



ACT
Government

City and Environment

OFFICIAL

Our ref: CED FOI 26-157

By email: [REDACTED]

Dear [REDACTED]

Freedom of Information – Notice of Decision

I refer to your application under section 30 of the Freedom of Information Act 2016 (the FOI Act), received by the City and Environment Directorate (CED) on 7 June 2026. It is my understanding you sought access to the following information:

“...documentation recording the decision to remove trees along the Yarralumla Creek in Curtin. Please provide the material taken into account by the decision maker and documentation recording the decision. In particular please provide, if possible, details of the evidence supporting removal (and not replacement), the alternatives considered and why the decision was taken. Please provide details as to the cost of the removal (if available).”

I thank you for providing the following context in your application:

- *“There has been considerable community concern about the removal of the trees, and providing this information [REDACTED]. I understand they may have been removed to prevent interference with the concrete Yarralumla creek/drain”.*
- *removed trees.jpg*
- *removed trees notice.jpg*

Timeframes

In accordance with section 40 of the FOI Act, CED is required to provide a decision on your access application within 30 working days. Under section 41 of the FOI Act, you agreed an additional amount of time to decide your application. Therefore, a decision is due on or by **30 July 2026**.

Authority

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

Decision on access

A search for records held by CED has been completed and one record within the scope of your application was identified.

I have decided to grant **full** access to this record. A copy of the record being released to you is provided at **Attachment A**.

The reasons for my decision are detailed in the *Statement of reasons* section below.

In addition to the record that was identified, we were also provided the following information related to the tree removal at Yarralumla Creek that may provide further context. This information was prepared in June 2026.

- On 26 May 2026, Urban Treescapes (UTS) Operations Manager was approached by Roads ACT, who are responsible for managing the stormwater infrastructure at this location.
- Roads ACT advised that an engineering assessment was carried out after repeated infrastructure failures (three incidents in 4 years) at the Yarralumla Creek causeway. The assessment found that tree roots are getting in under the stone pitching, causing cracking and contributing significantly to the damage.
- The most recent failure has resulted in extensive damage, including undermining of the concrete slab within the floodway, and will require costly repairs.
- The Engineering Report recommended the removal of trees near the floodway to reduce the risk of further root intrusion and infrastructure damage.
- An independent arborist has also assessed the site, with a final report pending as part of the Suburban Land Agency's (SLA) proposed re-zoning of the North Curtin Residential Area. This assessment is expected to identify *Populus alba* as a declared pest species, which may result in additional removals.
- A number of *Populus alba* trees are showing signs of instability due to saturated soils and root plate movement, posing a risk to public safety in this well-used recreational area. These trees require removal.
- At this stage, only the two rows of trees closest to the floodway have been identified for removal to address infrastructure impacts. Please note that not all trees in the area will be removed.
- The site has been identified as suitable for critical tree-felling training for UTS, Emergency Services Agency (ESA), and State Emergency Service (SES) staff. This provides a cost-effective local training opportunity and supports safe emergency response capabilities.
- There is extensive regrowth of *Populus alba* along the creek corridor between McCulloch Street and Carruthers Street. Removal works are limited to this declared pest species and structurally compromised *Populus deltoides*.
- Site clean-up has been prioritised; however, recent wet conditions have restricted access for equipment. Works are expected to be completed by the end of this month. Tree stumps have been left temporarily higher to reduce potential trip hazards and will be treated and ground down before spring.
- The site has been identified for future replanting to achieve the ACT Government's strategic target of 30% canopy cover and being a prominent location, it is a great location to replant suitable trees that thrive in floodway locations.
- Removed timber will be transported to the Curtin Woodyard for processing and reused by community groups, such as woodchoppers and men's sheds.

- UTS acknowledges that community engagement prior to the commencement of works did not meet expected standards, including the absence of on-site signage. Tree removal activities have been paused while a comprehensive engagement and communications plan is prepared, outlining the scope and rationale of the project.
- Information about seasonal planting programs (autumn and spring) is shared through the City Services website ([Trees - City Services](#)) and Facebook page ([ACT Government City Services | Facebook](#)). Updates on specific or additional planting projects will also be communicated through these channels.

Please note that the Engineering Report referred to in the information above had not been finalised or received by the ACT government at the time your FOI access application was made. Accordingly, the report does not fall within the scope of your application. Should you wish to seek access to this report, you are welcome to submit a new FOI application.

Statement of reasons

The FOI Act has a pro-disclosure bias, which requires information to be disclosed unless doing so would be contrary to the public interest. As an Information Officer, I am responsible for determining whether disclosure of the information within the scope of your application would be contrary to the public interest.

My assessment begins with Schedule 1 of the FOI Act, which outlines categories of information that are taken to be contrary to the public interest to disclose. If the information does not fall within any of these categories, I must then apply the public interest test under section 17 of the FOI Act. This test involves weighing the factors favouring disclosure against those favouring nondisclosure, as set out in Schedule 2.

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

- the FOI Act
- the information that falls within the scope of your application
- the *Human Rights Act 2004*
- the ACT Ombudsman FOI Guidelines.

I confirm that I have not considered any of the factors listed in section 17(2) of the FOI Act, which outlines a list of considerations that must not be taken into account when applying the public interest test.

Schedule 1 – Information taken to be contrary to the public interest

- *No relevant categories identified.*

Schedule 2 – Public interest test

Factors favouring disclosure (Schedule 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 policies, guidelines and codes of conduct followed by the government in its dealings with members of the community.*

In reviewing the information within the scope of your application, I consider that disclosure may enhance government's accountability and provide contextual information that informed a government decision. I have given moderate weight to these factors.

Factors favouring nondisclosure (Schedule 2.2)

- *No relevant factors have been identified.*

Having applied the public interest test outlined in section 17 of the FOI Act, I have concluded that the information contained in the records is in the public interest to disclose. Accordingly, I have decided to provide you with full access.

Charges

Processing charges are not applicable for this application because the number of pages released to you is below the charging threshold of 50 pages.

Online publishing – Disclosure Log

Under section 28 of the FOI Act, CED maintains a disclosure log, which is a public record of access applications and decisions. Your original access application and my decision will be published on the CED disclosure log. Your personal contact details will not be published.

ACT Ombudsman Review

My decision on your access application is a reviewable decision as identified in Schedule 3 of the FOI Act. You have the right to seek ACT Ombudsman review of this outcome under section 73 of the FOI Act within 20 working days from the day that my decision is provided to you, or a longer period allowed by the ACT Ombudsman. If you wish to request a review of my decision, you may write to the ACT 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 FOI 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 the ACAT at:

ACT Civil and Administrative Tribunal
GPO Box 370
Canberra City ACT 2601
Telephone: (02) 6207 1740
<https://www.acat.act.gov.au/>

Please contact the CED Information Access team if you have any queries in relation to your application via 6207 2987 or CEDFOI@act.gov.au.

Yours sincerely

Signed electronically

Craig Weller
Information Officer
City and Environment Directorate
30 July 2026