delay in responding.

Transport Canberra and City Services (TCCS) is investigating the matter and is seeking legal advice regarding any potential breach of the sub-lease by Brindabella Christian College.

I note your interest and concerns as a local residents' group, however, as this is a matter between the ACT Government and Brindabella Christian College, I will be unable to provide a detailed response regarding the outcomes of the investigation.

Thank you for raising this matter with me.

Yours sincerely

Yvette Berry MLA  
Deputy Chief Minister

It is a most unsatisfactory response. It's not like there are commercial-in-confidence issues here. Either the lease is valid and BCC is not in breach, or BCC is in breach. The response makes it seem like they've discovered they're in breach, but don't want to have to do anything about it.

**Unresolved Issues**

- **Is BCC in breach of their sub-lease?**
- **If so, how can the sub-lease continue?**
- **If not, why can't we be told that?**

## Bruan, Nicole

---

**From:** Sweet, Carma  
**Sent:** Wednesday, 16 February 2022 9:43 AM  
**To:** Howard, Jo  
**Cc:** Dawes, Rachael  
**Subject:** FW: Lyneham Community Association (LCA) update on investigation Blocks 4 and 23 Section 41 Lyneham, Brindabella Christian College  
**Attachments:** 1506.01 BCC - New Trees to Oval

OFFICIAL

Hi Jo

Apologies for not getting back to you before now. It seems that you need information regarding the tree removals by Brindabella Christian College (BCC)?

Our records show that in October 2016, the BCC removed approximately 12 trees without approval, including six mature oak trees and three eucalypts in urban open space behind the school. This was investigated by EPSDD and the decision was made to require the school to replant five plane trees to the south of the school. The five trees that were required to be planted have been done – see attached email.

There was also an indication in previous correspondence after the removals were undertaken that further planting was to be undertaken at the completion of construction, but this was not specifically listed and the likely completion date is unknown with construction being staged over a long time.

I hope this assists.

Thank you  
Carma

Carma Sweet | Assistant Director Policy, Planning & Programs

Phone: 02 6207 7158 | Mobile [REDACTED] | Email: [carma.sweet@act.gov.au](mailto:carma.sweet@act.gov.au)

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

Level 4, 480 Northbourne Avenue Dickson ACT 2602 | GPO Box 158 Canberra ACT 2601 | [www.act.gov.au](http://www.act.gov.au)

---

**From:** Howard, Jo <Jo.Howard@act.gov.au>  
**Sent:** Tuesday, 11 January 2022 6:09 PM  
**To:** Sweet, Carma <Carma.Sweet@act.gov.au>  
**Subject:** RE: Lyneham Community Association (LCA) update on investigation Blocks 4 and 23 Section 41 Lyneham, Brindabella Christian College

Good evening Carma

My name is Jo Howard and I am in the Construction and Planning Investigations Team within Access Canberra.

We appear to have an open investigation in relation to Brindabella Christian College, lodged by the Lyneham Community Association. The last email on file appears to be the one below.

I am hoping you could provide me with some information that I can provide to the complainant. Alternatively, I can advise the complainant that TCCS is considering their concerns and to contact TCCS for further information.

Kind regards

Jo

**Jo Howard** | Investigator | Construction and Planning Investigations Team

Phone: 02 6207 6319 | Mobile: [REDACTED] | Email: [jo.howard@act.gov.au](mailto:jo.howard@act.gov.au)

**Access Canberra** | Chief Minister Treasury and Economic Development Directorate | ACT Government

Cosmopolitan Building, Bowes Place, Woden | GPO Box 158 Canberra ACT 2601 | [www.act.gov.au/accessCBR](http://www.act.gov.au/accessCBR)



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**From:** Eppelstun, Krystal <[Krystal.Eppelstun@act.gov.au](mailto:Krystal.Eppelstun@act.gov.au)>

