

Elizabeth Baillie

Review of Tree Removal and Tree Management Practices



TOWN OF
VICTORIA PARK

Overview

Impetus for review

In October 2025, the Town engaged an external arboricultural consultant to undertake a series of site visits to assess and review the trees on the entire parcel of land at 999 Albany Highway, East Victoria Park now known as the Elizabeth Baillie Precinct. The review encompassed both the land that was, at the time, in the development of Baillie Hill as well as the parkland under the control of a construction contractor and development of the park infrastructure. The resulting report provided an overview of the trees currently on site and assessed their condition against a 2023 tree inventory that was undertaken prior to the works commencing.

The report identified that of the trees surveyed in 2023, 94 had been removed. This number was greater than the number of trees initially identified for removal and which had been previously communicated to both Council and the community as part of the initial design and approval process for these projects. At the time of receipt of the report, a desktop reconciliation of the 94 trees showed only 48 of these trees had been identified for removal.

This discrepancy was communicated to Council, and the following resolution was made at Ordinary Council Meeting, 18 November 2025:

COUNCIL RESOLUTION (250)/2025:

Moved: Mayor Karen Vernon

Seconded: Deputy Mayor Lindsay Miles

That Council:

1. approves this motion being brought as new business of an urgent nature without notice to be decided upon in accordance with clause 24 of the *Meeting Procedures Local Law 2019* as a case of extreme urgency or the other special circumstances;
2. requests the Chief Executive Officer to conduct an investigation into the removal of trees at Elizabeth Baillie Park that were not authorised under the Tree Removal Plan approved by Council for the park redevelopment upgrade project;
3. requests the Chief Executive Officer to report to the Ordinary Council Meeting in February 2026 as to the outcome of the investigation.

Carried (9 - 0)

For: Mayor Karen Vernon, Cr Claire Anderson, Deputy Mayor Lindsay Miles, Cr Scott Ingram, Cr Andra Biondi, Cr Daniel Minson, Cr Peter Melrosa, Cr Jack Gordon-Manley and Cr Sky Croeser

Against: Nil

Elected members sought clarification on the following,

Whilst the Town has accepted full responsibility in the public statement, Council still needs to fully understand:

1. the number and species of trees that were removed without authorisation;
2. when and why each of these trees were removed;
3. who removed them;
4. the Town's systems and processes that are required to be followed prior to tree removal;
5. whether the Town's systems and processes were followed prior to removal, and if not, why not;
6. the parties responsible for non-compliance in the tree removal (i.e contractor, Town);
7. the Town's project management and supervision of this project;
8. recommendations to mitigate the tree losses, address the non-compliance, and to ensure compliance with Town systems and processes to prevent unauthorised tree removals in future;
9. how and when a replacement tree planting program will be developed for the Park.

In the interests of good governance and accountability, it is imperative that the Town completes its investigation into how and why this occurred as soon as possible, with the outcome being reported to Council in full, including the steps being taken to rectify the situation, address any non-compliance, and prevent a recurrence in future projects. A public report to Council will ensure accountability to our community.

This review has been undertaken to fulfil the requirements of the Council report and resolution while also identifying any gaps in internal processes and procedures when planning and executing projects that involve trees and



landscaping.

The investigation adopted the Incident Cause Analysis Method (ICAM), a structured and systematic approach to examining incidents. ICAM focuses on identifying underlying systemic factors rather than attributing blame to individuals. It seeks to understand not only what occurred, but why it occurred, providing deeper insight into the incident and a strong foundation for meaningful improvement.

Project context

The entire lot at 999 Albany Highway was permanently placed on the State’s Register of Public Places in June 1999. The statement of significance extended not only to the complex of former hospital buildings but also the landscape surrounding them. It notes the formal nature of the landscape, draws attention to the tree-lined drive and highlights the value of the landscaping in creating a sense of place. The assessment documentation notes that the parkland area makes an important contribution to the aesthetics of the site and is an important contributor to the streetscape:

The landscape elements are important integral components of the site, as they collectively provide a consciously designed setting for the hospital which has been largely respected during the subsequent development of the site. (Criterion 1.4)

The landscape elements are representative of the simple orderliness often associated with public sites through the twentieth century. (Criterion 6.1)

The landscaping is an important contributing factor to the historic significance of the place and is integral to the illustration of the nature of care of tubercular ex-servicemen after World War I. (Criterion 6.1)

The place represents an intact example of a hospital dating from the inter-war period and represents the quality of care considered appropriate to the period. (Criterion 6.2)

Register of Heritage Places – Assessment Documentation 29/06/1999

The Elizabeth Baillie Precinct is made up of two restoration and development work fronts:

1. Area 1: Restoration and development of the house, former hospital buildings and surrounds – delivered by Blackoak under a Development Approval process.
2. Area 2: Development of the parkland area (formerly known as Edward Millen Reserve) – delivered by the Construction Contractor under a Council resolution.



Area 1 – House, Former Hospital Buildings and Surrounds

1. Tree retention and removal approvals

The Development Approval (5.2023.438) approved 28 March 2024 identified 23 trees to be retained and 16 to be removed:

Tree retention plan

The Town of Victoria Park Tree Audit (July 2023) determined which trees were worthy of protecting and which trees were of lower retention value that can be potentially removed. Some trees with high and medium retention value are earmarked for removal due to their proximity to proposed infrastructure (buildings, car parks etc)

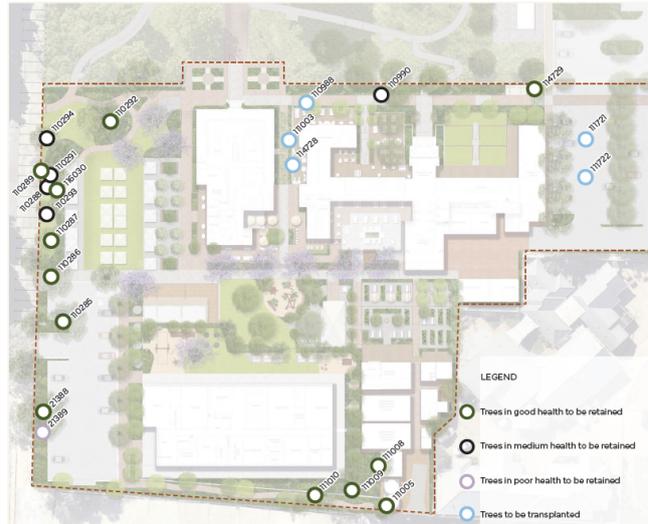
Below is a summary of the report for trees to be retained:

Health value	Total trees to be retained
Trees in good health to be retained	12 total
Trees in fair health to be retained	5 total
Trees in poor health to be retained	1 total
Trees to be transplanted	5 total

Tree ID number	Species	Health value
T0285	Pinus radiata	Good
T0286	Pinus radiata	Good
T0287	Melaleuca lanceolata	Good
T0288	Melaleuca lanceolata	Fair
T0289	Melaleuca lanceolata	Good
T0291	Callitris prelessi	Fair
T0292	Ficus rubiginosa	Good
T0293	Acacia tree-phylla	Fair
T0294	Melaleuca lanceolata	Fair
T0298	Plumeria species	Good
T0299	Erythrina sylvae	Fair
T0303	Plumeria species	Fair
T0305	Callitemon Kings Park Special	Good
T0306	Argophora costata	Good
T0309	Eucalyptus camadulensis var. camadulensis	Good
T0310	Corymbia citriodora	Good
T0721	Jacaranda mimosifolia	Good
T0722	Jacaranda mimosifolia	Good
T0728	Plumeria species	Good
T0729	Melia azedarach	Good
T0030	Eucalyptus species	Good
T1388	Corymbia maculata	Good
T1389	Acacia saligna	Poor

*Refer to the Town of Victoria Park Tree Audit (July 2023) for detailed tree information.

