

27 November, 2018

Dear

Notification of Development Application

Development Application: 100/2018/2038
Applicant: City Of Marion
Proposal: Removal of a Regulated street tree (Agonis flexuosa)
Property Address: 44 English Avenue CLOVELLY PARK 5042
Certificate of Title: LOT: 100 DP: 3654 CT: 5598/511
Zone: Residential/Northern Policy Area 13
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 Councils website found at:
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 Wednesday 19th December 2018. 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 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 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

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

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

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

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

CONTACT NAME FOR FURTHER INFORMATION:	
Business Hours Phone:	Fax Number:
E-Mail:	

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

NATURE OF THE PROPOSED DEVELOPMENT: <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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DEVELOPMENT COST: (inclusive GST, not including furnishing costs) \$

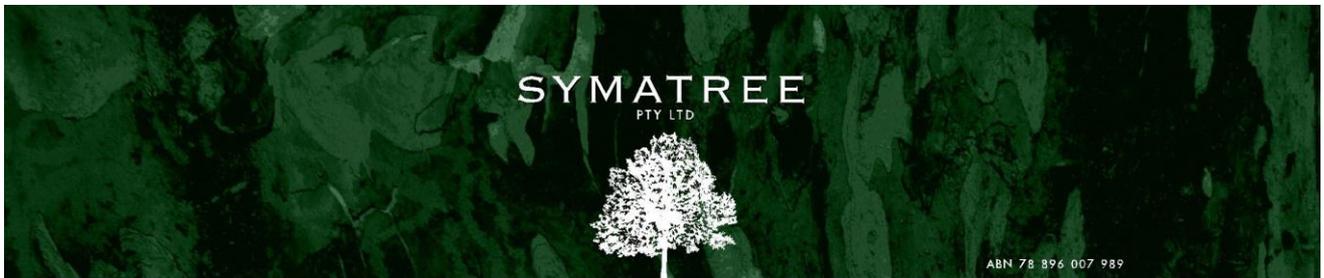
Have you provided a <u>current</u> copy of your Certificate of Title: Yes <input type="checkbox"/> No <input type="checkbox"/>	CT NUMBER:
Do you want council to purchase a copy of your CT on your behalf: Yes <input type="checkbox"/> No <input type="checkbox"/> (see fee schedule for further information) <i>Assessment will not commence until a current copy of your CT is provided.</i>	
Have you provided a copy of Indemnity Insurance: 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 regulated or significant trees 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>	

BUILDING RULES CLASSIFICATION 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 ²	

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:
44 English Avenue Clovelly Park

Description of Proposal:
Regulated Street Tree Removal

Client: Mr David Sheldrick Coordinator Arboriculture

Assessed by: Sam Cassar **Tree Assessed:** 22 October 2018

Note: All observations were from ground level.

Tree Attributes

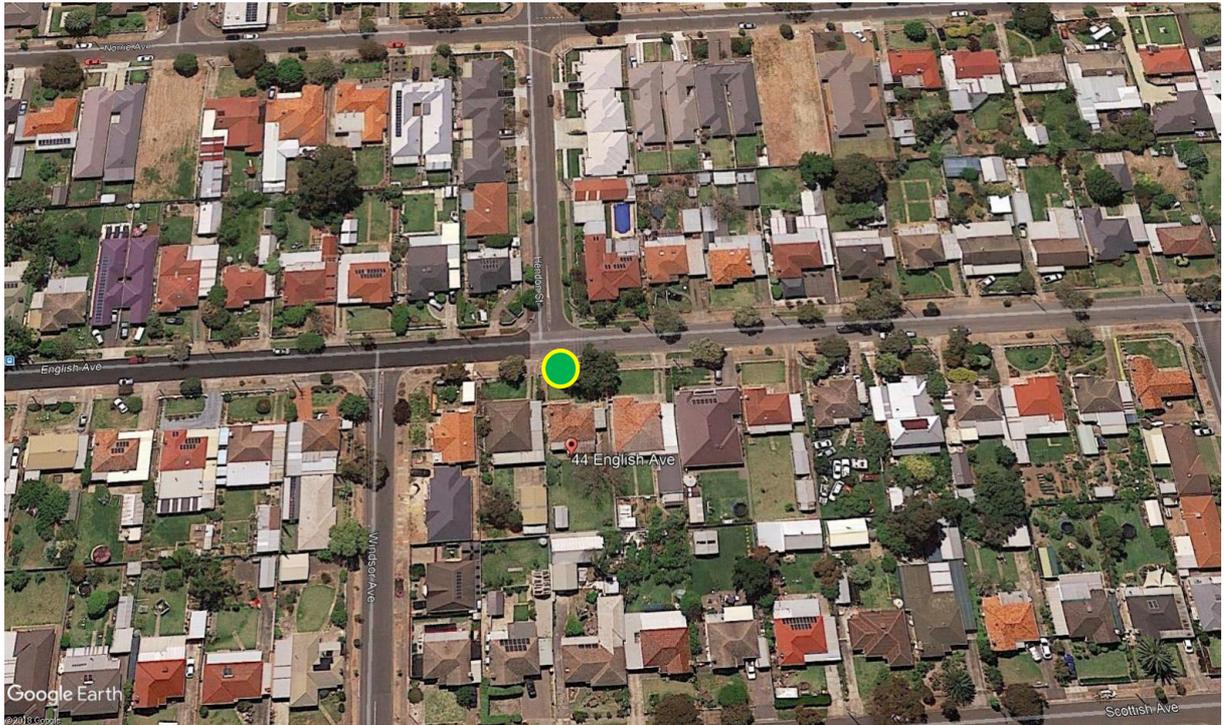
Details of tree including: Species/ structure/ height/ circumference @ 1.0 m above ground