**Sent:** Thursday, 8 July 2021 3:10 PM

**To:** Sweet, Carma <[Carma.Sweet@act.gov.au](mailto:Carma.Sweet@act.gov.au)>

**Cc:** Cross, Heather <[Heather.Cross@act.gov.au](mailto:Heather.Cross@act.gov.au)>; Strategic Compliance and Coordination <[strategiccompliance@act.gov.au](mailto:strategiccompliance@act.gov.au)>

**Subject:** FW: Lyneham Community Association (LCA) update on investigation Blocks 4 and 23 Section 41 Lyneham, Brindabella Christian College

**OFFICIAL**

Hi Carma,

Heather has been giving me a hand with a case to do with Lyneham Community Association, Brindabella Christian College and the removal of Trees.

This case fell to me while I was acting in the SOG A role in the Construction Compliance area of Access Canberra and I have taken it with me to help [REDACTED] find some closure. As you can see by the email trail [REDACTED] raised a number of issues some of which sat with Access Canberra and some which did not. On most of the issues I have been able to find responses to thanks to the help of lovely people like Heather.

The last issue left of the list of things [REDACTED] is seeking information on is the tree removal.

Heather let me know you may have some background on this matter and maybe some info that I might be able to provide to [REDACTED] has helpfully attached his complaint and it mentions you so I thought you might be able to provide me with some info as to where this case landed and what, if anything, I might be able to tell Mr [REDACTED].

Thanks very much for any help you can provide.

Kind regards  
Krystal

---

**From:** [REDACTED]@hotmail.com>  
**Sent:** Friday, 2 July 2021 7:07 PM  
**To:** Eppelstun, Krystal <Krystal.Eppelstun@act.gov.au>  
**Cc:** Strategic Compliance and Coordination <strategiccompliance@act.gov.au>; Lyneham Community Association <contact@lyneham.org.au>  
**Subject:** Re: Lyneham Community Association (LCA) update on investigation Blocks 4 and 23 Section 41 Lyneham, Brindabella Christian College

**CAUTION:** This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi Krystal

Thanks for your response, and the information.

On issue 1 and your questions:

How many trees? No count could be done, but it seems to be around 12 or 13.

What location? Next to the bike path along Sullivan's creek, adjacent to BCC.

When were they removed? Tuesday 4 October 2016.

Those details (as best they were known) were included in my original complaint, including the name of the TCCS officer who informed me the trees had been removed without approval. Presumably that meant she already knew there was no application to undertake tree damaging activity.

The original complaint also includes the name of the officer who investigated the removal of the trees, who would not have done so if the trees had been removed with approval. And photos showing a number of the trees that had been cut down.

I've attached the original complaint, in case it's useful to pass that on to the new TCCS people.

I've also attached a photo from Google Street View from 2014 which shows the line of trees next to the bike path. Anyone visiting the site today will see that the first 10 or so trees in this photo have been removed, and some out of image to the right.

Regards

[REDACTED]



On 1 Jul 2021, at 9:02 pm, Eppelstun, Krystal <[Krystal.Eppelstun@act.gov.au](mailto:Krystal.Eppelstun@act.gov.au)> wrote:

**OFFICIAL**

Hi [REDACTED]

I do have an update for you, and a few questions.

Please see below.

Kind regards  
Krystal

Krystal Eppelstun-Lee | Director  
Access Canberra | Construction, Utilities and Environmental Protection | ACT Government  
P: 02 6207 4844 | E: [krystal.eppelstun@act.gov.au](mailto:krystal.eppelstun@act.gov.au)

**Issue 1 alleged removal of trees on adjacent Government land**

**Status:** ongoing

A recent desktop investigation by Transport Canberra and City Services (TCCS), conducted at my request, shows no change in tree coverage in areal photographs. That is not to say there has not been a change, just that it is not apparent in the images we have access to.

TCCS staff are looking to see if there has been any application to 'undertake a tree damaging activity' in the area and will get back to me, this should confirm if the alleged tree removal was approved or not. For your information trees on public land are managed by TCCS and should not be removed unless written approval has been granted.