See Design Studio



Edward Miller House

9 / 24

Tree removal plan

This diagram represents the existing trees proposed to be removed, noting that some trees with high and medium retention value are earmarked for removal due to their proximity to proposed infrastructure (buildings, car parks etc)

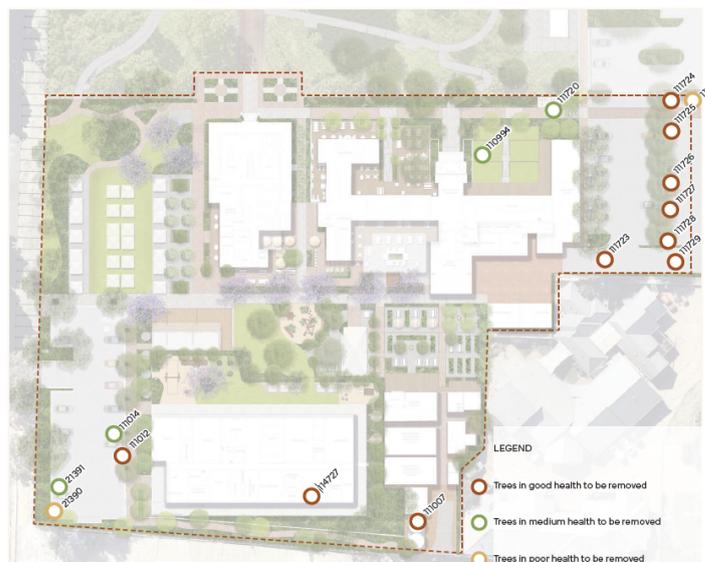
Below is a summary of the arborists report for trees to be removed:

Health value	Total trees to be removed
Trees in good health to be removed	10 total
Trees in fair health to be removed	4 total
Trees in poor health to be removed	2 total

Tree ID number	Species	Health value
T0994	Cupressus species	Fair
T0007	Corymbia calophylla	Good
T0012	Pinus radiata	Good
T0014	Acacia saligna	Fair
T0117	Callitris prelessi	Poor
T0120	Melia azedarach	Fair
T0123	Agonis flexuosa	Good
T0124	Lophostemon confertus	Good
T0125	Lophostemon confertus	Good
T0126	Lophostemon confertus	Good
T0127	Lophostemon confertus	Good
T0128	Lophostemon confertus	Good
T0129	Lophostemon confertus	Good
T0427	Corymbia citriodora	Good
T1390	Lophostemon confertus	Poor
T1391	Eucalyptus casia	Fair

*Refer to the Town of Victoria Park Tree Audit (July 2023) for detailed tree information.

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10 / 24

With the following conditions applied:

15. The landscaping plan shall include at least 116 new tree(s), or a lesser number agreed to by the Town, the species and height of which are to be provided to the satisfaction of the Town.
16. This approval is for the removal of only those trees identified on the Tree Removal Plan within the amended Landscape Masterplan dated 5 February 2024, unless otherwise approved by the Town.
17. Those existing trees to be retained identified on the Tree Retention Plan within the Landscape Masterplan dated 5 February 2024 are to be retained and protected in accordance with AS 4970-2009 Protection of Trees on Development Sites, to the satisfaction of the Town.

It should be noted that there is a discrepancy in this plan between the list and the diagram. The list of trees for removal and the summary table states 16 trees were to be removed compared with 17 trees in the accompanying diagram.

An amendment to Development Application (5.2023.438.1) was submitted with amendments to plans and modifications to conditions of approval (5.2025.362.1) as follows:

Tree retention plan

The Town of Victoria Park Tree Audit (July 2023) determined which trees were worthy of protecting and which trees were of lower retention value that can be potentially removed. Some trees with high and medium retention value are earmarked for removal due to their proximity to proposed infrastructure (buildings, car parks etc)

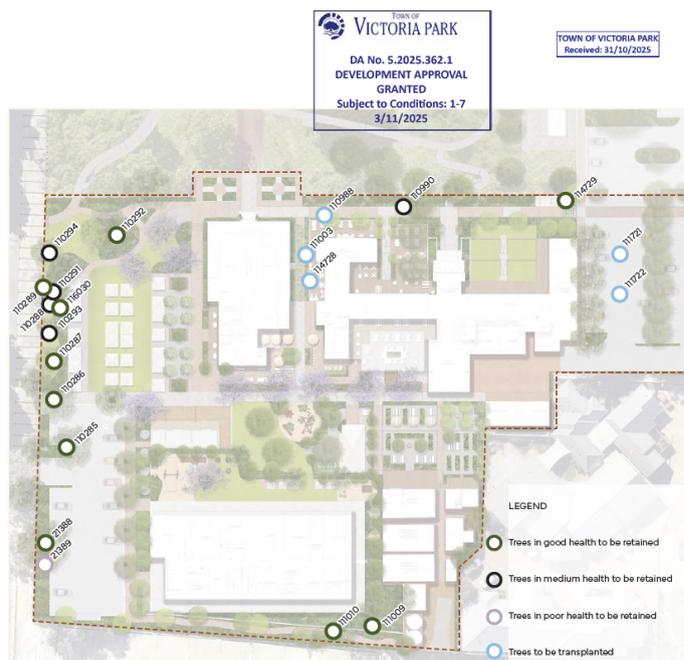
Below is a summary of the report for trees to be retained.

Health value	Total trees to be retained
Trees in good health to be retained	12 total
Trees in fair health to be retained	5 total
Trees in poor health to be retained	1 total
Trees to be transplanted	5 total

Tree ID number	Species	Health value
110286	<i>Platanus occidentalis</i>	Good
110287	<i>Platanus occidentalis</i>	Good
110288	<i>Melaleuca lanceolata</i>	Good
110289	<i>Melaleuca neophylla</i>	Fair
110290	<i>Melaleuca lanceolata</i>	Good
110291	<i>Callitris preissii</i>	Fair
110292	<i>Ficus religiosa</i>	Good
110293	<i>Acacia neophylla</i>	Fair
110294	<i>Melaleuca lanceolata</i>	Fair
110295	<i>Plumeria species</i>	Good
110296	<i>Erythrina speciosa</i>	Fair
110300	<i>Plumeria species</i>	Fair
110309	<i>Eucalyptus camaldulensis</i> var. <i>camaldulensis</i>	Good
110310	<i>Corymbia citriodora</i>	Good
110321	<i>Jacaranda mimosaefolia</i>	Good
110322	<i>Jacaranda mimosaefolia</i>	Good
110323	<i>Plumeria species</i>	Good
110324	<i>Melia azedarach</i>	Good
110390	<i>Eucalyptus species</i>	Good
21888	<i>Corymbia maculata</i>	Good
21889	<i>Acacia saligna</i>	Poor

*Tree ID's 110286 / 110286 as tabled above were assessed with a GOOD health value in 2023 but have subsequently died as of October 2025.

