



ACT
Government

Transport Canberra and
City Services

FREEDOM OF INFORMATION COVERSHEET

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

FOI reference: TCCSFOI 21-038

Information to be published	Status
1. Access application	Published
2. Decision notice and schedule	Published
3. Documents	Published
4. Additional information identified	n/a
5. Fees	Waived
6. Processing time (in working days)	20 days
7. Decision made by Ombudsman	n/a
8. Additional information identified by Ombudsman	n/a
9. Decision made by ACAT	n/a
10. Additional information identified by ACAT	n/a



Freedom of Information – Access Application Form

PRIVACY NOTICE

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

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

Applicant details

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

Name

Address

(where notices relating to this request can be sent – either postal or electronic)

Telephone Contact (Business Hours)

Telephone Contact (Mobile)

Email Contact

What documents are you requesting under the Act?

- To help Transport Canberra and City Services process your request, please include enough detail in your application so that we can fully understand what government information you want.
- You may wish to include a statement about how the release of information is in the public interest.
- If your application is for access to your own personal information you must include evidence of your identity. If you are an agent acting for an applicant, please supply evidence of your authorisation and evidence of the identity of the agent.
- If for reasons in section 30 of the Act is not compliant and your application cannot be processed, Transport Canberra and City Services will take reasonable steps to assist you and give you reasonable time to amend your application if you wish.

Fee Waiver

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

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

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

Fee waiver application (fill in if applicable. Otherwise leave blank)

I would like to apply for a fee waiver because (state reason/s from the list above).

[provide details and evidence of how this reason applies]

I would like

a copy of these documents sent to the above
address- email address

OR

to inspect these document

APPLICANTS SIGNATURE

DATE OF REQUEST



23/04/2021



ACT
Government

Transport Canberra and
City Services

[REDACTED]
[REDACTED]

Dear [REDACTED]

Freedom of Information Request - Reference 21-038

I refer to your application received by Transport Canberra and City Services (TCCS) on 23 April 2021 (which was later clarified on 28 April 2021) requesting access to the following government information:

*“a copy of all records relating to Fix My Street Request [REDACTED]
[REDACTED] including internal notes, emails, and database system records held on the matter, including City Presentation (TCCS) liaison with Roads ACT (TCCS) between November 2020 and March 2021; and any records that Access Canberra hold relating to the Fix My Street request [REDACTED]”*

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 Act.

A decision on your application to access to government information is due by 21 April 2021.

Decision on access

A search of records has been completed and 27 records have been identified as relevant to your request. These records are outlined in the schedule of document included at [Attachment A](#).

I have decided to:

- grant full access to 26 documents: and
- grant partial access to one document.

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

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

Statement of Reasons

In making my decision on disclosing government information, I must identify all relevant factors in schedule 2 of the FOI Act and determine, on balance, where the

public interest lies. In reaching my access decision, I have taken the following into account:

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

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

Factors favouring non-disclosure (Schedule 2.2)

- Section 2.2 (a)(xi), prejudice trade secrets, business affairs or research of an agency or person.

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

However, in reviewing the information within these documents I have identified information in document 25 which is likely to prejudice a third party's business affairs if disclosed. Specifically, this information relates to costing methodology associated with those services. The document is a defect work order (number [REDACTED] which was created in 2017 and has been referenced in the records that I am disclosing to you.

I am satisfied that the factors in favour of release can still be met while protecting business affairs of the third party involved. I find the protection of this information outweighs disclosure.

You will note that some of the information identified has been duplicated. I have decided to provide it to you for completeness.

The TCCS Freedom of Information team has contacted Access Canberra in relation to your access application. As you may be aware, Access Canberra sits under the Chief Minister, Treasury, Economic Development Directorate and is first point of contact for receiving Fix My Street requests. These requests are sent from Access Canberra to the applicable directorate for appropriate action. Access Canberra has been contacted about your *Fix My Street Request* [REDACTED] and advises that the only document they hold relates to information about the transfer of your

request to TCCS. I have included a copy of this information at document referenced number 25.

Should you wish to make a separate FOI access application directly to Access Canberra, please send your application to CMTEDDFOI@act.gov.au.

Charges

I have decided to waive the fee of \$60.20 as the number of pages being provided marginally exceeds the fee free threshold.

Disclosure Log

In accordance with section 28 of the Act, TCCS maintains an online record of access applications called a disclosure log, which is accessible at https://www.cityservices.act.gov.au/about-us/freedom_of_information/disclosure-log.

Your access application, this notice of decision and records released to you will be published on the disclosure log within 3 – 10 business days. Your personal information will be removed from these documents prior to publication.

Ombudsman review

My decision on your access application is a reviewable decision as identified in Schedule 3 of the Act. You have the right to seek an Ombudsman review my decision under section 73 of the Act within 20 working days from the day that my decision is made or a longer period if allowed by the Ombudsman.

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

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

ACT Civil and Administrative Tribunal (ACAT) review

Under section 84 of the Act, if a decision is made under section 82(1) on an Ombudsman review, you may apply to the ACAT for review of the Ombudsman decision.

Further information may be obtained from ACAT at:

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

If you have any queries about the directorate's processing of your request, or would like further information, please contact the TCCS FOI team on (02) 620 72987 or email tccs.foi@act.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Cherie Hughes', written in a cursive style.

Cherie Hughes
Information Officer

21 May 2021



ACT
Government

**Access
Canberra.**

Incident Reference # [REDACTED]

Subject: ACT Government street tree at [REDACTED] is a road and traffic hazard

Date Created: 04/11/2020 10.09 AM

Note By Email (Greg) (20/04/2021 11.52 AM)

Greg forwarded this Enquiry to Luke.Halls@act.gov.au

Hi,

The below incident has been received through the ACT Government CRM.

Can you please respond to the customer's enquiry using the below form. When you respond it will be sent directly back to the customer's email.

If this is not for your area, please select "Reply to Staff Member" before submitting response. (If this option is not available, it will be sent back to the staff member by default, you will not need to manually select this)

Kind regards,

Access Canberra
Municipal Services

Note By (Greg) (20/04/2021 08.57 AM)

Greg forwarded this Enquiry to Stephen.Alegria@act.gov.au

Hi,

The below incident has been received through the ACT Government CRM.

Can you please respond to the customer's enquiry using the below form. When you respond it will be sent directly back to the customer's email.

If this is not for your area, please select "Reply to Staff Member" before submitting response. (If this option is not available, it will be sent back to the staff member by default, you will not need to manually select this)

Kind regards,

Access Canberra
Municipal Services

Note By Email (Greg) (20/04/2021 08.54 AM)

Greg forwarded this Enquiry to stephen.alegria@act.gov.au

Hi,

The below incident has been received through the ACT Government CRM.

Can you please respond to the customer's enquiry using the below form. When you respond it will be sent directly back to the customer's email.

If this is not for your area, please select "Reply to Staff Member" before submitting response. (If this option is not available, it will be sent back to the staff member by default, you will not need to manually select this)

Kind regards,

Access Canberra
Municipal Services

Customer By CSS Web [REDACTED] (19/04/2021 05.01 PM)

Good Afternoon Mr Alegria,

I refer to my correspondence on 26 March 2021 at 1501 to which I do not appear to have received a response nor have I received the requested records on the matter that predate 15 February 2021. The records predating 15 February 2021 were requested by me on 4 March 2020 at 2358 and were not supplied upon request at this time either.

It is most disappointing that the requested records are yet to be supplied and that on 26 March, it was explicitly asked for your advice and position on whether or not you had the intention on providing these. Whilst I certainly can request such records formally through the Freedom of Information Act 2016. As I understand, it is proper in the first instance to ask for the records, and if this request is denied or declined, then a formal FOI request can be lodged. To date, I am yet to receive advice that you are disinclined to provide the requested records. At the very least, a courtesy email which states your intentions regarding the records on the matter is not unreasonable.

Regards,

[REDACTED]

Note By Email (Michelle) (29/03/2021 08.32 AM)

Michelle forwarded this Enquiry to stephen.alegria@act.gov.au

Hi,

The below incident has been received through the ACT Government CRM.

Can you please respond to the customer's enquiry using the below form. When you respond it will be sent directly back to the customer's email.

If this is not for your area, please select "Reply to Staff Member" before submitting response. (If this option is not available, it will be sent back to the staff member by default, you will not need to manually select this)

Kind regards,

Access Canberra
Municipal Services

Customer By CSS Web [REDACTED] (26/03/2021 03.57 PM)

Good Afternoon Mr Alegria,

Thank you for your email received on 24 March at 1441.

Unfortunately, the matter is not yet closed in relation to Fix My Street request [REDACTED]. Per my email correspondence with you on 4 March 2021 at 2358, I brought to your attention that:

What I am rather concerned about it is how the email thread only commences on 15 February 2021, where are the records that pre-date 15 February and capture where the "consultation" between TCCS/Urban Trees and the ACT Road Transport Authority/Roads ACT began. Review of the Fix My Street request alludes to this communication commencing in around 2 or 3 February.

Where are these earlier records and why have they been omitted from me? As I have stated in the Fix My Street Request, I have deep concerns about the ACT Road Transport Authority/Roads ACT being biased and/or prejudiced in their approach because of TCCS/Urban Trees during this "consultation". This certainly does not reduce my concerns and in fact increases them when reviewing the thread in that on 22 February 2021, extracts from the Fix My Street Request from 4 November 2020 seem to be viewed in a manner of:

"the MOP has now raised the following concerns in response to the information he was provided regarding our inspection".

The records on the matter prior to 15 February have not been supplied to me. Please advise whether you have any intention on providing these.

Regards,

[REDACTED]

Note By CSS Web (Subject Matter Expert) (24/03/2021 02.47 PM)

Updated by SME (stephen.alegria@act.gov.au)

Information is being sent to the MOP outside of the CRM to provide continuity of information via an email chain on their request.

TCCS considers enquiries on this subject closed.

Response By Email (Subject Matter Expert) (22/03/2021 03.37 PM)

Dear [REDACTED]

I am advised that the status of the request has been changed to "updated".

Regards
Stephen

Note By (Katrina) (22/03/2021 12.57 PM)

Luke Halls called to change the status from "resolved" to "updated" as per client request (please see below communication 22/03/21 10:41am).

Note By Email (Michelle) (22/03/2021 10.55 AM)

Michelle forwarded this Enquiry to stephen.alegria@act.gov.au

Hi,

The below incident has been received through the ACT Government CRM.

Can you please respond to the customer's enquiry using the below form. When you respond it will be sent directly back to the customer's email.

If this is not for your area, please select "Reply to Staff Member" before submitting response. (If this option is not available, it will be sent back to the staff member by default, you will not need to manually select this)

Kind regards,

Access Canberra
Municipal Services

Customer By CSS Web [REDACTED] (22/03/2021 10.41 AM)

Good Morning Mr Alegria,

Thank you for acknowledgement received on Friday 19 March.

I note that this Fix My Street request has been marked as 'Resolved'. The matter is not yet resolved as I am awaiting further information per my correspondence on 5 March, and there will no doubt be further correspondence due to the Icon recommendation. Therefore, I must request that this Fix My Street request is not marked as resolved and closed until that be the case.

Regards,

[REDACTED]

Response By Email (Subject Matter Expert) (19/03/2021 01.16 PM)

Dear [REDACTED]

Your request of 5 March has been received. In light of the additional information you have now provided from Icon Water we will consider this as well and provide a response in due course.

Regards
Stephen

Note By Email (Michelle) (19/03/2021 09.33 AM)

Michelle forwarded this Enquiry to stephen.alegria@act.gov.au

Hi,

The below incident has been received through the ACT Government CRM.

Can you please respond to the customer's enquiry using the below form. When you respond it will be sent directly back to the customer's email.

If this is not for your area, please select "Reply to Staff Member" before submitting response. (If this option is not available, it will be sent back to the staff member by default, you will not need to manually select this)

Kind regards,

Access Canberra
Municipal Services

Customer By CSS Web [REDACTED] (18/03/2021 09.42 PM)

Good Evening Mr Alegria,

I refer to my correspondence in this request on 5 March 2021 to which I have not received acknowledgement that it has been received.

Further, I refer to the attached formal correspondence from Icon Water dated 5 March 2021 regarding sewage remediation works undertaken by Icon in February and March 2020 and their advice on this work including the residual risk of this dangerous tree. I draw your attention to the third paragraph in which Icon states and recommends:

"the works we have undertaken will not completely remedy the sewer blockages and tree root issues you and your neighbour may experience within your private sewer pipework and provide this letter in support of your Access Canberra application to have the tree permanently removed" .

A copy of this letter was attached and uploaded to Fix My Street [REDACTED] on 5 March 2021 and directed to the attention of Ms Rachael Dawes however as at 18 March, I am yet to receive acknowledgment by Ms Dawes of its receipt.

While Fix My Street [REDACTED] is a separate request to this request, I provide a copy of this correspondence from Icon and request you forward it to the Road Transport Authority/Roads ACT.

As I understand, given the dangerous tree at [REDACTED] impacts road infrastructure as well as essential water, gas, sewage and stormwater infrastructure, it is pertinent that you forward a copy to the Road Transport Authority/Roads ACT given that they too are an impacted infrastructure owners. The correspondence from Icon, including their recommendation for removal of the dangerous tree, should be brought to the attention of the Road Transport Authority/Roads ACT. It would have been my preference to do this myself. However, as established in this request, both Access Canberra and TCCS/Urban Trees have repeatedly denied me the right to communicate directly with the Road Transport Authority/Roads ACT on the matter. Therefore, I am left with little alternative other than to request you note receipt of this recommendation from Icon and forward it to the Road Transport Authority/Roads ACT.

I look forward in receiving a reply, and acknowledgement of receipt of Icon's correspondence and confirmation of it being forwarded to the Road Transport Authority/Roads ACT. Further, I look forward to the outstanding matter and provision of outstanding records and queries mentioned in my response on 5 March 2021, to be addressed and actioned.

Regards,

[REDACTED]

Note By Email (Michelle) (05/03/2021 08.44 AM)

Michelle forwarded this Enquiry to stephen.alegria@act.gov.au

Hi,

The below incident has been received through the ACT Government CRM.

Can you please respond to the customer's enquiry using the below form. When you respond it will be sent directly back to the customer's email.

If this is not for your area, please select "Reply to Staff Member" before submitting response. (If this option is not available, it will be sent back to the staff member by default, you will not need to manually select this)

Kind regards,

Access Canberra
Municipal Services

Customer By CSS Web ([REDACTED]) (05/03/2021 12.01 AM)

Good Evening Mr Alegria,

Thank you for your email received today at 1816.

In the interests of keeping continuity of records, I will be saving a PDF copy of the email thread including this response, to Fix My Street request [REDACTED].

What I am rather concerned about it is how the email thread only commences on 15 February 2021, where are the records that pre-date 15 February and capture where the "consultation" between TCCS/Urban Trees and the ACT Road Transport Authority/Roads ACT began. Review of the Fix My Street request alludes to this communication commencing in around 2 or 3 February.

Where are these earlier records and why have they been omitted from me? As I have stated in the Fix My Street Request, I have deep concerns about the ACT Road Transport Authority/Roads ACT being biased and/or prejudiced in their approach because of TCCS/Urban Trees during this "consultation". This certainly does not reduce my concerns and in fact increases them when reviewing the thread in that on 22 February 2021, extracts from the Fix My Street Request from 4 November 2020 seem to be viewed in a manner of:

"the MOP has now raised the following concerns in response to the information he was provided regarding our inspection".

Assuming that MOP refers to me as being a 'Member of the Public', I did not raise the concerns in response to the inspection, I clearly articulated the concerns on 4 November 2020. It was Access Canberra and TCCS/Urban Trees who intervened and denied this original request including the scope and terms, from getting to the ACT Road Transport Authority/Roads ACT.

Also, I note the dialogue between Mr Luke Halls and yourself on the inspection of the dangerous tree through Fix My Street Request [REDACTED] and would like to again draw your attention to the fact that Fix My Street Request [REDACTED] and [REDACTED] are separate requests and should be treated as such.

Regards,

[REDACTED]

Note By Email (Michelle) (19/02/2021 01.00 PM)

Michelle forwarded this Enquiry to stephen.alegria@act.gov.au

Hi,

The below incident has been received through the ACT Government CRM.

Can you please respond to the customer's enquiry using the below form. When you respond it will be sent directly back to the customer's email.

If this is not for your area, please select "Reply to Staff Member" before submitting response. (If this option is not available, it will be sent back to the staff member by default, you will not need to manually select this)

Kind regards,

Access Canberra
Municipal Services

Customer By CSS Web [REDACTED] (19/02/2021 12.58 PM)

Good Afternoon,

Regarding a copy and paste of the email response is there a reason to which the actual email correspondence between Stephen Alegria and Roads ACT/Road Transport Authority has not been attached in a readable form, such as a PDF.

What appears missing from this alleged response from Roads ACT/Road Transport Authority is any reference to the relevant ACT Government 'Design Standards for Urban Infrastructure' as this dangerous tree is violation of these standards for some of the following:

- Location to essential services infrastructure is not at the 1200mm as per the standards.
- Close proximity to the road and obscures the footpath forcing pedestrians to walk on the road as there is no footpath.
- [REDACTED] is a narrow and very curved cul-de-sac. The dangerous tree creates a blind spot for drivers reversing from their driveways, and vehicles on [REDACTED] [REDACTED] have their line of sight around the cul-de-sac obscured.

Further, these standards were in fact clearly articulated in the original request on 4 November 2020 to Roads ACT/Road Transport Authority.

What is of importance also is to ascertain what the dialogue was between TCCS/Urban Trees and Roads ACT/Road Transport Authority as I have very serious concerns to how a request from TCCS/Urban Trees was made and in what context; I fear that any request would prejudice the inspection and its approach to ensure TCCS/Urban Trees is able to get vague enough of a response to support the TCCS/Urban Trees position rather than an unbiased and objective opinion from Roads ACT/Road Transport Authority. Whilst I have no doubt my concerns and fears will be dismissed by TCCS/Urban Trees, it is clear from the vague alleged Roads ACT/Road Transport Authority response combined with its absence of consideration to design standards etc. that there is some plausible truth to my concerns; why else would this be omitted in Roads ACT/Road Transport Authority's response and why else would the email thread and dialogue between TCCS/Urban Trees and Roads ACT/Road Transport Authority be withheld from me?

Regards,

[REDACTED]

Response By Email (Subject Matter Expert) (19/02/2021 09.16 AM)

Hi [REDACTED]

I understand you could not access the attachment (which was a .msg email file) I have therefore cut and pasted the content below. The original email included a number of photos of the assets including the stormwater pit with lid removed etc, however these don't seem to be appearing in this response.

Regards

Stephen

There was no visible evidence of issues with any assets above ground, noting parts of the concrete driveway at [REDACTED] have been replaced. The gutters and road pavement appeared to be in good condition.

The stormwater pit located at the front of [REDACTED] was opened and there was no indication of any issues with blocked stormwater pipes in the area (I was advised that you would expect to see a build-up of debris etc if there were issues with blocked / partially blocked pipes).

Overall, the Roads assets in the area appear to be in good condition and do not appear to be adversely affected by the trees in the area.

Note By Email (Michelle) (19/02/2021 08.48 AM)

Michelle forwarded this Enquiry to stephen.alegria@act.gov.au

Hi Stephen,

Can you please resend the attachment to [REDACTED] as a response rather than a private note, as he does not have access to see private notes.

Kind regards,

Access Canberra
Municipal Services

Customer By CSS Web ([REDACTED]) (18/02/2021 04.23 PM)

Good Afternoon,

The response on 16 February 2021 alludes to "attached correspondence". There is no attached correspondence to this Fix My Street Request regarding the inspection undertaken by Roads ACT. The only correspondence attached to the this request is an attachment I uploaded on 29 January 2021 as request by Katrina.

Regards,

[REDACTED]

Response By Email (Michelle) (16/02/2021 04.19 PM)

Dear [REDACTED]

Roads ACT officers have conducted an inspection of [REDACTED] and have provided the attached correspondence. In summary, they have no concerns with Roads ACT assets within the vicinity. I hope this will allay your concerns.

I have been advised that the Urban Treescapes team will conduct their assessment this week and their report will be provided to you thereafter, as previously agreed.

Thank you

Stephen Alegria
TCCS City Presentation

Note By CSS Web (Subject Matter Expert) (16/02/2021 04.01 PM)

Updated by SME (stephen.alegria@act.gov.au)

Dear [REDACTED]

Roads ACT officers have conducted an inspection of [REDACTED] and have provided the attached correspondence. In summary, they have no concerns with Roads ACT assets

within the vicinity. I hope this will allay your concerns.

I have been advised that the Urban Treescapes team will conduct their assessment this week and their report will be provided to you thereafter, as previously agreed.

Thank you

Stephen Alegria
TCCS City Presentation

Response By Email (Michelle) (09/02/2021 09.09 AM)

Dear [REDACTED]

Thank you for contacting Access Canberra regarding this issue.
Please see below note below from the investigating team.

Dear [REDACTED]

Thank you for your patience. I have consulted with colleagues at Roads ACT who have undertaken to committed assess road-related infrastructure in the [REDACTED] area. Please note, this will not incorporate a tree assessment but will focus on infrastructure which sits within Roads ACT responsibility (for example, pavement, kerb and gutter, stormwater). Roads ACT Officers will undertake the assessment in the week of beginning 08/02/2021. I will provide further information to you regarding their assessment the week of the 15/02/2021, following their advice to me.

As noted in previous correspondence to you, the tree at [REDACTED] will be assessed mid-February by a skilled member of our Urban Treescapes team. I have been advised that the Team will provide the assessment report to you following the completion of this activity.

Regards
Stephen Alegria

If the issue is not resolved to your satisfaction or to update your submission with any further details, you may reopen it within 60 days via the 'Your Account' section at www.accesscanberra.act.gov.au.

Regards,
Municipal Services Team
Access Canberra

Customer By CSS Web (Todd Lynch) (08/02/2021 05.33 PM)

Good Afternoon,

Just following up per the Communication History on Friday 5 February at 1640.

Apologies but I cannot read the content, the writing is absolutely microscopic in size and is illegible. Can you please re-send this advice and make sure it is legible?

Apologies for the inconvenience.

Regards,

[REDACTED]

Response By Email (Pauline) (05/02/2021 04.40 PM)

Dear [REDACTED]

Thank you for contacting Access Canberra regarding this issue.
Please see below note below from the investigating team.

Dear [REDACTED]

Thank you for your patience. I have consulted with colleagues at Roads ACT who have undertaken to committed assess road-related infrastructure in the [REDACTED] area. Please note, this will not incorporate a tree assessment but will focus on infrastructure which sits within Roads ACT responsibility (for example, pavement, kerb and gutter, stormwater). Roads ACT Officers will undertake the assessment in the week of beginning 08/02/2021. I will provide further information to you regarding their assessment the week of the 15/02/2021, following their advice to me.

As noted in previous correspondence to you, the tree at [REDACTED] will be assessed mid-February by a skilled member of our Urban Treescapes team. I have been advised that the Team will provide the assessment report to you following the completion of this activity.

Regards
Stephen Alegria

If the issue is not resolved to your satisfaction or to update your submission with any further details, you may reopen it within 60 days via the 'Your Account' section at www.accesscanberra.act.gov.au
Regards,
Municipal Services Team
Access Canberra

Note By CSS Web (Subject Matter Expert) (05/02/2021 03.44 PM)

Updated by SME (stephen.alegria@act.gov.au)

Dear [REDACTED]

Thank you for your patience. I have consulted with colleagues at Roads ACT who have undertaken to committed assess road-related infrastructure in the [REDACTED] area. Please note, this will not incorporate a tree assessment but will focus on infrastructure which sits within Roads ACT responsibility (for example, pavement, kerb and gutter, stormwater). Roads ACT Officers will undertake the assessment in the week of beginning 08/02/2021. I will provide further information to you regarding their assessment the week of the 15/02/2021, following their advice to me.

As noted in previous correspondence to you, the tree at [REDACTED] will be assessed mid-February by a skilled member of our Urban Treescapes team. I have been advised that the Team will provide the assessment report to you following the completion of this activity.

Regards
Stephen Alegria

Note By Email (Katrina) (05/02/2021 03.40 PM)

Katrina forwarded this Enquiry to stephen.alegria@act.gov.au

Hi Stephen

Please see below notes from CMT regarding a call made by [REDACTED]

Thank you

Katrina

Access Canberra Contact Centre

Note By Email (Eloise) (05/02/2021 03.08 PM)

From: Dillon, Eloise

Sent: Friday, 5 February 2021 3:08 PM

To: CCLT <CCLT@act.gov.au>

Cc: AccessCanberraCMT <AccessCanberraCMT@act.gov.au>

Subject: [REDACTED] - [REDACTED]

OFFICIAL

Hey TL's,

I hope you are all well!

I spoke with [REDACTED] this afternoon regarding his complaint, just giving you a heads up as it is still in the municipal queue and Katrina has had quite a lot of contact with him.

His service complaint related to broader conduct issues and ACT Govt as a whole so he has been directed to the ACT Ombudsman and his other matters are TCCS jurisdiction so no action from CMT.

Happy to discuss if you have any questions.

Kind regards,

Eloise

Eloise Dillon | Case Manager | Complaints Management Team

Phone: 13 22 81 | Email: Eloise.Dillon@act.gov.au

Access Canberra | Chief Minister Treasury and Economic Development Directorate | ACT Government

GPO Box 158, Canberra, ACT, 2601 | www.act.gov.au/accesscbr



Note By (Eloise) (05/02/2021 02.59 PM)

Phoned [REDACTED] back and informed him his complaint should be directed to the ACT Ombudsman. [REDACTED] thanked me for the advice and call terminated at 2:50pm

Note By (Eloise) (05/02/2021 02.45 PM)

Received call via contact centre from [REDACTED] requesting advice on lodging service complaint and follow up on matter. Advised [REDACTED] the incident is a TCCS matter and outside of Access Canberra's jurisdiction however I would seek advice from a manager regarding the service complaint about ACT Government and return his call. Spoke with Tim Boulton and advice is to direct [REDACTED] to ACT Ombudsman as his concerns relate to the conduct of the ACT Government.

Note By Email (Michelle) (04/02/2021 08.15 AM)

Michelle forwarded this Enquiry to stephen.alegria@act.gov.au

Hi,

The below incident has been received through the ACT Government CRM.

Can you please respond to the customer's enquiry using the below form. When you respond it will be sent directly back to the customer's email.

If this is not for your area, please select "Reply to Staff Member" before submitting response. (If this option is not available, it will be sent back to the staff member by default, you will not need to manually select this)

Kind regards,

Access Canberra
Municipal Services

Customer By CSS Web ([REDACTED]) (03/02/2021 11.29 PM)

Good Evening Stephen,

Naturally this matter is great concern to me, and like any reasonable person; I take the safety and wellbeing of my family, our home, our neighbours and the community very seriously.

As repeatedly highlighted to Katrina from Access Canberra, via telephone and through this Fix My Street Request, on 4 November 2020, the request was lodged and clearly articulated that it was relevant to Roads ACT/Road Transport Authority including the reasons why and municipal infrastructure standards they were being asked to comment on which are impacted by the dangerous tree at [REDACTED]. The reason I lodged this request was it was very clear in correspondence issued by you on 4 November 2020, relating to Ref [REDACTED] and clearly stated "the infrastructure

owners, ICON and Roads ACT, have not contacted us in relation to this tree". On 5 November 2020, Access Canberra advised the matter would be referred to the Road Transport Authority/Roads ACT for investigation and a response.

So, I am at a complete loss as to why, between Access Canberra and your office, there is a blatant refusal to have Roads ACT/Road Transport Authority inspect their assets which are impacted, and to write to TCCS/Urban Trees with consideration to their asset and to do this without undue influence, pressure and biases. At no stage in this request have I requested that you consult with "relevant areas of Government in relation to this matter". I did formally request this in matter [REDACTED] prior to November 2020, and multiple times, yet both yourself and your Assistant Director, Ms Samantha Ning were not willing to do this.

Further, it was advised on 1 February 2021, by Katrina from Access Canberra, that Mr Luke Halls would have the matter referred to him; nothing that Mr Halls is not a part of Roads ACT/Road Transport Authority and as I understand is your manager. Katrina provided the caveat that Mr Halls had stated "a decision had been made about the tree" and implied that decision would not be overturned; too me this shows further evidence of very clear bias in TCCS/Urban Trees/City Presentations - also I am bemused why such an upfront statement would be made prior to Roads ACT/Road Transport Authority being able to inspect their asset and the dangerous tree and write to Urban Trees with their findings.

Perhaps you can explain why, a reasonable request to Roads ACT/Road Transport Authority is being denied in having them attend to request and reply to me directly as originally requested and confirmed by Access Canberra on 5 November 2020.

Further, you have stated you will be "consulting" with relevant areas of Government, I would like to know more about how the term "consulting" is used and what "relevant areas of Government" you mean? Also, I am keen to know what information is exchanged during this consultation and whether it would prejudice the direction of the conversation with those "relevant areas of Government"?

Regards,

[REDACTED]

Response By Email (Subject Matter Expert) (03/02/2021 09.26 AM)

Good morning [REDACTED]

I am sorry that this issue remains of concern to you.

We are in the process of reviewing correspondence and consulting relevant areas of Government in relation to this matter to ensure we can provide a satisfactory response to you. My intention is to provide a response by the end of this week.

I appreciate your patience.

Regards

Stephen Alegria

Note By Email (Katrina) (02/02/2021 04.07 PM)

Katrina forwarded this Enquiry to stephen.alegria@act.gov.au

Hi,

The below incident has been received through the ACT Government CRM.

Can you please respond to the customer's enquiry using the below form. When you respond it will be sent directly back to the customer's email.

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Kind regards,

Access Canberra
Municipal Services

Customer By CSS Web ([REDACTED]) (02/02/2021 03.57 PM)

Good Afternoon Katrina,

Thank you for your voicemail message and response. Apologies, I was in a meeting.

I note that when logging into my Fix My Street Account this request has been marked as "Resolved". This request is certainly not resolved. I am yet to see any evidence that Roads ACT/Road Transport Authority have inspected the dangerous tree as requested.

Whilst I certainly acknowledge that from an Access Canberra perspective that you cannot do anything further, I am baffled and bemused that yesterday's advice was Luke Halls would be taking custody of the matter, and today the advice has changed, without explanation to the matter will be forwarded to Stephen Alegria.

Also, I would like to again highlight that it was Stephen Alegria who was the representative who refused to consider removal to remove the dangerous tree as "the infrastructure owners, ICON and Roads ACT, have not contacted us in relation to this tree". This is the very reason why I lodged this Fix My Street Request, to have Roads ACT/Road Transport Authority inspect the dangerous tree and write to Urban Trees accordingly and with consideration to risk of the dangerous tree as it applies to the infrastructure and with consideration to the ACT Government design and municipal standards.

It certainly seems to be the case that my reasonable request for this Fix My Street Request to be sent to Roads ACT/Road Transport Authority has been denied and without a legitimate reason and explanation as to why.

How is it that a reasonable constituent is persistently denied the right to engage in

dialogue for a legitimate and reasonable request, and then agencies of the ACT Government persistently shift the narrative and raise the benchmark, then deny that constituent the right to have their request be addressed by the appropriate agency. In this case, the request is to Roads ACT/Road Transport Authority yet here we are, the request as gone to Urban Trees, again, and then closed off

Response By Email (Katrina) (02/02/2021 03.30 PM)

Good afternoon [REDACTED]

I have just tried to reach your mobile and it has gone to voicemail, where I have left a message for you.

Please be advised this is as far as I can assist you and from this point forward to address any further correspondence/enquiries to the Executive Branch Manager, City Presentation, Stephen Alegria.

Thank you

Regards,

Katrina | Team Leader
 Contact Centre | Access Canberra
 Chief Minister Treasury and Economic Development Directorate | ACT Government
 GPO Box 158, Canberra ACT 2601 | www.act.gov.au/accessCBR

Note By (Katrina) (02/02/2021 03.30 PM)

As discussed with Luke Halls, all future correspondence/enquiries to be SME'd across to Stephen.Alegria@act.gov.au

Thank you.

I have left a message on [REDACTED] phone to this effect and will now send hm an email.

Note By (Katrina) (01/02/2021 02.41 PM)

Note from Luke Halls, with respect to [REDACTED] response:

Point of clarification, Roads may inspect a footpath or other assets if they are concerned and they exist at that location. Street trees are the responsibility of Urban Treescapes and decisions to maintain or remove them are subject to their assessment and management.

Not sure where the impression noted highlighted section below has come from.

Can you please add to file notes? As discussed, I will obtain further background from Racheal and Stephen and provide more information when I have it.

Note By Email (Pauline) (01/02/2021 01.52 PM)

Pauline forwarded this Enquiry to TCCS.CPUTSouth@act.gov.au

Hi,

The below incident has been received through the ACT Government CRM.

Can you please respond to the customer's enquiry using the below form. When you respond it will be sent directly back to the customer's email.

If this is not for your area, please select "Reply to Staff Member" before submitting response. (If this option is not available, it will be sent back to the staff member by default, you will not need to manually select this)

Kind regards,

Access Canberra
Municipal Services

Customer By CSS Web ([REDACTED]) (01/02/2021 12.30 PM)

Katrina, Team Leader from Access Canberra called 01/02/2021 at 1148. Katrina advised she has spoken with "Luke Halls, Director Business Support City Presentation" and that he will be requesting the Road Transport Authority/Roads ACT to inspect the tree, though "a decision has been made about the tree".

Advised Katrina that is my expectation, that when the Roads Transport Authority/Roads ACT inspect the dangerous tree at [REDACTED] that they inspect it with an objective and open minded consideration to their asset, being the road and verge which is affected and impacted, along with the underground water, gas, sewage and storm water infrastructure that is affected by the dangerous tree as established in the 'Access Canberra Plumbing Tie Search' which the dangerous tree sits on top of and will severely damage if it falls. Further, advised that an inspection and report to TCCS/Urban trees by the Road Transport Authority/Roads ACT be done with consideration to the ACT Government Municipal Infrastructure standards as stated on 4 November 2020 and again on 29 January 2021, standards that this dangerous tree is in violation of.

Further, advised it was my expectation that any decision to not remove the dangerous tree was one made by TCCS/Urban Trees in which they had stated they had not been contacted by Roads ACT/Road Transport Authority and that any decision by TCCS/Urban Trees should not impact nor influence the outcome of Roads ACT/Road Transport Authority being honest and objective.

When asking which member of TCCS/Urban Trees closed this request off on 25 January 2021 with details "Staff Account (Subject Matter Expert) via channel 'Email'" - Katrina advised Luke Halls had told her that it was an automated closure message. I objected to this and stated the closure would had to have been initiated by someone and the message itself was very detailed, so someone in TCCS/Urban Trees would had to have

known or looked for through a separate Fix My Street Request for this information. The excuse given by Katrina was "there are lots of automated pre-filled messages that can be sent out as Luke advised". I still disagreed that such an automated message would be knowing of the intricate details of a separate Fix My Street Request to TCCS/Urban Trees, and this request [REDACTED] was clearly directed to the Road Transport Authority/Roads ACT, and someone in other ACT Government office has sent it to TCCS/Urban Trees who have then closed it off.

It is my expectation to find out who in TCCS/Urban Trees, took this request [REDACTED] [REDACTED] which was clearly marked to the Road Transport Authority/Roads ACT, and closed it off as that is unacceptable.

It is most disappointing that as at 1 February 2021, when this request to Road Transport Authority/Roads ACT which was lodged on 4 November 2020, will finally be sent from Luke Halls to the Road Transport Authority/Roads ACT. When articulating this to Katrina, the advise given was I have to await the outcome of the RTA/Roads ACT inspection and then a complaint can be lodged to some complaints team to look at. However I very much doubt and fear any internal review by Access Canberra/ACT Government will not be performed objectively and impartially and carried out with a pre-determined view to protect the Government in their failure of delivering reasonable services, than any reasonable constituent and person ought to expect.

Note By Email (Katrina) (01/02/2021 11.29 AM)

Katrina forwarded this Enquiry to Luke.Halls@act.gov.au

Thank you Luke

Note By (Katrina) (29/01/2021 04.10 PM)

[REDACTED] is not happy with the fact the he never received a response in writing from Roads ACT.

I have advised him I could not get a hold of Senior Director for TMS or from Trees. I advised him I would call him back Monday with an update.

Note By Email (Michelle) (29/01/2021 03.37 PM)

Michelle forwarded this Enquiry to David.Griffin@act.gov.au

Hi,

The below incident has been received through the ACT Government CRM.

Can you please respond to the customer's enquiry using the below form. When you respond it will be sent directly back to the customer's email.

If this is not for your area, please select "Reply to Staff Member" before submitting response. (If this option is not available, it will be sent back to the staff member by default, you will not need to manually select this)

Kind regards,

Access Canberra
Municipal Services

Note By (T-C-C-S FME Integ User) (29/01/2021 03.31 PM)

Assetic Work Request WR14465 has been rejected by Simone Taurasi
Comments: Please redirect as this relates to a dangerous tree

Note By CSS Web (Subject Matter Expert) (29/01/2021 02.53 PM)

Updated by SME (Michael.Rootsey@act.gov.au)

Refer to David Griffin [UTS], Not a Roads Maintenance issue

Customer By CSS Web ([REDACTED]) (29/01/2021 02.47 PM)

Adding attachment '2020.11 Email Thread - Executive Branch Manager City
Presentations TCCS'

Customer By CSS Web ([REDACTED]) (29/01/2021 02.46 PM)

Hi Katrina,

Thank you for speaking with me just now. As requested, please find attached the email thread from November 2020 in which TCCS Executive Branch Manager City Presentations clearly states on 4 November 2020 that "the infrastructure owners, ICON and Roads ACT, have not contacted us in relation to this tree". This is why on 4 November 2020, I lodged this request with Access Canberra to escalate to the Roads ACT/Road Transport Authority, as the infrastructure owners, to inspect the dangerous tree and write to TCCS/Urban Trees accordingly and with consideration as the asset owners, of the tree and its risk to assets, and in line with the appropriate planning standards being:

- The tree is not a suitable species per the ACT Government Municipal Infrastructure Standard 25 'Plant Species for Urban Landscape Projects' states the tree, being a *Eucalyptus nicholii*, is a "deleted species "as it is "prone to bark included branch unions that tend to fail".
- The tree is not suitable per the ACT Design Standards for Urban Infrastructure (attached) which states the tree is not suitable for urban settings, and that the species needs pruning especially when young which it did not receive and has only been pruned in 2017 and 2020; it was planted in the mid 1980s.
- The tree is in an unsuitable position as it is located immediately on top of essential water, gas, sewage and stormwater infrastructure services, including our service ties from our homes to the street. The ACT Government Municipal Infrastructure Standard 06 'Verges', states that "service ties are susceptible to tree root intrusion and must be located as far as practical from the root zone", further, this standard also establishes

standards for minimal distances to service ties and underground services. Attached is a copy of the Access Canberra Plumbing Tie search as evidence.

- The tree's decline was first reported in 2017 where large portions of its root system were disturbed when TCCS removed a large portion underneath the driveways at ours and our neighbours homes to replace the damaged concrete caused by the tree. Several large limbs were removed by TCCS at this time as they were dead.
- The tree's root system was again interfered with in February of this year to undertake major work on the sewage system which Icon Water found this tree had significant root infiltration in the system. Icon Water agreed that there is no guarantee this tree will not infiltrate the new sewage lines which are suspectable at the service ties on top of the risk to the water and stormwater lines which are the original infrastructure.
- Removal of the tree will provide an absolute assurance and eliminate realising risks of damage to: people and property, traffic using the road underneath the tree, continuity of essential water, gas, sewage and storm water infrastructure. I work in risk advisory and when I use my risk tools, the risk rating applied to this tree is a severe consequence with a possible likelihood, the overall risk rating is significant and this can be eliminated by removal of the tree.

Customer By CSS Web ([REDACTED]) (29/01/2021 02.41 PM)

On 29 January at 1348 call Access Canberra back on 13 22 81 regarding disconnected call at 1313. Speak with Nicholas. Call escalated to Katrina.

Note By (Tomasi) (29/01/2021 02.26 PM)

After speaking with Michael Rootsey he advised me to forward this job to David Griffin.

Note By (Nicholas) (29/01/2021 02.09 PM)

PLEASE REMOVE THE TREE WHICH IS CLOSEST TO [REDACTED] RICHARDSON. RIGHT BEHIND THE LETTER BOX. PLEASE CALL [REDACTED] TO DISCUSS THE LACK OF SERVICE. URGENT.

Note By (T-C-C-S FME Integ User) (29/01/2021 02.05 PM)

Assetic Work Request WR14465 has been created
Messages including initial enquiry. private notes and customer responses were also brought across

Customer By CSS Web ([REDACTED]) (29/01/2021 01.55 PM)

On 29 January 2021, call Access Canberra on 13 22 81 at 1313. Call connected to "Tom" who original advises I need to speak with Urban Trees but after explaining the original request advises he will transfer me to "Municipal Services" and places me on hold for 28 minutes. Tom returns to call and asks "are you there" which I reply "yes I am, after nearly 30 minutes of waiting" and then Tom immediately disconnects the call.

