

13 February, 2019

«Name»  
«Address\_1»  
«Address\_2»

Dear «To\_»

**Notification of Development Application**

**Development Application:** 100/2019/143  
**Applicant:** City Of Marion  
**Proposal:** Removal of a Significant Tree (Eucalyptus camaldulensis- River Red Gum) Adjacent to 3 Brooklawn Close  
**Property Address:** 3 Brooklawn Close MITCHELL PARK 5043  
**Certificate of Title:** LOT: 43 DP: 8343 CT: 5452/670  
**Zone:** Residential/Medium Density Policy Area 12  
**Public Notification Category:** 2

The purpose of this letter is to provide you with notice of the above application and to inform you that you may, in accordance with the Development Act, 1993, make representations in writing to the City of Marion in relation to the granting or refusal of consent.

The application can be examined during the representation period only at the Council offices, located at 245 Sturt Road Sturt, during normal office hours (8:30am – 5:00pm Monday to Friday). Alternatively, you may wish to view the relevant documentation on Council's website found at:

[www.marion.sa.gov.au/services-we-offer/planning-and-building/public-notifications](http://www.marion.sa.gov.au/services-we-offer/planning-and-building/public-notifications)

A Council officer may also be available to clarify the details of the application and to assist your understanding of the proposal and assessment process. **Please make an appointment if you require assistance.**

If you wish to make written representations you should use the attached Statement of Representation form, which includes the minimum requirements of a representation under the Development Regulations 2008. Failure to use and complete the Statement of Representation form could render your submission invalid. You may however add a letter or any attachments and other information as you see fit.

In order to make a valid representation to Council the following details must be completed on the attached form:

- Name/s of Representor(s)
- Specific comments
- Postal address
- Whether or not you wish to be heard by Council

If you wish to lodge a written representation, it must be received by Council no later than 11:59pm on Friday 8 March 2019. Any written representations received after this time cannot be taken to constitute a valid representation for the purposes of the Development Act, 1993.

Council prefers receipt of your representation via email at [marionds@marion.sa.gov.au](mailto:marionds@marion.sa.gov.au) quoting the abovementioned development application number. Alternatively, you may wish to lodge your Statement of Representation electronically from Council's website using the on line form found under the above mentioned public notifications page.

If you would like further information relating to the representation process, please contact us for a copy of our brochure "*Representation – Frequently Asked Questions*". Alternatively you may download a copy from our website [www.marion.sa.gov.au](http://www.marion.sa.gov.au) located under Development Information Guides.

Yours sincerely



**Administration Support Officer - Development Services**

Phone: 8375.6685  
Fax: 8375 6699  
Email Address: [marionds@marion.sa.gov.au](mailto:marionds@marion.sa.gov.au)

# CITY OF MARION - DEVELOPMENT APPLICATION FORM

**What are you applying for:**

- Development Plan Consent (Planning Only)
- Development Approval (Both Planning Consent & Building Consent)
- Schedule 4 (Complying Development) *\*separate Application Form to be completed for "Residential Code" development*
- Schedule 1A (Building Rules Consent Only)



**Development Application No:**

100 / ..... / 2015

**PLEASE USE BLOCK LETTERS and Black or Blue Ink**

<b>APPLICANT</b> Surname:		Given Name: <i>* initials not accepted</i>	
Street Address:		Post Code:	
Postal Address:		Post Code:	
Phone Number:	Mobile:	Fax Number:	

<b>OWNER</b> Surname:		Given Name: <i>* initials not accepted</i>	
Street Address:		Post Code:	
Postal Address:		Post Code:	
Phone Number:	Mobile:	Fax Number:	

<b>BUILDER</b> (Or Registered Supervisor):		Contact Name:	
Street Address:		Post Code:	
Postal Address:		Post Code:	
Phone Number:	Fax Number:	Licence No:	

<b>CONTACT NAME FOR FURTHER INFORMATION:</b>	
Business Hours Phone:	Fax Number:
E-Mail:	