Finally TCCS staff have let me know that an investigation would only be conducted into this matter if there was no application to undertake a tree damaging activity in place and there was witnesses and proof of tree damage/removal. I understand you may have already provided all this information so will not ask for it again unless it is absolutely necessary. Could you please, however, give me some information on the following:

- How many trees were removed?
- What location were they removed from exactly?
- When were they removed?

**Issue 3 – Rehabilitation of site**

**Status:** no breach

Transport Canberra and City Services has investigated this issue. There is an approved Land Use permit for the construction area. As you can see in the below aerial image, the area off Mouat Street which is used for access is quite scarred. The area has been used for construction access since August 2017 and the permit end date is March 2022.

<image001.png>

**From:** [REDACTED] <[REDACTED]@hotmail.com>  
**Sent:** Wednesday, 16 June 2021 5:56 PM  
**To:** Eppelstun, Krystal <[Krystal.Eppelstun@act.gov.au](mailto:Krystal.Eppelstun@act.gov.au)>  
**Cc:** Strategic Compliance and Coordination <[strategiccompliance@act.gov.au](mailto:strategiccompliance@act.gov.au)>  
**Subject:** Re: Lyneham Community Association (LCA) update on investigation Blocks 4 and 23 Section 41 Lyneham, Brindabella Christian College

**CAUTION:** This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hello Krystal

It's been another 6 months, and I'm just wondering if there's any further news on Issues 1 and 3. We've heard nothing about them, despite the hoped-for update before the xmas break (Issue 1), and there's been no change (as an external observer) to the worksite (Issue 3).

Thanks for your time.

Regards

[REDACTED]

On 4 Dec 2020, at 10:45 am, Eppelstun, Krystal <[Krystal.Eppelstun@act.gov.au](mailto:Krystal.Eppelstun@act.gov.au)> wrote:

**OFFICIAL**

Hi [REDACTED]

Thanks for your time on the phone yesterday. As discussed please see below a written update on each of the aspects of the complaint that was lodged. I have also made notes of our conversation. Please get in touch if there is anything I have missed.

Kind regards  
Krystal

Krystal Eppelstun-Lee | Director  
Access Canberra | Construction, Utilities and Environmental Protection | ACT Government  
P: 02 6207 4844 | E: [krystal.eppelstun@act.gov.au](mailto:krystal.eppelstun@act.gov.au)

**Issue 1 alleged removal of trees on adjacent Government land**

- **Status:** ongoing
- This matter is being looked into by the Senior Director of Construction Utilities and Environmental Protection Branch of Access Canberra. AN update will be provided before the holiday Government shut down.

**Issue 2 – alleged Building encroachment**

- **Status:** closed – there is no breach identified
- **Details**
  - The building in question is the new building on block 4 facing Brigalow Street, and the “curved wall” refers to a vertical sun shade structure fixed on to the front and side facades of the building
  - There is no encroachment by this structure over block boundaries

- A previous audit found the curved wall (a shade structure) is not consistent with the development approval (DA) in terms of front boundary setback (1.5m), however, the structure is consistent with the building approval (BA) in terms of front boundary setback (1m), and the length. Survey plan also shows the front boundary setback as 1.02m.
- The discrepancy in front boundary setback dimension (498mm) between DA and BA could be due to DA exemption provisions for external shades in s1.26A or shade structures in Section 1.99J School-shade structures in Schedule 1 of Planning and Development Regulation. The curved wall being a shade structure means it meets the criteria of both Sections 1.26A & 1.99J.
- Further it is also possible to apply s1.99C of Planning and Development Regulation. Changed location of the structure could be also exempted pursuant to s1.99C Schools-new buildings or alterations to buildings in Schedule 1 of the Planning and Development Regulation. The alteration occurred meet all the criteria under s1.99C.