Note By (Michelle) (29/01/2021 01.42 PM)

██████████ is wanting a response from ACT Roads and not Urban Trees.

Note By Email (Michelle) (29/01/2021 01.41 PM)

Michelle forwarded this Enquiry to Michael.Rootsey@act.gov.au

Hi,

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Kind regards,

Access Canberra
Municipal Services

Customer By CSS Web (██████████) (25/01/2021 10.24 AM)

Good Morning,

The response received at 1009 on 25/01/2021 is from 'Urban Treescapes' and not Roads ACT/ACT Road Transport Authority. At no stage have I asked for TCCS/Urban Treescapes in this request to provide commentary on the matter and it appears that the request has been forwarded to the incorrect area of the ACT Government.

Per the original request on 04/11/2020, I clearly stated that "I am requesting that the Road Transport Authority/Roads ACT inspect the dangerous tree and write to TCCS accordingly to highlight the risks and hazards this dangerous tree poses to the safety of road users, both vehicles and pedestrians, and to road infrastructure; and confirming that its removal will eliminate all associated risks and hazards whilst."

Rather than send this Fix My Street Request to TCCS/Urban Treescapes to immediately close it off, can the Road Transport Authority/Roads ACT inspect the dangerous tree at ██████████ ACT 2905 and write to TCCS accordingly? Part of the highly biased narrative from TCCS is that they will not consider removing the dangerous tree because the Road Transport Authority/Roads ACT have not written to them on the matter.

Therefore, again, I am seeking the Road Transport Authority/Roads ACT to inspect the dangerous tree and write to TCCS accordingly based upon the risk factors of the dangerous tree along with it's breach of 'Design Standards for Urban Infrastructure', including:

- Location to essential services infrastructure is not at the 1200mm as per the standards.

- Close proximity to the road and obscures the footpath forcing pedestrians to walk on the road as there is no footpath.
- [REDACTED] is a narrow and very curved cul-de-sac. The dangerous tree creates a blind spot for drivers reversing from their driveways, and vehicles on [REDACTED] [REDACTED] have their line of sight around the cul-de-sac obscured.

Kind Regards,

Response By Email (Subject Matter Expert) (25/01/2021 10.09 AM)

As per our correspondence on 27 November 2020, TCCS will not be removing the tree and intend to revisit the tree in mid-February and again in February 2022 to carry out an assessment of the tree.

Thank you
Urban Treescapes

Note By CSS Web (Subject Matter Expert) (25/01/2021 07.22 AM)

Updated by SME (Michael.Rootsey@act.gov.au)

The Driveway repairs have been completed under Defect # [REDACTED] Refer to David Griffin [UTS] to respond to Tree removal enquiry.

Note By Email (Michelle) (22/01/2021 09.39 AM)

Michelle forwarded this Enquiry to Michael.Rootsey@act.gov.au

Hi,

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Kind regards,

Access Canberra
Municipal Services

Customer By CSS Web ([REDACTED]) (22/01/2021 04.30 AM)

Good Evening Municipal Services Team,

I am following up on the below request [REDACTED] as I have not been contacted by RoadsACT on the matter not have I received a written response.

I would be most appreciative if I could be contacted on [REDACTED] and advised of the status of this matter and establish what the expected turn around will be to receive a formal written response.

Kind Regards,

[REDACTED]

Note By Email (Greg) (05/11/2020 03.59 PM)

Greg forwarded this Enquiry to Michael.Rootsey@act.gov.au

Hi,

The below incident has been received through the ACT Government CRM.

Can you please respond to the customer's enquiry using the below form. When you respond it will be sent directly back to the customer's email.

If this is not for your area, please select "Reply to Staff Member" before submitting response. (If this option is not available, it will be sent back to the staff member by default, you will not need to manually select this)

Kind regards,

Access Canberra
Municipal Services

Note By CSS Web (Subject Matter Expert) (05/11/2020 03.31 PM)

Updated by SME (Martin.Healand@act.gov.au,Shium.Reza@act.gov.au)

For Michael Rootsey - not in my work zone.

Response By Email (Greg) (05/11/2020 11.18 AM)

Hi [REDACTED]

Thank you for contacting Access Canberra about this issue.

I have forward this request to Roads ACT and to the investigating officer and manager for them to respond.

To update your submission with any further details you may reopen it within 60 days via the 'Your Account' section at www.accesscanberra.act.gov.au.

Kind regards,

Municipal Services Team
Access Canberra

Note By Email (Greg) (05/11/2020 11.10 AM)

Greg forwarded this Enquiry to Martin.Healand@act.gov.au, Shium.Reza@act.gov.au

Hi,

The below incident has been received through the ACT Government CRM.

Can you please respond to the customer's enquiry using the below form. When you respond it will be sent directly back to the customer's email.

If this is not for your area, please select "Reply to Staff Member" before submitting response. (If this option is not available, it will be sent back to the staff member by default, you will not need to manually select this)

Kind regards,

Access Canberra
Municipal Services

Customer By CSS Web ([REDACTED]) (04/11/2020 10.09 AM)

I am writing to the ACT Road Transport Authority to lodge a complaint about a dangerous ACT Government street tree at [REDACTED] ACT 2905. I am a resident at [REDACTED]

Over the past 10 months, I have been in a bureaucratic nightmare with Transport Canberra & City Services to remove the dangerous tree. Despite the dangerous tree not being in a state of full health and having been in decline since first reported to TCCS by our neighbours in 2017, TCCS will not remove the dangerous tree despite this request being reasonable and in line with their policy and framework on street tree removal. TCCS are shifting the narrative of why they will not remove the dangerous tree and are now saying that because the Road Transport Authority/Roads ACT has not contacted them about the dangerous tree then it will not be removed.

When the dangerous tree falls, the direction it is leaning means it will likely fall on top of the road and completely obstruct the street which is a narrow and very curved cul-de-sac; there is a risk the tree will fall onto vehicles and/or people as well. The dangerous tree is located immediately on top of essential water, gas, sewage and storm

water infrastructure and it will sever these essential services as well. The dangerous tree consistently drops branches and limbs onto the road and travelling vehicles which creates a risk as well. The cost to the ACT Government when the dangerous tree falls and in public liability costs will far exceed the cost of its removal.

Also, having reviewed the ACT Government 'Design Standards for Urban Infrastructure', this dangerous tree is in violation of these standards for the following reasons:

- Location to essential services infrastructure is not at the 1200mm as per the standards.
- Close proximity to the road and obscures the footpath forcing pedestrians to walk on the road as there is no footpath.
- [REDACTED] is a narrow and very curved cul-de-sac. The dangerous tree creates a blind spot for drivers reversing from their driveways, and vehicles on [REDACTED] [REDACTED] have their line of sight around the cul-de-sac obscured.

I am requesting that the Road Transport Authority/Roads ACT inspect the dangerous tree and write to TCCS accordingly to highlight the risks and hazards this dangerous tree poses to the safety of road users, both vehicles and pedestrians, and to road infrastructure; and confirming that its removal will eliminate all associated risks and hazards whilst.

I look forward in hearing from your office at your earliest convenience.

Additional Incident Details (if available)

Status: Forwarded to SME

Category: Other

Type of Correspondence: Complaint

Street:

Suburb: [REDACTED]

Postal Code:

Contact Information

First Name: [REDACTED]

Last Name: [REDACTED]

Email Address: [REDACTED]

Phone Number:



Access
Canberra.

Incident details

Subject: ACT Government street tree at [REDACTED] ACT, 2905 is a road and traffic hazard

Date Created: 04/11/2020 10:09:46

Category: Transport, Road & Traffic

Google URL: [REDACTED] ACT 2905 ([http://maps.google.com.au/maps?q=\[REDACTED\]](http://maps.google.com.au/maps?q=[REDACTED]))

Customer details

First Name: [REDACTED]

Last Name: [REDACTED]

Mobile Phone: [REDACTED]

Home Phone: [REDACTED]

Correspondence

Discussion Thread

Note (Greg Newham)

20/04/2021 11.52 AM

Greg forwarded this Enquiry to Luke.Halls@act.gov.au

Hi,

The below incident has been received through the ACT Government CRM.

Can you please respond to the customer's enquiry using the below form. When you respond it will be sent directly back to the customer's email.

If this is not for your area, please select "Reply to Staff Member" before submitting response. (If this option is not available, it will be sent back to the staff member by default, you will not need to manually select this)

Kind regards,

Access Canberra
Municipal Services

Note (Greg Newham)

20/04/2021 08.57 AM

Greg forwarded this Enquiry to Stephen.Alegria@act.gov.au

Hi,

The below incident has been received through the ACT Government CRM.

Can you please respond to the customer's enquiry using the below form. When you respond it will be sent directly back to the customer's email.

If this is not for your area, please select "Reply to Staff Member" before submitting response. (If this option is not available, it will be sent back to the staff member by default, you will not need to manually select this)

Kind regards,

Access Canberra

Municipal Services

Note (Greg Newham)

20/04/2021 08.54 AM

Greg forwarded this Enquiry to stephen.alegria@act.gov.au

Hi,

The below incident has been received through the ACT Government CRM.

Can you please respond to the customer's enquiry using the below form. When you respond it will be sent directly back to the customer's email.

If this is not for your area, please select "Reply to Staff Member" before submitting response. (If this option is not available, it will be sent back to the staff member by default, you will not need to manually select this)

Kind regards,

Access Canberra
Municipal Services

Customer [REDACTED]

19/04/2021 05.01 PM

Good Afternoon Mr Alegria,

I refer to my correspondence on 26 March 2021 at 1501 to which I do not appear to have received a response nor have I received the requested records on the matter that predate 15 February 2021. The records predating 15 February 2021 were requested by me on 4 March 2020 at 2358 and were not supplied upon request at this time either.

It is most disappointing that the requested records are yet to be supplied and that on 26 March, it was explicitly asked for your advice and position on whether or not you had the intention on providing these. Whilst I certainly can request such records formally through the Freedom of Information Act 2016. As I understand, it is proper in the first instance to ask for the records, and if this request is denied or declined, then a formal FOI request can be lodged. To date, I am yet to receive advice that you are disinclined to provide the requested records. At the very least, a courtesy email which states your intentions regarding the records on the matter is not unreasonable.

Regards,

[REDACTED]

Note (Michelle Mattick)

29/03/2021 08.32 AM

Michelle forwarded this Enquiry to stephen.alegria@act.gov.au

Hi,

The below incident has been received through the ACT Government CRM.

Can you please respond to the customer's enquiry using the below form. When you respond it will be sent directly back to the customer's email.

If this is not for your area, please select "Reply to Staff Member" before submitting response. (If this option is not available, it will be sent back to the staff member by default, you will not need to manually select this)

Kind regards,

Access Canberra
Municipal Services

Customer [REDACTED]

26/03/2021 03.57 PM

Good Afternoon Mr Alegria,

Thank you for your email received on 24 March at 1441.

Unfortunately, the matter is not yet closed in relation to Fix My Street request [REDACTED]. Per my email correspondence with you on 4 March 2021 at 2358, I brought to your attention that:

What I am rather concerned about it is how the email thread only commences on 15 February 2021, where are the records that pre-date 15 February and capture where the "consultation" between TCCS/Urban Trees and the ACT Road Transport Authority/Roads ACT began. Review of the Fix My Street request alludes to this communication commencing in around 2 or 3 February.

Where are these earlier records and why have they been omitted from me? As I have stated in the Fix My Street Request, I have deep concerns about the ACT Road Transport Authority/Roads ACT being biased and/or prejudiced in their approach because of TCCS/Urban Trees during this "consultation". This certainly does not reduce my concerns and in fact increases them when reviewing the thread in that on 22 February 2021, extracts from the Fix My Street Request from 4 November 2020 seem to be viewed in a manner of:

"the MOP has now raised the following concerns in response to the information he was provided regarding our inspection".

The records on the matter prior to 15 February have not been supplied to me. Please advise whether you have any intention on providing these.

Regards,

[REDACTED]

Note (Subject Matter Expert)

24/03/2021 02.47 PM

Updated by SME (stephen.alegria@act.gov.au)

Information is being sent to the MOP outside of the CRM to provide continuity of information via an email chain on their request.

TCCS considers enquiries on this subject closed.

Auto Response (Administrator -)

22/03/2021 03.37 PM

Please see below response in relation to your feedback submitted to the ACT Government.

Response (Subject Matter Expert)

22/03/2021 03.37 PM

Dear [REDACTED]

I am advised that the status of the request has been changed to "updated".

Regards

Stephen

Note (Katrina Lauro)

22/03/2021 12.57 PM

Luke Halls called to change the status from "resolved" to "updated" as per client request (please see below communication 22/03/21 10:41am).

Note (Michelle Mattick)

22/03/2021 10.55 AM

Michelle forwarded this Enquiry to stephen.alegria@act.gov.au

Hi,

The below incident has been received through the ACT Government CRM.

Can you please respond to the customer's enquiry using the below form. When you respond it will be sent directly back to the customer's email.

If this is not for your area, please select "Reply to Staff Member" before submitting response. (If this option is not available, it will be sent back to the staff member by default, you will not need to manually select this)

Kind regards,

Access Canberra
Municipal Services

Customer [REDACTED]

22/03/2021 10.41 AM

Good Morning Mr Alegria,

Thank you for acknowledgement received on Friday 19 March.

I note that this Fix My Street request has been marked as 'Resolved'. The matter is not yet resolved as I am awaiting further information per my correspondence on 5 March, and there will no doubt be further correspondence due to the Icon recommendation. Therefore, I must request that this Fix My Street request is not marked as resolved and closed until that be the case.

Regards,

Auto Response (Administrator -)

19/03/2021 01.16 PM

Please see below response in relation to your feedback submitted to the ACT Government.

Response (Subject Matter Expert)

19/03/2021 01.16 PM

Dear Mr [REDACTED]

Your request of 5 March has been received. In light of the additional information you have now provided from Icon Water we will consider this as well and provide a response in due course.

Regards

Stephen

Note (Michelle Mattick)

19/03/2021 09.33 AM

Michelle forwarded this Enquiry to stephen.alegria@act.gov.au

Hi,

The below incident has been received through the ACT Government CRM.

Can you please respond to the customer's enquiry using the below form. When you respond it will be sent directly back to the customer's email.

If this is not for your area, please select "Reply to Staff Member" before submitting response. (If this option is not available, it will be sent back to the staff member by default, you will not need to manually select this)

Kind regards,

Access Canberra
Municipal Services

Customer [REDACTED]

18/03/2021 09.42 PM

Good Evening Mr Alegria,

I refer to my correspondence in this request on 5 March 2021 to which I have not received acknowledgement that it has been received.

Further, I refer to the attached formal correspondence from Icon Water dated 5 March 2021 regarding sewage remediation works undertaken by Icon in February and March 2020 and their advice on this work including the residual risk of this dangerous tree. I draw your attention to the third paragraph in which Icon states and recommends:

"the works we have undertaken will not completely remedy the sewer blockages and tree root issues you and your neighbour may experience within your private sewer pipework and provide this letter in support of your Access Canberra application to have the tree permanently removed" .

A copy of this letter was attached and uploaded to Fix My Street [REDACTED] on 5 March 2021 and directed to the attention of Ms Rachael Dawes however as at 18 March, I am yet to receive acknowledgment by Ms Dawes of its receipt.

While Fix My Street [REDACTED] is a separate request to this request, I provide a copy of this correspondence from Icon and request you forward it to the Road Transport Authority/Roads ACT.

As I understand, given the dangerous tree at [REDACTED] impacts road infrastructure as well as essential water, gas, sewage and stormwater infrastructure, it is pertinent that you forward a copy to the Road Transport Authority/Roads ACT given that they too are an impacted infrastructure owners. The correspondence from Icon, including their recommendation for removal of the dangerous tree, should be brought to the attention of the Road Transport Authority/Roads ACT. It would have been my preference to do this myself. However, as established in this request, both Access Canberra and TCCS/Urban Trees have repeatedly denied me the right to communicate directly with the Road Transport Authority/Roads ACT on the matter. Therefore, I am left with little alternative other than to request you note receipt of this recommendation from Icon and forward it to the Road Transport Authority/Roads ACT.

I look forward in receiving a reply, and acknowledgement of receipt of Icon's correspondence and confirmation of it being forwarded to the Road Transport Authority/Roads ACT. Further, I look forward to the outstanding matter and provision of outstanding records and queries mentioned in my response on 5 March 2021, to be addressed and actioned.

Regards,

[REDACTED]

Note (Michelle Mattick)

05/03/2021 08.44 AM

Michelle forwarded this Enquiry to stephen.alegria@act.gov.au

Hi,

The below incident has been received through the ACT Government CRM.

Can you please respond to the customer's enquiry using the below form. When you respond it will be sent directly back to the customer's email.

If this is not for your area, please select "Reply to Staff Member" before submitting response. (If this option is not available, it will be sent back to the staff member by default, you will not need to manually select this)

Kind regards,

Access Canberra
Municipal Services

Customer [REDACTED]

05/03/2021 12.01 AM

Good Evening Mr Alegria,

Thank you for your email received today at 1816.

In the interests of keeping continuity of records, I will be saving a PDF copy of the email thread including this response, to Fix My Street request [REDACTED]

What I am rather concerned about it is how the email thread only commences on 15 February 2021, where are the records that pre-date 15 February and capture where the "consultation" between TCCS/Urban Trees and the ACT Road Transport Authority/Roads ACT began. Review of the Fix My Street request alludes to this communication commencing in around 2 or 3 February.

Where are these earlier records and why have they been omitted from me? As I have stated in the Fix My Street Request, I have deep concerns about the ACT Road Transport Authority/Roads ACT being biased and/or prejudiced in their approach because of TCCS/Urban Trees during this "consultation". This certainly does not reduce my concerns and in fact increases them when reviewing the thread in that on 22 February 2021, extracts from the Fix My Street Request from 4 November 2020 seem to be viewed in a manner of:

"the MOP has now raised the following concerns in response to the information he was provided regarding our inspection".

Assuming that MOP refers to me as being a 'Member of the Public', I did not raise the concerns in response to the inspection, I clearly articulated the concerns on 4 November 2020. It was Access Canberra and TCCS/Urban Trees who intervened and denied this original request including the scope and terms, from getting to the ACT Road Transport Authority/Roads ACT.

Also, I note the dialogue between Mr Luke Halls and yourself on the inspection of the dangerous tree through Fix My Street Request [REDACTED] and would like to again draw your attention to the fact that Fix My Street Request [REDACTED] and [REDACTED] are separate requests and should be treated as such.

Regards,

Todd Lynch

Note (Michelle Mattick)

19/02/2021 01.00 PM

Michelle forwarded this Enquiry to stephen.alegria@act.gov.au

Hi,

The below incident has been received through the ACT Government CRM.

Can you please respond to the customer's enquiry using the below form. When you respond it will be sent directly back to the customer's email.

If this is not for your area, please select "Reply to Staff Member" before submitting response. (If this option is not available, it will be sent back to the staff member by default, you will not need to manually select this)

Kind regards,

Access Canberra
Municipal Services

Customer [REDACTED]

19/02/2021 12.58 PM

Good Afternoon,

Regarding a copy and paste of the email response is there a reason to which the actual email correspondence between Stephen Allegria and Roads ACT/Road Transport Authority has not been attached in a readable form, such as a PDF.

What appears missing from this alleged response from Roads ACT/Road Transport Authority is any reference to the relevant ACT Government 'Design Standards for Urban Infrastructure' as this dangerous tree is violation of these standards for some of the following:

- Location to essential services infrastructure is not at the 1200mm as per the standards.
- Close proximity to the road and obscures the footpath forcing pedestrians to walk on the road as there is no footpath.
- [REDACTED] is a narrow and very curved cul-de-sac. The dangerous tree creates a blind spot for drivers reversing from their driveways, and vehicles on [REDACTED] have their line of sight around the cul-de-sac obscured.

Further, these standards were in fact clearly articulated in the original request on 4 November 2020 to Roads ACT/Road Transport Authority.

What is of importance also is to ascertain what the dialogue was between TCCS/Urban Trees and Roads ACT/Road Transport Authority as I have very serious concerns to how a request from TCCS/Urban Trees was made and in what context; I fear that any request would prejudice the inspection and its approach to ensure TCCS/Urban Trees is able to get vague enough of a response to support the TCCS/Urban Trees position rather than an unbiased and objective opinion from Roads ACT/Road Transport Authority. Whilst I have no doubt my concerns and fears will be dismissed by TCCS/Urban Trees, it is clear from the vague alleged Roads ACT/Road Transport Authority response combined with its absence of consideration to design standards etc. that there is some plausible truth to my concerns; why else would this be omitted in Roads ACT/Road Transport Authority's response and why else would the email thread and dialogue between TCCS/Urban Trees and Roads ACT/Road Transport Authority be withheld from me?

Regards,

[REDACTED]

Auto Response (Administrator -)

19/02/2021 09.16 AM

Please see below response in relation to your feedback submitted to the ACT Government.

Response (Subject Matter Expert)

19/02/2021 09.16 AM

Hi [REDACTED]

I understand you could not access the attachment (which was a .msg email file) I have therefore cut and pasted the content below. The original email included a number of photos of the assets including the stormwater pit with lid removed etc, however these don't seem to be appearing in this response.

Regards

Stephen

There was no visible evidence of issues with any assets above ground, noting parts of the concrete driveway at [REDACTED] have been replaced. The gutters and road pavement appeared to be in good condition.

The stormwater pit located at the front of [REDACTED] was opened and there was no indication of any issues with blocked stormwater pipes in the area (I was advised that you would expect to see a build-up of debris etc if there were issues with blocked / partially blocked pipes).

Overall, the Roads assets in the area appear to be in good condition and do not appear to be adversely affected by the trees in the area.

Note (Michelle Mattick)

19/02/2021 08.48 AM

Michelle forwarded this Enquiry to stephen.alegria@act.gov.au

Hi Stephen,

Can you please resend the attachment to Todd as a response rather than a private note, as he does not have access to see private notes.

Kind regards,

Access Canberra
Municipal Services

Customer [REDACTED]

18/02/2021 04.23 PM

Good Afternoon,

The response on 16 February 2021 alludes to "attached correspondence". There is no attached correspondence to this Fix My Street Request regarding the inspection undertaken by Roads ACT. The only correspondence attached to the this request is an attachment I uploaded on 29 January 2021 as request by Katrina.

Regards,

[REDACTED]

Response (Michelle Mattick)

16/02/2021 04.19 PM

Dear [REDACTED]

Roads ACT officers have conducted an inspection of [REDACTED] and have provided the attached correspondence. In summary, they have no concerns with Roads ACT assets within the vicinity. I hope this will allay your concerns.

I have been advised that the Urban Treescapes team will conduct their assessment this week and their report will be provided to you thereafter, as previously agreed.

Thank you

Stephen Alegria

TCCS City Presentation

Note (Subject Matter Expert)

16/02/2021 04.01 PM

Updated by SME (stephen.alegria@act.gov.au)

Dear [REDACTED]

Roads ACT officers have conducted an inspection of [REDACTED] and have provided the attached correspondence. In summary, they have no concerns with Roads ACT assets within the vicinity. I hope this will allay your concerns.

I have been advised that the Urban Treescapes team will conduct their assessment this week and their report will be provided to you thereafter, as previously agreed.

Thank you

Stephen Alegria

TCCS City Presentation

Response (Michelle Mattick)

09/02/2021 09.09 AM

Dear [REDACTED]

Thank you for contacting Access Canberra regarding this issue.

Please see below note below from the investigating team.

Dear [REDACTED]

Thank you for your patience. I have consulted with colleagues at Roads ACT who have undertaken to committed assess road-related infrastructure in the [REDACTED] area. Please note, this will not incorporate a tree assessment but will focus on infrastructure which sits within Roads ACT responsibility (for example, pavement, kerb and gutter, stormwater). Roads ACT Officers will undertake the assessment in the week of beginning 08/02/2021. I will provide further information to you regarding their assessment the week of the 15/02/2021, following their advice to me.

As noted in previous correspondence to you, the tree at [REDACTED] will be assessed mid-February by a skilled member of our Urban Treescapes team. I have been advised that the Team will provide the assessment report to you following the completion of this activity.

Regards

Stephen Alegria

If the issue is not resolved to your satisfaction or to update your submission with any further details, you may reopen it within 60 days via the 'Your Account' section at www.accesscanberra.act.gov.au (<http://www.accesscanberra.act.gov.au>).

Regards,

Municipal Services Team

Access Canberra

Customer [REDACTED]

08/02/2021 05.33 PM

Good Afternoon,

Just following up per the Communication History on Friday 5 February at 1640. Apologies but I cannot read the content, the writing is absolutely microscopic in size and is illegible. Can you please re-send this advice and make sure it is legible?

Apologies for the inconvenience.

Regards,

[REDACTED]

Response (Pauline Bennett)

05/02/2021 04.40 PM

Dear [redacted]

Thank you for contacting Access Canberra regarding this issue.

Please see below notes below from the investigating team.

Dear [redacted]

Thank you for your patience. I have consulted with colleagues at Roads ACT who have undertaken to committed assess road-related infrastructure in the [redacted] area. Please note, this will not incorporate a tree assessment but will focus on infrastructure which sits within Roads ACT responsibility (for example, pavement, kerb and gutter, stormwater). Roads ACT Officers will undertake the assessment in the week of beginning 08/02/2021. I will provide further information to you regarding their assessment the week of the 15/02/2021, following their advice to me.

As noted in previous correspondence to you, the tree at [redacted] will be assessed mid-February by a skilled member of our Urban Treescapes team. I have been advised that the Team will provide the assessment report to you following the completion of this activity.

Regards

Stephen Alegria

If the issue is not resolved to your satisfaction to update your submission with any further details, you may reopen it within 90 days via the Your Account section at www.accesscanberra.act.gov.au (<http://www.accesscanberra.act.gov.au>)

Regards,

Manojpal Singh Team

Access Canberra

Note (Subject Matter Expert)

05/02/2021 03.44 PM

Updated by SME (stephen.alegria@act.gov.au)

Dear [redacted]

Thank you for your patience. I have consulted with colleagues at Roads ACT who have undertaken to committed assess road-related infrastructure in the [redacted] area. Please note, this will not incorporate a tree assessment but will focus on infrastructure which sits within Roads ACT responsibility (for example, pavement, kerb and gutter, stormwater). Roads ACT Officers will undertake the assessment in the week of beginning 08/02/2021. I will provide further information to you regarding their assessment the week of the 15/02/2021, following their advice to me.

As noted in previous correspondence to you, the tree at [redacted] will be assessed mid-February by a skilled member of our Urban Treescapes team. I have been advised that the Team will provide the assessment report to you following the completion of this activity.

Regards
Stephen Alegria

Note (Katrina Lauro)

05/02/2021 03.40 PM

Katrina forwarded this Enquiry to stephen.alegria@act.gov.au

Hi Stephen

Please see below notes from CMT regarding a call made by [redacted]

Thank you
Katrina
Access Canberra Contact Centre

Note (Eloise Dillon)

05/02/2021 03.08 PM

From: Dillon, Eloise
Sent: Friday, 5 February 2021 3:08 PM
To: CCLT <CCLT@act.gov.au>
Cc: AccessCanberraCMT <AccessCanberraCMT@act.gov.au>
Subject: 201104-000707 - [REDACTED]

OFFICIAL

Hey TL's,

I hope you are all well!

I spoke with [REDACTED] this afternoon regarding his complaint, just giving you a heads up as it is still in the municipal queue and Katrina has had quite a lot of contact with him.

His service complaint related to broader conduct issues and ACT Govt as a whole so he has been directed to the ACT Ombudsman and his other matters are TCCS jurisdiction so no action from CMT.

Happy to discuss if you have any questions.

Kind regards,

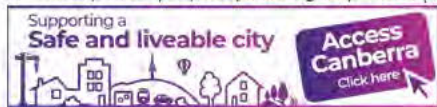
Eloise

Eloise Dillon | Case Manager | Complaints Management Team

Phone: 13 22 81 | Email: Eloise.Dillon@act.gov.au (mailto:Eloise.Dillon@act.gov.au)

Access Canberra | Chief Minister Treasury and Economic Development Directorate | ACT Government

GPO Box 158, Canberra, ACT, 2601 | www.act.gov.au/accesscbr (http://www.act.gov.au/accesscbr)



(<http://www.act.gov.au/accesscbr>)

Note (Eloise Dillon)

05/02/2021 02:59 PM

Phoned [REDACTED] back and informed him his complaint should be directed to the ACT Ombudsman. [REDACTED] thanked me for the advice and call terminated at 2:50pm

Note (Eloise Dillon)

05/02/2021 02.45 PM

Received call via contact centre from [REDACTED] requesting advice on lodging service complaint and follow up on matter. Advised [REDACTED] the incident is a TCCS matter and outside of Access Canberra's jurisdiction however I would seek advice from a manager regarding the service complaint about ACT Government and return his call. Spoke with Tim Boulton and advice is to direct [REDACTED] to ACT Ombudsman as his concerns relate to the conduct of the ACT Government.

Note (Michelle Mattick)

04/02/2021 08.15 AM

Michelle forwarded this Enquiry to stephen.alegria@act.gov.au

Hi,

The below incident has been received through the ACT Government CRM.

Can you please respond to the customer's enquiry using the below form. When you respond it will be sent directly back to the customer's email.

If this is not for your area, please select "Reply to Staff Member" before submitting response. (If this option is not available, it will be sent back to the staff member by default, you will not need to manually select this)

Kind regards,

Access Canberra
Municipal Services

Customer [REDACTED]

03/02/2021 11.29 PM

Good Evening Stephen,

Naturally this matter is great concern to me, and like any reasonable person; I take the safety and wellbeing of my family, our home, our neighbours and the community very seriously.

As repeatedly highlighted to Katrina from Access Canberra, via telephone and through this Fix My Street Request, on 4 November 2020, the request was lodged and clearly articulated that it was relevant to Roads ACT/Road Transport Authority including the reasons why and municipal infrastructure standards they were being asked to comment on which are impacted by the dangerous tree at [REDACTED] the reason I lodged this request was it was very clear in correspondence issued by you on 4 November 2020, relating to Ref [REDACTED] and clearly stated "the infrastructure owners, ICON and Roads ACT, have not contacted us in relation to this tree". On 5 November 2020, Access Canberra advised the matter would be referred to the Road Transport Authority/Roads ACT for investigation and a response.

So, I am at a complete loss as to why, between Access Canberra and your office, there is a blatant refusal to have Roads ACT/Road Transport Authority inspect their assets which are impacted, and to write to TCCS/Urban Trees with consideration to their asset and to do this without undue influence, pressure and biases. At no stage in this request have I requested that you consult with "relevant areas of Government in relation to this matter". I did formally request this in matter [REDACTED] prior to November 2020, and multiple times, yet both yourself and your Assistant Director, Ms Samantha Ning were not willing to do this.

Further, it was advised on 1 February 2021, by Katrina from Access Canberra, that Mr Luke Halls would have the matter referred to him; nothing that Mr Halls is not a part of Roads ACT/Road Transport Authority and as I understand is your manager. Katrina provided the caveat that Mr Halls had stated "a decision had been made about the tree" and implied that decision would not be overturned; too me this shows further evidence of very clear bias in TCCS/Urban Trees/City Presentations - also I am bemused why such an upfront statement would be made prior to Roads ACT/Road Transport Authority being able to inspect their asset and the dangerous tree and write to Urban Trees with their findings.

Perhaps you can explain why, a reasonable request to Roads ACT/Road Transport Authority is being denied in having them attend to request and reply to me directly as originally requested and confirmed by Access Canberra on 5 November 2020.

Further, you have stated you will be "consulting" with relevant areas of Government, I would like to know more about how the term "consulting" is used and what "relevant areas of Government" you mean? Also, I am keen to know what information is exchanged during this consultation and whether it would prejudice the direction of the conversation with those "relevant areas of Government"?

Regards,

[REDACTED]
Auto Response (Administrator -)

03/02/2021 09.26 AM

Please see below response in relation to your feedback submitted to the ACT Government.

Response (Subject Matter Expert)

03/02/2021 09.26 AM

Good morning [REDACTED]

I am sorry that this issue remains of concern to you.

We are in the process of reviewing correspondence and consulting relevant areas of Government in relation to this matter to ensure we can provide a satisfactory response to you. My intention is to provide a response by the end of this week.

I appreciate your patience.

Regards

Stephen Alegria

Note (Katrina Lauro)

02/02/2021 04.07 PM

Katrina forwarded this Enquiry to stephen.alegria@act.gov.au

Hi,

The below incident has been received through the ACT Government CRM.

Can you please respond to the customer's enquiry using the below form. When you respond it will be sent directly back to the customer's email.

If this is not for your area, please select "Reply to Staff Member" before submitting response. (If this option is not available, it will be sent back to the staff member by default, you will not need to manually select this)

Kind regards,

Access Canberra
Municipal Services

Customer

02/02/2021 03.57 PM

Good Afternoon Katrina,

Thank you for your voicemail message and response. Apologies, I was in a meeting.

I note that when logging into my Fix My Street Account this request has been marked as "Resolved". This request is certainly not resolved. I am yet to see any evidence that Roads ACT/Road Transport Authority have inspected the dangerous tree as requested.

Whilst I certainly acknowledge that from an Access Canberra perspective that you cannot do anything further, I am baffled and bemused that yesterday's advice was Luke Halls would be taking custody of the matter, and today the advice has changed, without explanation to the matter will be forwarded to Stephen Alegria.

Also, I would like to again highlight that it was Stephen Alegria who was the representative who refused to consider removal to remove the dangerous tree as "the infrastructure owners, ICON and Roads ACT, have not contacted us in relation to this tree". This is the very reason why I lodged this Fix My Street Request, to have Roads ACT/Road Transport Authority inspect the dangerous tree and write to Urban Trees accordingly and with consideration to risk of the dangerous tree as it applies to the infrastructure and with consideration to the ACT Government design and municipal standards.

It certainly seems to be the case that my reasonable request for this Fix My Street Request to be sent to Roads ACT/Road Transport Authority has been denied and without a legitimate reason and explanation as to why.

How is it that a reasonable constituent is persistently denied the right to engage in dialogue for a legitimate and reasonable request, and then agencies of the ACT Government persistently shift the narrative and raise the benchmark, then deny that constituent the right to have their request be addressed by the appropriate agency. In this case, the request is to Roads ACT/Road Transport Authority yet here we are, the request as gone to Urban Trees, again, and then closed off

Response (Katrina Lauro)

02/02/2021 03.30 PM

Good afternoon [REDACTED]

I have just tried to reach your mobile and it has gone to voicemail, where I have left a message for you.

Please be advised this is as far as I can assist you and from this point forward to address any further correspondence/enquiries to the Executive Branch Manager, City Presentation, Stephen Alegria.

Thank you

Regards,

Katrina | Team Leader

Contact Centre | Access Canberra

Chief Minister Treasury and Economic Development Directorate | ACT Government

GPO Box 158, Canberra ACT 2601 | www.act.gov.au/accessCBR

Note (Katrina Lauro)

02/02/2021 03.30 PM

As discussed with Luke Halls, all future correspondence/enquiries to be SME'd across to Stephen.Alegria@act.gov.au

Thank you.

I have left a message on [REDACTED] phone to this effect and will now send hm an email.

Note (Katrina Lauro)

01/02/2021 02.41 PM

Note from Luke Halls, with respect to [REDACTED] response:

Point of clarification, Roads may inspect a footpath or other assets if they are concerned and they exist at that location. Street trees are the responsibility of Urban Treescapes and decisions to maintain or remove them are subject to their assessment and management.

Not sure where the impression noted highlighted section below has come from.

Can you please add to file notes? As discussed, I will obtain further background from Racheal and Stephen and provide more information when I have it.

Note (Pauline Bennett)

01/02/2021 01.52 PM

Pauline forwarded this Enquiry to TCCS.CPUTSouth@act.gov.au

Hi,

The below incident has been received through the ACT Government CRM.

Can you please respond to the customer's enquiry using the below form. When you respond it will be sent directly back to the customer's email.

If this is not for your area, please select "Reply to Staff Member" before submitting response. (If this option is not available, it will be sent back to the staff member by default, you will not need to manually select this)

Kind regards,

Access Canberra
Municipal Services

Customer [REDACTED]

01/02/2021 12.30 PM

Katrina, Team Leader from Access Canberra called 01/02/2021 at 1148. Katrina advised she has spoken with "Luke Halls, Director Business Support City Presentation" and that he will be requesting the Road Transport Authority/Roads ACT to inspect the tree, though "a decision has been made about the tree".

Advised Katrina that is my expectation, that when the Roads Transport Authority/Roads ACT inspect the dangerous tree at [REDACTED] that they inspect it with an objective and open minded consideration to their asset, being the road and verge which is affected and impacted, along with the underground water, gas, sewage and storm water infrastructure that is affected by the dangerous tree as established in the 'Access Canberra Plumbing Tie Search' which the dangerous tree sits on top of and will severely damage if it falls. Further, advised that an inspection and report to TCCS/Urban trees by the Road Transport Authority/Roads ACT be done with consideration to the ACT Government Municipal Infrastructure standards as stated on 4 November 2020 and again on 29 January 2021, standards that this dangerous tree is in violation of.

Further, advised it was my expectation that any decision to not remove the dangerous tree was one made by TCCS/Urban Trees in which they had stated they had not been contacted by Roads ACT/Road Transport Authority and that any decision by TCCS/Urban Trees should not impact nor influence the outcome of Roads ACT/Road Transport Authority being honest and objective.

When asking which member of TCCS/Urban Trees closed this request off on 25 January 2021 with details "Staff Account (Subject Matter Expert) via channel 'Email'" - Katrina advised Luke Halls had told her that it was an automated closure message. I objected to this and stated the closure would have been initiated by someone and the message itself was very detailed, so someone in TCCS/Urban Trees would have had to have known or looked for through a separate Fix My Street Request for this information. The excuse given by Katrina was "there are lots of automated pre-filled messages that can be sent out as Luke advised". I still disagreed that such an automated message would be knowing of the intricate details of a separate Fix My Street Request to TCCS/Urban Trees, and this request [REDACTED] was clearly directed to the Road Transport Authority/Roads ACT, and someone in other ACT Government office has sent it to TCCS/Urban Trees who have then closed it off.

It is my expectation to find out who in TCCS/Urban Trees, took this request [REDACTED] which was clearly marked to the Road Transport Authority/Roads ACT, and closed it off as that is unacceptable.

It is most disappointing that as at 1 February 2021, when this request to Road Transport Authority/Roads ACT which was lodged on 4 November 2020, will finally be sent from Luke Halls to the Road Transport Authority/Roads ACT. When articulating this to Katrina, the advise given was I have to await the outcome of the RTA/Roads ACT inspection and then a complaint can be lodged to some complaints team to look at. However I very much doubt and fear any internal review by Access Canberra/ACT Government will not be performed objectively and impartially and carried out with a pre-determined view to protect the Government in their failure of delivering reasonable services, than any reasonable constituent and person ought to expect.

Note (Katrina Lauro)

01/02/2021 11.29 AM

Katrina forwarded this Enquiry to Luke.Halls@act.gov.au

Thank you Luke

Note (Katrina Lauro)

29/01/2021 04.10 PM

[REDACTED] is not happy with the fact the he never received a response in writing from Roads ACT.

I have advised him I could not get a hold of Senior Director for TMS or from Trees. I advised him I would call him back Monday with an update.

Note (Michelle Mattick)

29/01/2021 03.37 PM

Michelle forwarded this Enquiry to David.Griffin@act.gov.au

Hi,

The below incident has been received through the ACT Government CRM.

Can you please respond to the customer's enquiry using the below form. When you respond it will be sent directly back to the customer's email.

