

The Vault: trees, transparency and truth



The sudden removal of a row of established tea tree along Pertobe Rd by the W'bool City Council sparked a passionate response from the Warrnambool community.

The Vault – Carol Altmann

What began as a simple question to the Warrnambool City Council about the removal of some trees has gone on to reveal a much deeper concern that strikes right at the heart of the public's right to know.

The last 24 hours has confirmed that there is now a two-tier system in place: those people and media organisations who meet the council's approval and those who don't. Those who acquiesce will be accommodated and those who dare to dig deeper or question further will be ignored.

In a one-newspaper, regional city with close ties and

connections, this is a deeply troubling attack on one of the fundamental parts of a democracy where people have a right to expect an open, transparent and accountable government on all levels. The media, including new media outlets like *Bluestone Magazine*, are critical to this expectation being met.

First, some brief background for those of you who may not be on Facebook or Twitter, which is where *Bluestone* revealed the removal of a row of well-established tea-tree from Pertobe Rd this week.

In the scheme of things this might be seen as a small story, but more than 6500 people saw our post and many reacted passionately, asking why the trees had been taken out and that they were saddened, disappointed and even horrified at the loss of this native vegetation.

The WCC issued a tweet to its followers after *Bluestone* had made public that the trees had been removed, saying: "Old tea trees removed along Pertobe Rd for safety following inspection by arborist. Replacements to be planted in autumn."

Safety? Inspection by an arborist? We wanted to know more.



The council says the tea tree was removed after an inspection by an arborist, but the arborist's report is yet to surface.

We emailed WCC communications officer **Nick Higgins**, Mayor **Kylie Gaston** and all the councillors to see if we could find out more detail.

Cr Brian Kelson said he was unaware of the removal of the trees, but questioned why the council's guideline of only removing one-third of the height had not be applied. (*note: an earlier version of this story said only Cr Gaston responded to our questions. Cr Kelson also responded.*)

Mayor Gaston also responded and the relevant part of her email is here:

"Not all the trees have been removed as people thought may happen this morning which is a good thing. The young man returned this morning to finish the stumps only.

I believe the trees cut down were assessed as high risk due to cracks and a certain worm being detected in the trees.

The remaining trees are believed to be fine and will be watched. No one wishes them to be cut down.

It was recently pointed out to us by our auditor that since the sad accident when the child was killed by a tree in Bendigo this year, councils are being a lot warier of the risk. This would be a case in point I suppose."

Leaving the death of the child in Bendigo to one side for a moment (we will get back to that tragedy), we than asked to see the arborist's report that led to such a dramatic response for a row of worm-infected tea tree.

Mayor Gaston was on the road by this time, so we emailed media manager Mr Higgins yesterday – as is council protocol – and asked directly:

Hello Nick,

As Mayor Gaston is on the road, I am writing to ask you directly if the WCC can forward a copy of the arborist's report on the tea trees removed from Pertobe Rd.

Regards,
Carol

Three hours later, having obviously scoured our Facebook page to gauge public feedback on this issue, we received this reply at 5.26pm yesterday:

Hello Carol,

We will decline the invitation to have further input into your commentary.

Comments on your Facebook page which describe council staff as “environmental rapists” and “grubs” are offensive.

Actually, what was said on the page was this:



And this:



Passionate, yes. But no individual WCC staff member was named and certainly not defamed.

While we closely monitor our Facebook page to remove potentially defamatory comments and offensive language, we also believe members of the public who are prepared to express an opinion (however passionately) under their real names is what a free and robust discussion is all about.

We also find the council's refusal to comment to us on this basis particularly interesting given a senior member of its

own staff, tourism manager **Peter Abbott**, was this year [exposed for attacking some councillors under a pseudonym](#) to the local newspaper.

Here is our response to Mr Higgins:

Hello Nick,

It is not an invitation, but a request for information that should be in the public domain, given it was stated as the reason for the removal of the trees.

Just to be clear, are you saying the WCC is with holding this information because of a comment/s by a third party – under their own name/s – on our Facebook page that does not in any way attack an individual but perhaps, instead, expresses the clear frustration and disappointment at the decision to remove this vegetation?

Strong words, certainly, but we believe in allowing people who are brave enough to have a say publicly, under their own name, to actually have a say.

I wish to point out that Bluestone Magazine has made no such comments and has instead raised an issue that was brought to our attention by readers wanting to know why and how the decision was made to remove the tea tree. We also pondered why the council had not chosen to make this information public before the trees were removed, as is recommended in its own tree removal policy.

Despite this, you are saying that this information will not be supplied.

I can only ponder if the same restrictions applied to the Warrnambool Standard when, until recently, it regularly permitted such criticism and attacks on both council and councillors not only on social media, but on its website, including – as you know – comments written by WCC senior staff under pseudonyms.

If this is the chief executive's ruling, then we will be lodging an FOI for this information, as is becoming the way that the council demands we do business when seeking documents

that should and could be in the public domain.

Regards,

Carol

And Mr Higgins' reply?

I am out of the office from 22/12/2015 05:15 PM until 11/01/2016 08:30 PM.

Hello,

I am on leave from December 23, returning January 11, 2016. If the matter is urgent call 0466 199 511.



After the removal of the tea trees, a reader contacted us to highlight the removal of several New Zealand Christmas trees along Banyan St, again without public notification.

We are still waiting for the arborist's report, if in fact one exists. We are, pardon the pun, going out on a limb to say that it doesn't.

But this is about more than trees.

This is also, in our view, about the council trying to shut down public criticism and scrutiny by scraping social media, and it's about an attempt to "choke" an organisation like ours that cannot be "media managed".

You, our followers, will know that this is not the first time. We have still not received answers to our questions on [the Porter's shed](#), or a copy of the report on the [results of the 2015 Fun4Kids festival](#), or whether, indeed, if all of the missing [Loch Ard lead ingots](#) have ever been recovered.

But we will keep asking.

[box]The death of a child from a falling tree limb in Bendigo in 2013 led to a coronial inquiry where the council was found not liable. The tree, in that tragic case, was a 90 year old Grey Box gum and the branch that broke was an 18m long limb that dropped from 4 to 6 metres. The coroner set down eight recommendations about council tree management, including installing a computer based management system detailing what trees it owns, a risk assessment and maintenance schedule; a formalised tree inspection protocol; that all assessments be done by an experienced arborist; and that the assessments include the root system and canopy. There is no suggestion that all damaged trees be removed, but that pruning may also be an option. You can read the full report [here](#). You can also read the WCC [tree policy here](#).[/box]

Meanwhile, on the subject of public liability, [click here](#) to see a case that actually is just waiting to happen within the Warrnambool CBD.