

From: [Caddy, Gabrielle](#)
To: [Gilbert, Euroka](#)
Subject: 20180724 file note of site visit to wanniassa to examine damage to scar trees [SEC=UNCLASSIFIED]
Date: Tuesday, 24 July 2018 4:03:10 PM
Attachments: [20180724 file note of site visit to wanniassa to examine damage to scar trees.docx](#)

From: [Russell, Meaghan](#)
To: [Gilbert, Euroka](#); [Caddy, Gabrielle](#)
Subject: FW: MST4 - Aboriginal scarred tree, Wanniasa [SEC=UNCLASSIFIED]
Date: Tuesday, 24 July 2018 3:39:00 PM
Attachments: [image001.png](#)
[image002.png](#)
Importance: High

Hello all – could you please save all photos from your site visit in Objective, and also prepare a file note for today?

Thanks,

Meaghan

Meaghan Russell | Team Leader (Advice)

Phone: 02 6205 5497 | Email: meaghan.russell@act.gov.au

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From: Russell, Meaghan

Sent: Tuesday, 24 July 2018 3:39 PM

To: Moore, FionaF <FionaF.Moore@act.gov.au>

Cc: Gilbert, Euroka <Euroka.Gilbert@act.gov.au>

Subject: MST4 - Aboriginal scarred tree, Wanniasa [SEC=UNCLASSIFIED]

Importance: High

Hi Fiona,

As discussed, I confirm that the Aboriginal scarred tree registered on the ACT Heritage Register as MST4 has been cut down – with the trunk (containing the scar in its entirety) now lying on the ground adjacent to the stump. All other parts of the tree, including upper limbs, have been removed.

As an immediate action, I recommend that the trunk be moved with care to a secure location, to ensure that no further damage results while the matter is being reviewed.

Kristy Gould is the [REDACTED], and may be able to provide assistance – or to direct us to the correct team within TCCS (land manager). Her numbers are 6207 5980 and [REDACTED]

I would suggest that:

- A secure storage location for the trunk should be identified and discussed with ACT Heritage. The location should be within a locked compound, such as the [REDACTED], and preferably should also be covered;
- A safe way to move the trunk should be identified and discussed with ACT Heritage. A gantry was recently built by PCS for moving the Outward Bound cultural tree and this could be reused for this trunk. Also needed will be a flat bed truck with lifting arm, which should be padded to stabilise the trunk during movement; and
- Advice should be sought from a conservator with experience in this type of move, such as Gillian Mitchell. It is unclear how long the trunk has been lying on the ground and its condition. Accordingly, there is some risk that the trunk and scar could be damaged in the lift and movement if controls suitable for its condition are not implemented. A conservator may also need to be on site during the move.

Regards,

Meaghan

Meaghan Russell | Team Leader (Advice)

Phone: 02 6205 5497 | Email: meaghan.russell@act.gov.au

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From: [Russell, Meaghan](#)
To: [Moore, FionaF](#)
Subject: FW: Thanks for all you go ... [SEC=UNCLASSIFIED]
Date: Tuesday, 24 July 2018 12:22:03 PM

Hi Fiona,

As an update, Euroka and Gaby are visiting Wanniasa this afternoon, to inspect MST4 - a scarred tree located on unleased urban land next to the school, which may have been cut down. In addition to [REDACTED] report this morning, there is a tweet with a photo showing a cut tree with appears to match our records - and we can also see a cut trunk in this location on the 2018 aerial photo underlay.

While they are there, I have asked that they inspect the remaining two scarred trees in [REDACTED] [REDACTED] for blue paint markings which may indicate planned works or removals.

Cheers,
Meaghan

Meaghan Russell | Team Leader (Advice)
Phone: 02 6205 5497 | Email: meaghan.russell@act.gov.au
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-----Original Message-----

From: Roberts, Linda
Sent: Tuesday, 24 July 2018 9:24 AM
To: Gilbert, Euroka <Euroka.Gilbert@act.gov.au>; Russell, Meaghan <Meaghan.Russell@act.gov.au>
Cc: Moore, FionaF <FionaF.Moore@act.gov.au>
Subject: FW: Thanks for all you go ... [SEC=UNCLASSIFIED]

FYI

-----Original Message-----

From: [REDACTED]
Sent: Tuesday, 24 July 2018 9:20 AM
To: Roberts, Linda <Linda.Roberts@act.gov.au>
Subject: Thanks for all you go ...

My partner [REDACTED] and I toured the WANNIASSA scar trees last weekend- got the map from a wonderful new book by Jon Rhodes ANU Nugget Coombs scholar called Cage of Ghosts. Fabulous to have this cultural site.

Just to say one of them had a blue paint capital A written on it. Does this mean anything?

Warm regards, [REDACTED]

[REDACTED]

From: [Alegria, Stephen](#)
To: [Moore, FionaF](#)
Cc: [Abel, Tynan](#); [Dawes, Rachael](#)
Subject: Re: Heritage matters - potential compliance issue [SEC=UNCLASSIFIED, DLM=For-Official-Use-Only]
Date: Wednesday, 25 July 2018 10:49:51 AM
Attachments: [image001.gif](#)
[image002.gif](#)

Hi Fiona I have a pretty packed calendar today, but I should be able to meet for 30 mins at 1.30 if you can come to L2 Wotso. Can you please expand on the scar tree issue prior to the meeting?

Regards
Stephen

On 25 Jul 2018, at 9:14 am, Moore, FionaF <FionaF.Moore@act.gov.au> wrote:

Hi Stephen,

Can we catch up today to discuss a couple of heritage matters that require our urgent attention, specifically:

<!--[if !supportLists]--> <!--[endif]--> Potential compliance matter relating to felling of an Aboriginal scar tree on TCCS managed land: and
<!--[if !supportLists]--> <!--[endif]--> [REDACTED] k and requests from Minister Gentleman's Office.

I also left a message with your office on Monday and phoned this morning.

Regards,

Fiona Moore | Senior Manager, ACT Heritage (Mon – Thurs)

Phone: +61 2 6205 9974 | Email: fionaf.moore@act.gov.au

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<image001.gif><image002.gif>

Norris, Clinton

From: Moore, FionaF
Sent: Thursday, 26 July 2018 4:50 PM
To: Gilbert, Euroka; Russell, Meaghan
Subject: FW: Scar tree pics [DLM=Sensitive]
Attachments: Wanniasa Primary Scar tree.pdf

Hi Meaghan/Euroka,

Further to my earlier email, please see correspondence below. I have spoken with Daniel Iglesias in relation to moving the tree to a PCS depot. Daniel has recommended we contact Kristy Gould in relation to identifying a secure location. Daniel has also requested we contact Craig Jones to undertake initial information gathering/site recording etc on our behalf.

In my absence on Friday, could you please contact Craig and Kristy and initiate these conversations.

Thank you,

Fiona Moore | Senior Manager, ACT Heritage (Mon – Thurs)

Phone: +61 2 6205 9974 | Email: fionaf.moore@act.gov.au

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From: Dawes, Rachael
Sent: Thursday, 26 July 2018 3:54 PM
To: Moore, FionaF <FionaF.Moore@act.gov.au>
Subject: RE: Scar tree pics [DLM=Sensitive]

Hi Fiona

I spoke with Euroka about a CRM we have for the scar tree removed by Treeworks at Wanniasa Primary last year. I am hoping you have some words I can use in response. Unfortunately the CRM was part of a large backlog that we had in the South team, which has recently been cleared out. No previous response had been provided and then

the enquiry was closed out. The lady has responded (justifiably) on 5/7/18 requiring an urgent response to her concerns. This was then referred to a Claims officer in error. It has now come to me to respond.

I have attached the CRM trail. If you can please provide some words that you have used already that would be fantastic.

Also, in addition to Stephen's message below, can I please have a chat with you about a storage location for the scar tree log. I am concerned that the log yard and our depot yards would not be sufficiently secure locations. We were thinking it would be better to discuss with a Parks depot if it could be stored there, or if you have an idea of where a final resting place may be for the log and we can move it there or to a location or nearby.

Thanks
Rach

PS My apologies for being delayed today and not making our meeting.

Rachael Dawes | A/G Manager Urban Treescapes

Phone 02 6205 5263 | [REDACTED] | Email: rachael.dawes@act.gov.au

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From: Moore, FionaF

Sent: Thursday, 26 July 2018 2:54 PM

To: Alegria, Stephen <Stephen.Alegria@act.gov.au>; Dawes, Rachael <Rachael.Dawes@act.gov.au>

Subject: RE: Scar tree pics [DLM=Sensitive]

Thank you Stephen and Rachael.

Regards,

Fiona Moore | Senior Manager, ACT Heritage (Mon – Thurs)

Phone: +61 2 6205 9974 | Email: fionaf.moore@act.gov.au

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From: Alegria, Stephen

Sent: Thursday, 26 July 2018 2:38 PM

To: Dawes, Rachael <Rachael.Dawes@act.gov.au>; Moore, FionaF <FionaF.Moore@act.gov.au>

Subject: RE: Scar tree pics [DLM=Sensitive]

Hi Rachael,

Could you please arrange to have the felled scar tree removed and stored (temporarily) in a safe and secure place where it will not be subject to any further damage. If possible, can you provide Fiona with 24-48 hours notice prior to removal in case the RAOs wish to be present.

Fiona, further to our discussion today, this email and others sent today constitute TCCS's initial response to your request for information. If in the course of your investigations further queries arise, please contact Rachael and we will do our best to assist.

Regards

Stephen Alegria | Director | City Presentation

T 02 6207 9833 | [REDACTED]

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www.tccs.act.gov.au

From: Dawes, Rachael

Sent: Thursday, 26 July 2018 11:34 AM

To: Alegria, Stephen <Stephen.Alegria@act.gov.au>

Subject: Scar tree pics [DLM=Sensitive]

Hi Stephen

The scar tree pics are below. This tree appears to have been a totem, and was felled some time ago and left in-situ. As previously outlined, there is no evidence that this has been undertaken by any TCCS staff or contractors. The last two pics are the location of the mistakenly removed tree by Treeworks I believe. I am not sure if the log is the remains of that tree, but no scar was evident. It was placed quite a distance from the stump.

Cheers

Rach

Rachael Dawes | A/G Manager Urban Treescapes

Phone 02 6205 5263 | [REDACTED] | Email: rachael.dawes@act.gov.au

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Level 2, 490 Northbourne Avenue, Dickson 2602 | GPO Box 158 Canberra ACT 2601 | www.act.gov.au

From: Dawes, Rachael

Sent: Thursday, 26 July 2018 11:00 AM

To: Dawes, Rachael <Rachael.Dawes@act.gov.au>

Subject: Scar tree pics















Rachael Dawes | A/G Manager Urban Treescapes

Phone 02 6205 5263 | [REDACTED] | Email: rachael.dawes@act.gov.au

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Sent from my iPad



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Canberra.

TREE CLAIM

Incident No. # 170527-000502

Date Recieved: 27/05/2017 07.29 PM

Subject: Suburban Parks & Playgrounds : Fix My Street Desktop Quick Report Submission

Incident Type: Other

Contact Name: [REDACTED]

Best Contact Number: , ,

Email: [REDACTED]

Location:

Suburb: Monash

Referred to Jeff to follow-up

Urgent response required: So what was actually done about this important issue. Should I write to the minister re the response delay of 14 months or the inadequate response to an important heritage matter for all ACT residents including Aboriginal Canberrans.

Sent from my small iPhone. Large fingers and small keys can produce small errors. Please read for meaning.



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On 27/05/2017 you contacted the ACT Government and an enquiry was submitted. Below is a summary of your correspondence and the response to your enquiry.

Subject

Suburban Parks & Playgrounds : Fix My Street Desktop Quick Report Submission

Message

Response By Email (Urban Trees) (05/07/2018 10.02 AM)

Dear [REDACTED]

Your tree related incident 170527-000502 - Other has been marked as resolved and all appropriate action has been taken.

Thank you for your inquiry.

Regards,
Urban tree team

Customer By CSS Web ([REDACTED]) (27/05/2017 07.29 PM)

A significant aboriginal heritage tree has been cut down and chipped adjacent to the playground equipment in the park next to Wanniasa Hills Primary School. This seems highly inappropriate and disrespectful. No signs, no notification. No good.

Your Details

First Name: [REDACTED]
Last Name: [REDACTED]
Contact Number: not provided
Email Address: [REDACTED]

Additional Details (if available)

Reference #: 170527-000502
Date Created: 27/05/2017 07.29 PM
Status: Resolved
Category: Suburban Parks & Playgrounds
Type of Correspondence: Request for Service

If this issue is not resolved to your satisfaction, you may [reopen it under the 'Your Account' section](#) on our website.

Positional data at time of incident submissions was:

Latitude: -35.410178887648286

Longitude: 149.10232543945312

Google Url: <http://maps.google.com.au/maps?>

[q=loc:-35.410178887648286,149.10232543945312&z=17](https://www.google.com/maps/@-35.410178887648286,149.10232543945312&z=17)

Google Address: [REDACTED]

A significant aboriginal heritage tree has been cut down and chipped adjacent to the playground equipment in the park next to Wanniasa Hills Primary School. This seems highly inappropriate and disrespectful. No signs, no notification. No good.

ACTION/REMARKS

This Incident to be completed/resolved by:

Date Received: 27/05/2017 07.29 PM **Date Actioned:**

Action Taken:

Work has been carried out in accordance with the required specifications

From: [Sneyers, Andre](#)
To: [Dawes, Rachael](#)
Subject: FW: FYI 4/4/17 Unapproved remnant removal @ Wanniasa Hills Primary aka Spook Tree [SEC=UNOFFICIAL]
Date: Wednesday, 25 July 2018 1:58:29 PM
Attachments: [Unapproved remnant removal @ Wanniasa Hills Primary SECUNCLASSIFIED.msg](#)
[Tree removal at Wanniasa Primary School.msg](#)
[image001.png](#)
[image002.png](#)

FYI

André Sneyers | Urban Treescapes, TPU

Phone 02 6207 6127 | Email: andre.sneyers@act.gov.au

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Level 2, 490 Northbourne Avenue, Dickson 2602 | GPO Box 158 Canberra ACT 2601 | www.act.gov.au

From: Sneyers, Andre
Sent: Wednesday, 13 September 2017 2:02 PM
To: Diehm, Mark <Mark.Diehm@act.gov.au>
Cc: Brice, Michael <Michael.Brice@act.gov.au>
Subject: FYI 4/4/17 Unapproved remnant removal @ Wanniasa Hills Primary aka Spook Tree [SEC=UNOFFICIAL]

Mark in case,

You get some more query in relation to the spook tree removal E-mails attached.

Apparently it has gone from Heritage to “compliance ether”

As told by Fiona Kidman, although heritage and her could not tell who to.

She is now trying to organise a sit down between several parties, likely Friday some time.

I had discussed this breach/mistake and the offer by Dom with Richard and Shaun at little length, and also with Education at that time.

Our stance at that time - We would await the outcome of the Tree works Offer (Acceptance by interested parties)

And then follow through with a balanced useful response, instead of prosecuting Educations' contractor from the word go.

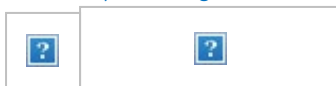
Hopefully of some use if needed.

André Sneyers TPU, Urban Treescapes

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PH: +61 2 6207 6127 | FAX: +61 2 6205 5956 |


andre.sneyers@act.gov.au



From: [Sneyers, Andre](#)
To: [Allen, Richard](#)
Subject: Unapproved remnant removal @ Wanniasa Hills Primary [SEC=UNCLASSIFIED]
Date: Tuesday, 4 April 2017 11:30:00 AM
Attachments: [P5160904.JPG](#)
[P5160905.JPG](#)
[P5160906.JPG](#)

Richard

FYI and discussion later on.

 from Tree Works informed me by phone today that a TreeWorks internal miscommunication occurred.

This resulted in the removal of the remnant E. blakelyi (Tree14) on the schools premises, contra to Conservators Decision 33988, of 17 Feb.

I suggested she put this in an E-mail to us, including details of any proposed redress they are suggesting/discussing with the School.

Also mentioned the range of possible ramifications

André Sneyers | Urban Treescapes, TPU

Phone 02 6207 6127 | Email: <<mailto:andre.sneyers@act.gov.au>> andre.sneyers@act.gov.au

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From: [Dominic Osborne](#)
To: [TCCS_CP_TreeProtection](#); [Salahshor, Mahbod](#); [McCreath, Kris \(ACTEDU\)](#); [Hall, Leanne](#); [Sneyers, Andre](#); [Hunter, Stuart](#)
Subject: Tree removal at Wanniasa Primary School
Date: Tuesday, 4 April 2017 1:21:07 PM

To:

Andre Sneyers - Tree Protection Unit, Urban Treescapes
Kris McCreath - Business Manager, Wanniasa Hills Primary School
Stuart Hunter / Leanne Hall - Department of Education
Mahbod Salahshor - ACT Property Group

Re: Incorrect and Mistaken Removal Of Tree At Wanniasa Hills Primary School, 88 Langdon Avenue, Wanniasa

Dear all,

As you are all aware Treeworks (ACT/NSW) Pty Ltd has mistakenly removed a tree at Wanniasa Hills Primary School. We are acutely embarrassed and devastated that this has occurred and sincerely apologise for any inconvenience that will no doubt arise from this issue.

We have prided ourselves, over the last six years that we have been operating in the ACT, in being totally professional with regard to tree regulations. We have, through our website and any customer contact, always highlighted the need to comply with the Tree Protection Act. We have submitted hundreds of applications for tree removals and have never, until now, been in breach of those regulations. Our company's philosophy is very much one of preserving and repairing trees. WE only prescribe removal if safety is a concern. We are continually educating our arborists, tree surgeons and tree workers about the regulations. All of this has resulted in us being engaged many times by the ACT Government, the National Capital Authority and surrounding NSW Councils.

The circumstances leading to the mistaken removal are as such:


1. In November 2016 our Level 5 Arborist, [REDACTED], carried out an audit of all trees at Wanniasa Hills Primary School. In the audit, known as a Tree Diagnostic Report, [REDACTED] identified a Eucalyptus sp. (Tree No. 14 in the report) as being unsafe due to declining health. She prescribed the tree to removed.
2. On 22 December 2016 the Dept of Education, through ACT Property Group, issued us with a Work Order (dated 20.12.17) to carry out all items listed as a priority.
3. On 2 February 2017 our [REDACTED], [REDACTED], identified that Tree 14 required approval for removal and submitted the application to the Tree Protection Unit online.
4. On 18 February 2017 we received the Notice of Decision from the Tree Protection Unit not granting permission to remove the tree. [REDACTED], who was in the middle of processing Work Orders to carry out works at 98 schools inadvertently failed to transfer the information onto the Tree Diagnostic Report. This is the point where our system failed.
5. On 3&4 April 2017 our crew attended Wanniasa Hills Primary with the original tree report and carried out all items listed as a priority on the report.

I have deliberately not included [REDACTED] in this email as she is extremely upset at what has occurred. If at all possible could you please exclude her from further communication on this issue and deal with me. [REDACTED] is a highly valued long serving staff member and normally incredibly efficient and diligent (refer to Mahbod Salahshor at ACT Property who has dealt with her for several years). She acknowledges that she was responsible for the oversight and is very distressed that this has occurred. She places unusually high standards for herself and as a result is probably more affected than normal by the incident.

I would like to offer Wanniasa Hills Primary School some sort of appropriate remedy for this unfortunate incident. The remedy could be anything related to our services, however can I suggest we plant a number of

trees at the school and maintain them for a year to help them establish (we are on the tree planting panel for Urban Treescapes so have an expertise in that area). I would be happy for the school to nominate the appropriate number of trees, or other remedy if required.

Regards

Dominic Osborne
Managing Director
Treeworks (ACT/NSW) Pty Ltd


Norris, Clinton

From: Alegria, Stephen
Sent: Thursday, 26 July 2018 12:12 PM
To: Moore, FionaF
Subject: FW: Scar tree pics [DLM=Sensitive]

Hi Fiona,

Please see info and pics below. Note that it appears that someone has cut a slice off the butt more recently than the time that the totem was felled, judging by the less weathered timber on the butt and the sawdust visible.

I will send another email shortly.

Stephen Alegria | Director | City Presentation

T 02 6207 9833 | [REDACTED]

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Level 2 Wotso House, 490 Northbourne Avenue, Dickson ACT | GPO 158, Canberra ACT 2601.

www.tccs.act.gov.au

From: Dawes, Rachael
Sent: Thursday, 26 July 2018 11:34 AM
To: Alegria, Stephen <Stephen.Alegria@act.gov.au>
Subject: Scar tree pics [DLM=Sensitive]

Hi Stephen

The scar tree pics are below. This tree appears to have been a totem, and was felled some time ago and left in-situ. As previously outlined, there is no evidence that this has been undertaken by any TCCS staff or contractors. The last two pics are the location of the mistakenly removed tree by Treeworks I believe. I am not sure if the log is the remains of that tree, but no scar was evident. It was placed quite a distance from the stump.

Cheers
Rach

Rachael Dawes | A/G Manager Urban Treescapes

Phone 02 6205 5263 | [REDACTED] | Email: rachael.dawes@act.gov.au

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Level 2, 490 Northbourne Avenue, Dickson 2602 | GPO Box 158 Canberra ACT 2601 | www.act.gov.au

From: Dawes, Rachael

Sent: Thursday, 26 July 2018 11:00 AM

To: Dawes, Rachael <Rachael.Dawes@act.gov.au>

Subject: Scar tree pics















Rachael Dawes | A/G Manager Urban Treescapes

Phone 02 6205 5263 | [REDACTED] | Email: rachael.dawes@act.gov.au

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From: [Russell, Meaghan](#)
To: [Gilbert, Euroka](#)
Cc: [Moore, FionaF](#)
Subject: ACT Heritage actions - MST4 Aboriginal scarred tree [SEC=UNCLASSIFIED]
Date: Wednesday, 1 August 2018 2:32:39 PM
Attachments: [image001.png](#)
[image002.png](#)

Hi Euroka,

As discussed with Craig, you will be the primary ACT Heritage contact to assist the compliance team in the investigation of the MST4 Aboriginal scarred tree – and in our meeting today, we committed to the following actions:

1. Provide Craig with an Objective link to the heritage file, or if this cannot be accessed, a copy of all ACT Heritage records to date;
2. Review Near Map aerials to identify the approximate timeframe of MST4 removal;
3. Review previous notifications from TCCS for annual tree removal works, to identify whether MST4 or any nearby trees were planned for removal in (at least) the past two years. Should Near Map aerials indicate the tree was removed at an earlier time, the TCCS notification for that time should also be reviewed;
4. Review ACT Heritage records relating to MST4, and collate all information on the scarred tree and the most recent evidence of it as a standing tree; and
5. Attend a site visit with Craig to gather information to inform the investigation.

Could you please provide Craig with the Objective link this afternoon, and work through the rest of the list with Craig to inform his review.

Cheers,

Meaghan

Meaghan Russell | Team Leader (Advice)

Phone: 02 6205 5497 | Email: meaghan.russell@act.gov.au

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From: [Moore, FionaF](#)
To: [Mileski, Rachael](#)
Subject: FW: 18/22359 - Ministerial Caveat Brief - Scarred tree, Wanniasa [SEC=UNCLASSIFIED]
Date: Monday, 6 August 2018 12:57:00 PM
Attachments: [image003.png](#)
[image004.gif](#)
[image005.gif](#)

Can you let me know when Ian would like to chat – thanks.

Fiona Moore | Senior Manager, ACT Heritage (Mon – Thurs)

Phone: +61 2 6205 9974 | Email: fionaf.moore@act.gov.au

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From: Walker, IanS

Sent: Monday, 6 August 2018 8:30 AM

To: Moore, FionaF <FionaF.Moore@act.gov.au>

Cc: EPD Ministerials - Environment <EPDMinisterials-Environment@act.gov.au>; Ives, Kieran <Kieran.Ives@act.gov.au>

Subject: RE: 18/22359 - Ministerial Caveat Brief - Scarred tree, Wanniasa [SEC=UNCLASSIFIED]

Fiona

Can we have a chat on this please

Ian Walker

Executive Director, Environment

Phone: +61 6205 9027 | Email: IanS.Walker@act.gov.au

Environment, Planning and Sustainable Development Directorate | ACT Government

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www.environment.act.gov.au

We acknowledge and celebrate the Ngunnawal peoples whose traditional lands we work on and pay our respect to elders past and present

From: Moore, FionaF

Sent: Thursday, 2 August 2018 3:36 PM

To: EPD Government Services <EPDGovernmentServices@act.gov.au>

Cc: EPD Ministerials - Environment <EPDMinisterials-Environment@act.gov.au>; Walker, IanS <IanS.Walker@act.gov.au>; Ives, Kieran <Kieran.Ives@act.gov.au>

Subject: RE: 18/22359 - Ministerial Caveat Brief - Scarred tree, Wanniasa [SEC=UNCLASSIFIED]

Hi Maeve,

An information brief has already been prepared in relation to this matter to accompany ministerial correspondence 18/22359 – link attached. The brief and correspondence is currently with Ian for review and clearance.

I have spoken with Kieran who confirmed that the information brief will be sufficient. To close the caveat brief request I have included an alias to 18/22359 into the caveat brief file.

Regards,

Fiona Moore | Senior Manager, ACT Heritage (Mon – Thurs)

Phone: +61 2 6205 9974 | Email: fionaf.moore@act.gov.au

ACT Heritage | Environment, Planning and Sustainable Development Directorate | ACT Government

Dame Pattie Menzies House, Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au



From: EPD Ministerials - Environment

Sent: Thursday, 2 August 2018 12:30 PM

To: Moore, FionaF <FionaF.Moore@act.gov.au>

Cc: EPD Ministerials - Environment <EPDMinisterials-Environment@act.gov.au>

Subject: FW: 18/22359 - Ministerial Caveat Brief - Scarred tree, Wanniasa [SEC=UNCLASSIFIED]

Hi Fiona

Official request. Please allow time for Ian to clear.

Thank you

Rachael

From: EPSD Government Services

Sent: Thursday, 2 August 2018 12:28 PM

To: EPD Ministerials - Environment <EPDMinisterials-Environment@act.gov.au>

Cc: Walker, IanS <IanS.Walker@act.gov.au>

Subject: 18/22359 - Ministerial Caveat Brief - Scarred tree, Wanniasa [SEC=UNCLASSIFIED]

Hi Rachael,

I have created a file for this caveat brief requested by Kieran below. Could you please ask the team to send it through to **GS by Thursday, 9 August**? Happy to discuss this date if more time is needed.

Thanks,

Maeve

Ministerial Correspondence / Brief Request Form

18/22359 - Ministerial Caveat Brief - Scarred tree, Wanniasa

	Due date	Electronic signature	Date
To Minister's office			
Director-General			
Deputy Director-General			
Government Services	9/08/2018		
Executive Director			
Contact Officer			

To:

- | | |
|--|--|
| <input type="checkbox"/> Planning Policy | <input type="checkbox"/> Planning Delivery |
| <input type="checkbox"/> Climate Change and Sustainability | <input checked="" type="checkbox"/> Environment |
| <input type="checkbox"/> Director-General | <input type="checkbox"/> Deputy Director-General |
| <input type="checkbox"/> Urban Renewal | <input type="checkbox"/> Other |

Response by:

- | | | |
|---|---|---|
| <input checked="" type="checkbox"/> Minister | <input type="checkbox"/> Chief Minister | <input type="checkbox"/> Director-General |
| <input type="checkbox"/> Chief of Staff | <input type="checkbox"/> Adviser | <input type="checkbox"/> Other: |

Action required:

- | | | |
|--|---|--|
| <input type="checkbox"/> Reply to correspondence | <input type="checkbox"/> Directorate Input | <input type="checkbox"/> Questions and Answers |
| <input type="checkbox"/> Information brief | <input type="checkbox"/> Dept Officer to attend | <input type="checkbox"/> Media Alert / Media Release (in consultation with Communications) |

- | | | |
|---|--|---|
| <input type="checkbox"/> Meeting brief | <input type="checkbox"/> Phone
constituent/report | <input type="checkbox"/> Speech / Speaking Notes
(in consultation with Communications) |
| <input checked="" type="checkbox"/> Caveat brief | <input type="checkbox"/> Information only / NFA | <input type="checkbox"/> Talking points (as dot
points) (in consultation with
Communications) |
| <input type="checkbox"/> Functions/Event brief | <input type="checkbox"/> Other | <input type="checkbox"/> For appropriate action |

Meeting / Function / Event:

Time:

Date:

Location:

Event Contact/Organiser:

Further Information:**From:** Ives, Kieran**Sent:** Thursday, 2 August 2018 12:17 PM**To:** EPSD Government Services <EPSDGovernmentServices@act.gov.au>**Cc:** Mileski, Rachael <Rachael.Mileski@act.gov.au>**Subject:** Scarred tree - Caveat brief please [SEC=UNCLASSIFIED]

Hi Gov Services

Can you please request a caveat brief from ACT Heritage on the topic below? Some additional contextual information would also be helpful, e.g. relevant land manager and zoning.

This is no longer in the weekly brief

Unauthorised removal of an Aboriginal scarred tree, Wanniasa

- On 24 July 2018, ACT Heritage was notified of the felling of an Aboriginal scarred tree in Wanniasa.
- ACT Heritage inspected the site immediately and confirmed that the tree recorded as MST4 on the ACT Heritage Register had been cut down.
- The trunk containing the cultural scar in its entirety remains on the ground next to the cut stump.
- No *Heritage Act 2004* approval was sought or issued for the removal of MST4.
- The ACT Parks and Conservation Service Compliance team will provide support to ACT Heritage in this matter, by undertaking an initial compliance review.
- This is the second Aboriginal scarred tree to have been removed in Wanniasa without prior *Heritage Act 2004* approval; with removal of the Wanniasa 'Spook Tree' (recorded as 'MSYB1' on the ACT Heritage Register) reported to ACT Heritage in April 2017 and previously investigated by Access Canberra.

Kind regards

Kieran

Kieran Ives | Executive Officer to Deputy Directors-General

Environment, Planning and Sustainable Development Directorate | ACT Government

Phone: (02) 6205 9095 | Email: kieran.ives@act.gov.au

Level 3 Dame Pattie Menzies House, 16 Challis Street, Dickson, ACT | GPO Box 158, Canberra 2601

From: [Walker, IanS](#)
To: [Moore, FionaF](#)
Subject: Elevating education across gov re aboriginal cultural heritage values
Date: Monday, 27 August 2018 10:08:09 AM
Attachments: [image001.png](#)

Hi Fiona

At the ministers office today we briefly discussed the removal of Scar Trees

- We have agreed to consider how we improve cross govt understanding / recognition of cultural values – this will be a joint activity with the Minister Rachael Stephen_Smith
- Also it was suggested we write to arborists with information on scar trees

For discussion

Ian Walker

Executive Director, Environment

Phone: +61 6205 9027 | Email: IanS.Walker@act.gov.au

Environment, Planning and Sustainable Development Directorate | ACT Government

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 260

www.environment.act.gov.au

We acknowledge and celebrate the Ngunnawal peoples whose traditional lands we work on and pay our respect to elders past and present

From: [OConnell, Jennifer](#)
To: [Moore, FionaF](#)
Subject: RE: MO request to amend - 18/21069 - 18/21069 - Ministerial Correspondence & Information Brief - Aboriginal scarred trees in Wanniasa - [REDACTED] [DLM=For-Official-Use-Only]
Date: Monday, 10 September 2018 1:35:53 PM
Attachments: [image001.gif](#)
[image002.gif](#)
[18_21069 - Ministerial Correspondence & Information Brief - Aboriginal s...obr](#)

Hi Fe

I've amended the letter as suggested and also included information that the investigation for the Wanniasa 'spook' tree has concluded.

Some dot points below for your email to Dan:

Cheers

Jen

Key issues – compliance and investigation support from Access Canberra:

- Historically, ACT Heritage compliance functions have been undertaken by complimentary areas co-located with heritage, including Tree Protection, Environment and Protection and the planning and land authority's Investigations Team.
- Resourcing within ACT Heritage does not allow existing officers to become dedicated investigation officers. Further, even if ACT Heritage had a dedicated resource on staff, the broader management structure is not qualified in the management of compliance and associated investigations.
- Since the creation of Access Canberra, it was understood by ACT Heritage that Access Canberra would provide compliance and investigation support to areas within EPSDD such as the planning and land authority and ACT Heritage for offences against the *Planning and Development Act 2007* (the Planning Act) and *Heritage Act 2004* (the Heritage Act).
- In April 2018, Access Canberra advised ACT Heritage that it had never been given the compliance function for heritage when EPSDD planning and land authority's Investigations Team moved across to the newly created Access Canberra. Access Canberra, therefore, had no power to and would not investigate heritage compliance matters.
- This reflects officer level advice since October 2016, in which Heritage staff were being advised that Access Canberra no longer deal with heritage complaints. It also reflects Access Canberra's web page which states it *does not act on a range of issues including damage to a heritage listed property*.
- However, this advice does not reflect:
 - written advice by Greg Jones (Director, Construction Environment, Access Canberra) on 10 November 2016, in which he advises that there is no change to the longstanding arrangement to provide heritage compliance support, but that risk based approach is applied as per the Access Canberra Accountability Commitment.
 - up to 18 Access Canberra investigative staff/position numbers (former ACTPLA Investigations Team) are declared as Heritage Act authorised officers holding power to undertake compliance investigations under the Heritage Act.
- Many heritage offences are also planning offences – being controlled activities as defined in Chapter 11 of the Planning Act i.e. works without development approval, or not in accordance with development approval. However, when those actions are reported to Access Canberra, they are not investigated as Planning Act development approval

breaches, but instead referred to ACT Heritage as heritage complaints only. Access Canberra have stated that where the compliance matter is a Planning Act breach only because of a heritage matter, they will not investigate if heritage is the primary legislation of the breach.

Heritage Act tools required for on heritage offences:

- Irrespective of the compliance capacity issues noted above:
 - There is no Heritage Act infringement notice scheme established under the *Magistrates Court Act 1930*. This means minor Heritage Act strict liability offences cannot be dealt with simply through fines, and prosecutions through the full court process can be difficult to achieve. A brief seeking the Minister's approval to establish a strict liability offence infringement regulation is currently being prepared by ACT Heritage.
 - There are also limitations in the use of Heritage Directions under Part 11 of the Heritage Act for the protection of heritage places/objects. Currently Heritage Directions can only be issued for places at 'serious and *imminent* threat', which does not usually allow for 'repair' directions to be issued after the threat has occurred. Amendments to the Heritage Act are being considered to provide for this.
- An effective enforcement regime is critical for ACT Heritage to fulfil its roles and responsibilities as the regulator of heritage in the ACT. Risks associated with inadequate heritage compliance and enforcement support include:
 - Failing to administer the functions of the Heritage Act;
 - Failing to conserve places and objects with heritage significance, and to conserve Aboriginal places and objects;
 - Given the limited tools and compliance/investigative support currently available for dealing with heritage compliance matters, a widely publicised instance of ACT Heritage's inability to take action on minor and readily reversible breaches could seriously erode public confidence in the integrity of the regulatory scheme. Additionally, this could result in an increase of heritage owners undertaking unapproved and inappropriate works due to no practical deterrent being in place.
 - Contributing to potential significant adverse impacts to heritage places and objects;
 - Increased likelihood of heritage compliance matters not being upheld by ACAT or Supreme Court due to inadequate investigative processes;
 - Potential negative commentary by ACAT or Supreme Court in relation to investigative processes;
 - Unlikelihood of DPP prosecuting penalties under the Heritage Act due to inadequate investigative processes; and
 - Negative media and community commentary.

Overview of heritage compliance reports:

- Under Section 74 of the Heritage Act, it is an offence to diminish the heritage significance of a registered place or object; and under Section 75 of the Heritage Act, it is an offence to damage an Aboriginal place or object.
- On average, ACT Heritage receives about 15 heritage complaints/compliance reports per financial year – however, approximately half are often not offences and do not require any action.
- Many of the remaining reports are minor/moderate matters could be efficiently and

effectively dealt with once infringement notice regulation and heritage 'repair' directions are in place.

- There are approximately 1-2 significant heritage compliance matters reported a year.
- For all reports, ACT Heritage undertakes an initial review against heritage requirements to determine whether the conduct has diminished/damaged heritage value.

From: Moore, FionaF

Sent: Monday, 10 September 2018 10:39 AM

To: OConnell, Jennifer <Jennifer.OConnell@act.gov.au>

Subject: FW: MO request to amend - 18/21069 - 18/21069 - Ministerial Correspondence & Information Brief - Aboriginal scarred trees in Wanniasa - Peter Dowling [DLM=For-Official-Use-Only]

Hi Jen,

I spoke with Dan on Thursday regarding this, two things came out of it:

1. Dan has requested amendments to soften the letter ie) remove access Canberra triage process, include text that also share disappointment at the loss of heritage etc.
2. An email regarding the current compliance and investigation challenges we face, particularly with support from Access Canberra. I will send this to Dan and it will form the basis of a Minister's Monday meeting agenda.

Could you do these two things for me?

Thanks,

Fiona Moore | Senior Manager, ACT Heritage & Secretary, ACT Heritage Council (Mon – Thurs)

Phone: +61 2 6205 9974 | Email: fionaf.moore@act.gov.au

ACT Heritage | Environment, Planning and Sustainable Development Directorate | ACT Government

Dame Pattie Menzies House, Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au



From: EPSDD DLO

Sent: Thursday, 6 September 2018 1:29 PM

To: Moore, FionaF <FionaF.Moore@act.gov.au>

Subject: RE: MO request to amend - 18/21069 - 18/21069 - Ministerial Correspondence & Information Brief - Aboriginal scarred trees in Wanniasa - Peter Dowling [DLM=For-Official-Use-Only]

Hi Fiona,

I have placed a note for Dan to give you a call about the brief and the corro. Unsure when he might contact you at this stage as he is not in the office to ask – he will be back at about 3pm.

Kind Regards

Kim Bailey | EPSD DLO

#54521

From: Moore, FionaF

Sent: Tuesday, 4 September 2018 12:43 PM

To: EPSDD DLO <EPSDDDLO@act.gov.au>

Cc: EPD Ministerials - Environment <EPDMinisterials-Environment@act.gov.au>

Subject: RE: MO request to amend - 18/21069 - 18/21069 - Ministerial Correspondence & Information Brief - Aboriginal scarred trees in Wanniasa - Peter Dowling [DLM=For-Official-Use-Only]

Hi Kim,

It might be easier if you and I, or Dan and I, discuss this. Maybe give me a call when you get a chance?