If this is not for your area, please select "Reply to Staff Member" before submitting response. (If this option is not available, it will be sent back to the staff member by default, you will not need to manually select this)

Kind regards,

Access Canberra
Municipal Services

Note (T-C-C-S FME Integ User)

29/01/2021 03.31 PM

Assetic Work Request WR14465 has been rejected by Simone Taurasi
Comments: Please redirect as this relates to a dangerous tree

Note (Subject Matter Expert)

29/01/2021 02.53 PM

Updated by SME (Michael.Rootsey@act.gov.au)

Refer to David Griffin [UTS], Not a Roads Maintenance issue

Customer [REDACTED]

29/01/2021 02.47 PM

Adding attachment '2020.11 Email Thread - Executive Branch Manager City Presentations TCCS'

Customer [REDACTED]

29/01/2021 02.46 PM

Hi Katrina,

Thank you for speaking with me just now. As requested, please find attached the email thread from November 2020 in which TCCS Executive Branch Manager City Presentations clearly states on 4 November 2020 that "the infrastructure owners, ICON and Roads ACT, have not contacted us in relation to this tree". This is why on 4 November 2020, I lodged this request with Access Canberra to escalate to the Roads ACT/Road Transport Authority, as the infrastructure owners, to inspect the dangerous tree and write to TCCS/Urban Trees accordingly and with consideration as the asset owners, of the tree and its risk to assets, and in line with the appropriate planning standards being:

- The tree is not a suitable species per the ACT Government Municipal Infrastructure Standard 25 'Plant Species for Urban Landscape Projects' states the tree, being a Eucalyptus nicholii, is a "deleted species "as it is "prone to bark included branch unions that tend to fail".
- The tree is not suitable per the ACT Design Standards for Urban Infrastructure (attached) which states the tree is not suitable for urban settings, and that the species needs pruning especially when young which it did not receive and has only been pruned in 2017 and 2020; it was planted in the mid 1980s.
- The tree is in an unsuitable position as it is located immediately on top of essential water, gas, sewage and stormwater infrastructure services, including our service ties from our homes to the street. The ACT Government Municipal Infrastructure Standard 06 'Verges', states that "service ties are susceptible to tree root intrusion and must be located as far as practical from the root zone", further, this standard also establishes standards for minimal distances to service ties and underground services. Attached is a copy of the Access Canberra Plumbing Tie search as evidence.
- The tree's decline was first reported in 2017 where large portions of its root system were disturbed when TCCS removed a large portion underneath the driveways at ours and our neighbours homes to replace the damaged concrete caused by the tree. Several large limbs were removed by TCCS at this time as they were dead.
- The tree's root system was again interfered with in February of this year to undertake major work on the sewage system which Icon Water found this tree had significant root infiltration in the system. Icon Water agreed that there is no guarantee this tree will not infiltrate the new sewage lines which are susceptible at the service ties on top of the risk to the water and stormwater lines which are the original infrastructure.
- Removal of the tree will provide an absolute assurance and eliminate realising risks of damage to: people and property, traffic using the road underneath the tree, continuity of essential water, gas, sewage and storm water infrastructure. I work in risk advisory and when I use my risk tools, the risk rating applied to this tree is a severe consequence with a possible likelihood, the overall risk rating is significant and this can be eliminated by removal of the tree.

Customer [REDACTED]

29/01/2021 02.41 PM

On 29 January at 1348 call Access Canberra back on 13 22 81 regarding disconnected call at 1313. Speak with Nicholas. Call escalated to Katrina.

Note (Tomasi Wainiqolo)

29/01/2021 02.26 PM

After speaking with Michael Rootsey he advised me to forward this job to David Griffin.

Note (Nicholas Lourandos)

29/01/2021 02.09 PM

PLEASE REMOVE THE TREE WHICH IS CLOSEST TO [REDACTED] RIGHT BEHIND THE LETTER BOX. PLEASE CALL [REDACTED] TO DISCUSS THE LACK OF SERVICE.URGENT.

Note (T-C-C-S FME Integ User)

29/01/2021 02.05 PM

Assetic Work Request WR14465 has been created
Messages including initial enquiry. private notes and customer responses were also brought across

Customer [REDACTED]

29/01/2021 01.55 PM

On 29 January 2021, call Access Canberra on 13 22 81 at 1313. Call connected to "Tom" who original advises I need to speak with Urban Trees but after explaining the original request advises he will transfer me to "Municipal Services" and places me on hold for 28 minutes. Tom returns to call and asks "are you there" which I reply "yes I am, after nearly 30 minutes of waiting" and then Tom immediately disconnects the call.

Note (Michelle Mattick)

29/01/2021 01.42 PM

Todd is wanting a response from ACT Roads and not Uban Trees.

Note (Michelle Mattick)

29/01/2021 01.41 PM

Michelle forwarded this Enquiry to Michael.Rootsey@act.gov.au

Hi,

The below incident has been received through the ACT Government CRM.

Can you please respond to the customer's enquiry using the below form. When you respond it will be sent directly back to the customer's email.

If this is not for your area, please select "Reply to Staff Member" before submitting response. (If this option is not available, it will be sent back to the staff member by default, you will not need to manually select this)

Kind regards,

Access Canberra
Municipal Services

Customer [REDACTED]

25/01/2021 10.24 AM

Good Morning,

The response received at 1009 on 25/01/2021 is from 'Urban Treescapes' and not Roads ACT/ACT Road Transport Authority. At no stage have I asked for TCCS/Urban Treescapes in this request to provide commentary on the matter and it appears that the request has been forwarded to the incorrect area of the ACT Government.

Per the original request on 04/11/2020, I clearly stated that "I am requesting that the Road Transport Authority/Roads ACT inspect the dangerous tree and write to TCCS accordingly to highlight the risks and hazards this dangerous tree poses to the safety of road users, both vehicles and pedestrians, and to road infrastructure; and confirming that its removal will eliminate all associated risks and hazards whilst."

Rather than send this Fix My Street Request to TCCS/Urban Treescapes to immediately close it off, can the Road Transport Authority/Roads ACT inspect the dangerous tree at [REDACTED] ACT 2905 and write to TCCS accordingly? Part of the highly biased narrative from TCCS is that they will not consider removing the dangerous tree because the Road Transport Authority/Roads ACT have not written to them on the matter.

Therefore, again, I am seeking the Road Transport Authority/Roads ACT to inspect the dangerous tree and write to TCCS accordingly based upon the risk factors of the dangerous tree along with it's breach of 'Design Standards for Urban Infrastructure', including:

- Location to essential services infrastructure is not at the 1200mm as per the standards.
 - Close proximity to the road and obscures the footpath forcing pedestrians to walk on the road as there is no footpath.
- [REDACTED] is a narrow and very curved cul-de-sac. The dangerous tree creates a blind spot for drivers reversing from their driveways, and vehicles on [REDACTED] have their line of sight around the cul-de-sac obscured.

Kind Regards,

Auto Response (Administrator -)

25/01/2021 10.09 AM

Please see below response in relation to your feedback submitted to the ACT Government.

Response (Subject Matter Expert)

25/01/2021 10.09 AM

As per our correspondence on 27 November 2020, TCCS will not be removing the tree and intend to revisit the tree in mid-February and again in February 2022 to carry out an assessment of the tree.

Thank you

Urban Treescapes

Note (Subject Matter Expert)

25/01/2021 07.22 AM

Updated by SME (Michael.Rootsey@act.gov.au)

The Driveway repairs have been completed under Defect # 67111, ACT/7981, Refer to David Griffin [UTS] to respond to Tree removal enquiry.

Note (Michelle Mattick)

22/01/2021 09.39 AM

Michelle forwarded this Enquiry to Michael.Rootsey@act.gov.au

Hi,

The below incident has been received through the ACT Government CRM.

Can you please respond to the customer's enquiry using the below form. When you respond it will be sent directly back to the customer's email.

If this is not for your area, please select "Reply to Staff Member" before submitting response. (If this option is not available, it will be sent back to the staff member by default, you will not need to manually select this)

Kind regards,

Access Canberra
Municipal Services

Customer [REDACTED]

22/01/2021 04.30 AM

Good Evening Municipal Services Team,

I am following up on the below request [REDACTED] as I have not been contacted by RoadsACT on the matter not have I received a written response.

I would be most appreciative if I could be contacted on [REDACTED] and advised of the status of this matter and establish what the expected turn around will be to receive a formal written response.

Kind Regards,

Note (Greg Newham)

05/11/2020 03.59 PM

Greg forwarded this Enquiry to Michael.Rootsey@act.gov.au

Hi,

The below incident has been received through the ACT Government CRM.

Can you please respond to the customer's enquiry using the below form. When you respond it will be sent directly back to the customer's email.

If this is not for your area, please select "Reply to Staff Member" before submitting response. (If this option is not available, it will be sent back to the staff member by default, you will not need to manually select this)

Kind regards,

Access Canberra
Municipal Services

Note (Subject Matter Expert)

05/11/2020 03.31 PM

Updated by SME (Martin.Healand@act.gov.au,Shium.Reza@act.gov.au)

For Michael Rootsey - not in my work zone.

Response (Greg Newham)

05/11/2020 11.18 AM

Hi [REDACTED]

Thank you for contacting Access Canberra about this issue.

I have forward this request to Roads ACT and to the investigating officer and manager for them to respond.

To update your submission with any further details you may reopen it within 60 days via the 'Your Account' section at www.accesscanberra.act.gov.au (<http://www.accesscanberra.act.gov.au>).

Kind regards,

Municipal Services Team

Access Canberra

Note (Greg Newham)

05/11/2020 11.10 AM

Greg forwarded this Enquiry to Martin.Healand@act.gov.au, Shium.Reza@act.gov.au

Hi,

The below incident has been received through the ACT Government CRM.

Can you please respond to the customer's enquiry using the below form. When you respond it will be sent directly back to the customer's email.

If this is not for your area, please select "Reply to Staff Member" before submitting response. (If this option is not available, it will be sent back to the staff member by default, you will not need to manually select this)

Kind regards,

Access Canberra
Municipal Services

Auto Response (Administrator -)

04/11/2020 10.09 AM

Thank you for your correspondence which has been received and referred to the relevant ACT Government business unit.

If you have requested a response you should expect to be contacted within 10 working days.

Your reference number is: # [REDACTED]

Customer [REDACTED]

04/11/2020 10.09 AM

I am writing to the ACT Road Transport Authority to lodge a complaint about a dangerous ACT Government street tree at [REDACTED] ACT 2905. I am a resident at [REDACTED]

Over the past 10 months, I have been in a bureaucratic nightmare with Transport Canberra & City Services to remove the dangerous tree. Despite the dangerous tree not being in a state of full health and having been in decline since first reported to TCCS by our neighbours in 2017, TCCS will not remove the dangerous tree despite this request being reasonable and in line with their policy and framework on street tree removal. TCCS are shifting the narrative of why they will not remove the dangerous tree and are now saying that because the Road Transport Authority/Roads ACT has not contacted them about the dangerous tree then it will not be removed.

When the dangerous tree falls, the direction it is leaning means it will likely fall on top of the road and completely obstruct the street which is a narrow and very curved cul-de-sac; there is a risk the tree will fall onto vehicles and/or people as well. The dangerous tree is located immediately on top of essential water, gas, sewage and storm water infrastructure and it will sever these essential services as well. The dangerous tree consistently drops branches and limbs onto the road and travelling vehicles which creates a risk as well. The cost to the ACT Government when the dangerous tree falls and in public liability costs will far exceed the cost of its removal.

Also, having reviewed the ACT Government 'Design Standards for Urban Infrastructure', this dangerous tree is in violation of these standards for the following reasons:

- Location to essential services infrastructure is not at the 1200mm as per the standards.
- Close proximity to the road and obscures the footpath forcing pedestrians to walk on the road as there is no footpath.
- [REDACTED] is a narrow and very curved cul-de-sac. The dangerous tree creates a blind spot for drivers reversing from their driveways, and vehicles on [REDACTED] have their line of sight around the cul-de-sac obscured.

I am requesting that the Road Transport Authority/Roads ACT inspect the dangerous tree and write to TCCS accordingly to highlight the risks and hazards this dangerous tree poses to the safety of road users, both vehicles and pedestrians, and to road infrastructure; and confirming that its removal will eliminate all associated risks and hazards whilst.

I look forward in hearing from your office at your earliest convenience.

Attachments

- 2020.11 email thread - executive branch manager city presentations tccs .pdf (https://www.accesscanberra.act.gov.au/cgi-bin/accesscanberra.cfg/php/admin/console_util/fa_get.php?p_parms=euk3aqmbx4oueutot6oxjeio5te_wisayggo5yfkadn0fy36dddu4qfluptq3ednhalu~5angy_r9onzos1eac6ryyozj0ecuxordpho~dqfhnkf_8fo1ees3ym8e7)
- inspection_at_10_grigg_pl_richardson.msg (https://www.accesscanberra.act.gov.au/cgi-bin/accesscanberra.cfg/php/admin/console_util/fa_get.php?p_parms=euqqpstechxt2mog3ejeif_vxiekggajkxrolhunkzh6efwma0pvptyyichigqxdbg0f_5jcoyg0zitmogcohocq~nfsxqbwzq_eavovhixvirrcl~8tufd8rwnz8xu4c) (Marked as Private)
- roads act thread 15.02.2021 - 01.03.2021.pdf (https://www.accesscanberra.act.gov.au/cgi-bin/accesscanberra.cfg/php/admin/console_util/fa_get.php?p_parms=euszszn2zkye5b1yehmdrx3hsuns~g_fb3bgpufuyksbi30ullqeyih08qupo532nqupk_wl_apbebwz_f6wiwewhw~3jtropsuw74vgjsyioeb_5agdazftjdalg)
- 2021.03.05 icon water correspondence - tree removal support.pdf (https://www.accesscanberra.act.gov.au/cgi-bin/accesscanberra.cfg/php/admin/console_util/fa_get.php?p_parms=euygmtoetj1g93ubppg5jy9gntp5y_swbzcp5h1zxo~j~zpcjylacygtbmjqnkn~htbzri1ikqtwtxgo5ao7yrxl21iss2zpjwywpkqyiacpceitehm0y7igpwu1)
- 2020.03.26 email thread 15.02.2021-26.03.2021.pdf (https://www.accesscanberra.act.gov.au/cgi-bin/accesscanberra.cfg/php/admin/console_util/fa_get.php?p_parms=eucy47_mrogtfufwy7ntnmwx2ng8xmdzyj1rwsq7bfpkg7jd96lceebxivkk8rl_rbkrtot1ize0yonict1i~47ehgsrs3~gwtzthm8fhcvwfe4yfmqexaexs52oc)

Respond

The Staff Member has requested that you respond directly to the customer regarding this enquiry.

- Reply to Customer
- Reply to Staff Member

Your response will be sent to the Customer.

Response

Send attachments

No file chosen

Submit your response

Access Canberra, ACT, Australia | For technical support contact Access Canberra CRM and CXP team (<mailto:cxsupport@act.gov.au>)

Re: Response to your email- tree removal

[REDACTED] >

Fri 27/11/2020 11:45 AM

To: Alegria, Stephen <Stephen.Alegria@act.gov.au>

Cc: [REDACTED]

Good Morning Mr Alegria,

I was most disappointed that the undertaking made for the monitoring plan to be provided was not done so in the timeframe which you advised being seven days; further I was most disappointed that no contact was made to advise this deadline would not be met. However, I am appreciative that you have provided it today.

The only other outstanding information required is a copy of Ms Samantha Ning's handwritten notes and paper-based assessments she took during her inspection on 30 September 2020, I requested this in my email reply on 9 November.

Regards,

[REDACTED]

From: Alegria, Stephen <Stephen.Alegria@act.gov.au>

Sent: Friday, 27 November 2020 8:42 AM

To: [REDACTED]

Subject: RE: Response to your email- tree removal

OFFICIAL

Dear [REDACTED],

Apologies for the delay in responding to your request for further information about our monitoring plan.

We intend on revisiting the tree in approximately 3 months to assess any changes to the lean, with use of a digital level. We will then reassess in approximately 12 months' time and then base future intervals of inspections based on the trees condition at this time. If any work is required based on the assessments, it will be programmed and carried out as work programs permit. If no work is required this will be recording in our asset management system.

Timing (approximate)	Action
Three months – mid February 2021	Check the lean and record. Carry out visual tree assessment. Program any work that may be required.
February 2022	Visual Tree Assessment and check lean. Program any work that might be required.

February 2023

Visual Tree Assessment and check lean.
Program any work that might be required.

I trust this is satisfactory.

Regards

Stephen Alegria | Executive Branch Manager| City Presentation

M [REDACTED] | T 02 6207 9833

City Services | Transport Canberra and City Services Directorate
480 Northbourne Avenue, Dickson ACT | GPO 158, Canberra ACT 2601.

www.tccs.act.gov.au

I acknowledge the traditional custodians of country across Australia and recognise their continuing connection to the land,

waters and culture. I pay my respect to them and their cultures, and to elders past, present and emerging.

From: [REDACTED]
Sent: Friday, 13 November 2020 10:11 AM
To: Alegria, Stephen <Stephen.Alegria@act.gov.au>
Cc: [REDACTED];
[REDACTED]

Subject: Re: Response to your email- tree removal
Importance: High

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.

Good morning Mr Alegria,

Thank you for speaking with me on the telephone just now.

Since I had not received reply acknowledging receipt of my email response sent on 9 November at 2057 and felt under the circumstances it would be appropriate to call you and have a conversation.

As discussed, if TCCS expect we the impacted residents are to live with the consequences of the ACT Government street tree (the dangerous tree) at [REDACTED] [REDACTED] and the advice from TCCS is "continued monitoring" be an appropriate treatment our position is that to achieve this continued monitoring, a management action plan would need to be developed with clearly defined parameters and inspection dates etc. I requested this in my reply to Ms Ning on 21 October and in my reply on 9 November to yourself.

I am amenable to your request for a 7-day timeframe to provide the management action plan.

Have a lovely weekend and I look forward in hearing from you soon. Please do not hesitate in contacting me on [REDACTED] if you have any questions or queries.

Regards,

[REDACTED]

From: [REDACTED] >
Sent: Monday, 9 November 2020 8:57 PM
To: Alegria, Stephen <Stephen.Alegria@act.gov.au>
Cc: [REDACTED]
[REDACTED]
[REDACTED]
Subject: Re: Response to your email- tree removal

Good Evening Mr Alegria,

Thank you for your email received at 0807 on Wednesday 4 November regarding the Fix My Street request (Ref [REDACTED]) and the ACT Government street tree (the dangerous tree) at [REDACTED]

I am however, saddened that your decision on the matter was made solely on the advice of TCCS alone and did not include any direct consultation with me about the matter. Throughout these past ten months, TCCS have demonstrated inconsistent decision-making, delinquent and defective record keeping practices, inconsistent advice and have been highly biased in their actions and conduct. Not once in this matter have TCCS made a clear decision against the TCCS policy and framework on street tree removal. TCCS have wasted months and countless resources arguing to the retain the dangerous tree and each time the policy is presented too them, the narrative shifts and changes as to why the dangerous tree should remain or rely, and any advice on the matter is highly subjective, ambiguous and often includes superfluous and unhelpful statements which do not relate to the matter at hand and are nothing other than a clear, biased, ideological statements.

I have reviewed your email from November and wish to raise the following:

"TCCS employs a team of skilled and experienced staff to undertake tree assessments and determine the appropriate management action. I acknowledge your concerns, however, it has been established that there are currently no indicators that the tree outside your neighbour's home presents an unacceptable risk to you or the community."

There has been no evidence provided to me establishing how TCCS has identified the risks this dangerous tree presents to my family, myself, our neighbours and the community. Further, a TCCS FOI request (FOI 20-062) containing TCCS records on the matter until September 2020 also shows no records of decision making about the dangerous tree or risk it poses. On 18 September and 30 September, Ms Samantha Ning confirmed a lack of any decision-making records and admitted to delinquent and defective record keeping practices within TCCS, including about inspections on the dangerous tree.

On 30 September, Ms Ning took handwritten notes during her inspection. I am hereby requesting copies of Ms Ning's notes taken on 30 September and any subsequent notes and records Ms Ning used in deciding on 21 October 2020 to not removed the dangerous tree.

"This species, a *Eucalyptus nicholli* cross, and many other species of *Eucalypt* are commonly planted as street trees."

The dangerous tree is not a *Eucalyptus nicholli* cross, it is a standardised *Eucalyptus nicholli*; this was advised by TCCS staff member, Mr Andrew Diehm, in November 2017 as part of a Fix My Street request (Ref [REDACTED]).

According to records in the FOI request, prior to this year alone, the dangerous tree has been reported some four occasions to TCCS; each time, despite the dangerous tree declining, TCCS still want to "monitor" the dangerous tree only, yet by Ms Ning's advice on 30 September, TCCS have no budget for preventative monitoring measures and have to use what limited budget is available for reactive measures only.

"The tree has not reached the end of its lifespan and still plays an important role as part of the urban forest canopy of Canberra. Based on the assessments of several qualified arborists, the canopy of the tree is in a good condition, with minimal deadwood and has been deemed to be sound and healthy. Canberra's urban forest is comprised of a diverse combination of evergreen and deciduous trees and this diversity provides important ecological and amenity advantages."

TCCS has not provided any evidence the dangerous tree has not reached the end of its lifespan despite my request that TCCS view such records to establish what decision was made at the time regarding the intended lifespan of the dangerous tree and consideration as to its appropriateness for planting given its immediate proximity to essential underground gas, water, sewage and stormwater services.

The [ACT Government Municipal Infrastructure Standard 25 'Plant Species for Urban Landscape Projects'](#) states that this dangerous tree, being a *Eucalyptus nicholli*, is a "deleted species" as it is "prone to bark included branch unions that tend to fail".

The dangerous tree on its own is not a major nor significant part of the urban forest canopy in Canberra nor does it have any culturally significant value. Our neighbours, my fiancé and I have advised TCCS since 2017 that we want to engage in constructive dialogue to see the dangerous tree removed and replaced with a more suitable street tree.

Regarding the assessment by several qualified arborists this something which requires further comment and scrutiny. In March 2020 when TCCS arranged for the dangerous tree to be inspected, this inspection was not carried out by qualified arborists, it was undertaken by employees of TCCS who stated they would "trim the tree to make it look like the Government is doing something but it won't be removed". The statement that those employees who undertook an inspection March 2020 and were not qualified arborists was made by Mr Brent Schwartzkoff on 28 May when he inspected the dangerous tree. During Mr Schwartzkoff's inspection on 28 May he advised he was unaware of any formal policy and framework on street tree removal and was highly evasive. On 30 September, Ms Ning advised Mr Schwartzkoff took no notes nor records during his inspection on 28 May and they only engaged in verbal discussions about the tree. On 30 September when Ms Ning inspected the dangerous tree, this was the first time that any formal inspection notes were taken; the absence of written records on behalf

of TCCS is unreasonable and unacceptable.

The condition of the tree has changed through the three inspections this year alone, from: needing trimming but healthy (March); being sound and healthy (May); and finally, to having visible issues of: borers, deadwood and a canker/tree wound. It is remarkable how three inspections, by three different people, can display such varied results and yet still TCCS won't remove the tree, and yet no decision is applied against the entire TCCS policy and framework.

What I would also like to highlight is the risk of groupthink and other such biases in decision-making by TCCS. Whilst Ms Ning and her colleague David who attended on 30 September may very well be qualified arborists, it must be asked whether Ms Ning sought advice from others who are not arborists, such as legal counsel, engineers, policy officers etc. to establish a clear and objective position. The very few documented TCCS records about the dangerous tree show a total lack of diversity of thought and collaboration; there is certainly no clearly documented decision against the TCCS policy and framework on street tree removal. I raise this, not out of disrespect nor to diminish the qualifications of TCCS arborists, or TCCS depot staff, but to raise the concern that there is an absence of diverse decision-making; this is my professional opinion, and I happen to be qualified in business administration, including post graduate qualifications with specialisation in policy and risk.

"Whilst it has been established that the tree is located over services, this is a common situation across Canberra and the infrastructure owners, ICON and Roads ACT, have not contacted us in relation to this tree. As has already been demonstrated, there are mitigating measures should the infrastructure be blocked by roots and as the infrastructure has recently been upgraded, this is unlikely to occur as roots generally only access through pre-existing breaks."

Whilst I do not discount what you say in that it is "common situation across Canberra", I am concerned about the dangerous tree at [REDACTED]; it would be unhelpful of me to speculate on other trees and other situations.

It is interesting that from 21 October the narrative was changed by TCCS to change scope, deflect and defer blame to Icon Water and Roads ACT. Both Icon Water and Roads ACT provide very different service functions for Canberra, TCCS on the other hand has remit for street trees. However, regardless, please find attached email correspondence to me from Icon Water stating in March 2020 they would be corresponding with the TCCS on the matter; further this correspondence also contains evidence of discussion that there is no assurance Icon Water can provide that the replaced infrastructure will not be penetrated by the dangerous tree in the future. Also, to clarify, in February and March 2020, when Icon Water undertook work this was just to the sewage infrastructure, there was no upgrade to water, stormwater or the underground gas services; these services are all located underneath the dangerous tree.

The [ACT Government Municipal Infrastructure Standard 06 'Verges'](#), states that "service ties are susceptible to tree root intrusion and must be located as far as practical from the root zone", further, this standard also establishes standards for minimal distances to service ties and underground services. As evidenced in the attached Access Canberra Tie Plumbing Search, the dangerous tree is immediately on top of the essential water,

gas, sewage and stormwater services, including the service ties, and the dangerous tree breaches these standards.

By definition, susceptible means "likely or liable to be influenced or harmed by a particular thing" therefore, given standard 06 and absence of assurance from Icon Water, I vehemently disagree with your statement that it is "unlikely" the roots of the dangerous tree will again penetrate the upgraded sewage infrastructure. And again, the water, stormwater and gas infrastructure were not upgraded and are original from the late 1970s and early 1980s when [REDACTED] and our homes were first built.

"The majority of street trees have branches that overhang the road. The assessment did not identify any indicators that any branches or the tree would fail, nor that the tree presents an unacceptable line of sight issue. While we acknowledge the inconvenience that leaf litter and branches is creating, this alone is not considered to be a reason to remove the tree near your home."

At no stage throughout this matter have I raised a concern about "inconvenience" about leaf litter; I find your statement patronising and condescending. I have consistently raised with TCCS and the Minister for Transport & City Services, the health and safety concerns, particularly to my fiancé, that leaf litter creates, the blockages and pollution of storm water, and the real concerns us and our neighbours share about damage to our lives, our homes and out vehicles created by this dangerous tree and the risks it poses.

"The Federal Highway and Northbourne Avenue corridor is classified as a Designated Area due to its special symbolic and functional significance as a main avenue and approach to the National Capital. Within Designated Areas the National Capital Authority has responsibility for determining detailed planning policy that includes landscape design and character. The light rail was a major infrastructure project for Canberra, constructed under the authority of Major Projects Canberra."

I assume this statement on light rail has something to do with my question to Ms Ning on 21 October where I asked did the removal of perfectly health street trees along Northbourne Avenue to make way for the light rail come with advice from TCCS that removal of these trees was in breach of the "conservative approach" to street tree removal that TCCS want to use as an excuse to not remove the dangerous tree? Whilst I appreciate your statement, this does not address the question at hand, did TCCS provide advice to the ACT Government that the removal of healthy trees along Northbourne Avenue would in fact be in breach of the "conversative approach" TCCS has on street tree removal; or, did TCCS provide no advice at all on the matter? Because if TCCS provided no advice to the ACT Government then TCCS can hardly use this "conservative approach" as a legitimate excuse in this matter.

"Noting the above, I confirm that the matters subject to your email of 21 October and previous correspondence are now closed and there is no intention for these to be re-investigated."

Unfortunately, the matter is not yet closed as there are outstanding action items to be attended to. In Ms Ning's email on 21 October she stated that "We will continue to monitor the tree with regards to the lean and your concerns that the tree is moving", this is on top of the Minister for Transport Canberra & City Services previously advising TCCS will "continue to monitor the health of the tree". I asked Ms Ning whether a management

action plan was developed with clearly defined dates, measurements, and quality standards given such a plan would be necessary to achieve continual monitoring of the dangerous tree. I am hereby requesting a copy of this management action plan from TCCS as to how the dangerous tree will be monitored.

According to records in the FOI request, prior to this year alone, the dangerous tree has been reported on at least four separate occasions to TCCS; each time, despite the dangerous tree continuing to decline, TCCS still want to "monitor" the dangerous tree only, yet by Ms Ning's advice on 30 September, TCCS have no budget for preventative monitoring measures and must use what limited budget is available for reactive measures only.

I must ask, how is it a proper and efficient use of public monies spent to date to retain this one, single dangerous tree?

I look forward in hearing from you at your earliest convenience, please do not hesitate in contacting me on [REDACTED] if you have any questions or queries.

Regards,

From: Alegria, Stephen <Stephen.Alegria@act.gov.au>

Sent: Wednesday, 4 November 2020 8:07 AM

To: [REDACTED]

Subject: Response to your email- tree removal

OFFICIAL

Dear [REDACTED]

Thank you for your email of 21 October 2020 to my team members Ms Rachael Dawes and Ms Sam Ning regarding our responses to your request via Fix My Street ([REDACTED]). I am writing in my capacity as Executive Branch Manager, City Presentation. I understand that you have had numerous interactions with members of my team in relation to this issue and that you have requested a response from a more senior officer.

Ensuring that public safety is not compromised by the presence of trees within the urban area is a high priority and decisions relating to the management of urban trees are generally based on meeting this objective. TCCS employs a team of skilled and experienced staff to undertake tree assessments and determine the appropriate management action. I acknowledge your concerns, however, it has been established that there are currently no indicators that the tree outside your neighbour's home presents an unacceptable risk to you or the community.

This species, a *Eucalyptus nicholli* cross, and many other species of Eucalypt are commonly planted as street trees. The tree has not reached the end of its lifespan and still plays an important role as part of the urban forest canopy of Canberra. Based on the assessments of several qualified arborists, the canopy of the tree is in a good condition, with minimal deadwood and has been deemed to be sound and healthy. Canberra's urban forest is comprised of a diverse combination of evergreen and deciduous trees and this diversity provides important ecological and amenity advantages.

Whilst it has been established that the tree is located over services, this is a common situation across Canberra and the infrastructure owners, ICON and Roads ACT, have not contacted us in relation to this tree. As has already been demonstrated, there are mitigating measures should the infrastructure be blocked by roots and as the infrastructure has recently been upgraded, this

is unlikely to occur as roots generally only access through pre-existing breaks.

Transport Canberra and City Services (TCCS) has a procedure regarding claims for tree root damage to private infrastructure. The Territory does not automatically accept liability for damage until the circumstances have been investigated. TCCS will consider a claim for reimbursement of the costs of associated repairs within the lease, if it can be clearly demonstrated that roots from a government tree have caused the issue. The claims procedure for tree root damage to private infrastructure can be found at www.cityservices.act.gov.au/trees-and-nature/trees/trees-on-public-land.

The majority of street trees have branches that overhang the road. The assessment did not identify any indicators that any branches or the tree would fail, nor that the tree presents an unacceptable line of sight issue. While we acknowledge the inconvenience that leaf litter and branches is creating, this alone is not considered to be a reason to remove the tree near your home.

The Federal Highway and Northbourne Avenue corridor is classified as a Designated Area due to its special symbolic and functional significance as a main avenue and approach to the National Capital. Within Designated Areas the National Capital Authority has responsibility for determining detailed planning policy that includes landscape design and character. The light rail was a major infrastructure project for Canberra, constructed under the authority of Major Projects Canberra.

Noting the above, I confirm that the matters subject to your email of 21 October and previous correspondence are now closed and there is no intention for these to be re-investigated.

In the event that the condition of the tree changes, this can be reported through the Fix My Street page on the ACT Government Website at www.act.gov.au/fixmystreet. The receipt of new evidence will be assessed on its individual merit and in consultation with you.

Stephen Alegria | Executive Branch Manager | City Presentation

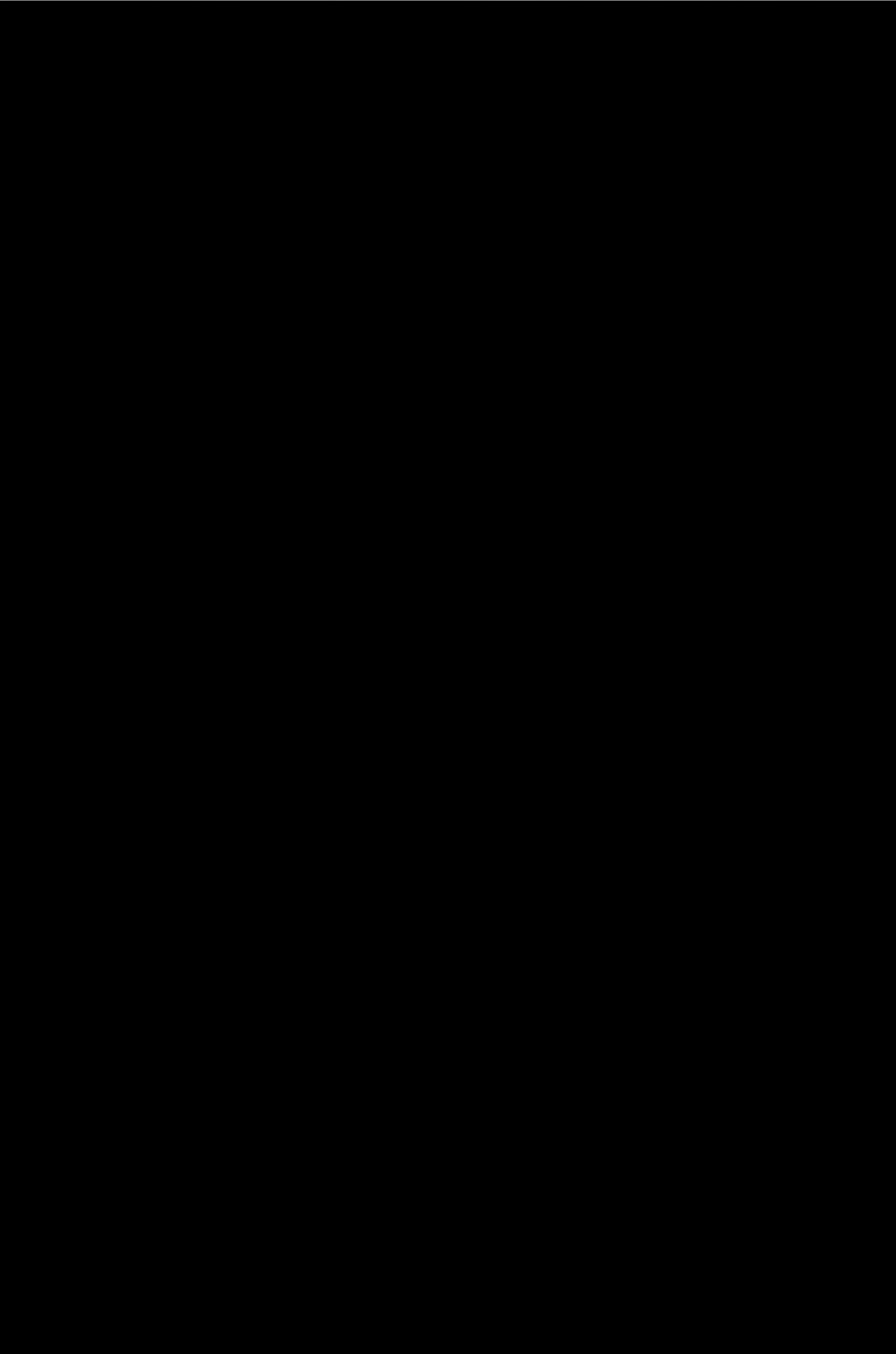
M [REDACTED] | T 02 6207 9833

City Services | Transport Canberra and City Services Directorate

480 Northbourne Avenue, Dickson ACT | GPO 158, Canberra ACT 2601.

www.tccs.act.gov.au

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RE: Case [REDACTED] - blowback this morning and various concerns.

Roder, Lachlan <Lachlan.Roder@iconwater.com.au>

Tue 10/03/2020 9:13 AM

To: [REDACTED]

Cc: [REDACTED]

Hi [REDACTED]

Thankyou for your email.

I will pass your concerns in regards to the health of your trees onto the contractor undertaking the works (Fernando from PRS). They will be able to provide some advice on this. The trees may just require some additional nutrients whilst their root systems re-establish.

In relation to the 2 trees references in your email below, I will pass your concerns to Matt Quirk, who runs our customer service team. He is already aware of the issue and your additional feedback should aid in dealing with ACT Government.

Kind Regards,

Lachlan Roder
Project Engineer
Infrastructure Services Group



Icon Water
GPO Box 366 Canberra ACT 2601
T 02 6180 6187 M [REDACTED]
iconwater.com.au | [Twitter](#) | [YouTube](#) | [LinkedIn](#)

SAFETY ◆ EXCELLENCE ◆ OPENNESS

From: [REDACTED] >

Sent: Monday, 9 March 2020 9:11 PM

To: Roder, Lachlan <Lachlan.Roder@iconwater.com.au>

Cc: [REDACTED]

Subject: Re: Case [REDACTED] - blowback this morning and various concerns.

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and are expecting the content or attachment from the sender

Good Evening Lachlan,

Thank you for your email on 24 February as well as your telephone call.

There were a couple of further things I wanted to add in relation to the summary of our discussion:

- Scale of the works being undertaken in [REDACTED] and [REDACTED] are major

capital works and largely result from invasive tree roots by ACT Government street trees.

- ICON Water are replacing the sewage line in the street which you believed would make it difficult for the trees at number [REDACTED] to infiltrate the new sewage line with their invasive root systems though you were not able to guarantee with absolute assurance that this will not occur. The only way to guarantee with absolute assurance is for the ACT Government to remove these trees.
- ICON water cannot guarantee with absolute assurance that the invasive root systems of ACT Government street trees at number [REDACTED] will not invade the sewage system from my side of the boundary where the house sewage connects to the street sewage system.
- When my fiancé and I purchased our home in [REDACTED] we have at considerable expense removed invasive privet trees from our property and undertaken planting of new trees in our front yard; we deliberately planted species of tree that do not invade water and sewage infrastructure when searching for water rather they will simply die instead. Therefore, in the event that ICON water locate tree roots on our side of the riser my fiancé and I do not accept liability nor costs because those roots will be from the ACT Government street trees and not any trees of ours.
- Jessica from ICON Water customer service advised on 20 February 2020 that she would write to the ACT Government recommending removal of the ACT Government street tree at [REDACTED] though later rescinded that undertaking. We discussed that I believed ICON Water has a duty of care to recommend to the ACT Government removal of the problematic street trees at [REDACTED] and [REDACTED] particularly give subcontractors of ICON Water identified these two trees had roots which invaded the sewage system and ICON water records previously indicate tree roots being an issue in [REDACTED]

Also, outside of our discussion on 24 February, it appears some of the plants/trees in our gardens are starting to die after they were disturbed during the sewage works. Are you able to please advise how we are able to seek assistance with restoring our gardens?

Many thanks.

Kind Regards,

[REDACTED]

From: Roder, Lachlan <Lachlan.Roder@iconwater.com.au>

Sent: Monday, 24 February 2020 5:46 PM

To: [REDACTED] >

Subject: FW: Case [REDACTED] - blowback this morning and various concerns.

Hi [REDACTED]

Thankyou for your time this afternoon. Your feedback in relation to the correspondence we provide to our customers is greatly appreciated and we will take it on board to hopefully avoid repeat issues.

In term of the correspondence issued to you in relation to works currently underway (received on 6th February 2020), we have discussed the following issues:

- The letter was a hand delivered piece of paper (not in an envelope). Future correspondence should be delivered in an Icon Water Envelope addressed to the resident.
- The letter did not clearly identify what to do in the event of a blowback. This will be clearly noted in future letters to customers.
- The letter does not clearly identify that the sewer riser is to be installed inside the property boundary. To be made clear in future correspondence
- The works period provided in the letter covers quite a long period. Current practice is for the contractor to issue a letter at least 7 days prior to any physical works being undertaken at the site. Following this the contractor is required to get in touch with the resident in the days leading up to the works in cases where their property is directly impacted (which is the case here). Following the works (which typically take up to a week for longer lines) restorations take place. This includes restoration of all disturbed areas and replacement of plants. The driver here is to ensure the finished product is as close to the original appearance as possible. This process can take time to finalise works at all properties within the street. Hence the long period noted in the letter.
- It is important to note that service disruptions are short for this type of work (2-3 hours) whilst the riser and new main is installed. Restorations are typically completed within the week, however can take longer. In these instance the contractor should advise the resident when the works are to be completed.
- Lastly I acknowledge that working hours need to be noted in the letters issued to customers for future works to ensure they are prepared.

I would also like to note our conversation in relation to the type of trees planted within the street. It is noted that the species of gum tree currently located near the sewer is know to have an invasive root system is likely a contributing factor to the current failures. It is also noted that you have made multiple request for this tree to be removed due to safety concerns and impacts to services. Following renewal of the sewer main the risk of root ingress into the main will be significantly reduced as the new pipe will have no joints for the roots to penetrate through. Any blockages within the network may be reported to Icon Waters Emergency and outages hotline (02 6248 3111). I also note that you have elected to plant species with non-invasive root systems on your property to protect your service tie from damage.

If I have missed anything in the above summary please feel include in a response. I will then provide to our customer service team to attach to this case number for future reference.

If you have further issues please feel free to contact me via email or on the number listed below.

Kind Regards,

Lachlan Roder
Project Engineer
Infrastructure Services Group



Icon Water
GPO Box 366 Canberra ACT 2601
T 02 6180 6187
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SAFETY ◆ EXCELLENCE ◆ OPENNESS

From: Icon Water Talk To Us <TalkToUs@iconwater.com.au>

Sent: Thursday, 20 February 2020 4:07 PM

To: Roder, Lachlan <Lachlan.Roder@iconwater.com.au>

Subject: RE: Case [REDACTED] - blowback this morning and various concerns.