**Issue 3 – Rehabilitation of site**

**Status:** unresolved

- This matter has been referred to TCCS with Access Canberra to continue to follow up and update LCA as appropriate

**Issue 4 – alleged breach of the sub-lease at Block 23 S41 Lyneham**

**Details:** closed, no action can be taken by Access Canberra at this time

- [REDACTED] on behalf of LCA enquired as to the possibility of lodging a formal objection to this lease and requested the community be consulted before the lease expired on 30 April 2029 if Brindabella Christian College or other entity request a continuation or release of the land.
- Krystal agreed to look into this matter and get back to [REDACTED] before the holiday Government shut down period
- [REDACTED] noted the LCA would most likely approach the Minister for Business and Better Regulation Tara Cheyne MLA to request the amenity and wellbeing of the community be considered in any future decisions in relation to this land.

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**Bruan, Nicole**

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**From:** [REDACTED]@sqca.com.au>  
**Sent:** Wednesday, 4 March 2020 3:09 PM  
**To:** Dawes, Rachael  
**Subject:** 1506.01 BCC - New Trees to Oval

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi Rachel,

Please see photos of the agreed replanted trees at the Brindabella Christian College.

Kind Regards,

[REDACTED]  
ARCHITECT  
March, Registered Architect ACT 2548 VIC 20916

**SQC ARCHITECTURE**  
Unit 3, Level 1, 22 Thynne Street, Bruce ACT 2617  
**T** 02 6278 8500 **M** [REDACTED]  
**E** [REDACTED]@sqca.com.au  
[sqca.com.au](http://sqca.com.au)



Primary nominee: R. Small ACT 933, NSW 9354, N. Goodwin QLD 5020, SA 3434, WA 3228, J. Ramanu VIC 20196

---

**From:** [REDACTED]  
**Sent:** Wednesday, 4 March 2020 11:55 AM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** BCC - New Trees to Oval

H [REDACTED],

Sorry for the late reply. Please see attached photos of the trees planted to the oval side of the carpark as requested by Urban Treescapes.

Could you please liaise with them so we can close this out for the school.

Thanks.



[REDACTED]



17/27 Yallourn Street  
Fyshwick ACT 2609 AUSTRALIA  
M [REDACTED]  
E [REDACTED] [vamosgroup.com.au](http://vamosgroup.com.au)

**Bruan, Nicole**

---

**From:** Eppelstun, Krystal  
**Sent:** Wednesday, 13 April 2022 5:10 PM  
**To:** [REDACTED]  
**Cc:** Howard, Jo; Sweet, Carma  
**Subject:** RE: Lyneham Community Association (LCA) update on investigation Blocks 4 and 23 Section 41 Lyneham, Brindabella Christian College

OFFICIAL

---

Hi [REDACTED],

I have just spoken to Jo Howard, Access Canberra, who I understand you have been in touch with.

Jo has reached out to TCCS on our behalf and I understand she has provided you with some advice and information pertaining to the complaint around tree removal.

I have reached out to Carma Sweet who, I understand, has been involved in the case for a number of years.

Carma is going to do some investigating and will be able to provide you with an update in the next few days.

Thanks very much  
Krystal

**From:** Eppelstun, Krystal  
**Sent:** Wednesday, 13 April 2022 3:33 PM  
**To:** [REDACTED]@hotmail.com>  
**Subject:** RE: Lyneham Community Association (LCA) update on investigation Blocks 4 and 23 Section 41 Lyneham, Brindabella Christian College

OFFICIAL

Hi [REDACTED]

Thanks for getting in touch and I hope all is well.

I understand Ajith from the Rapid Regulatory Response Team has conducted an investigation into your recent complaint and you have received information pertaining to it.

Regarding the issue 1 below I will follow up with TCCS.