Thanks,

Fiona Moore | Senior Manager, ACT Heritage & Secretary, ACT Heritage Council (Mon – Thurs)

Phone: +61 2 6205 9974 | Email: fionaf.moore@act.gov.au

ACT Heritage | Environment, Planning and Sustainable Development Directorate | ACT Government

Dame Pattie Menzies House, Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au



From: EPD Ministerials - Environment

Sent: Tuesday, 4 September 2018 11:56 AM

To: Moore, FionaF <FionaF.Moore@act.gov.au>

Cc: EPD Ministerials - Environment <EPDMinisterials-Environment@act.gov.au>

Subject: FW: MO request to amend - 18/21069 - 18/21069 - Ministerial Correspondence & Information Brief - Aboriginal scarred trees in Wanniasa - [REDACTED] [DLM=For-Official-Use-Only]

Hi Fiona

Please note below for appropriate action.

Thank you

Rachael

From: EPSD Government Services

Sent: Tuesday, 4 September 2018 11:31 AM

To: EPD Ministerials - Environment <EPDMinisterials-Environment@act.gov.au>

Cc: Walker, IanS <IanS.Walker@act.gov.au>; EPSD Government Services <EPSDGovernmentServices@act.gov.au>

Subject: MO request to amend - 18/21069 - 18/21069 - Ministerial Correspondence & Information Brief - Aboriginal scarred trees in Wanniasa - [REDACTED] [DLM=For-Official-Use-Only]

Hi Rachael,

Please see below comments from the MO about the corro in 18/21609. Could you please ask the action officer to amend in track changes and return to Gov Services by **COB Friday**? Happy to discuss if more time is needed.

Thanks,

Maeve

From: EPSDD DLO

Sent: Tuesday, 4 September 2018 10:16 AM

To: EPSD Government Services <EPSDGovernmentServices@act.gov.au>

Subject: Rewrite REQ - 18/21069 - Aboriginal scar tree [DLM=For-Official-Use-Only]

Hi team,

Dan has come back on this one saying that this gives the impression that unless it is life or death we don't care. Can the corro please be amended?

Kind regards

Kim Bailey

Directorate Liaison Officer | ACT Legislative Assembly

Minister Mick Gentleman | Planning and Land Management | Environment and Heritage

Minister Shane Rattenbury | Climate Change and Sustainability

Minister Gordon Ramsay | Building Quality Improvement

Minister Chris Steel | Community Services and Facilities

Environment, Planning and Sustainable Development Directorate | ACT Government

GPO Box 1908, Canberra, ACT 2601

Phone: 6205 4521 | Email: epsddlo@act.gov.au



ACT
Government

Environment and Planning

Greg Jones
Director
Construction, Environment and Workplace Protection
Access Canberra
Greg.Jones@act.gov.au

Dear Greg

***Heritage Act 2004* Compliance and Investigation Responsibilities**

I have recently been made aware that the Complaints and Investigations team within Access Canberra have decided not to investigate reports of non-compliance with the *Heritage Act 2004*.

This was reported to me by ACT Heritage, following a phone call from Mr Jonathan Swale (Inspector, Complaints and Investigations) to Ms Kate Harrison (Conservation Officer, ACT Heritage) on 13 October 2016; in which ACT Heritage was verbally advised that Access Canberra would not take action on *Heritage Act 2004* matters, as decided in a recent team meeting.

I also understand that the Access Canberra website has recently been updated to state that Access Canberra does not act on a range of issues, including “damage to a heritage listed property”.

As the Executive Director responsible for ACT Heritage, I request that the Environment, Planning and Sustainable Development Directorate be formally advised of any change to existing arrangements regarding the investigation of *Heritage Act 2004* compliance matters.

In seeking this advice, I note that *Heritage Act 2004* compliance investigations have historically been undertaken by an Investigations Unit collocated with ACT Heritage in the Environment and Sustainable Development Directorate; and that the Investigations Unit continued to provide this service on their move to the Chief Minister, Treasury and Economic Development Directorate.

Should the Complaints and Investigations team now located with Access Canberra cease to provide this function, it would represent a significant change to established ACT Government practice.

It would also create significant risk for the ACT Government, as no resources would be available to administer key provisions of the *Heritage Act 2004*.

I also note that many types of *Heritage Act 2004* compliance matters reported to Access Canberra are also 'controlled activities' as defined in Schedule 2 of the *Planning and Development Act 2007*, and that under Section 344 of that Act, the planning and land authority must take reasonable steps to investigate each complaint made. As I understand that Access Canberra currently provide this function, I also seek formal advice from Access Canberra on what reasonable steps will be taken to investigate controlled activity complaints relating to heritage places and objects.

Yours sincerely



Tony Carmichael
Executive Director
Strategic Planning
Environment, Planning and Sustainable Development Directorate

7 November 2016



ACT
Government

Chief Minister, Treasury and
Economic Development

Mr Tony Carmichael
Executive Director
Strategic Planning
Environment, Planning and Sustainable Development Directorate

Email: tony.carmichael@act.gov.au

Dear Tony

Thank you for your letter dated 7 November 2016 concerning the role of Access Canberra in investigating reports of non-compliance with the *Heritage Act 2004*.

I appreciate the concerns that you raise, however, there appears to be some confusion about the role of the Access Canberra, Construction Environment WorkSafe Protection (CEWP) Division investigations team and the compliance and enforcement approach of Access Canberra.

Access Canberra has made no decision to change the longstanding arrangement regarding the investigation of *Heritage Act 2004* non-compliance. Access Canberra will however apply its risk based approach to compliance actions and responses as outlined in the Access Canberra Accountability Commitment (the *Commitment*).

In early April 2016 the ACT Government formally adopted the *Commitment* and a suite of compliance frameworks as Access Canberra's new approach to compliance and enforcement. Adopting this approach means Access Canberra will focus its resources where the risks of harm, unsafe practices or misconduct are greatest in the community.

The role of Access Canberra, in relation to regulating building, construction and planning in the ACT is to protect the life, health and property of our community and to minimise loss and consumer detriment. These strategic objectives are outlined in the Access Canberra Building and Construction compliance framework, available on our website.

A key consideration in determining if a regulatory response is required is whether certain conduct is likely to have a detrimental effect on those in our community who are most vulnerable or are at the greatest disadvantage. Access Canberra will also consider the seriousness of the alleged conduct and the impact on the community and/or industry. Public safety is of particular importance when determining appropriate enforcement action. Public interest and the efficient and proper use of public resource will also be taken into account by Access Canberra.

However, it appears that this approach may not have been clearly explained in discussions between our officers and I assure you that I have not endorsed any decisions to no longer investigate *Heritage Act 2004* matters. I am advised that the conversation occurred in relation to our response to a specific matter and was not intended to extend that approach across all possible *Heritage Act 2004* non-compliance matters. In relation to the specific issue involving the Hall property I am happy to have that matter reviewed if you consider this desirable.

The Access Canberra risk-based approach does not seek to impact Section 344 of the *Planning and Development Act 2007* as all regulatory complaints and allegations referred to Access Canberra are assessed against the *Commitment* and all reasonable steps are taken to investigate a complaint, noting that our actions will be prioritised based on our strategic objectives as outlined above.

With regards to your concern with the Access Canberra website, I have asked that this page of the website be reviewed.

I hope that the above information clarifies your concerns, however, if you have any further questions about this approach please contact Derise Cubin, Deputy Director - Compliance and Enforcement on phone 6205 3732.

Yours sincerely

A rectangular grey box redacting the signature of Greg Jones.

Greg Jones^v
Director
Construction Environment WorkSafe Protection
Access Canberra

10 November 2016

From: [Gilbert, Euroka](#)
To: [Moore, FionaF](#)
Subject: comment on brief [SEC=UNCLASSIFIED]
Date: Tuesday, 25 September 2018 3:19:21 PM
Attachments: [image001.png](#)

Not as yet. As there is an active investigation and an information gathering activity under way. Going to the RAOs with a vague message about another tree being cut down without firm answers on when, who, why and remedial actions will cause further distress in an already complicated situation. PCS has committed a compliance officer to conduct the investigation, due to their existing workload this investigation is taking longer than anticipated. We will touch base with this officer this week, if it is anticipated to take much longer we will have to go to the RAOs, with the little information that we have.

As noted this tree has been down since late 2016 early 2017, however brought to our attention in July this year, RAOs or members of the Aboriginal community have not raised this issue in that time.

Happy to make myself available to discuss this.

If further information is required please don't hesitate to contact me.

Cheers

Mr. Euroka Gilbert | Aboriginal Liaison Officer
Phone 02 6207 5724 | Email: euroka.gilbert@act.gov.au

ACT Heritage | Environment, Planning and Sustainable Development Directorate | ACT Government

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au



I acknowledge the Traditional Custodians of the ACT and region, their continuing connection to land and community. I pay my respect to them and their culture, and to the Elders past, present and future.

From: [Russell, Meaghan](#)
To: [Gould, Kristy](#)
Subject: Wanniasa scarred tree discussion - availability [SEC=UNCLASSIFIED]
Date: Friday, 26 October 2018 3:53:00 PM
Attachments: [image001.png](#)
[image002.png](#)

Hi Kristy,

I am currently organising a site visit to Wanniasa and the [REDACTED] with a materials conservator, who will provide advice on how to best move and store the felled scarred tree. Is there an afternoon next week you (or another from your team) would be available to show us the planned location within the depot, and to discuss logistics?

Gillian can meet on-site at Wanniasa (actual tree location) most days at 2pm, so I expect that we would be at the [REDACTED] depot by 3pm on the selected day.

I have also been chasing Rachel Dawes this week on their involvement without much luck – has she contacted you to discuss?

Cheers,

Meaghan

Meaghan Russell | Team Leader (Advice)

Phone: 13 22 81 | Email: meaghan.russell@act.gov.au

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Dame Pattie Menzies House 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601

www.environment.act.gov.au



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From: Peri, John
Sent: Monday, 29 October 2018 7:35 AM
To: Dawes, Rachael; Russell, Meaghan
Cc: Olsson, Kevin
Subject: RE: Scar tree pics [DLM=Sensitive]

Hi all

I can make the Wednesday 9am meeting if required to organise the relocation of the scar tree? From the meeting we can coordinate a plan moving forward.

Kind regards,

John Peri | Supervisor - South Tree Operations |
Phone 62071878 | Fax 62072401 | Email john.peri@act.gov.au
Urban Treescapes | Transport Canberra and City Services Directorate | ACT Government
Kambah Depot O'Halloran Circuit Kambah ACT 2902 | GPO Box 158 Canberra ACT 2601 | www.act.gov.au

From: Dawes, Rachael
Sent: Friday, 26 October 2018 4:05 PM
To: Russell, Meaghan <Meaghan.Russell@act.gov.au>
Cc: Peri, John <John.Peri@act.gov.au>
Subject: RE: Scar tree pics [DLM=Sensitive]

Hi Meaghan

So sorry I didn't get back to you sooner. Wed at 9am would be great if that suits. I have cc'd in John Peri as it would be the Kambah Depot that would be assisting with the moving if our equipment is to be used.

Thanks

Rach

Rachael Dawes | A/G Manager Urban Treescapes
Phone 02 6205 5263 |  | Email: rachael.dawes@act.gov.au

From: Russell, Meaghan
Sent: Friday, 26 October 2018 2:06 PM
To: Dawes, Rachael <Rachael.Dawes@act.gov.au>
Subject: FW: Scar tree pics [DLM=Sensitive]
Importance: High

Hi Rachel,

I am just following up on this issue, as ACT Heritage is keen to have the Wanniasa scarred tree relocated as soon as possible – following on from Ministerial correspondence on this issue.

I left you a voicemail on Monday to discuss, and as updates:

- I spoke with Daniel Inglesias and Kristy Gould on Monday, who confirmed that the Wanniasa tree can be moved to the [REDACTED]. Kristy also suggested a meeting with ACT Heritage and yourself at [REDACTED] to discuss how it will be moved and stored; and
- ACT Heritage recently funded a purpose built gantry and slings for the movement of another Aboriginal tree, and there is opportunity to use this for moving the Wanniasa scarred tree. PCS Projects plan on using this gantry in mid November – for 2-3 weeks – but it is available beyond those times.

Given this, I suggest that a meeting at [REDACTED] next week – between Kirsty, Euroka and ourselves – to discuss the timing and logistics of the move.

ACT Heritage is currently available:

- Monday 29 October – 4pm.
- Wednesday 31 October – 9am or 3.30pm.
- Thursday 1 November – anytime.
- Friday 2 November – morning only.

Do any of these times suit you? Please let me know and I will liaise with all involved and confirm a time.

If you could also review at your end the availability of staff and necessary equipment, it would be much appreciated. Please note if you have questions on logistics, Anthony Davis from PCS Projects recently coordinated the Tharwa tree move, and you could call him on 74733 to discuss equipment used for that move.

Cheers,

Meaghan

Meaghan Russell | Team Leader (Advice)

Phone: 13 22 81 | Email: meaghan.russell@act.gov.au

ACT Heritage | Environment, Planning and Sustainable Development Directorate | ACT Government

Dame Pattie Menzies House 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601

www.environment.act.gov.au



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From: Dawes, Rachael

Sent: Thursday, 26 July 2018 3:54 PM

To: Moore, FionaF <FionaF.Moore@act.gov.au>

Subject: RE: Scar tree pics [DLM=Sensitive]

Hi Fiona

I spoke with Euroka about a CRM we have for the scar tree removed by Treeworks at Wanniasa Primary last year. I am hoping you have some words I can use in response. Unfortunately the CRM was part of a large backlog that we had in the South team, which has recently been cleared out. No previous response had been provided and then the enquiry was closed out. The lady has responded (justifiably) on 5/7/18 requiring an urgent response to her concerns. This was then referred to a Claims officer in error. It has now come to me to respond.

I have attached the CRM trail. If you can please provide some words that you have used already that would be fantastic.

Also, in addition to Stephen's message below, can I please have a chat with you about a storage location for the scar tree log. I am concerned that the log yard and our depot yards would not be sufficiently secure locations. We were thinking it would be better to discuss with a Parks depot if it could be stored there, or if you have an idea of where a final resting place may be for the log and we can move it there or to a location or nearby.

Thanks

Rach

PS My apologies for being delayed today and not making our meeting.

Rachael Dawes | A/G Manager Urban Treescapes

Phone 02 6205 5263 |  | Email: rachael.dawes@act.gov.au

Urban Treescapes, City Presentation | Transport Canberra and City Services Directorate | ACT Government

Level 2, 490 Northbourne Avenue, Dickson 2602 | GPO Box 158 Canberra ACT 2601 | www.act.gov.au

From: Moore, FionaF
Sent: Thursday, 26 July 2018 2:54 PM
To: Alegria, Stephen <Stephen.Alegria@act.gov.au>; Dawes, Rachael <Rachael.Dawes@act.gov.au>
Subject: RE: Scar tree pics [DLM=Sensitive]

Thank you Stephen and Rachael.

Regards,

Fiona Moore | Senior Manager, ACT Heritage (Mon – Thurs)
Phone: +61 2 6205 9974 | Email: fionaf.moore@act.gov.au
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Dame Pattie Menzies House, Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au



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From: Alegria, Stephen
Sent: Thursday, 26 July 2018 2:38 PM
To: Dawes, Rachael <Rachael.Dawes@act.gov.au>; Moore, FionaF <FionaF.Moore@act.gov.au>
Subject: RE: Scar tree pics [DLM=Sensitive]

Hi Rachael,

Could you please arrange to have the felled scar tree removed and stored (temporarily) in a safe and secure place where it will not be subject to any further damage. If possible, can you provide Fiona with 24-48 hours notice prior to removal in case the RAOs wish to be present.

Fiona, further to our discussion today, this email and others sent today constitute TCCS's initial response to your request for information. If in the course of your investigations further queries arise, please contact Rachael and we will do our best to assist.

Regards


Stephen Alegria | Director | City Presentation
T 02 6207 9833 | [REDACTED]
City Services | Transport Canberra and City Services Directorate
Level 2 Wotso House, 490 Northbourne Avenue, Dickson ACT | GPO 158, Canberra ACT 2601.
www.tccs.act.gov.au

From: Dawes, Rachael
Sent: Thursday, 26 July 2018 11:34 AM
To: Alegria, Stephen <Stephen.Alegria@act.gov.au>
Subject: Scar tree pics [DLM=Sensitive]

Hi Stephen

The scar tree pics are below. This tree appears to have been a totem, and was felled some time ago and left in-situ. As previously outlined, there is no evidence that this has been undertaken by any TCCS staff or contractors. The last two pics are the location of the mistakenly removed tree by Treeworks I believe. I am not sure if the log is the remains of that tree, but no scar was evident. It was placed quite a distance from the stump.

Cheers
Rach

Rachael Dawes | A/G Manager Urban Treescapes
Phone 02 6205 5263 |  | Email: rachael.dawes@act.gov.au
Urban Treescapes, City Presentation | Transport Canberra and City Services Directorate | ACT Government
Level 2, 490 Northbourne Avenue, Dickson 2602 | GPO Box 158 Canberra ACT 2601 | www.act.gov.au

From: Dawes, Rachael
Sent: Thursday, 26 July 2018 11:00 AM
To: Dawes, Rachael <Rachael.Dawes@act.gov.au>
Subject: Scar tree pics















Rachael Dawes | A/G Manager Urban Treescapes

Phone 02 6205 5263 | [REDACTED] | Email: rachael.dawes@act.gov.au

Urban Treescapes, City Presentation | Transport Canberra and City Services Directorate | ACT Government

Level 2, 490 Northbourne Avenue, Dickson 2602 | GPO Box 158 Canberra ACT 2601 | www.act.gov.au

Sent from my iPad

From: [Walker, IanS](#)
To: [Moore, FionaF](#)
Subject: Fwd: Aboriginal cultural tree [DLM=For-Official-Use-Only]
Date: Sunday, 28 October 2018 8:08:49 PM
Attachments: [Response to DLO Request copy.docx](#)
[ATT00001.htm](#)
[18-21069 - ATT A - Mick Gentleman MLA response to Peter Dowling - 18_210...pdf](#)
[ATT00002.htm](#)

Hi Fiona
Can we discuss first thing Monday morning please.
Let's just focus on the facts

Please don't respond to Shobaz as we are meeting with mins office to discuss.

Thanks Ian

Ian Walker
Executive Director Environment
[REDACTED]

Sent from my iPhone

Begin forwarded message:

From: "Kandola, Shobaz" <Shobaz.Kandola@act.gov.au>
To: "Walker, IanS" <IanS.Walker@act.gov.au>, "Brady, Erin" <Erin.Brady@act.gov.au>
Cc: "Ponton, Ben" <Ben.Ponton@act.gov.au>, "Landon, Daniel" <Daniel.Landon@act.gov.au>
Subject: FW: Aboriginal cultural tree [DLM=For-Official-Use-Only]

Hi Erin and Ian

The attached PDF is a letter which EPSDD provided to the Minister in response to concerns raised with him. I want to draw your attention to the highlighted paragraph and the concerns raised by [REDACTED] in his response to receiving the letter (see below). The word document provides information in relation to a query I made with the Directorate regarding this. Needless to say, I am disappointed at the position the Directorate has put the Minister in, particularly on such a sensitive matter. Please provide an update on the compliance actions being taken at tomorrow's briefing and also provide assurances that the urgency the Minister asked for in this matter is being undertaken.

Dan, fyi.

Shobaz

From: [REDACTED]
Sent: Friday, 19 October 2018 9:06 AM
To: GENTLEMAN <GENTLEMAN@act.gov.au>
Subject: Aboriginal cultural tree

Dear Mr Gentleman

I refer to your letter to me (18/21069) 15-10-2018 regarding the heritage listed trees inadvertently removed in Section 253, Wanniasa. In particular I wish to draw

your attention to the remnant trunk of the cultural tree listed on the Heritage Register as MST4.

In your letter to me you stated:




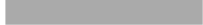
“This matter has now been referred to the Directorate’s Environment Division Compliance team for investigation and the trunk has been moved to a secure location within a Parks and Conservation depot for temporary storage in order to protect it”.

However, on visiting the site last evening, Thursday 18-10-18, the tree trunk was still laying where it had been felled. There has been no removal of this trunk to a secure location as you have expressed in your letter. (I have attached an image).

While this may have been an oversight by the agency responsible, I consider it another incident in the mismanagement of an Indigenous heritage asset.

I urge you to instigate an appropriate action as a matter of urgency to protect the remnant trunk and preserve its heritage integrity.

Yours sincerely

**ACT**
GovernmentEnvironment, Planning and
Sustainable Development

EPSDD Ref No.:

Response to DLO Request

*** All information provided should be factual.**

Electronic approval at Executive Director level is required. Please place the approval email in the objective file and cc DG EO and Govt Services when responding to the DLO.

Subject: Movement of MST1 Aboriginal scarred tree

Response:

The 'MST1' Aboriginal scarred tree has not yet been moved to an ACT Parks and Conservation Service (PCS) depot; as liaison with Representative Aboriginal Organisations (RAOs) on its management is ongoing.

RAO liaison was being undertaken to decide, in partnership, on the appropriate short and long term management of the trunk and cultural scar. However, RAO availability has been limited over the past several weeks, and this consultation requires additional time.

In this context, the movement of MST1 will be prioritised – to secure the tree in a temporary location while RAO consultation is ongoing. Transport Canberra and City Services (who manage the land containing MST1) will move the tree to a PCS depot; and ACT Heritage will liaise with both parties to ensure appropriate movement methods and storage location.

From: Gilbert, Euroka
Sent: Monday, 29 October 2018 4:17 PM
To: Russell, Meaghan
Subject: FW: Tree removal near Wanniasa Hills Primary School [SEC=UNCLASSIFIED]

It was decided that due to the public nature of these enquiries and the remote chance of success, that we move further down the path into recovery, storage and relocation.

From: Moore, FionaF
Sent: Tuesday, 25 September 2018 4:26 PM
To: Jones, CraigS <CraigS.Jones@act.gov.au>; Gilbert, Euroka <Euroka.Gilbert@act.gov.au>
Cc: OConnell, Jennifer <Jennifer.OConnell@act.gov.au>; Russell, Meaghan <Meaghan.Russell@act.gov.au>
Subject: RE: Tree removal near Wanniasa Hills Primary School [SEC=UNCLASSIFIED]

Hi Craig,

Further to my email below, Daniel Iglesias and I had a quick chat this afternoon and have agreed to a plan of what next.

Give me a call and I'll bring you up to speed on what we discussed.

Fiona Moore | Senior Manager, ACT Heritage & Secretary, ACT Heritage Council (Mon – Thurs)
Phone: +61 2 6205 9974 | Email: fionaf.moore@act.gov.au
ACT Heritage | Environment, Planning and Sustainable Development Directorate | ACT Government
Dame Pattie Menzies House, Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au



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From: Moore, FionaF
Sent: Tuesday, 25 September 2018 3:55 PM
To: Jones, CraigS <CraigS.Jones@act.gov.au>; Gilbert, Euroka <Euroka.Gilbert@act.gov.au>

Cc: OConnell, Jennifer <Jennifer.OConnell@act.gov.au>; Russell, Meaghan <Meaghan.Russell@act.gov.au>

Subject: RE: Tree removal near Wanniasa Hills Primary School [SEC=UNCLASSIFIED]

Hi Craig,

Apologies for my tardy reply I have been away [REDACTED].

Unfortunately the team is in the same boat as you, their workloads are overflowing at the moment due to the volume of statutory advice/approvals awaiting processing.

It might be worth us touching base when you're next in the office – to see if there are other ways we can progress it. Or perhaps give me a call?

We are receiving a number of ongoing enquiries from EPSDD Executives and the Minister's Office in relation to this tree (and the Spook Tree).

Regards,

Fiona Moore | Senior Manager, ACT Heritage & Secretary, ACT Heritage Council (Mon – Thurs)

Phone: +61 2 6205 9974 | Email: fionaf.moore@act.gov.au

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From: Jones, CraigS

Sent: Wednesday, 19 September 2018 1:02 PM

To: Moore, FionaF <FionaF.Moore@act.gov.au>; Gilbert, Euroka <Euroka.Gilbert@act.gov.au>

Cc: Russell, Meaghan <Meaghan.Russell@act.gov.au>; Nakkan, John <John.Nakkan@act.gov.au>; OConnell, Jennifer <Jennifer.OConnell@act.gov.au>

Subject: RE: Tree removal near Wanniasa Hills Primary School [SEC=UNCLASSIFIED]

Fiona and Euroka

My apologies for not getting back to you earlier. I have been busy on other matters and will not be able to get back to this investigation for some time.

The only outstanding investigation actions are speaking with the school and nearby property owners who may have witnessed what occurred. Is it possible for someone from your team to do this and let me know if these inquiries turn up any further leads.

Sorry and thanks

c

Craig Jones

Manager, Licensing and Compliance | Parks and Conservation

T 02 6207 1283 | [REDACTED] | F 02 6207 2544 | E craigs.jones@act.gov.au

Environment Division

Environment, Planning and Sustainable Development Directorate | ACT Government

500 Cotter Road, Weston Creek ACT 2611

<http://www.environment.act.gov.au/>



From: Jones, CraigS

Sent: Thursday, 30 August 2018 12:36 PM

To: Moore, FionaF <FionaF.Moore@act.gov.au>; Gilbert, Euroka <Euroka.Gilbert@act.gov.au>

Cc: Russell, Meaghan <Meaghan.Russell@act.gov.au>; Nakkan, John <John.Nakkan@act.gov.au>; OConnell, Jennifer <Jennifer.OConnell@act.gov.au>

Subject: FW: Tree removal near Wanniasa Hills Primary School [SEC=UNCLASSIFIED]

F & E

Please see advice from ACTPG below. In short

- They only deal with trees on sites they manage
- Any trees they contract to be removed are fully removed from site and stump ground

I don't think I've received a copy of the Access Canberra investigation report in relation to the Spook Tree; could someone please send me a copy as I want to speak with the contractor who removed that tree. Once I've done that, the only other steps are speaking with the school directly and the occupants of the nearby residential properties.

Thanks

c

Craig Jones

Manager, Licensing and Compliance | Parks and Conservation

T 02 6207 1283 | [REDACTED] F 02 6207 2544 | E craigs.jones@act.gov.au

Environment Division

Environment, Planning and Sustainable Development Directorate | ACT Government

500 Cotter Road, Weston Creek ACT 2611

<http://www.environment.act.gov.au/>



From: Sadler, Tony

Sent: Thursday, 30 August 2018 9:10 AM

To: Jones, CraigS <CraigS.Jones@act.gov.au>

Subject: RE: Tree removal near Wanniasa Hills Primary School [SEC=UNCLASSIFIED]

Hi Craig

How are you?

How long have you been with ACT Gov.?

As for the tree in question ACT Property Group only provide services within the boundaries of buildings we manage. As the tree in question is on public land I would say it would have been attended to through the fix my street unit.

There may have been a case lodged with Access Canberra, they may have a record of a complaint coming in from a member of the public.

As part of the tree is still present it is possible that it was not removed professionally as I know when we arrange tree removal it includes stump grinding.

The schools I believe organise their own tree maintenance. It may be worth asking who carried out the works at the school and contacting them they may have seen something if they were there in the same sort of time frame.

Sorry I couldn't be of more help.

Cheers

Tony Sadler **Property Officer | Portfolio Management Team | ACT Property Group | Chief Minister, Treasury & Economic Development Directorate | ACT Government**
PO Box 777 Fyshwick ACT 2609 | www.act.gov.au

Ph: + 61 6205 9096 | F: + 61 2 6213 0735 | E: tony.sadler@act.gov.au

"If you have any feedback for the ACT Property Group, please email actpgfeedback@act.gov.au"

From: Jones, CraigS
Sent: Wednesday, 29 August 2018 5:19 PM
To: Sadler, Tony <Tony.Sadler@act.gov.au>
Subject: Tree removal near Wanniasa Hills Primary School [SEC=UNCLASSIFIED]

Hi Tony

Long-time no-speak. Hope things are good with you and yours.

Are you able to give me a hand with an enquiry I'm dealing with at the moment? We received a complaint about a tree being removed from public land near Wanniasa Hills Primary School – there's an image showing the location below. I've had a look at the aerial imagery and it was cut down sometime between 31 Dec 2016 and 10 March 2017.

It was a large standing dead tree. Part of the trunk is still at the site but the rest is gone.

I have spoken with City Services and they don't know anything about it. I have also spoken with Fiona Moore from Dept. of Education. Fiona had some trees removed from in and around the school grounds around this time but not this one. She suggested that Property Group may have removed because of public safety concerns.

Does your team manage tree removals? If so, are you able to check if this one was taken down by one of your contractors?



Thanks for any help you can give me.

c

Craig Jones

Manager, Licensing and Compliance | Parks and Conservation

T 02 6207 1283 | [REDACTED] F 02 6207 2544 | E craigs.jones@act.gov.au

Environment Division

Environment, Planning and Sustainable Development Directorate | ACT Government

500 Cotter Road, Weston Creek ACT 2611

<http://www.environment.act.gov.au/>



ACT
Government



From: [Russell, Meaghan](#)
To: [Moore, FionaF](#)
Subject: Wanniasa scarred tree - MST4 - Phone call to [REDACTED] requested
Date: Monday, 29 October 2018 5:19:36 PM
Attachments: [image001.png](#)
[image002.png](#)

Hello Fiona,

Ian has this afternoon requested that ACT Heritage call [REDACTED] to discuss the MST4 tree at Wanniasa, following on from discussions today with the MO.

Can we discuss tomorrow, as you may be best placed to make this call, as senior manager and also being across the detail of the issue.

As an update on recent discussions:

- I have requested (through the HAS) a quote from Conservation Works, for [REDACTED] to inspect the tree and provide advice on its movement and placement at [REDACTED].
- I have been liaising with TCCS (Rachel Dawes and John Peri), PCS (Kristy Gould) and Gillian since last week on their availability for an on-site meeting to discuss logistics, and Thursday afternoon this week seems like it will suit all involved. I am just waiting on a confirmation from Gillian before confirming the time.
- I have also spoken to PCS Projects (Darren Le Roux) regarding the availability of the Outward Bound gantry, which will be in use from mid-November to January. If needed, we could access it before 13 November, however, if the tree is in good condition, we may be able to make the move only with a crane and padded flat-bed truck.

Also – [REDACTED] numbers are [REDACTED]

Cheers,

Meaghan

Meaghan Russell | Team Leader (Advice)

Phone: 13 22 81 | Email: meaghan.russell@act.gov.au

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Dame Pattie Menzies House 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601

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From: [Russell, Meaghan](#)
To: [Philip Leeson](#)
Subject: HAS quotation - Conservation Works - MST4 Aboriginal scarred tree
Date: Monday, 29 October 2018 4:01:00 PM
Attachments: [image001.png](#)
[image002.png](#)
Importance: High

Hello Philip,

As discussed last week, ACT Heritage needs to engage the services of a qualified materials conservator through the HAS – to provide advice on the movement of a felled Aboriginal scarred tree.

Can you please seek a quote from Conservation Works [REDACTED] for the following:

1. Attend a site visit with ACT Heritage – anticipated to require no more than two hours – to:
 - Inspect the scarred tree in its existing location in Wanniasa and evaluate its condition; and
 - Inspect the planned relocation site for the scarred tree, within the ACT Parks and Conservation Service [REDACTED].
2. Prepare a short report which:
 - Describes the current condition of the tree and identifies any constraints to its movement;
 - Provides a methodology for the movement of the tree, including vehicle and equipment requirements;
 - Makes recommendations for the protection of the tree for its interim placement within [REDACTED]; and
 - Identifies any longer term conservation actions that may be required to maintain and conserve the tree.

Please note that – subject to [REDACTED] – we would like to confirm the site visit for Thursday 25 October, so it would be appreciated if you could seek a quote as soon as possible.

For [REDACTED] reference, I have the following background:

- An Aboriginal scarred tree recorded as ‘MST4’ was formerly standing within Block 6 Section 253 Wanniasa, in open space located to the west of the Wanniasa Primary School.
- On 19 July 2018, ACT Heritage was notified of damage to the MST4 Aboriginal scarred tree, and undertook an immediate inspection – which identified that the tree trunk had been felled with a chainsaw, which cut through the base of the cultural scar. Upper tree branches were also cut and removed from the site.
- The matter was then referred to the Environment’s Compliance team for investigation.
- This investigation has not identified the responsible party, however, review of aerial photos identifies that the tree was cut down between December 2016 and March 2017.
- Concurrent to the investigation, ACT Heritage has commenced consultation with Representative Aboriginal Organisations on the future of the felled scarred tree; which will determine its long term management.
- As an interim measures, the scarred tree is to be moved to a secure location within the [REDACTED] [REDACTED].
- TCCS manage the land in which the scarred tree stood, and will provide the necessary personnel and equipment for tree relocation. Note that the gantry recently constructed for movement of the Outward Bound scarred tree is available and can be used for the movement of MST4, subject to confirmation of a date.

Please note that the above is sensitive information and should not be shared with third parties or made publically available.

Please give me a call if you have any questions at this stage.

Regards,

Meaghan

Meaghan Russell | Team Leader (Advice)

Phone: 13 22 81 | Email: meaghan.russell@act.gov.au

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Dame Pattie Menzies House 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601

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From: [EPD Ministerials - Environment](#)
To: [Moore, FionaF](#); [Russell, Meaghan](#)
Cc: [EPD Ministerials - Environment](#); [Walker, IanS](#)
Subject: FW: 18/31395 - DLO Request - Aboriginal cultural tree - [REDACTED] [DLM=For-Official-Use-Only]
Date: Monday, 29 October 2018 2:32:48 PM

Hi Meaghan

Shobaz has asked if the office can be told as a matter of priority as soon as the tree has been taken to storage.

Thanks

Rachael

From: EPSDD DLO
Sent: Monday, 29 October 2018 2:19 PM
To: EPD Ministerials - Environment <EPDMinisterials-Environment@act.gov.au>
Cc: Walker, IanS <IanS.Walker@act.gov.au>
Subject: RE: 18/31395 - DLO Request - Aboriginal cultural tree - [REDACTED] [DLM=For-Official-Use-Only]

Hi Rachael

Shobaz has asked if the office can be told as a matter of priority as soon as the tree has been taken to storage.

Thanks

Erica

From: EPD Ministerials - Environment
Sent: Tuesday, 23 October 2018 9:11 AM
To: EPSDD DLO <EPSDDLO@act.gov.au>
Cc: EPSD Government Services <EPSDGovernmentServices@act.gov.au>; EPD Ministerials - Environment <EPDMinisterials-Environment@act.gov.au>; Ives, Kieran <Kieran.Ives@act.gov.au>; Marcantonio, Laura <Laura.Marcantonio@act.gov.au>
Subject: FW: 18/31395 - DLO Request - Aboriginal cultural tree - [REDACTED] [DLM=For-Official-Use-Only]

Good morning Erica

Please see attached response cleared by Ian.

Thanks

Rachael

From: Walker, IanS
Sent: Tuesday, 23 October 2018 8:53 AM
To: EPD Ministerials - Environment <EPDMinisterials-Environment@act.gov.au>
Subject: FW: 18/31395 - DLO Request - Aboriginal cultural tree - [REDACTED] [DLM=For-Official-Use-Only]

Please progress Rachael – thanks

Ian Walker

Executive Director, Environment

Phone: +61 6205 9027 | Email: IanS.Walker@act.gov.au

Environment, Planning and Sustainable Development Directorate | ACT Government

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 260

www.environment.act.gov.au

We acknowledge and celebrate the Ngunnawal peoples whose traditional lands we work on and pay our respect to elders past and present

From: EPSDD DLO

Sent: Friday, 19 October 2018 3:55 PM

To: EPD Ministerials - Environment <EPDMinisterials-Environment@act.gov.au>

Subject: 18/31395 - DLO Request - Aboriginal cultural tree - [REDACTED] [DLM=For-Official-Use-Only]

Hi

Can we please request an urgent follow up/advice back to the office on the above issue – I've attached a link with the earlier corro as well.

The Objective file is attached with a template for response. This needs to be cleared at ED level with the approval email saved to the file.

Please also cc Government Services, Kieran Ives and Laura Marcantonio when sending the response through to me.

Thanks

Erica

Chief Minister Andrew Barr - City Renewal Authority

Minister Yvette Berry - Minister for Housing and Suburban Development/Suburban Land Agency

Minister Shane Rattenbury – Climate Change and Sustainability

Minister Rachel Stephen-Smith – Urban Renewal/Employment and Workplace Safety

From: [Gould, Kristy](#)
To: [Russell, Meaghan](#)
Cc: [Liosatos, Nick](#); [Tozer, Simon](#)
Subject: RE: Wanniasa scarred tree discussion - availability [SEC=UNCLASSIFIED]
Date: Monday, 29 October 2018 7:47:05 AM
Attachments: [image001.png](#)
[image002.png](#)

Hi Meaghan

Today or Thursday would be good. I have cced Nick and Simon into this email. You can organise it directly with them.

Thanks

Kristy

From: Russell, Meaghan
Sent: Friday, 26 October 2018 3:53 PM
To: Gould, Kristy <Kristy.Gould@act.gov.au>
Subject: Wanniasa scarred tree discussion - availability [SEC=UNCLASSIFIED]

Hi Kristy,

I am currently organising a site visit to Wanniasa and the [REDACTED] with a materials conservator, who will provide advice on how to best move and store the felled scarred tree. Is there an afternoon next week you (or another from your team) would be available to show us the planned location within the depot, and to discuss logistics?

[REDACTED] can meet on-site at Wanniasa (actual tree location) most days at 2pm, so I expect that we would be at the [REDACTED] by 3pm on the selected day.

I have also been chasing Rachel Dawes this week on their involvement without much luck – has she contacted you to discuss?

Cheers,

Meaghan

Meaghan Russell | Team Leader (Advice)

Phone: 13 22 81 | Email: meaghan.russell@act.gov.au

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From: [Gilbert, Euroka](#)
To: [Russell, Meaghan](#)
Subject: Wally. [DLM=Sensitive]
Date: Tuesday, 30 October 2018 4:33:00 PM
Attachments: [image001.png](#)

Wall called me back!!!

I discussed the below with him:

[Redacted]

Wanniassa Scar Tree (MST4) investigation has been conducted by Environment, and no one has claimed responsibility. As you can imagine Wally is not impressed that there is no one to be held accountable.

Discussed the move to a safe location, but also advised that we are awaiting Craigs investigation report, before informing everyone.

[Redacted]

If further information is required please don't hesitate to contact me.

Cheers

Mr. Euroka Gilbert | Aboriginal Liaison Officer
Phone 02 6207 5724 | Email: euroka.gilbert@act.gov.au

ACT Heritage | Environment, Planning and Sustainable Development Directorate | ACT Government

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au



I acknowledge the Traditional Custodians of the ACT and region, their continuing connection to land and community. I pay my respect to them and their culture, and to the Elders past, present and future.