Hey Lachlan,

Are you able to be contact this customer.

He is very concerned the riser is being installed as Icon Waters benefit as a money ride-off.

He would also like confirmation that his garden will be restored to the way it is. He has just planted an ornamental pear tree in the same place the riser is going to be restored.

A contractor has told the owner there are 2 trees at number [REDACTED] that are affecting the pipes.

I will email on behalf of the customer to Access Canberra advising he would like the tree removed. As requested by the customer I do so.

If you are able to call him to advise of the risers reasoning to be installed and confirm the site will be restored to the way it is.

Customer details:

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Thanks,

Jess

From: Roder, Lachlan <Lachlan.Roder@iconwater.com.au>
Sent: Tuesday, 18 February 2020 4:47 PM
To: Icon Water Talk To Us <TalkToUs@iconwater.com.au>; _Pod 3 <Pod3@iconwater.com.au>
Cc: Wood, Jessica <Jessica.Wood@iconwater.com.au>
Subject: RE: Case [REDACTED] - blowback this morning and various concerns.

Hi Sophie,

Please find attached a copy of the letter issued to the resident. The scope of works is clear in the letter and includes details on the service tie.

The main was cleaned today in preparation for the works that will take place within the next week. As per the letter works include the installation of a riser (typically within 1m of the sewer main) and replacement of the sewer main (pipe bursting method).

In terms of delivering the letter, hand delivery is the preferred method by our contractors as it provides reassurance that the letter has been delivered on time and not held up in the post.

Please let me know if you require any further information to assist in closing this one out.

Regards,

Lachlan Roder
 Project Engineer
 Infrastructure Services Group



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From: Icon Water Talk To Us <TalkToUs@iconwater.com.au>
Sent: Tuesday, 18 February 2020 9:40 AM
To: _Pod 3 <Pod3@iconwater.com.au>
Cc: Wood, Jessica <Jessica.Wood@iconwater.com.au>
Subject: Case [REDACTED] - blowback this morning and various concerns.

Good morning team,

Would you please assist Jess in providing a written response to [REDACTED] living at the above address?

Here is the extract from my conversation with him this morning. I am organising cleaning for him today.

Customer experience: [REDACTED] called to lodge a complaint about the sewer rehabilitation work.

Notification was dropped off on 6 February 2020, not sent. [REDACTED] feels that it is disrespectful.

The work started this morning at 7am and the house filled with stench of sewer. Ensuite toilet has erupted with water all over the walls and carpet in hallway. And request for drain not to be used for the duration of the works is unrealistic. Nothing in the letter explains what the riser is and where it will be installed. [REDACTED] find the advice ambiguous and believes the riser will just be revenue raising for Icon Water.

He wished to have his concerns addressed about the poor notification, the fact it was dropped off and not mailed, the early start of the works, the lack of information on the riser and the blowback.

Thank you for your help,

Sophie Gobin

Customer Services Liaison
 Customer Engagement Group



Icon Water
 GPO Box 366 Canberra ACT 2601
 T 02 6248 3111 (option 3)
iconwater.com.au | [Twitter](#) | [YouTube](#) | [LinkedIn](#)

SAFETY ◆ EXCELLENCE ◆ OPENNESS

SAVE TIME
 HELP THE ENVIRONMENT
SIGN UP TO EMAIL BILLS TODAY

iconwater.com.au/ebilling

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Applied filters:WorkRequestFID contains 'WR14465'

WorkRequestFID	WRCreatedDate	WRReferenceNumber	WRSupportingInformation	WRDescription	WRLocation	WRResponsibleOfficer	WRStatus	WRStatusDate	WRResolutionDueDate
WR14465	29/01/2021		<p>***Last updated by Simone Taurasi***29/01/2021 3:25:45 PM , WR14465 : CRM Reference : ██████████ Requester Contact Name: ██████████</p> <p>Initial enquiry info only. See CRM for additional correspondence. Defect location info may be incorrect (address validation limitations).</p> <p>I am writing to the ACT Road Transport Authority to lodge a complaint about a dangerous ACT Government street tree at ██████████. I am a resident at ██████████.</p> <p>Over the past 10 months, I have been in a bureaucratic nightmare with Transport Canberra & City Services to remove the dangerous tree. Despite the dangerous tree not being in a state of full health and having been in decline since first reported to TCCS by our neighbours in 2017, TCCS will not remove the dangerous tree despite this request being reasonable and in line with their policy and framework on street tree removal. TCCS are shifting the narrative of why they will not remove the dangerous tree and are now saying that because the Road Transport Authority/Roads ACT has not contacted them about the dangerous tree then it will not be removed.</p> <p>When the dangerous tree falls, the direction it is leaning means it will likely fall on top of the road and completely obstruct the street which is a narrow and very curved cul-de-sac; there is a risk the tree will fall onto vehicles and/or people as well. The dangerous tree is located</p>	ACT Government street tree at ██████████ is a road and traffic hazard	Not Identified		REJECTED	29/01/2021	5/02/2021
			Please see attached document for all supporting information						

WRPriority
Notation

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WorkRequestFID WRCreatedDateTime WRReferenceNumber WRSupportingInformation
 WRDescription WRLocation WRResponsibleOfficer WRStatus WRStatusDateTime
 WRResolutionDueDate WRPriorityNotation

WR14465 29/01/2021 14:05:13 [REDACTED] WR14465 : Please redirect as this relates to a dangerous tree

Last updated by Simone Taurasi29/01/2021 3:25:45 PM

, WR14465 :

CRM Reference : [REDACTED]

Requester Contact Name: [REDACTED]

Initial enquiry info only. See CRM for additional correspondence.

Defect location info may be incorrect (address validation limitations).

I am writing to the ACT Road Transport Authority to lodge a complaint about a dangerous ACT Government street tree at [REDACTED] ACT 2905. I am a resident at [REDACTED]

Over the past 10 months, I have been in a bureaucratic nightmare with Transport Canberra & City Services to remove the dangerous tree. Despite the dangerous tree not being in a state of full health and having been in decline since first reported to TCCS by our neighbours in 2017, TCCS will not remove the dangerous tree despite this request being reasonable and in line with their policy and framework on street tree removal. TCCS are shifting the narrative of why they will not remove the dangerous tree and are now saying that because the Road Transport Authority/Roads ACT has not contacted them about the dangerous tree then it will not be removed.

When the dangerous tree falls, the direction it is leaning means it will likely fall on top of the road and completely obstruct the street which is a narrow and very curved cul-de-sac; there is a risk the tree will fall onto vehicles and/or people as well. The dangerous tree is located immediately on top of essential water, gas, sewage and storm water infrastructure and it will sever these essential services as well. The dangerous tree consistently drops branches and limbs onto the road and travelling vehicles which creates a risk as well. The cost to the ACT Government when the dangerous tree falls and in public liability costs will far exceed the cost of its removal.

Also, having reviewed the ACT Government 'Design Standards for Urban Infrastructure', this dangerous tree is in violation of these standards for the following reasons:

- Location to essential services infrastructure is not at the 1200mm as per the standards.
- Close proximity to the road and obscures the footpath forcing pedestrians to walk on the road as there is no footpath.

[REDACTED] is a narrow and very curved cul-de-sac. The dangerous tree creates a blind spot for drivers reversing from their driveways, and vehicles on [REDACTED] have their line of sight around the cul-de-sac obscured.

I am requesting that the Road Transport Authority/Roads ACT inspect the dangerous tree and write to TCCS accordingly to highlight the risks and hazards this dangerous tree poses to the safety of road users, both vehicles and pedestrians, and to road infrastructure; and confirming that its removal will eliminate all associated risks and hazards whilst.

I look forward in hearing from your office at your earliest convenience.

Phone Number:

[REDACTED]

Verify Email Address:

[REDACTED]

Last updated by TCCS.ICX Integrations29/01/2021 2:05:14 PM

, WR14465 :

CRM Customer Note: 29/01/2021 12:55 PM

On 29 January 2021, call Access Canberra on 13 22 81 at 1313. Call connected to 'Tom' who original advises I need to speak with Urban Trees but after explaining the original request advises he will transfer me to 'Municipal Services' and places me on hold for 28 minutes. Tom returns to call and asks 'are you there' which I reply 'yes I am, after nearly 30 minutes of waiting' and then Tom immediately disconnects the call.

CRM Private Note:

29/01/2021 12:42 PM

[REDACTED] is wanting a response from ACT Roads and not Urban Trees.

CRM Private Note: 29/01/2021 12:41 PM

Michelle forwarded this Enquiry to Michael.Rootsey@act.gov.au

Hi,

The below incident has been received through the ACT Government CRM.

Can you please respond to the customer's enquiry using the below form. When you respond it will be sent directly back to the customer's email.

If this is not for your area, please select 'Reply to Staff Member' before submitting response. (If this option is not available, it will be sent back to the staff member by default, you will not need to manually select this)

Kind regards,

Access Canberra

Municipal Services

CRM Customer Note: 25/01/2021 9:24 AM

Good Morning,

The response received at 1009 on 25/01/2021 is from 'Urban Treescapes' and not Roads ACT/ACT Road Transport Authority. At no stage have I asked for TCCS/Urban Treescapes in this request to provide commentary on the matter and it appears that the request has been forwarded to the incorrect area of the ACT Government.

Per the original request on 04/11/2020, I clearly stated that 'I am requesting that the Road Transport Authority/Roads ACT inspect the dangerous tree and write to TCCS accordingly to highlight the risks and hazards this dangerous tree poses to the safety of road users, both vehicles and pedestrians, and to road infrastructure; and confirming that its removal will eliminate all associated risks and hazards whilst.'

Rather than send this Fix My Street Request to TCCS/Urban Treescapes to immediately close it off, can the Road Transport Authority/Roads ACT inspect the dangerous tree at [REDACTED] and write to TCCS accordingly? Part of the highly biased narrative from TCCS is that they will not consider removing the dangerous tree because the Road Transport Authority/Roads ACT have not written to them on the matter.

Therefore, again, I am seeking the Road Transport Authority/Roads ACT to inspect the dangerous tree and write to TCCS accordingly based upon the risk factors of the dangerous tree along with its breach of 'Design Standards for Urban Infrastructure', including:

- Location to essential services infrastructure is not at the 1200mm as per the standards.
- Close proximity to the road and obscures the footpath forcing pedestrians to walk on the road as there is no footpath.
- [REDACTED] is a narrow and very curved cul-de-sac. The dangerous tree creates a blind spot for drivers reversing from their driveways, and vehicles on [REDACTED] have their line of sight around the cul-de-sac obscured.

Kind Regards,

[REDACTED]

CRM Private Note: 25/01/2021 6:22 AM

Updated by SME (Michael.Rootsey@act.gov.au)

The Driveway repairs have been completed under Defect [REDACTED], Refer to David Griffin [UTS] to respond to Tree removal enquiry.

CRM Private Note: 22/01/2021 8:39 AM

Michelle forwarded this Enquiry to Michael.Rootsey@act.gov.au

Hi,

The below incident has been received through the ACT Government CRM.

Can you please respond to the customer's enquiry using the below form. When you respond it will be sent directly back to the customer's email.

If this is not for your area, please select 'Reply to Staff Member' before submitting response. (If this option is not available, it will be sent back to the staff member by default, you will not need to manually select this)

Kind regards,

Access Canberra

Municipal Se

Last updated by TCCS.ICX Integrations29/01/2021 2:05:13 PM ACT Government street tree

at [REDACTED] is a road and traffic hazard Not Identified

REJECTED 29/01/2021 15:25:45 05/02/2021 00:00:00

Bruan, Nicole

From: Halls, Luke
Sent: Monday, 1 February 2021 2:17 PM
To: Lauro, Katrina
Subject: RE: [REDACTED]

OFFICIAL

Hi Katrina

Thank you for the below.

Point of clarification, Roads may inspect a footpath or other assets if they are concerned and they exist at that location. Street trees are the responsibility of Urban Treescapes and decisions to maintain or remove them are subject to their assessment and management.

Not sure where the impression noted highlighted section below has come from.

Can you please add to file notes? As discussed, I will obtain further background from Racheal and Stephen and provide more information when I have it.

Thank you.

Luke Halls

Director Business Support City Presentation

Phone: 6207 7112 Mobile: [REDACTED] Email: luke.halls@act.gov.au

City Presentation | Transport Canberra and City Services Directorate | ACT Government
Level 4, 480 Northbourne Ave, Dickson ACT 2602 | GPO Box 158 Canberra City ACT 2601

From: Lauro, Katrina <Katrina.Lauro@act.gov.au>
Sent: Monday, 1 February 2021 12:57 PM
To: Halls, Luke <Luke.Halls@act.gov.au>
Subject: [REDACTED]

OFFICIAL

Hi Luke,

██████████ latest upload to the CRM job.

Katrina, Team Leader from Access Canberra called 01/02/2021 at 1148. Katrina advised she has spoken with "Luke Halls, Director Business Support City Presentation" and that he will be requesting the Road Transport Authority/Roads ACT to inspect the tree, though "a decision has been made about the tree".

Advised Katrina that is my expectation, that when the Roads Transport Authority/Roads ACT inspect the dangerous tree at ██████████, that they inspect it with an objective and open minded consideration to their asset, being the road and verge which is affected and impacted, along with the underground water, gas, sewage and storm water infrastructure that is affected by the dangerous tree as established in the 'Access Canberra Plumbing Tie Search' which the dangerous tree sits on top of and will severely damage if it falls. Further, advised that an inspection and report to TCCS/Urban trees by the Road Transport Authority/Roads ACT be done with consideration to the ACT Government Municipal Infrastructure standards as stated on 4 November 2020 and again on 29 January 2021, standards that this dangerous tree is in violation of.

Further, advised it was my expectation that any decision to not remove the dangerous tree was one made by TCCS/Urban Trees in which they had stated they had not been contacted by Roads ACT/Road Transport Authority and that any decision by TCCS/Urban Trees should not impact nor influence the outcome of Roads ACT/Road Transport Authority being honest and objective.

When asking which member of TCCS/Urban Trees closed this request off on 25 January 2021 with details "Staff Account (Subject Matter Expert) via channel 'Email'" - Katrina advised Luke Halls had told her that it was an automated closure message. I objected to this and stated the closure would had to have been initiated by someone and the message itself was very detailed, so someone in TCCS/Urban Trees would had to have known or looked for through a separate Fix My Street Request for this information. The excuse given by Katrina was "there are lots of automated pre-filled messages that can be sent out as Luke advised". I still disagreed that such an automated message would be knowing of the intricate details of a separate Fix My Street Request to TCCS/Urban Trees, and this request ██████████ was clearly directed to the Road Transport Authority/Roads ACT, and someone in other ACT Government office has sent it to TCCS/Urban Trees who have then closed it off.

It is my expectation to find out who in TCCS/Urban Trees, took this request ██████████ which was clearly marked to the Road Transport Authority/Roads ACT, and closed it off as that is unacceptable.

It is most disappointing that as at 1 February 2021, when this request to Road Transport Authority/Roads ACT which was lodged on 4 November 2020, will finally be sent from Luke Halls to the Road Transport Authority/Roads ACT. When articulating this to Katrina, the advise given was I have to await the outcome of the RTA/Roads ACT inspection and then a complaint can be lodged to some complaints team to look at. However I very much doubt and fear any internal review by Access Canberra/ACT Government will not be performed objectively and impartially and carried out with a pre-determined view to protect the Government in their failure of delivering reasonable services, than any reasonable constituent and person ought to expect.

Kind regards,

Katrina | Team Leader | Contact Centre

Phone 61427772 |

Access Canberra | Chief Minister, Treasury and Economic Development | ACT Government

GPO Box 158 Canberra ACT 2601 | www.act.gov.au



From: [Alegria, Stephen](#)
To: [Halls, Luke](#)
Subject: [REDACTED] request
Date: Tuesday, 2 February 2021 4:56:00 PM

OFFICIAL

Hi Luke,

This has come to me from AC- lets discuss tomorrow!

Good Afternoon Katrina,

Thank you for your voicemail message and response. Apologies, I was in a meeting.

I note that when logging into my Fix My Street Account this request has been marked as "Resolved". This request is certainly not resolved. I am yet to see any evidence that Roads ACT/Road Transport Authority have inspected the dangerous tree as requested.

Whilst I certainly acknowledge that from an Access Canberra perspective that you cannot do anything further, I am baffled and bemused that yesterday's advice was Luke Halls would be taking custody of the matter, and today the advice has changed, without explanation to the matter will be forwarded to Stephen Alegria.

Also, I would like to again highlight that it was Stephen Alegria who was the representative who refused to consider removal to remove the dangerous tree as "the infrastructure owners, ICON and Roads ACT, have not contacted us in relation to this tree". This is the very reason why I lodged this Fix My Street Request, to have Roads ACT/Road Transport Authority inspect the dangerous tree and write to Urban Trees accordingly and with consideration to risk of the dangerous tree as it applies to the infrastructure and with consideration to the ACT Government design and municipal standards.

It certainly seems to be the case that my reasonable request for this Fix My Street Request to be sent to Roads ACT/Road Transport Authority has been denied and without a legitimate reason and explanation as to why.

How is it that a reasonable constituent is persistently denied the right to engage in dialogue for a legitimate and reasonable request, and then agencies of the ACT Government persistently shift the narrative and raise the benchmark, then deny that constituent the right to have their request be addressed by the appropriate agency. In this case, the request is to Roads ACT/Road Transport Authority yet here we are, the request as gone to Urban Trees, again, and then closed off

Stephen Alegria | Executive Branch Manager | City Presentation

M [REDACTED] | T 02 6207 9833

City Services | Transport Canberra and City Services Directorate

480 Northbourne Avenue, Dickson ACT | GPO 158, Canberra ACT 2601.

www.tccs.act.gov.au

I acknowledge the traditional custodians of country across Australia and recognise their continuing connection to the land,

waters and culture. I pay my respect to them and their cultures, and to elders past, present and emerging.

Bruan, Nicole

From: Lauro, Katrina
Sent: Thursday, 4 February 2021 4:59 PM
To: Halls, Luke
Subject: RE: FMS [REDACTED]

OFFICIAL

Hi Luke,

Thank you for your email.

The incident numbers for [REDACTED] Lynch relating to this tree are :

[REDACTED]
[REDACTED] (This is the one lodged by ICON, regarding the tree).

Thank you.

Kind regards,

Katrina | Team Leader | Contact Centre

Phone 61427772 |

Access Canberra | Chief Minister, Treasury and Economic Development | ACT Government

GPO Box 158 Canberra ACT 2601 | www.act.gov.au



From: Halls, Luke <Luke.Halls@act.gov.au>
Sent: Wednesday, 3 February 2021 9:38 AM
To: Lauro, Katrina <Katrina.Lauro@act.gov.au>
Subject: FMS [REDACTED]
Importance: High

OFFICIAL

Hi Katrina

Can you please send me all the recent FMS/CRM numbers for interactions with [REDACTED]? I just want to make sure we are coordinating a response that encompasses the most recent issues.

If you need to give me a call, please let me know.

Cheers,

Luke Halls

Director Business Support City Presentation

Phone: 6207 7112 Mobile: [REDACTED] Email: luke.halls@act.gov.au

City Presentation | Transport Canberra and City Services Directorate | ACT Government
Level 4, 480 Northbourne Ave, Dickson ACT 2602 | GPO Box 158 Canberra City ACT 2601

From: [Alegria, Stephen](#)
To: [Halls, Luke](#)
Subject: latest [REDACTED] corro from FMS
Date: Thursday, 4 February 2021 8:34:00 AM

OFFICIAL

Good Evening Stephen,

Naturally this matter is great concern to me, and like any reasonable person; I take the safety and wellbeing of my family, our home, our neighbours and the community very seriously.

As repeatedly highlighted to Katrina from Access Canberra, via telephone and through this Fix My Street Request, on 4 November 2020, the request was lodged and clearly articulated that it was relevant to Roads ACT/Road Transport Authority including the reasons why and municipal infrastructure standards they were being asked to comment on which are impacted by the dangerous tree at [REDACTED]. The reason I lodged this request was it was very clear in correspondence issued by you on 4 November 2020, relating to Ref [REDACTED], and clearly stated "the infrastructure owners, ICON and Roads ACT, have not contacted us in relation to this tree". On 5 November 2020, Access Canberra advised the matter would be referred to the Road Transport Authority/Roads ACT for investigation and a response.

So, I am at a complete loss as to why, between Access Canberra and your office, there is a blatant refusal to have Roads ACT/Road Transport Authority inspect their assets which are impacted, and to write to TCCS/Urban Trees with consideration to their asset and to do this without undue influence, pressure and biases. At no stage in this request have I requested that you consult with "relevant areas of Government in relation to this matter". I did formally request this in matter [REDACTED] prior to November 2020, and multiple times, yet both yourself and your Assistant Director, Ms Samantha Ning were not willing to do this.

Further, it was advised on 1 February 2021, by Katrina from Access Canberra, that Mr Luke Halls would have the matter referred to him; nothing that Mr Halls is not a part of Roads ACT/Road Transport Authority and as I understand is your manager. Katrina provided the caveat that Mr Halls had stated "a decision had been made about the tree" and implied that decision would not be overturned; too me this shows further evidence of very clear bias in TCCS/Urban Trees/City Presentations - also I am bemused why such an upfront statement would be made prior to Roads ACT/Road Transport Authority being able to inspect their asset and the dangerous tree and write to Urban Trees with their findings.

Perhaps you can explain why, a reasonable request to Roads ACT/Road Transport Authority is being denied in having them attend to request and reply to me directly as originally requested and confirmed by Access Canberra on 5 November 2020.

Further, you have stated you will be "consulting" with relevant areas of Government, I would like to know more about how the term "consulting" is used and what "relevant areas of Government" you mean? Also, I am keen to know what information is exchanged during this consultation and whether it would prejudice the direction of the conversation with those "relevant areas of Government"?

Regards,

[REDACTED]
Stephen Alegria | Executive Branch Manager | City Presentation

M [REDACTED] | T 02 6207 9833

City Services | Transport Canberra and City Services Directorate

480 Northbourne Avenue, Dickson ACT | GPO 158, Canberra ACT 2601.

www.tccs.act.gov.au

I acknowledge the traditional custodians of country across Australia and recognise their continuing connection to the land,

waters and culture. I pay my respect to them and their cultures, and to elders past, present and emerging.

Bruan, Nicole

From: Halls, Luke
Sent: Monday, 8 February 2021 10:32 AM
To: Duke, Bronwen
Subject: Inspection [REDACTED]

OFFICIAL

Hi Bronwen

As discussed last week, I would appreciate it if you could send representatives of Roads ACT to inspect assets in [REDACTED] this week. The inspection relates to concerns that a member of the public has raised about a tree at [REDACTED]. Urban Treescapes will be conducting a tree assessment this month, however the member of the public has questioned if there may be issues with seen and unseen assets under Roads ACT custody.

In correspondence to the member of public, we have noted that we will provide information regarding the inspection by your officers the week of the 15/02/2021.

Don't hesitate to call me if you would like to discuss further.

Best,

Luke Halls

Director Business Support City Presentation

Phone: 6207 7112 Mobile: [REDACTED] Email: luke.halls@act.gov.au

City Presentation | Transport Canberra and City Services Directorate | ACT Government
Level 4, 480 Northbourne Ave, Dickson ACT 2602 | GPO Box 158 Canberra City ACT 2601

Bruan, Nicole

From: Halls, Luke
Sent: Tuesday, 16 February 2021 8:30 AM
To: Ludvigson, Paula; Duke, Bronwen
Cc: Mulville, Adam
Subject: RE: Inspection at [REDACTED]

OFFICIAL

Thank you All for heading out/organising and conducting the inspection within [REDACTED].

I will share this information with the constituent and move things forward.

Happy to chat.

Luke Halls

Director Business Support City Presentation

Phone: 6207 7112 Mobile: [REDACTED] Email: luke.halls@act.gov.au

City Presentation | Transport Canberra and City Services Directorate | ACT Government
Level 4, 480 Northbourne Ave, Dickson ACT 2602 | GPO Box 158 Canberra City ACT 2601

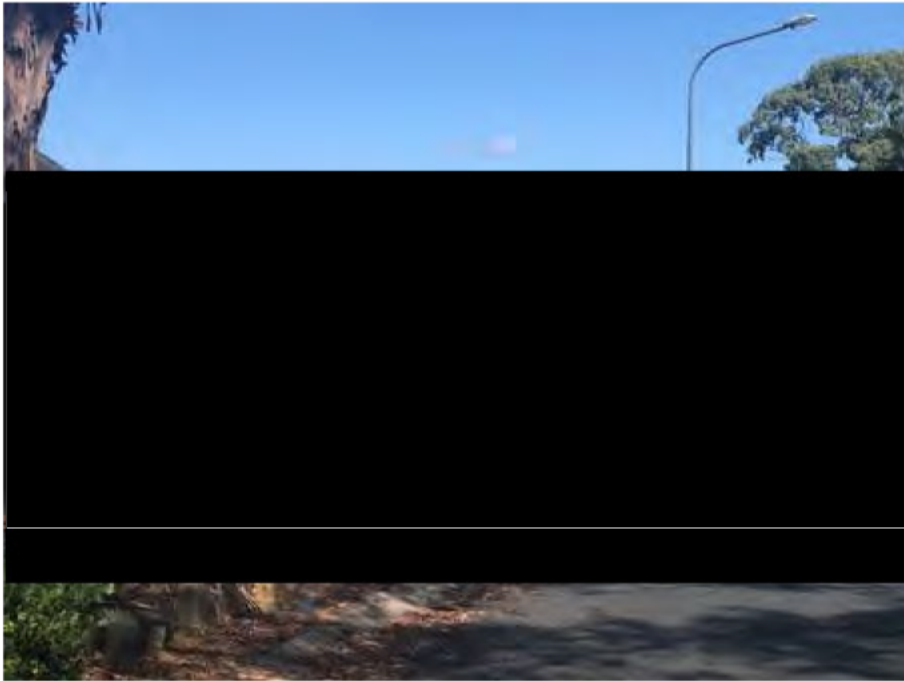
From: Ludvigson, Paula <Paula.Ludvigson@act.gov.au>
Sent: Monday, 15 February 2021 4:29 PM
To: Duke, Bronwen <Bronwen.Duke@act.gov.au>; Halls, Luke <Luke.Halls@act.gov.au>
Cc: Mulville, Adam <Adam.Mulville@act.gov.au>
Subject: Inspection at [REDACTED]

OFFICIAL

Hi Bronwen,

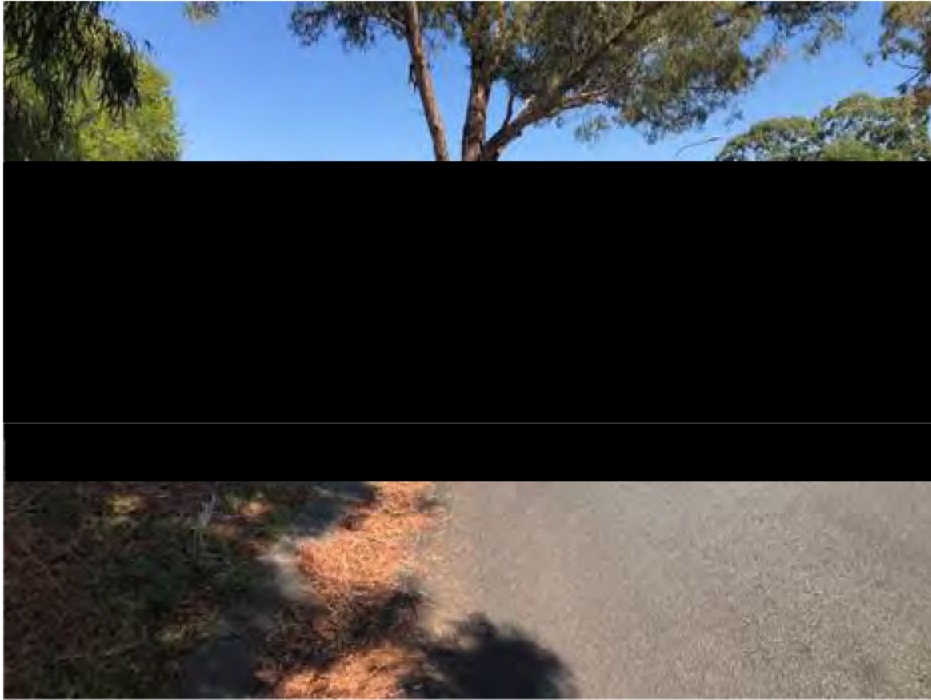
As requested, Adam and I inspected the Roads assets in and around [REDACTED]

There was no visible evidence of issues with any assets above ground, noting parts of the concrete driveway at [REDACTED] have been replaced. The gutters and road pavement appeared to be in good condition.











The stormwater pit located at the front of [REDACTED] was opened and there was no indication of any issues with blocked stormwater pipes in the area (I was advised that you would expect to see a build-up of debris etc if there were issues with blocked / partially blocked pipes).



Overall, the Roads assets in the area appear to be in good condition and do not appear to be adversely affected by the trees in the area.

Please do not hesitate to contact me should you require any further information or clarification.

Kind regards,

Paula Ludvigson | FOI/Claims Officer

Phone: (02) 6207 6597 | Email: paula.ludvigson@act.gov.au

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

480 Northbourne Ave, Dickson / 255 Canberra Avenue, Fyshwick

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Dickson



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Bruan, Nicole

From: Halls, Luke
Sent: Monday, 15 February 2021 11:04 AM
To: Duke, Bronwen
Subject: RE: [REDACTED] Asset Inspection

OFFICIAL

Thanks for that !

Good news re Perth! If you need anything from me to support your unit, let me know.

Will touch base with Paula

Luke Halls

Director Business Support City Presentation
Phone: 6207 7112 Mobile: [REDACTED] Email: luke.halls@act.gov.au
City Presentation | Transport Canberra and City Services Directorate | ACT Government
Level 4, 480 Northbourne Ave, Dickson ACT 2602 | GPO Box 158 Canberra City ACT 2601

From: Duke, Bronwen <Bronwen.Duke@act.gov.au>
Sent: Monday, 15 February 2021 10:27 AM
To: Halls, Luke <Luke.Halls@act.gov.au>
Subject: RE: [REDACTED] Asset Inspection

OFFICIAL

You can call Paula direct.

She was on site last Thursday and was doing an email for me

From: Halls, Luke <Luke.Halls@act.gov.au>
Sent: Monday, 15 February 2021 10:25 AM
To: Duke, Bronwen <Bronwen.Duke@act.gov.au>
Subject: [REDACTED] Asset Inspection

OFFICIAL

Hi Bron

When you have a moment, can we discuss – would you like me to call Paula Direct?

Cheers,

Luke Halls

Director Business Support City Presentation

Phone: 6207 7112 Mobile: [REDACTED] Email: luke.halls@act.gov.au

City Presentation | Transport Canberra and City Services Directorate | ACT Government
Level 4, 480 Northbourne Ave, Dickson ACT 2602 | GPO Box 158 Canberra City ACT 2601

Bruan, Nicole

From: Ludvigson, Paula
Sent: Monday, 1 March 2021 5:58 PM
To: Halls, Luke
Subject: FW: Inspection at [REDACTED]

OFFICIAL

Hi Luke,

Please find below correspondence to and from Neil regarding the above inspection.

Let me know if you need anything further.

Paula

Kind regards,

Paula Ludvigson | FOI/Claims Officer

Phone: (02) 6207 6597 | Email: paula.ludvigson@act.gov.au

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480 Northbourne Ave, Dickson / 255 Canberra Avenue, Fyshwick

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From: Pincombe, Neil <Neil.Pincombe@act.gov.au>
Sent: Monday, 1 March 2021 3:30 PM
To: Ludvigson, Paula <Paula.Ludvigson@act.gov.au>
Subject: RE: Inspection at [REDACTED]

OFFICIAL

Hi Paula,

I've had a look and concur with RM's view. The tree does not obscure the driveway, with good visibility approx.. 4.5m setback into the driveway before the tree becomes an issue. I could not identify any 'essential' services in close proximity to the tree and there are no footpaths on any of the adjacent properties. If the footpath were an issue, this could be resolved without necessarily removing the tree.

I hope this helps,
Neil

From: Ludvigson, Paula <Paula.Ludvigson@act.gov.au>
Sent: Friday, 26 February 2021 11:27 AM
To: Pincombe, Neil <Neil.Pincombe@act.gov.au>
Subject: RE: Inspection at [REDACTED] Richardson
Importance: High

OFFICIAL

Hi Neil,

Just wondering if you've had a chance to look at this one for me?

Thanks,

Paula

Kind regards,

Paula Ludvigson | FOI/Claims Officer

Phone: (02) 6207 6597 | Email: paula.ludvigson@act.gov.au

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From: Ludvigson, Paula

Sent: Monday, 22 February 2021 1:30 PM

To: Pincombe, Neil <Neil.Pincombe@act.gov.au>

Subject: FW: Inspection at [REDACTED]

Importance: High

OFFICIAL

Hi Neil,

I have spoken to Pawel and he believes you (or your team) would be best placed to inspect and provide answers to this information request.

Background - A MOP has raised concerns about a tree at the front of his property (which the Tree unit has inspected). Adam and I were asked to do an inspection of the Roads assets in the area and report our findings to Bronwen (see email below).

The MOP has now raised the following concerns in response to the information he was provided regarding our inspection.

“What appears missing from this alleged response from Roads ACT/Road Transport Authority is any reference to the relevant ACT Government 'Design Standards for Urban Infrastructure' as this dangerous tree is violation of these standards for some of the following:

- Location to essential services infrastructure is not at the 1200mm as per the standards.*
- Close proximity to the road and obscures the footpath forcing pedestrians to walk on the road as there is no footpath.*

[REDACTED] is a narrow and very curved cul-de-sac. The dangerous tree creates a blind spot for drivers reversing from their driveways, and vehicles on [REDACTED] have their line of sight around the cul-de-sac obscured.

Further, these standards were in fact clearly articulated in the original request on 4 November 2020 to Roads ACT/Road Transport Authority.”

It is my understanding that the area in question would have been gifted assets from the Commonwealth so I'm not sure the Design Standards being quoted would be relevant but happy to have your thoughts on the matter. I will also leave it up to you as to whether you need to conduct your own inspection in order to answer the above concerns.

It would be greatly appreciated if you could send me your thoughts and findings to the above ASAP and no later than COB Friday 26th February.

Happy to discuss further if needed.

Thanks,

Paula

Kind regards,

Paula Ludvigson | FOI/Claims Officer

Phone: (02) 6207 6597 | Email: paula.ludvigson@act.gov.au

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From: Halls, Luke <Luke.Halls@act.gov.au>

Sent: Friday, 19 February 2021 2:58 PM

To: Ludvigson, Paula <Paula.Ludvigson@act.gov.au>

Subject: RE: Inspection at [REDACTED]

OFFICIAL

Hi Paula

Stephen was able to provide your report to the member of the public, but they have some additional queries below.

Are you or an SME able to provide additional information as to the points below?

Can you please respond to this email with any information so the thread of dialogue between Roads ACT and City Presentation is demonstrated?

What appears missing from this alleged response from Roads ACT/Road Transport Authority is any reference to the relevant ACT Government 'Design Standards for Urban Infrastructure' as this dangerous tree is violation of these standards for some of the following:

- Location to essential services infrastructure is not at the 1200mm as per the standards.

- Close proximity to the road and obscures the footpath forcing pedestrians to walk on the road as there is no footpath.

- [REDACTED] is a narrow and very curved cul-de-sac. The dangerous tree creates a blind spot for drivers reversing from their driveways, and vehicles on [REDACTED] have their line of sight around the cul-de-sac obscured.

Further, these standards were in fact clearly articulated in the original request on 4 November 2020 to Roads ACT/Road Transport Authority.

Thank you

Luke Halls

Director Business Support City Presentation

Phone: 6207 7112 Mobile: [REDACTED] Email: luke.halls@act.gov.au

City Presentation | Transport Canberra and City Services Directorate | ACT Government
Level 4, 480 Northbourne Ave, Dickson ACT 2602 | GPO Box 158 Canberra City ACT 2601

From: Ludvigson, Paula <Paula.Ludvigson@act.gov.au>

Sent: Monday, 15 February 2021 4:29 PM

To: Duke, Bronwen <Bronwen.Duke@act.gov.au>; Halls, Luke <Luke.Halls@act.gov.au>

Cc: Mulville, Adam <Adam.Mulville@act.gov.au>

Subject: Inspection at [REDACTED]

OFFICIAL

Hi Bronwen,

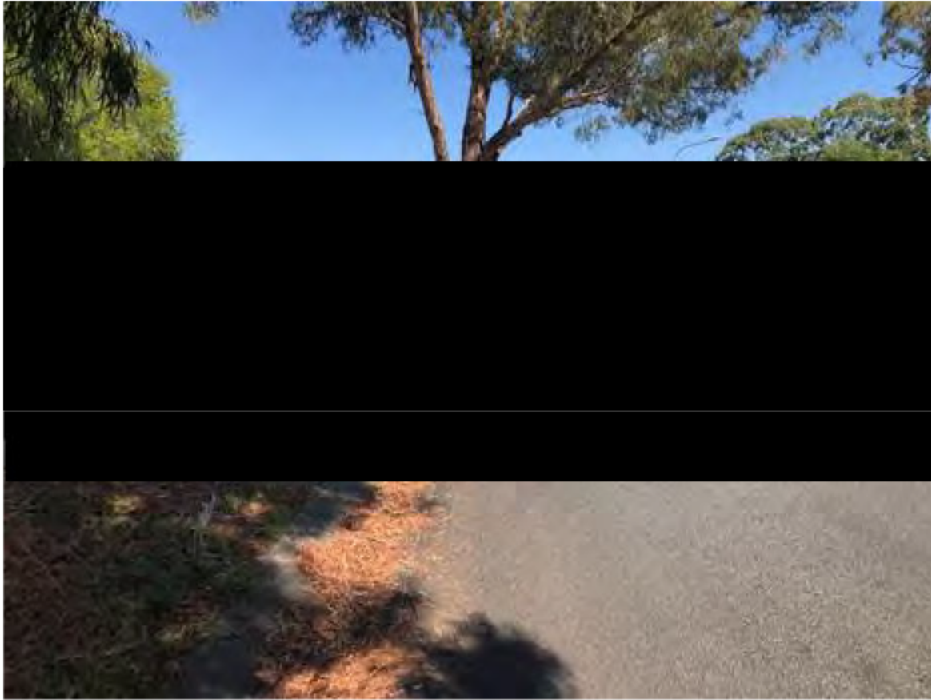
As requested, Adam and I inspected the Roads assets in and around [REDACTED]

There was no visible evidence of issues with any assets above ground, noting parts of the concrete driveway at [REDACTED] have been replaced. The gutters and road pavement appeared to be in good condition.











The stormwater pit located at the front of [REDACTED] was opened and there was no indication of any issues with blocked stormwater pipes in the area (I was advised that you would expect to see a build-up of debris etc if there were issues with blocked / partially blocked pipes).



Overall, the Roads assets in the area appear to be in good condition and do not appear to be adversely affected by the trees in the area.

Please do not hesitate to contact me should you require any further information or clarification.

Kind regards,

Paula Ludvigson | FOI/Claims Officer

Phone: (02) 6207 6597 | Email: paula.ludvigson@act.gov.au

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Re: Inspection at [REDACTED]

[REDACTED]
Thu 4/03/2021 11:58 PM

To: Alegria, Stephen <Stephen.Alegria@act.gov.au>

Cc: [REDACTED]

Good Evening Mr Alegria,

Thank you for your email received today at 1816.

In the interests of keeping continuity of records, I will be saving a PDF copy of the email thread including this response, to Fix My Street request [REDACTED]

What I am rather concerned about it is how the email thread only commences on 15 February 2021, where are the records that pre-date 15 February and capture where the "consultation" between TCCS/Urban Trees and the ACT Road Transport Authority/Roads ACT began. Review of the Fix My Street request alludes to this communication commencing in around 2 or 3 February.

Where are these earlier records and why have they been omitted from me? As I have stated in the Fix My Street Request, I have deep concerns about the ACT Road Transport Authority/Roads ACT being biased and/or prejudiced in their approach because of TCCS/Urban Trees during this "consultation". This certainly does not reduce my concerns and in fact increases them when reviewing the thread in that on 22 February 2021, extracts from the Fix My Street Request from 4 November 2020 seem to be viewed in a manner of:

"the MOP has now raised the following concerns in response to the information he was provided regarding our inspection".

Assuming that MOP refers to me as being a 'Member of the Public', I did not raise the concerns in response to the inspection, I clearly articulated the concerns on 4 November 2020. It was Access Canberra and TCCS/Urban Trees who intervened and denied this original request including the scope and terms, from getting to the ACT Road Transport Authority/Roads ACT.