Thanks very much  
Krystal

---

**From:** [REDACTED]@hotmail.com>  
**Sent:** Tuesday, 1 March 2022 9:17 PM  
**To:** [REDACTED]@hotmail.com>  
**Cc:** Eppelstun, Krystal <Krystal.Eppelstun@act.gov.au>; Strategic Compliance and Coordination <strategiccompliance@act.gov.au>

**Subject:** Re: Lyneham Community Association (LCA) update on investigation Blocks 4 and 23 Section 41 Lyneham, Brindabella Christian College

**CAUTION:** This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hello Krystal

Just wondering what progress has been made on the remaining elements of our complaint in the last 7 months?

Thanks

On 2 Jul 2021, at 7:06 pm, [REDACTED] <[REDACTED]@hotmail.com> wrote:

Hi Krystal

Thanks for your response, and the information.

On issue 1 and your questions:

How many trees? No count could be done, but it seems to be around 12 or 13.

What location? Next to the bike path along Sullivan's creek, adjacent to BCC.

When were they removed? Tuesday 4 October 2016.

Those details (as best they were known) were included in my original complaint, including the name of the TCCS officer who informed me the trees had been removed without approval. Presumably that meant she already knew there was no application to undertake tree damaging activity.

The original complaint also includes the name of the officer who investigated the removal of the trees, who would not have done so if the trees had been removed with approval. And photos showing a number of the trees that had been cut down.

I've attached the original complaint, in case it's useful to pass that on to the new TCCS people.

I've also attached a photo from Google Street View from 2014 which shows the line of trees next to the bike path.

Anyone visiting the site today will see that the first 10 or so trees in this photo have been removed, and some out of image to the right.

Regards

[REDACTED]

<2014.jpg>

On 1 Jul 2021, at 9:02 pm, Eppelstun, Krystal <Krystal.Eppelstun@act.gov.au> wrote:

OFFICIAL

Hi [REDACTED]

I do have an update for you, and a few questions.

Please see below.

Kind regards  
Krystal

Krystal Eppelstun-Lee | Director  
Access Canberra | Construction, Utilities and Environmental Protection | ACT Government  
P: 02 6207 4844 | E: [krystal.eppelstun@act.gov.au](mailto:krystal.eppelstun@act.gov.au)

### **Issue 1 alleged removal of trees on adjacent Government land**

**Status:** ongoing

A recent desktop investigation by Transport Canberra and City Services (TCCS), conducted at my request, shows no change in tree coverage in areal photographs. That is not to say there has not been a change, just that it is not apparent in the images we have access to.

TCCS staff are looking to see if there has been any application to 'undertake a tree damaging activity' in the area and will get back to me, this should confirm if the alleged tree removal was approved or not. For your information trees on public land are managed by TCCS and should not be removed unless written approval has been granted.

Finally TCCS staff have let me know that an investigation would only be conducted into this matter if there was no application to undertake a tree damaging activity in place and there was witnesses and proof of tree damage/removal. I understand you may have already provided all this information so will not ask for it again unless it is absolutely necessary. Could you please, however, give me some information on the following:

- How many trees were removed?
- What location were they removed from exactly?
- When were they removed?

### **Issue 3 – Rehabilitation of site**

**Status:** no breach

Transport Canberra and City Services has investigated this issue. There is an approved Land Use permit for the construction area. As you can see in the below aerial image, the area off Mouat Street which is used for access is quite scarred. The area has been used for construction access since August 2017 and the permit end date is March 2022.

<image001.png>

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**From:** [REDACTED] <[REDACTED]@hotmail.com>  
**Sent:** Wednesday, 16 June 2021 5:56 PM  
**To:** Eppelstun, Krystal <[Krystal.Eppelstun@act.gov.au](mailto:Krystal.Eppelstun@act.gov.au)>  
**Cc:** Strategic Compliance and Coordination <[strategiccompliance@act.gov.au](mailto:strategiccompliance@act.gov.au)>  
**Subject:** Re: Lyneham Community Association (LCA) update on investigation Blocks 4 and 23 Section 41 Lyneham, Brindabella Christian College

**CAUTION:** This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hello Krystal

It's been another 6 months, and I'm just wondering if there's any further news on Issues 1 and 3.

