

Planning Department  
City of Busselton  
Locked Bag 1  
BUSSELTON WA 6280

DA21/0043 APPLICATION FOR DEVELOPMENT APPROVAL - SINGLE HOUSE LOT 46 (No. 22)  
MANSON STREET, WEST BUSSELTON

Dear Sir / Madam

With regards to the application DA21/0043 (attached) we request that clause 3.1 be amended to allow for the removal of the verge tree on the western side of the block. Please find our reasoning below:

- *Safety* – While we note that the City has determined that pedestrian and vehicle is not of a concern, we disagree. Section 5.2.5 and 5.3.5 of the R-Codes design principles clearly state there must be unobstructed sight lines and vehicle and pedestrian access safety. We maintain that given the proximity to a primary school and considering we have both elderly and young drivers that will be using our driveway, safety is of a concern.
- *Possum Habitat* – It was acknowledged by one of the officers from the planning department that this particular tree is unlikely to be significant habitat for the Western Ringtail possum due to its lack of adjoining canopy (meeting dated 15/02/2021). However, we have always maintained and reiterate once again our willingness to provide appropriate finance to plant replacement trees in a more appropriate location to support habitat for the Western Ringtail Possum.
- *Streetscape* – We do not believe that removal of the tree will adversely affect the streetscape based on these reasons:
  - We will be retaining the verge tree on the eastern side of the block, meaning that we will still have one mature tree contributing to the streetscape.
  - There are numerous other houses in the street that do not have any mature trees on their front verge.
  - Our home, designed and built by a reputable local builder with a history of building quality homes, will be aesthetically pleasing and will add value to the streetscape.
  - Pruning of the tree to allow access will diminish the aesthetic value of the tree.

- *Asset Value* – the *Agonis Flexuosa* is deemed to be a valuable City asset (email dated 10/02/2021) however the City cannot guarantee longevity of this asset and they take no responsibility for the health and maintenance of it. Thus, we feel it is unreasonable to compromise our asset (an investment of approximately \$1.5M) on that basis.
- *Access and design* – Redesigning the front yard and driveway of our home to accommodate the tree compromises our design. Much thought was given to creating an indoor and outdoor space at the front of the home which maximises the north-facing aspect and creates the family space that fits our lifestyle. The suggested changes will reduce and alter this space and for this reason we are strongly opposed to changing the design. Retaining the front space as per our design, whilst retaining the tree leaves us with severely restricted access to our residence and the fact that there are two identical trees on either side of the block make it extremely difficult to design suitable and acceptable access and we therefore consider it to be unavoidable. This is embodied in Section 5.3.5 of the R-Codes but has not been communicated by the planning department in any correspondence to date.
- *Australian Standards and Engineering Recommendations* – There are Australian Standards relating to excavation around trees (AS4970), for the protection of the tree. Adhering to these standards will impact our design and restrict safe access into our property. Additionally, to install the exposed aggregate driveway, our builder's engineer has recommended excavations of between 300-400mm to remove and clear existing roots to prevent damage or cracking in the future. This may affect the health and viability of the tree.
- *Precedence* – Trees and vegetation are removed on a continual basis to satisfy the needs of development and aesthetic purposes, a practical and common sense application of policy needs to be applied to ensure balance between investment and development to ensure the best possible outcome for the community.

Sincerely,

Shane and Felicity Byrne

23/06/2021