*Refer to the Town of Victoria Park Tree Audit (July 2023) for detailed tree information.



Tree removal plan

This diagram represents the existing trees proposed to be removed, noting that some trees with high and medium retention value are earmarked for removal due to their proximity to proposed infrastructure (buildings, car parks etc)

Below is a summary of the arborists report for trees to be removed:

Health value	Total trees to be removed
Trees in good health to be removed	14 total
Trees in fair health to be removed	4 total
Trees in poor health to be removed	2 total

Tree ID number	Species	Health value
110994	Cupressus species	Fair
110007	Corymbia cactophylla	Good
110012	Pinus radiata	Good
110014	Acacia saligna	Fair
110171	Callitris preissii	Poor
110220	Melia azedarach	Fair
110223	Agrostis flexuosa	Good
110224	Lepostemon confertus	Good
110225	Lepostemon confertus	Good
110226	Lepostemon confertus	Good
110227	Lepostemon confertus	Good
110228	Lepostemon confertus	Good
110229	Lepostemon confertus	Good
110227	Corymbia citriodora	Good
23390	Lepostemon confertus	Poor
23391	Eucalyptus caesia	Fair
110005	Callistemon Kings Park Special	Good
110006	Angophora costata	Good
110285	Pinus radiata	Good
110286	Pinus radiata	Good

*Tree IDs 110285 / 110286 as tabled above were assessed with a GOOD health value in 2023 but have subsequently died as of October 2025.

*Refer to the Town of Victoria Park Tree Audit (July 2023) for detailed tree information.

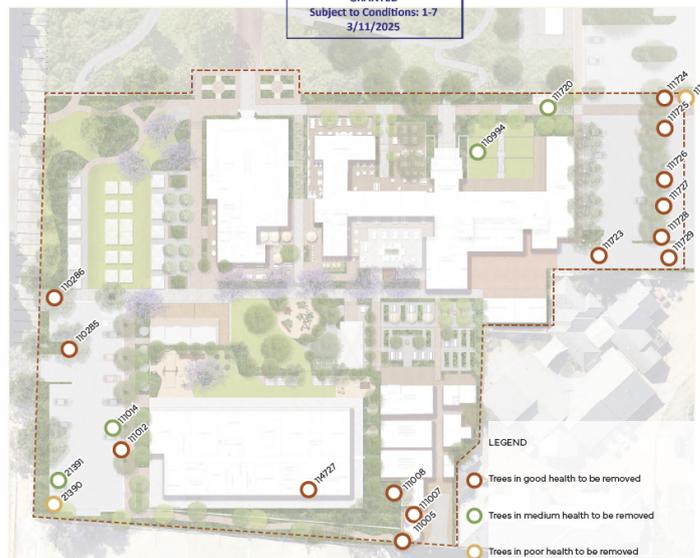
See Design Studio

Edward Milten House

10 / 25



TOWN OF VICTORIA PARK
Received: 31/10/2025



With the following revised conditions applied:

- Condition 15 of DA 5.2023.438.1 approved on 28 March 2024 is amended to read as follows –

The landscaping plan shall include at least 120 new tree(s), or a lesser number agreed to by the Town, the species and height of which are to be provided to the satisfaction of the Town.

- Condition 16 of DA 5.2023.438.1 approved on 28 March 2024 is amended to read as follows –

This approval is for the removal of only those trees identified on the Tree Removal Plan within the amended Landscape Masterplan dated received 31 October 2025, unless otherwise approved by the Town.

- Condition 17 of DA 5.2023.438.1 approved on 28 March 2024 is amended to read as follows –

Those existing trees to be retained identified on the Tree Retention Plan within the Landscape Masterplan dated received 31 October 2025 are to be retained and protected in accordance with AS 4970-2009 Protection of Trees on Development sites, to the satisfaction of the Town.

An Internal DA File Note 3 November 2025 highlighted the changes below in relation to the landscaping amendments:

<p>A revised landscaping plan to reflect new tree species.</p>	<p>The approved DA contains conditions and approved plans relating to tree retention and tree removal. In February 2025, tree ids 111005 and 111008 were removed in error by the demolition contractor. These two trees are now proposed to be replaced with 2 x Angophora Costata 100L. This is acceptable, and given that two additional trees are being removed rather than retained, and the proposed landscape plan is being updated, there is a need to amend DA conditions 15, 16 and 17</p>
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“During the processing of this application it was brought to my attention that two additional trees approved for retention are to be removed as they have died – being tree ids. 110285 and 110286. This was agreed to by the Town’s infrastructure team. These two trees are proposed to be replaced with 2 x Angophora Costata.

An amended landscaping plan was received on 31/10/2025 updating the tree retention, tree removal and proposed landscaping plan. This included correcting an error where the tree Eucalyptus Victrix was shown to be planted whereas the Town’s Parks team have advised this is a not a preferred species – it has now been replaced note the amended DA report dated 15/10/2025 has not been updated to reflect the removal of two additional trees.

Based upon the above, the application is recommended for approval with appropriate amendments to DA conditions.”

2. Trees at Practical Completion

Area 2 - Parkland

Removal of trees within the parkland was guided by a redevelopment plan that included a diverse range of new facilities with a strong focus on accessibility and inclusiveness. Key features included:

- The Mildred Creak Playground, purpose-built for neurodiverse children in collaboration with Autism Association WA.
- An outdoor amphitheatre and performance space for cultural events and community programming.
- A fully accessible Changing Places facility and upgraded toilet amenities.
- Nature play areas, new pathways, seating, and BBQ facilities.

At the [18 May 2021 Ordinary Council Meeting \(Item 13.3\)](#) the detailed design plan (Attachment 13.3.1) was noted by Council and, following some requested amendments, was ultimately endorsed at the [15 August 2023 Ordinary Council Meeting \(Item 13.5\)](#). Included in the plan were details for demolition, retention and/or protection of existing infrastructure – including the removal of 29 trees (Council ref: [Attachment 13.5.1](#)) . No Tree ID reference numbers were indicated on the plan.

At the [10 December 2024 Ordinary Council Meeting](#), Council was provided with an update outlining the need for additional trees to be removed from the carpark and Amphitheatre area. The update suggested that 33 trees needed to be removed. It is not clear from the analysis of documentation provided to Council whether this was an additional 33 trees or the total number of removals. There were no tree identification numbers included in this report, and a consolidated updated demolition plan could not be located during this investigation.

Outcome of the comparative report

In late October 2025, the Town’s arboricultural consultant undertook field inspections over four days to document any changes to tree health and/or structural condition of the trees across the two work areas. This survey assessed 277 trees, geo-locating them on Intramaps, and making comparisons with a tree audit that was undertaken in March 2023. The October 2025 survey noted that 41 new trees were on site as compared with the 2023 audit. However, the survey also noted that 94 ,of the trees that had been surveyed in 2023, had been removed:

2023 Age and Health Profile of Trees Identified as Removed in 2025

	Fair	Good	Poor	Dead	Total
Post Mature			1		1
Mature	8	27	4	1	40
Semi Mature	5	28	2	5	40
Young		12		1	13
Total	13	67	7	7	94

At the time of the 2023 tree audit, the estimated residual life of the trees that have since been removed was:

Assessed Residual Life in 2023 of Trees Identified as Removed in 2025

Estimated Residual Life	Count of Trees
<1 year	8
1-5 years	6
6-10 years	7
11-20 years	9
21-30 years	18
31+ years	46
Grand Total	94

These trees provided an average canopy spread of 4.9m, with 12 trees having a canopy of one metre or less, and 31 trees having a canopy between six to eight metres (6-8m) in 2023.