From: [Russell Meagher](#)
To: [REDACTED]
Cc: [Gilbert, Euroka](#)
Subject: MST4 scarred tree inspection - Billson Place, Wanniasa [SEC=UNCLASSIFIED]
Date: Wednesday, 31 October 2018 2:38:00 PM
Attachments: [image001.png](#)
[image002.png](#)
[2004 MST4 Scarred Tree Recording.pdf](#)
[MST4 location map.pdf](#)

Hello [REDACTED]

It was good to speak with you earlier, and as discussed, the HAS (through Philip Leeson) will request a formal quote from you for the following:

1. Attend a site visit with ACT Heritage – anticipated to require no more than two hours – to:
 - Inspect the scarred tree in its existing location in Wanniasa and evaluate its condition; and
 - Inspect the planned relocation site for the scarred tree, within the ACT [REDACTED]
2. Prepare a short report which:
 - Describes the current condition of the tree and identifies any constraints to its movement;
 - Provides a methodology for the movement of the tree, including vehicle and equipment requirements;
 - Makes recommendations for the protection of the tree for its interim placement within [REDACTED]; and
 - Identifies any longer term conservation actions that may be required to maintain and conserve the tree.

To expand on the background we discussed earlier:

- An Aboriginal scarred tree recorded as 'MST4' was formerly standing within Block 6 Section 253 Wanniasa, in open space located to the west of the Wanniasa Primary School. Our records on the tree are limited – but please see the attached 2010 description by a University student.
- On 19 July 2018, ACT Heritage was notified of damage to the MST4 Aboriginal scarred tree, and undertook an immediate inspection – which identified that the tree trunk had been felled with a chainsaw, which cut through the base of the cultural scar. Upper tree branches were also cut and removed from the site.
- The matter was then referred to the Environment's Compliance team for investigation.
- This investigation has not identified the responsible party, however, review of aerial photos identifies that the tree was cut down between December 2016 and March 2017.
- Concurrent to the investigation, ACT Heritage has commenced consultation with Representative Aboriginal Organisations on the future of the felled scarred tree; which will determine its long term management.
- As an interim measures, the scarred tree is to be moved to a secure location within [REDACTED]
- TCCS manage the land in which the scarred tree stood, and will provide the necessary personnel and equipment for tree relocation. Note that the gantry recently constructed for movement of the Outward Bound scarred tree is available until 13 November, and could be used if necessary for the movement of MST4, subject to confirmation by the PCS Projects team.

**Please note that the above is sensitive information and should not be shared with third parties*

or made publically available.*

I have also attached a map of the current location of the tree – which is west of the Wanniasa Primary School, and directly south of the Billson Place car parking area.

Please give me a call if you have any questions ahead of the site visit.

Regards,

Meaghan

Meaghan Russell | Team Leader (Advice)

Phone: 13 22 81 | Email: meaghan.russell@act.gov.au

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Conservation Management Plan for Murumbeeja Scarred Trees
By Ellen Schwab, 2004



Figure 1: Map of Wanniasa, ACT, showing numerical matches to the Murumbeeja Scarred Trees dealt with in this assessment (ACT Parks and Conservation Service, 1992).

1.2 Ownership

The trees are all located on ACT Government property, i.e. in parklands, sporting grounds etc.

1.3 Heritage listings

The Murumbeeja Scarred Red Gums are all listed on the Register of the National Estate and on the ACT Heritage Places Register (Australian Heritage Database, n.d.). They were registered on the Register of the National Estate on the 24th June, 1997.

2.0 Background

2.1 Description of the site

2.1.1 Type of Site

The Murumbeeja Scarred Trees are Blakely's Red Gums (*Eucalyptus blakelyi*). The trees are all over 150 years old and they are representative of the utilisation of Blakely's Red Gum by the Ngunnawal people, who were the original inhabitants of the Canberra region (ACT Government, 2001).

2.1.2 Features of the sites

As each tree differs in terms of appearance and features, each tree will now be dealt with individually.

Murumbeeja Scarred Red Gum No 3

This tree has two scars; one is approximately 1200mm x 250mm and 210mm above the base of the tree, when viewed from south-west (see figure 2). The second scar is 90mm x 350mm and is located on the north side of the tree (Australian Heritage Council, n.d.). There is extensive callus growth on the scar.



Figure 2: 1200mm x 250mm scar (Photo by the author).

Murumbeeja Scarred Red Gum No 4

This tree has a medium sized scar on the underside of the trunk, the size of which indicates it was probably used for a canoe (see figure 3). There are other small scars on the topside of the trunk, these were probably used as small bowls or coolamons (see figure 4).



Figure 3 (left): Medium Sized Scar on Murumbeeja Scar Tree No 4 (photo by the author).



Figure 4 (right): Smaller scars on Murumbeeja Scarred Tree No. 4 (photo by author).

From: [Gilbert, Euroka](#)
To: [Wally Bell](#)
Cc: [Russell, Meaghan](#); [Moore, Fiona](#)
Subject: RE: Scar Tree Removal [SEC=UNCLASSIFIED]
Date: Monday, 5 November 2018 2:53:13 PM
Attachments: [image001.png](#)
[image002.png](#)

Hi Wally.

As discussed.

The two trees mentioned by [REDACTED] are the two trees that I have discussed with you previously.

Spook Tree (Wanniassa Hills Primary School) and the second tree is located in the Urban Open Space next to the school.

The one in open space will be made safe at [REDACTED], for storage prior to a Return to Country. Some options for the return are Wanniassa Hills Nature Reserve, Mt Taylor Nature Reserve or Catherine Park (Molonglo River Corridor).

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

If further information is required please don't hesitate to contact me.

Cheers

Mr. Euroka Gilbert | Aboriginal Liaison Officer
Phone 02 6207 5724 | Email: euroka.gilbert@act.gov.au

ACT Heritage | Environment, Planning and Sustainable Development Directorate | ACT Government

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au



I acknowledge the Traditional Custodians of the ACT and region, their continuing connection to land and community. I pay my respect to them and their culture, and to the Elders past, present and future.

From: Wally Bell [REDACTED]
Sent: Monday, 5 November 2018 1:14 PM
To: Gilbert, Euroka <Euroka.Gilbert@act.gov.au>; Russell, Meaghan <Meaghan.Russell@act.gov.au>
Subject: Scar Tree Removal

Hi Euroka/Meaghan,

I have received documentation from [REDACTED] from the Canberra & District Historical Society in which he informs me that two Heritage listed trees have been removed. The trees are MSYB1 and MSTB1.

[REDACTED] has written to the Minister about this matter. I was wondering if you were also aware of the removal of both trees.

I await your advice on this matter before I also write to the Minister.

Cheers,

Wally Bell



Traditional Custodian Group

PO Box 255 Kippax ACT 2615

Mb: [REDACTED]

www.buru-ngunawal.com

From: [Russell, Meaghan](#)
To: [REDACTED]
Subject: MST4 Aboriginal scarred tree - Wanniasa - Conservator input [SEC=UNCLASSIFIED]
Date: Monday, 12 November 2018 2:11:00 PM

High

Importance:

Hi [REDACTED]

Following on from the 1 November site visit to Wanniasa, can you please provide a short report summarising your advice on the condition of the tree, its movement to [REDACTED] and any immediate conservation actions that may be required.

This is needed to confirm verbal input on the day and to inform its move, which we aim to complete as soon as possible.

Regards,
Meaghan

Meaghan Russell | Manager (Approvals and Advice)

Phone: 13 22 81 | Email: meaghan.russell@act.gov.au

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www.environment.act.gov.au



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From: [REDACTED]
To: [Russell, Meaghan](#)
Subject: Re: MST4 Aboriginal scarred tree - Wanniasa - Conservator input [SEC=UNCLASSIFIED]
Date: Tuesday, 13 November 2018 1:25:42 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[2018 Wanniasa Scar Tree.pdf](#)

Hi Meaghan,

Please find the report attached.

Let me know if you have any questions.

Could you also let me know who to invoice for this work please.

Thanks

[REDACTED]

On 12/11/2018 2:11 PM, Russell, Meaghan wrote:

Hi [REDACTED],

Following on from the 1 November site visit to Wanniasa, can you please provide a short report summarising your advice on the condition of the tree, its movement to [REDACTED] and any immediate conservation actions that may be required.

This is needed to confirm verbal input on the day and to inform its move, which we aim to complete as soon as possible.

Regards,

Meaghan

Meaghan Russell | Manager (Approvals and Advice)

Phone: 13 22 81 | Email: meaghan.russell@act.gov.au

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Conservation Works Pty Ltd

Address: PO Box 419, Hall, ACT, 2618 || Mobile: 0413 861 450

Please remember I can be hard to catch on the phone due to very poor reception at home.

I check email everyday so it is the best way to get a message to me.

If it is urgent and you can't get me on the phone, text messages often come through even when I can't make calls.

Thanks for your understanding!

MINUTES OF ACT HERITAGE COUNCIL MEETING 94 15 November 2018

- Ms Moore explained that an Aboriginal scarred tree in Wanniasa was removed. This tree was located outside the Wanniasa Primary School. Ms Russell advised that the matter was referred to the Environment Division's Compliance team to undertake a formal investigation. This investigation process identified that the tree in question was removed sometime between December 2016 and March 2017, but did not identify the responsible party. The matter was first reported to ACT Heritage in July 2018, and ACT Heritage has commenced discussions with RAOs about the long term management of the tree, which is to be moved from its current site to the Parks and Conservation Service (PCS) depot in [REDACTED] for safe keeping until RAOs make decisions on preferred management; and

[REDACTED]

Council expressed its concern with the number of Aboriginal scarred trees being damaged or removed and the need for public education about cultural trees in urban settings and the historical importance of the planned landscape.

3.3 Conservator's Report – Ms McKeown

Council noted the Conservator's Report.

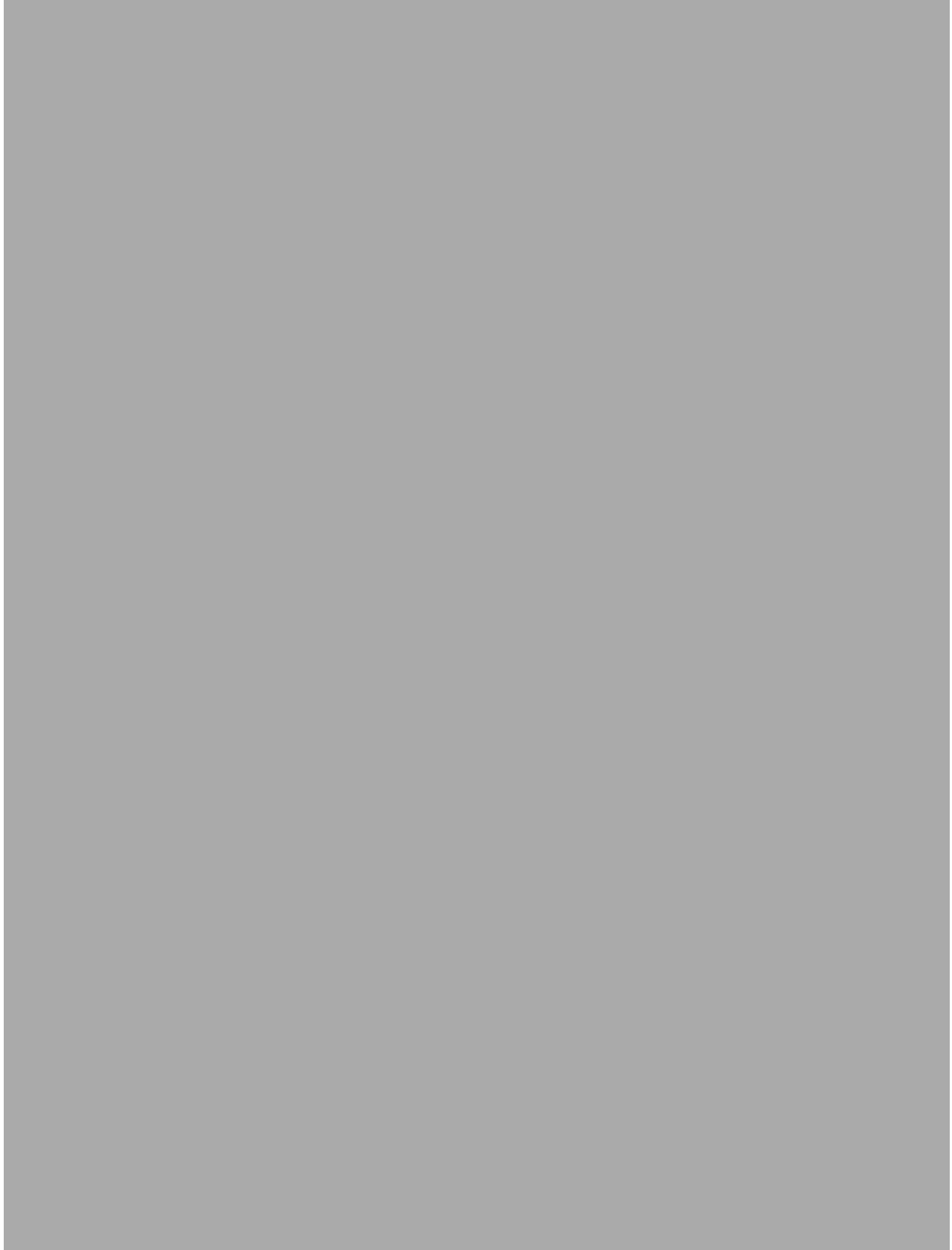
[REDACTED]

**MINUTES OF ACT HERITAGE COUNCIL MEETING 94
15 November 2018**

4.0 REGISTER ISSUES

**4.1 Minutes of Register Taskforce – Ms
Lulic**

Council noted the agenda paper.



From: [Russell, Meaghan](#)
To: [Gilbert, Euroka](#)
Subject: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]
Date: Friday, 16 November 2018 10:00:00 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[20181113 - MST4 Wanniasa Scarred Tree - Conservator Report.pdf](#)

Hi Euroka – can you pls review the below – anything else you want to add before I send to all involved?

Hello all,

Following the 1 November on site meeting, ACT Heritage has received the attached conservator's report on the condition of the Aboriginal scarred tree in question (recorded as 'MST4') and its movement to [REDACTED]. Informed by this report, and the earlier compliance review, ACT Heritage provides the following advice on the movement and temporary storage of the cultural tree.

Physical movement of cultural tree components

- The cultural scar occurs on both the felled trunk and the cut stump, and therefore both components are to be moved to [REDACTED].
- The first component to be moved must be the felled trunk, which should be moved in the following manner:
 - Prior to the move, the cut on the top third of the trunk should be packed with plywood, which should be cut to the width of the sawcut.
 - A steel spreader bar and at least five nylon straps should be used to lift and move the trunk. Foam – such as cut firm yoga mats – should be used to cushion strap locations where they make contact with the trunk.
 - A flat bed truck should be used for transport, and the bed should be cushioned – such as with second hand mattresses – prior to placement of the trunk.
 - Once placed on the truck, straps should be used to hold the trunk down – again using foam matting to cushion locations where they make contact with the trunk.
- The second component to be moved is the stump, which should be moved in the following manner:
 - Prior to works, a cover – such as foam matting/blanket and tarp – should be placed over the scar location to protect it during works.
 - At two metres from its outer edge, mechanical excavation and hand digging should be used to excavate the stump, cutting rather than snapping roots – taking care to not damage the scar area.
 - Once free, the stump should be lifted with nylon straps, with foam used to cushion strap locations where they make contact with the stump (not needed for the roots).
 - A flat bed truck should be used for transport, with the stump cushioned with second hand mattresses or similar. Straps should be used to hold the stump down – again using foam matting to cushion locations where they make contact with the trunk.

Temporary storage [REDACTED]

- Prior to placement of the trunk and stump, the area should be prepared by clearing leaf litter and placing treated pine sleepers or similar on the ground where the trunk and

stump will be placed.

- The trunk and stump should be placed with care on the prepared sleepers to ensure no damage. Straps and cushioning should be removed once components have been placed.
- Following their placement, a tent or tarp structure should be erected over both components to protect from rain – but not to constrain air flow. No part of the tent/tarp is to touch the timber surfaces.

Should you have any questions on the above, please give me a call to discuss.

Once a date has been selected, please also notify ACT Heritage of the details – as we will be on site for the duration of the movement process.

Regards,
Meaghan

Meaghan Russell | Manager (Approvals and Advice)

Phone: 13 22 81 | Email: meaghan.russell@act.gov.au

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From: [Gould, Kristy](#)
To: [Russell, Meaghan](#); [Dawes, Rachael](#)
Cc: [Moore, FionaF](#)
Subject: RE: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]
Date: Friday, 23 November 2018 11:14:36 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)

Thanks Meaghan

I'll talk to the gang and see what they think. I'll give you a call early next week to finalise operations.

Kristy

From: Russell, Meaghan
Sent: Friday, 23 November 2018 10:23 AM
To: Gould, Kristy <Kristy.Gould@act.gov.au>; Dawes, Rachael <Rachael.Dawes@act.gov.au>
Cc: Moore, FionaF <FionaF.Moore@act.gov.au>
Subject: RE: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi Kristy,

Many thanks for the email and the update – I will follow up with TCCS who is to organise the movement itself.

On the stump question, the cultural scar goes to ground level, so ACT Heritage would not support an approach of cutting at ground level as this could directly damage the remaining cultural scar.

[REDACTED] has recommended around the stump at a 2m distance – what level of damage would this have on the health and viability of adjacent trees? If, for example, cutting at 2m would damage the health of other registered trees, happy to discuss in further detail.

Regards,

Meaghan

Meaghan Russell | Manager (Approvals and Advice)

Phone: 13 22 81 | Email: meaghan.russell@act.gov.au

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From: Gould, Kristy

Sent: Friday, 23 November 2018 8:29 AM

To: Russell, Meaghan <Meaghan.Russell@act.gov.au>; Dawes, Rachael <Rachael.Dawes@act.gov.au>

Cc: Moore, FionaF <FionaF.Moore@act.gov.au>

Subject: RE: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi Meaghan

I haven't heard anything about the timing of the movement.

After inspecting the site we inquired (to Euroka) about the possibility of cutting off the stump at

ground level rather than excavating due to damage to the roots of surrounding trees. We haven't heard back yet. Can you please let us know if Heritage be happy with this approach? If so we can get this work underway.

Thanks

Kristy Gould

Area Manager – Urban Reserves South

Environment Planning and Sustainable Development Directorate | Parks and Conservation

GPO Box 158, CANBERRA ACT 2601

P:02 6207 5980 | [REDACTED]

E: kristy.gould@act.gov.au

From: Russell, Meaghan

Sent: Thursday, 22 November 2018 4:39 PM

To: Dawes, Rachael <Rachael.Dawes@act.gov.au>; Gould, Kristy <Kristy.Gould@act.gov.au>

Cc: Moore, FionaF <FionaF.Moore@act.gov.au>

Subject: FW: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Importance: High

Hi Rachel and Kristy,

Do you have any updates on the planned movement of the Wanniasa scarred tree to [REDACTED]?

The matter is relatively high profile, and the MO has requested a notification of its movement as soon as it has been completed.

If you have any questions on the advice provided below, please give me a call to discuss.

Regards,

Meaghan

Meaghan Russell | Manager (Approvals and Advice)

Phone: 13 22 81 | Email: meaghan.russell@act.gov.au

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From: Russell, Meaghan

Sent: Friday, 16 November 2018 10:44 AM

To: Dawes, Rachael <Rachael.Dawes@act.gov.au>; Liosatos, Nick <Nick.Liosatos@act.gov.au>;

Taylor, Lachlan <Lachlan.Taylor@act.gov.au>; Peri, John <John.Peri@act.gov.au>; Gould, Kristy

<Kristy.Gould@act.gov.au>; Tozer, Simon <Simon.Tozer@act.gov.au>

Cc: Gilbert, Euroka <Euroka.Gilbert@act.gov.au>; Moore, FionaF <FionaF.Moore@act.gov.au>

Subject: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hello all,

Following the 1 November on site meeting, ACT Heritage has received the attached conservator's report on the condition of the Aboriginal scarred tree in question (recorded as 'MST4') and its movement to the [REDACTED]. Informed by this report, and the earlier compliance review, ACT Heritage provides the following advice on the movement and temporary storage of the cultural tree.

Physical movement of cultural tree components

- The cultural scar occurs on both the felled trunk and the cut stump, and therefore both components are to be moved to the [REDACTED].
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 - Once free, the stump should be lifted with nylon straps, with foam used to cushion strap locations where they make contact with the stump (not needed for the roots).
 - A flat bed truck should be used for transport, with the stump cushioned with second hand mattresses or similar. Straps should be used to hold the stump down – again using foam matting to cushion locations where they make contact with the trunk.

Temporary storage at [REDACTED]

- Prior to placement of the trunk and stump, the area should be prepared by clearing leaf litter and placing treated pine sleepers or similar on the ground where the trunk and stump will be placed.
- The trunk and stump should be placed with care on the prepared sleepers to ensure no damage. Straps and cushioning should be removed once components have been placed.
- Following their placement, a tent or tarp structure should be erected over both components to protect from rain – but not to constrain air flow. No part of the tent/tarp is to touch the timber surfaces.

Should you have any questions on the above, please give me a call to discuss.

Once a date has been selected, please also notify ACT Heritage of the details – as we will be on site for the duration of the movement process.

Regards,
Meaghan

Meaghan Russell | Manager (Approvals and Advice)

Phone: 13 22 81 | Email: meaghan.russell@act.gov.au

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From: [Russell, Meaghan](#)
To: [Moore, FionaF](#)
Subject: FW: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]
Date: Tuesday, 27 November 2018 2:29:00 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)

FYI – as an update on moving the MST4 Wanniasa scarred tree.

TCCS can use the [REDACTED] backhoe, but have no flat bed truck, spreader bar, slings and packing materials (plywood, foam mats, mattresses etc). I have asked PCS Projects for advice on the availability of the Outward Bound gantry and slings, and padding materials used for that move, but the rest may require some purchase of materials and equipment hire.

FYI if there are follow on discussions about budgets....

Cheers,

Meaghan

Meaghan Russell | Manager (Approvals and Advice)

Phone: 13 22 81 | Email: meaghan.russell@act.gov.au

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From: Russell, Meaghan

Sent: Tuesday, 27 November 2018 2:15 PM

To: Clement, SophieJ <SophieJ.Clement@act.gov.au>

Subject: FW: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi Sophie,

ACT Heritage is liaising with TCCS and PCS [REDACTED] regarding the movement of a felled Aboriginal scarred tree at Wanniasa.

TCCS is to undertake the physical move, but they do not have a steel spreader bar and straps for the lifting of the cultural tree. Can you advise whether the gantry and slings built for the Outward Bound project would be available in the coming days or weeks? And are any of the padding materials used for Outward Bound available for reuse?

Many thanks in advance....

Meaghan

Meaghan Russell | Manager (Approvals and Advice)

Phone: 13 22 81 | Email: meaghan.russell@act.gov.au

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From: Peri, John

Sent: Tuesday, 27 November 2018 9:44 AM

To: Taylor, Lachlan <Lachlan.Taylor@act.gov.au>; Olsson, Kevin <Kevin.Olsson@act.gov.au>; Liosatos, Nick <Nick.Liosatos@act.gov.au>; Gould, Kristy <Kristy.Gould@act.gov.au>

Cc: Close, Nicole <Nicole.Close@act.gov.au>; Russell, Meaghan <Meaghan.Russell@act.gov.au>

Subject: RE: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi all

I met with my crane truck operator that collects the trunks and we discussed the relocation methods and have some points from our meeting below.

Yes we can remove the scar tree before Christmas however we probably need to meet on site with the [REDACTED] team to properly coordinate?

With the physical removal of trunk and stump/root plate there is a need to discuss a few points re compliance conditions, as an example we don't currently have some of the items recommended and below is a list of the material/task required to undertake the relocation for discussion?

Like who will provide;

- the plywood for packing,
- spreader bar not currently used with our crane truck operation? Contractor could source spreader bar at extra cost
- foam to cushion straps
- flatbed truck as our crane tuck has high sides and they can't be removed
- second hand mattress
- foam matting blanket
- mechanical excavator

I understand that all of the above can be sourced however we need to discuss who will provide and/or purchase?

Kind regards,

John Peri | Supervisor - South Tree Operations |

Phone 62071878 | Fax 62072401 | Email john.peri@act.gov.au

Urban Treescapescapes | Transport Canberra and City Services Directorate | ACT Government

Kambah Depot O'Halloran Circuit Kambah ACT 2902 | GPO Box 158 Canberra ACT 2601 |

www.act.gov.au

From: Taylor, Lachlan

Sent: Friday, 23 November 2018 11:04 AM

To: Peri, John <John.Peri@act.gov.au>; Olsson, Kevin <Kevin.Olsson@act.gov.au>

Cc: Gould, Kristy <Kristy.Gould@act.gov.au>

Subject: FW: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi Guys,

Can you please move this log before the Christmas shutdown, pending crane truck availability?

Kind regards,

Lachlan Taylor | A/g Operations Manager - Urban Treescapes

Phone 02 6207 7852 | [REDACTED] | Email lachlan.taylor@act.gov.au

City Presentation | Transport Canberra and City Services Directorate | ACT Government

Level 2, 490 Northbourne Avenue, Dickson ACT 2602 | GPO Box 158 Canberra ACT 2601 | www.act.gov.au

From: Dawes, Rachael

Sent: Thursday, 22 November 2018 5:06 PM

To: Taylor, Lachlan <Lachlan.Taylor@act.gov.au>

Subject: Fwd: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Where are we at? Can you please check in with John .

Thanks

Rach

Sent from my iPhone

Begin forwarded message:

From: "Russell, Meaghan" <Meaghan.Russell@act.gov.au>

To: "Dawes, Rachael" <Rachael.Dawes@act.gov.au>, "Gould, Kristy" <Kristy.Gould@act.gov.au>

Cc: "Moore, FionaF" <FionaF.Moore@act.gov.au>

Subject: FW: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi Rachel and Kristy,

Do you have any updates on the planned movement of the Wanniasa scarred tree to [REDACTED] ?

The matter is relatively high profile, and the MO has requested a notification of its movement as soon as it has been completed.

If you have any questions on the advice provided below, please give me a call to discuss.

Regards,

Meaghan

Meaghan Russell | Manager (Approvals and Advice)

Phone: 13 22 81 | Email: meaghan.russell@act.gov.au

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From: Russell, Meaghan

Sent: Friday, 16 November 2018 10:44 AM

To: Dawes, Rachael <Rachael.Dawes@act.gov.au>; Liosatos, Nick

<Nick.Liosatos@act.gov.au>; Taylor, Lachlan <Lachlan.Taylor@act.gov.au>; Peri,

John <John.Peri@act.gov.au>; Gould, Kristy <Kristy.Gould@act.gov.au>; Tozer, Simon <Simon.Tozer@act.gov.au>

Cc: Gilbert, Euroka <Euroka.Gilbert@act.gov.au>; Moore, FionaF <FionaF.Moore@act.gov.au>

Subject: MST4 Aboriginal scarred tree - movement to [REDACTED]

[SEC=UNCLASSIFIED]

Hello all,

Following the 1 November on site meeting, ACT Heritage has received the attached conservator's report on the condition of the Aboriginal scarred tree in question (recorded as 'MST4') and its movement to the [REDACTED]. Informed by this report, and the earlier compliance review, ACT Heritage provides the following advice on the movement and temporary storage of the cultural tree.

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 - At two metres from its outer edge, mechanical excavation and hand digging should be used to excavate the stump, cutting rather than snapping roots – taking care to not damage the scar area.
 - Once free, the stump should be lifted with nylon straps, with foam used to cushion strap locations where they make contact with the stump (not needed for the roots).
 - A flat bed truck should be used for transport, with the stump cushioned with second hand mattresses or similar. Straps should be used to hold the stump down – again using foam matting to cushion locations where they make contact with the trunk.

Temporary storage at [REDACTED]

- Prior to placement of the trunk and stump, the area should be prepared by clearing leaf litter and placing treated pine sleepers or similar on the ground where the trunk and stump will be placed.

- The trunk and stump should be placed with care on the prepared sleepers to ensure no damage. Straps and cushioning should be removed once components have been placed.
- Following their placement, a tent or tarp structure should be erected over both components to protect from rain – but not to constrain air flow. No part of the tent/tarp is to touch the timber surfaces.

Should you have any questions on the above, please give me a call to discuss.

Once a date has been selected, please also notify ACT Heritage of the details – as we will be on site for the duration of the movement process.

Regards,

Meaghan

Meaghan Russell | Manager (Approvals and Advice)

Phone: 13 22 81 | Email: meaghan.russell@act.gov.au

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From: [Clement, SophieJ](#)
To: [Davis, Anthony](#); [Le Roux, Darren](#)
Cc: [Russell, Meaghan](#)
Subject: FW: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]
Date: Tuesday, 27 November 2018 5:17:54 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)

Hi Anthony and Darren,
 Are you able to advise where the gantry and associated slings etc are currently held?
 We should see how we can assist heritage and TCCS with use of this equipment.
 Thanks,
 Sophie
 x74857

From: Russell, Meaghan
Sent: Tuesday, 27 November 2018 2:15 PM
To: Clement, SophieJ <SophieJ.Clement@act.gov.au>
Subject: FW: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi Sophie,
 ACT Heritage is liaising with TCCS and PCS ([REDACTED]) regarding the movement of a felled Aboriginal scarred tree at Wanniasa.
 TCCS is to undertake the physical move, but they do not have a steel spreader bar and straps for the lifting of the cultural tree. Can you advise whether the gantry and slings built for the Outward Bound project would be available in the coming days or weeks? And are any of the padding materials used for Outward Bound available for reuse?
 Many thanks in advance....

Meaghan

Meaghan Russell | Manager (Approvals and Advice)

Phone: 13 22 81 | Email: meaghan.russell@act.gov.au

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From: Peri, John
Sent: Tuesday, 27 November 2018 9:44 AM
To: Taylor, Lachlan <Lachlan.Taylor@act.gov.au>; Olsson, Kevin <Kevin.Olsson@act.gov.au>; Liosatos, Nick <Nick.Liosatos@act.gov.au>; Gould, Kristy <Kristy.Gould@act.gov.au>
Cc: Close, Nicole <Nicole.Close@act.gov.au>; Russell, Meaghan <Meaghan.Russell@act.gov.au>
Subject: RE: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi all

I met with my crane truck operator that collects the trunks and we discussed the relocation methods and have some points from our meeting below.

Yes we can remove the scar tree before Christmas however we probably need to meet on

site with the [REDACTED] team to properly coordinate?

With the physical removal of trunk and stump/root plate there is a need to discuss a few points re compliance conditions, as an example we don't currently have some of the items recommended and below is a list of the material/task required to undertake the relocation for discussion?

Like who will provide;

- the plywood for packing,
- spreader bar not currently used with our crane truck operation? Contractor could source spreader bar at extra cost
- foam to cushion straps
- flatbed truck as our crane tuck has high sides and they can't be removed
- second hand mattress
- foam matting blanket
- mechanical excavator

I understand that all of the above can be sourced however we need to discuss who will provide and/or purchase?

Kind regards,

John Peri | Supervisor - South Tree Operations |

Phone 62071878 | Fax 62072401 | Email john.peri@act.gov.au

Urban Treescapes | Transport Canberra and City Services Directorate | ACT Government

Kambah Depot O'Halloran Circuit Kambah ACT 2902 | GPO Box 158 Canberra ACT 2601 | www.act.gov.au

From: Taylor, Lachlan

Sent: Friday, 23 November 2018 11:04 AM

To: Peri, John <John.Peri@act.gov.au>; Olsson, Kevin <Kevin.Olsson@act.gov.au>

Cc: Gould, Kristy <Kristy.Gould@act.gov.au>

Subject: FW: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi Guys,

Can you please move this log before the Christmas shutdown, pending crane truck availability?

Kind regards,

Lachlan Taylor | A/g Operations Manager - Urban Treescapes

Phone 02 6207 7852 | [REDACTED] | Email lachlan.taylor@act.gov.au

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Level 2, 490 Northbourne Avenue, Dickson ACT 2602 | GPO Box 158 Canberra ACT 2601 | www.act.gov.au

From: Dawes, Rachael

Sent: Thursday, 22 November 2018 5:06 PM

To: Taylor, Lachlan <Lachlan.Taylor@act.gov.au>

Subject: Fwd: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Where are we at? Can you please check in with John .

Thanks

Rach

Sent from my iPhone

Begin forwarded message:

From: "Russell, Meaghan" <Meaghan.Russell@act.gov.au>

To: "Dawes, Rachael" <Rachael.Dawes@act.gov.au>, "Gould, Kristy" <Kristy.Gould@act.gov.au>
Cc: "Moore, FionaF" <FionaF.Moore@act.gov.au>
Subject: FW: MST4 Aboriginal scarred tree - movement to [REDACTED]
[SEC=UNCLASSIFIED]

Hi Rachel and Kristy,

Do you have any updates on the planned movement of the Wanniasa scarred tree to [REDACTED]?

The matter is relatively high profile, and the MO has requested a notification of its movement as soon as it has been completed.

If you have any questions on the advice provided below, please give me a call to discuss.

Regards,
 Meaghan

Meaghan Russell | Manager (Approvals and Advice)

Phone: 13 22 81 | Email: meaghan.russell@act.gov.au

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From: Russell, Meaghan

Sent: Friday, 16 November 2018 10:44 AM

To: Dawes, Rachael <Rachael.Dawes@act.gov.au>; Liosatos, Nick <Nick.Liosatos@act.gov.au>; Taylor, Lachlan <Lachlan.Taylor@act.gov.au>; Peri, John <John.Peri@act.gov.au>; Gould, Kristy <Kristy.Gould@act.gov.au>; Tozer, Simon <Simon.Tozer@act.gov.au>

Cc: Gilbert, Euroka <Euroka.Gilbert@act.gov.au>; Moore, FionaF <FionaF.Moore@act.gov.au>

Subject: MST4 Aboriginal scarred tree - movement to [REDACTED]
[SEC=UNCLASSIFIED]

Hello all,

Following the 1 November on site meeting, ACT Heritage has received the attached conservator's report on the condition of the Aboriginal scarred tree in question (recorded as 'MST4') and its movement to the [REDACTED]. Informed by this report, and the earlier compliance review, ACT Heritage provides the following advice on the movement and temporary storage of the cultural tree.

Physical movement of cultural tree components

- The cultural scar occurs on both the felled trunk and the cut stump, and therefore both components are to be moved to the [REDACTED].
- The first component to be moved must be the felled trunk, which should be moved in the following manner:

- Prior to the move, the cut on the top third of the trunk should be packed with plywood, which should be cut to the width of the sawcut.
 - A steel spreader bar and at least five nylon straps should be used to lift and move the trunk. Foam – such as cut firm yoga mats – should be used to cushion strap locations where they make contact with the trunk.
 - A flat bed truck should be used for transport, and the bed should be cushioned – such as with second hand mattresses – prior to placement of the trunk.
 - Once placed on the truck, straps should be used to hold the trunk down – again using foam matting to cushion locations where they make contact with the trunk.
- The second component to be moved is the stump, which should be moved in the following manner:
 - Prior to works, a cover – such as foam matting/blanket and tarp – should be placed over the scar location to protect it during works.
 - At two metres from its outer edge, mechanical excavation and hand digging should be used to excavate the stump, cutting rather than snapping roots – taking care to not damage the scar area.
 - Once free, the stump should be lifted with nylon straps, with foam used to cushion strap locations where they make contact with the stump (not needed for the roots).
 - A flat bed truck should be used for transport, with the stump cushioned with second hand mattresses or similar. Straps should be used to hold the stump down – again using foam matting to cushion locations where they make contact with the trunk.

Temporary storage at [REDACTED]

- Prior to placement of the trunk and stump, the area should be prepared by clearing leaf litter and placing treated pine sleepers or similar on the ground where the trunk and stump will be placed.
- The trunk and stump should be placed with care on the prepared sleepers to ensure no damage. Straps and cushioning should be removed once components have been placed.
- Following their placement, a tent or tarp structure should be erected over both components to protect from rain – but not to constrain air flow. No part of the tent/tarp is to touch the timber surfaces.

Should you have any questions on the above, please give me a call to discuss.

Once a date has been selected, please also notify ACT Heritage of the details – as we will be on site for the duration of the movement process.

Regards,

Meaghan

Meaghan Russell | Manager (Approvals and Advice)

Phone: 13 22 81 | Email: meaghan.russell@act.gov.au

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From: [Moore, FionaF](#)
To: [Iglesias, Daniel](#); [Alegria, Stephen](#)
Cc: [Walker, IanS](#)
Subject: FW: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]
Date: Thursday, 6 December 2018 2:48:35 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.gif](#)
[image005.gif](#)

Hi Daniel and Stephen,

Any opportunities to get this moved before Christmas? The Minister continues to receive complaints and enquiries in relation to the trunk on the ground and is committed to its relocation.

Regards,

Fiona Moore | Senior Manager, ACT Heritage & Secretary, ACT Heritage Council (Mon – Thurs)

Phone: +61 2 6205 9974 | Email: fionaf.moore@act.gov.au

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From: Russell, Meaghan

Sent: Monday, 3 December 2018 11:33 AM

To: Peri, John <John.Peri@act.gov.au>

Subject: RE: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi John,

Following on from our recent discussion about a spreader bar and slings, the PCS Projects team has advised that their gantry and slings would be available mid January. They will also provide further advice on whether they can also supply padding from the recent tree move.

Regards,

Meaghan

Meaghan Russell | Manager (Approvals and Advice)

Phone: 13 22 81 | Email: meaghan.russell@act.gov.au

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cid:image001.png@01D4615B.1E81D390



From: Gould, Kristy

Sent: Friday, 30 November 2018 2:46 PM

To: Peri, John <John.Peri@act.gov.au>; Taylor, Lachlan <Lachlan.Taylor@act.gov.au>; Olsson, Kevin <Kevin.Olsson@act.gov.au>; Liosatos, Nick <Nick.Liosatos@act.gov.au>

Cc: Close, Nicole <Nicole.Close@act.gov.au>; Russell, Meaghan <Meaghan.Russell@act.gov.au>

Subject: RE: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi John

As discussed we can dig out the stump. Can you please liaise with Nick Liosatos about when you need this done by? In the mean time we will do the Dial B4U Dig so it's ready to go.

Thanks
Kristy

From: Peri, John

Sent: Tuesday, 27 November 2018 9:44 AM

To: Taylor, Lachlan <Lachlan.Taylor@act.gov.au>; Olsson, Kevin <Kevin.Olsson@act.gov.au>; Liosatos, Nick <Nick.Liosatos@act.gov.au>; Gould, Kristy <Kristy.Gould@act.gov.au>

Cc: Close, Nicole <Nicole.Close@act.gov.au>; Russell, Meaghan <Meaghan.Russell@act.gov.au>

Subject: RE: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi all

I met with my crane truck operator that collects the trunks and we discussed the relocation methods and have some points from our meeting below.

Yes we can remove the scar tree before Christmas however we probably need to meet on site with the [REDACTED] team to properly coordinate?

With the physical removal of trunk and stump/root plate there is a need to discuss a few points re compliance conditions, as an example we don't currently have some of the items recommended and below is a list of the material/task required to undertake the relocation for discussion?

Like who will provide;

- the plywood for packing,
- spreader bar not currently used with our crane truck operation? Contractor could source spreader bar at extra cost
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- flatbed truck as our crane tuck has high sides and they can't be removed
- second hand mattress
- foam matting blanket
- mechanical excavator

I understand that all of the above can be sourced however we need to discuss who will provide and/or purchase?

