



ACT
Government

Transport Canberra and
City Services

Ms Lorraine Ovington
Weston Creek Tennis Club
PO Box 3157
WESTON ACT 2611

NOTICE OF DECISION
Tree Protection Act 2005

Dear Ms Ovington

This letter is notice of the Conservator of Flora and Fauna's decision regarding an application for a proposed activity under the *Tree Protection Act 2005* (the Act) at **DILLON CLOSE, WESTON**. The notice is issued in accordance with section 26(2) of the Act. The location of the relevant tree/s and reasons are set out in the attached Conservator's decision, dated **4 April 2019**.

Where approval for an activity has been granted, it is a condition of approval that the activity cannot commence before **Friday 26 April 2019** and is to be completed as soon as practicable after commencement, but in any case, no later than **Thursday 25 April 2024**. If the approved activity is not carried out before this date a new application or request for extension needs to be submitted to the Tree Protection Unit for this activity to occur.

The Conservator's Decision (attached) is internally reviewable. You may apply for reconsideration of the decision under section 107 of the Act. The application must be in writing and must set out the grounds upon which reconsideration of the decision is sought.

An electronic (Application for Reconsideration) "Smartform" is available to download via the [Access Canberra website](http://www.tccs.act.gov.au/city-living/trees/tree_activity_application_forms) link: http://www.tccs.act.gov.au/city-living/trees/tree_activity_application_forms. The application must be made within **14 days** of the date of this notice by **Tuesday 23 April 2019**. An application for internal review will suspend any regular activity on tree/s subject to the reconsideration appeal. The review process may take 60 days and may confirm, vary or set aside the first decision.

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

Please Note: In addressing the concerns outlined in your application, as a minimum it is recommended that:

- deadwood is removed and minor pruning can be undertaken in accordance with *Australian Standard 4373, 'Pruning of Amenity Trees'*. Pruning carried out in accordance with this standard does not require approval.
- the tree be assessed regularly by a qualified arborist to undertake a hazard and risk assessment every year as deterioration has commenced.

If you would like to discuss any aspect of the application, please contact the Tree Protection Unit on telephone (02) 6207 6127 during business hours.

Yours sincerely

A handwritten signature in black ink, appearing to read 'TS Raath'.

Terrance S Raath
A/g Assistant Director - Technical, Urban Treescapes
Delegate of the Conservator of Flora and Fauna
City Places and Infrastructure Division
Transport Canberra and City Services Directorate
4 April 2019

CONSERVATOR'S DECISION
Tree Protection Act 2005

Applicant(s): Ms Lorraine Ovington
Weston Creek Tennis Club

Address of Activity: DILLON CLOSE
WESTON ACT 2611

Application ID: 39190 **Block:** 14 **Section:** 22

Tree(s) 1: Eucalyptus nicholii

TREE ADDRESS: DILLON CLOSE

LOCATION ON BLOCK: In the centre of tennis complex.

DECISION SUMMARY:

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

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

TREE DAMAGING ACTIVITY: FELLING/REMOVAL

CONSERVATOR'S DECISION: GRANTED

BASIS FOR DECISION:

The tree is in decline and its life expectancy is short.



Delegate of the Conservator

4 April 2019

READ CONDITION(S) CAREFULLY