The species of trees removed were:

Botanical Name	Count of Trees
Acacia iteaphylla	1
Acacia saligna	4
Agonis flexuosa	1
Allocasuarina fraseriana	1
Angophora costata	1
Banksia grandis	11
Callistemon Kings Park Special	2
Callistemon viminalis	3
Callitris preissii	1
Casuarina cunninghamiana	3
Chamaecyparis lawsoniana	2
Corymbia calophylla	1
Corymbia citriodora	1
Cupressus sempervirens stricta	2
Cupressus species	1
Eucalyptus caesia	10
Eucalyptus erythrocorys	2
Eucalyptus marginata	1
Eucalyptus spathulata	1
Ficus rubiginosa	2
Grevillea robusta	1
Jacaranda mimosifolia	3
Lophostemon confertus	23
Melaleuca nesophila	1
Melaleuca styphelioides	7
Pinus radiata	4
Plumeria species	3
Unknown species	1
Grand Total	94

Based on this advice, a desktop reconciliation was undertaken to clarify the authority under which the trees were removed. The initial advice provided to Council was as follows:

- 16 were included in the Blackoak Development Approval
- 11 were shown on the demolition plan
- 6 were removed ahead of construction in response to an arborist report
- 2 were removed following a targeted arborist report
- 7 were removed at the request of Western Power
- 6 were removed and identified as relocatable on the site
- Of the 46 tree removals that were the catalyst for this review, at least nine had previously been identified as being in declining health.

As part of the investigation, a detailed review of records was undertaken to determine the reasons for tree removals across the precinct. This involved examining Town documents including plans, design drawings, tree removal forms, project management records, spreadsheets, audit reconciliations and Intramaps data.

Reconciling this information proved challenging. The investigation identified multiple data sets that were used at different stages of the project, often applying different reference points. This created inconsistencies in how tree information was recorded and relied upon during project delivery.

The profile below outlines the various tree surveys conducted over time to identify the location and condition of tree assets on the site.

Date	Area	Driver	Trees Considered
July 2020	Entire Lot	Feature Survey	186 – 82 not surveyed based on Intramaps review
August 2020	Park	Development of Design -	111
July 2023	Entire Lot	Town routine tree audit	253 (175 Park, 78 building)
	Building	Support of DA application	39
February 2025	Park	Reaudit of trees surveyed for Detailed Design in 2020	107
October 2025	Entire Lot	Comparison against Town’s last audit	277 (41 new)

Similarly, there are different documents guiding the removal of trees. These will be outlined below.

Area 1 – House, Former Hospital Buildings and Surrounds

This used the Town’s 2023 audit as the basis for the removal of trees under the Development Approval process. Deviations from what was initially approved were approved via updated Development Approval. The review of the data has demonstrated that all trees removed were done with approval. There was one tree listed on the original Development Approval as requiring removal that was still in place in October 2025.

The comparison report showed an additional five trees were removed with an intention to transplant them. The DA permitted removal of these trees for the purpose of replanting them elsewhere on the site. Confirmation of this will be confirmed via the As Constructed Plans.

Tree ID's missing on Comparison Report	Site	Explanation Initial Review	Reference	Explanation review conducted by Parks Team	Parks Reference	DOA	DOA cosigned by COG	Comment	Authorise Removal	Council Refer
110988	1	Identified on landscape plan to be transplanted	D23 78471	Amended Landscape Masterplan 14/12/2023 - Tree retention plan, page 9, transplanting	D23/78471	N	N	This was to be retained in the original DA	No	This was to be retained in the original DA
111003	1	Identified on landscape plan to be transplanted	D23 78471	Amended Landscape Masterplan 14/12/2023 - Tree retention plan, page 9, transplanting	D23/78471	N	N		No	This was to be retained in the original DA
111721	1	Identified on landscape plan to be transplanted	D23 78471	Amended Landscape Masterplan 14/12/2023 - Tree retention plan, page 9, transplanting	D23/78471	N	N		No	This was to be retained in the original DA
111722	1	Identified on landscape plan to be transplanted	D23 78471	Amended Landscape Masterplan 14/12/2023 - Tree retention plan, page 9, transplanting	D23/78471	N	N		No	This was to be retained in the original DA
114728	2	Identified on landscape plan to be transplanted	D23 78471	Amended Landscape Masterplan 14/12/2023 - Tree retention plan, page 9, transplanting	D23/78471	N	N	Was this retained and replanted elsewhere?	No	This was to be retained in the original DA

The comparative report identified one additional tree as having been removed, even though it was approved to be retained under the Development Approval. While the tree appeared in the 2023 audit, Town records show it was actually removed in 2021 to allow for the installation of a transformer on the site:

Tree ID's missing on Comparison Report	Site	Explanation Initial Review	Reference	Explanation review conducted by Parks Team	Parks Reference	DOA	DOA cosigned by COG	Comment	Authorise Removal	Council Refer
21389	1	Listed on DA&Revised DA for Retention	DA	Flagged for removal for transformer for adjacent development at 384 Berwick St. Pioneer species	D23/78471 DOA D22/3921	Y	Y	Tree is listed in DA for retention. DOA is dated 11/08/21. Filed 21/01/22. Why listed in DA if already removed?	No	This was to be retained in the original DA

The comparison report notes that this tree had been newly removed:

C	F	O	S	T	U	V	W	X	Y	Z
Tree_numbe	Address_ve	Botanical_	Approx_he	Canopy_sf	Diameter_r	Tree_ag	Tree_he	Tree_st	Tree_st.	Image_of_t
21389	Edward Millen Building Grounds	Acacia saligna	4	3	230 SEMIMAT	POOR	POOR	Removed	Newly removed	

The document registration record shows that a tree removal form was registered in January 2022.

Document Number	D22/3921
Title	Verge tree removal DOA Edward Millen Building Grounds sump
Alternative Containers	PAR/7/1~23: PARKS AND RESERVES - MAINTENANCE - Pruning and Maintenance Council and Private Property - Street Verge Trees and Shrubs 2021
Author or Signatory	[REDACTED]
Addressee	
Authority UNIDs	
Authority UNIDs	
Date Registered	Friday, 21 January 2022 at 1:22 PM
Time	PAR/7/1~23 (In container)
Signee	In container 'PAR/7/1~23 (At home: Physical Space - Basement Compactus 2)' since Friday, 21 January 2022 at 1:21 PM
Retention schedule	

It is unclear as to when exactly this tree was removed.

Area 2 – Parklands

During the redevelopment of the park, there were several processes initiating the removal of the trees:

- Demolition Plan approved by Council and issued as part of the tender process
- Arbor reports – 2023 and February 2025 establishing the condition of the trees
- Report to Council 10 December 2024
- Request for Information (RFI) process used to highlight and resolve deviations from, and clarifications to, the contracted scope. This was usually via the contractor to the superintendent to the Town with instructions from the Town being relayed to the contractor via the superintendent.
- Management of trees as per the business-as-usual tree removal process (this will be described in more detail in later sections of this report).