Agonis flexuosa commonly referred to as a Native Willow Myrtle

Location

The tree is located within the verge area in front of 44 English Avenue Clovelly Park. The trunk centre is 3.3 metres from the front boundary fence and 0.8 metre from the back of kerb. The subject trees' approximate location is identified on the aerial image below.



Height & Spread:

Height: 7 metres (clinometer)
Width (canopy spread via measuring wheel): 7.4 metres (east/west direction) and 7.8 (north/ south direction)

Circumference @ 1.0 m above, metres:

Multitrunk: 1.43 and 0.97 metres
Total: 2.40 metres

Tree Structure and Health

The subject tree divides into two main leaders at 0.70 metres to form a near mushroom shaped crown that has a crown bias towards the north-west.

Tree health is considered to be in fair with some twiggy dead growth located within the inner crown.

The structure of the tree is considered to be poor. The tree has suffered partial failure at the primary union with a cavity and exposed trunk decay noted (refer Figure 2). Central decay is evident when the lower branching structure was sounded with a mallet.

Clearance pruning has occurred over the roadway and footpath. In response to this pruning epicormic growth is noted, lower crown.



Figure 2. Separation point, primary union circled in red.

Objectives and Principles of Development Control

City of Marion's Development Plan Objectives of Development Control for regulated trees (February 2018)

Objective 2

Development in balance with preserving regulated trees that demonstrate one or more of the following attributes:

2a) significantly contributes to the character or visual amenity of the locality

Yes: The tree's location, height and spread of the crown gives it a strong visual presence within the locality.

2b) indigenous to the locality.

No: The species is not indigenous to the locality. The species is indigenous to south west of Western Australia.

2c) a rare or endangered species.

No: The tree is not rare or an endangered species.

2d) an important habitat for native fauna.

No: There is no visual evidence to indicate the tree is an important habitat for native fauna no hollows suitable for nesting are present within the crown of the subject tree.

City of Marion's Development Plan Principles of Development Control for regulated trees

A regulated tree should not be removed or damaged other than where it can be demonstrated that one or more of the following apply:

2a) the tree is diseased and its life expectancy is short

Yes: The tree is not diseased; however, its useful life expectancy has now been shortened to less than 5 years. The subject tree is in structural decline.

2b) the tree represents a material risk to public or private safety

No: Not at this time. However, as this tree continues to decline the risks associated with this tree will increase to unacceptable levels if total separation at the primary union occurs.

2c) the tree is causing damage to a building

No: No damage to a building that can be attributed to this tree was observed.

2d) Development is reasonable and expected and would not otherwise be possible

Not applicable.

2e) the work is required for the removal of dead wood, treatment of disease, or is in the general interests of the health of the tree.

Not applicable.

Conclusion

I conclude the subject tree; a mature Native Willow Myrtle is in structural declining 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 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: 22 October 2018