<b>LOCATION OF THE PROPOSED DEVELOPMENT:</b>	
Street No:	Street Name:
Suburb:	Lot No:
Deposited Plan/File Plan/Strata Plan No:	

<b>NATURE OF THE PROPOSED DEVELOPMENT:</b> <i>(i.e. alteration and additions to dwelling, demolition, freestanding garage, change of use to offices, removal or pruning of regulated tree, etc)</i>
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<b>DEVELOPMENT COST:</b> (inclusive GST, not including furnishing costs) \$
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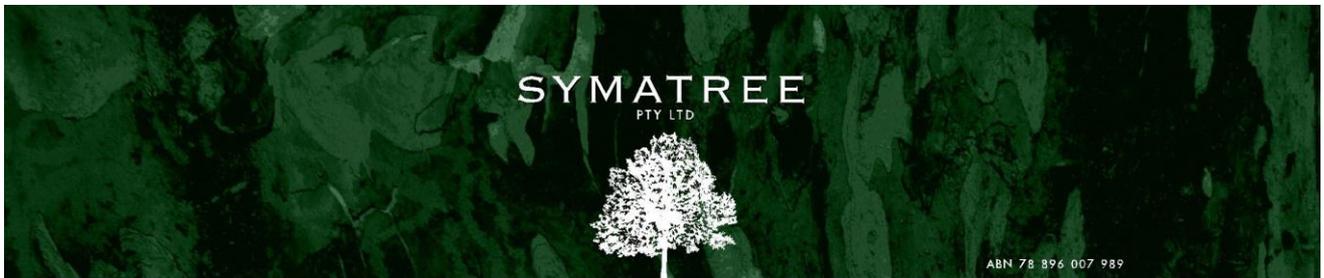
Have you provided a <u>current</u> copy of your <b>Certificate of Title:</b> Yes <input type="checkbox"/> No <input type="checkbox"/>	<b>CT NUMBER:</b>
Do you want council to purchase a copy of your CT on your behalf: Yes <input type="checkbox"/> No <input type="checkbox"/> (see fee schedule for further information) <i>Assessment will not commence until a current copy of your CT is provided.</i>	
Have you provided a copy of <b>Indemnity Insurance:</b> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Required <input type="checkbox"/> <i>required if development cost is over \$12 000, domestic construction is proposed and if Building Consent/Full Development Approval is sought.</i>	
Are there <b>regulated or significant trees</b> on the subject land or adjacent land? Yes <input type="checkbox"/> No <input type="checkbox"/> <i>Please refer to the attached, additional form for clarification on what a regulated/significant tree is and complete form if relevant.</i>	

<b>BUILDING RULES CLASSIFICATION</b> Current Class:		Proposed Class:	
If Class 5, 6, 7, 8 or 9 is sought, state the proposed number of employees:		Male:	Female:
If Class 9a is sought, state the number of persons for whom accommodation is provided:			
If Class 9b is sought, state the number of occupants of the various spaces at the premises:			
Proposed Total Floor Area:		m <sup>2</sup>	

I acknowledge that copies of this application and supporting documentation may be provided to interested persons in accordance with the Development Regulations 2008

**Signature:** *DC Sheldrick*

**Name:** \_\_\_\_\_ **DATE:**    /    /



## STREET TREE REFERRAL

**Property Address:**

Brooklawn Crescent Mitchell Park, road closure

**Description of Proposal:**

Significant Street Tree Removal

**Client:** Mr David Sheldrick Coordinator Arboriculture

**Assessed by:** Sam Cassar

**Tree Assessed:** 13 December 2018

Note: All observations were from ground level.