We've heard nothing about them, despite the hoped-for update before the xmas break (Issue 1), and there's been no change (as an external observer) to the worksite (Issue 3).

Thanks for your time.

Regards

On 4 Dec 2020, at 10:45 am, Eppelstun, Krystal  
<[Krystal.Eppelstun@act.gov.au](mailto:Krystal.Eppelstun@act.gov.au)> wrote:

**OFFICIAL**

Hi [REDACTED]

Thanks for your time on the phone yesterday. As discussed please see below a written update on each of the aspects of the complaint that was lodged. I have also made notes of our conversation. Please get in touch if there is anything I have missed.

Kind regards  
Krystal

Krystal Eppelstun-Lee | Director  
Access Canberra | Construction, Utilities and Environmental Protection |  
ACT Government  
P: 02 6207 4844 | E: [krystal.eppelstun@act.gov.au](mailto:krystal.eppelstun@act.gov.au)

**Issue 1 alleged removal of trees on adjacent Government land**

- **Status:** ongoing
- This matter is being looked into by the Senior Director of Construction Utilities and Environmental Protection Branch of Access Canberra. AN update will be provided before the holiday Government shut down.

**Issue 2 – alleged Building encroachment**

- **Status:** closed – there is no breach identified
- **Details**
  - The building in question is the new building on block 4 facing Brigalow Street, and the “curved wall” refers to a vertical sun shade structure fixed on to the front and side facades of the building
  - There is no encroachment by this structure over block boundaries
  - A previous audit found the curved wall (a shade structure) is not consistent with the development approval (DA) in

terms of front boundary setback (1.5m), however, the structure is consistent with the building approval (BA) in terms of front boundary setback (1m), and the length. Survey plan also shows the front boundary setback as 1.02m.

- The discrepancy in front boundary setback dimension (498mm) between DA and BA could be due to DA exemption provisions for external shades in s1.26A or shade structures in Section 1.99J School-shade structures in Schedule 1 of Planning and Development Regulation. The curved wall being a shade structure means it meets the criteria of both Sections 1.26A & 1.99J.
- Further it is also possible to apply s1.99C of Planning and Development Regulation. Changed location of the structure could be also exempted pursuant to s1.99C Schools-new buildings or alterations to buildings in Schedule 1 of the Planning and Development Regulation. The alteration occurred meet all the criteria under s1.99C.

**Issue 3 – Rehabilitation of site**

**Status:** unresolved

- This matter has been referred to TCCS with Access Canberra to continue to follow up and update LCA as appropriate

**Issue 4 – alleged breach of the sub-lease at Block 23 S41 Lyneham**

**Details:** closed, no action can be taken by Access Canberra at this time

- [REDACTED] on behalf of LCA enquired as to the possibility of lodging a formal objection to this lease and requested the community be consulted before the lease expired on 30 April 2029 if Brindabella Christian College or other entity request a continuation or release of the land.
- Krystal agreed to look into this matter and get back to [REDACTED] before the holiday Government shut down period
- [REDACTED] noted the LCA would most likely approach the Minister for Business and Better Regulation Tara Cheyne MLA to request the amenity and wellbeing of the community be considered in any future decisions in relation to this land.

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<Complaint-24May20.pdf>

**Bruan, Nicole**

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**From:** Sweet, Carma  
**Sent:** Thursday, 21 April 2022 9:34 AM  
**To:** [REDACTED]  
**Subject:** RE: BCC permit expiry

OFFICIAL

Hi [REDACTED]

Thank you for this information. I will follow up with the Licencing and Compliance team to get an update on the rehabilitation of this area and arrange a site inspection to check on the progress of rectification works.

As discussed, Urban Treescapes will also undertake some tree planting in this area to improve landscape amenity and strengthen the delineation between the school grounds and public land.

I'll be in touch once I know more about the expired permit.