Also, I note the dialogue between Mr Luke Halls and yourself on the inspection of the dangerous tree through Fix My Street Request [REDACTED] ' and would like to again draw your attention to the fact that Fix My Street Request [REDACTED] ' and [REDACTED] [REDACTED] ' are separate requests and should be treated as such.

Regards,

[REDACTED] Lynch

From: Alegria, Stephen <Stephen.Alegria@act.gov.au>

Sent: Thursday, 4 March 2021 6:16 PM

To: [REDACTED]

Subject: FW: Inspection at [REDACTED]

OFFICIAL

Dear [REDACTED]

Please see email chain below and attached. I have sent this direct to you rather than using the Fix My Street portal to avoid any issues in receiving the information.

I trust this information is of assistance.

Regards

Stephen Alegria | Executive Branch Manager| City Presentation**M** [REDACTED] **T** 02 6207 9833

City Services | Transport Canberra and City Services Directorate

480 Northbourne Avenue, Dickson ACT | GPO 158, Canberra ACT 2601.

www.tccs.act.gov.au

I acknowledge the traditional custodians of country across Australia and recognise their continuing connection to the land,

waters and culture. I pay my respect to them and their cultures, and to elders past, present and emerging.

From: Halls, Luke <Luke.Halls@act.gov.au>
Sent: Thursday, 4 March 2021 10:37 AM
To: Alegria, Stephen <Stephen.Alegria@act.gov.au>
Subject: FW: Inspection at [REDACTED]

OFFICIAL

Hi Stephen

Please see below further detail from Roads ACT regarding the inspection at [REDACTED] following review by Neil Pincombe, Assistant Director Traffic Safety and Shane Holden, Network Operations and Compliance Officer. The subsequent inspection has not revealed any concerns from Roads ACT with relation to [REDACTED] points below.

Can you please pass this information on to [REDACTED]

To date, in response to [REDACTED] requests we have:

- Inspected the tree 4 times between May 2020 and present and provided 2 tree assessment reports (latest attached for your reference)
- Engaged Roads Act who have conducted two inspections and engaged their traffic safety team to consider concerns
- Have had an open dialogue with regards to the constituent's concerns and our decision with the tree

At this stage, a future inspection of the tree is booked for 12 months from the last inspection date.

I hope this information is of assistance to close this ongoing matter and settle the concerns of

the member of public.

Thank you

Luke Halls

Director Business Support City Presentation

Phone: 6207 7112 Mobile: [REDACTED] Email: luke.halls@act.gov.au

City Presentation | Transport Canberra and City Services Directorate | ACT Government
Level 4, 480 Northbourne Ave, Dickson ACT 2602 | GPO Box 158 Canberra City ACT 2601

From: Ludvigson, Paula <Paula.Ludvigson@act.gov.au>

Sent: Monday, 1 March 2021 5:58 PM

To: Halls, Luke <Luke.Halls@act.gov.au>

Subject: FW: Inspection at [REDACTED]

OFFICIAL

Hi Luke,

Please find below correspondence to and from Neil regarding the above inspection.

Let me know if you need anything further.

Paula

Kind regards,

Paula Ludvigson | FOI/Claims Officer

Phone: (02) 6207 6597 | Email: paula.ludvigson@act.gov.au

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

480 Northbourne Ave, Dickson / 255 Canberra Avenue, Fyshwick

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From: Pincombe, Neil <Neil.Pincombe@act.gov.au>

Sent: Monday, 1 March 2021 3:30 PM

To: Ludvigson, Paula <Paula.Ludvigson@act.gov.au>

Subject: RE: Inspection at [REDACTED]

OFFICIAL

Hi Paula,

I've had a look and concur with RM's view. The tree does not obscure the driveway, with good visibility approx.. 4.5m setback into the driveway before the tree becomes an issue. I could not

identify any 'essential' services in close proximity to the tree and there are no footpaths on any of the adjacent properties. If the footpath were an issue, this could be resolved without necessarily removing the tree.

I hope this helps,
Neil

From: Ludvigson, Paula <Paula.Ludvigson@act.gov.au>
Sent: Friday, 26 February 2021 11:27 AM
To: Pincombe, Neil <Neil.Pincombe@act.gov.au>
Subject: RE: Inspection at [REDACTED]
Importance: High

OFFICIAL

Hi Neil,

Just wondering if you've had a chance to look at this one for me?

Thanks,

Paula

Kind regards,

Paula Ludvigson | FOI/Claims Officer

Phone: (02) 6207 6597 | Email: paula.ludvigson@act.gov.au

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

480 Northbourne Ave, Dickson / 255 Canberra Avenue, Fyshwick

www.act.gov.au | www.tccs.act.gov.au | [@tccs_act](https://twitter.com/tccs_act)



From: Ludvigson, Paula
Sent: Monday, 22 February 2021 1:30 PM
To: Pincombe, Neil <Neil.Pincombe@act.gov.au>
Subject: FW: Inspection at [REDACTED]
Importance: High

OFFICIAL

Hi Neil,

I have spoken to Pawel and he believes you (or your team) would be best placed to inspect and provide answers to this information request.

Background - A MOP has raised concerns about a tree at the front of his property (which the

Tree unit has inspected). Adam and I were asked to do an inspection of the Roads assets in the area and report our findings to Bronwen (see email below).

The MOP has now raised the following concerns in response to the information he was provided regarding our inspection.

“What appears missing from this alleged response from Roads ACT/Road Transport Authority is any reference to the relevant ACT Government 'Design Standards for Urban Infrastructure' as this dangerous tree is violation of these standards for some of the following:

- *Location to essential services infrastructure is not at the 1200mm as per the standards.*
- *Close proximity to the road and obscures the footpath forcing pedestrians to walk on the road as there is no footpath.*
- *██████████ is a narrow and very curved cul-de-sac. The dangerous tree creates a blind spot for drivers reversing from their driveways, and vehicles on ██████████ have their line of sight around the cul-de-sac obscured.*

Further, these standards were in fact clearly articulated in the original request on 4 November 2020 to Roads ACT/Road Transport Authority.”

It is my understanding that the area in question would have been gifted assets from the Commonwealth so I'm not sure the Design Standards being quoted would be relevant but happy to have your thoughts on the matter. I will also leave it up to you as to whether you need to conduct your own inspection in order to answer the above concerns.

It would be greatly appreciated if you could send me your thoughts and findings to the above ASAP and no later than COB Friday 26th February.

Happy to discuss further if needed.

Thanks,

Paula

Kind regards,

Paula Ludvigson | FOI/Claims Officer

Phone: (02) 6207 6597 | Email: paula.ludvigson@act.gov.au

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From: Halls, Luke <Luke.Halls@act.gov.au>

Sent: Friday, 19 February 2021 2:58 PM

To: Ludvigson, Paula <Paula.Ludvigson@act.gov.au>
Subject: RE: Inspection at [REDACTED]

OFFICIAL

Hi Paula

Stephen was able to provide your report to the member of the public, but they have some additional queries below.

Are you or an SME able to provide additional information as to the points below?

Can you please respond to this email with any information so the thread of dialogue between Roads ACT and City Presentation is demonstrated?

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- *[REDACTED] is a narrow and very curved cul-de-sac. The dangerous tree creates a blind spot for drivers reversing from their driveways, and vehicles on [REDACTED] [REDACTED] have their line of sight around the cul-de-sac obscured.*

Further, these standards were in fact clearly articulated in the original request on 4 November 2020 to Roads ACT/Road Transport Authority.

Thank you

Luke Halls

Director Business Support City Presentation

Phone: 6207 7112 Mobile: [REDACTED] Email: luke.halls@act.gov.au

City Presentation | Transport Canberra and City Services Directorate | ACT Government
Level 4, 480 Northbourne Ave, Dickson ACT 2602 | GPO Box 158 Canberra City ACT 2601

From: Ludvigson, Paula <Paula.Ludvigson@act.gov.au>

Sent: Monday, 15 February 2021 4:29 PM

To: Duke, Bronwen <Bronwen.Duke@act.gov.au>; Halls, Luke <Luke.Halls@act.gov.au>

Cc: Mulville, Adam <Adam.Mulville@act.gov.au>

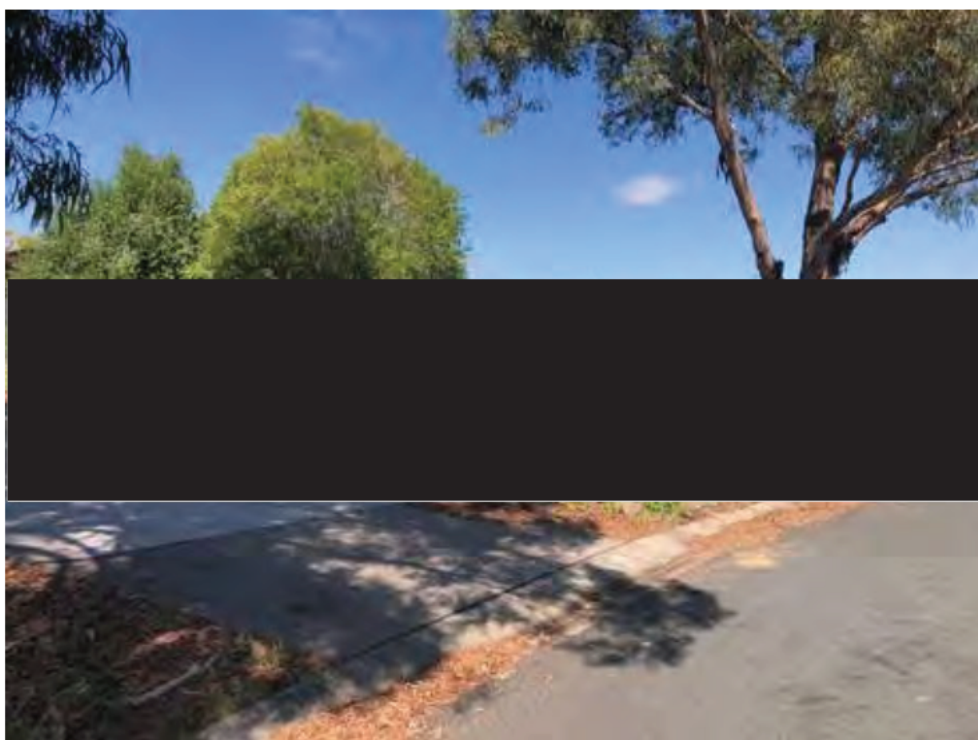
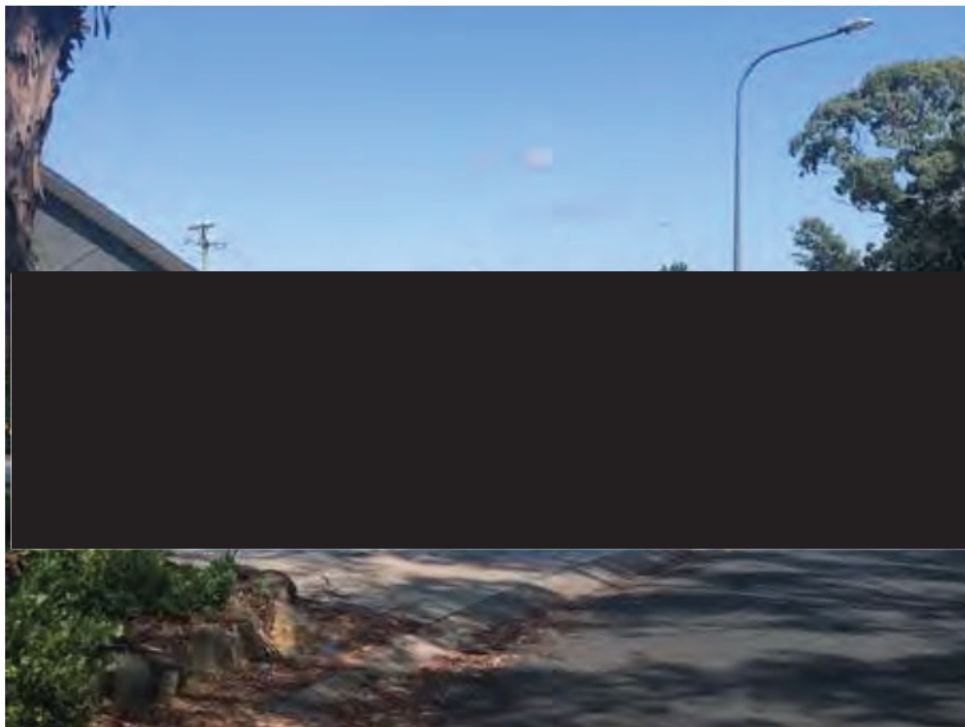
Subject: Inspection at [REDACTED]

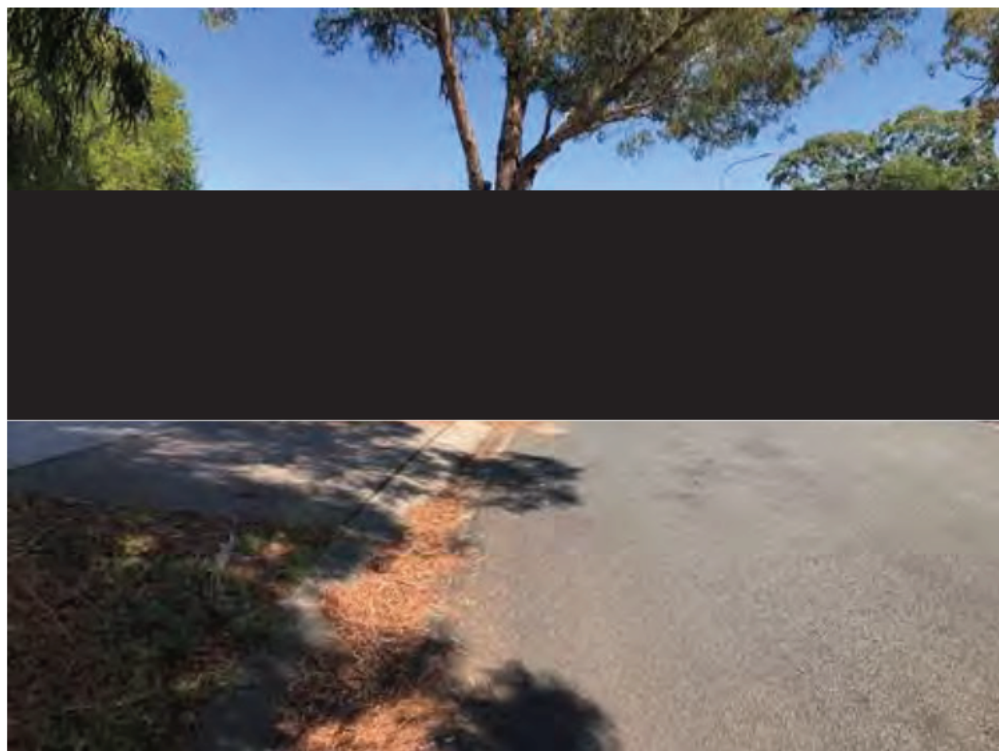
OFFICIAL

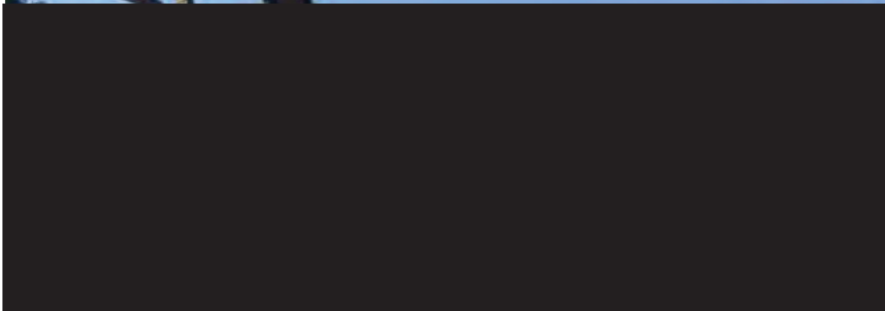
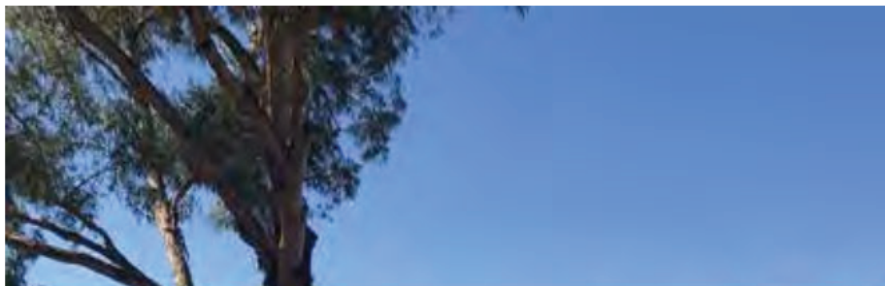
Hi Bronwen,

As requested, Adam and I inspected the Roads assets in and around [REDACTED]

There was no visible evidence of issues with any assets above ground, noting parts of the concrete driveway at [REDACTED] have been replaced. The gutters and road pavement appeared to be in good condition.







The stormwater pit located at the front of [REDACTED] was opened and there was no indication of any issues with blocked stormwater pipes in the area (I was advised that you would expect to see a build-up of debris etc if there were issues with blocked / partially blocked pipes).



Overall, the Roads assets in the area appear to be in good condition and do not appear to be adversely affected by the trees in the area.

Please do not hesitate to contact me should you require any further information or clarification.

Kind regards,

Paula Ludvigson | FOI/Claims Officer

Phone: (02) 6207 6597 | Email: paula.ludvigson@act.gov.au

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Bruan, Nicole

From: Alegria, Stephen
Sent: Thursday, 4 March 2021 6:17 PM
To: [REDACTED]
Subject: FW: Inspection at [REDACTED]
Attachments: Tree assessment [REDACTED] 16th Feb 2021.pdf

OFFICIAL

Dear [REDACTED]

Please see email chain below and attached. I have sent this direct to you rather than using the Fix My Street portal to avoid any issues in receiving the information.

I trust this information is of assistance.

Regards

Stephen Alegria | Executive Branch Manager | City Presentation

M [REDACTED] | T 02 6207 9833

City Services | Transport Canberra and City Services Directorate

480 Northbourne Avenue, Dickson ACT | GPO 158, Canberra ACT 2601.

www.tccs.act.gov.au

I acknowledge the traditional custodians of country across Australia and recognise their continuing connection to the land, waters and culture. I pay my respect to them and their cultures, and to elders past, present and emerging.

From: Halls, Luke <Luke.Halls@act.gov.au>

Sent: Thursday, 4 March 2021 10:37 AM

To: Alegria, Stephen <Stephen.Alegria@act.gov.au>

Subject: FW: Inspection at [REDACTED]

OFFICIAL

Hi Stephen

Please see below further detail from Roads ACT regarding the inspection at [REDACTED] following review by Neil Pincombe, Assistant Director Traffic Safety and Shane Holden, Network Operations and Compliance Officer. The subsequent inspection has not revealed any concerns from Roads ACT with relation to [REDACTED] points below.

Can you please pass this information on to [REDACTED]

To date, in response to [REDACTED] requests we have:

- Inspected the tree 4 times between May 2020 and present and provided 2 tree assessment reports (latest attached for your reference)
- Engaged Roads Act who have conducted two inspections and engaged their traffic safety team to consider concerns
- Have had an open dialogue with regards to the constituent's concerns and our decision with the tree

At this stage, a future inspection of the tree is booked for 12 months from the last inspection date.

I hope this information is of assistance to close this ongoing matter and settle the concerns of the member of public.

Thank you

Luke Halls

Director Business Support City Presentation

Phone: 6207 7112 Mobile: [REDACTED] Email: luke.halls@act.gov.au

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Level 4, 480 Northbourne Ave, Dickson ACT 2602 | GPO Box 158 Canberra City ACT 2601

From: Ludvigson, Paula <Paula.Ludvigson@act.gov.au>

Sent: Monday, 1 March 2021 5:58 PM

To: Halls, Luke <Luke.Halls@act.gov.au>

Subject: FW: Inspection at [REDACTED]

OFFICIAL

Hi Luke,

Please find below correspondence to and from Neil regarding the above inspection.

Let me know if you need anything further.

Paula

Kind regards,

Paula Ludvigson | FOI/Claims Officer

Phone: (02) 6207 6597 | Email: paula.ludvigson@act.gov.au

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From: Pincombe, Neil <Neil.Pincombe@act.gov.au>

Sent: Monday, 1 March 2021 3:30 PM

To: Ludvigson, Paula <Paula.Ludvigson@act.gov.au>

Subject: RE: Inspection at [REDACTED]

OFFICIAL

Hi Paula,

I've had a look and concur with RM's view. The tree does not obscure the driveway, with good visibility approx.. 4.5m setback into the driveway before the tree becomes an issue. I could not identify any 'essential' services in close proximity to the tree and there are no footpaths on any of the adjacent properties. If the footpath were an issue, this could be resolved without necessarily removing the tree.

I hope this helps,
Neil

From: Ludvigson, Paula <Paula.Ludvigson@act.gov.au>
Sent: Friday, 26 February 2021 11:27 AM
To: Pincombe, Neil <Neil.Pincombe@act.gov.au>
Subject: RE: Inspection at [REDACTED]
Importance: High

OFFICIAL

Hi Neil,

Just wondering if you've had a chance to look at this one for me?

Thanks,

Paula

Kind regards,

Paula Ludvigson | FOI/Claims Officer

Phone: (02) 6207 6597 | Email: paula.ludvigson@act.gov.au

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Background - A MOP has raised concerns about a tree at the front of his property (which the Tree unit has inspected). Adam and I were asked to do an inspection of the Roads assets in the area and report our findings to Bronwen (see email below).

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It is my understanding that the area in question would have been gifted assets from the Commonwealth so I'm not sure the Design Standards being quoted would be relevant but happy to have your thoughts on the matter. I will also leave it up to you as to whether you need to conduct your own inspection in order to answer the above concerns.

It would be greatly appreciated if you could send me your thoughts and findings to the above ASAP and no later than COB Friday 26th February.

Happy to discuss further if needed.

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Thank you

Luke Halls

Director Business Support City Presentation

Phone: 6207 7112 Mobile: [REDACTED] Email: luke.halls@act.gov.au

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Level 4, 480 Northbourne Ave, Dickson ACT 2602 | GPO Box 158 Canberra City ACT 2601

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Sent: Monday, 15 February 2021 4:29 PM

To: Duke, Bronwen <Bronwen.Duke@act.gov.au>; Halls, Luke <Luke.Halls@act.gov.au>

Cc: Mulville, Adam <Adam.Mulville@act.gov.au>

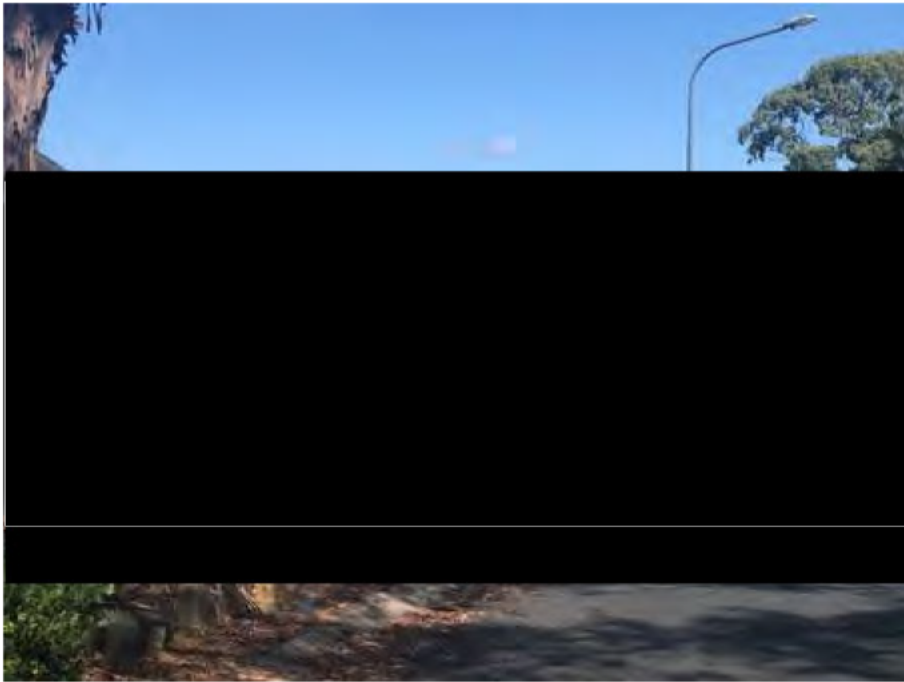
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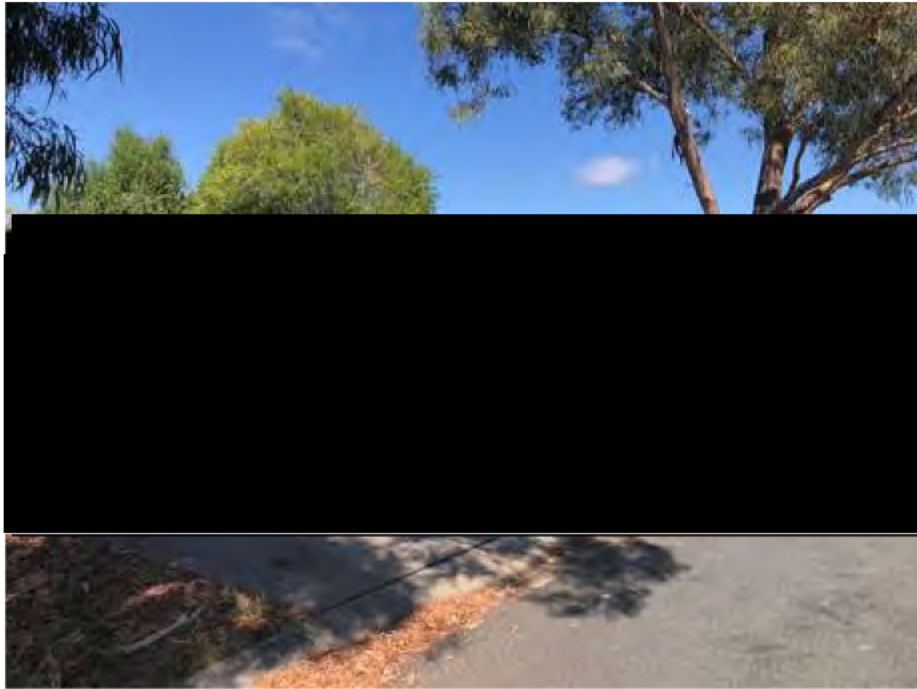
OFFICIAL

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The stormwater pit located at the front of [REDACTED] was opened and there was no indication of any issues with blocked stormwater pipes in the area (I was advised that you would expect to see a build-up of debris etc if there were issues with blocked / partially blocked pipes).



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Please do not hesitate to contact me should you require any further information or clarification.

Kind regards,

Paula Ludvigson | FOI/Claims Officer

Phone: (02) 6207 6597 | Email: paula.ludvigson@act.gov.au

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Transport Canberra and City Services
has moved find us at:

480 Northbourne Avenue
Dickson



The image is a promotional graphic for the new office location of Transport Canberra and City Services. It features a blue gradient background on the left side with white text. The text reads: "Transport Canberra and City Services has moved find us at:", "480 Northbourne Avenue", and "Dickson". Below the text is the ACT logo, which consists of a circular emblem with a stylized 'A' and 'C' and the letters 'ACT' next to it, with the full name "ACT ACT Government Canberra and City Services" underneath. To the right of the text and logo is a photograph of a modern, multi-story glass skyscraper at night, illuminated from within, with a dark blue sky in the background.



Basic Tree Risk Assessment Form

Client [REDACTED] Date 16-2-2021 Time 1pm
 Address/Tree location [REDACTED] Tree no. 1 Sheet 1 of 2
 Tree species Eucalyptus nicholii hybrid dbh 700mm Height 13-13.5 Crown spread dia. 14
 Assessor(s) David Curthia Tools used Tape, range finder, hammer Time frame 12 months
 Target Assessment probe, level.

Target number	Target description	Target protection	Target zone			Occupancy rate 1-rare 2-occasional 3-frequent 4-constant	Practical to move target?	Restriction practical?
			Target within drip line	Target within 1 x Ht.	Target within 1.5 x Ht.			
1	Garden bed, mail box	none	X	X	X	2	N	N
2	Road	none	X	X	X	2-3	N	N
3	Driveway no [REDACTED]	none	X	X	X	2-3	N	N
4	Driveway no [REDACTED]	none		X	X	2-3	N	N

Site Factors

History of failures none Topography Flat Slope < 5 % Aspect _____
 Site changes None Grade change Site clearing Changed soil hydrology Root cuts Describe Built up gravel tank, roots cut
 Soil conditions Limited volume Saturated Shallow Compacted Pavement over roots 30 % Describe Road & driveway
 Prevailing wind direction NW Common weather Strong winds Ice Snow Heavy rain Describe weed mat.

Tree Health and Species Profile

Vigor Low Normal High Foliage None (seasonal) None (dead) Normal 100 % Chlorotic 0 % Necrotic 0 %
 Pests/Biotic Borers in canker not active Abiotic _____
 Species failure profile Branches Trunk Roots Describe _____

Load Factors

Wind exposure Protected Partial Full Wind funneling Relative crown size Small Medium Large
 Crown density Sparse Normal Dense Interior branches Few Normal Dense Vines/Mistletoe/Moss none
 Recent or expected change in load factors None

Tree Defects and Conditions Affecting the Likelihood of Failure

— Crown and Branches —

Unbalanced crown LCR 10 % Roadside
 Dead twigs/branches < 2 % overall Max. dia. < 10cm
 Broken/Hangers Number none Max. dia. _____
 Over-extended branches
 Pruning history
 Crown cleaned Thinned Raised
 Reduced Topped Lion-tailed
 Flush cuts Other _____
 Cracks Lightning damage
 Codominant x 2 Included bark
 Weak attachments Cavity/Nest hole _____ % circ.
 Previous branch failures Similar branches present
 Dead/Missing bark Cankers/Galls/Burls Sapwood damage/decay
 Conks Heartwood decay
 Response growth yes
 Condition(s) of concern Reduction house side (from previous report)

Part Size _____ Fall Distance _____ Part Size 7m Fall Distance 6
 Load on defect N/A Minor Moderate Significant Load on defect N/A Minor Moderate Significant
 Likelihood of failure Improbable Possible Probable Imminent Likelihood of failure Improbable Possible Probable Imminent

— Trunk —

Dead/Missing bark Abnormal bark texture/color
 Codominant stems Included bark Cracks
 Sapwood damage/decay Cankers/Galls/Burls Sap ooze
 Lightning damage Heartwood decay Conks/Mushrooms
 Cavity/Nest hole _____ % circ. Depth _____ Poor taper
 Lean 19deg Corrected? no
 Response growth Around canker
 Condition(s) of concern None - monitor
 Part Size _____ Fall Distance _____

Load on defect N/A Minor Moderate Significant
 Likelihood of failure Improbable Possible Probable Imminent

— Roots and Root Collar —

Collar buried/Not visible Depth 200mm+ Stem girdling
 Dead Decay Conks/Mushrooms
 Ooze Cavity _____ % circ.
 Cracks Cut/Damaged roots Distance from trunk 2-3
 Root plate lifting none Soil weakness
 Response growth isolated at canker - no change
 Condition(s) of concern none - monitor
 Part Size Est 40% of root system Fall Distance _____

Load on defect N/A Minor Moderate Significant
 Likelihood of failure Improbable Possible Probable Imminent

Risk Categorization

Target (Target number or description)	Tree part	Condition(s) of concern	Likelihood											Consequences				Risk rating (from Matrix 2)			
			Failure				Impact				Failure & Impact (from Matrix 1)			Negligible	Minor	Significant	Severe				
			Improbable	Possible	Probable	Imminent	Very low	Low	Medium	High	Unlikely	Somewhat	Likely						Very likely		
1	Branches	Deadwood.		X						X							X				Low
2	Trunk Branches	Leadwood		X						X							X				low
3	Branches Trunk			X						X							X				low
4	Branches Trunk			X						X							X				low

Matrix 1. Likelihood matrix.

Likelihood of Failure	Likelihood of Impact			
	Very low	Low	Medium	High
Imminent	Unlikely	Somewhat likely	Likely	Very likely
Probable	Unlikely	Unlikely	Somewhat likely	Likely
Possible	Unlikely	Unlikely	Unlikely	Somewhat likely
Improbable	Unlikely	Unlikely	Unlikely	Unlikely

Matrix 2. Risk rating matrix.

Likelihood of Failure & Impact	Consequences of Failure			
	Negligible	Minor	Significant	Severe
Very likely	Low	Moderate	High	Extreme
Likely	Low	Moderate	High	High
Somewhat likely	Low	Low	Moderate	Moderate
Unlikely	Low	Low	Low	Low

Notes, explanations, descriptions

Tree is still in good health. No changes noted small amounts of decay in first order unions only on surface. Water Aestail etc. No hollow sounds noted. Tree lean was measured with a digital level for better accuracy 71.58deg

Mitigation options

- No work required. Residual risk _____
- Residual risk _____
- Residual risk _____
- Residual risk _____

Overall tree risk rating Low Moderate High Extreme

Overall residual risk None Low Moderate High Extreme Recommended inspection interval 12 months

Data Final Preliminary Advanced assessment needed No Yes-Type/Reason _____

Inspection limitations None Visibility Access Vines Root collar buried Describe _____

Bruan, Nicole

From: Alegria, Stephen
Sent: Friday, 5 March 2021 10:41 AM
To: Halls, Luke
Subject: FW: Inspection at [REDACTED]

OFFICIAL

Luke FYI
Not sure what else we can say.

Stephen Alegria | Executive Branch Manager | City Presentation

M [REDACTED] | T 02 6207 9833

City Services | Transport Canberra and City Services Directorate
480 Northbourne Avenue, Dickson ACT | GPO 158, Canberra ACT 2601.

www.tccs.act.gov.au

I acknowledge the traditional custodians of country across Australia and recognise their continuing connection to the land, waters and culture. I pay my respect to them and their cultures, and to elders past, present and emerging.

From: [REDACTED]
Sent: Thursday, 4 March 2021 11:59 PM
To: Alegria, Stephen <Stephen.Alegria@act.gov.au>
Cc: [REDACTED]
Subject: Re: Inspection at [REDACTED]

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.

Good Evening Mr Alegria,

Thank you for your email received today at 1816.

In the interests of keeping continuity of records, I will be saving a PDF copy of the email thread including this response, to Fix My Street request [REDACTED].

What I am rather concerned about it is how the email thread only commences on 15 February 2021, where are the records that pre-date 15 February and capture where the "consultation" between TCCS/Urban Trees and the ACT Road Transport Authority/Roads ACT began. Review of the Fix My Street request alludes to this communication commencing in around 2 or 3 February.

Where are these earlier records and why have they been omitted from me? As I have stated in the Fix My Street Request, I have deep concerns about the ACT Road Transport Authority/Roads ACT being biased and/or prejudiced in their approach because of TCCS/Urban Trees during this "consultation". This certainly does not reduce my concerns and in fact increases them when reviewing the thread in that on 22 February 2021, extracts from the Fix My Street Request from 4 November 2020 seem to be viewed in a manner of:

"the MOP has now raised the following concerns in response to the information he was provided regarding our inspection".

Assuming that MOP refers to me as being a 'Member of the Public', I did not raise the concerns in response to the inspection, I clearly articulated the concerns on 4 November 2020. It was Access Canberra and TCCS/Urban Trees who intervened and denied this original request including the scope and terms, from getting to the ACT Road Transport Authority/Roads ACT.

Also, I note the dialogue between Mr Luke Halls and yourself on the inspection of the dangerous tree through Fix My Street Request [REDACTED] and would like to again draw your attention to the fact that Fix My Street Request [REDACTED] and [REDACTED] are separate requests and should be treated as such.

Regards,

[REDACTED]

From: Alegria, Stephen <Stephen.Alegria@act.gov.au>

Sent: Thursday, 4 March 2021 6:16 PM

To: [REDACTED] >

Subject: FW: Inspection at [REDACTED]

OFFICIAL

Dear [REDACTED],

Please see email chain below and attached. I have sent this direct to you rather than using the Fix My Street portal to avoid any issues in receiving the information.

I trust this information is of assistance.

Regards

Stephen Alegria | Executive Branch Manager | City Presentation

M [REDACTED] | T 02 6207 9833

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Sent: Thursday, 4 March 2021 10:37 AM

To: Alegria, Stephen <Stephen.Alegria@act.gov.au>

Subject: FW: Inspection at [REDACTED]

OFFICIAL

Hi Stephen

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Can you please pass this information on to [REDACTED].

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Thank you

Luke Halls

Director Business Support City Presentation

Phone: 6207 7112 Mobile: [REDACTED] Email: luke.halls@act.gov.au

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Sent: Monday, 1 March 2021 5:58 PM

To: Halls, Luke <Luke.Halls@act.gov.au>

Subject: FW: Inspection at [REDACTED]

OFFICIAL

Hi Luke,

Please find below correspondence to and from Neil regarding the above inspection.

Let me know if you need anything further.

Paula

Kind regards,

Paula Ludvigson | FOI/Claims Officer

Phone: (02) 6207 6597 | Email: paula.ludvigson@act.gov.au

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

480 Northbourne Ave, Dickson / 255 Canberra Avenue, Fyshwick

www.act.gov.au | www.tccs.act.gov.au | [@tccs_act](https://twitter.com/tccs_act)



From: Pincombe, Neil <Neil.Pincombe@act.gov.au>

Sent: Monday, 1 March 2021 3:30 PM

To: Ludvigson, Paula <Paula.Ludvigson@act.gov.au>

Subject: RE: Inspection at [REDACTED]

OFFICIAL

Hi Paula,

I've had a look and concur with RM's view. The tree does not obscure the driveway, with good visibility approx.. 4.5m setback into the driveway before the tree becomes an issue. I could not identify any 'essential' services in close proximity to the tree and there are no footpaths on any of the adjacent properties. If the footpath were an issue, this could be resolved without necessarily removing the tree.

I hope this helps,
Neil

From: Ludvigson, Paula <Paula.Ludvigson@act.gov.au>
Sent: Friday, 26 February 2021 11:27 AM
To: Pincombe, Neil <Neil.Pincombe@act.gov.au>
Subject: RE: Inspection at [REDACTED]
Importance: High

OFFICIAL

Hi Neil,

Just wondering if you've had a chance to look at this one for me?

Thanks,

Paula

Kind regards,

Paula Ludvigson | FOI/Claims Officer

Phone: (02) 6207 6597 | Email: paula.ludvigson@act.gov.au

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Transport Canberra and City Services
has moved find us at:

480 Northbourne Avenue

From: Ludvigson, Paula
Sent: Monday, 22 February 2021 1:30 PM

To: Pincombe, Neil <Neil.Pincombe@act.gov.au>
Subject: FW: Inspection at [REDACTED]
Importance: High

OFFICIAL

Hi Neil,

I have spoken to Pawel and he believes you (or your team) would be best placed to inspect and provide answers to this information request.

Background - A MOP has raised concerns about a tree at the front of his property (which the Tree unit has inspected). Adam and I were asked to do an inspection of the Roads assets in the area and report our findings to Bronwen (see email below).

The MOP has now raised the following concerns in response to the information he was provided regarding our inspection.

“What appears missing from this alleged response from Roads ACT/Road Transport Authority is any reference to the relevant ACT Government 'Design Standards for Urban Infrastructure' as this dangerous tree is violation of these standards for some of the following:

- Location to essential services infrastructure is not at the 1200mm as per the standards.

- Close proximity to the road and obscures the footpath forcing pedestrians to walk on the road as there is no footpath.

- [REDACTED] is a narrow and very curved cul-de-sac. The dangerous tree creates a blind spot for drivers reversing from their driveways, and vehicles on [REDACTED] have their line of sight around the cul-de-sac obscured.

Further, these standards were in fact clearly articulated in the original request on 4 November 2020 to Roads ACT/Road Transport Authority.”

It is my understanding that the area in question would have been gifted assets from the Commonwealth so I'm not sure the Design Standards being quoted would be relevant but happy to have your thoughts on the matter. I will also leave it up to you as to whether you need to conduct your own inspection in order to answer the above concerns.

It would be greatly appreciated if you could send me your thoughts and findings to the above ASAP and no later than COB Friday 26th February.

Happy to discuss further if needed.

Thanks,

Paula

Kind regards,

Paula Ludvigson | FOI/Claims Officer

Phone: (02) 6207 6597 | Email: paula.ludvigson@act.gov.au

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

480 Northbourne Ave, Dickson / 255 Canberra Avenue, Fyshwick

www.act.gov.au | www.tccs.act.gov.au | [@tccs_act](https://twitter.com/tccs_act)



From: Halls, Luke <Luke.Halls@act.gov.au>

Sent: Friday, 19 February 2021 2:58 PM

To: Ludvigson, Paula <Paula.Ludvigson@act.gov.au>

Subject: RE: Inspection at [REDACTED]

OFFICIAL

Hi Paula

Stephen was able to provide your report to the member of the public, but they have some additional queries below.