### Tree Attributes

Details of tree including: Species/ structure/ height/ circumference @ 1.0 m above ground

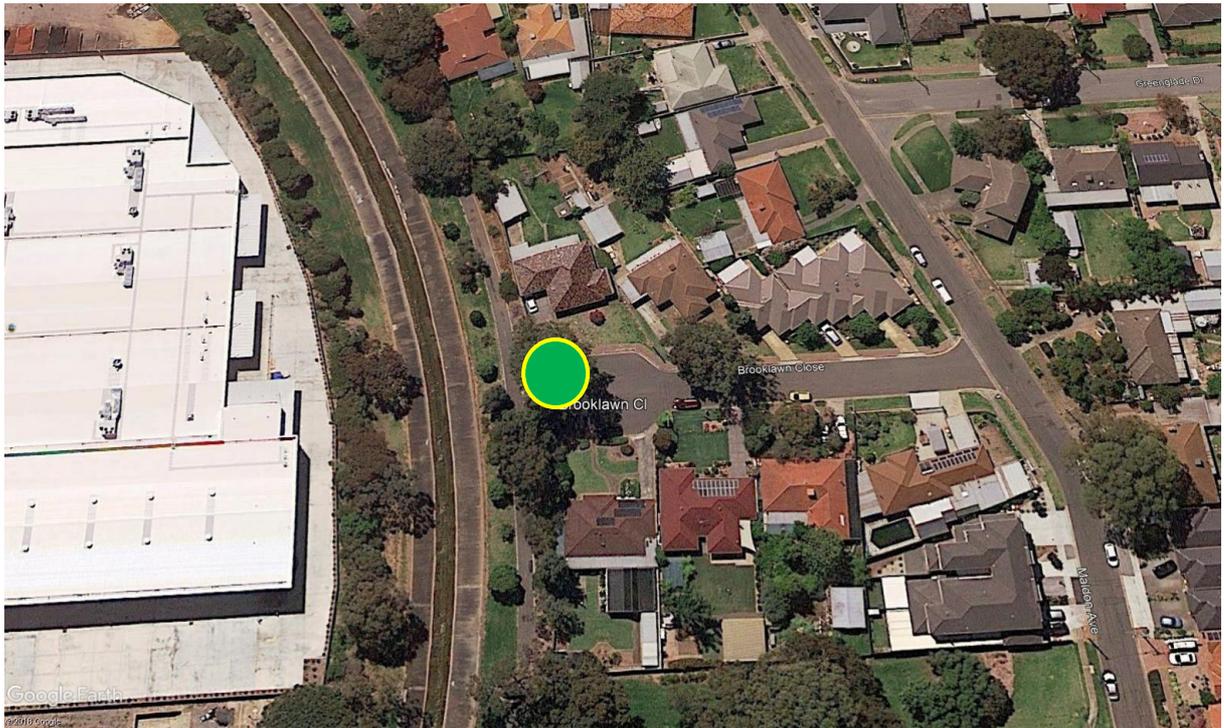


*Eucalyptus camaldulensis*, commonly referred to as River Red Gum

## Location

The tree is located within a garden area at the end of Brooklawn Crescent. The trunk centre is 2.9 metres from the kerb and gutter and 4.0 metres from the eastern edge of the Sturt Creek Linear Park.

The subject trees' approximate location is identified on the aerial image below.



### Height & Spread:

Height: 23 metres (clinometer)  
Width (canopy spread via measuring wheel): 5.6 metres to the west, 3.9 metres to the north, 5.4 metres to the south and 9 metres to the east.

### Circumference @ 1.0 m above, metres:

3.73 metres

### Tree Structure and Health

The tree consists of a single vertical trunk to a height of 2 metres from ground at which point codominant main leaders arise to form an upright open irregular shaped crown that has a slight bias towards the east.

The tree has recently experienced a large diameter branch failure (refer Figure 2). The failed branch had a diameter of approximately 700mm and occurred 6.7 metres from ground, northern side. White rot appears evident within the face of the wound. It is apparent the failed branch union contained included bark. A large tear wound extending 2 metres to ground is now present. This failure has now exposed the remaining crown to excessive wind loading which will increase the likelihood of branch failure in the future. Extensive damage to surrounding fencing and parts of the adjacent dwellings roof resulting from the failure was noted.