Kind regards,

John Peri | Supervisor - South Tree Operations |

Phone 62071878 | Fax 62072401 | Email john.peri@act.gov.au

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www.act.gov.au

From: Taylor, Lachlan

Sent: Friday, 23 November 2018 11:04 AM

To: Peri, John <John.Peri@act.gov.au>; Olsson, Kevin <Kevin.Olsson@act.gov.au>

Cc: Gould, Kristy <Kristy.Gould@act.gov.au>

Subject: FW: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi Guys,

Can you please move this log before the Christmas shutdown, pending crane truck availability?

Kind regards,

Lachlan Taylor | A/g Operations Manager - Urban Treescapes

Phone 02 6207 7852 | [REDACTED] | Email lachlan.taylor@act.gov.au

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Level 2, 490 Northbourne Avenue, Dickson ACT 2602 | GPO Box 158 Canberra ACT 2601 | www.act.gov.au

From: Dawes, Rachael

Sent: Thursday, 22 November 2018 5:06 PM

To: Taylor, Lachlan <Lachlan.Taylor@act.gov.au>

Subject: Fwd: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Where are we at? Can you please check in with John .

Thanks

Rach

Sent from my iPhone

Begin forwarded message:

From: "Russell, Meaghan" <Meaghan.Russell@act.gov.au>

To: "Dawes, Rachael" <Rachael.Dawes@act.gov.au>, "Gould, Kristy" <Kristy.Gould@act.gov.au>

Cc: "Moore, FionaF" <FionaF.Moore@act.gov.au>

Subject: FW: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi Rachel and Kristy,

Do you have any updates on the planned movement of the Wanniasa scarred tree to [REDACTED] ?

The matter is relatively high profile, and the MO has requested a notification of its movement as soon as it has been completed.

If you have any questions on the advice provided below, please give me a call to discuss.

Regards,

Meaghan

Meaghan Russell | Manager (Approvals and Advice)

Phone: 13 22 81 | Email: meaghan.russell@act.gov.au

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From: Russell, Meaghan

Sent: Friday, 16 November 2018 10:44 AM

To: Dawes, Rachael <Rachael.Dawes@act.gov.au>; Liosatos, Nick <Nick.Liosatos@act.gov.au>; Taylor, Lachlan <Lachlan.Taylor@act.gov.au>; Peri, John <John.Peri@act.gov.au>; Gould, Kristy <Kristy.Gould@act.gov.au>; Tozer, Simon <Simon.Tozer@act.gov.au>

Cc: Gilbert, Euroka <Euroka.Gilbert@act.gov.au>; Moore, FionaF

<FionaF.Moore@act.gov.au>

Subject: MST4 Aboriginal scarred tree - movement to [REDACTED]

[SEC=UNCLASSIFIED]

Hello all,

Following the 1 November on site meeting, ACT Heritage has received the attached conservator's report on the condition of the Aboriginal scarred tree in question (recorded as 'MST4') and its movement to the [REDACTED]. Informed by this report, and the earlier compliance review, ACT Heritage provides the following advice on the movement and temporary storage of the cultural tree.

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 - A flat bed truck should be used for transport, and the bed should be cushioned – such as with second hand mattresses – prior to placement of the trunk.
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Temporary storage at [REDACTED]

- Prior to placement of the trunk and stump, the area should be prepared by clearing leaf litter and placing treated pine sleepers or similar on the ground where the trunk and stump will be placed.
- The trunk and stump should be placed with care on the prepared sleepers to ensure no damage. Straps and cushioning should be removed once components have been placed.

- Following their placement, a tent or tarp structure should be erected over both components to protect from rain – but not to constrain air flow. No part of the tent/tarp is to touch the timber surfaces.

Should you have any questions on the above, please give me a call to discuss.

Once a date has been selected, please also notify ACT Heritage of the details – as we will be on site for the duration of the movement process.

Regards,

Meaghan

Meaghan Russell | Manager (Approvals and Advice)

Phone: 13 22 81 | Email: meaghan.russell@act.gov.au

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From: [Gilbert, Euroka](#)
To: [Russell, Meaghan](#)
Date: Friday, 12 October 2018 10:08:00 AM
Attachments: [image001.png](#)

Discussions:

Wanniassa Scar Tree (MST4) – felled by unknown person(s) between 31 Dec 2016 and 10 March 2017, appears to be a different action to the Spook tree. investigation has been conducted by Environment, and no one has claimed responsibility.

We now need to decide what we do with the tree trunk and stump, both have scaring. Interim storage can be at [REDACTED]. Where should we place the trunk? Mt Taylor? The paddock near [REDACTED]? Another suitable location?

[REDACTED]

If further information is required please don't hesitate to contact me.

Cheers

Mr. Euroka Gilbert | Aboriginal Liaison Officer

Phone 02 6207 5724 | Email: euroka.gilbert@act.gov.au

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I acknowledge the Traditional Custodians of the ACT and region, their continuing connection to land and community. I pay my respect to them and their culture, and to the Elders past, present and future.

From: [Moore, FionaF](#)
To: [Walker, IanS](#)
Cc: [Iglesias, Daniel](#)
Subject: RE: Wanniasa scarred tree - MST4 - Phone call to [REDACTED] requested [SEC=UNCLASSIFIED]
Date: Monday, 17 December 2018 12:42:00 PM
Attachments: [image001.gif](#)
[image002.gif](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[FW MST4 Aboriginal scarred tree - movement to \[REDACTED\] SECUNCLASSIFIED.msg](#)

Hi Ian,

Advice for Ministers Office:

The tree has yet to be relocated. Conservator advice was required to determine the condition of the tree and guidance on its movement and storage to ensure no further damage was incurred. Conservator advice was received mid November. The PCS gantry (used to move the Mouat Tree) is required to relocate the tree, which we have been advised will not be available until mid-January. I'm waiting from PCS to advise if there is any earlier opportunity to move the tree.

Quick timeline:

- Heritage, PCS and TCCS met on site 1 November. Its movement and storage is a coordinated effort between the three sections.
- Conservator advice was received mid November. Conservator advice was funded by Heritage.
- Advice to TCCS and PCS on the movement and temporary storage was issued by Heritage on 16 November.
- The tree cannot be moved until PCS confirm the gantry and associated padding.
- Further detail, and timeline of events, is in the attached email chain.

Regards,

Fiona Moore | Senior Manager, ACT Heritage & Secretary, ACT Heritage Council (Mon – Thurs)

Phone: +61 2 6205 9974 | Email: fionaf.moore@act.gov.au

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From: Walker, IanS

Sent: Monday, 17 December 2018 11:14 AM

To: Moore, FionaF <FionaF.Moore@act.gov.au>

Subject: FW: Wanniasa scarred tree - MST4 - Phone call to [REDACTED] requested [SEC=UNCLASSIFIED]

Fiona

Can I have some dot point for mins office please

Ian Walker

Executive Director, Environment

Phone: +61 6205 9027 | Email: IanS.Walker@act.gov.au

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We acknowledge and celebrate the Ngunnawal peoples whose traditional lands we work on and pay our respect to elders past and present

From: Kandola, Shobaz

Sent: Monday, 17 December 2018 8:26 AM

To: Walker, IanS <IanS.Walker@act.gov.au>

Subject: RE: Wanniasa scarred tree - MST4 - Phone call to [REDACTED] requested
[SEC=UNCLASSIFIED]

Hi Ian

Just following up on this one – any update on if the tree has been moved to secure location?

Kind regards

Shobaz

From: Walker, IanS

Sent: Tuesday, 30 October 2018 5:44 PM

To: Brady, Erin <Erin.Brady@act.gov.au>; Kandola, Shobaz <Shobaz.Kandola@act.gov.au>

Subject: FW: Wanniasa scarred tree - MST4 - Phone call to [REDACTED] requested
[SEC=UNCLASSIFIED]

Hi Shobaz and Erin

Just closing the loop.

Thanks Ian

Ian Walker

Executive Director, Environment

Phone: +61 6205 9027 | Email: IanS.Walker@act.gov.au

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We acknowledge and celebrate the Ngunnawal peoples whose traditional lands we work on and pay our respect to elders past and present

From: Moore, FionaF

Sent: Tuesday, 30 October 2018 4:36 PM

To: Walker, IanS <IanS.Walker@act.gov.au>

Cc: Russell, Meaghan <Meaghan.Russell@act.gov.au>

Subject: FW: Wanniasa scarred tree - MST4 - Phone call to [REDACTED] requested
[SEC=UNCLASSIFIED]

Hi Ian,

I phoned [REDACTED] this afternoon and we spoke about the next steps for the scar tree.

Regards,

Fiona Moore | Senior Manager, ACT Heritage & Secretary, ACT Heritage Council (Mon – Thurs)

Phone: +61 2 6205 9974 | Email: fionaf.moore@act.gov.au

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From: Russell, Meaghan

Sent: Monday, 29 October 2018 5:20 PM

To: Moore, FionaF <FionaF.Moore@act.gov.au>

Subject: Wanniasa scarred tree - MST4 - Phone call to [REDACTED] requested

Hello Fiona,

Ian has this afternoon requested that ACT Heritage call [REDACTED] to discuss the MST4 tree at Wanniasa, following on from discussions today with the MO.

Can we discuss tomorrow, as you may be best placed to make this call, as senior manager and also being across the detail of the issue.

As an update on recent discussions:

- I have requested (through the HAS) a quote from Conservation Works, for [REDACTED]

to inspect the tree and provide advice on its movement and placement at [REDACTED].

- I have been liaising with TCCS (Rachel Dawes and John Peri), PCS (Kristy Gould) and [REDACTED] since last week on their availability for an on-site meeting to discuss logistics, and Thursday afternoon this week seems like it will suit all involved. I am just waiting on a confirmation from Gillian before confirming the time.
- I have also spoken to PCS Projects (Darren Le Roux) regarding the availability of the Outward Bound gantry, which will be in use from mid-November to January. If needed, we could access it before 13 November, however, if the tree is in good condition, we may be able to make the move only with a crane and padded flat-bed truck.

Also – [REDACTED].

Cheers,

Meaghan

Meaghan Russell | Team Leader (Advice)

Phone: 13 22 81 | Email: meaghan.russell@act.gov.au

ACT Heritage | Environment, Planning and Sustainable Development Directorate | ACT Government

Dame Pattie Menzies House 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601

www.environment.act.gov.au



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From: [Moore, FionaF](#)
To: [Jeffress, Stuart](#)
Subject: FW: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]
Date: Wednesday, 12 December 2018 11:42:00 AM
Attachments: [image004.gif](#)
[image005.gif](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)

Hi Stu,

Daniel has advised that he has requested you assist with my below enquiry. Can we coordinate availability of the gantry to get this trunk moved before Christmas?

Regards,

Fiona Moore | Senior Manager, ACT Heritage & Secretary, ACT Heritage Council (Mon – Thurs)
Phone: +61 2 6205 9974 | Email: fionaf.moore@act.gov.au
ACT Heritage | Environment, Planning and Sustainable Development Directorate | ACT Government
Dame Pattie Menzies House, Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au



From: Alegria, Stephen
Sent: Friday, 7 December 2018 8:53 AM
To: Moore, FionaF <FionaF.Moore@act.gov.au>; Iglesias, Daniel <Daniel.Iglesias@act.gov.au>; Dawes, Rachael <Rachael.Dawes@act.gov.au>
Cc: Walker, IanS <IanS.Walker@act.gov.au>
Subject: RE: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi Fiona,

Happy to help from our end.

Stephen Alegria | Director | City Presentation
T 02 6207 9833 | [REDACTED]
City Services | Transport Canberra and City Services Directorate
Level 2 Wotso House, 490 Northbourne Avenue, Dickson ACT | GPO 158, Canberra ACT 2601.
www.tccs.act.gov.au

From: Moore, FionaF
Sent: Thursday, 6 December 2018 2:49 PM
To: Iglesias, Daniel <Daniel.Iglesias@act.gov.au>; Alegria, Stephen <Stephen.Alegria@act.gov.au>
Cc: Walker, IanS <IanS.Walker@act.gov.au>
Subject: FW: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi Daniel and Stephen,

Any opportunities to get this moved before Christmas? The Minister continues to receive complaints and enquiries in relation to the trunk on the ground and is committed to its relocation.

Regards,

Fiona Moore | Senior Manager, ACT Heritage & Secretary, ACT Heritage Council (Mon – Thurs)

Phone: +61 2 6205 9974 | Email: fionaf.moore@act.gov.au

ACT Heritage | Environment, Planning and Sustainable Development Directorate | ACT Government

Dame Pattie Menzies House, Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au



From: Russell, Meaghan

Sent: Monday, 3 December 2018 11:33 AM

To: Peri, John <John.Peri@act.gov.au>

Subject: RE: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi John,

Following on from our recent discussion about a spreader bar and slings, the PCS Projects team has advised that their gantry and slings would be available mid January. They will also provide further advice on whether they can also supply padding from the recent tree move.

Regards,
Meaghan

Meaghan Russell | Manager (Approvals and Advice)

Phone: 13 22 81 | Email: meaghan.russell@act.gov.au

ACT Heritage | Environment, Planning and Sustainable Development Directorate | ACT Government

Dame Pattie Menzies House 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601

www.environment.act.gov.au



cid:image001.png@01D4615B.1E81D390



From: Gould, Kristy

Sent: Friday, 30 November 2018 2:46 PM

To: Peri, John <John.Peri@act.gov.au>; Taylor, Lachlan <Lachlan.Taylor@act.gov.au>; Olsson, Kevin <Kevin.Olsson@act.gov.au>; Liosatos, Nick <Nick.Liosatos@act.gov.au>
Cc: Close, Nicole <Nicole.Close@act.gov.au>; Russell, Meaghan <Meaghan.Russell@act.gov.au>
Subject: RE: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi John

As discussed we can dig out the stump. Can you please liaise with Nick Liosatos about when you need this done by? In the mean time we will do the Dial B4U Dig so it's ready to go.

Thanks
Kristy

From: Peri, John
Sent: Tuesday, 27 November 2018 9:44 AM
To: Taylor, Lachlan <Lachlan.Taylor@act.gov.au>; Olsson, Kevin <Kevin.Olsson@act.gov.au>; Liosatos, Nick <Nick.Liosatos@act.gov.au>; Gould, Kristy <Kristy.Gould@act.gov.au>
Cc: Close, Nicole <Nicole.Close@act.gov.au>; Russell, Meaghan <Meaghan.Russell@act.gov.au>
Subject: RE: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi all

I met with my crane truck operator that collects the trunks and we discussed the relocation methods and have some points from our meeting below.

Yes we can remove the scar tree before Christmas however we probably need to meet on site with the [REDACTED] team to properly coordinate?

With the physical removal of trunk and stump/root plate there is a need to discuss a few points re compliance conditions, as an example we don't currently have some of the items recommended and below is a list of the material/task required to undertake the relocation for discussion?

Like who will provide;

- the plywood for packing,
- spreader bar not currently used with our crane truck operation? Contractor could source spreader bar at extra cost
- foam to cushion straps
- flatbed truck as our crane tuck has high sides and they can't be removed
- second hand mattress
- foam matting blanket
- mechanical excavator

I understand that all of the above can be sourced however we need to discuss who will provide and/or purchase?

Kind regards,

John Peri | Supervisor - South Tree Operations |
Phone 62071878 | Fax 62072401 | Email john.peri@act.gov.au
Urban Treescapes | Transport Canberra and City Services Directorate | ACT Government
Kambah Depot O'Halloran Circuit Kambah ACT 2902 | GPO Box 158 Canberra ACT 2601 |
www.act.gov.au

From: Taylor, Lachlan
Sent: Friday, 23 November 2018 11:04 AM
To: Peri, John <John.Peri@act.gov.au>; Olsson, Kevin <Kevin.Olsson@act.gov.au>
Cc: Gould, Kristy <Kristy.Gould@act.gov.au>
Subject: FW: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi Guys,

Can you please move this log before the Christmas shutdown, pending crane truck availability?

Kind regards,

Lachlan Taylor | A/g Operations Manager - Urban Treescapes
Phone 02 6207 7852 | [REDACTED] | Email lachlan.taylor@act.gov.au
City Presentation | Transport Canberra and City Services Directorate | ACT Government
Level 2, 490 Northbourne Avenue, Dickson ACT 2602 | GPO Box 158 Canberra ACT 2601 | www.act.gov.au

From: Dawes, Rachael
Sent: Thursday, 22 November 2018 5:06 PM
To: Taylor, Lachlan <Lachlan.Taylor@act.gov.au>
Subject: Fwd: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Where are we at? Can you please check in with John .

Thanks

Rach

Sent from my iPhone

Begin forwarded message:

From: "Russell, Meaghan" <Meaghan.Russell@act.gov.au>
To: "Dawes, Rachael" <Rachael.Dawes@act.gov.au>, "Gould, Kristy" <Kristy.Gould@act.gov.au>
Cc: "Moore, FionaF" <FionaF.Moore@act.gov.au>
Subject: FW: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi Rachel and Kristy,

Do you have any updates on the planned movement of the Wanniasa scarred tree to [REDACTED] ?

The matter is relatively high profile, and the MO has requested a notification of its movement as soon as it has been completed.

If you have any questions on the advice provided below, please give me a call to discuss.

Regards,
Meaghan

Meaghan Russell | Manager (Approvals and Advice)

Phone: 13 22 81 | Email: meaghan.russell@act.gov.au

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From: Russell, Meaghan

Sent: Friday, 16 November 2018 10:44 AM

To: Dawes, Rachael <Rachael.Dawes@act.gov.au>; Liosatos, Nick <Nick.Liosatos@act.gov.au>; Taylor, Lachlan <Lachlan.Taylor@act.gov.au>; Peri, John <John.Peri@act.gov.au>; Gould, Kristy <Kristy.Gould@act.gov.au>; Tozer, Simon <Simon.Tozer@act.gov.au>

Cc: Gilbert, Euroka <Euroka.Gilbert@act.gov.au>; Moore, FionaF <FionaF.Moore@act.gov.au>

Subject: MST4 Aboriginal scarred tree - movement to [REDACTED]

[SEC=UNCLASSIFIED]

Hello all,

Following the 1 November on site meeting, ACT Heritage has received the attached conservator's report on the condition of the Aboriginal scarred tree in question (recorded as 'MST4') and its movement to [REDACTED]. Informed by this report, and the earlier compliance review, ACT Heritage provides the following advice on the movement and temporary storage of the cultural tree.

Physical movement of cultural tree components

- The cultural scar occurs on both the felled trunk and the cut stump, and therefore both components are to be moved to [REDACTED].

- The first component to be moved must be the felled trunk, which should be moved in the following manner:
 - Prior to the move, the cut on the top third of the trunk should be packed with plywood, which should be cut to the width of the sawcut.
 - A steel spreader bar and at least five nylon straps should be used to lift and move the trunk. Foam – such as cut firm yoga mats – should be used to cushion strap locations where they make contact with the trunk.
 - A flat bed truck should be used for transport, and the bed should be cushioned – such as with second hand mattresses – prior to placement of the trunk.
 - Once placed on the truck, straps should be used to hold the trunk down – again using foam matting to cushion locations where they make contact with the trunk.

- The second component to be moved is the stump, which should be moved in the following manner:
 - Prior to works, a cover – such as foam matting/blanket and tarp – should be placed over the scar location to protect it during works.
 - At two metres from its outer edge, mechanical excavation and hand digging should be used to excavate the stump, cutting rather than snapping roots – taking care to not damage the scar area.
 - Once free, the stump should be lifted with nylon straps, with foam used to cushion strap locations where they make contact with the stump (not needed for the roots).
 - A flat bed truck should be used for transport, with the stump cushioned with second hand mattresses or similar. Straps should be used to hold the stump down – again using foam matting to cushion locations where they make contact with the trunk.

Temporary storage at [REDACTED]

- Prior to placement of the trunk and stump, the area should be prepared by clearing leaf litter and placing treated pine sleepers or similar on the ground where the trunk and stump will be placed.
- The trunk and stump should be placed with care on the prepared sleepers to ensure no damage. Straps and cushioning should be removed once

components have been placed.

- Following their placement, a tent or tarp structure should be erected over both components to protect from rain – but not to constrain air flow. No part of the tent/tarp is to touch the timber surfaces.

Should you have any questions on the above, please give me a call to discuss.

Once a date has been selected, please also notify ACT Heritage of the details – as we will be on site for the duration of the movement process.

Regards,
Meaghan

Meaghan Russell | Manager (Approvals and Advice)

Phone: 13 22 81 | Email: meaghan.russell@act.gov.au

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Dame Pattie Menzies House 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601

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From: [Iglesias, Daniel](#)
To: [Russell, Meaghan](#); [Moore, Fiona](#)
Subject: FW: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]
Date: Monday, 17 December 2018 2:22:43 PM
Attachments: [RE MST4 Aboriginal scarred tree - \[REDACTED\].SECUNCLASSIFIED.msg](#)
[image001.jpg](#)
[image002.jpg](#)
[image003.png](#)

Hi Fiona, Meaghan – see below.

Daniel Iglesias

Director
 ACT Parks and Conservation Service

Environment, Planning and Sustainable Development Directorate

Tel: (02) 6207 6997 | [REDACTED]

ACT & PCS logo CMYK



From: Gould, Kristy

Sent: Monday, 17 December 2018 2:15 PM

To: Iglesias, Daniel <Daniel.Iglesias@act.gov.au>

Cc: Sweaney, Mark <Mark.Sweaney@act.gov.au>

Subject: FW: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi Daniel

In case you are not aware the movement of the scar tree has been delayed until January.

Kristy

From: Peri, John

Sent: Friday, 14 December 2018 11:31 AM

To: Liosatos, Nick <Nick.Liosatos@act.gov.au>

Cc: Tozer, Simon <Simon.Tozer@act.gov.au>; Gould, Kristy <Kristy.Gould@act.gov.au>

Subject: RE: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi all,

Please refer to the attachment, it has been decided that the relocation of scar tree will be postponed until next year to properly prepare.

Simon, with the storm we had last night we will be busy cleaning up the storm damage trees until we shut down next Thursday. Heritage unit will be able to provide certain materials as noted in the attached email and I suggest in the new year we meet to discuss who can provide what materials/plant machinery in line with Heritage unit relocation specifications...

If you have queries you can call me on [REDACTED]

Kind regards,

John Peri | Supervisor - South Tree Operations |

Phone 62071878 | Fax 62072401 | Email john.peri@act.gov.au

Urban Treespaces | Transport Canberra and City Services Directorate | ACT Government

Kambah Depot O'Halloran Circuit Kambah ACT 2902 | GPO Box 158 Canberra ACT 2601 |

www.act.gov.au

From: Tozer, Simon

Sent: Friday, 14 December 2018 10:43 AM

To: Gould, Kristy <Kristy.Gould@act.gov.au>

Cc: Liosatos, Nick <Nick.Liosatos@act.gov.au>; Peri, John <John.Peri@act.gov.au>

Subject: RE: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi Kristy

I spoke to Nick and he was going to ring John Peri again about whether we can meet the Xmas deadline

Our understanding is that John needs to hire a flat-bed truck to move the trunk and stump

We will also need to backfill the hole left by the stump.

John, are you able to get some material out on site for us to do this?

Regards

Simon Tozer | Ranger In Charge Urban Reserves South

Parks and Conservation Service (PCS) | Environment and Planning Directorate

GPO Box 158 Canberra ACT 2601 | Location: Athllon Depot Cnr Athllon & Sulwood Dr Farrer

Mobile 0409 100 406 | Email simon.tozer@act.gov.au



From: Gould, Kristy

Sent: Thursday, 13 December 2018 11:24 AM

To: Tozer, Simon <Simon.Tozer@act.gov.au>

Subject: FW: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi Simon

For some reason you have dropped out of the emails. Sorry.

Kristy

From: Gould, Kristy

Sent: Friday, 30 November 2018 2:46 PM

To: Peri, John <John.Peri@act.gov.au>; Taylor, Lachlan <Lachlan.Taylor@act.gov.au>; Olsson, Kevin <Kevin.Olsson@act.gov.au>; Liosatos, Nick <Nick.Liosatos@act.gov.au>

Cc: Close, Nicole <Nicole.Close@act.gov.au>; Russell, Meaghan <Meaghan.Russell@act.gov.au>

Subject: RE: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi John

As discussed we can dig out the stump. Can you please liaise with Nick Liosatos about when you need this done by? In the mean time we will do the Dial B4U Dig so it's ready to go.

Thanks

Kristy

From: Peri, John

Sent: Tuesday, 27 November 2018 9:44 AM

To: Taylor, Lachlan <Lachlan.Taylor@act.gov.au>; Olsson, Kevin <Kevin.Olsson@act.gov.au>; Liosatos, Nick <Nick.Liosatos@act.gov.au>; Gould, Kristy <Kristy.Gould@act.gov.au>

Cc: Close, Nicole <Nicole.Close@act.gov.au>; Russell, Meaghan <Meaghan.Russell@act.gov.au>

Subject: RE: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi all

I met with my crane truck operator that collects the trunks and we discussed the relocation methods and have some points from our meeting below.

Yes we can remove the scar tree before Christmas however we probably need to meet on site with the [REDACTED] to properly coordinate?

With the physical removal of trunk and stump/root plate there is a need to discuss a few

points re compliance conditions, as an example we don't currently have some of the items recommended and below is a list of the material/task required to undertake the relocation for discussion?

Like who will provide;

- the plywood for packing,
- spreader bar not currently used with our crane truck operation? Contractor could source spreader bar at extra cost
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- flatbed truck as our crane tuck has high sides and they can't be removed
- second hand mattress
- foam matting blanket
- mechanical excavator

I understand that all of the above can be sourced however we need to discuss who will provide and/or purchase?

Kind regards,

John Peri | Supervisor - South Tree Operations |

Phone 62071878 | Fax 62072401 | Email john.peri@act.gov.au

Urban Treescapes | Transport Canberra and City Services Directorate | ACT Government

Kambah Depot O'Halloran Circuit Kambah ACT 2902 | GPO Box 158 Canberra ACT 2601 |

www.act.gov.au

From: Taylor, Lachlan

Sent: Friday, 23 November 2018 11:04 AM

To: Peri, John <John.Peri@act.gov.au>; Olsson, Kevin <Kevin.Olsson@act.gov.au>

Cc: Gould, Kristy <Kristy.Gould@act.gov.au>

Subject: FW: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi Guys,

Can you please move this log before the Christmas shutdown, pending crane truck availability?

Kind regards,

Lachlan Taylor | A/g Operations Manager - Urban Treescapes

Phone 02 6207 7852 | Mobile 0408 789 370 | Email lachlan.taylor@act.gov.au

City Presentation | Transport Canberra and City Services Directorate | ACT Government

Level 2, 490 Northbourne Avenue, Dickson ACT 2602 | GPO Box 158 Canberra ACT 2601 | www.act.gov.au

From: Dawes, Rachael

Sent: Thursday, 22 November 2018 5:06 PM

To: Taylor, Lachlan <Lachlan.Taylor@act.gov.au>

Subject: Fwd: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Where are we at? Can you please check in with John .

Thanks

Rach

Sent from my iPhone

Begin forwarded message:

From: "Russell, Meaghan" <Meaghan.Russell@act.gov.au>

To: "Dawes, Rachael" <Rachael.Dawes@act.gov.au>, "Gould, Kristy" <Kristy.Gould@act.gov.au>

Cc: "Moore, FionaF" <FionaF.Moore@act.gov.au>

Subject: FW: MST4 Aboriginal scarred tree - movement to [REDACTED]
[SEC=UNCLASSIFIED]

Hi Rachel and Kristy,

Do you have any updates on the planned movement of the Wanniasa scarred tree to [REDACTED]?

The matter is relatively high profile, and the MO has requested a notification of its movement as soon as it has been completed.

If you have any questions on the advice provided below, please give me a call to discuss.

Regards,

Meaghan

Meaghan Russell | Manager (Approvals and Advice)

Phone: 13 22 81 | Email: meaghan.russell@act.gov.au

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From: Russell, Meaghan

Sent: Friday, 16 November 2018 10:44 AM

To: Dawes, Rachael <Rachael.Dawes@act.gov.au>; Liosatos, Nick <Nick.Liosatos@act.gov.au>; Taylor, Lachlan <Lachlan.Taylor@act.gov.au>; Peri, John <John.Peri@act.gov.au>; Gould, Kristy <Kristy.Gould@act.gov.au>; Tozer, Simon <Simon.Tozer@act.gov.au>

Cc: Gilbert, Euroka <Euroka.Gilbert@act.gov.au>; Moore, FionaF <FionaF.Moore@act.gov.au>

Subject: MST4 Aboriginal scarred tree - movement to [REDACTED]
[SEC=UNCLASSIFIED]

Hello all,

Following the 1 November on site meeting, ACT Heritage has received the attached conservator's report on the condition of the Aboriginal scarred tree in question (recorded as 'MST4') and its movement to the [REDACTED]. Informed by this report, and the earlier compliance review, ACT Heritage provides the following advice on the movement and temporary storage of the cultural tree.

Physical movement of cultural tree components

- The cultural scar occurs on both the felled trunk and the cut stump, and therefore both components are to be moved to the [REDACTED].
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- sawcut.
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 - Once placed on the truck, straps should be used to hold the trunk down – again using foam matting to cushion locations where they make contact with the trunk.
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Temporary storage at

- Prior to placement of the trunk and stump, the area should be prepared by clearing leaf litter and placing treated pine sleepers or similar on the ground where the trunk and stump will be placed.
- The trunk and stump should be placed with care on the prepared sleepers to ensure no damage. Straps and cushioning should be removed once components have been placed.
- Following their placement, a tent or tarp structure should be erected over both components to protect from rain – but not to constrain air flow. No part of the tent/tarp is to touch the timber surfaces.

Should you have any questions on the above, please give me a call to discuss.

Once a date has been selected, please also notify ACT Heritage of the details – as we will be on site for the duration of the movement process.

Regards,

Meaghan

Meaghan Russell | Manager (Approvals and Advice)

Phone: 13 22 81 | Email: meaghan.russell@act.gov.au

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Dame Pattie Menzies House 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601

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From: [Moore, FionaF](#)
To: [EPD Ministerials - Environment](#)
Subject: RE: 18/35719 - Ministerial Correspondence - removal of heritage-listed trees at Wanniasa - [REDACTED]
[DLM=For-Official-Use-Only]
Date: Monday, 7 January 2019 9:11:33 AM

I provided an update to Ian in December - status remains the same. I'll forward that email to you now.

From: EPD Ministerials - Environment
Sent: Monday 7 January 2019 08:54
To: Moore, FionaF
Cc: EPD Ministerials - Environment
Subject: FW: 18/35719 - Ministerial Correspondence - removal of heritage-listed trees at Wanniasa - [REDACTED] [DLM=For-Official-Use-Only]

Good morning Fiona and Happy New Year!

File notes do not indicate if the below request made its way to your team for action?

Some info would be appreciated please.

Many thanks

Rachael

From: EPSDD DLO
Sent: Tuesday, 18 December 2018 2:08 PM
To: EPD Ministerials - Environment <EPDMinisterials-Environment@act.gov.au>
Subject: 18/35719 - Ministerial Correspondence - removal of heritage-listed trees at Wanniasa - [REDACTED] [DLM=For-Official-Use-Only]

Hi Bec

The office have asked where the cultural trees actually are at the moment (eg are they in protection?) - are you able to send through some info?

Thanks

Erica

From: [Russell, Meaghan](#)
To: [Moore, FionaF](#)
Cc: [Gilbert, Eureka](#)
Subject: Phone call - RAO and Aboriginal community - Wanniasa scarred tree removals [SEC=UNCLASSIFIED]
Date: Friday, 18 January 2019 12:13:25 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
Importance: High

Hi Fiona,

I spoke with Dave Johnson this morning, who – on behalf of RAOs and other local Aboriginal community members – will be writing to the Heritage Council, the Chief Minister, Mick Gentleman (as Heritage Minister) and Minister Ramsey (as Regulatory Minister) about the removal of Aboriginal cultural trees at Wanniasa.

From the call, I understand that RAOs and others are frustrated and angry with the perceived lack of action by the Council and the ACT Government – and they want to discuss the removal of these specific trees, and also larger issues about the protection of Aboriginal heritage and compliance action when Aboriginal heritage is destroyed. Davie emphasised that RAOs and others see that significant penalties or prosecution are needed in these types of cases.

I understand that these letters may come as early as next week.

Dave also spoke about contacting the media about these issues, and potentially contacting the Commonwealth Government – if Territory legislation is not providing adequate protection (presumably an ATSIHP S9 or S10 application).

Note that in reference to the Heritage Council, Dave advised that RAOs and others were very unhappy with Gary Shipp and [REDACTED] – so we may want to call each next week to give them a heads up, in case they are directly approached.

Happy to talk further on Monday....

Meaghan

Meaghan Russell | Manager (Approvals and Advice)

Phone: 13 22 81 | Email: meaghan.russell@act.gov.au

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cid:image001.png@01D4615B.1E81D390



From: [Jeffress, Stuart](#)
To: [Dawes, Rachael](#); [Peri, John](#)
Cc: [Alegria, Stephen](#); [Tozer, Simon](#); [Russell, Meaghan](#); [Moore, FionaF](#)
Subject: FW: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]
Date: Monday, 21 January 2019 2:52:59 PM
Attachments: [image001.gif](#)
[image002.gif](#)
[image003.jpg](#)
[image004.png](#)
[image005.jpg](#)

Hi Rachael and John

Is your team now in a position to assist with the moving of the Aboriginal scar tree to [REDACTED] [REDACTED] If so, can you arrange a date with Simon Tozer to commence this work? ACT Heritage should also be informed of the date so they can be on site at the commencement of work.

Meaghan Russell is the contact in Heritage to arrange their attendance on site.

It would be good to have this task completed.

Thanks

Stu

From: Iglesias, Daniel
Sent: Monday, 21 January 2019 11:01 AM
To: Jeffress, Stuart <Stuart.Jeffress@act.gov.au>; Moore, FionaF <FionaF.Moore@act.gov.au>; Clement, SophieJ <SophieJ.Clement@act.gov.au>
Subject: FW: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi Stu, can you check with Sophie and TCCS with this one and can we set a date when this might be able to be done?

thanks

Daniel Iglesias
 Executive Branch Manager
 ACT Parks and Conservation Service

Environment, Planning and Sustainable Development Directorate

Tel: (02) 6207 6997 | [REDACTED]

ACT & PCS logo CMYK



From: Moore, FionaF
Sent: Monday, 21 January 2019 10:43 AM
To: Iglesias, Daniel <Daniel.Iglesias@act.gov.au>; Gould, Kristy <Kristy.Gould@act.gov.au>
Cc: Russell, Meaghan <Meaghan.Russell@act.gov.au>; Walker, IanS <IanS.Walker@act.gov.au>
Subject: RE: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi Daniel and Kristy,

We're nearing the end of January – do you know when the tree is confirmed for relocation? The Minister's Office continue to receive enquires and criticism for the tree's current location, including from the Aboriginal community.

Regards,

Fiona Moore | Director, ACT Heritage | Secretary, ACT Heritage Council | (Mon – Thurs)

Phone: +61 2 6205 9974 | Email: fionaf.moore@act.gov.au

ACT Heritage | Environment, Planning and Sustainable Development Directorate | ACT Government
 Dame Pattie Menzies House, Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au



From: Iglesias, Daniel

Sent: Monday, 17 December 2018 2:23 PM

To: Russell, Meaghan <Meaghan.Russell@act.gov.au>; Moore, FionaF <FionaF.Moore@act.gov.au>

Subject: FW: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi Fiona, Meaghan – see below.

Daniel Iglesias

Director

ACT Parks and Conservation Service

Environment, Planning and Sustainable Development Directorate

Tel: (02) 6207 6997 | [REDACTED]

ACT & PCS logo CMYK



From: Gould, Kristy

Sent: Monday, 17 December 2018 2:15 PM

To: Iglesias, Daniel <Daniel.Iglesias@act.gov.au>

Cc: Sweaney, Mark <Mark.Sweaney@act.gov.au>

Subject: FW: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi Daniel

In case you are not aware the movement of the scar tree has been delayed until January.

Kristy

From: Peri, John

Sent: Friday, 14 December 2018 11:31 AM

To: Liosatos, Nick <Nick.Liosatos@act.gov.au>

Cc: Tozer, Simon <Simon.Tozer@act.gov.au>; Gould, Kristy <Kristy.Gould@act.gov.au>

Subject: RE: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi all,

Please refer to the attachment, it has been decided that the relocation of scar tree will be postponed until next year to properly prepare.

Simon, with the storm we had last night we will be busy cleaning up the storm damage trees until we shut down next Thursday. Heritage unit will be able to provide certain materials as noted in the attached email and I suggest in the new year we meet to discuss who can provide what materials/plant machinery in line with Heritage unit relocation specifications...

If you have queries you can call me on 0417 822 457.

Kind regards,

John Peri | Supervisor - South Tree Operations |

Phone 62071878 | Fax 62072401 | Email john.peri@act.gov.au

Urban Treescapes | Transport Canberra and City Services Directorate | ACT Government

Kambah Depot O'Halloran Circuit Kambah ACT 2902 | GPO Box 158 Canberra ACT 2601 |

www.act.gov.au

From: Tozer, Simon

Sent: Friday, 14 December 2018 10:43 AM

To: Gould, Kristy <Kristy.Gould@act.gov.au>

Cc: Liosatos, Nick <Nick.Liosatos@act.gov.au>; Peri, John <John.Peri@act.gov.au>

Subject: RE: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi Kristy

I spoke to Nick and he was going to ring John Peri again about whether we can meet the Xmas deadline

Our understanding is that John needs to hire a flat-bed truck to move the trunk and stump

We will also need to backfill the hole left by the stump.

John, are you able to get some material out on site for us to do this?

Regards

Simon Tozer | Ranger In Charge Urban Reserves South

Parks and Conservation Service (PCS) | Environment and Planning Directorate

GPO Box 158 Canberra ACT 2601 | Location: Athllon Depot Cnr Athllon & Sulwood Dr Farrer

Mobile 0409 100 406 | Email simon.tozer@act.gov.au



From: Gould, Kristy

Sent: Thursday, 13 December 2018 11:24 AM

To: Tozer, Simon <Simon.Tozer@act.gov.au>

Subject: FW: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi Simon

For some reason you have dropped out of the emails. Sorry.

Kristy

From: Gould, Kristy

Sent: Friday, 30 November 2018 2:46 PM

To: Peri, John <John.Peri@act.gov.au>; Taylor, Lachlan <Lachlan.Taylor@act.gov.au>; Olsson, Kevin <Kevin.Olsson@act.gov.au>; Liosatos, Nick <Nick.Liosatos@act.gov.au>

Cc: Close, Nicole <Nicole.Close@act.gov.au>; Russell, Meaghan <Meaghan.Russell@act.gov.au>

Subject: RE: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi John

As discussed we can dig out the stump. Can you please liaise with Nick Liosatos about when you need this done by? In the mean time we will do the Dial B4U Dig so it's ready to go.