Are you or an SME able to provide additional information as to the points below?

Can you please respond to this email with any information so the thread of dialogue between Roads ACT and City Presentation is demonstrated?

What appears missing from this alleged response from Roads ACT/Road Transport Authority is any reference to the relevant ACT Government 'Design Standards for Urban Infrastructure' as this dangerous tree is violation of these standards for some of the following:

- Location to essential services infrastructure is not at the 1200mm as per the standards.
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- [REDACTED] is a narrow and very curved cul-de-sac. The dangerous tree creates a blind spot for drivers reversing from their driveways, and vehicles on [REDACTED] have their line of sight around the cul-de-sac obscured.

Further, these standards were in fact clearly articulated in the original request on 4 November 2020 to Roads ACT/Road Transport Authority.

Thank you

Luke Halls

Director Business Support City Presentation

Phone: 6207 7112 Mobile: [REDACTED] Email: luke.halls@act.gov.au

City Presentation | Transport Canberra and City Services Directorate | ACT Government
Level 4, 480 Northbourne Ave, Dickson ACT 2602 | GPO Box 158 Canberra City ACT 2601

From: Ludvigson, Paula <Paula.Ludvigson@act.gov.au>

Sent: Monday, 15 February 2021 4:29 PM

To: Duke, Bronwen <Bronwen.Duke@act.gov.au>; Halls, Luke <Luke.Halls@act.gov.au>

Cc: Mulville, Adam <Adam.Mulville@act.gov.au>

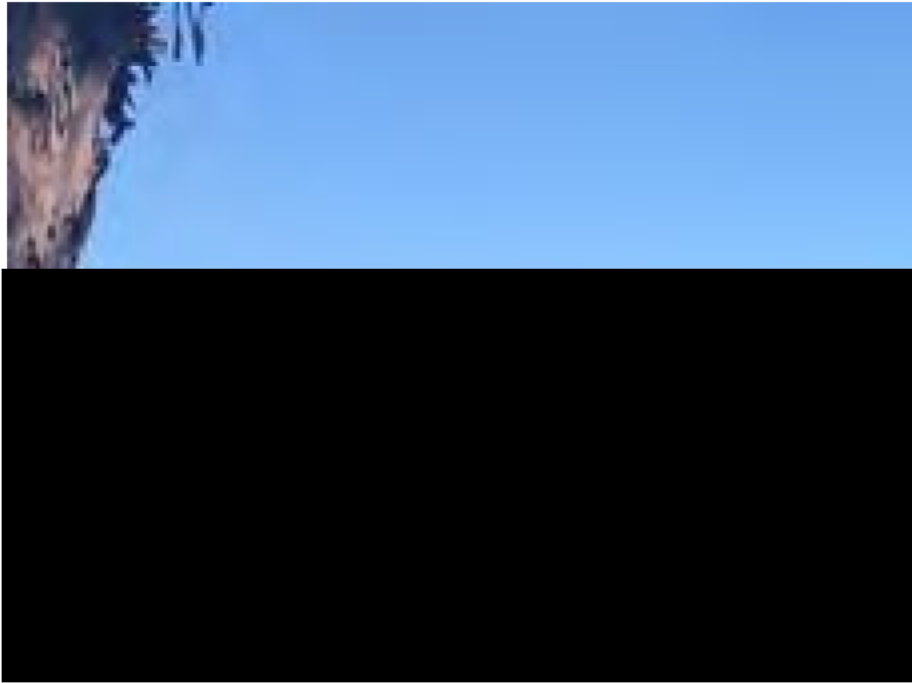
Subject: Inspection at [REDACTED]

OFFICIAL

Hi Bronwen,

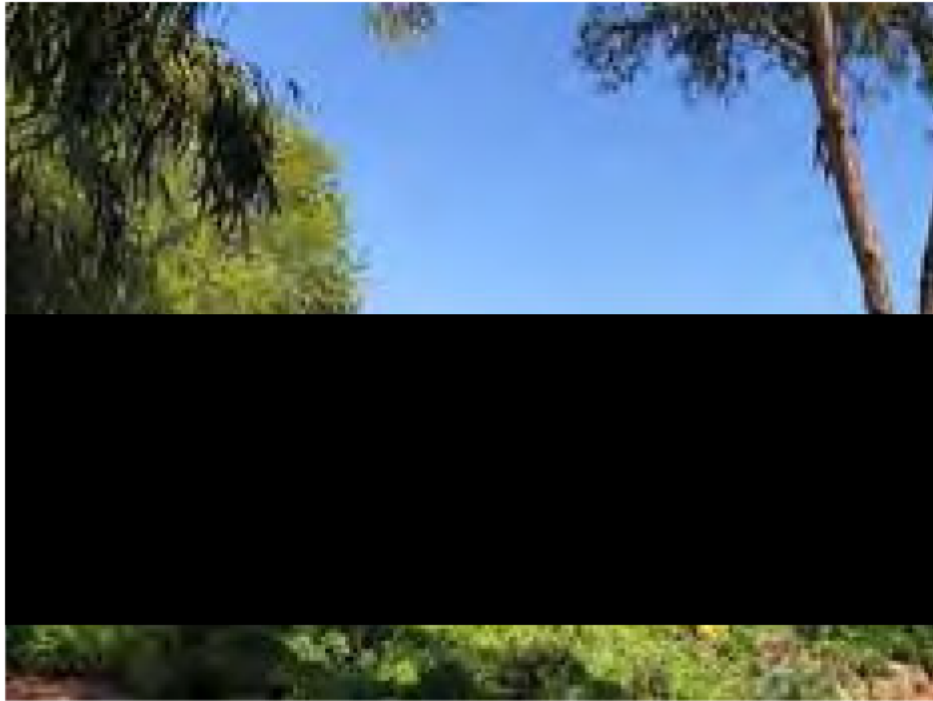
As requested, Adam and I inspected the Roads assets in and around [REDACTED].

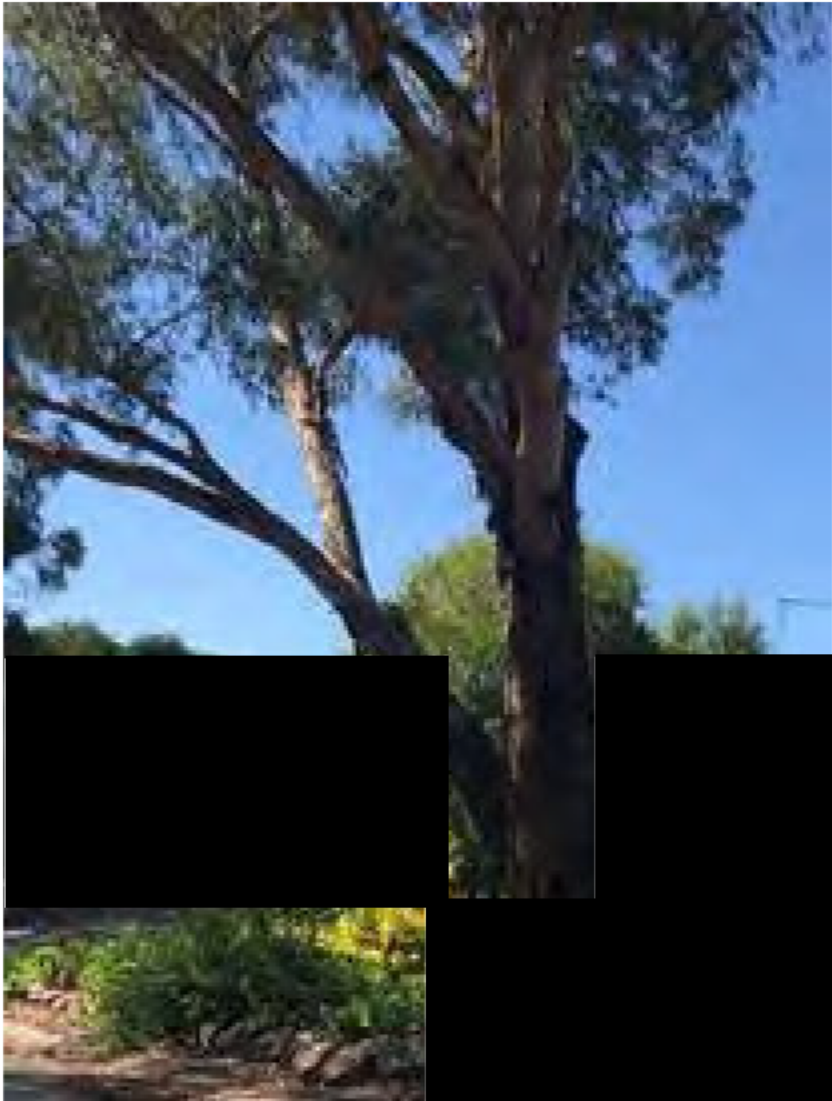
There was no visible evidence of issues with any assets above ground, noting parts of the concrete driveway at [REDACTED] have been replaced. The gutters and road pavement appeared to be in good condition.











The stormwater pit located at the front of [REDACTED] was opened and there was no indication of any issues with blocked stormwater pipes in the area (I was advised that you would expect to see a build-up of debris etc if there were issues with blocked / partially blocked pipes).



Overall, the Roads assets in the area appear to be in good condition and do not appear to be adversely affected by the trees in the area.

Please do not hesitate to contact me should you require any further information or clarification.

Kind regards,

Paula Ludvigson | FOI/Claims Officer

Phone: (02) 6207 6597 | Email: paula.ludvigson@act.gov.au

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

480 Northbourne Ave, Dickson / 255 Canberra Avenue, Fyshwick

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**Transport Canberra and City Services
has moved find us at:**

480 Northbourne Avenue

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.

5 March 2021

Reference: [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

via email [REDACTED]

Dear [REDACTED]

I refer to your discussions with Access Canberra about removal of a tree located on the boundary of number [REDACTED].

Within the last twelve months Icon Water has undertaken significant sewer main rehabilitation in your street to repair broken pipework and eliminate tree root intrusion into the network. This work and the products used have improved the effectiveness of our sewer network and significantly reduced the likelihood of tree roots being the cause of future blockages within our network.

We do recognise however, that the works we have undertaken will not completely remedy the sewer blockages and tree root issues you and your neighbour may experience within your private sewer pipework and provide this letter in support of your Access Canberra application to have the tree permanently removed.

Yours faithfully

[REDACTED]

Lisa Quinn
Manager Customer Advocacy and Experience

5 March 2021

Reference: [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

via email: [REDACTED]

Dear [REDACTED]

I refer to your discussions with Access Canberra about removal of a tree located on the boundary of number 8 and number [REDACTED].

Within the last twelve months Icon Water has undertaken significant sewer main rehabilitation in your street to repair broken pipework and eliminate tree root intrusion into the network. This work and the products used have improved the effectiveness of our sewer network and significantly reduced the likelihood of tree roots being the cause of future blockages within our network.

We do recognise however, that the works we have undertaken will not completely remedy the sewer blockages and tree root issues you and your neighbour may experience within your private sewer pipework and provide this letter in support of your Access Canberra application to have the tree permanently removed.

Yours faithfully

[REDACTED]

Lisa Quinn
Manager Customer Advocacy and Experience

Bruan, Nicole

From: Halls, Luke
Sent: Friday, 19 March 2021 3:41 PM
To: Ludvigson, Paula
Subject: RE: Inspection at [REDACTED]
Attachments: 2021.03.05 Icon Water Correspondence - Tree Removal Support.pdf

OFFICIAL

Hi Paula

Following provision of information with regards to Roads ACT inspection of the tree on [REDACTED] the follow has been supplied with regards to ICON's activities in the area on the stormwater network. As this may provide additional considerations for, are you able to have one of your relevant officers look at this ?

Excerpt from FMS below.

Good Evening Mr Alegria,

I refer to my correspondence in this request on 5 March 2021 to which I have not received acknowledgement that it has been received.

Further, I refer to the attached formal correspondence from Icon Water dated 5 March 2021 regarding sewage remediation works undertaken by Icon in February and March 2020 and their advice on this work including the residual risk of this dangerous tree. I draw your attention to the third paragraph in which Icon states and recommends:

"the works we have undertaken will not completely remedy the sewer blockages and tree root issues you and your neighbour may experience within your private sewer pipework and provide this letter in support of your Access Canberra application to have the tree permanently removed".

A copy of this letter was attached and uploaded to Fix My Street [REDACTED] on 5 March 2021 and directed to the attention of Ms Rachael Dawes however as at 18 March, I am yet to receive acknowledgment by Ms Dawes of its receipt.

While Fix My Street [REDACTED] is a seperate request to this request, I provide a copy of this correspondence from Icon and request you forward it to the Road Transport Authority/Roads ACT.

As I understand, given the dangerous tree at [REDACTED] impacts road infrastructure as well as essential water, gas, sewage and stormwater infrastructure, it is pertinent that you forward a copy to the Road Transport Authority/Roads ACT given that they too are an impacted infrastructure owners. The correspondence from Icon, including their recommendation for removal of the dangerous tree, should be brought to the attention of the Road Transport Authority/Roads ACT. It would have been my preference to do this myself. However, as established in this request, both Access Canberra and TCCS/Urban Trees have repeatedly denied me the right to communicate directly with the Road Transport Authority/Roads ACT on the matter. Therefore, I am left with little alternative other than to request you note receipt of this recommendation from Icon and forward it to the Road Transport Authority/Roads ACT.

I look forward in receiving a reply, and acknowledgement of receipt of Icon's correspondence and confirmation of it being forwarded to the Road Transport Authority/Roads ACT. Further, I look forward to the outstanding matter and provision of outstanding records and queries mentioned in my response on 5 March 2021, to be addressed and actioned.

Regards,

[REDACTED]

Luke Halls

Director Business Support City Presentation

Phone: 6207 7112 Mobile: [REDACTED] Email: luke.halls@act.gov.au

City Presentation | Transport Canberra and City Services Directorate | ACT Government
Level 4, 480 Northbourne Ave, Dickson ACT 2602 | GPO Box 158 Canberra City ACT 2601

From: Ludvigson, Paula <Paula.Ludvigson@act.gov.au>

Sent: Monday, 1 March 2021 5:58 PM

To: Halls, Luke <Luke.Halls@act.gov.au>

Subject: FW: Inspection at [REDACTED]

OFFICIAL

Hi Luke,

Please find below correspondence to and from Neil regarding the above inspection.

Let me know if you need anything further.

Paula

Kind regards,

Paula Ludvigson | FOI/Claims Officer

Phone: (02) 6207 6597 | Email: paula.ludvigson@act.gov.au

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From: Pincombe, Neil <Neil.Pincombe@act.gov.au>

Sent: Monday, 1 March 2021 3:30 PM

To: Ludvigson, Paula <Paula.Ludvigson@act.gov.au>

Subject: RE: Inspection at [REDACTED]

OFFICIAL

Hi Paula,

I've had a look and concur with RM's view. The tree does not obscure the driveway, with good visibility approx.. 4.5m setback into the driveway before the tree becomes an issue. I could not identify any 'essential' services in close proximity to the tree and there are no footpaths on any of the adjacent properties. If the footpath were an issue, this could be resolved without necessarily removing the tree.

I hope this helps,

Neil

From: Ludvigson, Paula <Paula.Ludvigson@act.gov.au>
Sent: Friday, 26 February 2021 11:27 AM
To: Pincombe, Neil <Neil.Pincombe@act.gov.au>
Subject: RE: Inspection at [REDACTED]
Importance: High

OFFICIAL

Hi Neil,

Just wondering if you've had a chance to look at this one for me?

Thanks,

Paula

Kind regards,

Paula Ludvigson | FOI/Claims Officer

Phone: (02) 6207 6597 | Email: paula.ludvigson@act.gov.au

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www.act.gov.au | www.tccs.act.gov.au | [@tccs_act](https://twitter.com/tccs_act)



From: Ludvigson, Paula

Sent: Monday, 22 February 2021 1:30 PM

To: Pincombe, Neil <Neil.Pincombe@act.gov.au>
Subject: FW: Inspection at [REDACTED]
Importance: High

OFFICIAL

Hi Neil,

I have spoken to Pawel and he believes you (or your team) would be best placed to inspect and provide answers to this information request.

Background - A MOP has raised concerns about a tree at the front of his property (which the Tree unit has inspected). Adam and I were asked to do an inspection of the Roads assets in the area and report our findings to Bronwen (see email below).

The MOP has now raised the following concerns in response to the information he was provided regarding our inspection.

“What appears missing from this alleged response from Roads ACT/Road Transport Authority is any reference to the relevant ACT Government 'Design Standards for Urban Infrastructure' as this dangerous tree is violation of these standards for some of the following:

- Location to essential services infrastructure is not at the 1200mm as per the standards.*
- Close proximity to the road and obscures the footpath forcing pedestrians to walk on the road as there is no footpath.*
- [REDACTED] is a narrow and very curved cul-de-sac. The dangerous tree creates a blind spot for drivers reversing from their driveways, and vehicles on [REDACTED] have their line of sight around the cul-de-sac obscured.*

Further, these standards were in fact clearly articulated in the original request on 4 November 2020 to Roads ACT/Road Transport Authority.”

It is my understanding that the area in question would have been gifted assets from the Commonwealth so I'm not sure the Design Standards being quoted would be relevant but happy to have your thoughts on the matter. I will also leave it up to you as to whether you need to conduct your own inspection in order to answer the above concerns.

It would be greatly appreciated if you could send me your thoughts and findings to the above ASAP and no later than COB Friday 26th February.

Happy to discuss further if needed.

Thanks,

Paula

Kind regards,

Paula Ludvigson | FOI/Claims Officer

Phone: (02) 6207 6597 | Email: paula.ludvigson@act.gov.au

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From: Halls, Luke <Luke.Halls@act.gov.au>

Sent: Friday, 19 February 2021 2:58 PM

To: Ludvigson, Paula <Paula.Ludvigson@act.gov.au>

Subject: RE: Inspection at [REDACTED]

OFFICIAL

Hi Paula

Stephen was able to provide your report to the member of the public, but they have some additional queries below.

Are you or an SME able to provide additional information as to the points below?

Can you please respond to this email with any information so the thread of dialogue between Roads ACT and City Presentation is demonstrated?

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Further, these standards were in fact clearly articulated in the original request on 4 November 2020 to Roads ACT/Road Transport Authority.

Thank you

Luke Halls

Director Business Support City Presentation

Phone: 6207 7112 Mobile: [REDACTED] Email: luke.halls@act.gov.au

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Level 4, 480 Northbourne Ave, Dickson ACT 2602 | GPO Box 158 Canberra City ACT 2601

From: Ludvigson, Paula <Paula.Ludvigson@act.gov.au>

Sent: Monday, 15 February 2021 4:29 PM

To: Duke, Bronwen <Bronwen.Duke@act.gov.au>; Halls, Luke <Luke.Halls@act.gov.au>

Cc: Mulville, Adam <Adam.Mulville@act.gov.au>

Subject: Inspection at [REDACTED]

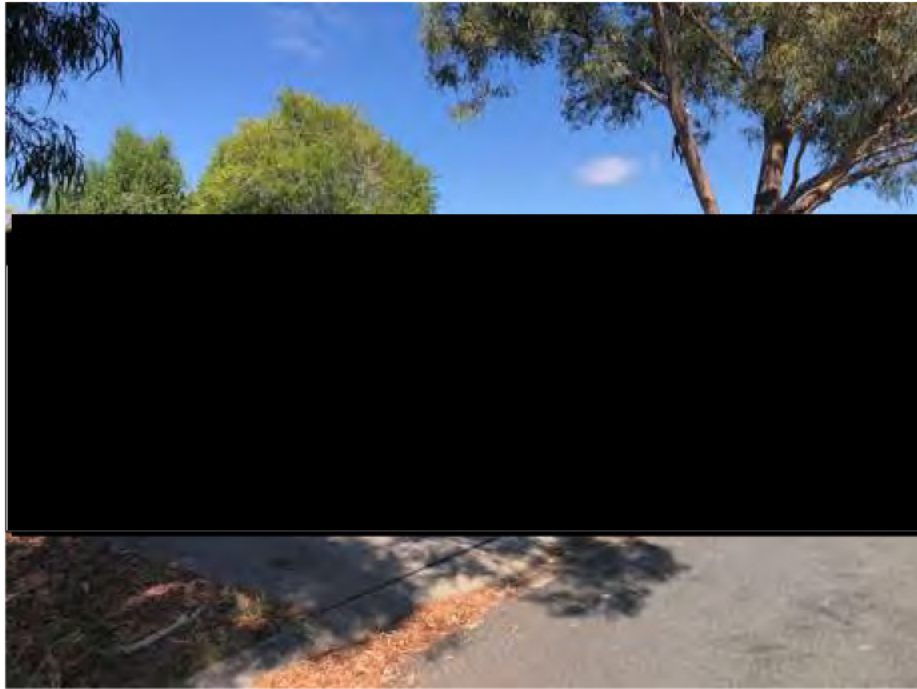
OFFICIAL

Hi Bronwen,

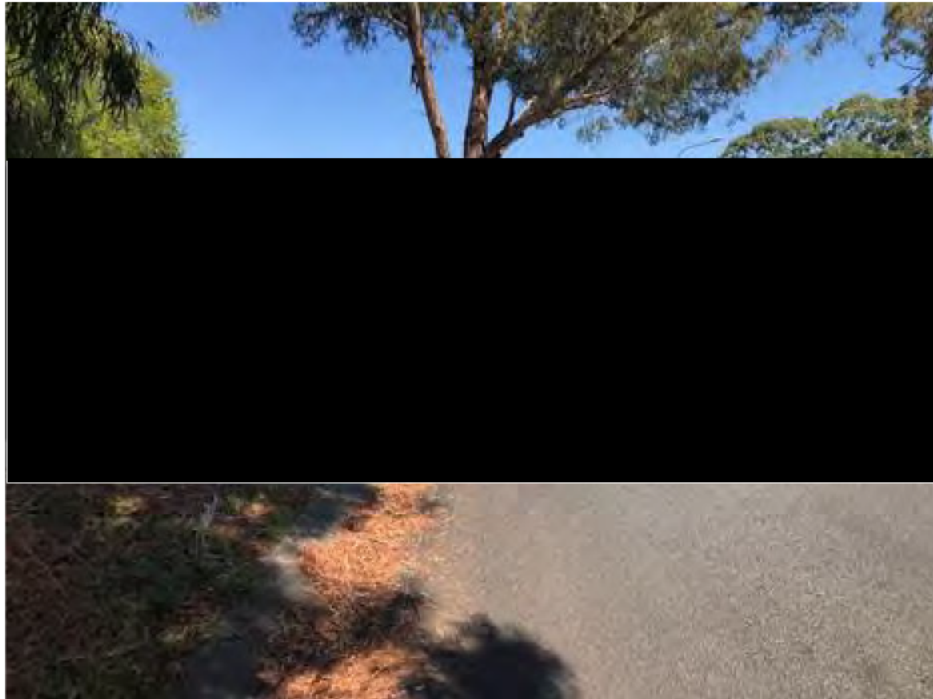
As requested, Adam and I inspected the Roads assets in and around [REDACTED].

There was no visible evidence of issues with any assets above ground, noting parts of the concrete driveway at [REDACTED] have been replaced. The gutters and road pavement appeared to be in good condition.











The stormwater pit located at the front of [REDACTED] was opened and there was no indication of any issues with blocked stormwater pipes in the area (I was advised that you would expect to see a build-up of debris etc if there were issues with blocked / partially blocked pipes).



Overall, the Roads assets in the area appear to be in good condition and do not appear to be adversely affected by the trees in the area.

Please do not hesitate to contact me should you require any further information or clarification.

Kind regards,

Paula Ludvigson | FOI/Claims Officer

Phone: (02) 6207 6597 | Email: paula.ludvigson@act.gov.au

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Transport Canberra and City Services
has moved find us at:

480 Northbourne Avenue
Dickson



The image is a promotional graphic for the new office location of Transport Canberra and City Services. It features a blue gradient background on the left side with white text. The text reads: "Transport Canberra and City Services has moved find us at:", "480 Northbourne Avenue", and "Dickson". Below the text is the ACT logo, which includes the letters "ACT" and the text "ACT Government Canberra and City Services". To the right of the text is a nighttime photograph of a modern, multi-story glass skyscraper with many lit windows, identified as the new office building at 480 Northbourne Avenue in Dickson, Canberra.

Bruan, Nicole

From: Alegria, Stephen
Sent: Friday, 19 March 2021 12:39 PM
To: Halls, Luke
Subject: FW: ACT Government Feedback. Reference [REDACTED]

OFFICIAL

Luke, another request. Could we please get a cease and desist notice organised?

Stephen Alegria | Executive Branch Manager | City Presentation

M [REDACTED] | T 02 6207 9833

City Services | Transport Canberra and City Services Directorate

480 Northbourne Avenue, Dickson ACT | GPO 158, Canberra ACT 2601.

www.tccs.act.gov.au

I acknowledge the traditional custodians of country across Australia and recognise their continuing connection to the land, waters and culture. I pay my respect to them and their cultures, and to elders past, present and emerging.

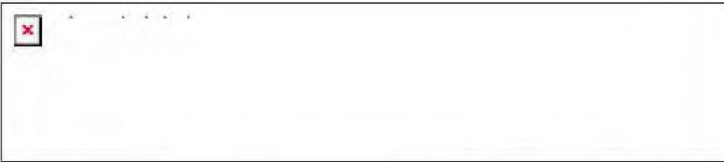
From: Access Canberra Customer Services <accesscanberra@act.gov.au>

Sent: Friday, 19 March 2021 9:33 AM

To: Alegria, Stephen <Stephen.Alegria@act.gov.au>

Subject: ACT Government Feedback. Reference [REDACTED]

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.



ACT Government Customer Enquiry

Hello,

You have been identified as a subject matter expert to respond to this customer enquiry.
Please use the button below to respond to the customer.

If this feedback is not relevant for you, please select the 'Respond to Agent' option and let us know where it should be sent.

Reference Number: [REDACTED]

Customer Name: [REDACTED]

[To view and respond to this enquiry, click here.](#)

Kind regards,
Access Canberra

Bruan, Nicole

From: Alegria, Stephen
Sent: Monday, 22 March 2021 11:54 AM
To: Halls, Luke; Dawes, Rachael
Subject: FW: ACT Government Feedback. Reference [REDACTED]

OFFICIAL

Can we meet this request to change the status of the job?

Stephen Alegria | Executive Branch Manager | City Presentation

M [REDACTED] | T 02 6207 9833

City Services | Transport Canberra and City Services Directorate

480 Northbourne Avenue, Dickson ACT | GPO 158, Canberra ACT 2601.

www.tccs.act.gov.au

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Sent: Friday, 19 March 2021 9:33 AM

To: Alegria, Stephen <Stephen.Alegria@act.gov.au>

Subject: ACT Government Feedback. Reference [REDACTED]

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Reference Number: [REDACTED]

Customer Name: [REDACTED]

[To view and respond to this enquiry, click here.](#)

Kind regards,
Access Canberra

Bruan, Nicole

From: Ludvigson, Paula
Sent: Tuesday, 23 March 2021 1:20 PM
To: Halls, Luke
Cc: Duke, Bronwen
Subject: RE: Inspection at [REDACTED]

OFFICIAL

Hi Luke,

Thank you for your email.

We acknowledge the letter provided by ICON noting it refers to work carried out to the sewerage network, which is not an ACT Government asset.

Given the remediation works were carried out prior to our previous inspections of the area, we do not believe further inspections are necessary at this point in time.

Happy to discuss further if needed.

Kind regards,

Paula Ludvigson | FOI/Claims Officer

Phone: (02) 6207 6597 | Email: paula.ludvigson@act.gov.au

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

480 Northbourne Ave, Dickson / 255 Canberra Avenue, Fyshwick

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From: Halls, Luke <Luke.Halls@act.gov.au>
Sent: Friday, 19 March 2021 3:41 PM
To: Ludvigson, Paula <Paula.Ludvigson@act.gov.au>
Subject: RE: Inspection at [REDACTED]

OFFICIAL

Hi Paula

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Excerpt from FMS below.

Good Evening Mr Alegria,

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18 March, I am yet to receive acknowledgment by Ms Dawes of its receipt.

While Fix My Street [REDACTED] is a separate request to this request, I provide a copy of this correspondence from Icon and request you forward it to the Road Transport Authority/Roads ACT.

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I look forward in receiving a reply, and acknowledgement of receipt of Icon's correspondence and confirmation of it being forwarded to the Road Transport Authority/Roads ACT. Further, I look forward to the outstanding matter and provision of outstanding records and queries mentioned in my response on 5 March 2021, to be addressed and actioned.

Regards,

[REDACTED]

Luke Halls

Director Business Support City Presentation

Phone: 6207 7112 Mobile: [REDACTED] Email: luke.halls@act.gov.au

City Presentation | Transport Canberra and City Services Directorate | ACT Government
Level 4, 480 Northbourne Ave, Dickson ACT 2602 | GPO Box 158 Canberra City ACT 2601

From: Ludvigson, Paula <Paula.Ludvigson@act.gov.au>

Sent: Monday, 1 March 2021 5:58 PM

To: Halls, Luke <Luke.Halls@act.gov.au>

Subject: FW: Inspection at [REDACTED]

OFFICIAL

Hi Luke,

Please find below correspondence to and from Neil regarding the above inspection.

Let me know if you need anything further.

Paula

Kind regards,

Paula Ludvigson | FOI/Claims Officer

Phone: (02) 6207 6597 | Email: paula.ludvigson@act.gov.au

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

480 Northbourne Ave, Dickson / 255 Canberra Avenue, Fyshwick

www.act.gov.au | www.tccs.act.gov.au | [@tccs_act](https://twitter.com/tccs_act)



From: Pincombe, Neil <Neil.Pincombe@act.gov.au>

Sent: Monday, 1 March 2021 3:30 PM

To: Ludvigson, Paula <Paula.Ludvigson@act.gov.au>

Subject: RE: Inspection at [REDACTED]

OFFICIAL

Hi Paula,

I've had a look and concur with RM's view. The tree does not obscure the driveway, with good visibility approx.. 4.5m setback into the driveway before the tree becomes an issue. I could not identify any 'essential' services in close proximity to the tree and there are no footpaths on any of the adjacent properties. If the footpath were an issue, this could be resolved without necessarily removing the tree.

I hope this helps,
Neil

From: Ludvigson, Paula <Paula.Ludvigson@act.gov.au>
Sent: Friday, 26 February 2021 11:27 AM
To: Pincombe, Neil <Neil.Pincombe@act.gov.au>
Subject: RE: Inspection at [REDACTED]
Importance: High

OFFICIAL

Hi Neil,

Just wondering if you've had a chance to look at this one for me?

Thanks,

Paula

Kind regards,

Paula Ludvigson | FOI/Claims Officer

Phone: (02) 6207 6597 | Email: paula.ludvigson@act.gov.au

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From: Ludvigson, Paula
Sent: Monday, 22 February 2021 1:30 PM
To: Pincombe, Neil <Neil.Pincombe@act.gov.au>
Subject: FW: Inspection at [REDACTED]
Importance: High

OFFICIAL

Hi Neil,

I have spoken to Pawel and he believes you (or your team) would be best placed to inspect and provide answers to this information request.

Background - A MOP has raised concerns about a tree at the front of his property (which the Tree unit has inspected). Adam and I were asked to do an inspection of the Roads assets in the area and report our findings to Bronwen (see email below).

The MOP has now raised the following concerns in response to the information he was provided regarding our inspection.

“What appears missing from this alleged response from Roads ACT/Road Transport Authority is any reference to the relevant ACT Government 'Design Standards for Urban Infrastructure' as this dangerous tree is violation of these standards for some of the following:

- Location to essential services infrastructure is not at the 1200mm as per the standards.*
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- [REDACTED] is a narrow and very curved cul-de-sac. The dangerous tree creates a blind spot for drivers reversing from their driveways, and vehicles on [REDACTED] have their line of sight around the cul-de-sac obscured.*

Further, these standards were in fact clearly articulated in the original request on 4 November 2020 to Roads ACT/Road Transport Authority.”

It is my understanding that the area in question would have been gifted assets from the Commonwealth so I'm not sure the Design Standards being quoted would be relevant but happy to have your thoughts on the matter. I will also leave it up to you as to whether you need to conduct your own inspection in order to answer the above concerns.

It would be greatly appreciated if you could send me your thoughts and findings to the above ASAP and no later than COB Friday 26th February.

Happy to discuss further if needed.

Thanks,

Paula

Kind regards,

Paula Ludvigson | FOI/Claims Officer

Phone: (02) 6207 6597 | Email: paula.ludvigson@act.gov.au

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From: Halls, Luke <Luke.Halls@act.gov.au>

Sent: Friday, 19 February 2021 2:58 PM

To: Ludvigson, Paula <Paula.Ludvigson@act.gov.au>

Subject: RE: Inspection at [REDACTED]

OFFICIAL

Hi Paula

Stephen was able to provide your report to the member of the public, but they have some additional queries below.

Are you or an SME able to provide additional information as to the points below?

Can you please respond to this email with any information so the thread of dialogue between Roads ACT and City Presentation is demonstrated?

What appears missing from this alleged response from Roads ACT/Road Transport Authority is any reference to the relevant ACT Government 'Design Standards for Urban Infrastructure' as this dangerous tree is violation of these standards for some of the following:

- *Location to essential services infrastructure is not at the 1200mm as per the standards.*
- *Close proximity to the road and obscures the footpath forcing pedestrians to walk on the road as there is no footpath.*
- *[REDACTED] is a narrow and very curved cul-de-sac. The dangerous tree creates a blind spot for drivers reversing from their driveways, and vehicles on [REDACTED] have their line of sight around the cul-de-sac obscured.*

Further, these standards were in fact clearly articulated in the original request on 4 November 2020 to Roads ACT/Road Transport Authority.

Thank you

Luke Halls

Director Business Support City Presentation

Phone: 6207 7112 Mobile: [REDACTED] Email: luke.halls@act.gov.au

City Presentation | Transport Canberra and City Services Directorate | ACT Government
Level 4, 480 Northbourne Ave, Dickson ACT 2602 | GPO Box 158 Canberra City ACT 2601

From: Ludvigson, Paula <Paula.Ludvigson@act.gov.au>

Sent: Monday, 15 February 2021 4:29 PM

To: Duke, Bronwen <Bronwen.Duke@act.gov.au>; Halls, Luke <Luke.Halls@act.gov.au>

Cc: Mulville, Adam <Adam.Mulville@act.gov.au>

Subject: Inspection at [REDACTED]

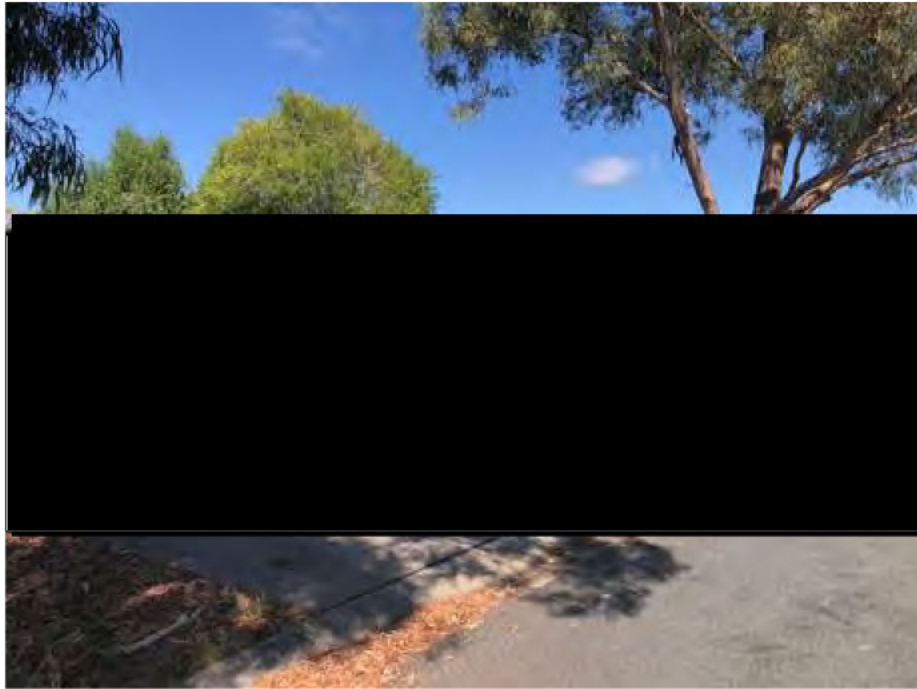
OFFICIAL

Hi Bronwen,

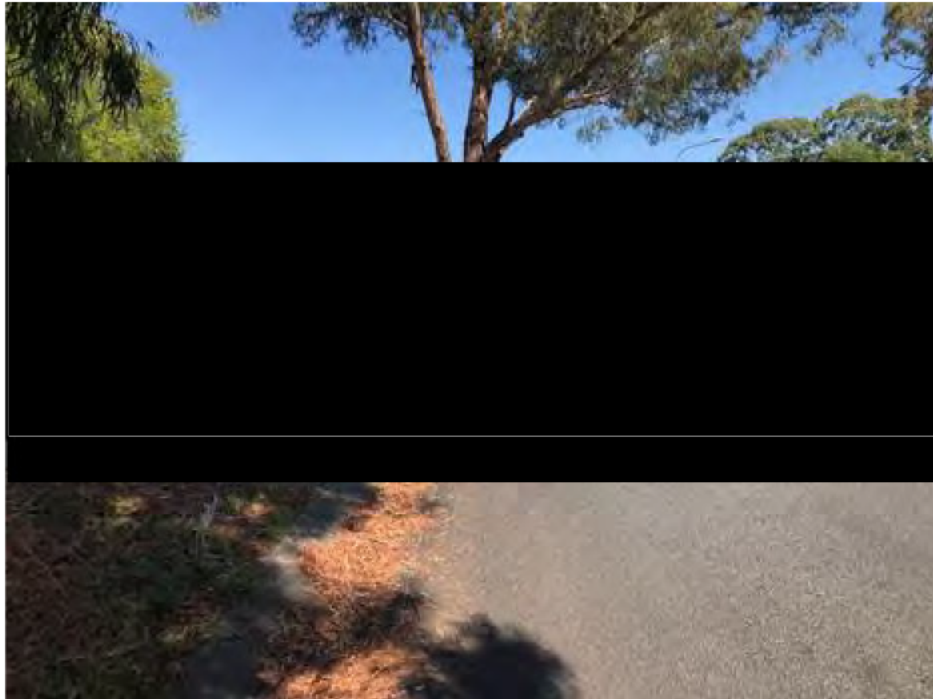
As requested, Adam and I inspected the Roads assets in and around [REDACTED].

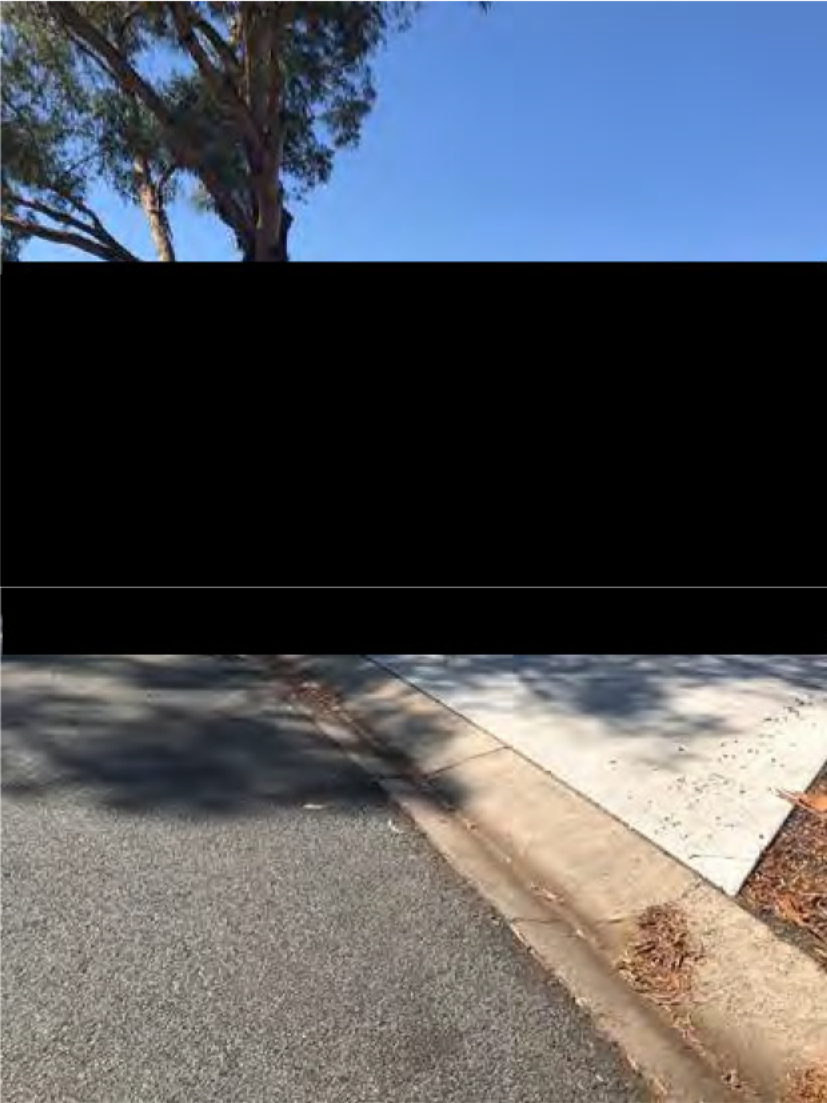
There was no visible evidence of issues with any assets above ground, noting parts of the concrete driveway at [REDACTED] have been replaced. The gutters and road pavement appeared to be in good condition.