In addition, to the most recent failure, the subject tree also has an ongoing history of small to medium diameter branch failure from various points throughout the crown.

Trunk swelling and a bark inclusion is noted at the primary attachment point. A compromised secondary branch union is also noted, north-western side, 5 metres from ground. Kino exudate is apparent indicating some cracking is likely. Cambium damage is also noted from an older branch failure, northern side, 7.3 metres from ground.

Minor borer damage in the form of exit holes and kino staining is evident along the trunk. Tree health is considered to be good, with average foliage vigour and density noted. Some twiggy dead growth is evident within the canopy.

The remaining crown is unbalanced with elongated branch formation including poor taper and end weight issues.



Figure 2. Recent large diameter branch failure and subsequent tear wound, northern side, circled in red.

## Objectives and Principles of Development Control

### City of Marion's Development Plan Principles of Development Control for Significant trees (November 2017)

#### Principle 1

Development should preserve the following attributes where a significant tree demonstrates at least one of the following:

- (a) **Does the Significant Tree make an important contribution to the character or amenity of the local area?**

Yes: The tree's location, height and spread of the crown give it a strong visual presence within the locality.
<b>(b) Is the Significant Tree indigenous to the local area and is its species listed under the National Parks and Wildlife Act as a rare or endangered native species?</b>
No: The tree is an indigenous native species but not listed under the National Parks and Wildlife Act as a rare or endangered native species.
<b>(c) Does the Significant Tree represent an important habitat for native fauna?</b>
No: No hollows suitable for nesting are present within the crown.
<b>(d) Is the Significant Tree part of a wildlife corridor or remnant area of native vegetation?</b>
Yes: The tree is part of a wildlife corridor (Sturt River Linear Park) or remnant area of native vegetation.
<b>(e) Is the Significant Tree important to the maintenance of biodiversity in the local environment?</b>
No the tree is not important to the maintenance of biodiversity in the local environment given it is a commonly found native species.
<b>(f) Does the Significant Tree form a notable visual element to the landscape of the local area?</b>
Yes: The tree can be viewed from a number of vantage points from within the locality. The subject tree forms a notable visual element in the landscape of the local area and is clearly visible from the street and surrounding properties.
<b>Principle 3(a)</b>  Significant tree should be preserved and tree damaging activity should not be undertaken unless one or more of the following applies:
<b>(i) Is the Significant Tree diseased and its life expectancy short?</b>
Yes: The tree is not diseased; however its useful life expectancy is considered to be less than 5 years, given the continued decline of the tree's structural integrity
<b>(ii) Does the Significant Tree represent an unacceptable risk to public or private safety?</b>
Yes: The likelihood of further branch failure is considered to be an unacceptable risk as the tree continues to deteriorate; the tree extends over the linear path to the west and roadway, driveway to east and north-east, putting these areas at risk if further branch failure were to occur. .
<b>(iii) Is the Significant Tree within 20 metres of a residential, tourist accommodation or habitable building and is it a bushfire hazard within a Bushfire Prone Area?</b>
Not applicable

<b>(iv) Is the Significant Tree shown to be causing or threatening to cause substantial damage to a substantial building or structure of value?</b>
Yes: Damage to adjacent fencing, roof of the dwelling and veranda was evident as result of the most recent large diameter branch failure.
<b>(v) All other reasonable remedial treatments and measures have been determined to be ineffective.</b>
No: There are no reasonable treatments or techniques that might be employed to improve tree structure in this instance with no realistic options for medium to long term tree retention.

## Conclusion

I conclude the subject tree; a mature River Red Gum is in structural decline with no prospects of recovery with its useful life now considered to have been shortened to less than 5 years.

Unfortunately, there are no reasonable treatments or techniques that might be employed to improve tree health in this instance with no realistic options for medium to long term tree retention.

On the basis of the factors outlined, I consider the subject tree is not worthy of retention and removal is therefore supported.

Sign:



Date: 13 December 2018

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