The investigation found no single authoritative source documenting the basis for each tree removal. Instead, relevant information was dispersed across multiple documents, often several for a single tree, making accurate reconciliation challenging. For instance, this was evident in the case of the Western Power trees.

Initial advice suggested seven trees were removed at the request of Western Power. Subsequent investigation indicates that Western Power undertook pruning works which compromised the form and viability of certain trees. When reconciling removal forms, RFIs and IFC drawings, four removals appear attributable to clearance requirements associated with Western Power works.

Tree ID's missing on Comparison Report	Site	Explanation Initial Review	Reference
110195	2	Identified as being removed due to WP works from email received [REDACTED] 23/10/25	D26/10749
110196	2	Identified as being removed due to WP works from email received [REDACTED] 23/10/25	D26/10749
110198	2	Identified as being removed due to WP works from email received [REDACTED] 23/10/25	D26/10749
110203	2	Identified as being removed due to WP works from email received [REDACTED] 23/10/25	D26/10749
110204	2	Identified as being removed due to WP works from email received [REDACTED] 23/10/25	D26/10749
110205	2	Identified as being removed due to WP works from email received [REDACTED] 23/10/25	D26/10749
111704	2	Identified as being removed due to WP works from email received [REDACTED] 23/10/25	D26/10749

A review of the tree removal forms showed that two trees were removed following pruning works carried out by Western Power. When this information is considered alongside Requests for Information and Issued for Construction drawings, the number increases to four, as outlined below:

Tree ID's missing on Comparison Report	Site	Explanation Initial Review	Reference	Explanation review conducted by Parks Team	Parks Reference	DOA	DOA assigned by COO	Comment	Authorised Removal	Council Refere
110195	2	Identified as being removed due to WP works from email received [REDACTED] 23/10/25	D26/10749	Heavily pruned by Western Power contractors, decision made to remove	DOA D25/73124 D25/73145	Y	N	D25/73145 Report by [REDACTED] Edward Millen Urban Eco Prelim Works. Does not refer to tree directly in this report. D24/73124 DOA 03/04/35. Filed 27/10/25. Refers to this tree being removed due to deadwood. No reference to WP works on either document. Unsure what is correct?	Unclear	WP
110196	2	Identified as being removed due to WP works from email received [REDACTED] 23/10/25	D26/10749	Edward Millen Res Upgrade, Tender issue plans 18/09/2024, demolition plan p6	DOA D25/73124 D25/10014	Y	N	Original data had this tree removed as per WP works; Parks have said this was part of the Demo but the DOA matches those trees removed due to WP	Unclear	WP
110198	2	Identified as being removed due to WP works from email received [REDACTED] 23/10/25	D26/10749	Heavily pruned by Western Power contractors, decision made to remove	DOA D25/73124 D25/73145	Y	N	D25/73145 Report by [REDACTED] Edward Millen Urban Eco Prelim Works. Does not refer to tree directly in this report. D24/73124 DOA 03/04/35. Filed 27/10/25. Refers to this tree being removed due to deadwood. However comments from both investigations summarise this is from WP over pruning.	Unclear	WP
111704	2	Identified as being removed due to WP works from email received [REDACTED] 23/10/25	D26/10749	Edward Millen Res Upgrade, Tender issue plans 18/09/2024, demolition plan p6	DOA D25/73124 D21/63046 D25/73124 D25/10014	Y	N	DOA matches 3 trees removed due to WP pruning. Parks have marked as removed due to IFT.	No	WP

Across the parkland, the comparative report identified a total of 69 trees removed since the 2023 audit. Of these:

Council Approval Status	Yes	Unclear	No	Audit Recommend (outside of project)
Number of Trees	23	19	19	8

- 23 were approved by Council as part of the approval of design to go to tender
- It is unclear whether an additional 19 trees were approved by Council:
 - It is thought that 14 are associated with the updated report to Council (10 December 2024). However, this is not clear as the specific tree asset numbers were not identified in that report – just the trees’ general locations on the site.
 - Three (3) are associated with Western Power as described above.
 - Two (2) while listed on the approved plan for retention, internal records suggest that one was removed due to poor health
 - one was removed because of its location on top of a retaining wall that was to be demolished – this tree did not appear on earlier survey work.
- Of the 19 trees that did not receive Council approval:
 - Nine (9) were removed from the playground area using the Request For Information (RFI) process

Tree_numbe	Botanical_	Approx_he	Canopy_sq	Diameter_r	Tree_ag	Tree_he	Tree_st	Resid_life
110224	Banksia grandis	3	0.9	50	YOUNG	GOOD	FAIR	31+ years
110225	Banksia grandis	3	1	80	YOUNG	GOOD	GOOD	31+ years
110232	Banksia grandis	2.8	1.2	50	YOUNG	GOOD	FAIR	31+ years
110238	Banksia grandis	2.9	1	50	YOUNG	GOOD	GOOD	31+ years
110239	Banksia grandis	3	0.8	60	YOUNG	GOOD	GOOD	31+ years
110243	Banksia grandis	2.5	1.5	60	YOUNG	GOOD	FAIR	31+ years
110245	Banksia grandis	3	0.8	60	YOUNG	GOOD	GOOD	31+ years
110246	Banksia grandis	3	0.8	50	YOUNG	GOOD	GOOD	31+ years
110247	Banksia grandis	3.1	1	60	YOUNG	GOOD	FAIR	31+ years

- Four (4) were not inspected (three were not surveyed) as part of the original detailed design survey to inform the design. None of these removals were supported by tree removal forms.

Tree_numbe	Botanical_	Approx_he	Canopy_sq	Diameter_r	Tree_ag	Tree_he	Tree_st	Resid_life
110268	Banksia grandis	2.6	0.6	25	YOUNG	GOOD	GOOD	31+ years
110269	Banksia grandis	2.1	0.6	30	YOUNG	GOOD	POOR	21-30 years
110293	Acacia iteaphylla	3.5	4	220	SEMIMAT	FAIR	POOR	1-5 years
114724	Lophostemon confertus	6.6	3	110	SEMIMAT	GOOD	GOOD	31+ years

- Three (3) were removed in mid-March 2025 due to assessments of poor health. The 2023 audit showed that these were mature trees with an estimated residual life of three (3) years.
- One was recommended to be removed by a Paperbark survey as part of the park design work but did not appear on the demolition plan.
- One was likely to be associated with Western Power removals.
- One was associated with the demolition of the retaining wall.
- Eight (8) trees were removed due to health concerns identified in the 2021 and 2023 routine audits.

Summary of initial advice to Council v outcome of investigation:

	Initial Advice	Updated Advice
Development Conditions	16	19
Retained Tree removed on Area 1	0	1
Removed for Transplant	6	5
Parkland Demolition Plan	11	23
Removals ahead of construction	6	8
Western Power	7	4
Unclear	46	14 – likely with Council approval 2 – conflicting information
No approval		9 – RFI 4 – not in initial design surveys 3 – poor health 1 – Arbor recommendation in survey but not on plan 1 – Retaining wall demolition

The need for clarity over process and approvals for the removal of trees was flagged by the contractor early in the delivery of this project:

RFI010 – Tree Removal Scope

As discussed, we require clarification of scope and approval of what tree removal, clearing works, and under-pruning of trees we can undertake at Edward Millen to enable us to commence on site. There are discrepancies between the demolition drawing and the tree survey, and what is on site is different again (we will take photos tomorrow). Below is a section of the demolition drawing showing different trees to be removed to what is in the arborist report and an aerial image. Please provide an updated demolition drawing and scope for removal, along with the approval process for how we can confirm on site what trees are to be removed.