Kind regards

Carma

**Carma Sweet | Assistant Director Policy, Planning & Programs**

Phone: 02 6207 7158 | Mobile: [REDACTED] | Email: [carma.sweet@act.gov.au](mailto:carma.sweet@act.gov.au)

**Urban Treescapes | City Presentation | Transport Canberra and City Services Directorate | ACT Government**  
Level 4, 480 Northbourne Avenue Dickson ACT 2602 | GPO Box 158 Canberra ACT 2601 | [www.act.gov.au](http://www.act.gov.au)

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**From:** [REDACTED]@hotmail.com>  
**Sent:** Wednesday, 20 April 2022 2:00 PM  
**To:** Sweet, Carma <Carma.Sweet@act.gov.au>  
**Subject:** BCC permit expiry

**CAUTION:** This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi Carma

Thanks so much for your phone call earlier. Much appreciated.

I found the reference to the permit end date. It was March 2022.

This extract is from an email from Jo Howard on 11 April:

"3. Rehabilitation of construction site and boundary fence alignment

You raised concerns in relation to the lack of remediation of the site situated between the school and the footpath (along Sullivan's Creek).

In June 2021, the Licensing and Compliance Team within TCCS advised Access Canberra that there was an approved Land Use permit for the construction area. The area has been used for construction access since August 2017 and the permit end date is March 2022. TCCS further advised that the developer would not be required to rehabilitate the area until they have completed construction at the site."

Thanks again.

Regards



## Bruan, Nicole

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**From:** Sweet, Carma  
**Sent:** Thursday, 21 April 2022 9:31 AM  
**To:** Eppelstun, Krystal  
**Subject:** RE: [REDACTED] - Lyneham Community Association

OFFICIAL

Hi Krystal

I spoke to [REDACTED] yesterday after some delay at my end and explained what I know about the unapproved tree removals undertaken by BCC and the requirement for BCC to replace the trees.

[REDACTED] also raised concerns regarding rehabilitation of the construction site and the alignment of the boundary fence. The permit for BCC to use this area expired in March 2022 and I will arrange a site inspection and follow up with the Licencing and Compliance team to get an update on the rehabilitation of this area.

TCCS will also undertake some tree planting in this area to increase landscape amenity and strengthen the delineation between the school grounds and public land.

Thank you  
Carma

Carma Sweet | Assistant Director Policy, Planning & Programs  
Phone: 02 6207 7158 | Mobile: [REDACTED] | Email: [carma.sweet@act.gov.au](mailto:carma.sweet@act.gov.au)  
Urban Treescapes | City Presentation | Transport Canberra and City Services Directorate | ACT Government  
Level 4, 480 Northbourne Avenue Dickson ACT 2602 | GPO Box 158 Canberra ACT 2601 | [www.act.gov.au](http://www.act.gov.au)

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**From:** Eppelstun, Krystal <Krystal.Eppelstun@act.gov.au>  
**Sent:** Wednesday, 13 April 2022 4:53 PM  
**To:** Sweet, Carma <Carma.Sweet@act.gov.au>  
**Cc:** Howard, Jo <Jo.Howard@act.gov.au>  
**Subject:** [REDACTED] - Lyneham Community Association

OFFICIAL

Hi Carma,

Thanks for the chat today. [REDACTED] number is [REDACTED].

Let me know how you go with your phone call.

Kind regards  
Krystal

Krystal Eppelstun-Lee | Director  
P: 02 6207 4844 | E: [krystal.eppelstun@act.gov.au](mailto:krystal.eppelstun@act.gov.au)  
Access Canberra | Chief Minister Treasury and Economic Development Directorate | ACT Government  
GPO Box 158, Canberra City, ACT 2601 | [www.act.gov.au/accessCBR](http://www.act.gov.au/accessCBR)

We acknowledge the Traditional Custodians of the ACT, the Ngunnawal people. We acknowledge and respect their continuing culture and the contribution they make to the life of this city and this region.