The stormwater pit located at the front of [REDACTED] was opened and there was no indication of any issues with blocked stormwater pipes in the area (I was advised that you would expect to see a build-up of debris etc if there were issues with blocked / partially blocked pipes).



Overall, the Roads assets in the area appear to be in good condition and do not appear to be adversely affected by the trees in the area.

Please do not hesitate to contact me should you require any further information or clarification.

Kind regards,

Paula Ludvigson | FOI/Claims Officer

Phone: (02) 6207 6597 | Email: paula.ludvigson@act.gov.au

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

480 Northbourne Ave, Dickson / 255 Canberra Avenue, Fyshwick

www.act.gov.au | www.tccs.act.gov.au | [@tccs_act](https://twitter.com/tccs_act)

Transport Canberra and City Services
has moved find us at:

480 Northbourne Avenue
Dickson



Bruan, Nicole

From: Alegria, Stephen
Sent: Wednesday, 24 March 2021 2:41 PM
To: [REDACTED]
Subject: FW: Inspection at [REDACTED]

Dear [REDACTED]

Please see information below in response to the letter that you have provided from ICON Water.

You have been provided with the correspondence as it relates to the matter at hand.

Transport Canberra and City Services have investigated and provided responses including any findings.

I consider that this matter is now closed.

Thank you

Stephen Alegria | Executive Branch Manager | City Presentation

M [REDACTED] | T 02 6207 9833

City Services | Transport Canberra and City Services Directorate
480 Northbourne Avenue, Dickson ACT | GPO 158, Canberra ACT 2601.

www.tccs.act.gov.au

I acknowledge the traditional custodians of country across Australia and recognise their continuing connection to the land, waters and culture. I pay my respect to them and their cultures, and to elders past, present and emerging.

Hi Stephen

See below acknowledgement from Roads ACT and the corresponding response by their officer.

As below, the team have identified that their inspections were post the remediation works of ICON with regards to their Sewerage network and the information has not influenced their inspection determination and input regarding the matter.

With regards to enquiry FMS Reference [REDACTED] All necessary action has been taken.

The matter can now be closed.

Luke Halls

Director Business Support City Presentation

Phone: 6207 7112 Mobile: [REDACTED] Email: luke.halls@act.gov.au

City Presentation | Transport Canberra and City Services Directorate | ACT Government
Level 4, 480 Northbourne Ave, Dickson ACT 2602 | GPO Box 158 Canberra City ACT 2601

From: Ludvigson, Paula <Paula.Ludvigson@act.gov.au>

Sent: Tuesday, 23 March 2021 1:20 PM

To: Halls, Luke <Luke.Halls@act.gov.au>

Cc: Duke, Bronwen <Bronwen.Duke@act.gov.au>

Subject: RE: Inspection at [REDACTED]

OFFICIAL

Hi Luke,

Thank you for your email.

We acknowledge the letter provided by ICON noting it refers to work carried out to the sewerage network, which is not an ACT Government asset.

Given the remediation works were carried out prior to our previous inspections of the area, we do not believe further inspections are necessary at this point in time.

Happy to discuss further if needed.

Kind regards,

Paula Ludvigson | FOI/Claims Officer

Phone: (02) 6207 6597 | Email: paula.ludvigson@act.gov.au

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www.act.gov.au | www.tccs.act.gov.au | [@tccs_act](https://twitter.com/tccs_act)



From: Halls, Luke <Luke.Halls@act.gov.au>
Sent: Friday, 19 March 2021 3:41 PM
To: Ludvigson, Paula <Paula.Ludvigson@act.gov.au>
Subject: RE: Inspection at [REDACTED]

OFFICIAL

Hi Paula

Following provision of information with regards to Roads ACT inspection of the tree on [REDACTED] the follow has been supplied with regards to ICON's activities in the area on the stormwater network. As this may provide additional considerations for, are you able to have one of your relevant officers look at this ?

Excerpt from FMS below.

Good Evening Mr Alegria,

I refer to my correspondence in this request on 5 March 2021 to which I have not received acknowledgement that it has been received.

Further, I refer to the attached formal correspondence from Icon Water dated 5 March 2021 regarding sewage remediation works undertaken by Icon in February and March 2020 and their advice on this work including the residual risk of this dangerous tree. I draw your attention to the third paragraph in which Icon states and recommends:

"the works we have undertaken will not completely remedy the sewer blockages and tree root issues you and your neighbour may experience within your private sewer pipework and provide this letter in support of your Access Canberra application to have the tree permanently removed".

A copy of this letter was attached and uploaded to Fix My Street [REDACTED] on 5 March 2021 and directed to the attention of Ms Rachael Dawes however as at

18 March, I am yet to receive acknowledgment by Ms Dawes of its receipt.

While Fix My Street [REDACTED] is a separate request to this request, I provide a copy of this correspondence from Icon and request you forward it to the Road Transport Authority/Roads ACT.

As I understand, given the dangerous tree at [REDACTED] impacts road infrastructure as well as essential water, gas, sewage and stormwater infrastructure, it is pertinent that you forward a copy to the Road Transport Authority/Roads ACT given that they too are an impacted infrastructure owners. The correspondence from Icon, including their recommendation for removal of the dangerous tree, should be brought to the attention of the Road Transport Authority/Roads ACT. It would have been my preference to do this myself. However, as established in this request, both Access Canberra and TCCS/Urban Trees have repeatedly denied me the right to communicate directly with the Road Transport Authority/Roads ACT on the matter. Therefore, I am left with little alternative other than to request you note receipt of this recommendation from Icon and forward it to the Road Transport Authority/Roads ACT.

I look forward in receiving a reply, and acknowledgement of receipt of Icon's correspondence and confirmation of it being forwarded to the Road Transport Authority/Roads ACT. Further, I look forward to the outstanding matter and provision of outstanding records and queries mentioned in my response on 5 March 2021, to be addressed and actioned.

Regards,

[REDACTED]

Luke Halls

Director Business Support City Presentation

Phone: 6207 7112 Mobile: [REDACTED] Email: luke.halls@act.gov.au

City Presentation | Transport Canberra and City Services Directorate | ACT Government
Level 4, 480 Northbourne Ave, Dickson ACT 2602 | GPO Box 158 Canberra City ACT 2601

From: Ludvigson, Paula <Paula.Ludvigson@act.gov.au>

Sent: Monday, 1 March 2021 5:58 PM

To: Halls, Luke <Luke.Halls@act.gov.au>

Subject: FW: Inspection at [REDACTED]

OFFICIAL

Hi Luke,

Please find below correspondence to and from Neil regarding the above inspection.

Let me know if you need anything further.

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Kind regards,

Paula Ludvigson | FOI/Claims Officer

Phone: (02) 6207 6597 | Email: paula.ludvigson@act.gov.au

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From: Pincombe, Neil <Neil.Pincombe@act.gov.au>

Sent: Monday, 1 March 2021 3:30 PM

To: Ludvigson, Paula <Paula.Ludvigson@act.gov.au>

Subject: RE: Inspection at [REDACTED]

OFFICIAL

Hi Paula,

I've had a look and concur with RM's view. The tree does not obscure the driveway, with good visibility approx.. 4.5m setback into the driveway before the tree becomes an issue. I could not identify any 'essential' services in close proximity to the tree and there are no footpaths on any of the adjacent properties. If the footpath were an issue, this could be resolved without necessarily removing the tree.

I hope this helps,
Neil

From: Ludvigson, Paula <Paula.Ludvigson@act.gov.au>
Sent: Friday, 26 February 2021 11:27 AM
To: Pincombe, Neil <Neil.Pincombe@act.gov.au>
Subject: RE: Inspection at [REDACTED]
Importance: High

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Just wondering if you've had a chance to look at this one for me?

Thanks,

Paula

Kind regards,

Paula Ludvigson | FOI/Claims Officer

Phone: (02) 6207 6597 | Email: paula.ludvigson@act.gov.au

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From: Ludvigson, Paula
Sent: Monday, 22 February 2021 1:30 PM
To: Pincombe, Neil <Neil.Pincombe@act.gov.au>
Subject: FW: Inspection at [REDACTED]
Importance: High

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I have spoken to Pawel and he believes you (or your team) would be best placed to inspect and provide answers to this information request.

Background - A MOP has raised concerns about a tree at the front of his property (which the Tree unit has inspected). Adam and I were asked to do an inspection of the Roads assets in the area and report our findings to Bronwen (see email below).

The MOP has now raised the following concerns in response to the information he was provided regarding our inspection.

“What appears missing from this alleged response from Roads ACT/Road Transport Authority is any reference to the relevant ACT Government 'Design Standards for Urban Infrastructure' as this dangerous tree is violation of these standards for some of the following:

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- Close proximity to the road and obscures the footpath forcing pedestrians to walk on the road as there is no footpath.*
- [REDACTED] is a narrow and very curved cul-de-sac. The dangerous tree creates a blind spot for drivers reversing from their driveways, and vehicles on [REDACTED] have their line of sight around the cul-de-sac obscured.*

Further, these standards were in fact clearly articulated in the original request on 4 November 2020 to Roads ACT/Road Transport Authority.”

It is my understanding that the area in question would have been gifted assets from the Commonwealth so I'm not sure the Design Standards being quoted would be relevant but happy to have your thoughts on the matter. I will also leave it up to you as to whether you need to conduct your own inspection in order to answer the above concerns.

It would be greatly appreciated if you could send me your thoughts and findings to the above ASAP and no later than COB Friday 26th February.

Happy to discuss further if needed.

Thanks,

Paula

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Paula Ludvigson | FOI/Claims Officer

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From: Halls, Luke <Luke.Halls@act.gov.au>

Sent: Friday, 19 February 2021 2:58 PM

To: Ludvigson, Paula <Paula.Ludvigson@act.gov.au>

Subject: RE: Inspection at [REDACTED]

OFFICIAL

Hi Paula

Stephen was able to provide your report to the member of the public, but they have some additional queries below.

Are you or an SME able to provide additional information as to the points below?

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Thank you

Luke Halls

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Phone: 6207 7112 Mobile: [REDACTED] Email: luke.halls@act.gov.au

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From: Ludvigson, Paula <Paula.Ludvigson@act.gov.au>

Sent: Monday, 15 February 2021 4:29 PM

To: Duke, Bronwen <Bronwen.Duke@act.gov.au>; Halls, Luke <Luke.Halls@act.gov.au>

Cc: Mulville, Adam <Adam.Mulville@act.gov.au>

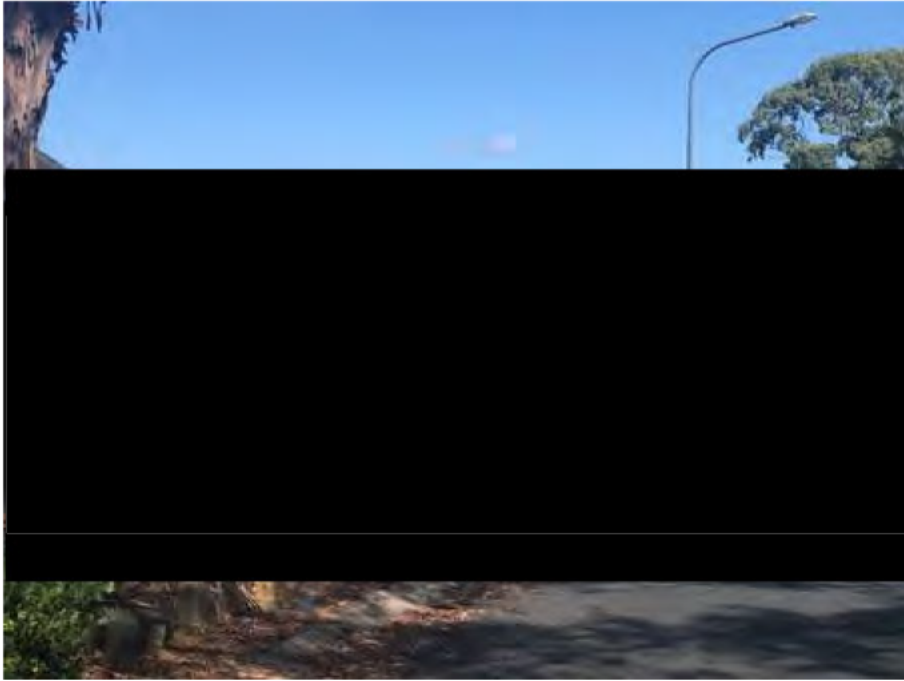
Subject: Inspection at [REDACTED]

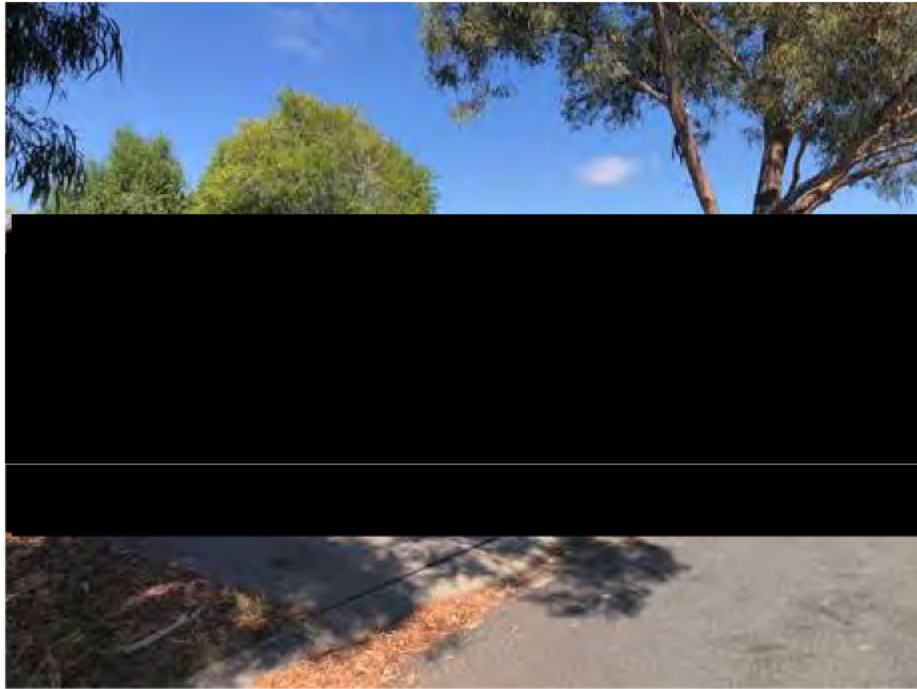
OFFICIAL

Hi Bronwen,

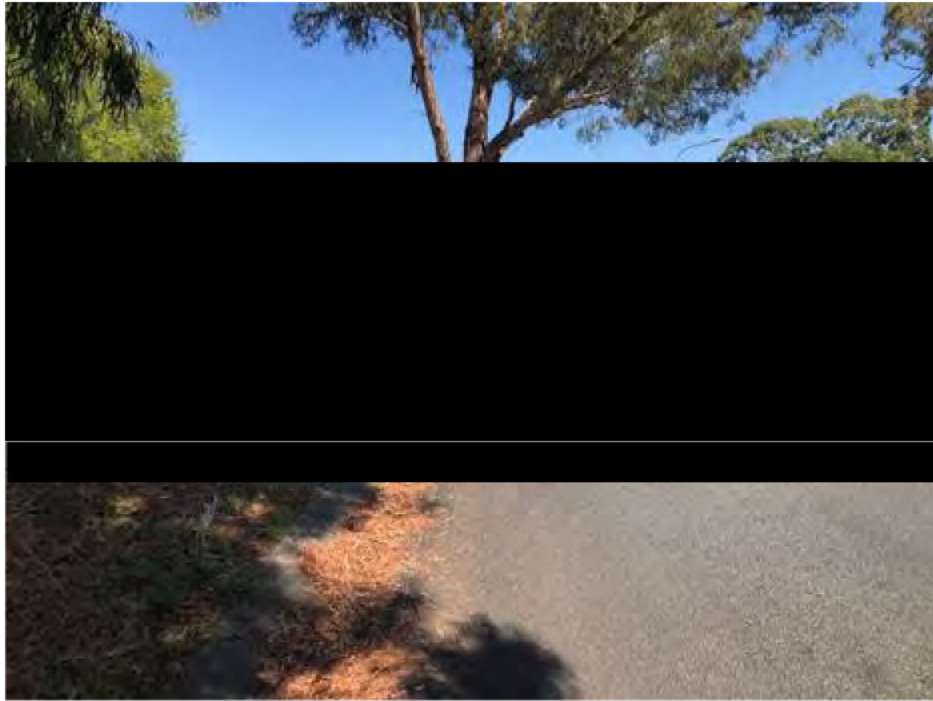
As requested, Adam and I inspected the Roads assets in and around [REDACTED].

There was no visible evidence of issues with any assets above ground, noting parts of the concrete driveway at [REDACTED] have been replaced. The gutters and road pavement appeared to be in good condition.











The stormwater pit located at the front of [REDACTED] was opened and there was no indication of any issues with blocked stormwater pipes in the area (I was advised that you would expect to see a build-up of debris etc if there were issues with blocked / partially blocked pipes).



Overall, the Roads assets in the area appear to be in good condition and do not appear to be adversely affected by the trees in the area.

Please do not hesitate to contact me should you require any further information or clarification.

Kind regards,

Paula Ludvigson | FOI/Claims Officer

Phone: (02) 6207 6597 | Email: paula.ludvigson@act.gov.au

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Transport Canberra and City Services
has moved find us at:

480 Northbourne Avenue
Dickson



The image is a promotional graphic for the new office location of Transport Canberra and City Services. It features a blue gradient background on the left side with white text. The text reads: "Transport Canberra and City Services has moved find us at:", "480 Northbourne Avenue", and "Dickson". Below the text is the ACT logo, which consists of a circular emblem with a stylized 'A' and 'C' and the letters 'ACT' next to it. To the right of the text and logo is a photograph of a modern, multi-story glass building at night, illuminated from within. The building has a distinctive corner design and is surrounded by other city buildings and streetlights.

Monday, 29 Mar 2021, 03:06 pm- ACT Digital

Private Note
Title: Note

Content:

Created By: William Mundy

Type: Note

William forwarded this Enquiry to rachael.dawes@act.gov.au, The below incident has been received through the ACT Government CRM. Can you please respond to the customer's enquiry using the below form. When you respond it will be sent directly back to the customer's email. If this is not for your area, please select "Reply to Staff Member" before submitting response. (If this option is not available, it will be sent back to the staff member by default, you will not need to manually select this) Kind regards, Access Canberra Complaints Management Team

Friday, 26 Mar 2021, 03:37 pm- ACT Digital

Private Note
Title: Note

Content:

Created By: Alexandra Moleva

Type: Note

appears to relate to [201104-000707](#)

Friday, 26 Mar 2021, 03:13 pm- ACT Digital

Private Note
Title: Customer Proxy

Content:

Created By: Alexandra Moleva

Type: Customer Proxy

██████ was transferred to the Complaints Management Team wanting to escalate his Fix My Street tree removal request.

I advised that unfortunately I am unable to look up or follow-up his matter, however ██████ stated he wishes to make a formal complaint before being transferred to Municipal.

The matter concerns FMS request ██████ which was referred to the Urban Trees Team.

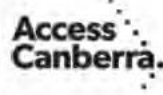
On 4/3/21 he was provided with a response from Rachael Dawes advising tree will not be removed.

Customer responded the same way with a letter from Icon Water recommending the tree is removed.

He further followed-up on 16/3 seeking a response, however no reply has been provided to date.

██████ states the timeframe of three plus weeks is beyond unreasonable and there should be accountability for this.

Client was then transferred to Municipal to obtain an update as to the status of his request.


[Contact us](#)

wa i g

Public Health Emergency in the ACT

A Public Health Emergency has been declared in the ACT for the response to the COVID-19 pandemic. See the [ACT Covid19 website](#) or call 02 6207 7244 for more information.

Keep Canberra safe and strong Maintain good hand hygiene Keep your distance Stay home if unwell and get tested Check in for contact tracing Monitor Travel Advice

[Home](#) / [Account Overview](#) / [Your Support History](#)

/ ACT Government street tree at [REDACTED] is a road and traffic hazard

ACT Government street tree at [REDACTED] [REDACTED] is a road and traffic hazard

Update this question

Add additional information to your question

Attach additional documents to your question

Choose File no file selected

FileAttachments

- [2020.11 Email Thread - Executive Branch Manager City Presentations TCCS .pdf \(1.96 MB\)](#)
- [Roads ACT Thread 15.02.2021 - 01.03.2021.pdf \(2.91 MB\)](#)
- [2021.03.05 Icon Water Correspondence - Tree Removal Support.pdf \(20.35 KB\)](#)
- [2020.03.26 Email Thread 15.02.2021-26.03.2021.pdf \(3.10 MB\)](#)

Do you want a response?

Yes, please respond to my question

Submit

Communication History

Customer [REDACTED] via channel 'CSS Web'

19/04/2021 05.01 PM

Good Afternoon Mr Alegria,

I refer to my correspondence on 26 March 2021 at 1501 to which I do not appear to have received a response nor have I received the requested records on the matter that predate 15 February 2021. The records predating 15 February 2021 were requested by me on 4 March 2021 at 2358 and were not supplied upon request at this time either.

It is most disappointing that the requested records are yet to be supplied and that on 26 March, it was explicitly asked for your advice and position on whether or not you had the intention on providing these. Whilst I certainly can request such records formally through the Freedom of Information Act 2016. As I understand, it is proper in the first instance to ask for the records, and if this request is denied or declined, then a formal FOI request can be lodged. To date, I am yet to receive advice that you are disinclined to provide the requested records. At the very least, a courtesy email which states your intentions regarding the records on the matter is not unreasonable.

Regards,

██████████

Customer ██████████) via channel 'CSS Web'

26/03/2021 03.57 PM

Good Afternoon Mr Alegria,

Thank you for your email received on 24 March at 1441.

Unfortunately, the matter is not yet closed in relation to Fix My Street request ██████████. Per my email correspondence with you on 4 March 2021 at 2358, I brought to your attention that:

What I am rather concerned about it is how the email thread only commences on 15 February 2021, where are the records that pre-date 15 February and capture where the consultation between TCCS/Urban Trees and the ACT Road Transport Authority/Roads ACT began. Review of the Fix My Street request alludes to this communication commencing in around 2 or 3 February.

Where are these earlier records and why have they been omitted from me? As I have stated in the Fix My Street Request, I have deep concerns about the ACT Road Transport Authority/Roads ACT being biased and/or prejudiced in their approach because of TCCS/Urban Trees during this consultation. This certainly does not reduce my concerns and in fact increases them when reviewing the thread in that on 22 February 2021, extracts from the Fix My Street Request from 4 November 2020 seem to be viewed in a manner of:

the MOP has now raised the following concerns in response to the information he was provided regarding our inspection.

The records on the matter prior to 15 February have not been supplied to me. Please advise whether you have any intention on providing these.

Regards,

██████████

Rule Response

22/03/2021 03.37 PM

Please see below response in relation to your feedback submitted to the ACT Government.

Staff Account (Subject Matter Expert) via channel 'Email'

22/03/2021 03.37 PM

Dear ██████████,

I am advised that the status of the request has been changed to updated.

Regards
Stephen

Customer [REDACTED] via channel 'CSS Web'

22/03/2021 10.41 AM

Good Morning Mr Alegria,

Thank you for acknowledgement received on Friday 19 March.

I note that this Fix My Street request has been marked as 'Resolved'. The matter is not yet resolved as I am awaiting further information per my correspondence on 5 March, and there will no doubt be further correspondence due to the Icon recommendation.

Therefore, I must request that this Fix My Street request is not marked as resolved and closed until that be the case.

Regards,

[REDACTED]

Rule Response

19/03/2021 01.16 PM

Please see below response in relation to your feedback submitted to the ACT Government.

Staff Account (Subject Matter Expert) via channel 'Email'

19/03/2021 01.16 PM

Dear [REDACTED]

Your request of 5 March has been received. In light of the additional information you have now provided from Icon Water we will consider this as well and provide a response in due course.

Regards
Stephen

Customer [REDACTED] via channel 'CSS Web'

18/03/2021 09.42 PM

Good Evening Mr Alegria,

I refer to my correspondence in this request on 5 March 2021 to which I have not received acknowledgement that it has been received.

Further, I refer to the attached formal correspondence from Icon Water dated 5 March 2021 regarding sewage remediation works undertaken by Icon in February and March 2020 and their advice on this work including the residual risk of this dangerous tree. I draw your attention to the third paragraph in which Icon states and recommends:

the works we have undertaken will not completely remedy the sewer blockages and tree root issues you and your neighbour may experience within your private sewer pipework and provide this letter in support of your Access Canberra application to have the tree permanently removed .

A copy of this letter was attached and uploaded to Fix My Street [REDACTED] on 5 March 2021 and directed to the attention of Ms Rachael Dawes however as at 18 March, I am yet to receive acknowledgment by Ms Dawes of its receipt.

While Fix My Street [REDACTED] is a separate request to this request, I provide a copy of this correspondence from Icon and request you forward it to the Road Transport Authority/Roads ACT.

As I understand, given the dangerous tree at [REDACTED] impacts road infrastructure as well as

essential water, gas, sewage and stormwater infrastructure, it is pertinent that you forward a copy to the Road Transport Authority/Roads ACT given that they too are an impacted infrastructure owners. The correspondence from Icon, including their recommendation for removal of the dangerous tree, should be brought to the attention of the Road Transport Authority/Roads ACT. It would have been my preference to do this myself. However, as established in this request, both Access Canberra and TCCS/Urban Trees have repeatedly denied me the right to communicate directly with the Road Transport Authority/Roads ACT on the matter. Therefore, I am left with little alternative other than to request you note receipt of this recommendation from Icon and forward it to the Road Transport Authority/Roads ACT.

I look forward in receiving a reply, and acknowledgement of receipt of Icon s correspondence and confirmation of it being forwarded to the Road Transport Authority/Roads ACT. Further, I look forward to the outstanding matter and provision of outstanding records and queries mentioned in my response on 5 March 2021, to be addressed and actioned.

Regards,

[REDACTED]

Customer ([REDACTED]) via channel 'CSS Web'

05/03/2021 12.01 AM

Good Evening Mr Alegria,

Thank you for your email received today at 1816.

In the interests of keeping continuity of records, I will be saving a PDF copy of the email thread including this response, to Fix My Street request [REDACTED]

What I am rather concerned about it is how the email thread only commences on 15 February 2021, where are the records that pre-date 15 February and capture where the consultation between TCCS/Urban Trees and the ACT Road Transport Authority/Roads ACT began. Review of the Fix My Street request alludes to this communication commencing in around 2 or 3 February.

Where are these earlier records and why have they been omitted from me? As I have stated in the Fix My Street Request, I have deep concerns about the ACT Road Transport Authority/Roads ACT being biased and/or prejudiced in their approach because of TCCS/Urban Trees during this consultation . This certainly does not reduce my concerns and in fact increases them when reviewing the thread in that on 22 February 2021, extracts from the Fix My Street Request from 4 November 2020 seem to be viewed in a manner of:

the MOP has now raised the following concerns in response to the information he was provided regarding our inspection .

Assuming that MOP refers to me as being a Member of the Public, I did not raise the concerns in response to the inspection, I clearly articulated the concerns on 4 November 2020. It was Access Canberra and TCCS/Urban Trees who intervened and denied this original request including the scope and terms, from getting to the ACT Road Transport Authority/Roads ACT.

Also, I note the dialogue between Mr Luke Halls and yourself on the inspection of the dangerous tree through Fix My Street Request [REDACTED] and would like to again draw your attention to the fact that Fix My Street Request [REDACTED] and [REDACTED] are separate requests and should be treated as such.

Regards,

[REDACTED]

Customer ([REDACTED]) via channel 'CSS Web'

19/02/2021 12.58 PM

Good Afternoon,

Regarding a copy and paste of the email response is there a reason to which the actual email correspondence between Stephen Allegria and Roads ACT/Road Transport Authority has not been attached in a readable form, such as a PDF.

What appears missing from this alleged response from Roads ACT/Road Transport Authority is any reference to the relevant ACT Government Design Standards for Urban Infrastructure as this dangerous tree is violation of these standards for some of the following:

- Location to essential services infrastructure is not at the 1200mm as per the standards.
- Close proximity to the road and obscures the footpath forcing pedestrians to walk on the road as there is no footpath.
- [REDACTED] is a narrow and very curved cul-de-sac. The dangerous tree creates a blind spot for drivers reversing from their driveways, and vehicles on [REDACTED] have their line of sight around the cul-de-sac obscured.

Further, these standards were in fact clearly articulated in the original request on 4 November 2020 to Roads ACT/Road Transport Authority.

What is of importance also is to ascertain what the dialogue was between TCCS/Urban Trees and Roads ACT/Road Transport Authority as I have very serious concerns to how a request from TCCS/Urban Trees was made and in what context; I fear that any request would prejudice the inspection and its approach to ensure TCCS/Urban Trees is able to get vague enough of a response to support the TCCS/Urban Trees position rather than an unbiased and objective opinion from Roads ACT/Road Transport Authority. Whilst I have no doubt my concerns and fears will be dismissed by TCCS/Urban Trees, it is clear from the vague alleged Roads ACT/Road Transport Authority response combined with its absence of consideration to design standards etc. that there is some plausible truth to my concerns; why else would this be omitted in Roads ACT/Road Transport Authority's response and why else would the email thread and dialogue between TCCS/Urban Trees and Roads ACT/Road Transport Authority be withheld from me?

Regards,

[REDACTED]

Rule Response

19/02/2021 09.16 AM

Please see below response in relation to your feedback submitted to the ACT Government.

Staff Account (Subject Matter Expert) via channel 'Email'

19/02/2021 09.16 AM

Hi [REDACTED]

I understand you could not access the attachment (which was a .msg email file) I have therefore cut and pasted the content below. The original email included a number of photos of the assets including the stormwater pit with lid removed etc, however these don't seem to be appearing in this response.

Regards

Stephen

There was no visible evidence of issues with any assets above ground, noting parts of the concrete driveway at [REDACTED] [REDACTED] have been replaced. The gutters and road pavement appeared to be in good condition.

The stormwater pit located at the front of [REDACTED] was opened and there was no indication of any issues with blocked stormwater pipes in the area (I was advised that you would expect to see a build-up of debris etc if there were issues with blocked / partially blocked pipes).

Overall, the Roads assets in the area appear to be in good condition and do not appear to be adversely affected by the trees in the area.

Customer [REDACTED] via channel 'CSS Web'

18/02/2021 04.23 PM

Good Afternoon,

The response on 16 February 2021 alludes to attached correspondence . There is no attached correspondence to this Fix My Street Request regarding the inspection undertaken by Roads ACT. The only correspondence attached to the this request is an attachment I uploaded on 29 January 2021 as request by Katrina.

Regards,

██████████

Staff Account (Michelle) via channel 'Email'

16/02/2021 04.19 PM

Dear ██████████

Roads ACT officers have conducted an inspection o ██████████ and have provided the attached correspondence. In summary, they have no concerns with Roads ACT assets within the vicinity. I hope this will allay your concerns.

I have been advised that the Urban Treescapes team will conduct their assessment this week and their report will be provided to you thereafter, as previously agreed.

Thank you

Stephen Alegria
TCCS City Presentation

Staff Account (Michelle) via channel 'Email'

09/02/2021 09.09 AM

Dear ██████████

Thank you for contacting Access Canberra regarding this issue.
Please see below note below from the investigating team.

Dear ██████████,

Thank you for your patience. I have consulted with colleagues at Roads ACT who have undertaken to committed assess road-related infrastructure in the ██████████ area. Please note, this will not incorporate a tree assessment but will focus on infrastructure which sits within Roads ACT responsibility (for example, pavement, kerb and gutter, stormwater). Roads ACT Officers will undertake the assessment in the week of beginning 08/02/2021. I will provide further information to you regarding their assessment the week of the 15/02/2021, following their advice to me.

As noted in previous correspondence to you, the tree at ██████████ will be assessed mid-February by a skilled member of our Urban Treescapes team. I have been advised that the Team will provide the assessment report to you following the completion of this activity.

Regards
Stephen Alegria

If the issue is not resolved to your satisfaction or to update your submission with any further details, you may reopen it within 60 days via the 'Your Account' section at www.accesscanberra.act.gov.au.

Regards,
Municipal Services Team
Access Canberra

Customer ([REDACTED]) via channel 'CSS Web'**08/02/2021 05.33 PM**

Good Afternoon,

Just following up per the Communication History on Friday 5 February at 1640. Apologies but I cannot read the content, the writing is absolutely microscopic in size and is illegible. Can you please re-send this advice and make sure it is legible?

Apologies for the inconvenience.

Regards,

[REDACTED]

Staff Account (Pauline) via channel 'Email'**05/02/2021 04.40 PM**

Dear [REDACTED]

Thank you for contacting Access Canberra regarding this issue.

Please see below note below from the investigating team.

Dear [REDACTED]

Thank you for your patience. I have consulted with colleagues at Roads ACT who have undertaken to committed assess road-related infrastructure in the [REDACTED] area. Please note this will not incorporate a tree assessment but will focus on infrastructure which sits within Roads ACT responsibility (for example pavement, kerb and gutter, stormwater). Roads ACT Officers will undertake the assessment in the week of beginning 08/02/2021. I will provide further information to you regarding their assessment the week of the 15/02/2021 following their advice to me.

As noted in previous correspondence to you, the tree at [REDACTED] street will be assessed mid-February by a skilled member of our Urban Treespaces team. I have been advised that the Team will provide the assessment report to you following the completion of this activity.

Regards

Stephen Alegria

If the issue is not resolved to your satisfaction or to update your submission with any further details, you may reopen it within 60 days via the Your Account section at www.accesscanberra.act.gov.au.

Regards

Municipal Services Team

Access Canberra

Customer ([REDACTED]) via channel 'CSS Web'**03/02/2021 11.29 PM**

Good Evening Stephen,

Naturally this matter is great concern to me, and like any reasonable person; I take the safety and wellbeing of my family, our home, our neighbours and the community very seriously.

As repeatedly highlighted to Katrina from Access Canberra, via telephone and through this Fix My Street Request, on 4 November 2020, the request was lodged and clearly articulated that it was relevant to Roads ACT/Road Transport Authority including the reasons why and municipal infrastructure standards they were being asked to comment on which are impacted by the dangerous tree at [REDACTED]. The reason I lodged this request was it was very clear in correspondence issued by you on 4 November 2020, relating to Re [REDACTED], and clearly stated the infrastructure owners, ICON and Roads ACT, have not contacted us in relation to this tree. On 5 November 2020, Access Canberra advised the matter would be referred to the Road Transport Authority/Roads ACT for investigation and a response.

So, I am at a complete loss as to why, between Access Canberra and your office, there is a blatant refusal to have Roads ACT/Road Transport Authority inspect their assets which are impacted, and to write to TCCS/Urban Trees with consideration to their asset and to do this without undue influence, pressure and biases. At no stage in this request have I requested that you consult with relevant areas of Government in relation to this matter. I did formally request this in matter [REDACTED] prior to November 2020, and multiple times, yet both yourself and your Assistant Director, Ms Samantha Ning were not willing to do this.

Further, it was advised on 1 February 2021, by Katrina from Access Canberra, that Mr Luke Halls would have the matter referred to him; nothing that Mr Halls is not a part of Roads ACT/Road Transport Authority and as I understand is your manager. Katrina provided the caveat that Mr Halls had stated a decision had been made about the tree and implied that decision would not be overturned; too me this shows further evidence of very clear bias in TCCS/Urban Trees/City Presentations - also I am bemused why such an upfront statement would be made prior to Roads ACT/Road Transport Authority being able to inspect their asset and the dangerous tree and write to Urban Trees with their findings.

Perhaps you can explain why, a reasonable request to Roads ACT/Road Transport Authority is being denied in having them attend to request and reply to me directly as originally requested and confirmed by Access Canberra on 5 November 2020.

Further, you have stated you will be consulting with relevant areas of Government, I would like to know more about how the term consulting is used and what relevant areas of Government you mean? Also, I am keen to know what information is exchanged during this consultation and whether it would prejudice the direction of the conversation with those relevant areas of Government ?

Regards,

[REDACTED]

Rule Response

03/02/2021 09.26 AM

Please see below response in relation to your feedback submitted to the ACT Government.

Staff Account (Subject Matter Expert) via channel 'Email'

03/02/2021 09.26 AM

Good morning [REDACTED]

I am sorry that this issue remains of concern to you.

We are in the process of reviewing correspondence and consulting relevant areas of Government in relation to this matter to ensure we can provide a satisfactory response to you. My intention is to provide a response by the end of this week.

I appreciate your patience.

Regards

Stephen Alegria

Customer ([REDACTED]) via channel 'CSS Web'

02/02/2021 03.57 PM

Good Afternoon Katrina,

Thank you for your voicemail message and response. Apologies, I was in a meeting.

I note that when logging into my Fix My Street Account this request has been marked as Resolved. This request is certainly not resolved. I am yet to see any evidence that Roads ACT/Road Transport Authority have inspected the dangerous tree as requested.

Whilst I certainly acknowledge that from an Access Canberra perspective that you cannot do anything further, I am baffled and bemused that yesterday's advice was Luke Halls would be taking custody of the matter, and today the advice has changed, without explanation to the matter will be forwarded to Stephen Alegria.

Also, I would like to again highlight that it was Stephen Alegria who was the representative who refused to consider removal to remove the dangerous tree as the infrastructure owners, ICON and Roads ACT, have not contacted us in relation to this tree. This is the very reason why I lodged this Fix My Street Request, to have Roads ACT/Road Transport Authority inspect the dangerous tree and write to Urban Trees accordingly and with consideration to risk of the dangerous tree as it applies to the infrastructure and with consideration to the ACT Government design and municipal standards.

It certainly seems to be the case that my reasonable request for this Fix My Street Request to be sent to Roads ACT/Road Transport Authority has been denied and without a legitimate reason and explanation as to why.

How is it that a reasonable constituent is persistently denied the right to engage in dialogue for a legitimate and reasonable request, and then agencies of the ACT Government persistently shift the narrative and raise the benchmark, then deny that constituent the right to have their request be addressed by the appropriate agency. In this case, the request is to Roads ACT/Road Transport Authority yet here we are, the request as gone to Urban Trees, again, and then closed off

Staff Account (Katrina) via channel 'Email'

02/02/2021 03.30 PM

Good afternoon [REDACTED]

I have just tried to reach your mobile and it has gone to voicemail, where I have left a message for you.

Please be advised this is as far as I can assist you and from this point forward to address any further correspondence/enquiries to the Executive Branch Manager, City Presentation, Stephen Alegria.

Thank you

Regards,

Katrina Team Leader

Contact Centre Access Canberra

Chief Minister Treasury and Economic Development Directorate ACT Government

GPO Box 158, Canberra ACT 2601 www.act.gov.au/accessCBR

Customer [REDACTED] via channel 'CSS Web'

01/02/2021 12.30 PM

Katrina, Team Leader from Access Canberra called 01/02/2021 at 1148. Katrina advised she has spoken with Luke Halls, Director Business Support City Presentation and that he will be requesting the Road Transport Authority/Roads ACT to inspect the tree, though a decision has been made about the tree.

Advised Katrina that is my expectation, that when the Roads Transport Authority/Roads ACT inspect the dangerous tree at [REDACTED] that they inspect it with an objective and open minded consideration to their asset, being the road and verge which is affected and impacted, along with the underground water, gas, sewage and storm water infrastructure that is affected by the dangerous tree as established in the Access Canberra Plumbing Tie Search which the dangerous tree sits on top of and will severely damage if it falls. Further, advised that an inspection and report to TCCS/Urban trees by the Road Transport Authority/Roads ACT be done with consideration to the ACT Government Municipal Infrastructure standards as stated on 4 November 2020 and again on 29 January 2021, standards that this dangerous tree is in violation of.

Further, advised it was my expectation that any decision to not remove the dangerous tree was one made by TCCS/Urban Trees in which they had stated they had not been contacted by Roads ACT/Road Transport Authority and that any decision by TCCS/Urban Trees should not impact nor influence the outcome of Roads ACT/Road Transport Authority being honest and objective.