The RFI resolution register shows this issue as being closed out:

MG-RF-010	5/03/2025		High	Tree removal scope	Closed	1. MGG submitted request for tree removal and approval by ToVP provided. 2. MGG submitted trees removal for approval, ToVP approved. 3. Any other trees needing to be removed with follow the same process.	24/03/2025
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The superintendent instruction documentation up to the end of October 2025 indicated that an updated demolition plan was never formally provided:

		Issue date												
D		10	19	26	9	16	30	19	22	22	2	24		
M		2	2	3	4	4	4	5	5	7	10	10		
Y		25	25	25	25	25	25	25	25	25	25	25		

Doc number	Title	Format	Issue											
Landscape Documentation														
Drawings														
LA_0000	Cover Sheet	pdf	0											
		dwg	0				1							
LA_0001	Drawing Index	pdf	0			1	2							
		dwg	0			1	2							
LA_0002	Legend	pdf	0		1		2							
		dwg	0		1		2							
LA_0100	Overview	pdf	0		1		2			3				
		dwg	0		1		2			3				
LA_0200	Existing Conditions + Demolition	pdf	0											
		dwg	0											
LA_0300	Tree Protection Plan	pdf	0				1							
		dwg	0				1							
LA_0600	Planting Schedule + notes	pdf	0				1							
		dwg	0				1							
LA_0601	Image Schedule	pdf	0											
		dwg	0											
LA_1101	General Arrangement + Set-out	pdf	0		1		2			3				
		dwg	0		1		2			3				
LA_1102	General Arrangement + Set-out	pdf	0		1		2			3				
		dwg	0		1		2			3				
LA_1201	Grading Plan	pdf	0				1			2				
		dwg	0				1			2				
LA_1202	Grading Plan	pdf	0			1	2			3				
		dwg	0			1	2			3				
LA_1300	Pavement Build-Ups	pdf	0				1							
		dwg	0				1							
LA_1400	Planting Plans	pdf	0				1							
		dwg	0				1							
LA_1401	Planting Plans	pdf	0				1							
		dwg	0				1							
LA_1900	Detail Plans	pdf	0			1	2							
		dwg	0			1	2							

Management of trees during construction

A key deliverable from the October 2025 comparative tree audit was an assessment of the condition of the trees. It was reported:

A re-audit of all 277 trees was carried out between 24th to 28th of October 2025 to document changes in tree health and structural condition following the construction activities. The assessment identified a measurable decline in tree condition across several zones, attributed primarily to root disturbance and topsoil removal associated with works undertaken without arboricultural supervision.

Tree protection guidelines which were previously provided have not been adhered to and much of the works within the whole site have not included a project arborist in attendance when working in the TPZ (Tree Protection Zone) or SRZ (Structural Root Zones) which has rendered significant root damage and cutting by way of trenching for reticulation or concrete footings and lowering of grade to enable softfall materials, planter beds and infrastructure to be constructed.

These observations are contrary to the expectations conveyed by the Town as part of the tender and approval processes. Tender drawings issued specified the need to comply with AS 4970-2009 – Protection of Trees on Development Sites, that a Structural Root Zone Area of a tree is required for tree stability and that works undertaken within the zone are to be undertaken with written approval and under arborist supervision. AS 4970-2009 goes further to describe the placement of tools and equipment in and around trees, soils and the need for supplementary watering. The Tender drawings also identified the need for supplementary watering.

The investigation found that the Town’s expectations for tree protection and management were not clearly established during contract negotiations. The pre-contract discussions, and the final contract itself, demonstrate that tree protection and management were not treated as priorities. As a result, the contract failed to include clear and

explicit requirements to ensure adequate tree protection or strict controls over tree removals. These issues are examined in further detail in later sections of this report.

Arrangements to support the delivery of projects

Area 1 - Restoration and development of the house

At the Town level, the restoration and development of the house, outbuildings and surrounding grounds were managed through the usual development approval and building approval processes. Day-to-day matters were primarily handled by the Property and Leasing team, with support from the project manager. They met regularly to work through and resolve issues. This approach helped ensure the two projects were properly coordinated, that progress on each was clearly understood, and that any issues were managed in line with the agreement for lease.

Area 2 - Development of the parkland area

As this project moved through its lifecycle, so did the operational lead for this project. Initially this sat with the Property Development Manager through the conceptual phase and moved to a Project Management Office responsibility as it moved through detailed design to delivery. Whilst the lines of accountability have remained, due to staff turnover this project has passed between several people. There are at least four project managers that have been involved during the detailed design through delivery. The project manager in place for most of the delivery was engaged under a higher duties arrangement. This project manager's substantive role was in Infrastructure Operations.

As is typical for construction projects, delivery of the works was via external contractors. The table below provides a basic outline of the contract management structure put in place to deliver the parkland redevelopment project:

Role	Responsibility
Contractor	Completion of the works as defined in the contract
Superintendent	Undertaking the administrative and contract functions as the principal's agent under the contract. This includes giving directions to the contractor, liaising between the contractor and the principal, reviewing payment claims and managing variation requests.
Landscape Architect	Delivery of the detailed design for the landscape elements for Elizabeth Baillie. On 10 December 2024, the Landscape Architect becomes responsible for supporting the construction phases of the contract.
Principal	Overseeing the works performed by the contractor and liaising with the

	superintendent and general public. This includes ensuring applicable regulations and policies are followed, determining and authorising variations and making payments.
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Analysis of Town's Contract Structure for the Elizabeth Baillie Project

The investigation team has identified a number of shortcomings in the contract structure and contract management for the Elizabeth Baillie Project. While none of these shortcomings themselves were a root cause of the tree removal incident, they did inhibit the Town's ability to prevent or mitigate the damage.

The shortcomings identified by the investigation team include:

1. There was no express specification in the Contract that detailed:
 - a. how tree management was to be performed;
 - b. what were the Town's service expectations in this regard;
 - c. how the construction contractor would be compensated to perform these works to the Town's standards; and
 - d. what were the expected outcomes, including survival rates of trees.

2. A contract management team was never created. This in turn resulted in no contract management roles and responsibilities being established;

3. The Town's contract management function was not involved in the design process, procurement process or contract negotiation. Further, there is little evidence that the project manager was given a proper briefing and handover when the previous project manager left the Town. This left the officer with insufficient handover and background knowledge to manage a contract of this complexity;

4. Variations to the works were purportedly agreed without regard to:
 - a. the formal requirements in the contract; or
 - b. the Town's internal procedures and decision making authority;

5. The contract to manage the role and obligations of the superintendent was not suitable for the nature and complexity of the services required to provide and the project to be delivered;

6. The ongoing involvement of a landscape architect during the construction phase was never formalised into a written variation to their contract that defined:
 - a. the scope of work they were expected to perform;
 - b. the limits of their authority to give advice, support or direction on site; and
 - c. the additional cost to the Town.

The most critical, practical consequence of not having a contract management team was a single role taking on the responsibility of:

1. managing the contract, including variations and purchase orders;
2. managing the budget and tracking the amount of money being spent;
3. managing the main contractor, architect and subcontractors,

4. critically reviewing payment claims and invoices;
5. critically reviewing correspondence from, and work done by, the Superintendent;
6. attending site meetings and liaising with stakeholders;
7. resolving problems with the design, construction or any other aspect of the project; and
8. record management.