Thanks

Kristy

From: Peri, John

Sent: Tuesday, 27 November 2018 9:44 AM

To: Taylor, Lachlan <Lachlan.Taylor@act.gov.au>; Olsson, Kevin <Kevin.Olsson@act.gov.au>; Liosatos, Nick <Nick.Liosatos@act.gov.au>; Gould, Kristy <Kristy.Gould@act.gov.au>

Cc: Close, Nicole <Nicole.Close@act.gov.au>; Russell, Meaghan <Meaghan.Russell@act.gov.au>

Subject: RE: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi all

I met with my crane truck operator that collects the trunks and we discussed the relocation methods and have some points from our meeting below.

Yes we can remove the scar tree before Christmas however we probably need to meet on site with the [REDACTED] to properly coordinate?

With the physical removal of trunk and stump/root plate there is a need to discuss a few points re compliance conditions, as an example we don't currently have some of the items recommended and below is a list of the material/task required to undertake the relocation for discussion?

Like who will provide;

- the plywood for packing,
- spreader bar not currently used with our crane truck operation? Contractor could source spreader bar at extra cost
- foam to cushion straps
- flatbed truck as our crane truck has high sides and they can't be removed
- second hand mattress
- foam matting blanket
- mechanical excavator

I understand that all of the above can be sourced however we need to discuss who will provide and/or purchase?

Kind regards,

John Peri | Supervisor - South Tree Operations |

Phone 62071878 | Fax 62072401 | Email john.peri@act.gov.au

Urban Treescapes | Transport Canberra and City Services Directorate | ACT Government

Kambah Depot O'Halloran Circuit Kambah ACT 2902 | GPO Box 158 Canberra ACT 2601 | www.act.gov.au

From: Taylor, Lachlan

Sent: Friday, 23 November 2018 11:04 AM

To: Peri, John <John.Peri@act.gov.au>; Olsson, Kevin <Kevin.Olsson@act.gov.au>

Cc: Gould, Kristy <Kristy.Gould@act.gov.au>

Subject: FW: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi Guys,

Can you please move this log before the Christmas shutdown, pending crane truck availability?

Kind regards,

Lachlan Taylor | A/g Operations Manager - Urban Treescapes

Phone 02 6207 7852 | [REDACTED] | Email lachlan.taylor@act.gov.au

City Presentation | Transport Canberra and City Services Directorate | ACT Government

Level 2, 490 Northbourne Avenue, Dickson ACT 2602 | GPO Box 158 Canberra ACT 2601 | www.act.gov.au

From: Dawes, Rachael

Sent: Thursday, 22 November 2018 5:06 PM

To: Taylor, Lachlan <Lachlan.Taylor@act.gov.au>

Subject: Fwd: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Where are we at? Can you please check in with John .

Thanks

Rach

Sent from my iPhone

Begin forwarded message:

From: "Russell, Meaghan" <Meaghan.Russell@act.gov.au>

To: "Dawes, Rachael" <Rachael.Dawes@act.gov.au>, "Gould, Kristy"

<Kristy.Gould@act.gov.au>

Cc: "Moore, FionaF" <FionaF.Moore@act.gov.au>

Subject: FW: MST4 Aboriginal scarred tree - movement to [REDACTED]
[SEC=UNCLASSIFIED]

Hi Rachel and Kristy,

Do you have any updates on the planned movement of the Wanniasa scarred tree to [REDACTED]

The matter is relatively high profile, and the MO has requested a notification of its movement as soon as it has been completed.

If you have any questions on the advice provided below, please give me a call to discuss.

Regards,

Meaghan

Meaghan Russell | Manager (Approvals and Advice)

Phone: 13 22 81 | Email: meaghan.russell@act.gov.au

ACT Heritage | Environment, Planning and Sustainable Development Directorate | ACT Government

Dame Pattie Menzies House 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601

www.environment.act.gov.au



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From: Russell, Meaghan

Sent: Friday, 16 November 2018 10:44 AM

To: Dawes, Rachael <Rachael.Dawes@act.gov.au>; Liosatos, Nick <Nick.Liosatos@act.gov.au>; Taylor, Lachlan <Lachlan.Taylor@act.gov.au>; Peri, John <John.Peri@act.gov.au>; Gould, Kristy <Kristy.Gould@act.gov.au>; Tozer, Simon <Simon.Tozer@act.gov.au>

Cc: Gilbert, Euroka <Euroka.Gilbert@act.gov.au>; Moore, FionaF <FionaF.Moore@act.gov.au>

Subject: MST4 Aboriginal scarred tree - movement to [REDACTED]
[SEC=UNCLASSIFIED]

Hello all,

Following the 1 November on site meeting, ACT Heritage has received the attached conservator's report on the condition of the Aboriginal scarred tree in question (recorded as 'MST4') and its movement to the [REDACTED]. Informed by this report, and the earlier compliance review, ACT Heritage provides the following advice on the movement and temporary storage of the cultural tree.

Physical movement of cultural tree components

- The cultural scar occurs on both the felled trunk and the cut stump, and therefore both components are to be moved to the [REDACTED]
- The first component to be moved must be the felled trunk, which should be moved in the following manner:
 - Prior to the move, the cut on the top third of the trunk should be

- packed with plywood, which should be cut to the width of the sawcut.
 - A steel spreader bar and at least five nylon straps should be used to lift and move the trunk. Foam – such as cut firm yoga mats – should be used to cushion strap locations where they make contact with the trunk.
 - A flat bed truck should be used for transport, and the bed should be cushioned – such as with second hand mattresses – prior to placement of the trunk.
 - Once placed on the truck, straps should be used to hold the trunk down – again using foam matting to cushion locations where they make contact with the trunk.
- The second component to be moved is the stump, which should be moved in the following manner:
 - Prior to works, a cover – such as foam matting/blanket and tarp – should be placed over the scar location to protect it during works.
 - At two metres from its outer edge, mechanical excavation and hand digging should be used to excavate the stump, cutting rather than snapping roots – taking care to not damage the scar area.
 - Once free, the stump should be lifted with nylon straps, with foam used to cushion strap locations where they make contact with the stump (not needed for the roots).
 - A flat bed truck should be used for transport, with the stump cushioned with second hand mattresses or similar. Straps should be used to hold the stump down – again using foam matting to cushion locations where they make contact with the trunk.

Temporary storage at [REDACTED]

- Prior to placement of the trunk and stump, the area should be prepared by clearing leaf litter and placing treated pine sleepers or similar on the ground where the trunk and stump will be placed.
- The trunk and stump should be placed with care on the prepared sleepers to ensure no damage. Straps and cushioning should be removed once components have been placed.
- Following their placement, a tent or tarp structure should be erected over both components to protect from rain – but not to constrain air flow. No part of the tent/tarp is to touch the timber surfaces.

Should you have any questions on the above, please give me a call to discuss.

Once a date has been selected, please also notify ACT Heritage of the details – as we will be on site for the duration of the movement process.

Regards,

Meaghan

Meaghan Russell | Manager (Approvals and Advice)

Phone: 13 22 81 | Email: meaghan.russell@act.gov.au

ACT Heritage | Environment, Planning and Sustainable Development Directorate | ACT Government

Dame Pattie Menzies House 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601

www.environment.act.gov.au



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cid:image001.png@01D4615B.1E81D390



From: [Peri, John](#)
To: [Le Roux, Darren](#); [Alegria, Stephen](#); [Jeffress, Stuart](#); [Dawes, Rachael](#); [Tozer, Simon](#)
Cc: [Tozer, Simon](#); [Russell, Meaghan](#); [Moore, FionaF](#); [Close, Nicole](#); [Olsson, Kevin](#); [Mikhailovich, Nic](#)
Subject: RE: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]
Date: Thursday, 24 January 2019 7:54:18 AM
Attachments: [image002.png](#)
[image003.jpg](#)
[image004.png](#)
[image005.gif](#)
[image006.gif](#)
[image007.jpg](#)

Hi Stephen/all

With the recent storm events and then the storm last night we have many urgent public safety enquires to immediately attend to, and can we postpone this task until further notice?

It will take time to organise the materials & coordinate the works, and with the storm work we have received I won't have time to properly prepare for Tuesday also knowing that Monday is a public holiday.

As requested can we postpone until further notice say Thursday 31 January?

Kind regards,

John Peri | Supervisor - South Tree Operations |

Phone 62071878 | Fax 62072401 | Email john.peri@act.gov.au

Urban Treescapes | Transport Canberra and City Services Directorate | ACT Government

Kambah Depot O'Halloran Circuit Kambah ACT 2902 | GPO Box 158 Canberra ACT 2601 |

www.act.gov.au

From: Le Roux, Darren

Sent: Wednesday, 23 January 2019 11:11 AM

To: Alegria, Stephen <Stephen.Alegria@act.gov.au>; Jeffress, Stuart <Stuart.Jeffress@act.gov.au>; Peri, John <John.Peri@act.gov.au>; Dawes, Rachael <Rachael.Dawes@act.gov.au>; Tozer, Simon <Simon.Tozer@act.gov.au>

Cc: Tozer, Simon <Simon.Tozer@act.gov.au>; Russell, Meaghan <Meaghan.Russell@act.gov.au>; Moore, FionaF <FionaF.Moore@act.gov.au>; Close, Nicole <Nicole.Close@act.gov.au>; Olsson, Kevin <Kevin.Olsson@act.gov.au>; Mikhailovich, Nic <Nic.Mikhailovich@act.gov.au>

Subject: RE: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi Stephen,

I will be off on Tues, but please could the relevant staff co-ordinating the collection/drop-off of the gantry liaise directly with the Molonglo Ranger in Charge (RIC), Nik Mikhailovich (cc'd in here) re: access conditions / constraints of the site.

Also, access onto the construction site will need to be co-ordinated with the site contractor ([REDACTED]).

The gantry is at least 6m long and will require a tray bed of suitable length for transportation and machinery for lifting (please liaise with Robert as there may be some efficiencies on the day to use site excavators).

Thanks,

Darren

Darren Le Roux | Senior Project Manager | Projects

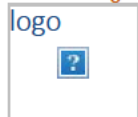
ACT Parks and Conservation Service | Environment Division | Environment, Planning and Sustainable Development (EPSDD)

Level 1, North Building, Dame Pattie Menzies House, 16 Challis St, Dickson | GPO Box 158 Canberra ACT 2601

p. (02) 6207 2422 m. [REDACTED]

I pay my respects to the Traditional Custodians of the ACT past, present and future, the Ngunnawal people and I

acknowledge their continuing connection to Country and their unique cultural practices.



From: Alegria, Stephen

Sent: Wednesday, 23 January 2019 9:46 AM

To: Jeffress, Stuart <Stuart.Jeffress@act.gov.au>; Peri, John <John.Peri@act.gov.au>; Dawes, Rachael <Rachael.Dawes@act.gov.au>; Tozer, Simon <Simon.Tozer@act.gov.au>; Le Roux, Darren <Darren.LeRoux@act.gov.au>

Cc: Tozer, Simon <Simon.Tozer@act.gov.au>; Russell, Meaghan <Meaghan.Russell@act.gov.au>; Moore, FionaF <FionaF.Moore@act.gov.au>; Close, Nicole <Nicole.Close@act.gov.au>; Olsson, Kevin <Kevin.Olsson@act.gov.au>

Subject: RE: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Thanks Stu, hopefully this works for everybody.

John, pls arrange materials and truck as requested and we'll sort the costs etc out in due course.

Stephen Alegria | Executive Branch Manager | City Presentation

T 02 6207 9833 | [REDACTED]

City Services | Transport Canberra and City Services Directorate

Level 2 Wotso House, 490 Northbourne Avenue, Dickson ACT | GPO 158, Canberra ACT 2601.

www.tccs.act.gov.au

From: Jeffress, Stuart

Sent: Wednesday, 23 January 2019 9:37 AM

To: Peri, John <John.Peri@act.gov.au>; Dawes, Rachael <Rachael.Dawes@act.gov.au>; Tozer, Simon <Simon.Tozer@act.gov.au>; Le Roux, Darren <Darren.LeRoux@act.gov.au>

Cc: Alegria, Stephen <Stephen.Alegria@act.gov.au>; Tozer, Simon <Simon.Tozer@act.gov.au>; Russell, Meaghan <Meaghan.Russell@act.gov.au>; Moore, FionaF <FionaF.Moore@act.gov.au>; Close, Nicole <Nicole.Close@act.gov.au>; Olsson, Kevin <Kevin.Olsson@act.gov.au>

Subject: RE: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi John and Simon

The spreader bar is currently at Molonglo River Park and would be available for use this Tuesday. Would this date work for everyone?

Simon, if this Tuesday works for everyone, can you liaise with Darren Le Roux re the collection of the spreader bar from Molonglo River Park?

John, are you in a position to arrange the other materials and truck? PCS will provide the backhoe.

If everyone is available on Tuesday, John and Simon can you suggest a time that Heritage should meet the operational staff on site at the commencement of works?

Thanks

Stu

From: Peri, John

Sent: Tuesday, 22 January 2019 8:09 AM

To: Jeffress, Stuart <Stuart.Jeffress@act.gov.au>; Dawes, Rachael <Rachael.Dawes@act.gov.au>

Cc: Alegria, Stephen <Stephen.Alegria@act.gov.au>; Tozer, Simon <Simon.Tozer@act.gov.au>; Russell, Meaghan <Meaghan.Russell@act.gov.au>; Moore, FionaF <FionaF.Moore@act.gov.au>; Close, Nicole <Nicole.Close@act.gov.au>; Olsson, Kevin <Kevin.Olsson@act.gov.au>

Subject: RE: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi Stuart

Yes we are in a position to relocate the scar tree to [REDACTED] and initially we were

ready to relocate however there was considerate recommendations made by the ACT heritage and it was discussed that ACT Heritage would source certain materials, as an example a gantry spreader bar used previously for the Tharwa scar tree relocation was to be sourced to assist with this task.

Please find attached previous correspondence.

Below is an example of recommendations of materials/tasks that we don't hold;

- the plywood for packing
- spreader bar
- foam to cushion straps
- flatbed truck as our crane tuck has high sides and they can't be removed
- second hand mattress
- foam matting blanket
- mechanical excavator

I understand that all of the above can be sourced however we need to discuss who will provide and/or purchase?

Once all the materials have been sourced/collected and tasks allocated we can set a date?

We can relocate scar tree using our day to day crane truck method?

Hi Meaghan

Can you please provide an update on the materials needed to assist with this task?

Kind regards,

John Peri | Supervisor - South Tree Operations |

Phone 62071878 | Fax 62072401 | Email john.peri@act.gov.au

Urban Treespaces | Transport Canberra and City Services Directorate | ACT Government

Kambah Depot O'Halloran Circuit Kambah ACT 2902 | GPO Box 158 Canberra ACT 2601 |

www.act.gov.au

From: Jeffress, Stuart

Sent: Monday, 21 January 2019 2:53 PM

To: Dawes, Rachael <Rachael.Dawes@act.gov.au>; Peri, John <John.Peri@act.gov.au>

Cc: Alegria, Stephen <Stephen.Alegria@act.gov.au>; Tozer, Simon <Simon.Tozer@act.gov.au>; Russell, Meaghan <Meaghan.Russell@act.gov.au>; Moore, FionaF <FionaF.Moore@act.gov.au>

Subject: FW: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi Rachael and John

Is your team now in a position to assist with the moving of the Aboriginal scar tree to [REDACTED] [REDACTED]? If so, can you arrange a date with Simon Tozer to commence this work? ACT Heritage should also be informed of the date so they can be on site at the commencement of work.

Meaghan Russell is the contact in Heritage to arrange their attendance on site.

It would be good to have this task completed.

Thanks

Stu

From: Iglesias, Daniel

Sent: Monday, 21 January 2019 11:01 AM

To: Jeffress, Stuart <Stuart.Jeffress@act.gov.au>; Moore, FionaF <FionaF.Moore@act.gov.au>; Clement, SophieJ <SophieJ.Clement@act.gov.au>

Subject: FW: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi Stu, can you check with Sophie and TCCS with this one and can we set a date when this

might be able to be done?

thanks

Daniel Iglesias
Executive Branch Manager
ACT Parks and Conservation Service

Environment, Planning and Sustainable Development Directorate

Tel: (02) 6207 6997 | [REDACTED]

ACT & PCS logo CMYK



From: Moore, FionaF

Sent: Monday, 21 January 2019 10:43 AM

To: Iglesias, Daniel <Daniel.Iglesias@act.gov.au>; Gould, Kristy <Kristy.Gould@act.gov.au>

Cc: Russell, Meaghan <Meaghan.Russell@act.gov.au>; Walker, IanS <IanS.Walker@act.gov.au>

Subject: RE: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi Daniel and Kristy,

We're nearing the end of January – do you know when the tree is confirmed for relocation?

The Minister's Office continue to receive enquires and criticism for the tree's current location, including from the Aboriginal community.

Regards,

Fiona Moore | Director, ACT Heritage | Secretary, ACT Heritage Council | (Mon – Thurs)

Phone: +61 2 6205 9974 | Email: fionaf.moore@act.gov.au

ACT Heritage | Environment, Planning and Sustainable Development Directorate | ACT Government

Dame Pattie Menzies House, Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au



From: Iglesias, Daniel

Sent: Monday, 17 December 2018 2:23 PM

To: Russell, Meaghan <Meaghan.Russell@act.gov.au>; Moore, FionaF <FionaF.Moore@act.gov.au>

Subject: FW: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi Fiona, Meaghan – see below.

Daniel Iglesias

Director

ACT Parks and Conservation Service

Environment, Planning and Sustainable Development Directorate

Tel: (02) 6207 6997 | [REDACTED]

ACT & PCS logo CMYK



From: Gould, Kristy

Sent: Monday, 17 December 2018 2:15 PM

To: Iglesias, Daniel <Daniel.Iglesias@act.gov.au>

Cc: Sweaney, Mark <Mark.Sweaney@act.gov.au>

Subject: FW: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi Daniel

In case you are not aware the movement of the scar tree has been delayed until January.

Kristy

From: Peri, John

Sent: Friday, 14 December 2018 11:31 AM

To: Liosatos, Nick <Nick.Liosatos@act.gov.au>

Cc: Tozer, Simon <Simon.Tozer@act.gov.au>; Gould, Kristy <Kristy.Gould@act.gov.au>

Subject: RE: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi all,

Please refer to the attachment, it has been decided that the relocation of scar tree will be postponed until next year to properly prepare.

Simon, with the storm we had last night we will be busy cleaning up the storm damage trees until we shut down next Thursday. Heritage unit will be able to provide certain materials as noted in the attached email and I suggest in the new year we meet to discuss who can provide what materials/plant machinery in line with Heritage unit relocation specifications...

If you have queries you can call me on [REDACTED].

Kind regards,

John Peri | Supervisor - South Tree Operations |

Phone 62071878 | Fax 62072401 | Email john.peri@act.gov.au

Urban Treescapes | Transport Canberra and City Services Directorate | ACT Government

Kambah Depot O'Halloran Circuit Kambah ACT 2902 | GPO Box 158 Canberra ACT 2601 |

www.act.gov.au

From: Tozer, Simon

Sent: Friday, 14 December 2018 10:43 AM

To: Gould, Kristy <Kristy.Gould@act.gov.au>

Cc: Liosatos, Nick <Nick.Liosatos@act.gov.au>; Peri, John <John.Peri@act.gov.au>

Subject: RE: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi Kristy

I spoke to Nick and he was going to ring John Peri again about whether we can meet the Xmas deadline

Our understanding is that John needs to hire a flat-bed truck to move the trunk and stump

We will also need to backfill the hole left by the stump.

John, are you able to get some material out on site for us to do this?

Regards

Simon Tozer | Ranger In Charge Urban Reserves South

Parks and Conservation Service (PCS) | Environment and Planning Directorate

GPO Box 158 Canberra ACT 2601 | Location: Athllon Depot Cnr Athllon & Sulwood Dr Farrer

Mobile 0409 100 406 | Email simon.tozer@act.gov.au



From: Gould, Kristy

Sent: Thursday, 13 December 2018 11:24 AM

To: Tozer, Simon <Simon.Tozer@act.gov.au>

Subject: FW: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi Simon

For some reason you have dropped out of the emails. Sorry.

Kristy

From: Gould, Kristy

Sent: Friday, 30 November 2018 2:46 PM

To: Peri, John <John.Peri@act.gov.au>; Taylor, Lachlan <Lachlan.Taylor@act.gov.au>; Olsson, Kevin <Kevin.Olsson@act.gov.au>; Liosatos, Nick <Nick.Liosatos@act.gov.au>

Cc: Close, Nicole <Nicole.Close@act.gov.au>; Russell, Meaghan <Meaghan.Russell@act.gov.au>

Subject: RE: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi John

As discussed we can dig out the stump. Can you please liaise with Nick Liosatos about when you need this done by? In the mean time we will do the Dial B4U Dig so it's ready to go.

Thanks

Kristy

From: Peri, John

Sent: Tuesday, 27 November 2018 9:44 AM

To: Taylor, Lachlan <Lachlan.Taylor@act.gov.au>; Olsson, Kevin <Kevin.Olsson@act.gov.au>; Liosatos, Nick <Nick.Liosatos@act.gov.au>; Gould, Kristy <Kristy.Gould@act.gov.au>

Cc: Close, Nicole <Nicole.Close@act.gov.au>; Russell, Meaghan <Meaghan.Russell@act.gov.au>

Subject: RE: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi all

I met with my crane truck operator that collects the trunks and we discussed the relocation methods and have some points from our meeting below.

Yes we can remove the scar tree before Christmas however we probably need to meet on site with [REDACTED] team to properly coordinate?

With the physical removal of trunk and stump/root plate there is a need to discuss a few points re compliance conditions, as an example we don't currently have some of the items recommended and below is a list of the material/task required to undertake the relocation for discussion?

Like who will provide;

- the plywood for packing,
- spreader bar not currently used with our crane truck operation? Contractor could source spreader bar at extra cost
- foam to cushion straps
- flatbed truck as our crane tuck has high sides and they can't be removed
- second hand mattress
- foam matting blanket
- mechanical excavator

I understand that all of the above can be sourced however we need to discuss who will provide and/or purchase?

Kind regards,

John Peri | Supervisor - South Tree Operations |

Phone 62071878 | Fax 62072401 | Email john.peri@act.gov.au

Urban Treespaces | Transport Canberra and City Services Directorate | ACT Government

Kambah Depot O'Halloran Circuit Kambah ACT 2902 | GPO Box 158 Canberra ACT 2601 |

www.act.gov.au

From: Taylor, Lachlan
Sent: Friday, 23 November 2018 11:04 AM
To: Peri, John <John.Peri@act.gov.au>; Olsson, Kevin <Kevin.Olsson@act.gov.au>
Cc: Gould, Kristy <Kristy.Gould@act.gov.au>
Subject: FW: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]
Hi Guys,
Can you please move this log before the Christmas shutdown, pending crane truck availability?
Kind regards,
Lachlan Taylor | A/g Operations Manager - Urban Treescapes
Phone 02 6207 7852 | [REDACTED] | Email lachlan.taylor@act.gov.au
City Presentation | Transport Canberra and City Services Directorate | ACT Government
Level 2, 490 Northbourne Avenue, Dickson ACT 2602 | GPO Box 158 Canberra ACT 2601 | www.act.gov.au

From: Dawes, Rachael
Sent: Thursday, 22 November 2018 5:06 PM
To: Taylor, Lachlan <Lachlan.Taylor@act.gov.au>
Subject: Fwd: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]
Where are we at? Can you please check in with John .
Thanks
Rach

Sent from my iPhone

Begin forwarded message:

From: "Russell, Meaghan" <Meaghan.Russell@act.gov.au>
To: "Dawes, Rachael" <Rachael.Dawes@act.gov.au>, "Gould, Kristy" <Kristy.Gould@act.gov.au>
Cc: "Moore, FionaF" <FionaF.Moore@act.gov.au>
Subject: FW: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi Rachel and Kristy,
Do you have any updates on the planned movement of the Wanniasa scarred tree [REDACTED]
The matter is relatively high profile, and the MO has requested a notification of its movement as soon as it has been completed.
If you have any questions on the advice provided below, please give me a call to discuss.

Regards,
Meaghan

Meaghan Russell | Manager (Approvals and Advice)
Phone: 13 22 81 | Email: meaghan.russell@act.gov.au
ACT Heritage | Environment, Planning and Sustainable Development Directorate | ACT Government
Dame Pattie Menzies House 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601
www.environment.act.gov.au



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cid:image001.png@01D4615B.1E81D390

From: Russell, Meaghan

Sent: Friday, 16 November 2018 10:44 AM

To: Dawes, Rachael <Rachael.Dawes@act.gov.au>; Liosatos, Nick <Nick.Liosatos@act.gov.au>; Taylor, Lachlan <Lachlan.Taylor@act.gov.au>; Peri, John <John.Peri@act.gov.au>; Gould, Kristy <Kristy.Gould@act.gov.au>; Tozer, Simon <Simon.Tozer@act.gov.au>

Cc: Gilbert, Euroka <Euroka.Gilbert@act.gov.au>; Moore, FionaF <FionaF.Moore@act.gov.au>

Subject: MST4 Aboriginal scarred tree - movement to [REDACTED]
[SEC=UNCLASSIFIED]

Hello all,

Following the 1 November on site meeting, ACT Heritage has received the attached conservator's report on the condition of the Aboriginal scarred tree in question (recorded as 'MST4') and its movement to [REDACTED]. Informed by this report, and the earlier compliance review, ACT Heritage provides the following advice on the movement and temporary storage of the cultural tree.

Physical movement of cultural tree components

- The cultural scar occurs on both the felled trunk and the cut stump, and therefore both components are to be moved to [REDACTED]
- The first component to be moved must be the felled trunk, which should be moved in the following manner:
 - Prior to the move, the cut on the top third of the trunk should be packed with plywood, which should be cut to the width of the sawcut.
 - A steel spreader bar and at least five nylon straps should be used to lift and move the trunk. Foam – such as cut firm yoga mats – should be used to cushion strap locations where they make contact with the trunk.
 - A flat bed truck should be used for transport, and the bed should be cushioned – such as with second hand mattresses – prior to placement of the trunk.
 - Once placed on the truck, straps should be used to hold the trunk down – again using foam matting to cushion locations where they make contact with the trunk.
- The second component to be moved is the stump, which should be moved in the following manner:
 - Prior to works, a cover – such as foam matting/blanket and tarp – should be placed over the scar location to protect it during works.
 - At two metres from its outer edge, mechanical excavation and hand digging should be used to excavate the stump, cutting rather than snapping roots – taking care to not damage the scar area.
 - Once free, the stump should be lifted with nylon straps, with foam

used to cushion strap locations where they make contact with the stump (not needed for the roots).

- A flat bed truck should be used for transport, with the stump cushioned with second hand mattresses or similar. Straps should be used to hold the stump down – again using foam matting to cushion locations where they make contact with the trunk.

Temporary storage at [REDACTED]

- Prior to placement of the trunk and stump, the area should be prepared by clearing leaf litter and placing treated pine sleepers or similar on the ground where the trunk and stump will be placed.
- The trunk and stump should be placed with care on the prepared sleepers to ensure no damage. Straps and cushioning should be removed once components have been placed.
- Following their placement, a tent or tarp structure should be erected over both components to protect from rain – but not to constrain air flow. No part of the tent/tarp is to touch the timber surfaces.

Should you have any questions on the above, please give me a call to discuss.

Once a date has been selected, please also notify ACT Heritage of the details – as we will be on site for the duration of the movement process.

Regards,

Meaghan

Meaghan Russell | Manager (Approvals and Advice)

Phone: 13 22 81 | Email: meaghan.russell@act.gov.au

ACT Heritage | Environment, Planning and Sustainable Development Directorate | ACT Government

Dame Pattie Menzies House 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601

www.environment.act.gov.au



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From: [Jeffress, Stuart](#)
To: [Russell, Meaghan](#); [Gilbert, Euroka](#)
Cc: [Moore, FionaF](#)
Subject: Tree
Date: Tuesday, 29 January 2019 7:53:04 AM

Hi Meaghan and Euroka

It's looking like the removal of the tree will need to be delayed as the majority of our field staff are at the Corin fire.

I've left a message on Euroka's desk phone to ensure he does not travel across.

Thanks

Stu

From: [Piper, Mayumi](#)
To: [Moore, FionaF](#)
Cc: [Jeffress, Stuart](#)
Subject: Re: Removal of two Aboriginal Scarred trees in Wanniasa [SEC=UNCLASSIFIED]
Date: Saturday, 2 February 2019 9:22:39 PM

Thanks Fiona. I appreciate your help.

m

On 2 Feb 2019, at 4:33 pm, Moore, FionaF <FionaF.Moore@act.gov.au> wrote:

Hi Mayumi,

COB Monday deadline would be appreciated.

Heritage has all the background, and the relocation of one of the felled trees is a coordinated effort between PCS, TCCS and heritage.

Heritage can be the first point of contact.

F

From: Piper, Mayumi
Sent: Saturday 2 February 2019 16:20
To: Moore, FionaF
Subject: Fwd: Removal of two Aboriginal Scarred trees in Wanniasa [SEC=UNCLASSIFIED]

Hi Fiona

I've received the below media enquiry from ABC. Looks as though there is a bit of history. Who is taking the lead? Heritage, PCS or TCCS?

I am attempting to contact the journalist and find out the deadline. It's unlikely that I'll need something today.

I'll be In touch if needed.

m

Begin forwarded message:

From: TCCS_CM Media <TCCS.Media@act.gov.au>
Date: 2 February 2019 at 3:46:24 pm AEDT
To: "Piper, Mayumi" <Mayumi.Piper@act.gov.au>
Cc: "Murray, Gerry" <Gerry.Murray@act.gov.au>
Subject: Fwd: Removal of two Aboriginal Scarred trees in Wanniasa [SEC=UNCLASSIFIED]

Hi Mayumi,

Good to be in phone contact. As discussed, [REDACTED]@ABC is looking to write an article on two trees that have been cut down in

Wanniassa without authorisation. Full details below.

██████████ contact number; ██████████

Best regards,

Gerry Murray
TCCS Media on-call

Begin forwarded message:

From: ██████████
Sent: Saturday, 2 February 2019 10:28 AM
To: Webber, James <James.Webber@act.gov.au>
Subject: Removal of two Aboriginal Scarred trees in Wanniassa

Hey mate,
Thanks for your help on this. I attached the info in the briefing below for quick reference, it would be great to get a bit of comment from you guys in terms of:

What happened with the two trees (did someone not realise they were protected etc)?
What's the latest with the investigation into the removal of MST4?
Was anyone charged or fined over either incident?
What has been done or is being done to prevent a repeat situation?
What is the significance of these two trees?
And also, why is MSYB1 known as the 'Spook Tree'?
Thanks mate,

██████████
Two Aboriginal scar trees, recorded as 'MSYB1 (Spook Tree) and MST4, located in close proximity to each other in Wanniassa, have been cut down without authorisation.

- MSYB1 was cut down and mulched in April 2017, with the circumstances leading to its destruction investigated by Access Canberra, who determined that removal was unintentional and there was no evidence of a 'fault' element under the Criminal Code 2002. This matter is now closed.
- MST4 was reported as felled to ACT Heritage in July 2018, however aerial photography indicates that the tree was felled between December 2016 and March 2017. The trunk remains on the ground next to the stump. EPSDD investigation into its removal is ongoing.
- MST4 will be moved to a secure location in the interim until long term conservation measures have been

identified in consultation with RAOs. Relocation of the felled trunk is a coordinated effort between ACT Heritage, TCCS and PCS, guided by advice on its movement and placement from a conservator.

- EPSDD is exploring the offence and enforcement provisions within the Heritage Act 2004, as well as a range of education options to increase community understanding of heritage values and specific identification of aboriginal values. Background Information
- 'MST4' is a Eucalyptus blakelyi with a large scar on its trunk, understood to be a canoe scar. This tree was located within Block 6 Section 253 Wanniasa, on unleased Territory land managed by TCCS.
- 'MSYB1' was a Eucalyptus melliodora with a scar on its trunk, publically known as the 'Spook Tree'. The tree was located within Block 1 Section 253 Wanniasa, on unleased Territory land managed by the Education Directorate (Wanniasa Hills Primary School).

-

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From: [Russell, Meaghan](#)
To: [Moore, FionaF](#)
Subject: RE: Removal of two Aboriginal Scarred trees in Wanniasa [SEC=UNCLASSIFIED]
Date: Monday, 4 February 2019 10:26:11 AM
Attachments: [image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.gif](#)
[image007.gif](#)

Hi Fiona,
 As requested:

What is the significance of these two trees?

Aboriginal scarred trees are the product of Aboriginal cultural activities, such as the removal of bark or wood for the making of canoes, shelters and containers. Scarred trees were once more common throughout the ACT, however, with the natural aging and loss of trees, they are now relatively rare sites. Scarred trees are of cultural significance to Traditional Custodians, and they are also of archaeological significance as they can provide an enormous amount of information on past Aboriginal activity and use.

And also, why is MSYB1 known as the ‘Spook Tree’?

The ‘Spook Tree’ has been known as such since at least the 1990s, and although the origins of the name are unclear, the name most likely comes from the local resident or school community. Traditional Custodians do not identify this as a cultural name, or identify any specific cultural associations with the tree.

Cheers,
 Meaghan

Meaghan Russell | Manager (Approvals and Advice)
 Phone: 13 22 81 | Email: meaghan.russell@act.gov.au

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 Dame Pattie Menzies House 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601
www.environment.act.gov.au

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cid:image001.png@01D4615B.1E81D390



From: Moore, FionaF
Sent: Monday, 4 February 2019 9:41 AM
To: Walker, IanS <IanS.Walker@act.gov.au>
Cc: Russell, Meaghan <Meaghan.Russell@act.gov.au>; Jeffress, Stuart <Stuart.Jeffress@act.gov.au>
Subject: FW: Removal of two Aboriginal Scarred trees in Wanniasa [SEC=UNCLASSIFIED]

Hi Ian,

FYI – media enquiry received over the weekend. Will prepare responses now that will require your clearance today.

Regards,

Fiona Moore | Director, ACT Heritage | Secretary, ACT Heritage Council | (Mon – Thurs)
 Phone: +61 2 6205 9974 | Email: fionaf.moore@act.gov.au

ACT Heritage | Environment, Planning and Sustainable Development Directorate | ACT Government

Dame Pattie Menzies House, Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au



From: Piper, Mayumi

Sent: Saturday, 2 February 2019 9:23 PM

To: Moore, FionaF <FionaF.Moore@act.gov.au>

Cc: Jeffress, Stuart <Stuart.Jeffress@act.gov.au>

Subject: Re: Removal of two Aboriginal Scarred trees in Wanniasa [SEC=UNCLASSIFIED]

Thanks Fiona. I appreciate your help.

m

On 2 Feb 2019, at 4:33 pm, Moore, FionaF <FionaF.Moore@act.gov.au> wrote:

Hi Mayumi,

COB Monday deadline would be appreciated.

Heritage has all the background, and the relocation of one of the felled trees is a coordinated effort between PCS, TCCS and heritage.

Heritage can be the first point of contact.

F

From: Piper, Mayumi

Sent: Saturday 2 February 2019 16:20

To: Moore, FionaF

Subject: Fwd: Removal of two Aboriginal Scarred trees in Wanniasa [SEC=UNCLASSIFIED]

Hi Fiona

I've received the below media enquiry from ABC. Looks as though there is a bit of history. Who is taking the lead? Heritage, PCS or TCCS?

I am attempting to contact the journalist and find out the deadline. It's unlikely that I'll need something today.

I'll be in touch if needed.

m

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Date: 2 February 2019 at 3:46:24 pm AEDT

To: "Piper, Mayumi" <Mayumi.Piper@act.gov.au>

Cc: "Murray, Gerry" <Gerry.Murray@act.gov.au>

Subject: Fwd: Removal of two Aboriginal Scarred trees in Wanniasa [SEC=UNCLASSIFIED]

Hi Mayumi,

Good to be in phone contact. As discussed, [REDACTED] @ ABC is looking to write an article on two trees that have been cut down in Wanniasa without authorisation. Full details below.

[REDACTED]

Best regards,

Gerry Murray

TCCS Media on-call

Begin forwarded message:

From: [REDACTED]
Sent: Saturday, 2 February 2019 10:28 AM
To: Webber, James <James.Webber@act.gov.au>
Subject: Removal of two Aboriginal Scarred trees in Wanniasa

Hey mate,

Thanks for your help on this. I attached the info in the briefing below for quick reference, it would be great to get a bit of comment from you guys in terms of:

What happened with the two trees (did someone not realise they were protected etc)?

What's the latest with the investigation into the removal of MST4?

Was anyone charged or fined over either incident?

What has been done or is being done to prevent a repeat situation?

What is the significance of these two trees?

And also, why is MSYB1 known as the 'Spook Tree'?

Thanks mate,

[REDACTED]
 Two Aboriginal scar trees, recorded as 'MSYB1 (Spook Tree) and MST4, located in close proximity to each other in Wanniasa, have been cut down without authorisation.

- MSYB1 was cut down and mulched in April 2017, with the circumstances leading to its destruction investigated by Access Canberra, who determined that removal was unintentional and there was no evidence of a 'fault' element under the Criminal Code 2002. This matter is now closed.
- MST4 was reported as felled to ACT Heritage in July 2018, however aerial photography indicates that the tree was felled between December 2016 and March 2017. The trunk remains on the ground next to the stump. EPSDD investigation into its removal is ongoing.
- MST4 will be moved to a secure location in the interim until long term conservation measures have been identified in consultation with RAOs. Relocation of the felled trunk is a coordinated effort between ACT Heritage, TCCS and PCS, guided by advice on its movement and placement from a conservator.
- EPSDD is exploring the offence and enforcement provisions within the Heritage Act 2004, as well as a range of education options to increase community understanding of heritage values and specific

identification of aboriginal values. Background Information

- 'MST4' is a Eucalyptus blakelyi with a large scar on its trunk, understood to be a canoe scar. This tree was located within Block 6 Section 253 Wanniasa, on unleased Territory land managed by TCCS.
- 'MSYB1' was a Eucalyptus melliodora with a scar on its trunk, publically known as the 'Spook Tree'. The tree was located within Block 1 Section 253 Wanniasa, on unleased Territory land managed by the Education Directorate (Wanniasa Hills Primary School).