When asking which member of TCCS/Urban Trees closed this request off on 25 January 2021 with details Staff

Account (Subject Matter Expert) via channel Email - Katrina advised Luke Halls had told her that it was an automated closure message. I objected to this and stated the closure would had to have been initiated by someone and the message itself was very detailed, so someone in TCCS/Urban Trees would had to have known or looked for through a separate Fix My Street Request for this information. The excuse given by Katrina was there are lots of automated pre-filled messages that can be sent out as Luke advised . I still disagreed that such an automated message would be knowing of the intricate details of a separate Fix My Street Request to TCCS/Urban Trees, and this request [REDACTED] was clearly directed to the Road Transport Authority/Roads ACT, and someone in other ACT Government office has sent it to TCCS/Urban Trees who have then closed it off.

It is my expectation to find out who in TCCS/Urban Trees, took this request [REDACTED], which was clearly marked to the Road Transport Authority/Roads ACT, and closed it off as that is unacceptable.

It is most disappointing that as at 1 February 2021, when this request to Road Transport Authority/Roads ACT which was lodged on 4 November 2020, will finally be sent from Luke Halls to the Road Transport Authority/Roads ACT. When articulating this to Katrina, the advise given was I have to await the outcome of the RTA/Roads ACT inspection and then a complaint can be lodged to some complaints team to look at. However I very much doubt and fear any internal review by Access Canberra/ACT Government will not be performed objectively and impartially and carried out with a pre-determined view to protect the Government in their failure of delivering reasonable services, than any reasonable constituent and person ought to expect.

Customer [REDACTED] via channel 'CSS Web'

29/01/2021 02.47 PM

Adding attachment 2020.11 Email Thread - Executive Branch Manager City Presentations TCCS

Customer [REDACTED] via channel 'CSS Web'

29/01/2021 02.46 PM

Hi Katrina,

Thank you for speaking with me just now. As requested, please find attached the email thread from November 2020 in which TCCS Executive Branch Manager City Presentations clearly states on 4 November 2020 that the infrastructure owners, ICON and Roads ACT, have not contacted us in relation to this tree . This is why on 4 November 2020, I lodged this request with Access Canberra to escalate to the Roads ACT/Road Transport Authority, as the infrastructure owners, to inspect the dangerous tree and write to TCCS/Urban Trees accordingly and with consideration as the asset owners, of the tree and its risk to assets, and in line with the appropriate planning standards being:

- The tree is not a suitable species per the ACT Government Municipal Infrastructure Standard 25 Plant Species for Urban Landscape Projects states the tree, being a Eucalyptus nicholii, is a deleted species as it is prone to bark included branch unions that tend to fail .
- The tree is not suitable per the ACT Design Standards for Urban Infrastructure (attached) which states the tree is not suitable for urban settings, and that the species needs pruning especially when young which it did not receive and has only been pruned in 2017 and 2020; it was planted in the mid 1980s.
- The tree is in an unsuitable position as it is located immediately on top of essential water, gas, sewage and stormwater infrastructure services, including our service ties from our homes to the street. The ACT Government Municipal Infrastructure Standard 06 Verges , states that service ties are susceptible to tree root intrusion and must be located as far as practical from the root zone , further, this standard also establishes standards for minimal distances to service ties and underground services. Attached is a copy of the Access Canberra Plumbing Tie search as evidence.
- The tree s decline was first reported in 2017 where large portions of its root system were disturbed when TCCS removed a large portion underneath the driveways at ours and our neighbours homes to replace the damaged concrete caused by the tree. Several large limbs were removed by TCCS at this time as they were dead.
- The tree s root system was again interfered with in February of this year to undertake major work on the sewage system which Icon Water found this tree had significant root infiltration in the system. Icon Water agreed that there is no guarantee this tree will not infiltrate the new sewage lines which are susceptible at the service ties on top of the risk to the water and stormwater lines which are the original infrastructure.
- Removal of the tree will provide an absolute assurance and eliminate realising risks of damage to: people and property, traffic using the road underneath the tree, continuity of essential water, gas, sewage and storm water infrastructure. I work in risk advisory and when I use my risk tools, the risk rating applied to this tree is a severe

consequence with a possible likelihood, the overall risk rating is significant and this can be eliminated by removal of the tree.

Customer ([REDACTED]) via channel 'CSS Web'

29/01/2021 02.41 PM

On 29 January at 1348 call Access Canberra back on 13 22 81 regarding disconnected call at 1313. Speak with Nicholas. Call escalated to Katrina.

Customer ([REDACTED]) via channel 'CSS Web'

29/01/2021 01.55 PM

On 29 January 2021, call Access Canberra on 13 22 81 at 1313. Call connected to Tom who original advises I need to speak with Urban Trees but after explaining the original request advises he will transfer me to Municipal Services and places me on hold for 28 minutes. Tom returns to call and asks are you there which I reply yes I am, after nearly 30 minutes of waiting and then Tom immediately disconnects the call.

Customer ([REDACTED]) via channel 'CSS Web'

25/01/2021 10.24 AM

Good Morning,

The response received at 1009 on 25/01/2021 is from Urban Treescapes and not Roads ACT/ACT Road Transport Authority. At no stage have I asked for TCCS/Urban Treescapes in this request to provide commentary on the matter and it appears that the request has been forwarded to the incorrect area of the ACT Government.

Per the original request on 04/11/2020, I clearly stated that I am requesting that the Road Transport Authority/Roads ACT inspect the dangerous tree and write to TCCS accordingly to highlight the risks and hazards this dangerous tree poses to the safety of road users, both vehicles and pedestrians, and to road infrastructure; and confirming that its removal will eliminate all associated risks and hazards whilst.

Rather than send this Fix My Street Request to TCCS/Urban Treescapes to immediately close it off, can the Road Transport Authority/Roads ACT inspect the dangerous tree at [REDACTED] and write to TCCS accordingly? Part of the highly biased narrative from TCCS is that they will not consider removing the dangerous tree because the Road Transport Authority/Roads ACT have not written to them on the matter.

Therefore, again, I am seeking the Road Transport Authority/Roads ACT to inspect the dangerous tree and write to TCCS accordingly based upon the risk factors of the dangerous tree along with its breach of Design Standards for Urban Infrastructure, including:

- Location to essential services infrastructure is not at the 1200mm as per the standards.
- Close proximity to the road and obscures the footpath forcing pedestrians to walk on the road as there is no footpath.
- [REDACTED] is a narrow and very curved cul-de-sac. The dangerous tree creates a blind spot for drivers reversing from their driveways, and vehicles on [REDACTED] have their line of sight around the cul-de-sac obscured.

Kind Regards,

[REDACTED]

Rule Response

25/01/2021 10.09 AM

Please see below response in relation to your feedback submitted to the ACT Government.

Staff Account (Subject Matter Expert) via channel 'Email'

25/01/2021 10.09 AM

As per our correspondence on 27 November 2020, TCCS will not be removing the tree and intend to revisit the tree in mid-February and again in February 2022 to carry out an assessment of the tree.

Thank you

Urban Treescapes

Customer [REDACTED] via channel 'CSS Web'**22/01/2021 04.30 AM**

Good Evening Municipal Services Team,

I am following up on the below request [REDACTED] as I have not been contacted by RoadsACT on the matter not have I received a written response.

I would be most appreciative if I could be contacted on [REDACTED], and advised of the status of this matter and establish what the expected turn around will be to receive a formal written response.

Kind Regards,

[REDACTED]

Staff Account (Greg) via channel 'Email'**05/11/2020 11.18 AM**

Hi [REDACTED]

Thank you for contacting Access Canberra about this issue.

I have forward this request to Roads ACT and to the investigating officer and manager for them to respond.

To update your submission with any further details you may reopen it within 60 days via the 'Your Account' section at www.accesscanberra.act.gov.au.

Kind regards,

Municipal Services Team
Access Canberra

Rule Response**04/11/2020 10.09 AM**

Thank you for your correspondence which has been received and referred to the relevant ACT Government business unit.

If you have requested a response you should expect to be contacted within 10 working days.

Your reference number is: [REDACTED]

Customer [REDACTED] via channel 'CSS Web'**04/11/2020 10.09 AM**

I am writing to the ACT Road Transport Authority to lodge a complaint about a dangerous ACT Government street tree at [REDACTED]. I am a resident at [REDACTED].

Over the past 10 months, I have been in a bureaucratic nightmare with Transport Canberra & City Services to remove the dangerous tree. Despite the dangerous tree not being in a state of full health and having been in decline since first reported to TCCS by our neighbours in 2017, TCCS will not remove the dangerous tree despite this request being reasonable and in line with their policy and framework on street tree removal. TCCS are shifting the narrative of why they will not remove the dangerous tree and are now saying that because the Road Transport Authority/Roads ACT has not contacted them about the dangerous tree then it will not be removed.

When the dangerous tree falls, the direction it is leaning means it will likely fall on top of the road and completely obstruct the street which is a narrow and very curved cul-de-sac; there is a risk the tree will fall onto vehicles and/or people as well. The dangerous tree is located immediately on top of essential water, gas, sewage and storm water

infrastructure and it will sever these essential services as well. The dangerous tree consistently drops branches and limbs onto the road and travelling vehicles which creates a risk as well. The cost to the ACT Government when the dangerous tree falls and in public liability costs will far exceed the cost of its removal.

Also, having reviewed the ACT Government Design Standards for Urban Infrastructure, this dangerous tree is in violation of these standards for the following reasons:

- Location to essential services infrastructure is not at the 1200mm as per the standards.
- Close proximity to the road and obscures the footpath forcing pedestrians to walk on the road as there is no footpath.
- [REDACTED] is a narrow and very curved cul-de-sac. The dangerous tree creates a blind spot for drivers reversing from their driveways, and vehicles on [REDACTED] have their line of sight around the cul-de-sac obscured.

I am requesting that the Road Transport Authority/Roads ACT inspect the dangerous tree and write to TCCS accordingly to highlight the risks and hazards this dangerous tree poses to the safety of road users, both vehicles and pedestrians, and to road infrastructure; and confirming that its removal will eliminate all associated risks and hazards whilst.

I look forward in hearing from your office at your earliest convenience.

Additional Details

Email Address	[REDACTED]
Reference number	[REDACTED]
Status	Forwarded to SME
Date created	04/11/2020 10.09 AM
Last updated	20/04/2021 11.52 AM
Category	<ul style="list-style-type: none"> • Transport, Road & Traffic • Other

Incident location

[REDACTED]

File Attachments

- [2020.11 Email Thread - Executive Branch Manager City Presentations TCCS .pdf \(1.96 MB\)](#)
- [Roads ACT Thread 15.02.2021 - 01.03.2021.pdf \(2.91 MB\)](#)
- [2021.03.05 Icon Water Correspondence - Tree Removal Support.pdf \(20.35 KB\)](#)
- [2020.03.26 Email Thread 15.02.2021-26.03.2021.pdf \(3.10 MB\)](#)

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RE: Inspection at [REDACTED]

Alegria, Stephen <Stephen.Alegria@act.gov.au>

Tue 20/04/2021 4:26 PM

To: [REDACTED]

OFFICIAL

Dear [REDACTED],

As per my email of 24 March (below), I consider this matter to be closed. I and my colleagues have done everything we can to assist you. I will also provide this response via the Fix My Street portal.

Regards

Stephen Alegria | Executive Branch Manager| City Presentation

M [REDACTED] | T 02 6207 9833

City Services | Transport Canberra and City Services Directorate

480 Northbourne Avenue, Dickson ACT | GPO 158, Canberra ACT 2601.

www.tccs.act.gov.au

I acknowledge the traditional custodians of country across Australia and recognise their continuing connection to the land, waters and culture. I pay my respect to them and their cultures, and to elders past, present and emerging.

From: [REDACTED]
Sent: Monday, 19 April 2021 5:01 PM
To: Alegria, Stephen <Stephen.Alegria@act.gov.au>
Cc: [REDACTED]
Subject: Re: Inspection at [REDACTED]
Importance: High

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.

Good Afternoon Mr Alegria,

I refer to my correspondence on 26 March 2021 at 1501 to which I do not appear to have received a response nor have I received the requested records on the matter that predate 15 February 2021. The records predating 15 February 2021 were requested by me on 4 March 2020 at 2358 and were not supplied upon request at this time either.

It is most disappointing that the requested records are yet to be supplied and that on 26

March, it was explicitly asked for your advice and position on whether or not you had the intention on providing these. Whilst I certainly can request such records formally through the *Freedom of Information Act 2016*. As I understand, it is proper in the first instance to ask for the records, and if this request is denied or declined, then a formal FOI request can be lodged. To date, I am yet to receive advice that you are disinclined to provide the requested records. At the very least, a courtesy email which states your intentions regarding the records on the matter is not unreasonable.

Regards,

From: [REDACTED]
Sent: Friday, 26 March 2021 3:01 PM
To: Alegria, Stephen <Stephen.Alegria@act.gov.au>
Cc: [REDACTED]
Subject: Re: Inspection at [REDACTED]

Good Afternoon Mr Alegria,

Thank you for your email received on 24 March at 1441.

Unfortunately, the matter is not yet closed in relation to Fix My Street request [REDACTED]. Per my email correspondence with you on 4 March 2021 at 2358, I brought to your attention that:

What I am rather concerned about it is how the email thread only commences on 15 February 2021, where are the records that pre-date 15 February and capture where the "consultation" between TCCS/Urban Trees and the ACT Road Transport Authority/Roads ACT began. Review of the Fix My Street request alludes to this communication commencing in around 2 or 3 February.

Where are these earlier records and why have they been omitted from me? As I have stated in the Fix My Street Request, I have deep concerns about the ACT Road Transport Authority/Roads ACT being biased and/or prejudiced in their approach because of TCCS/Urban Trees during this "consultation". This certainly does not reduce my concerns and in fact increases them when reviewing the thread in that on 22 February 2021, extracts from the Fix My Street Request from 4 November 2020 seem to be viewed in a manner of:

"the MOP has now raised the following concerns in response to the information he was provided regarding our inspection".

The records on the matter prior to 15 February have not been supplied to me. Please advise whether you have any intention on providing these.

Regards,

[REDACTED]

From: Alegria, Stephen <Stephen.Alegria@act.gov.au>
Sent: Wednesday, 24 March 2021 2:41 PM
To: [REDACTED]
Subject: FW: Inspection at [REDACTED]

Dear [REDACTED]

Please see information below in response to the letter that you have provided from ICON Water.

You have been provided with the correspondence as it relates to the matter at hand.

Transport Canberra and City Services have investigated and provided responses including any findings.

I consider that this matter is now closed.

Thank you

Stephen Alegria | Executive Branch Manager | City Presentation

M [REDACTED] | T 02 6207 9833

City Services | Transport Canberra and City Services Directorate
480 Northbourne Avenue, Dickson ACT | GPO 158, Canberra ACT 2601.

www.tccs.act.gov.au

I acknowledge the traditional custodians of country across Australia and recognise their continuing connection to the land,

waters and culture. I pay my respect to them and their cultures, and to elders past, present and emerging.

Hi Stephen

See below acknowledgement from Roads ACT and the corresponding response by their officer.

As below, the team have identified that their inspections were post the remediation works of ICON with regards to their Sewerage network and the information has not influenced their inspection determination and input regarding the matter.

With regards to enquiry FMS Reference [REDACTED] All necessary action has been taken.

The matter can now be closed.

Luke Halls

Director Business Support City Presentation

Phone: 6207 7112 Mobile: [REDACTED] Email: luke.halls@act.gov.au

City Presentation | Transport Canberra and City Services Directorate | ACT Government
Level 4, 480 Northbourne Ave, Dickson ACT 2602 | GPO Box 158 Canberra City ACT 2601

From: Ludvigson, Paula <Paula.Ludvigson@act.gov.au>
Sent: Tuesday, 23 March 2021 1:20 PM
To: Halls, Luke <Luke.Halls@act.gov.au>
Cc: Duke, Bronwen <Bronwen.Duke@act.gov.au>
Subject: RE: Inspection at [REDACTED]

OFFICIAL

Hi Luke,

Thank you for your email.

We acknowledge the letter provided by ICON noting it refers to work carried out to the sewerage network, which is not an ACT Government asset.

Given the remediation works were carried out prior to our previous inspections of the area, we do not believe further inspections are necessary at this point in time.

Happy to discuss further if needed.

Kind regards,

Paula Ludvigson | FOI/Claims Officer

Phone: (02) 6207 6597 | Email: paula.ludvigson@act.gov.au

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From: Halls, Luke <Luke.Halls@act.gov.au>
Sent: Friday, 19 March 2021 3:41 PM
To: Ludvigson, Paula <Paula.Ludvigson@act.gov.au>
Subject: RE: Inspection at [REDACTED]

OFFICIAL

Hi Paula

Following provision of information with regards to Roads ACT inspection of the tree on [REDACTED] the follow has been supplied with regards to ICON's activities in the area on the [REDACTED] stormwater network. As this may provide additional considerations for, are you able to have one of your relevant officers look at this ?

Excerpt from FMS below.

Good Evening Mr Alegria,

I refer to my correspondence in this request on 5 March 2021 to which I have not received acknowledgement that it has been received.

Further, I refer to the attached formal correspondence from Icon Water dated 5 March 2021 regarding sewage remediation works undertaken by Icon in February and March 2020 and their advice on this work including the residual risk of this dangerous tree. I draw your attention to the third paragraph in which Icon states and recommends:

"the works we have undertaken will not completely remedy the sewer blockages and tree

root issues you and your neighbour may experience within your private sewer pipework and provide this letter in support of your Access Canberra application to have the tree permanently removed" .

A copy of this letter was attached and uploaded to Fix My Street [REDACTED] on 5 March 2021 and directed to the attention of Ms Rachael Dawes however as at 18 March, I am yet to receive acknowledgment by Ms Dawes of its receipt.

While Fix My Street [REDACTED] is a separate request to this request, I provide a copy of this correspondence from Icon and request you forward it to the Road Transport Authority/Roads ACT.

As I understand, given the dangerous tree at [REDACTED] impacts road infrastructure as well as essential water, gas, sewage and stormwater infrastructure, it is pertinent that you forward a copy to the Road Transport Authority/Roads ACT given that they too are an impacted infrastructure owners. The correspondence from Icon, including their recommendation for removal of the dangerous tree, should be brought to the attention of the Road Transport Authority/Roads ACT. It would have been my preference to do this myself. However, as established in this request, both Access Canberra and TCCS/Urban Trees have repeatedly denied me the right to communicate directly with the Road Transport Authority/Roads ACT on the matter. Therefore, I am left with little alternative other than to request you note receipt of this recommendation from Icon and forward it to the Road Transport Authority/Roads ACT.

I look forward in receiving a reply, and acknowledgement of receipt of Icon's correspondence and confirmation of it being forwarded to the Road Transport Authority/Roads ACT. Further, I look forward to the outstanding matter and provision of outstanding records and queries mentioned in my response on 5 March 2021, to be addressed and actioned.

Regards,

[REDACTED]

Luke Halls

Director Business Support City Presentation

Phone: 6207 7112 Mobile: [REDACTED] Email: luke.halls@act.gov.au

City Presentation | Transport Canberra and City Services Directorate | ACT Government
Level 4, 480 Northbourne Ave, Dickson ACT 2602 | GPO Box 158 Canberra City ACT 2601

From: Ludvigson, Paula <Paula.Ludvigson@act.gov.au>

Sent: Monday, 1 March 2021 5:58 PM

To: Halls, Luke <Luke.Halls@act.gov.au>

Subject: FW: Inspection at [REDACTED]

OFFICIAL

Hi Luke,

Please find below correspondence to and from Neil regarding the above inspection.

Let me know if you need anything further.

Paula

Kind regards,

Paula Ludvigson | FOI/Claims Officer

Phone: (02) 6207 6597 | Email: paula.ludvigson@act.gov.au

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From: Pincombe, Neil <Neil.Pincombe@act.gov.au>
Sent: Monday, 1 March 2021 3:30 PM
To: Ludvigson, Paula <Paula.Ludvigson@act.gov.au>
Subject: RE: Inspection at [REDACTED]

OFFICIAL

Hi Paula,

I've had a look and concur with RM's view. The tree does not obscure the driveway, with good visibility approx. 4.5m setback into the driveway before the tree becomes an issue. I could not identify any 'essential' services in close proximity to the tree and there are no footpaths on any of the adjacent properties. If the footpath were an issue, this could be resolved without necessarily removing the tree.

I hope this helps,
Neil

From: Ludvigson, Paula <Paula.Ludvigson@act.gov.au>
Sent: Friday, 26 February 2021 11:27 AM
To: Pincombe, Neil <Neil.Pincombe@act.gov.au>
Subject: RE: Inspection at [REDACTED]
Importance: High

OFFICIAL

Hi Neil,

Just wondering if you've had a chance to look at this one for me?

Thanks,

Paula

Kind regards,

Paula Ludvigson | FOI/Claims Officer

Phone: (02) 6207 6597 | Email: paula.ludvigson@act.gov.au

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From: Ludvigson, Paula
Sent: Monday, 22 February 2021 1:30 PM
To: Pincombe, Neil <Neil.Pincombe@act.gov.au>
Subject: FW: Inspection at [REDACTED]
Importance: High

OFFICIAL

Hi Neil,

I have spoken to Pawel and he believes you (or your team) would be best placed to inspect and provide answers to this information request.

Background - A MOP has raised concerns about a tree at the front of his property (which the Tree unit has inspected). Adam and I were asked to do an inspection of the Roads assets in the area and report our findings to Bronwen (see email below).

The MOP has now raised the following concerns in response to the information he was provided regarding our inspection.

"What appears missing from this alleged response from Roads ACT/Road Transport Authority is any reference to the relevant ACT Government 'Design Standards for Urban Infrastructure' as this dangerous tree is violation of these standards for some of the following:

- *Location to essential services infrastructure is not at the 1200mm as per the standards.*
- *Close proximity to the road and obscures the footpath forcing pedestrians to walk on the road as there is no footpath.*
- *[REDACTED] is a narrow and very curved cul-de-sac. The dangerous tree creates a blind spot for drivers reversing from their driveways, and vehicles on [REDACTED] have their line of sight around the cul-de-sac obscured.*

Further, these standards were in fact clearly articulated in the original request on 4 November 2020 to Roads ACT/Road Transport Authority."

It is my understanding that the area in question would have been gifted assets from the Commonwealth so I'm not sure the Design Standards being quoted would be relevant but happy to have your thoughts on the matter. I will also leave it up to you as to whether you need

to conduct your own inspection in order to answer the above concerns.

It would be greatly appreciated if you could send me your thoughts and findings to the above ASAP and no later than COB Friday 26th February.

Happy to discuss further if needed.

Thanks,

Paula

Kind regards,

Paula Ludvigson | FOI/Claims Officer

Phone: (02) 6207 6597 | Email: paula.ludvigson@act.gov.au

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From: Halls, Luke <Luke.Halls@act.gov.au>

Sent: Friday, 19 February 2021 2:58 PM

To: Ludvigson, Paula <Paula.Ludvigson@act.gov.au>

Subject: RE: Inspection at [REDACTED]

OFFICIAL

Hi Paula

Stephen was able to provide your report to the member of the public, but they have some additional queries below.

Are you or an SME able to provide additional information as to the points below?

Can you please respond to this email with any information so the thread of dialogue between Roads ACT and City Presentation is demonstrated?

What appears missing from this alleged response from Roads ACT/Road Transport Authority is any reference to the relevant ACT Government 'Design Standards for Urban Infrastructure' as this dangerous tree is violation of these standards for some of the following:

- *Location to essential services infrastructure is not at the 1200mm as per the standards.*
- *Close proximity to the road and obscures the footpath forcing pedestrians to walk on the road as there is no footpath.*
- *[REDACTED] is a narrow and very curved cul-de-sac. The dangerous tree*

creates a blind spot for drivers reversing from their driveways, and vehicles on [REDACTED] have their line of sight around the cul-de-sac obscured.

Further, these standards were in fact clearly articulated in the original request on 4 November 2020 to Roads ACT/Road Transport Authority.

Thank you

Luke Halls

Director Business Support City Presentation

Phone: 6207 7112 Mobile: [REDACTED] Email: luke.halls@act.gov.au

City Presentation | Transport Canberra and City Services Directorate | ACT Government
Level 4, 480 Northbourne Ave, Dickson ACT 2602 | GPO Box 158 Canberra City ACT 2601

From: Ludvigson, Paula <Paula.Ludvigson@act.gov.au>

Sent: Monday, 15 February 2021 4:29 PM

To: Duke, Bronwen <Bronwen.Duke@act.gov.au>; Halls, Luke <Luke.Halls@act.gov.au>

Cc: Mulville, Adam <Adam.Mulville@act.gov.au>

Subject: Inspection at [REDACTED]

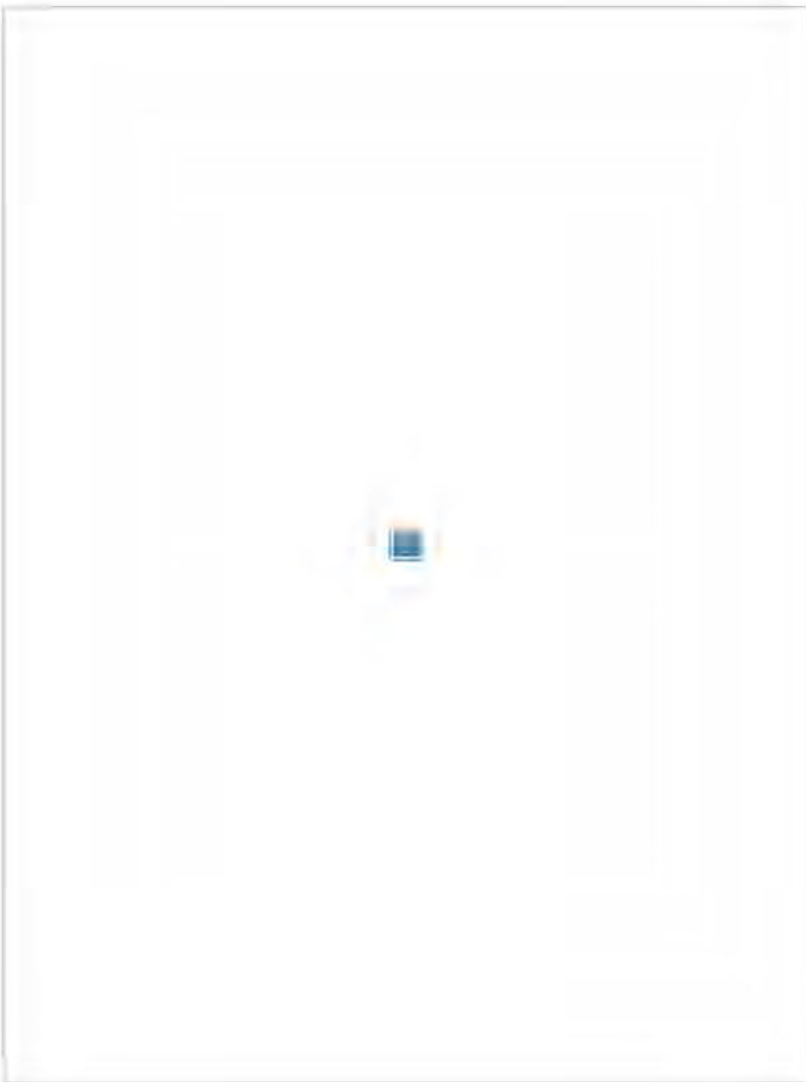
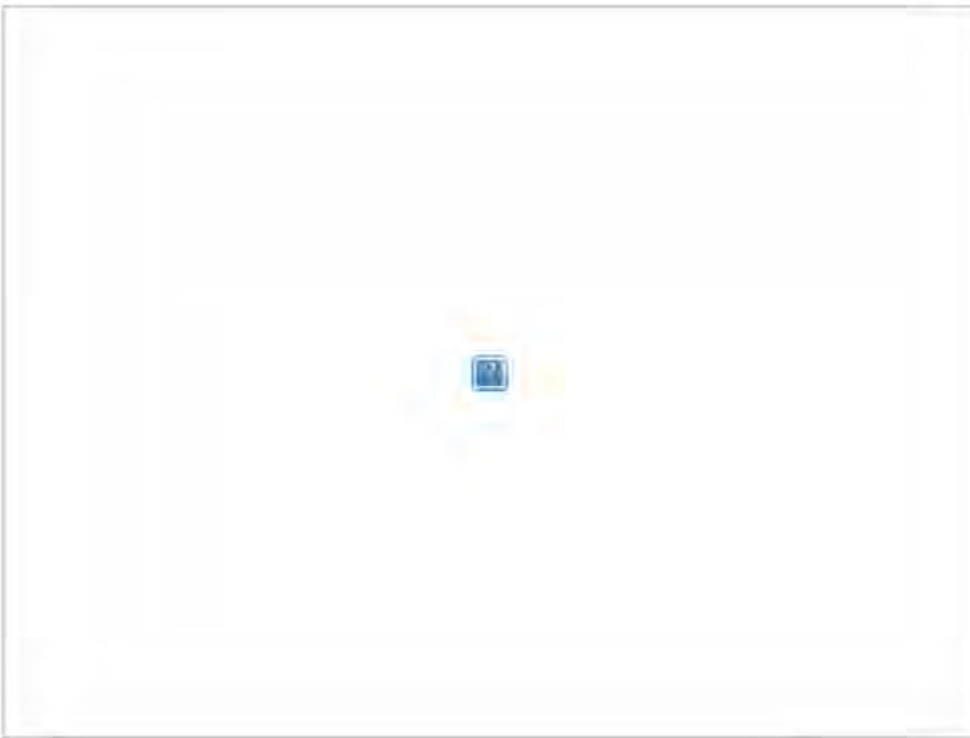
OFFICIAL

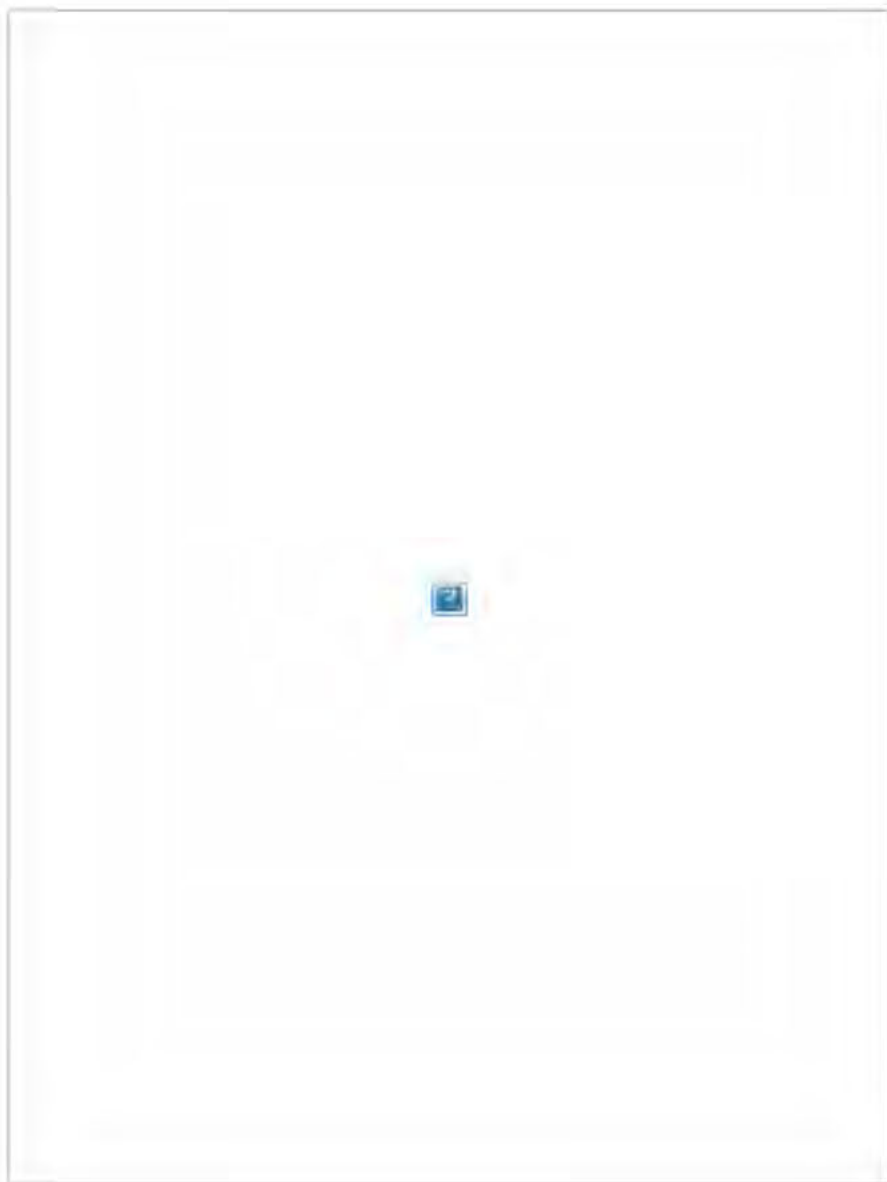
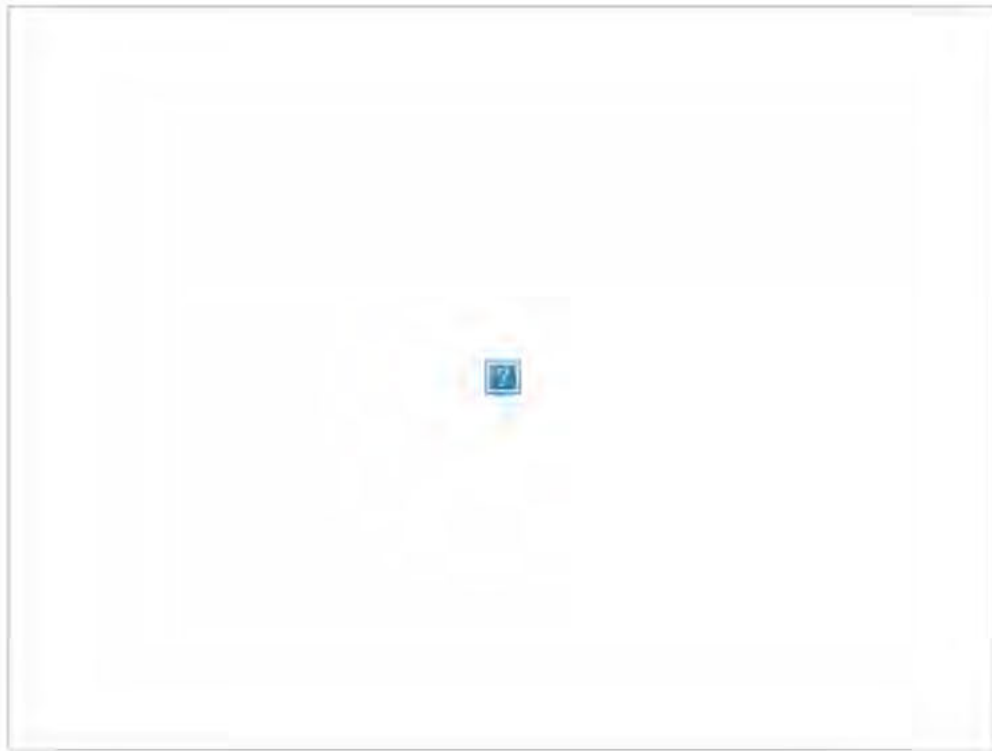
Hi Bronwen,

As requested, Adam and I inspected the Roads assets in and around [REDACTED]

There was no visible evidence of issues with any assets above ground, noting parts of the concrete driveway at [REDACTED] have been replaced. The gutters and road pavement appeared to be in good condition.

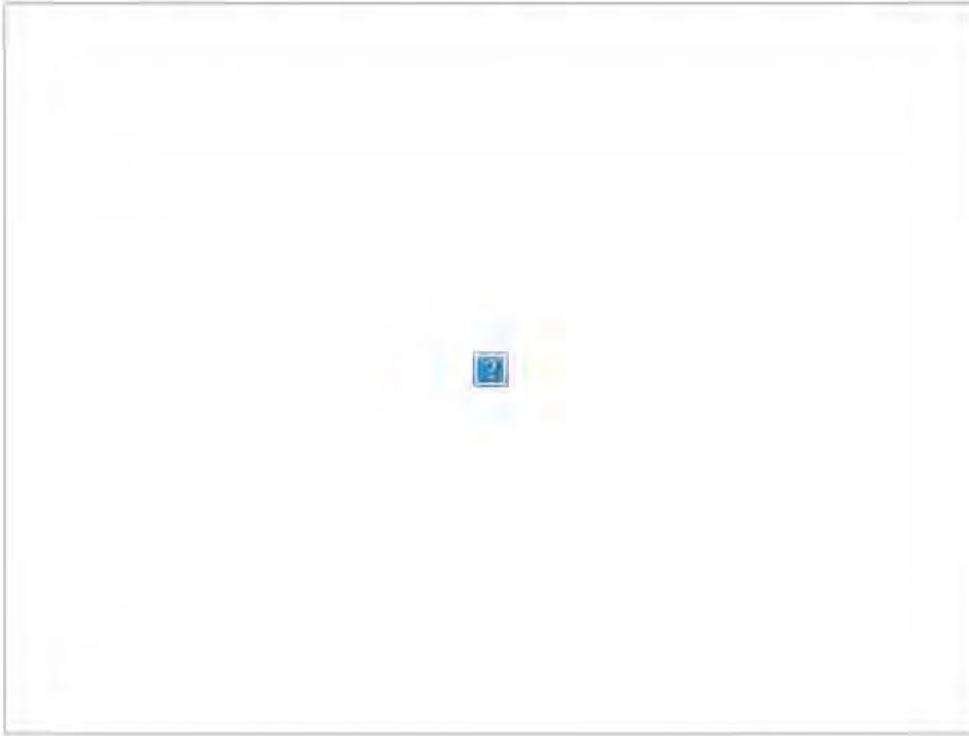






The stormwater pit located at the front of [REDACTED] was opened and there was no indication of any issues with blocked stormwater pipes in the area (I was advised that you would expect to

see a build-up of debris etc if there were issues with blocked / partially blocked pipes).



Overall, the Roads assets in the area appear to be in good condition and do not appear to be adversely affected by the trees in the area.

Please do not hesitate to contact me should you require any further information or clarification.

Kind regards,

Paula Ludvigson | FOI/Claims Officer

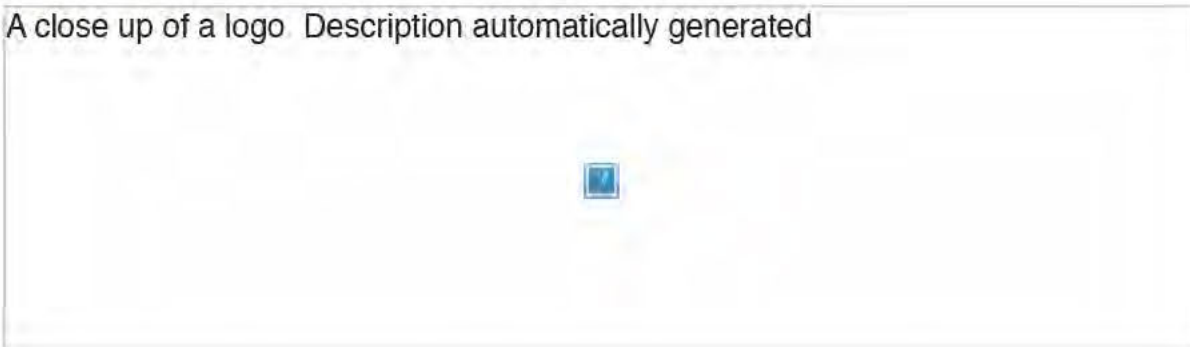
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Work Order ACT/8517 P18.34 - [REDACTED] Concrete Works

Interim Payment? Priority

Road Type AREA Road Id PATHS Scheme Type RM

Register Register Status  Status DRAFT

Contract ROADS/100 PATHS CONTRACTOR

Contractor PATHTEMP PATH DUMMY CONTRACTOR

Contact Contractor Score

Originator JK Joseph Kenna Cost Centre

To be Authorised By Job Number 00000

Authorised By Remarks

Date Raised 20-JUN-2019 00:00 Rechargeable

Target Complete 20-JUN-2019 00:00 Cost Recharged

Date Authorised

Date Instructed

Last Printed

Date Received

Date Completed 10-MAY-2020 00:00

	Estimates	Actuals
Sub Total	246871.25	
Balancing Sum	0.00	
Total Cost	246871.25	
Labour Units	0.00	

Defect 157 Scheme 0 Cyclic 0

Lines Standard Item Totals Contract Totals Additional Details Flexible Attributes Navigator

Notice Summary TMA Interface TMA Register [] SWM Register [] Copy Print Authorise Complete