The investigation team does not believe that if an adequate contract management team was formed, the trees would not have been removed. However, the investigation team does believe that an effective contract management team would have:

1. Acted as a vital 'circuit breaker' that would have supported officers on the ground by:
 - a. Allowing other Town officers to consider the facts and circumstances before critical decisions are made; and
 - b. Passing the responsibility to make the decision up the appropriate chain of command to the officer with the correct delegated authority;
2. Enhanced Council and public confidence that any decision by the Town to remove a tree was reasonable because:
 - a. Town policies and procedures were more likely to have been properly followed;
 - b. A team of Town officers would give greater confidence that all relevant matters were considered when a recommendation or decision is made; and
 - c. Decisions would have been referred up the chain of command, ensuring transparency and accountability.

Overview of the Tree Removal Process – Town Assets

The management of trees managed by the Town on its road reserves, parks and public spaces and assets managed by the Town - Policy 255: Tree Management. This policy outlines the basis for removal of trees with a focus on street trees:

27. The Town wishes to avoid removal of street trees. In accordance with this policy, the Town may remove, or approve a request from an adjacent property owner or their authorised agent for the removal of any street tree which:
 - a. Is causing significant damage to adjacent property, infrastructure, underground or overhead services;
 - b. Is dead, or due to pest and disease, poor health and growth, and will not return to full vigour
 - i. Being dead - having less than 10% photosynthetic material or live tissue present in the canopy mass;
 - ii. Being diseased and unlikely to respond to treatment within the scope of approved modern arboricultural management practices
 - c. Has been assessed by the Town as structurally weak and dangerous placing the public at risk;
 - d. Has been irreparably damaged by a storm or mechanical means;
 - e. Is incompatible with its environment or the direction of the Urban Forest Strategy;
 - f. Is a hazard to road reserve users and/or traffic safety.
33. Street trees will not be removed for the following reasons:
 - a. The tree obscures or potentially obscures views (other than traffic and pedestrian sight lines)
 - b. The tree variety is disliked;
 - c. The tree variety causes nuisance by way of leaf, fruit or bark shedding or the like;
 - d. The tree causes allergy or health problems. The Town may consider removal of the tree, subject to appropriate evidence from a medical practitioner confirming that allergy or health problem.
 - e. The tree is in the way of a non-essential crossover or verge paving options; and
 - f. The tree shades private gardens, solar installations or the like.

The internal process is one where our Parks and Reserves supervisory team assess trees making recommendations. In instances where there is uncertainty or it is felt that a second opinion is warranted, the team engages an arborist

to recommend a tree management plan or removal if appropriate. The decision to remove a tree is ultimately signed by the Manager of Infrastructure Operations. The assessment of the supervisor is collected on a 'delegation of authority for tree removal' form. Where an arborist is involved, their report will be forwarded to the manager as part of the package.

Although there is provision on the form for signature by the Chief Operations Officer for the removal of trees it is unclear when the removal of trees is escalated to this level for approval.

This policy does not deal with the removal of trees in reserves. The policy does not distinguish between reserves in the Town's possession and reserves under construction and therefore in the possession of construction partners. This policy does not explicitly consider situations such as the Elizabeth Baillie Precinct project.

Analysing the information available

Definition of the incident

Taking the perspective that an incident is the point at which control is lost, the incident has been defined as the *point at which it was identified that there was a misalignment in plan-sets and instructions around the removal of trees.*

Correspondence suggest that this was on or about 5 March 2025 when the contractor highlighted the inconsistencies between the demolition plan and the 2023 tree survey and requested an updated demolition plan given the number of trees that were likely to be impacted. The investigation team could not find evidence that an updated plan was provided, nor evidence that the internal project management team provided advice to anyone outside of the operations team of the need to remove any further trees. What could be found is this issue was raised about the same time and it was translated into a Request for Information:

RFI010 – Tree Removal Scope

As discussed, we require clarification of scope and approval of what tree removal, clearing works, and under-pruning of trees we can undertake at Edward Millen to enable us to commence on site. There are discrepancies between the demolition drawing and the tree survey, and what is on site is different again (we will take photos tomorrow). Below is a section of the demolition drawing showing different trees to be removed to what is in the arborist report and an aerial image. Please provide an updated demolition drawing and scope for removal, along with the approval process for how we can confirm on site what trees are to be removed.

Analysis

The PEEPO tool (see table below) has been a useful tool to assist in categorising and making sense of all the evidence gathered. This attempts to examine the evidence through a *people* lens, the setting in which the incident occurred (*environment*), the *equipment* involved, *procedures* in place and the *organisational* factors.

The PEEPO developed by the investigation team can be seen below:

PEOPLE	ENVIRONMEN T	EQUIPMENT	PROCEDURES	ORGANISATION
The human elements including actions and behaviours	The physical, psychological and climatic conditions	The tools, machinery and materials	The policies, procedures and practices	The culture, communication and management practices
Reliance on individuals rather than on process to guide activity – poor documentation of communications, heavy reliance on face to face	Role diffusion – internal PM v Superintendent v contractor v Property and Leasing	Inadequate feature survey for design – drawing flaws Fewer trees on IFC designs	Project management framework was loosely followed – requests and assessments for variation, escalation of issues, assessment of requests	Sense of urgency and drive to deliver – pushing through, getting it done, afraid of the consequences (delay and \$ of stopping): Priority

<p>Staff turnover – 17 different employees involved from Vic Park, 3 Superintendent, multiple Landscape Architect, 9 Contractor</p> <p>Approach – design is flawed we need to work around it incrementally as issues arose – no hold points identified</p> <p>Appointment of PM from Operations led to confusion of process – BAU Operational processes v Project Management processes for removal of trees and decision-making authority</p> <p>Poor record keeping</p> <p>Responsibility devolved to contractors/superintendent to manage project</p> <p>Attitude of internal staff is that whilst there are constructability issues with the design, there is a need to deliver on time</p>	<p>Design elements in tree protection zones</p> <p>Heritage requirements for the parkland and requirements not well understood and processes not followed</p> <p>Communication needs and transparency not well understood by the delivery team – resistance to acknowledging the issues and facilitate the tone communications</p>	<p>than at site</p> <p>Inadequate information on drawing sets to make decisions</p> <p>Communication and stakeholder mapping did not occur systematically – tended to be responsive to issues as they arose</p>	<p>Internal project management did not reinforce requirements in tender specs</p> <p>Basis for contractual engagement for:</p> <ul style="list-style-type: none"> • Superintendent : PO T&C • Landscape Architect – therefore level of responsiveness not specified. It is unclear as to the head of power that they were operating <p>Decision making authority inadequate or not followed</p> <p>Policy 225 Tree Management does not make provision for these types of projects delivered by the Town</p> <p>Inadequate consideration of tree protection zones in the Contractor’s Working under Trees Management Plan</p> <p>Delivery of the Tree Management Plan ahead of construction</p>	<p>given to completing project within a certain timeframe</p> <p>Siloed organisation - Culture of project officers working alone</p> <p>Resources dedicated v scale and complexity of the projects</p> <p>Tender pack explicitly excluded arbor support and interim irrigation for existing trees</p> <p>Communication trigger points / escalations not defined and therefore the Comms and Stakeholders not embedded/integrated in project</p> <p>Stakeholders external to delivery poorly managed and influence not appropriately recognised – relationships tended transactional.</p> <p>Post community workshop sentiment not shared</p>
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Based on this analysis, the investigation team have concluded that the following observations were contributing factors in the occurrence of this incident:

1. The Town did not have an internal team supporting the delivery of this project. We had a single project manager working with an external superintendent. Over the lifecycle of the project to date there have been at least three project managers with limited visibility of prior decision making to aid in continuity of decisions. Of recent times, this has been supported by two additional experienced project managers. We did not have a project steering committee that provided strategic and technical support to the project manager. There was not a dedicated team sitting alongside the project manager to support the assessment and resolution of issues as the project progressed. The type of additional support required included project governance, contract management and communication, and stakeholder management.