-

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From: [Walker, IanS](#)
To: [Moore, FionaF](#)
Cc: [Virtue, Geoff](#); [Russell, Meaghan](#); [Jeffress, Stuart](#); [OConnell, Jennifer](#)
Subject: RE: Removal of two Aboriginal Scarred trees in Wanniasa [SEC=UNCLASSIFIED]
Date: Monday, 4 February 2019 10:37:36 AM
Attachments: [image003.png](#)
[image004.gif](#)
[image005.gif](#)

Im ok with the words

Ian Walker

Executive Director, Environment

Phone: +61 6205 9027 | Email: IanS.Walker@act.gov.au

Environment, Planning and Sustainable Development Directorate | ACT Government

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2602

www.environment.act.gov.au

We acknowledge and celebrate the Ngunnawal peoples whose traditional lands we work on and pay our respect to elders past and present

From: Moore, FionaF

Sent: Monday, 4 February 2019 10:31 AM

To: Walker, IanS <IanS.Walker@act.gov.au>

Cc: Virtue, Geoff <Geoff.Virtue@act.gov.au>; Russell, Meaghan <Meaghan.Russell@act.gov.au>; Jeffress, Stuart <Stuart.Jeffress@act.gov.au>; OConnell, Jennifer <Jennifer.OConnell@act.gov.au>

Subject: RE: Removal of two Aboriginal Scarred trees in Wanniasa [SEC=UNCLASSIFIED]

Hi Ian,

Media responses for your clearance.

From the background information provided by the journalist I'm assuming this enquiry stems from the publically released QTBs from last year's Annual and Financial Report Hearings.

Attached are links to Ministerial correspondence related to this matter. The below responses align with content of those letters.

What happened with the two trees (did someone not realise they were protected etc)?

What's the latest with the investigation into the removal of MST4?

- MSYB1 and MST4 were felled without approval under the *Heritage Act 2004*.
- The removal of MSYB1 was reported to ACT Heritage in April 2017 and referred to Access Canberra's Regulatory Compliance team for investigation. Access Canberra concluded that it was not a malicious activity that resulted in the removal of the tree, but rather a genuine and unintentional administration error. Unfortunately in this instance the trunk was not able to be salvaged for future conservation.
- MST4 was felled by person/s unknown between 31 December 2016 and 10 March 2017. It was reported to ACT Heritage in July 2018 and referred to the Directorate's Environment Division Compliance Team for investigation. As the identity of the offender/s could not be established, no further action can be taken in relation to the alleged breaches. Unless further information becomes available, no further investigation of this matter will be undertaken. However in this instance, the trunk is able to be salvaged and the Directorate, together with TCCS as the land managers, is coordinating the temporary relocation of the trunk until long term conservation measures have been identified. Temporary relocation and longer term conservation measures will occur in consultation with Representative Aboriginal Organisations and a conservator.

Was anyone charged or fined over either incident?

- Investigation and prosecutions are an independent matter for the Directorate. In light of the outcomes of the both investigations it was determined that prosecution in these instance would not be in the public interest.

What has been done or is being done to prevent a repeat situation?

- Minister Gentleman has asked the Directorate, as a matter of urgency, to explore the offence and enforcement provisions with the *Heritage Act 2004*, as well as a range of education options to increase community understanding of heritage values and specific identification of Aboriginal values. This work has commenced.

What is the significance of these two trees?

- Aboriginal scarred trees are the product of Aboriginal cultural activities, such as the removal of bark or wood for the making of canoes, shelters and containers. Scarred trees were once more common throughout the ACT, however, with the natural aging and loss of trees, they are now relatively rare sites. Scarred trees are of cultural significance to Traditional Custodians, and they are also of archaeological significance as they can provide an enormous amount of information on past Aboriginal activity and use.

And also, why is MSYB1 known as the 'Spook Tree'?

- The 'Spook Tree' has been known as such since at least the 1990s, and although the origins of the name are unclear, the name most likely comes from the local residents or school community. Traditional Custodians do not identify this as a cultural name, or identify any specific cultural associations with the tree.

Regards,

Fiona Moore | Director, ACT Heritage | Secretary, ACT Heritage Council | (Mon – Thurs)

Phone: +61 2 6205 9974 | Email: fionaf.moore@act.gov.au

ACT Heritage | Environment, Planning and Sustainable Development Directorate | ACT Government

Dame Pattie Menzies House, Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au



From: Piper, Mayumi

Sent: Saturday, 2 February 2019 4:20 PM

To: Moore, FionaF <FionaF.Moore@act.gov.au>

Subject: Fwd: Removal of two Aboriginal Scarred trees in Wanniasa [SEC=UNCLASSIFIED]

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I am attempting to contact the journalist and find out the deadline. It's unlikely that I'll need something today.

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To: "Piper, Mayumi" <Mayumi.Piper@act.gov.au>

Cc: "Murray, Gerry" <Gerry.Murray@act.gov.au>

Subject: Fwd: Removal of two Aboriginal Scarred trees in Wanniasa [SEC=UNCLASSIFIED]

Hi Mayumi,

Good to be in phone contact. As discussed, [REDACTED] is looking to write an article on two trees that have been cut down in Wanniasa without authorisation. Full details below.

[REDACTED]
Best regards,

Gerry Murray

TCCS Media on-call

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To: Webber, James <James.Webber@act.gov.au>
Subject: Removal of two Aboriginal Scarred trees in Wanniasa

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Thanks for your help on this. I attached the info in the briefing below for quick reference, it would be great to get a bit of comment from you guys in terms of:

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Thanks mate,

[REDACTED]
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- EPSDD is exploring the offence and enforcement provisions within the Heritage Act 2004, as well as a range of education options to

increase community understanding of heritage values and specific identification of aboriginal values. Background Information

- 'MST4' is a *Eucalyptus blakelyi* with a large scar on its trunk, understood to be a canoe scar. This tree was located within Block 6 Section 253 Wanniasa, on unleased Territory land managed by TCCS.
- 'MSYB1' was a *Eucalyptus melliodora* with a scar on its trunk, publically known as the 'Spook Tree'. The tree was located within Block 1 Section 253 Wanniasa, on unleased Territory land managed by the Education Directorate (Wanniasa Hills Primary School).

-

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From: Le Roux, Darren
Sent: Monday, 4 February 2019 4:44 PM
To: Peri, John; Jeffress, Stuart; Gilbert, Euroka; Russell, Meaghan
Cc: Mikhailovich, Nic; [REDACTED] Bolitho, Owen; Shawcross, Amalie
Subject: RE: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Importance: High

Hi John,

Further to Nic's email below, just confirming that the gantry will be dropped off back at the Molonglo pick-up location by **COB on Wed** (after the relocation to [REDACTED]). This is critical as the gantry is being used on another construction project.

The construction site contractor ([REDACTED]) can assist with loading and off-loading with site excavators (the space is really tight). I will make sure he is on site at the relevant times and please liaise with [REDACTED] and Nic, should you require. Also, the gantry is 6m in length (one single unit) and a semi-trailer of appropriate size is needed.

Please note, I have cleared truck access on River Rd with Owen Bolitho and Amalie Shawcross from the Arboretum. Amalie, is it please possible to keep the River Rd boom gate open / dummy locked between 7.30am and 5pm on Wed – that would greatly appreciated.

Thanks,
Darren

Darren Le Roux | Senior Project Manager | Projects
ACT Parks and Conservation Service | Environment Division | Environment, Planning and Sustainable Development (EPSDD)
Level 1, North Building, Dame Pattie Menzies House, 16 Challis St, Dickson | GPO Box 158 Canberra ACT 2601
p. (02) 6207 2422 m. 0450 629 601

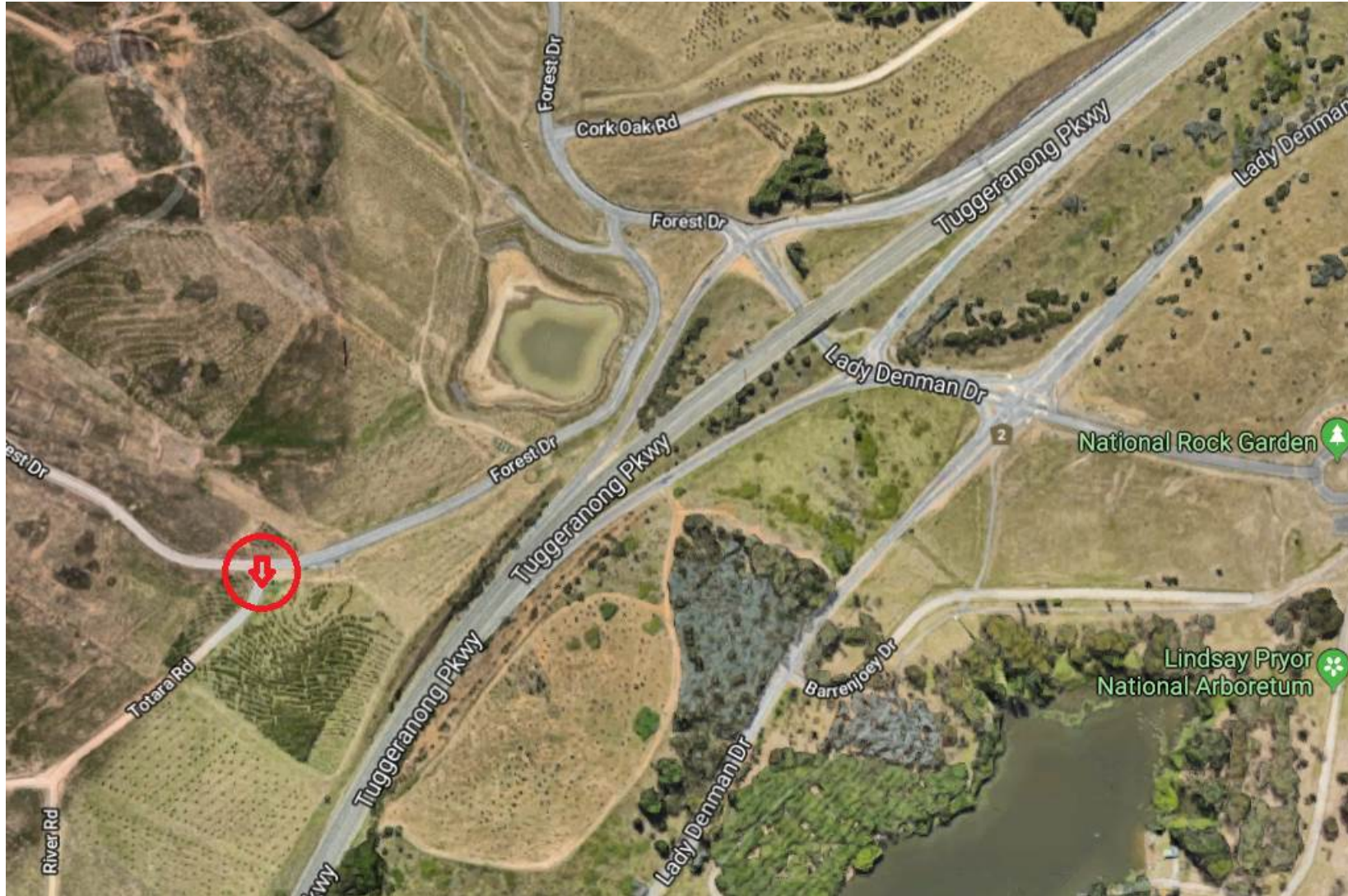
I pay my respects to the Traditional Custodians of the ACT past, present and future, the Ngunnawal people and I acknowledge their continuing connection to Country and their unique cultural practices.



From: Mikhailovich, Nic
Sent: Monday, 4 February 2019 3:09 PM
To: Peri, John; Jeffress, Stuart; Tozer, Simon; Ingram, Ross; Taylor, Lachlan
Cc: Dawes, Rachael; Liosatos, Nick; Gilbert, Euroka; Russell, Meaghan; Clement, SophieJ
Subject: RE: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi John,

As discussed earlier, we will meet at 7:30am on Wednesday 6th, corner of Totara Rd and Forest Dr within the National Arboretum Canberra.



The location of the gantry is a further drive through the Arboretum and Molonglo River Reserve as shown below. I will provide access and guide the truck through the reserve.



Thanks again for your assistance,

Nic Mikhailovich | Senior Ranger | Molonglo River Reserve

M [redacted] | P 6207 4786 | E nic.mikhailovich@act.gov.au

Parks and Conservation Service | Environment, Planning and Sustainable Development Directorate | ACT Government

66-68 Grimwade St Mitchell ACT 2911 | GPO Box 158 Canberra City ACT 2601 | www.environment.act.gov.au



From: Shawcross, Amalie
Sent: Monday, 4 February 2019 5:58 PM
To: Le Roux, Darren; Peri, John; Jeffress, Stuart; Gilbert, Euroka; Russell, Meaghan
Cc: Mikhailovich, Nic; [REDACTED]; Bolitho, Owen
Subject: RE: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi Darren

Yes, I can ensure that we leave that particular gate dummy locked for the day, pending a large rain event, in which case we may have to close the road permanently, or work out another arrangement. I will keep you updated if anything changes.

Kind regards
Amalie

Amalie Shawcross | Horticultural Manager a/g | National Arboretum Canberra

T 02 6207 7603 | [REDACTED] | E amalie.shawcross@act.gov.au

Venues Canberra

Procurement, Property and Venues | Under Treasurer - Commercial Services & Infrastructure | Chief Minister, Treasury and Economic Development Directorate

National Arboretum Canberra, Forest Drive, Weston Creek | GPO 158, Canberra ACT 2601.

www.nationalarboretum.act.gov.au



From: Le Roux, Darren

Sent: Monday, 4 February 2019 4:44 PM

To: Peri, John <John.Peri@act.gov.au>; Jeffress, Stuart <Stuart.Jeffress@act.gov.au>; Gilbert, Euroka <Euroka.Gilbert@act.gov.au>; Russell, Meaghan <Meaghan.Russell@act.gov.au>

Cc: Mikhailovich, Nic <Nic.Mikhailovich@act.gov.au>; [REDACTED] Bolitho, Owen <Owen.Bolitho@act.gov.au>; Shawcross, Amalie <Amalie.Shawcross@act.gov.au>

Subject: RE: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Importance: High

Hi John,

Further to Nic's email below, just confirming that the gantry will be dropped off back at the Molonglo pick-up location by **COB on Wed** (after the relocation to [REDACTED] Depot)? This is critical as the gantry is being used on another construction project.

The construction site contractor ([REDACTED]) can assist with loading and off-loading with site excavators (the space is really tight). I will make sure he is on site at the relevant times and please liaise with Robert and Nic, should you require.

Also, the gantry is 6m in length (one single unit) and a semi-trailer of appropriate size is needed.

Please note, I have cleared truck access on River Rd with Owen Bolitho and Amalie Shawcross from the Arboretum.

Amalie, is it please possible to keep the River Rd boom gate open / dummy locked between 7.30am and 5pm on Wed – that would greatly appreciated.

Thanks,

Darren

Darren Le Roux | Senior Project Manager | Projects

ACT Parks and Conservation Service | Environment Division | Environment, Planning and Sustainable Development (EPSDD)

Level 1, North Building, Dame Pattie Menzies House, 16 Challis St, Dickson | GPO Box 158 Canberra ACT 2601

p. (02) 6207 2422 m. [REDACTED]

I pay my respects to the Traditional Custodians of the ACT past, present and future, the Ngunnawal people and I acknowledge their continuing connection to Country and their unique cultural practices.



From: Russell, Meaghan
Sent: Tuesday, 5 February 2019 9:24 AM
To: Ingram, Ross; Peri, John; Le Roux, Darren; Jeffress, Stuart; Gilbert, Euroka
Cc: Mikhailovich, Nic; [REDACTED]; Owen, Shawcross, Amalie; Liosatos, Nick; Tozer, Simon; Olsson, Kevin
Subject: RE: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]
Attachments: 2018 Wanniasa Scar Tree.pdf

Hi Ross,

The weight of the tree has been estimated as c.2200kg – please see the attached report – and PCS Projects may be able to advise on the gantry weight.

Is an alternate trailer available for tomorrow?

Cheers,
Meaghan

Meaghan Russell | Manager (Approvals and Advice)
Phone: 13 22 81 | Email: meaghan.russell@act.gov.au
ACT Heritage | Environment, Planning and Sustainable Development Directorate | ACT Government
Dame Pattie Menzies House 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601
www.environment.act.gov.au

 [@EnvironPlan](#)  facebook.com/EnvironPlan



From: Ingram, Ross

Sent: Tuesday, 5 February 2019 8:55 AM

To: Peri, John <John.Peri@act.gov.au>; Le Roux, Darren <Darren.LeRoux@act.gov.au>; Jeffress, Stuart <Stuart.Jeffress@act.gov.au>; Gilbert, Euroka <Euroka.Gilbert@act.gov.au>; Russell, Meaghan <Meaghan.Russell@act.gov.au>

Cc: Mikhailovich, Nic <Nic.Mikhailovich@act.gov.au>; [REDACTED]; Bolitho, Owen <Owen.Bolitho@act.gov.au>; Shawcross, Amalie <Amalie.Shawcross@act.gov.au>; Liosatos, Nick <Nick.Liosatos@act.gov.au>; Tozer, Simon <Simon.Tozer@act.gov.au>; Olsson, Kevin <Kevin.Olsson@act.gov.au>

Subject: RE: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi all,

Can someone confirm the weight of the gantry and scar tree please? The trailer is rated for carrying 2150 kg.

Regards

Ross

From: Peri, John

Sent: Tuesday, 5 February 2019 8:02 AM

To: Le Roux, Darren <Darren.LeRoux@act.gov.au>; Jeffress, Stuart <Stuart.Jeffress@act.gov.au>; Gilbert, Euroka <Euroka.Gilbert@act.gov.au>; Russell, Meaghan <Meaghan.Russell@act.gov.au>

Cc: Mikhailovich, Nic <Nic.Mikhailovich@act.gov.au>; [REDACTED] Bolitho, Owen <Owen.Bolitho@act.gov.au>; Shawcross, Amalie <Amalie.Shawcross@act.gov.au>; Liosatos, Nick <Nick.Liosatos@act.gov.au>; Tozer, Simon <Simon.Tozer@act.gov.au>; Ingram, Ross <Ross.Ingram@act.gov.au>; Olsson, Kevin <Kevin.Olsson@act.gov.au>

Subject: RE: MST4 Aboriginal scarred tree - [REDACTED] [SEC=UNCLASSIFIED]

Hi Darren

Yes mate I can confirm as soon as we complete the scar tree relocation we will return the Gantry back to the pick-up location. Thanks for [REDACTED] contact details and we will be at Molonglo to pick up around 730. When we have finished with the Gantry we will call Robert to organise the excavator to unload.

We will be collecting the gantry with the crane/tipper truck and it should be appropriate to collect, it is a very large truck and with the rain last night it needs to be dry it can slip on the surface depending, it is a very large truck. Thanks to Owen and Amalie for helping with our truck access.

Kind regards,

John Peri | Supervisor - South Tree Operations |

Phone 62071878 | Fax 62072401 | Email john.peri@act.gov.au
Urban Treescapes | Transport Canberra and City Services Directorate | ACT Government
Kambah Depot O'Halloran Circuit Kambah ACT 2902 | GPO Box 158 Canberra ACT 2601 | www.act.gov.au

From: Le Roux, Darren
Sent: Monday, 4 February 2019 4:44 PM
To: Peri, John <John.Peri@act.gov.au>; Jeffress, Stuart <Stuart.Jeffress@act.gov.au>; Gilbert, Euroka <Euroka.Gilbert@act.gov.au>; Russell, Meaghan <Meaghan.Russell@act.gov.au>
Cc: Mikhailovich, Nic <Nic.Mikhailovich@act.gov.au>; [REDACTED]; Bolitho, Owen <Owen.Bolitho@act.gov.au>; Shawcross, Amalie <Amalie.Shawcross@act.gov.au>
Subject: RE: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]
Importance: High

Hi John,

Further to Nic's email below, just confirming that the gantry will be dropped off back at the Molonglo pick-up location by **COB on Wed** (after the relocation to [REDACTED])
This is critical as the gantry is being used on another construction project.

The construction site contractor ([REDACTED]) can assist with loading and off-loading with site excavators (the space is really tight). I will make sure he is on site at the relevant times and please liaise with [REDACTED] and Nic, should you require.
Also, the gantry is 6m in length (one single unit) and a semi-trailer of appropriate size is needed.

Please note, I have cleared truck access on River Rd with Owen Bolitho and Amalie Shawcross from the Arboretum.
Amalie, is it please possible to keep the River Rd boom gate open / dummy locked between 7.30am and 5pm on Wed – that would greatly appreciated.

Thanks,
Darren

Darren Le Roux | Senior Project Manager | Projects
ACT Parks and Conservation Service | Environment Division | Environment, Planning and Sustainable Development (EPSDD)
Level 1, North Building, Dame Pattie Menzies House, 16 Challis St, Dickson | GPO Box 158 Canberra ACT 2601
p. (02) 6207 2422 [REDACTED]

I pay my respects to the Traditional Custodians of the ACT past, present and future, the Ngunnawal people and I acknowledge their continuing connection to Country and their unique cultural practices.



From: [Virtue, Geoff](#)
To: [Moore, FionaF](#)
Subject: Revised response
Date: Tuesday, 5 February 2019 11:45:56 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.jpg](#)

Hi Fiona

For final clearance pls and addition of the info.

- Aboriginal scarred trees are the product of Aboriginal cultural activities, such as the removal of bark or wood for the making of canoes, shelters and containers. Scarred trees were once more common throughout the ACT, however, with the natural aging and loss of trees, they are now relatively rare sites. Scarred trees are of cultural significance to Traditional Custodians, and they are also of archaeological significance as they can provide an enormous amount of information on past Aboriginal activity and use.
- The ACT Government recognises the importance of Aboriginal scarred trees to our region's heritage. The Minister for the Environment and Heritage shares in the community's disappointment at the loss of heritage places and objects.
- MSYB1 and MST4, both in Wanniasa, were felled without approval under the *Heritage Act 2004*.
- The removal of MSYB1 was reported to ACT Heritage in April 2017 and an investigation then took place. The investigation concluded it was a genuine mistake by a contractor who felled the tree as part of a larger program of tree removal. As per standard process, the contractor had sought advice from the Conservator of Flora and Fauna prior to removing any trees. Unfortunately an administrative error at the contractor's end saw the tree wrongly identified for removal.
- The contractor notified the government once they realised their mistake and expressed how upset they were. The investigation concluded it was not in the public interest to pursue an expensive prosecution process.
- The investigation has, however, highlighted the gap in the legislation that only allows the ACT Government to prosecute through the courts. Minister Gentleman has asked the Directorate, as a matter of urgency, to explore the introduction of an on-the-spot scheme and repair orders where appropriate. This work is expected to be rolled out this year.
- MST4 was felled by person/s unknown between 31 December 2016 and 10 March 2017. It was reported to ACT Heritage in July 2018 and an investigation took place. As the identity of the offender/s could not be established, no further action can be taken at this stage in relation to the alleged breaches.
- In this instance, the trunk is able to be salvaged and the ACT Government is coordinating its temporary relocation until long term conservation measures have been identified. This work is very complex and requires very specific equipment that is currently being organised to ensure no further damage to the tree. Consultation is taking place with Representative Aboriginal Organisations and an expert in the conservation of Aboriginal scar trees.
- In terms of MSYB1 being referred to as the 'Spook Tree', it has been known as such since at least the 1990s. Although the origins of the name are unclear, the name most likely comes from the local residents or school community. Traditional

Custodians do not identify this as a cultural name.

Geoff Virtue | Communications Manager - Environment

Phone 02 6205 0312 | [REDACTED]

Communications | Engagement and Executive Support

Environment, Planning and Sustainable Development Directorate | **ACT Government**

Level 3 South, Dame Pattie Menzies House, 16 Challis Street, Dickson | GPO Box 158 Canberra ACT 2601

www.environment.act.gov.au | www.planning.act.gov.au

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From: [Brady, Erin](#)
To: [Virtue, Geoff](#); [Moore, FionaF](#)
Cc: [Kelly, Shauna](#); [Walker, IanS](#)
Subject: RE: Revised response - Wanniasa scarred trees [SEC=UNCLASSIFIED]
Date: Tuesday, 5 February 2019 4:46:15 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.jpg](#)

Ian

Can you please manage this and review in consideration of my comments?

Erin

From: Virtue, Geoff

Sent: Tuesday, 5 February 2019 4:03 PM

To: Brady, Erin <Erin.Brady@act.gov.au>; Moore, FionaF <FionaF.Moore@act.gov.au>

Cc: Kelly, Shauna <Shauna.Kelly@act.gov.au>; Walker, IanS <IanS.Walker@act.gov.au>

Subject: RE: Revised response - Wanniasa scarred trees [SEC=UNCLASSIFIED]

Hi Erin

The contractor is aware they made an error and notified Education who in turn notified ACT Heritage. We have kept Education in the loop on this enquiry and they will be keeping the contractor in the loop. We have not sent the draft response to Education yet though as we want to make sure you have cleared it.

When we send the draft response to the Minister's office we could include the last information brief which gives more context. This brief is attached.

In terms of who the response comes from, the Minister's office took the enquiry and have just asked us for advice at this stage. They haven't made a decision as to who the response will come from. The response will be adjusted once that decision is made.

Fiona and I are happy with your revised paragraph and can include that in the response. Pls let me know if you are happy for it to go.

Cheers

Geoff

From: Brady, Erin

Sent: Tuesday, 5 February 2019 2:37 PM

To: Virtue, Geoff <Geoff.Virtue@act.gov.au>; Moore, FionaF <FionaF.Moore@act.gov.au>

Cc: Kelly, Shauna <Shauna.Kelly@act.gov.au>; Walker, IanS <IanS.Walker@act.gov.au>

Subject: RE: Revised response - Wanniasa scarred trees [SEC=UNCLASSIFIED]

Geoff, Fiona

It seems now it is a contractor's error. Does the contractor know they are at fault and about to have this made public?

For example – could we say something like this?

The investigation concluded a genuine mistake was made as part of confirming the area to be cleared and the tree was mistakenly felled as part of a larger program of tree removal. As per standard process, the contractor undertaking the clearance had sought advice from the Conservator of Flora and Fauna prior to removing any trees and it was identified as a tree not to be removed. Nonetheless, an error saw the tree wrongly removed during clearance.

Is this a request for direct responses for the Minister for media? If so – the material should be written for him to use directly as responses. I'd suggest it is rewritten for that purpose. I've highlighted in red some text that needs to be rewritten.

Given the sensitivity it may be better to provide a caveat brief that provides the background noting the sensitivity.

If this is for information I'd suggest you write text for Minister response and a call with the adviser at Min office to explain the other context.

Erin

From: Virtue, Geoff

Sent: Tuesday, 5 February 2019 2:19 PM

To: Brady, Erin <Erin.Brady@act.gov.au>

Cc: Kelly, Shauna <Shauna.Kelly@act.gov.au>

Subject: Revised response - Wanniasa scarred trees [SEC=UNCLASSIFIED]

Hi Erin

I met with Fiona and here is an updated media response. It seems the journalist has found out about the story given annual report hearing briefs from the end of last year were FOI'd.

I checked on the Minister's level of awareness and was told there's been various briefs, weekly brief items and ministerials. Attached are a few.

Proposed response to go the Minister's office:

- Aboriginal scarred trees are the product of Aboriginal cultural activities, such as the removal of bark or wood for the making of canoes, shelters and containers. Scarred trees are of cultural significance to Traditional Custodians, and they are also of archaeological significance as they can provide an enormous amount of information on past Aboriginal activity and use.
- The ACT Government recognises the importance of Aboriginal scarred trees to our region's heritage. The Minister for the Environment and Heritage shares in the community's disappointment at the loss of heritage places and objects.
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- The contractor notified the ACT government once they realised their mistake and expressed how upset they were. The investigation concluded it was not in the public interest to pursue an expensive prosecution process.
- The investigation has, however, highlighted the gap in the legislation that only allows the ACT government to prosecute through the courts. Minister Gentleman has asked his Directorate, as a matter of urgency, to explore the introduction of an on-the-spot fine scheme and repair orders where appropriate. This work is expected to be rolled out this year.
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- In this instance, the trunk is able to be salvaged and the ACT Government is coordinating its temporary relocation until long-term conservation measures have been identified. Temporary relocation is complex and requires specific equipment to ensure no further damage occurs to the tree. Consultation is taking place with Representative Aboriginal Organisations and an expert in the conservation of Aboriginal scar trees.

- In terms of MSYB1 being referred to as the 'Spook Tree', it has been known as such since at least the 1990s. Although the origins of the name are unclear, the name most likely comes from the local residents or school community. Traditional Custodians do not identify this as a cultural name.

Thanks

Geoff Virtue | Communications Manager - Environment

Phone [REDACTED] | 0418 961 806

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From: Jeffress, Stuart
Sent: Tuesday, 5 February 2019 11:02 AM
To: Tozer, Simon; Russell, Meaghan
Cc: Mikhailovich, Nic; Foley, Justin
Subject: RE: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi Simon

If City Services cannot do this, please book the Forest Track truck. I'll find the funds.

The tree needs to be removed tomorrow. Thanks for being creative!!

Stu

From: Tozer, Simon
Sent: Tuesday, 5 February 2019 10:33 AM
To: Ingram, Ross <Ross.Ingram@act.gov.au>; Russell, Meaghan <Meaghan.Russell@act.gov.au>; Peri, John <John.Peri@act.gov.au>; Le Roux, Darren <Darren.LeRoux@act.gov.au>; Jeffress, Stuart <Stuart.Jeffress@act.gov.au>; Gilbert, Euroka <Euroka.Gilbert@act.gov.au>
Cc: Mikhailovich, Nic <Nic.Mikhailovich@act.gov.au>; [REDACTED] Bolitho, Owen <Owen.Bolitho@act.gov.au>; Shawcross, Amalie <Amalie.Shawcross@act.gov.au>; Liosatos, Nick <Nick.Liosatos@act.gov.au>; Olsson, Kevin <Kevin.Olsson@act.gov.au>
Subject: RE: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Forest Track has a flatbed truck with an 8m tray and a Hyab. It was this truck that was used to move the scar tree from Outward Bound to the Namadgi VIC. If someone is prepared to pay for its use I can enquire as to the cost and availability

Regards

Simon Tozer | Ranger In Charge Urban Reserves South
Parks and Conservation Service (PCS) | Environment and Planning Directorate
GPO Box 158 Canberra ACT 2601 | Location: Athllon Depot Cnr Athllon & Sulwood Dr Farrer
Mobile [REDACTED] | Email simon.tozer@act.gov.au



From: Ingram, Ross

Sent: Tuesday, 5 February 2019 9:35 AM

To: Russell, Meaghan <Meaghan.Russell@act.gov.au>; Peri, John <John.Peri@act.gov.au>; Le Roux, Darren <Darren.LeRoux@act.gov.au>; Jeffress, Stuart <Stuart.Jeffress@act.gov.au>; Gilbert, Euroka <Euroka.Gilbert@act.gov.au>

Cc: Mikhailovich, Nic <Nic.Mikhailovich@act.gov.au>; [REDACTED] Bolitho, Owen <Owen.Bolitho@act.gov.au>; Shawcross, Amalie <Amalie.Shawcross@act.gov.au>; Liosatos, Nick <Nick.Liosatos@act.gov.au>; Tozer, Simon <Simon.Tozer@act.gov.au>; Olsson, Kevin <Kevin.Olsson@act.gov.au>

Subject: RE: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi Meaghan,

This is the largest trailer in our fleet and I am not prepared to risk anybody's license if it is overweight. The deck of the crane truck may be more suitable and it can handle the weight.

Sorry if this puts a spanner in the works...

Regards

Ross

From: Russell, Meaghan

Sent: Tuesday, 5 February 2019 9:24 AM

To: Ingram, Ross <Ross.Ingram@act.gov.au>; Peri, John <John.Peri@act.gov.au>; Le Roux, Darren <Darren.LeRoux@act.gov.au>; Jeffress, Stuart <Stuart.Jeffress@act.gov.au>; Gilbert, Euroka <Euroka.Gilbert@act.gov.au>

Cc: Mikhailovich, Nic <Nic.Mikhailovich@act.gov.au>; [REDACTED]; Bolitho, Owen <Owen.Bolitho@act.gov.au>; Shawcross, Amalie <Amalie.Shawcross@act.gov.au>; Liosatos, Nick <Nick.Liosatos@act.gov.au>; Tozer, Simon <Simon.Tozer@act.gov.au>; Olsson, Kevin <Kevin.Olsson@act.gov.au>

Subject: RE: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi Ross,

The weight of the tree has been estimated as c.2200kg – please see the attached report – and PCS Projects may be able to advise on the gantry weight.

Is an alternate trailer available for tomorrow?

Cheers,
Meaghan

Meaghan Russell | Manager (Approvals and Advice)

Phone: 13 22 81 | Email: meaghan.russell@act.gov.au

ACT Heritage | Environment, Planning and Sustainable Development Directorate | ACT Government

Dame Pattie Menzies House 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601

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From: Ingram, Ross

Sent: Tuesday, 5 February 2019 8:55 AM

To: Peri, John <John.Peri@act.gov.au>; Le Roux, Darren <Darren.LeRoux@act.gov.au>; Jeffress, Stuart <Stuart.Jeffress@act.gov.au>; Gilbert, Euroka <Euroka.Gilbert@act.gov.au>; Russell, Meaghan <Meaghan.Russell@act.gov.au>

Cc: Mikhailovich, Nic <Nic.Mikhailovich@act.gov.au>; Robert Reeve Bigpond <reevesy9@bigpond.com>; Bolitho, Owen <Owen.Bolitho@act.gov.au>; Shawcross, Amalie <Amalie.Shawcross@act.gov.au>; Liosatos, Nick <Nick.Liosatos@act.gov.au>; Tozer, Simon <Simon.Tozer@act.gov.au>; Olsson, Kevin <Kevin.Olsson@act.gov.au>

Subject: RE: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi all,

Can someone confirm the weight of the gantry and scar tree please? The trailer is rated for carrying 2150 kg.

Regards

Ross

From: Peri, John
Sent: Tuesday, 5 February 2019 8:02 AM
To: Le Roux, Darren <Darren.LeRoux@act.gov.au>; Jeffress, Stuart <Stuart.Jeffress@act.gov.au>; Gilbert, Euroka <Euroka.Gilbert@act.gov.au>; Russell, Meaghan <Meaghan.Russell@act.gov.au>
Cc: Mikhailovich, Nic <Nic.Mikhailovich@act.gov.au>; [REDACTED] Bolitho, Owen <Owen.Bolitho@act.gov.au>; Shawcross, Amalie <Amalie.Shawcross@act.gov.au>; Liosatos, Nick <Nick.Liosatos@act.gov.au>; Tozer, Simon <Simon.Tozer@act.gov.au>; Ingram, Ross <Ross.Ingram@act.gov.au>; Olsson, Kevin <Kevin.Olsson@act.gov.au>
Subject: RE: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi Darren

Yes mate I can confirm as soon as we complete the scar tree relocation we will return the Gantry back to the pick-up location. Thanks for Robert contact details and we will be at Molonglo to pick up around 730. When we have finished with the Gantry we will call Robert to organise the excavator to unload.

We will be collecting the gantry with the crane/tipper truck and it should be appropriate to collect, it is a very large truck and with the rain last night it needs to be dry it can slip on the surface depending, it is a very large truck. Thanks to Owen and Amalie for helping with our truck access.

Kind regards,

John Peri | Supervisor - South Tree Operations |
Phone 62071878 | Fax 62072401 | Email john.peri@act.gov.au
Urban Treescapes | Transport Canberra and City Services Directorate | ACT Government
Kambah Depot O'Halloran Circuit Kambah ACT 2902 | GPO Box 158 Canberra ACT 2601 | www.act.gov.au

From: Le Roux, Darren
Sent: Monday, 4 February 2019 4:44 PM
To: Peri, John <John.Peri@act.gov.au>; Jeffress, Stuart <Stuart.Jeffress@act.gov.au>; Gilbert, Euroka <Euroka.Gilbert@act.gov.au>; Russell, Meaghan <Meaghan.Russell@act.gov.au>
Cc: Mikhailovich, Nic <Nic.Mikhailovich@act.gov.au>; [REDACTED] Bolitho, Owen <Owen.Bolitho@act.gov.au>; Shawcross, Amalie <Amalie.Shawcross@act.gov.au>
Subject: RE: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]
Importance: High

Hi John,

Further to Nic's email below, just confirming that the gantry will be dropped off back at the Molonglo pick-up location by **COB on Wed** (after the relocation to [REDACTED])? This is critical as the gantry is being used on another construction project.

The construction site contractor ([REDACTED]) can assist with loading and off-loading with site excavators (the space is really tight). I will make sure he is on site at the relevant times and please liaise with [REDACTED] and Nic, should you require. Also, the gantry is 6m in length (one single unit) and a semi-trailer of appropriate size is needed.

Please note, I have cleared truck access on River Rd with Owen Bolitho and Amalie Shawcross from the Arboretum. Amalie, is it please possible to keep the River Rd boom gate open / dummy locked between 7.30am and 5pm on Wed – that would greatly appreciated.

Thanks,
Darren

Darren Le Roux | Senior Project Manager | Projects

ACT Parks and Conservation Service | Environment Division | Environment, Planning and Sustainable Development (EPSDD)

Level 1, North Building, Dame Pattie Menzies House, 16 Challis St, Dickson | GPO Box 158 Canberra ACT 2601

p. (02) 6207 2422 [REDACTED]

I pay my respects to the Traditional Custodians of the ACT past, present and future, the Ngunnawal people and I acknowledge their continuing connection to Country and their unique cultural practices.



From: Mikhailovich, Nic

Sent: Monday, 4 February 2019 4:14 PM

To: Le Roux, Darren <Darren.LeRoux@act.gov.au>

Subject: FW: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

From: Mikhailovich, Nic

Sent: Monday, 4 February 2019 3:09 PM

To: Peri, John <John.Peri@act.gov.au>; Jeffress, Stuart <Stuart.Jeffress@act.gov.au>; Tozer, Simon <Simon.Tozer@act.gov.au>; Ingram, Ross <Ross.Ingram@act.gov.au>; Taylor, Lachlan <Lachlan.Taylor@act.gov.au>

Cc: Dawes, Rachael <Rachael.Dawes@act.gov.au>; Liosatos, Nick <Nick.Liosatos@act.gov.au>; Gilbert, Euroka <Euroka.Gilbert@act.gov.au>; Russell, Meaghan <Meaghan.Russell@act.gov.au>; Clement, SophieJ <SophieJ.Clement@act.gov.au>

Subject: RE: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi John,

As discussed earlier, we will meet at 7:30am on Wednesday 6th, corner of Totara Rd and Forest Dr within the National Arboretum Canberra.



The location of the gantry is a further drive through the Arboretum and Molonglo River Reserve as shown below. I will provide access and guide the truck through the reserve.



Thanks again for your assistance,

Nic Mikhailovich | Senior Ranger | Molonglo River Reserve

M [redacted] | P 6207 4786 | E nic.mikhailovich@act.gov.au

Parks and Conservation Service | Environment, Planning and Sustainable Development Directorate | ACT Government

66-68 Grimwade St Mitchell ACT 2911 | GPO Box 158 Canberra City ACT 2601 | www.environment.act.gov.au

From: Jeffress, Stuart
Sent: Tuesday, 5 February 2019 11:31 AM
To: Tozer, Simon; Russell, Meaghan
Cc: Mikhailovich, Nic; Foley, Justin
Subject: RE: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi Simon

City Services have advised Daniel Iglesias that they do not have the equipment to undertake this work.

