

Sustaining Urban Forest – Lessons from Laman Street, Newcastle

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Background

In the early 1930's the industrial city of Newcastle NSW, encouraged by Mayor Ald C J Parker, began extensive planting of trees, especially Hills Weeping Fig, to ameliorate the environmental and visual impacts of its mining and steel making industries. Some of the inner city streets were planted with Hills Fig in the unsealed road shoulder or in the footpath. The surviving mature fig trees now extend many metres over and above roofs because most buildings have shallow or non-existent street setbacks.

David Bidwell, Senior Horticulturist, Arboriculture, at the Sydney Royal Botanic Gardens thinks the earliest planting of Hills Fig in NSW is the stand lining Art Gallery Road in the Sydney Domain. These trees were planted in 1915. Unfortunately at least three of the trees are infected by the root pathogen *Phellinus noxius*. (pers comm) By the early 1930's these Sydney Domain Figs would have given little indication of their mature form so Newcastle's pioneering tree planters had little, if any reliable information about the ultimate size, both above and belowground, of the Figs they were planting in city streets during the 1930's.

Over the last two decades many of the original Hills figs grown in Newcastle streets have been removed due either to failures, or to unmanageable conflicts with property, utilities, roads and infrastructure. Many of the surviving trees form tall, dense, interlocking canopies in streets and footpaths of the inner city. In common with most fig species, Hills Fig develops root buttresses producing a pronounced zone of uplift of 2 to 3 metres width. When growing in a street environment this uplift inevitably displaces kerbs and pavement, blocks fractures pipes, and become interlocked with buried utilities.



Seventy years of urban development have taken toll on the surviving Hills figs as new utilities and drainage systems have been installed and older systems repaired, roads and footpaths reconstructed and sealed and the ubiquitous concrete driveways installed. The central carriageway of most streets is too compact to support root growth but the parking lane i.e. road shoulder is slightly less hostile, allowing roots to develop parallel with the kerb (linear) and to rise above the road surface to be continuously abraded and wounded by vehicles (photo above).

Throughout their first forty years the Newcastle Hills figs were routinely lopped to create a round-headed form of a 'manageable' size. The lopping created a low vase-like branch structure and when lopping was abandoned in the 1970's the trees grew rapidly to form a tall multi-stemmed character.

Of all the issues relating to mature Hills figs in Newcastle streets, it is the linear (parallel to kerb) form of the root plate that presents the greatest challenge in managing risk. The close spacing (often less than 10m) between individual trees has created asymmetric and interlocking crown architecture. Linear root plates and crown asymmetry are characteristics that contributed to the failure of Hills Fig trees in Tyrrell, Bruce, and Laman streets, Cooks Hill



Above - Comparing Hills Fig root crown in street (left) and park environs (right). Root linearity results when the natural habit of roots is constrained and deflected by infrastructure.

In February 2012, after nearly three years of intensive investigation, reporting and debate extending across two elected Councils, three General Managers and two Acting General Managers, the remaining fourteen trees in the Laman Street cultural precinct were removed in accordance with the Council resolution.

What did the City of Newcastle learn from the Laman Street experience and what, if anything, could other tree management authorities glean from the Newcastle experience?

This paper is focused mainly on the engagement processes rather than on the technical issues relating to the Laman Street trees. The General Manager, Phil Pearce succinctly clarified Council's position on the technical and risk issues in his January 2012 Media Release (Appendix 1):

"Council has undertaken substantial investigation and analysis using both internal and external experts in arboriculture, engineering and other relevant professions. These experts have based their opinions on detailed knowledge of the site, evidence-based investigations and readily available relevant literature. Council is very comfortable with the conclusions drawn from those reports and the decision by the majority of the democratically elected Council to remove and replace the trees"

The Laman Street Engagement Processes – what was learnt?

In October 2011 Council directed the General Manager to conduct a review of the Laman Street fig tree issue and report on an evaluation of the processes adopted by Council, with recommendations for improving Councils engagement processes in respect of issues of major community significance.