2. The decision-making process used to assess the need to remove the trees was not clear and not consistently documented. There was no clarity around governance in decision making for these types of instances. Our current policy deals with tactical operational decision-making (health, likelihood to cause harm) – not larger scale, Town-led projects.
3. Management of trees and roles and responsibilities and outcomes and consequences were not clearly articulated in our contract. The contract heavily relies upon direction being given to the contractor and sound contract management.
4. Our project management structures and processes were not in effect and unclear given the scale and complexity of the project.
5. There were persistent concerns around the constructability of the approved design and the tree management measures that had been set out without additional impacts on trees that were shared amongst the internal operational team, the superintendent and the contractors. These were not systematically addressed but rather dealt with on a case-by-case basis so as not to impact time for delivery and, by extension, cost – there was a drive to deliver.

The PEEPO analysis demonstrates that the incident was not attributable to an individual failure, but to systemic governance and coordination weaknesses across people, procedures and organisational culture.

Applying a risk lens to this:

Risk Category	Risk	Risk Rating	Risk Status	Risk Appetite
Financial	Unplanned costs for measures to mitigate impacts of canopy reduction	Medium	Risk realised – likely	Low
	Additional spend to remediate the trees	Medium	Risk realised	
Environmental	Reduction in tree canopy	High	Risk Realised	Medium
	Consequential tree loss	High	Not yet realised	
Reputation	Expectations around tree retention and management may lead to loss of trust from community and grant funders	Extreme	Risk realised	Medium
	Negative media exposure impacting reputation and	Medium	Not yet realised	

	community attitudes towards the project			
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Recommendations

When fully complete, the Elizabeth Ballie Precinct will be a beautiful, vibrant and valuable asset for our community to enjoy. It is not intended for this investigation to detract from that.

There are, however, opportunities for improvement. It took officers some weeks to compile the appropriate information to adequately explain and account for the removals. There are still areas that are unclear. There was no uniform approach, nor transparency of the deliberative process that was to be applied in the removal of trees. There was no clear governance – some activities were administered by the Superintendent process; some appear to have been administered through standard practice for management of street and park trees; some were supported by Council approvals. Further, tree removal was not holistically and progressively updated against plans to enable transparency, accuracy, and immediacy of information when questions were asked. There was no single authoritative source documenting the basis for each tree removal.

It is noted that while the Council resolution that prompted the investigation focused on the removal of trees, the investigation similarly examined their management during the lifecycle of this project. It is clear that the intent was to ensure management of trees was to an Australian Standard level, this did not translate to the contract and ultimately what was observed on the ground, which shifted the emphasis from a 'requirement of the contractor' to 'at the direction of the Town'.

It has been observed by the investigation team that the internal management structures were not commensurate with the scale and complexity of the delivery of the work front. These were complex in isolation let alone when occurring at the same time. at least 17 Town officers were involved in project delivery across the Elizabeth Baillie Precinct, however there was no guiding structure that pulled these efforts together – rather each staff member fulfilled a defined scope, largely independent of the others. There was no program focus sitting over the top. The on-the-ground supervision and problem solving was left to individuals at each stage, reliant on a contract base and their own network of people. The delivery of the parkland portion of the works particularly was largely left to an individual project manager with adhoc additional internal support. This issue was compounded by staff turnover and interim 'acting' arrangements. Governance for delivery of the parkland works was ostensibly outsourced to the role of the superintendent and did not consider internal governance.

It is recommended that:

1. The COO review and mature the project management framework to provide clear direction on the governance related to Town projects. Embedment will not just focus on the technical elements but also the culture and behaviours that surround it. This should be completed no later than 30 September 2026.
2. The Town's policy and project documentation be reviewed to ensure appropriate approval processes are captured during Town projects. Town Officers to receive training on the updated processes by no later than 30 September 2026.
3. Standard contract requirements should reflect the enduring expectations in the management of trees and responsibilities. This should be completed no later than 30 June 2026.
4. The Town develop a planting program to provide replacement trees for the removed trees at the Elizabeth Baillie Precinct. This planting plan will be developed following delivery of the final arbor report and will be endorsed by Department of Planning Land and Heritage.

Appendix I – Relevant Council Resolutions

1. 18 Feb 2020: 308/2020 – Approval of Ed Millen Park Masterplan and proceeding to detailed design phase
2. 19 May 2020: 396/2020 – deletion of water play space
3. 16 June 2020: 429/2020 – tender awarded to Hassell Ltd for detailed design for \$323,580
4. 18 May 2021: 93/2021 – Blackoak Capital Ventures approved as preferred lessee pursuant to tender TVP/20/13 – Note the detailed reason for the decision recorded.
5. 18 May 2021: 94/2021 – Approves the referral of the detailed design prepared by Hassell to DPLH. Endorsed the renaming of the proposal to “Elizabeth Baillie House” and “Elizabeth Baillie Park”. Note the detailed reason for the decision referred to the estimated cost of construction being higher than the estimated \$7-\$7.5 million.
6. 15 June 2021: 122/2021 – CEO requested to prepare a scope of works for Ed Millen Reserve Landscape project based on a construction cost of no more than \$7.5 million. Note this resolution passed while resolution 121/2021 failed. 121/2021 appeared to seek additional funding for a project cost of \$8 million.
7. 20 July 2021: 160/2021 – Council approved going to tender for a \$7.5 million option and allowing preferred tenderer to show value for money opportunities in separable portions to arrive at the higher cost detailed design drawings.
8. 21 March 2023: 46/2023 – Report to council presented with update on the Ed Millen Project. Council accepted a “value management redesign scope” detailed in the report.
9. 18 April 2023: 65/2023 – Council approves a Development Application dated 22/02/2023 to demolish the former Hillview Clinic building at 15 Hillview Terrace, East Victoria Park. A condition on the DA was “no trees are to be removed as part of the proposed demolition works”.
10. 15 August 2023: 185/2023 – Council endorses the revised detailed design documentation attached to a report to council.
11. 29 August 2023: 194/2023 – Council approves the lease agreement with Blackoak Capital.
12. 10 December 2024: 303/2024 – Council:
 - a. awards tender to MG Group - TVP-24-26
 - b. Approves variations to the design that includes removing more trees to accommodate the carpark and amphitheatre
 - c. Approves Hassell and associated sub consultants to “support the construction phases of the contract” (Assume the contract to be created under TVP-24-26)
 - d. Increases the capital works budget by \$5.54 million.
13. 19 August 2025: 177/2025 – Council consents to sublease and associated agreements to Elizabeth Baillie Pty Ltd and other companies.