Can you arrange for ForestTrack to complete this task tomorrow? They will need to provide you with some documentation (ie SWMS), however this should be achievable considering they moved the Namadgi scar tree.

Thank you

Stu

From: Jeffress, Stuart
Sent: Tuesday, 5 February 2019 11:02 AM
To: Tozer, Simon <Simon.Tozer@act.gov.au>; Russell, Meaghan <Meaghan.Russell@act.gov.au>
Cc: Mikhailovich, Nic <Nic.Mikhailovich@act.gov.au>; Foley, Justin <Justin.Foley@act.gov.au>
Subject: RE: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi Simon

If City Services cannot do this, please book the Forest Track truck. I'll find the funds.

The tree needs to be removed tomorrow. Thanks for being creative!!

Stu

From: Tozer, Simon
Sent: Tuesday, 5 February 2019 10:33 AM

To: Ingram, Ross <Ross.Ingram@act.gov.au>; Russell, Meaghan <Meaghan.Russell@act.gov.au>; Peri, John <John.Peri@act.gov.au>; Le Roux, Darren <Darren.LeRoux@act.gov.au>; Jeffress, Stuart <Stuart.Jeffress@act.gov.au>; Gilbert, Euroka <Euroka.Gilbert@act.gov.au>
Cc: Mikhailovich, Nic <Nic.Mikhailovich@act.gov.au>; [REDACTED] Bolitho, Owen <Owen.Bolitho@act.gov.au>; Shawcross, Amalie <Amalie.Shawcross@act.gov.au>; Liosatos, Nick <Nick.Liosatos@act.gov.au>; Olsson, Kevin <Kevin.Olsson@act.gov.au>
Subject: RE: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Forest Track has a flatbed truck with an 8m tray and a Hyab. It was this truck that was used to move the scar tree from Outward Bound to the Namadgi VIC. If someone is prepared to pay for its use I can enquire as to the cost and availability

Regards

Simon Tozer | Ranger In Charge Urban Reserves South
Parks and Conservation Service (PCS) | Environment and Planning Directorate
GPO Box 158 Canberra ACT 2601 | Location: Athllon Depot Cnr Athllon & Sulwood Dr Farrer
Mobile [REDACTED] | Email simon.tozer@act.gov.au



From: Ingram, Ross
Sent: Tuesday, 5 February 2019 9:35 AM
To: Russell, Meaghan <Meaghan.Russell@act.gov.au>; Peri, John <John.Peri@act.gov.au>; Le Roux, Darren <Darren.LeRoux@act.gov.au>; Jeffress, Stuart <Stuart.Jeffress@act.gov.au>; Gilbert, Euroka <Euroka.Gilbert@act.gov.au>
Cc: Mikhailovich, Nic <Nic.Mikhailovich@act.gov.au>; [REDACTED] Bolitho, Owen <Owen.Bolitho@act.gov.au>; Shawcross, Amalie <Amalie.Shawcross@act.gov.au>; Liosatos, Nick <Nick.Liosatos@act.gov.au>; Tozer, Simon <Simon.Tozer@act.gov.au>; Olsson, Kevin <Kevin.Olsson@act.gov.au>
Subject: RE: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi Meaghan,
This is the largest trailer in our fleet and I am not prepared to risk anybody's license if it is overweight. The deck of the crane truck may be more suitable and it can handle the weight.
Sorry if this puts a spanner in the works...

Regards
Ross

From: Russell, Meaghan

Sent: Tuesday, 5 February 2019 9:24 AM

To: Ingram, Ross <Ross.Ingram@act.gov.au>; Peri, John <John.Peri@act.gov.au>; Le Roux, Darren <Darren.LeRoux@act.gov.au>; Jeffress, Stuart <Stuart.Jeffress@act.gov.au>; Gilbert, Euroka <Euroka.Gilbert@act.gov.au>

Cc: Mikhailovich, Nic <Nic.Mikhailovich@act.gov.au>; [REDACTED] >; Bolitho, Owen <Owen.Bolitho@act.gov.au>; Shawcross, Amalie <Amalie.Shawcross@act.gov.au>; Liosatos, Nick <Nick.Liosatos@act.gov.au>; Tozer, Simon <Simon.Tozer@act.gov.au>; Olsson, Kevin <Kevin.Olsson@act.gov.au>

Subject: RE: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi Ross,

The weight of the tree has been estimated as c.2200kg – please see the attached report – and PCS Projects may be able to advise on the gantry weight.

Is an alternate trailer available for tomorrow?

Cheers,
Meaghan

Meaghan Russell | Manager (Approvals and Advice)

Phone: 13 22 81 | Email: meaghan.russell@act.gov.au

ACT Heritage | Environment, Planning and Sustainable Development Directorate | ACT Government

Dame Pattie Menzies House 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601

www.environment.act.gov.au



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From: Ingram, Ross

Sent: Tuesday, 5 February 2019 8:55 AM

To: Peri, John <John.Peri@act.gov.au>; Le Roux, Darren <Darren.LeRoux@act.gov.au>; Jeffress, Stuart <Stuart.Jeffress@act.gov.au>; Gilbert, Euroka

<Euroka.Gilbert@act.gov.au>; Russell, Meaghan <Meaghan.Russell@act.gov.au>

Cc: Mikhailovich, Nic <Nic.Mikhailovich@act.gov.au>; [REDACTED] Bolitho, Owen <Owen.Bolitho@act.gov.au>; Shawcross, Amalie <Amalie.Shawcross@act.gov.au>; Liosatos, Nick <Nick.Liosatos@act.gov.au>; Tozer, Simon <Simon.Tozer@act.gov.au>; Olsson, Kevin <Kevin.Olsson@act.gov.au>

Subject: RE: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi all,

Can someone confirm the weight of the gantry and scar tree please? The trailer is rated for carrying 2150 kg.

Regards

Ross

From: Peri, John

Sent: Tuesday, 5 February 2019 8:02 AM

To: Le Roux, Darren <Darren.LeRoux@act.gov.au>; Jeffress, Stuart <Stuart.Jeffress@act.gov.au>; Gilbert, Euroka <Euroka.Gilbert@act.gov.au>; Russell, Meaghan <Meaghan.Russell@act.gov.au>

Cc: Mikhailovich, Nic <Nic.Mikhailovich@act.gov.au>; [REDACTED]; Bolitho, Owen <Owen.Bolitho@act.gov.au>; Shawcross, Amalie <Amalie.Shawcross@act.gov.au>; Liosatos, Nick <Nick.Liosatos@act.gov.au>; Tozer, Simon <Simon.Tozer@act.gov.au>; Ingram, Ross <Ross.Ingram@act.gov.au>; Olsson, Kevin <Kevin.Olsson@act.gov.au>

Subject: RE: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi Darren

Yes mate I can confirm as soon as we complete the scar tree relocation we will return the Gantry back to the pick-up location. Thanks for Robert contact details and we will be at Molonglo to pick up around 730. When we have finished with the Gantry we will call Robert to organise the excavator to unload.

We will be collecting the gantry with the crane/tipper truck and it should be appropriate to collect, it is a very large truck and with the rain last night it needs to be dry it can slip on the surface depending, it is a very large truck. Thanks to Owen and Amalie for helping with our truck access.

Kind regards,

John Peri | Supervisor - South Tree Operations |

Phone 62071878 | Fax 62072401 | Email john.peri@act.gov.au

Urban Treescapes | Transport Canberra and City Services Directorate | ACT Government

Kambah Depot O'Halloran Circuit Kambah ACT 2902 | GPO Box 158 Canberra ACT 2601 | www.act.gov.au

From: Le Roux, Darren

Sent: Monday, 4 February 2019 4:44 PM

To: Peri, John <John.Peri@act.gov.au>; Jeffress, Stuart <Stuart.Jeffress@act.gov.au>; Gilbert, Euroka <Euroka.Gilbert@act.gov.au>; Russell, Meaghan <Meaghan.Russell@act.gov.au>

Cc: Mikhailovich, Nic <Nic.Mikhailovich@act.gov.au>; [REDACTED] Bolitho, Owen <Owen.Bolitho@act.gov.au>; Shawcross, Amalie <Amalie.Shawcross@act.gov.au>

Subject: RE: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Importance: High

Hi John,

Further to Nic's email below, just confirming that the gantry will be dropped off back at the Molonglo pick-up location by **COB on Wed** (after the relocation to [REDACTED]) ? This is critical as the gantry is being used on another construction project.

The construction site contractor ([REDACTED]) can assist with loading and off-loading with site excavators (the space is really tight). I will make sure he is on site at the relevant times and please liaise with [REDACTED] and Nic, should you require. Also, the gantry is 6m in length (one single unit) and a semi-trailer of appropriate size is needed.

Please note, I have cleared truck access on River Rd with Owen Bolitho and Amalie Shawcross from the Arboretum.

Amalie, is it please possible to keep the River Rd boom gate open / dummy locked between 7.30am and 5pm on Wed – that would greatly appreciated.

Thanks,

Darren

Darren Le Roux | Senior Project Manager | Projects

ACT Parks and Conservation Service | Environment Division | Environment, Planning and Sustainable Development (EPSDD)

Level 1, North Building, Dame Pattie Menzies House, 16 Challis St, Dickson | GPO Box 158 Canberra ACT 2601

p. (02) 6207 2422 [REDACTED]

I pay my respects to the Traditional Custodians of the ACT past, present and future, the Ngunnawal people and I acknowledge their continuing connection to Country and their unique cultural practices.



From: Mikhailovich, Nic

Sent: Monday, 4 February 2019 4:14 PM

From: Iglesias, Daniel
Sent: Tuesday, 5 February 2019 11:47 AM
To: Moore, FionaF; Russell, Meaghan; Jeffress, Stuart
Subject: FW: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

UNCLASSIFIED Sensitive

Hi Fiona, Meaghan

FYI – Stephen Alegria mentioned to me this morning on the phone that it was his advice the tree was no longer a TCCS responsibility as its listing under the Heritage Act made it an ACT Heritage asset (!)

Daniel Iglesias
Executive Branch Manager
ACT Parks and Conservation Service

Environment, Planning and Sustainable Development Directorate
Tel: (02) 6207 6997 | [REDACTED]



From: Iglesias, Daniel
Sent: Tuesday, 5 February 2019 11:44 AM
To: Alegria, Stephen <Stephen.Alegria@act.gov.au>; Walker, IanS <IanS.Walker@act.gov.au>; Brady, Erin <Erin.Brady@act.gov.au>; Virtue, Geoff <Geoff.Virtue@act.gov.au>
Subject: FW: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

UNCLASSIFIED Sensitive

Hi Stephen in the interests of getting this tree removed to a safe place, PCS will arrange a private contractor to undertake the work.

Regarding custodianship, a listing under the Heritage Act does not affect ownership/custodianship. It merely mandates a management regime over the listed asset in recognition of its value. The tree is a TCCS asset on TCCS land. In the spirit of working together we will organise the removal of the tree to our depot, however we will forward the invoice to your team for payment.

One last point – I agree with your staff, we should not operate unsafely. What is disappointing is that the request has been with your team since 16 November 2018 and the realisation that machinery is not available to complete the job comes to light yesterday?

I'll keep you informed as to how we go.

Many thanks

Daniel Iglesias
Executive Branch Manager
ACT Parks and Conservation Service

Environment, Planning and Sustainable Development Directorate
Tel: (02) 6207 6997 | [REDACTED]



From: Jeffress, Stuart

Sent: Tuesday, 5 February 2019 11:04 AM

To: Alegria, Stephen <Stephen.Alegria@act.gov.au>; Dawes, Rachael <Rachael.Dawes@act.gov.au>; Iglesias, Daniel <Daniel.Iglesias@act.gov.au>

Cc: Moore, FionaF <FionaF.Moore@act.gov.au>

Subject: FW: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi Stephen and Rachael

City Services staff were provided with the dimensions (including weight) of this tree on 16 November.

It is disappointing that they day before the removal of the tree we are now hearing that City Services do not have the equipment to move the tree.

Our staff will book a contractor should City Services not be able to provide the equipment to move the tree

Thanks

Stu

From: Ingram, Ross

Sent: Tuesday, 5 February 2019 9:35 AM

To: Russell, Meaghan <Meaghan.Russell@act.gov.au>; Peri, John <John.Peri@act.gov.au>; Le Roux, Darren <Darren.LeRoux@act.gov.au>; Jeffress, Stuart <Stuart.Jeffress@act.gov.au>; Gilbert, Euroka <Euroka.Gilbert@act.gov.au>

Cc: Mikhailovich, Nic <Nic.Mikhailovich@act.gov.au>; [REDACTED] Bolitho, Owen <Owen.Bolitho@act.gov.au>; Shawcross, Amalie <Amalie.Shawcross@act.gov.au>; Liosatos, Nick <Nick.Liosatos@act.gov.au>; Tozer, Simon <Simon.Tozer@act.gov.au>; Olsson, Kevin <Kevin.Olsson@act.gov.au>

Subject: RE: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi Meaghan,

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Sorry if this puts a spanner in the works...

Regards

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Sent: Tuesday, 5 February 2019 9:24 AM

To: Ingram, Ross <Ross.Ingram@act.gov.au>; Peri, John <John.Peri@act.gov.au>; Le Roux, Darren <Darren.LeRoux@act.gov.au>; Jeffress, Stuart <Stuart.Jeffress@act.gov.au>; Gilbert, Euroka <Euroka.Gilbert@act.gov.au>

Cc: Mikhailovich, Nic <Nic.Mikhailovich@act.gov.au>; [REDACTED] Bolitho, Owen <Owen.Bolitho@act.gov.au>; Shawcross, Amalie <Amalie.Shawcross@act.gov.au>; Liosatos, Nick <Nick.Liosatos@act.gov.au>; Tozer, Simon <Simon.Tozer@act.gov.au>; Olsson, Kevin <Kevin.Olsson@act.gov.au>

Subject: RE: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

Hi Ross,

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Is an alternate trailer available for tomorrow?

Cheers,
Meaghan

Meaghan Russell | Manager (Approvals and Advice)

Phone: 13 22 81 | Email: meaghan.russell@act.gov.au

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Sent: Tuesday, 5 February 2019 8:55 AM

To: Peri, John <John.Peri@act.gov.au>; Le Roux, Darren <Darren.LeRoux@act.gov.au>; Jeffress, Stuart <Stuart.Jeffress@act.gov.au>; Gilbert, Euroka <Euroka.Gilbert@act.gov.au>; Russell, Meaghan <Meaghan.Russell@act.gov.au>

Cc: Mikhailovich, Nic <Nic.Mikhailovich@act.gov.au>; [REDACTED] Bolitho, Owen <Owen.Bolitho@act.gov.au>; Shawcross, Amalie <Amalie.Shawcross@act.gov.au>; Liosatos, Nick <Nick.Liosatos@act.gov.au>; Tozer, Simon <Simon.Tozer@act.gov.au>; Olsson, Kevin <Kevin.Olsson@act.gov.au>

Subject: RE: MST4 Aboriginal scarred tree - movement to [REDACTED] [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi all,

Can someone confirm the weight of the gantry and scar tree please? The trailer is rated for carrying 2150 kg.

Regards

Ross

From: [Moore, FionaF](#)
To: [Kidman, Fiona](#)
Cc: [Virtue, Geoff](#)
Subject: Media Enquiry - Scarred Trees Wanniasa [SEC=UNCLASSIFIED]
Date: Wednesday, 6 February 2019 1:19:00 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.jpg](#)
[Fwd Removal of two Aboriginal Scarred trees in Wanniasa SECUNCLASSIFIED.msg](#)
[image004.gif](#)
[image005.gif](#)

Hi Fiona,

As discussed yesterday, below is a copy of EPSDD's response to the attached media enquiry, for your information.

The response has also been provided to Education's Communications Team.

Regards,

Fiona Moore | Director, ACT Heritage | Secretary, ACT Heritage Council | (Mon – Thurs)

Phone: +61 2 6205 9974 | Email: fionaf.moore@act.gov.au

ACT Heritage | Environment, Planning and Sustainable Development Directorate | ACT Government

Dame Pattie Menzies House, Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au



From: Virtue, Geoff

Sent: Wednesday, 6 February 2019 1:13 PM

To: Moore, FionaF <FionaF.Moore@act.gov.au>

Subject: Revised response

FYI for passing on. Ian will be quoted.

The Aboriginal scarred trees MSYB1 and MST4 in Wanniasa were felled without approval under the Heritage Act 2004.

The removal of MSYB1 was reported to ACT Heritage in April 2017 and an investigation took place. The investigation concluded a genuine mistake was made as part of confirming the area to be cleared and the tree was mistakenly felled as part of a larger program of tree removal. The contractor undertaking the clearance had sought advice from the Conservator of Flora and Fauna in line with standard process prior to removing any trees and it was identified as a tree not to be removed. Unfortunately an error by the contractor saw the tree wrongly removed during clearance.

The contractor notified the ACT government straight away and expressed their regrets. An investigation concluded it was not in the public interest to pursue an expensive prosecution process.

Currently the ACT Government is only able to prosecute these breaches through the courts. Minister Gentleman has asked his Directorate, as a matter of urgency, to explore the introduction of an on-the-spot fine scheme and repair orders where appropriate. This work is expected to be rolled out this year.

The trunk of MST4 is salvaged and the ACT Government is coordinating its temporary relocation until a long-term home is identified. Consultation is taking place with Representative Aboriginal Organisations and an expert in the conservation of Aboriginal scar trees.

MSYB1 has been known as the 'Spook Tree' since at least the 1990s. Although the origins of the name are unclear, the name most likely comes from the local residents. Traditional Custodians do not identify this as a cultural name.

The ACT Government recognises the importance of Aboriginal scarred trees to our region's heritage.

Aboriginal scarred trees are the product of Aboriginal cultural activities, such as the removal of bark or wood for the making of canoes, shelters and containers. Scarred trees are of cultural significance to Traditional Custodians, and they are also of archaeological significance as they can provide an enormous amount of information on past Aboriginal activity and use.

Geoff Virtue | Communications Manager - Environment

Phone 02 6205 0312 | [REDACTED]

Communications | Engagement and Executive Support

Environment, Planning and Sustainable Development Directorate | **ACT Government**

Level 3 South, Dame Pattie Menzies House, 16 Challis Street, Dickson | GPO Box 158 Canberra ACT 2601

www.environment.act.gov.au | www.planning.act.gov.au

For **EPSDD media enquiries** please call **0401 766 218**



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White ribbon.jpg



From: [Virtue, Geoff](#)
To: [Moore, FionaF](#)
Subject: FW: Response to questions regarding scar trees
Date: Wednesday, 6 February 2019 5:51:19 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.jpg](#)

fyi

From: [REDACTED]
Sent: Wednesday, 6 February 2019 5:09 PM
To: Virtue, Geoff <Geoff.Virtue@act.gov.au>
Subject: RE: Response to questions regarding scar trees
 Thanks Geoff, appreciate you (and Mayumi) getting back to me with this and the detail included.
 Cheers,

From: Virtue, Geoff <Geoff.Virtue@act.gov.au>
Sent: Wednesday, 6 February 2019 4:52 PM
To: [REDACTED] <[REDACTED]>
Cc: Walker, IanS <IanS.Walker@act.gov.au>
Subject: Response to questions regarding scar trees
 Hi [REDACTED]

I understand you spoke to Mayumi about the scar tree story. Here's the response. It is attributable to Ian Walker, Executive Director, Environment within Environment, Planning and Sustainable Development Directorate.

The Aboriginal scarred trees MSYB1 and MST4 in Wanniasa were felled without approval under the Heritage Act 2004.

The removal of MSYB1 was reported to ACT Heritage in April 2017 and an investigation took place. The investigation concluded a genuine mistake was made as part of confirming the area to be cleared and the tree was mistakenly felled as part of a larger program of tree removal. The contractor undertaking the clearance had sought advice from the Conservator of Flora and Fauna in line with standard process prior to removing any trees and it was identified as a tree not to be removed. Unfortunately an error by the contractor saw the tree wrongly removed during clearance.

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Thanks

Geoff Virtue | Communications Manager - Environment

Phone 02 6205 0312 | [REDACTED]

Communications | Engagement and Executive Support

Environment, Planning and Sustainable Development Directorate | **ACT Government**

Level 3 South, Dame Pattie Menzies House, 16 Challis Street, Dickson | GPO Box 158 Canberra ACT 2601

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From: [Jeffress, Stuart](#)
To: [Gilbert, Euroka](#); [Russell, Meaghan](#)
Subject: RE: MST4 Aboriginal scarred tree - movement to [REDACTED]
Date: Wednesday, 6 February 2019 7:45:36 AM
Attachments: [image001.jpg](#)

Hi Euroka

Please note that staff are meeting onsite at **10am** today due to the traffic for the school
Stu

From: Jeffress, Stuart

Sent: Wednesday, 6 February 2019 7:42 AM

To: Foley, Justin <Justin.Foley@act.gov.au>; Gould, Kristy <Kristy.Gould@act.gov.au>; Tozer, Simon <Simon.Tozer@act.gov.au>; Liosatos, Nick <Nick.Liosatos@act.gov.au>

Cc: Russell, Meaghan <Meaghan.Russell@act.gov.au>; Gilbert, Euroka <Euroka.Gilbert@act.gov.au>; Le Roux, Darren <Darren.LeRoux@act.gov.au>; Dawes, Rachael <Rachael.Dawes@act.gov.au>

Subject: MST4 Aboriginal scarred tree - movement to [REDACTED]

Hi Justin, Kristy, Simon and Nick

Please see that attached Works Plan for the relocation of the Scar Tree. Simon, as discussed can you review this Plan also arrange for a documented risk assessment to ensure staff and public safety.

I understand Darren has been working with the contractor to obtain the SWMS and insurances. Thanks for your assistance with the project and rearranging prioritise to make it happen.

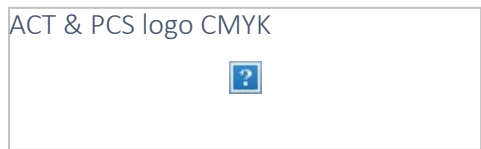
Stu

Stuart Jeffress

Director - Parks and Partnerships

Parks and Conservation Service | Environment, Planning and Sustainable Development Directorate

Mobile: 0428 100 183 | Email: stuart.jeffress@act.gov.au



From: [Tozer, Simon](#)
To: [Jeffress, Stuart](#)
Cc: [Foley, Justin](#); [Gould, Kristy](#); [Liosatos, Nick](#)
Subject: RE: MST4 Aboriginal scarred tree - movement to [REDACTED]
Date: Wednesday, 6 February 2019 9:48:19 AM
Attachments: [Dynamic Risk Assessment for the removal of the aboriginal scar tree near Wanniasa Hills Primary School.docx](#)

Hi Stu

Dynamic Risk Assessment for scar tree attached

Regards

Simon Tozer | Ranger In Charge Urban Reserves South

Parks and Conservation Service (PCS) | Environment and Planning Directorate

GPO Box 158 Canberra ACT 2601 | Location: Athllon Depot Cnr Athllon & Sulwood Dr Farrer

Mobile [REDACTED] | Email simon.tozer@act.gov.au



From: Jeffress, Stuart

Sent: Wednesday, 6 February 2019 7:44 AM

To: Foley, Justin <Justin.Foley@act.gov.au>; Gould, Kristy <Kristy.Gould@act.gov.au>; Tozer, Simon <Simon.Tozer@act.gov.au>; Liosatos, Nick <Nick.Liosatos@act.gov.au>

Cc: Russell, Meaghan <Meaghan.Russell@act.gov.au>; Gilbert, Euroka <Euroka.Gilbert@act.gov.au>; Le Roux, Darren <Darren.LeRoux@act.gov.au>; Dawes, Rachael <Rachael.Dawes@act.gov.au>

Subject: MST4 Aboriginal scarred tree - movement to [REDACTED]

Hi Justin, Kristy, Simon and Nick

Please see that attached Works Plan for the relocation of the Scar Tree. Simon, as discussed can you review this Plan also arrange for a documented risk assessment to ensure staff and public safety.

I understand Darren has been working with the contractor to obtain the SWMS and insurances.

Thanks for your assistance with the project and rearranging prioritise to make it happen.

Stu

Stuart Jeffress

Director - Parks and Partnerships

Parks and Conservation Service | Environment, Planning and Sustainable Development Directorate

Mobile: [REDACTED] | Email: stuart.jeffress@act.gov.au

ACT & PCS logo CMYK



Dynamic Risk Assessment for the removal of the aboriginal scar tree near Wanniasa Hills Primary School

Risk	Mitigating Actions
Site is adjacent to Wanniasa Hills Primary School and children's playground	<ol style="list-style-type: none"> 1. Construct a barrier mesh fence around the works area 2. Parks staff will be on site whilst works are undertaken and monitor public safety 3. No vehicle or plant movement into or out of the barrier meshed area during school drop off and pick up times 4. Barrier mesh fence will remain in situ until City Services has undertaken remedial landscaping
Disturbance to occupants of nearby houses and school	<ol style="list-style-type: none"> 5. Works undertaken between 7.30 and 17:00. Recent rain means dust will not be a problem 6. Work site is far enough from the school for noise not to be an issue
Damage to underground infrastructure	<ol style="list-style-type: none"> 7. DBYD shows there is no infrastructure in the area of works
Damage to adjacent trees	<ol style="list-style-type: none"> 8. Some branches may need to be lopped to allow access by the 20 tonne excavator 9. Excavation of stump may inadvertently cause damage to the root systems of adjacent trees 10. TCCS to monitor health of surrounding trees and undertake replacement planting if necessary
Damage to soil structure	<ol style="list-style-type: none"> 11. PCS monitoring rainfall and storm activity. 12. Site was inspected morning of commencement and is dry enough for works to proceed 13. PCS will provide soil for backfilling
Contractor capacity and ability	<ol style="list-style-type: none"> 14. Contractor has undertaken similar work for PCS in the past and has the requisite licenses and insurance
Oil spill from machinery	<ol style="list-style-type: none"> 15. Spill kit on site
Machinery starts fire	<ol style="list-style-type: none"> 16. Tree is on a mown area with low fuel loads 17. PCS staff will monitor FDIs

From: [Jeffress, Stuart](#)
To: [Foley, Justin](#); [Gould, Kristy](#); [Tozer, Simon](#); [Liosatos, Nick](#)
Cc: [Russell, Meaghan](#); [Gilbert, Euroka](#); [Le Roux, Darren](#); [Dawes, Rachael](#)
Subject: MST4 Aboriginal scarred tree - movement to [REDACTED]
Date: Wednesday, 6 February 2019 7:42:00 AM
Attachments: [2018 Wanniasa Scar Tree.pdf](#)
[Works Plan Wanniasa Scar Tree Relocation.doc](#)

Hi Justin, Kristy, Simon and Nick

Please see that attached Works Plan for the relocation of the Scar Tree. Simon, as discussed can you review this Plan also arrange for a documented risk assessment to ensure staff and public safety.

I understand Darren has been working with the contractor to obtain the SWMS and insurances. Thanks for your assistance with the project and rearranging prioritise to make it happen.

Stu

Stuart Jeffress

Director - Parks and Partnerships

Parks and Conservation Service | Environment, Planning and Sustainable Development Directorate

Mobile: [REDACTED] | Email: stuart.jeffress@act.gov.au

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Sustainable Development



Parks and Conservation Service

WORKS PLAN – Wanniasa Scar Tree Relocation

Date: 6/02/2018

Area Manager: Urban Reserves – South

Work Area: City Services Open Space - Wanniasa

Author: Stuart Jeffress/Simon Tozer

Plan Completed Internal Approval

INTERNAL APPROVAL: Approved:

_____/ / Ranger in Charge – Urban Reserves - South
Comment:

FINAL SIGN OFF

_____/ / Contractor

_____/ / Manager

Works Plans are required if one or more of the following triggers exist;

Trigger	Activities
Chemical use	<input type="checkbox"/> All weed control works except those covered by a Weed Project Brief and Contract <input type="checkbox"/> All Bushfire Operations Plan works involving chemical control of regrowth <input type="checkbox"/> All vertebrate pest control works
Construction	<input type="checkbox"/> New fences, log barriers and/ or bollards <input type="checkbox"/> New dams <input type="checkbox"/> New walking trails or section of trail <input type="checkbox"/> New infrastructure including car-parks, sheds, toilets etc particularly where these do not trigger a DA or PA
Road works	<input type="checkbox"/> New roads or tracks <input type="checkbox"/> All road maintenance works (including: grading, cleaning of mitre drains and table drains; cleaning out of culverts)
Vegetation management	<input type="checkbox"/> All Bushfire Operations Plan works involving physical fuel reduction and fuel reduction grazing <input type="checkbox"/> All works involving problem / dangerous trees <input type="checkbox"/> Slashing / mowing of areas that have not been slashed / mowed by PCL previously <input type="checkbox"/> Grazing of areas that have not been grazed by PCL previously <input type="checkbox"/> All roadside grazing <input type="checkbox"/> All new landscaping works <input type="checkbox"/> All forestry operations (including ground preparation and debris removal), silvicultural or harvesting works
Legislative	<input type="checkbox"/> All works that have the potential to impact on declared threatened species or associations <input type="checkbox"/> All works requiring Nature Conservation Act licenses <input type="checkbox"/> All works requiring Dial before you Dig approval, <input type="checkbox"/> All works requiring Environmental Authorisations, <input type="checkbox"/> All works requiring Waterways Work Licenses <input type="checkbox"/> All works requiring Environmental Management Plans <input type="checkbox"/> All works requiring National Capital Authority Works Approval <input type="checkbox"/> All work on heritage sites (eg hut maintenance, work on Aboriginal art sites etc)
Aerial Operations	<input type="checkbox"/> All work involving aerial operations (including aerial spraying, baiting or culling)
Others	<input type="checkbox"/> All new erosion control works <input type="checkbox"/> All consultancy works <input type="checkbox"/> All works involving the culling or movement of native animals (except the urban wildlife program) <input type="checkbox"/> All works involving volunteers (eg CVA Green Corp) except Park Care) <input checked="" type="checkbox"/> All works where supervising Manager requests a Works Plan to be completed



Section 1. Outline

Management Program	Reserve / Area	District	Territory Plan Classification	Objectives
Heritage		City Services South	Urban Open Space	Relocate the scar tree and stump to [REDACTED] in accordance with the advice from <i>Conservation Works Pty Ltd</i>

Section 2. Area Description

Hectares affected	Vegetation	Slope	Aspect	Land use	Sites of significance
All inclusive	Native and exotic grasses	0-15 degrees	Various	Plantation	Aboriginal: Yes European: No European issues Fauna: No Threatened bird species Flora: None known Endangered species: Not affected by operation Riparian zones: No riparian zones in the works area

Section 3. Approvals and Clearances

District/City Services	Research and Monitoring	Fire Mgt	EPA	NCA	Heritage	Dial before you dig
Required to be signed by Ranger in Charge	Not required	Not required	Not required	Not required	ACT Heritage has requested the relocation of the tree.	Required and completed

ACT Planning & Development Act 2007	Nil
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Environment Protection and Biodiversity Conservation Act	PCS considers that these works will not impact on any species or community listed under the EPBC and no referral to the DEWR is required.
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Section 4. Funding and Procurement

Wanniassa Scar Tree Relocation

Item	Cost	Work Allocation	Procurement	Invoice sign off
Removal of the scar tree	\$12,000		N/A	Stephen Alegria
Total	\$12,000	Funding Source: City Services		

Section 5. Site Establishment Plan

Work sheds	No work sheds will be erected
Material Storage Areas	No material will be stored on site. All equipment, tools, fuels, chemicals and other material will be removed off-site outside work hours. No bulk supplies of fuel or chemicals will be on site.
Method of Demolition	No demolition is being undertaken
Waste Management Procedures	Cut vegetation which will be either chipped or distributed in the surrounding area. Spill kits will be available on site for chemical or fuel spills.
Vehicle Access	Vehicles will access the work area from the access gates off ?????
Tree Protection	NO HOLLOW OR HABITATE trees are to be removed
Verge Landscaping	No verge landscaping

Section 6. Scope of works

Task Responsibility	Transport of the scar tree and stump –
Specification	Works will abide by the advice from Conservation Works Pty Ltd unless otherwise agreed by ACT Heritage
District Input.	Crews will be self sufficient for day to day operations. The overall supervision will be undertaken by the Ranger in Charge – Urban Reserves South

Scope of Works

MOVE THE TRUNK FIRST – to avoid any damage to it while the stump is being dug out of the ground.

- The trunk should be lifted with a minimum of five straps, spread out along the trunk as show in the image below.
- Nylon straps, not chain should be used.
- A simple steel spreader bar should be used to distribute the load of the trunk evenly. This also avoids creating bending forces within the trunk.
- The position of the straps on the trunk should be cushioned with foam to try and eliminate polish/scuff marks from the straps.
- The cut on the top third of the trunk should be packed with plywood. It is possible that the trunk could bend around this cut. Packing the gap will minimise the risk of the trunk folding at this point. Plywood strips cut to the width of the sawcut should be inserted radially, leaving a reasonable length protruding to allow for removal in the future.
- The trunk should be placed on a flat bed truck for transport. It should be cushioned well from the bed of the truck. Second-hand mattresses are the best option for protecting the trunk while on the truck. Straps used to hold the trunk down should also be cushioned with foam matting to avoid abrasion.

Following the removal of the stump by the Parks and Conservation Service

Wanniassa Scar Tree Relocation

- the stump can be lifted with nylon straps. Any straps around the above ground portion of the stump should be cushioned with foam matting.
- The stump should be placed on a flat-bed truck for transport. It should be cushioned well from the bed of the truck. Second-hand mattresses are the best option for protecting the stump while on the truck. Straps used to hold the stump down should also be cushioned with foam matting on any above ground areas of the stump.

Task Responsibility Excavate stump – Parks and Conservation Service

Specification Works will abide by the advice from Conservation Works Pty Ltd unless otherwise agreed by ACT Heritage

District Input. Crews will be self sufficient for day to day operations. The overall supervision will be undertaken by the Ranger in Charge – Urban Reserves South

Scope of Works

EXCAVATE THE STUMP

- Excavate the stump with a combination of mechanical excavation and hand digging/sawing.
- Excavate the stump at two metres from the outer edge. This will allow a safety margin, avoiding damage to the above ground parts of the stump. The idea is to remove the stump as completely as possible to allow the maximum range of options for use of the stump in an interpretive situation.
- Where possible roots should be cut rather than snapped/torn.
- The crew doing the excavation should be made aware of the scar location and take extra care not to damage this portion. A heavy tarp/blanket should be placed over this area during excavation.

REFILL THE EXCAVATED SITE WITH CLEAN FILL

Environmental / heritage constraints

All operations will cease when:

- Soils are saturated
- Turbid water flowing for more than 10m
- When machinery is causing rutting depth of more than 200mm below ground level
- All areas will be checked for suitable dryness before operation continues.

Heritage Advice

Works will abide by the advice from Conservation Works Pty Ltd unless otherwise agreed by ACT Heritage

Wanniassa Scar Tree Relocation

Section 7. Rehabilitation of Site

Responsibility Fire Management Crew
On completion of works ensure site is left in a clean and safe condition and whilst on site staff must adhere to all littering and machine hygiene policies.
Following the backfilling of the stump hole, City Services will complete the remaining rehabilitation.

Section 8. Timeline

Onsite inspection	Quotes close	Selection of contractor	Works commence on site	Works completed
5 February 2019	N/A	N/A	6 February 2019	8 February 2019

Section 9. Consultation

Community Engagement	Letter box drop	Park Care Group Other community groups	Individual residents	Media
N/A	not required		N/A	No required

Section 10. Risk Management

Public safety	Work crew safety	Communications	Access/ Emergency Access
Signs advising of work and barriers (where appropriate) to be placed on key entry points. Work crew instructed that public may enter the site at any time. Large machinery and trucks may enter site, use appropriate signage and	Appropriate PPE to be worn at all times. First Aid Kit Crews will be undertaking works in accordance with the Zamonti SWMS and this Works Plan and associated Risk Assessment	Mobile phone reception is excellent . TRN radios will be provided coverage if required	????

Wanniassa Scar Tree Relocation

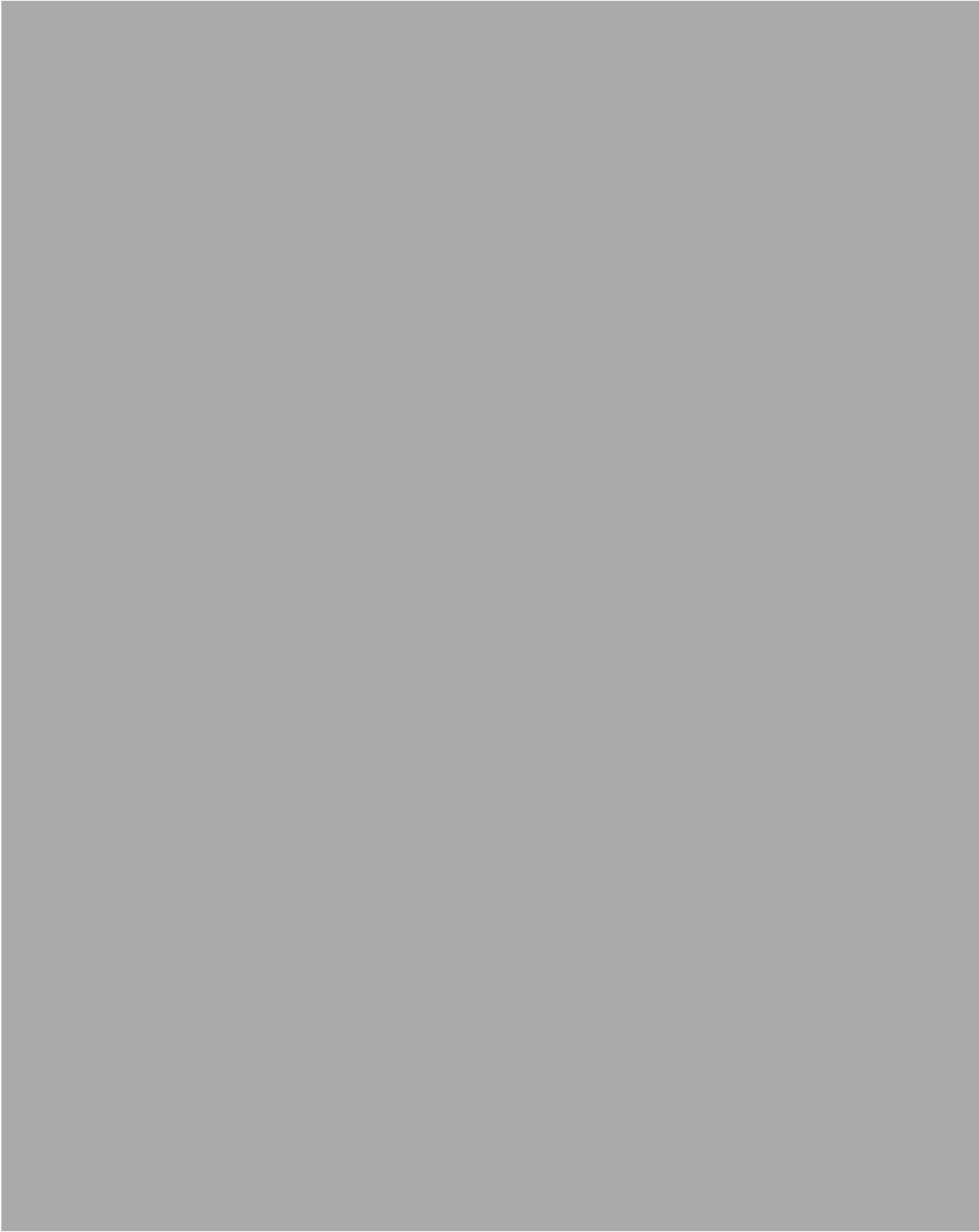
caution			
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Section 11. Emergency Evacuation Plan

Mobile Phone Contact	<input type="checkbox"/> Reception quality Good <input type="checkbox"/> PCL Supervising Officer Contact No. Simon Tozer <input type="checkbox"/> Radio Channels Zone B Channel CNP TRN Radio
Emergency Evacuation Point	Description Best access; refer to maps Mobile Phone Reception Good
Ambulance Procedures	<input type="checkbox"/> Call 000 <input type="checkbox"/> Ask for the ACT Ambulance Service <input type="checkbox"/> Tell the operator the nearest suburb and location details of Emergency Evacuation Point <input type="checkbox"/> Tell the operator the nature of the injury <input type="checkbox"/> Provide any contact details that could be helpful (eg. Your phone number, radio frequency, details for PCL Supervising Officer)

Wanniassa Scar Tree Relocation

MINUTES OF ACT HERITAGE COUNCIL MEETING 95



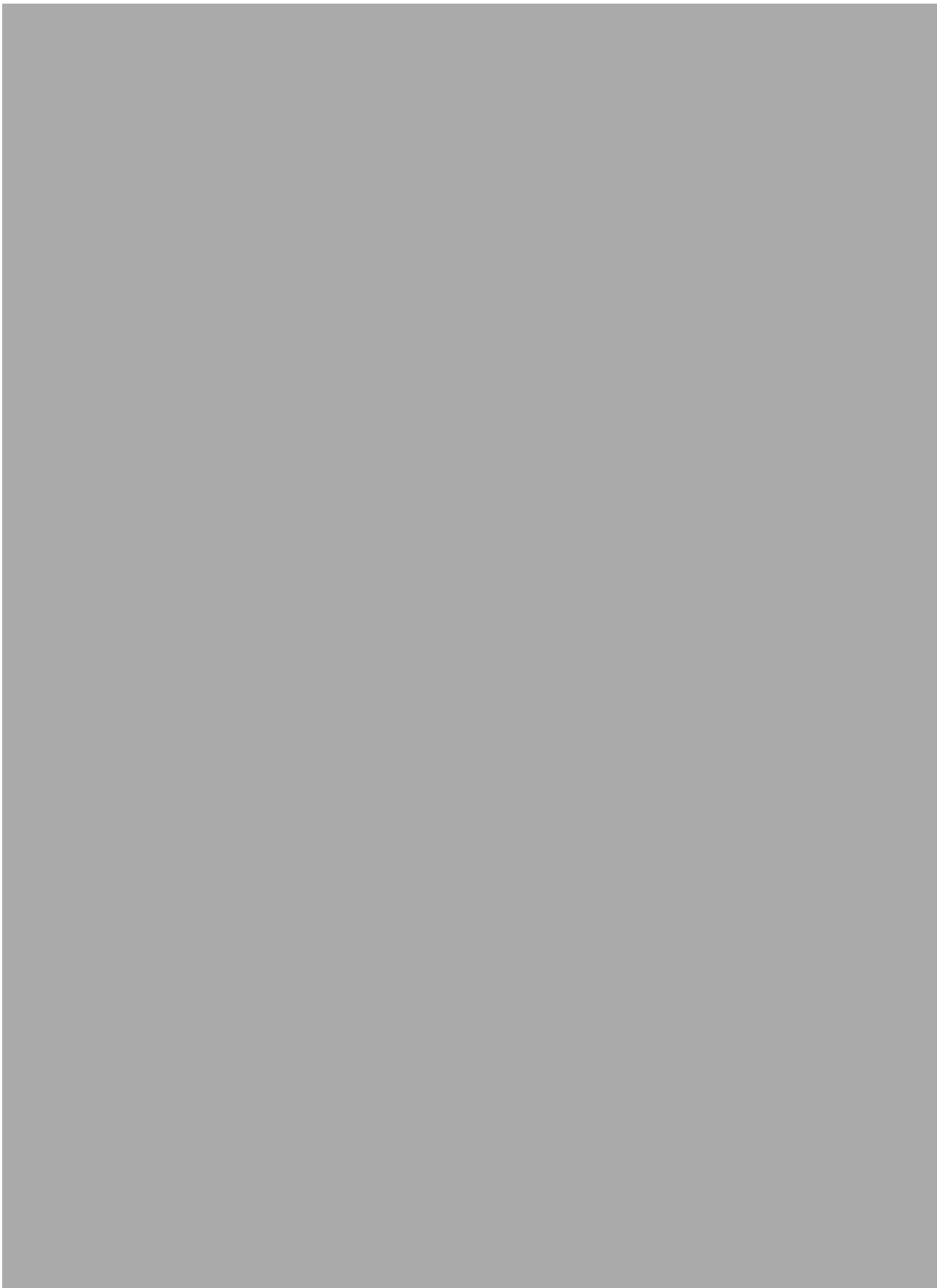
5.0 ADVICE

5.1 Aboriginal Liaison – Mr Gilbert

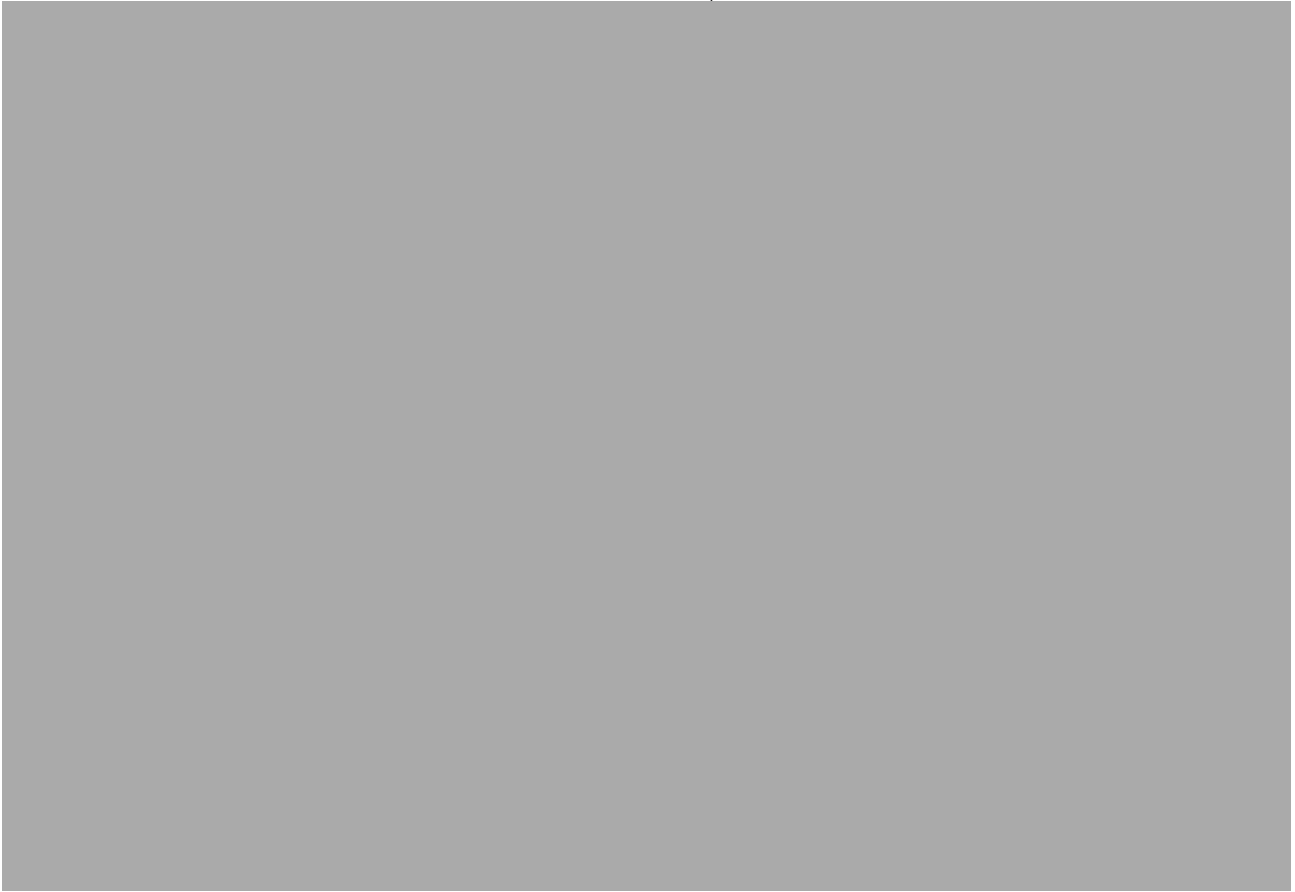
Council noted the agenda paper as summarised by Mr Gilbert.

MINUTES OF ACT HERITAGE COUNCIL MEETING 95
7 February 2019

In addition to the agenda paper, Mr Gilbert provided an update on MST4 Scarred Tree at Wanniasa, now relocated to [REDACTED] for consultation with RAOs on its long term care and management.



**MINUTES OF ACT HERITAGE COUNCIL MEETING 95
7 February 2019**



7.0 OTHER BUSINESS

There was no other business.

Meeting concluded at 12.30pm.

From: [Walker, IanS](#)
To: [Russell, Meaghan](#); [Gilbert, Euroka](#); [Tozer, Simon](#); [Liosatos, Nick](#); [Bennett, Marty](#); [Dupont, Alex](#); [Henderson, Adam](#); [Bruns, Nina](#); [Le Roux, Darren](#); [Jones, CraigS](#); [Simpson, Graham](#); [O'Connor, Kieran](#)
Cc: [Moore, FionaF](#); [Iglesias, Daniel](#); [Jeffress, Stuart](#); [Virtue, Geoff](#); [Brady, Erin](#); [Taylor, Karen](#)
Subject: Relocation of scarred tree
Date: Thursday, 7 February 2019 8:07:18 AM
Attachments: [image001.png](#)

Good morning everyone

Just a quick note to sincerely thank each of you for your work in relocating the Aboriginal scarred tree at Wanniasa.

I appreciate that this project required you to take a step back from your existing work programs, and acknowledge the added pressure that comes with doing that.

Yesterday's relocation was important to ensure the future protection of the cultural tree. It was sad circumstances that lead us to this work and its relocation has been eagerly followed by the Aboriginal Community and the Minister's Office, both keen to see no further damage to the tree. It is with relief and pleasure that we are able to say that the tree is now in a secure location in [REDACTED].

I look forward to hearing what the Traditional Custodians and Representative Aboriginal Organisation's desires are for the future of the tree. I'm sure your expertise and support for protecting significant cultural values will be called on again to relocate the tree to a suitable location on Country.

If I've missed anyone please pass on my appreciation

Thank you and well done.

Ian Walker

Executive Director, Environment

Phone: +61 6205 9027 | Email: IanS.Walker@act.gov.au

Environment, Planning and Sustainable Development Directorate | ACT Government

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2602

www.environment.act.gov.au

We acknowledge and celebrate the Ngunnawal peoples whose traditional lands we work on and pay our respect to elders past and present

From: [Russell, Meaghan](#)
To: [Moore, FionaF](#)
Subject: Pls call Chris Clarke re Wanniasa scarred tree media query [SEC=UNCLASSIFIED]
Date: Thursday, 27 June 2019 12:23:14 PM
Attachments: [image001.png](#)
[image002.png](#)
Importance: High

A journalist has requested a meeting to discuss and also images of both scarred trees.

Chris requested a call back after lunch – x 71587

Cheers,
Meaghan

Meaghan Russell | Manager (Approvals and Advice)

Phone: 13 22 81 | Email: meaghan.russell@act.gov.au

ACT Heritage | Environment, Planning and Sustainable Development Directorate | ACT Government

Dame Pattie Menzies House 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601

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From: Moore, FionaF
Sent: Thursday, 27 June 2019 2:52 PM
To: Virtue, Geoff; Clarke, Christopher
Subject: RE: media response
Attachments: Wanniasa Scar Trees - Spook and MST4 - for Coms.obr

UNCLASSIFIED

Hi Geoff/Chris,

Photos attached.

An earlier article from January 2019 has a better photo the journo may wish to use.

<https://www.abc.net.au/news/2019-06-27/scar-trees-of-value-to-canberra-indigenous-people-removed/11250506>

Regards,

Fiona

From: Virtue, Geoff
Sent: Thursday, 27 June 2019 1:28 PM
To: Clarke, Christopher <Christopher.Clarke@act.gov.au>; Moore, FionaF <FionaF.Moore@act.gov.au>
Cc: Drennan, Matthew <Matthew.Drennan@act.gov.au>; Magee, Alexandra <Alexandra.Magee@act.gov.au>
Subject: media response

UNCLASSIFIED


Hi both – have reminded Ian and Erin of the previous response to the scar tree issue. Erin is letting Ben know. They are happy with previous response being used. Matt has also told Min office.

It appears the ABC journo might not have run the story when he was asking about it back in February but he has now with Ian's comments.

<https://www.abc.net.au/news/2019-06-27/scar-trees-of-value-to-canberra-indigenous-people-removed/11250506>

Thanks

Geoff Virtue | Communications Manager

Phone 02 6205 0312 | 

Communications | Engagement and Executive Support

Environment, Planning and Sustainable Development Directorate | **ACT Government**

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From: [Moore, FionaF](#)
To: [Virtue, Geoff](#); [Clarke, Christopher](#)
Subject: RE: Response to questions regarding scar trees
Date: Thursday, 27 June 2019 1:47:00 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.jpg](#)

UNCLASSIFIED

Whilst formal investigation has concluded, final arrangements on the long term conservation measures for the remaining trunk and interpretation of two original locations is still ongoing in consultation with Representative Aboriginal Organisations.

From: Moore, FionaF
Sent: Thursday, 27 June 2019 1:29 PM
To: Virtue, Geoff <Geoff.Virtue@act.gov.au>; Clarke, Christopher <Christopher.Clarke@act.gov.au>
Subject: RE: Response to questions regarding scar trees

UNCLASSIFIED

In addition to the statement below, and reflecting the questions in today's hearings, the only outstanding matter in relation to the compliance investigation is the long term conservation outcomes for the two locations of the felled trees. A final point would be:

Whilst formal investigation has concluded, final arrangements on the long term conservation measures for the remaining trunk and the tree's original locations is still ongoing in consultation with Representative Aboriginal Organisations.

From: Virtue, Geoff
Sent: Thursday, 27 June 2019 1:10 PM
To: Moore, FionaF <FionaF.Moore@act.gov.au>; Clarke, Christopher <Christopher.Clarke@act.gov.au>
Subject: FW: Response to questions regarding scar trees

UNCLASSIFIED

Hi both, here's what we provided previously on this issue when it came up earlier this year.
Geoff

From: [REDACTED]
Sent: Wednesday, 6 February 2019 5:09 PM
To: Virtue, Geoff <Geoff.Virtue@act.gov.au>
Subject: RE: Response to questions regarding scar trees

Thanks Geoff, appreciate you (and Mayumi) getting back to me with this and the detail included.

Cheers,



From: Virtue, Geoff <Geoff.Virtue@act.gov.au>
Sent: Wednesday, 6 February 2019 4:52 PM
To: [REDACTED]
Cc: Walker, IanS <IanS.Walker@act.gov.au>
Subject: Response to questions regarding scar trees

Hi [REDACTED]

I understand you spoke to Mayumi about the scar tree story. Here's the response. It is attributable to Ian Walker, Executive Director, Environment within Environment, Planning and Sustainable Development Directorate.

The Aboriginal scarred trees MSYB1 and MST4 in Wanniasa were felled without approval under the Heritage Act 2004.

The removal of MSYB1 was reported to ACT Heritage in April 2017 and an investigation took place. The investigation concluded a genuine mistake was made as part of confirming the area to be cleared and the tree was mistakenly felled as part of a larger program of tree removal. The contractor undertaking the clearance had sought advice from the Conservator of Flora and Fauna in line with standard process prior to removing any trees and it was identified as a tree not to be removed. Unfortunately an error by the contractor saw the tree wrongly removed during clearance.

The contractor notified the ACT government straight away and expressed their regrets. An ACT government investigation concluded it was not in the public interest to pursue an expensive prosecution process.

Currently the ACT Government is only able to prosecute these breaches through the courts. Minister Gentleman has asked his Directorate, as a matter of urgency, to explore the introduction of an on-the-spot fine scheme and repair orders where appropriate. This work is expected to be rolled out this year.

The trunk of MST4 is salvaged and the ACT Government is coordinating its temporary relocation until a long-term home is identified. Consultation is taking place with Representative Aboriginal Organisations and an expert in the conservation of Aboriginal scar trees.

MSYB1 has been known as the 'Spook Tree' since at least the 1990s. Although the origins of the name are unclear, the name most likely comes from the local residents. Traditional Custodians do not identify this as a cultural name.

The ACT government recognises the importance of Aboriginal scarred trees to our region's heritage.

Aboriginal scarred trees are the product of Aboriginal cultural activities, such as the removal of bark or wood for the making of canoes, shelters and containers. Scarred trees are of cultural significance to Traditional Custodians, and they are also of archaeological significance as they can provide an enormous amount of information on past Aboriginal activity and use.

Thanks

Geoff Virtue | Communications Manager - Environment

Phone 02 6205 0312 | [REDACTED]

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From: [Clarke, Christopher](#)
To: [Walker, IanS](#); [Moore, FionaF](#)
Cc: [Virtue, Geoff](#)
Subject: Scarred trees
Date: Thursday, 27 June 2019 12:56:09 PM
Attachments: [image001.png](#)
[image002.png](#)

UNCLASSIFIED

Hi Ian and Fiona

I touched base with [REDACTED] from the CT about the Wanniasa scarred trees and he wants an update on the investigation, an indication of when a decision/outcome will be provided, and he wants some images of the trees.

Cheers
Chris

Christopher Clarke | Communications Officer - Environment
Phone 02 6207 1587 | 0422 660 867
Communications | Engagement and Executive Support
Environment, Planning and Sustainable Development Directorate | **ACT Government**
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For **EPSDD media enquiries** please call **0401 766 218**



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From: [Virtue, Geoff](#)
To: [REDACTED]
Subject: RE: Wanniasa scarred trees
Date: Thursday, 27 June 2019 1:50:45 PM

UNCLASSIFIED

Hi [REDACTED]

Here's some information you can take info from. It is attributable to Ian Walker, Executive Group Manager, Environment within Environment, Planning and Sustainable Development Directorate.

The Aboriginal scarred trees MSYB1 and MST4 in Wanniasa were felled without approval under the Heritage Act 2004.

The removal of MSYB1 was reported to ACT Heritage in April 2017 and an investigation took place. The investigation concluded a genuine mistake was made as part of confirming the area to be cleared and the tree was mistakenly felled as part of a larger program of tree removal. The contractor undertaking the clearance had sought advice from the Conservator of Flora and Fauna in line with standard process prior to removing any trees and it was identified as a tree not to be removed. Unfortunately an error by the contractor saw the tree wrongly removed during clearance.

The contractor notified the ACT government straight away and expressed their regrets. An ACT government investigation concluded it was not in the public interest to pursue an expensive prosecution process.

Currently the ACT Government is only able to prosecute these breaches through the courts. Minister Gentleman has asked his Directorate, as a matter of urgency, to explore the introduction of an on-the-spot fine scheme and repair orders where appropriate. This work is expected to be rolled out this year.

The trunk of MST4 is salvaged and the ACT Government is coordinating its temporary relocation until a long-term home is identified. Consultation is taking place with Representative Aboriginal Organisations and an expert in the conservation of Aboriginal scar trees.

The ACT government recognises the importance of Aboriginal scarred trees to our region's heritage.

Aboriginal scarred trees are the product of Aboriginal cultural activities, such as the removal of bark or wood for the making of canoes, shelters and containers. Scarred trees are of cultural significance to Traditional Custodians, and they are also of archaeological significance as they can provide an enormous amount of information on past Aboriginal activity and use.

Whilst formal investigation has concluded, final arrangements on the long-term conservation measures for the remaining trunk and interpretation of the two original locations is still ongoing in consultation with Representative Aboriginal Organisations.

Thanks

Geoff

From: [REDACTED]
Sent: Thursday, 27 June 2019 12:05 PM
To: Virtue, Geoff <Geoff.Virtue@act.gov.au>
Subject: Wanniasa scarred trees

Hi Geoff,

As discussed, calling up about something that was brought up in estimates. Two Aboriginal scarred trees were cut down in Wanniasa in 2017 despite being heritage listed.

I was hoping to talk to ACT Heritage director Fiona Moore about the incident today and get any pictures you have of the trees.

I'm on [REDACTED]

Speak soon,

[REDACTED]

--

[REDACTED]

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From: [OConnell, Jennifer](#)
To: [Walker, IanS](#)
Cc: [Moore, FionaF](#); [Roberts, Linda](#); [Gilbert, Euroka](#); [Caddy, Gabrielle](#)
Subject: RE: Meeting with [REDACTED] [SEC=UNCLASSIFIED]
Date: Wednesday, 7 August 2019 2:56:07 PM

....slight amendment below – highlighted in green.

From: OConnell, Jennifer
Sent: Wednesday, 7 August 2019 2:42 PM
To: Walker, IanS <IanS.Walker@act.gov.au>
Cc: Moore, FionaF <FionaF.Moore@act.gov.au>; Roberts, Linda <Linda.Roberts@act.gov.au>; Gilbert, Euroka <Euroka.Gilbert@act.gov.au>; Caddy, Gabrielle <Gabrielle.Caddy@act.gov.au>
Subject: RE: Meeting with [REDACTED] [SEC=UNCLASSIFIED]

Hi Ian

Dot points below.

Cheers

Jen

Tree MSYB1 – the ‘Spook Tree’

- The removal of MSYB1 at a school in Wanniasa was reported in April 2017 and investigated by Access Canberra.

The investigation concluded a genuine mistake was made as part of confirming the area to be cleared and the tree was mistakenly felled as part of a larger program of tree removal.

The contractor undertaking the clearance had sought advice from the Conservator of Flora and Fauna in line with statutory process prior to removing any trees and it was identified by the Conservator as a tree not to be removed.

Unfortunately an administration error by the contractor saw the tree wrongly removed during clearance.

Once the error was realised, the contractor notified the ACT Government straight away and expressed their regrets.

The investigation concluded that as it was not malicious activity that resulted in the removal of the tree, but rather a genuine and unintentional administration error.

There was no evidence of a ‘fault’ element under the *Criminal Code 2002* and it was the investigator’s opinion that there was insufficient evidence for the matter to be prosecuted.

A key recommendation resulting from the investigation was that that consideration be given to expanding the range of available heritage enforcement tools currently available.

- **This work is currently being progressed.**

- **ATSIEB were recently consulted on a Cabinet Submission seeking policy approval for the amendments.**
- **The proposed amendments mean that people who damage heritage places and objects will face immediate fines and be directed to repair the damage.**

Additionally, the Education Directorate is currently exploring a range of additional protection measures including developing a heritage identification database for contractors to ensure and enhance the protection of heritage assets located on school sites.

The Education Directorate is also exploring, in consultation with Representative Aboriginal Organisations (RAOs), appropriate and respectful remediation for the site.

Tree MST4

- The removal of MST4 was reported in July 2018 by a member of the community.

An immediate site inspection confirmed that the tree had been cut down, and the trunk containing the cultural scar remained on the ground adjacent to the stump.

Initial review of aerial photography indicated that the tree was cut down between December 2016 and March 2017.

An ACT Government investigation was unable to identify a responsible party or the circumstances of removal.

No further compliance action can therefore be taken.

The trunk of MST4 has been temporarily relocated to a safe place to ensure no further damage occurs to the cultural scar.

Its relocation and temporary placement was undertaken with the assistance of a qualified materials' conservator and in consultation with RAOs.

Final arrangements on the long-term conservation measures for the remaining trunk and interpretation of the location is still ongoing between the land manager Transport Canberra and City Services in consultation with RAOs.

[Redacted]

- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]

- [Redacted]

From: Walker, IanS
Sent: Wednesday, 7 August 2019 2:12 PM
To: Clement, SophieJ <SophieJ.Clement@act.gov.au>; Freeman, Carly <Carly.Freeman@act.gov.au>; OConnell, Jennifer <Jennifer.OConnell@act.gov.au>; Gilbert, Euroka <Euroka.Gilbert@act.gov.au>; Taylor-Grant, Jackson <Jackson.Taylor-Grant@act.gov.au>; Van Dugteren, Anna <Anna.VanDugteren@act.gov.au>
Cc: Foley, Justin <Justin.Foley@act.gov.au>; Garofalow, Frank <Frank.Garofalow@act.gov.au>; Moore, FionaF <FionaF.Moore@act.gov.au>
Subject: Meeting with [Redacted]

UNCLASSIFIED

Sophie, Carly, Jen and Linda

Ben and I have our regular catch up with ATSIB member [Redacted] tomorrow at 11

Prior to the meeting can you provide some dot points on the following

[Redacted]

[Redacted]

Jen/linda

Scar tree [Redacted]

[Redacted]

Ian Walker
Executive Group Manager, Environment
Phone: +61 6205 9027 | Email: IanS.Walker@act.gov.au
Environment, Planning and Sustainable Development Directorate | ACT Government
Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2602
www.environment.act.gov.au

-
We acknowledge and celebrate the Ngunnawal peoples whose traditional lands we work on and pay our respect to elders past and present



Minister for the Environment and Heritage
 Minister for Planning and Land Management
 Minister for Police and Emergency Services
 Minister assisting the Chief Minister on
 Advanced Technology and Space Industries
 Manager of Government Business
 Member for Brindabella

Obj #19/26516

ACT LEGISLATIVE ASSEMBLY QUESTION

Questions on Notice Paper No. 36

Question No. 2680

MS LE COUTEUR - Asked the Minister for the Environment and Heritage on 23 August 2019:

Which Representative Aboriginal Organisations (RAOs) were consulted, and when, in relation to the removal of heritage-listed scarred trees MSYB1 (Spook tree) and MST4 and in response to Select Committee on Estimates 2019-2020 Recommendation Number 134, where the Government stated "Consultation with (RAOs) has occurred since ACT Heritage was notified about the removal of the scarred trees. The salvaged tree trunk from MST4 has been moved to a secure location with the consent of the RAOs".

MINISTER GENTLEMAN: The answer to the Member's question is as follows:

All four RAOs were notified of the removal of both trees.

Spook; Heritage informed 6 April 2017

On 7 April 2017, Euroka Gilbert spoke to Buru Ngunawal Aboriginal Corporation at Heritage Festival Launch, Messages left for other RAOs, no calls returned.

On 12 April 2017, Gary Shipp agreed to contact all Representative Aboriginal Organisations (RAOs) in his capacity as the Aboriginal community representative of the ACT Heritage Council. RAOs were contacted on:

- 13 April 2017 - phone call with Wally Bell of Buru Ngunawal Aboriginal Corporation;
- 13 April 2017 - phone call with Matilda House of Little Gudgenby River Tribal Council;
- 13 April 2017 - phone call with James Mundy of Ngarigu Currawong Clan; and
- 19 April 2017 - phone call with Carl Brown of King Brown Tribal Group (following attempted contact on 13 April 2017).

ACT Legislative Assembly

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 Phone +61 2 6205 0218 Email gentleman@act.gov.au



@GENTLEMANMick



MickGentleman



MST4; Heritage informed 24 July 2018

30 July 2018 – Buru Ngunawal Aboriginal Corporation informed, at a meeting, King Browns Tribal Group informed via phone. Messages left for other RAOs, no calls returned.

31 July

1 November 2018 – onsite meeting at MST4 – No RAOs attended.

Attempts to contact RAOs 9 October, 10 October, 16 October, 17 October, 25 October, 29 October, 2 November, 5 November and 6 November 2018. As a result, only Buru Ngunawal Aboriginal Corporation (BNAC) could be directly contacted (2 and 5 November 2018) Wally suggested that the tree could ultimately be moved to the Mt Taylor Reserve; which was noted for discussion with all other RAOs.

5 November 2018 Email received from BNAC – Checking information he had received from Canberra and District Historical Society, Email reply same day confirming these two tree were the ones being discussed.

On 24 November 2018 – Buru and King Browns, discussion relocation options Mt Taylor, Catherine Park, or the grassland at [REDACTED]. [REDACTED] is the preferred option, but vandalism risks are a concern.

6 Feb 2019 MST4 Relocated from Wanniasa [REDACTED] - No RAOs attended.

Approved for circulation to the Member and incorporation into Hansard.

Mr Mick Gentleman MLA, Minister for the Environment and Heritage Date:.....

This response required XXhrs XXmins to complete, at an approximate cost of \$XXX.

MINUTES OF ACT HERITAGE COUNCIL MEETING 86 27 July 2017

DATE: 27 July 2017

VENUE: Ground Floor Conference Room, Dame Pattie Menzies House (North),
Dickson



1.2 Confirmation of Agenda for Meeting 86

The agenda for Meeting 86 was confirmed with the following additions:



- an update on the scarred tree at Wanniasa, requested by Mr Nizette – to be discussed at item 5.7 Compliance Matters.



**MINUTES OF ACT HERITAGE COUNCIL MEETING 86
27 July 2017**



5.7 Compliance Matters – Ms Russell & Ms Dunn

Council noted the agenda paper.



Mr Nizette requested a status update on the removal of a scarred tree at Wanniasa. Ms Russell explained that the matter is still with the investigations team at Access Canberra and there are no further updates at this stage.



MINUTES OF ACT HERITAGE COUNCIL MEETING 88 16 November 2017



5.7 Compliance Matters – Ms Russell & Ms Dunn

Council noted the agenda paper.

Ms Russell provided updates on two compliance matters relating to 8 Palmer Street, Hall, demolition works, and the removal of a scarred tree at Wanniasa. As a further update, ACT Heritage had preliminary discussions with Access Canberra investigators in relation to both matters, and that meetings with EPSDD will be scheduled in the coming weeks to discuss preliminary outcomes, including whether actions satisfies elements of an offence and what further actions may be recommended.

In relation to the removal of the scarred tree at Wanniasa, Mr Nizette expressed his concern and displeasure at the length of time it has taken for investigation to commence, considering the significant damage that has taken place.



MINUTES OF ACT HERITAGE COUNCIL MEETING 95 7 February 2019

In addition to the agenda paper, Mr Gilbert provided an update on MST4 Scarred Tree at Wanniasa, now relocated to [REDACTED] for consultation with RAOs on its long term care and management.

5.2 Aboriginal Heritage and Archaeology – Ms Russell

Council noted the agenda paper.



MINUTES OF ACT HERITAGE COUNCIL MEETING 87



5.7 Compliance Matters – Ms Russell & Ms Dunn

Council noted the agenda paper.

Further to last Council meeting, Mr Nizette requested a status update on the removal of a scarred tree at Wanniasa. Ms O’Connell explained that the matter is still with the investigations team at Access Canberra.



From: [Alegria, Stephen](#)
To: [Moore, FionaF](#)
Subject: FW: Heritage matters - potential compliance issue [SEC=UNCLASSIFIED, DLM=For-Official-Use-Only]
Date: Thursday, 26 July 2018 12:13:15 PM
Attachments: [FW FYI 4417 Unapproved remnant removal @ Wanniasa Hills Primary aka Spook Tree SECUNOFFICIAL.msg](#)

Hi Fiona,

Further info.

Stephen Alegria | Director | City Presentation
T 02 6207 9833 | [REDACTED]
City Services | Transport Canberra and City Services Directorate
Level 2 Wotso House, 490 Northbourne Avenue, Dickson ACT | GPO 158, Canberra ACT 2601.
www.tccs.act.gov.au

-----Original Message-----

From: Dawes, Rachael
Sent: Wednesday, 25 July 2018 5:05 PM
To: Alegria, Stephen <Stephen.Alegria@act.gov.au>
Subject: RE: Heritage matters - potential compliance issue [SEC=UNCLASSIFIED, DLM=For-Official-Use-Only]

Hi Stephen

I have asked the team re: the history of these removals. The first one we are aware of and I have attached an email with some detail. It was removed in error by Treeworks working under a contract to the Dept of Education. They realised what they had done and alerted everyone at the time. There was talk of remediation through replacement plantings but I am not aware if this has been undertaken as it was with Heritage.

I've researched the allegation of a second removal and checked the 2017 and 2018 DTRP, the tuff book data and the current tree app data and I can't find any removals at this location by our crews or contractors. From the photo, there is just the placement of a log, which looks to have been removed some time ago. It is visible in the 2017 aerial images, but I am not sure of prior to that. Are we certain if it was placed there or if the tree was removed on site? I will attend the site early tomorrow and take some photos and have a look.

Cheers
Rach

Rachael Dawes | A/G Manager Urban Treescapes Phone 02 6205 5263 | [REDACTED] | Email:
rachael.dawes@act.gov.au Urban Treescapes, City Presentation | Transport Canberra and City Services
Directorate | ACT Government Level 2, 490 Northbourne Avenue, Dickson 2602 | GPO Box 158 Canberra
ACT 2601 | www.act.gov.au

-----Original Message-----

From: Alegria, Stephen
Sent: Wednesday, 25 July 2018 12:56 PM
To: Moore, FionaF <FionaF.Moore@act.gov.au>
Cc: Abel, Tynan <Tynan.Abel@act.gov.au>; Dawes, Rachael <Rachael.Dawes@act.gov.au>
Subject: Re: Heritage matters - potential compliance issue [SEC=UNCLASSIFIED, DLM=For-Official-Use-Only]

Hi Fiona I am running late so will have to reschedule, will do so ASAP.

Regards
Stephen

> On 25 Jul 2018, at 11:11 am, Moore, FionaF <FionaF.Moore@act.gov.au> wrote:

>

> Hi Stephen,

>

> That works from my end.

>

> In summary - a constituent has written to Minister Gentleman in relation to two Aboriginal Scar Trees in Wanniasa. Both of the trees in question have been felled. One felling is known to us, however the second was not. The second tree is located in open space adjacent to Wanniasa Hill Primary School – see attached aerial imagery. Heritage staff conducted a site visit yesterday and confirmed that it is MST4 (registered on the ACT Heritage Register). In light of that we are now obliged to investigate the matter. Whilst this occurs, the tree should be moved to a secure storage location, preferably covered.

>

> See you at 1.30pm at Wotso.

>

> Regards,

>

> Fiona Moore I Senior Manager, ACT Heritage (Mon – Thurs)

> Phone: +61 2 6205 9974 I Email:

> fionaf.moore@act.gov.au<<mailto:fionaf.moore@act.gov.au>>

> ACT Heritage I Environment, Planning and Sustainable Development

> Directorate I ACT Government Dame Pattie Menzies House, Dickson I GPO

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>

> From: Alegria, Stephen

> Sent: Wednesday, 25 July 2018 10:50 AM

> To: Moore, FionaF <FionaF.Moore@act.gov.au>

> Cc: Abel, Tynan <Tynan.Abel@act.gov.au>; Dawes, Rachael

> <Rachael.Dawes@act.gov.au>

> Subject: Re: Heritage matters - potential compliance issue

> [SEC=UNCLASSIFIED, DLM=For-Official-Use-Only]

>

> Hi Fiona I have a pretty packed calendar today, but I should be able to meet for 30 mins at 1.30 if you can come to L2 Wotso. Can you please expand on the scar tree issue prior to the meeting?

> Regards

> Stephen

>

> On 25 Jul 2018, at 9:14 am, Moore, FionaF

<FionaF.Moore@act.gov.au><<mailto:FionaF.Moore@act.gov.au>>> wrote:

> Hi Stephen,

>

> Can we catch up today to discuss a couple of heritage matters that require our urgent attention, specifically:

>

>

> - Potential compliance matter relating to felling of an Aboriginal scar tree on TCCS managed land: and

>

> - Hall Bike Track and requests from Minister Gentleman's Office.

>

> I also left a message with your office on Monday and phoned this morning.

>

> Regards,

>

> Fiona Moore I Senior Manager, ACT Heritage (Mon – Thurs)

> Phone: +61 2 6205 9974 I Email:

> fionaf.moore@act.gov.au<<mailto:fionaf.moore@act.gov.au>>

> ACT Heritage I Environment, Planning and Sustainable Development

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> ww facebook.com/EnvironPlan>
>
> <image001.gif>
> <image002.gif>
> <ST Location.jpg>
> <IMG_1704.jpg>

From: [Sneyers, Andre](#)
To: [Dawes, Rachael](#)
Subject: FW: FYI 4/4/17 Unapproved remnant removal @ Wanniasa Hills Primary aka Spook Tree [SEC=UNOFFICIAL]
Date: Wednesday, 25 July 2018 1:58:29 PM
Attachments: [Unapproved remnant removal @ Wanniasa Hills Primary SECUNCLASSIFIED.msg](#)
[Tree removal at Wanniasa Primary School.msg](#)
[image001.png](#)
[image002.png](#)

FYI

André Sneyers | Urban Treescapes, TPU

Phone 02 6207 6127 | Email: andre.sneyers@act.gov.au

City Services | City Presentation | Transport Canberra and City Services (TCCS) | ACT Government

Level 2, 490 Northbourne Avenue, Dickson 2602 | GPO Box 158 Canberra ACT 2601 | www.act.gov.au

From: Sneyers, Andre
Sent: Wednesday, 13 September 2017 2:02 PM
To: Diehm, Mark <Mark.Diehm@act.gov.au>
Cc: Brice, Michael <Michael.Brice@act.gov.au>
Subject: FYI 4/4/17 Unapproved remnant removal @ Wanniasa Hills Primary aka Spook Tree [SEC=UNOFFICIAL]

Mark in case,

You get some more query in relation to the spook tree removal E-mails attached.

Apparently it has gone from Heritage to “compliance ether”

As told by Fiona Kidman, although heritage and her could not tell who to.

She is now trying to organise a sit down between several parties, likely Friday some time.

I had discussed this breach/mistake and the offer by Dom with Richard and Shaun at little length, and also with Education at that time.

Our stance at that time - We would await the outcome of the Tree works Offer (Acceptance by interested parties)

And then follow through with a balanced useful response, instead of prosecuting Educations' contractor from the word go.

Hopefully of some use if needed.

André Sneyers TPU, Urban Treescapes

City Services | City Presentation | Transport Canberra and City Services Directorate (TCCS) | ACT Government

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