The report ⁽¹⁾ *Review of Laman Street Engagement Processes* (the Review) was presented to Council in February 2012. Insights from the review of the Laman Street engagement processes may be of value to Councils and other authorities responsible for sustaining the benefits of urban forests despite a preponderance of mature aged trees approaching time for renewal.

The Review

Council has been investigating tree failures throughout the Local Government Area since 2000 resulting in the collation of data known as the 'case book history' and adoption of a more strategic approach to assessing and managing trees.

The Review, prepared by staff selected because they had little or no direct involvement in the Laman Street processes, included a chronology of tree specific events from 2000 to 2011 and the associated Laman Street communication strategies and Council decisions - 243 separate items are listed.

The sheer volume of information on the topic prepared by Council officers made it impossible to review all the information. However a significant amount of information was reviewed to inform the report and recommendations including:

- Media releases and clippings
- Factsheet prepared for ABC television Stateline story
- Transcripts from Public Voice meetings
- Results of the Civic Cultural Precinct Laman Street Design workshop
- Newcastle Voice 2010 and 2011 consultation reports
- A Case History Informing Tree Management in Laman Street
- Minutes of Council Project Control Group meetings
- Presentation for the Councillor workshop held on 27 July 2010
- Council resolutions pertaining to the Laman Street fig trees
- Minutes of the Laman Street Fig Trees Working Party
- Minutes of the Urban Planning and design Advisory Committee

The Review analysed the following four aspects of the engagement process:

1. **Community consultation methodologies and processes used by Council**
2. **Scope of information supplied to councillors and the community**
3. **Methods of communication between Council administration, Councillors, key stakeholders, community groups and the media**
4. **Function and operation of the Laman Street Fig Trees Working Part, relevant strategic advisory committees and Council.**

The following are the principle points of interest to other organisations from each of these four aspects. I have added underlining in order to emphasise points.

Community consultation survey results

With the benefit of hindsight, the decision to transfer the decision-making for what was an operational issue (i.e. managing tree risk) was not appropriate as it implied that alternatives could be considered when the evidence showed only one option was appropriate. This resulted in unnecessary and at times inaccurate debate in the Council chamber, public forums and the media.

Combining the Laman Street fig tree replacement strategy with the consultation process for the broader Civic Cultural Precinct design process was intended to provide opportunity for the community to have direct input into the new design. However some community members perceived that the future of the figs was still to be determined when in fact the decision had been made.

A recommendation to hold a community information session ahead of the design workshop was rejected because of concerns about increasing antagonism in the community and fears that those opposed to the decision would seize control of the session for their own purposes.

Not holding the information session may have impacted on the community's ability to participate in the workshop in a meaningful way, as they may have not fully understood the complex issues, the decision-making processes, or their role in the process.

Social media as a communication tool. It was found that contrary arguments clouded the discussion as they were disseminated through formal and social media at the same time as the design workshop presentations. Council's communication strategy did not make use of social media.

Workshop timing. Feedback received on the timing of the two-day design workshop was that it should not have been held on weekdays.

Scope of information supplied to Councillors and the community

Management of the Laman street issues extended across two elected Councils, three General Managers and two Acting General Managers and in that time Council officers provided Councillors with a large volume of information consistently reinforcing that the trees pose a significant risk to public safety including:

- Root plate architecture
- Wind loading
- Quantified risk assessment
- Social impact assessment
- Heritage assessment
- Fauna habitat assessment
- Trenching investigation
- Feasibility study for tree restraint system
- Feasibility study into pull testing
- Peer reviews of previous independent reports

Since April 2010 all independent reports addressing Laman Street trees were made available on Council's website to mitigate criticisms about Council's motives and decisions. A range of other materials were also posted to the website to enable the community to gain a full understanding of tree management in general and Laman street trees in particular.

The community campaign took advantage of:

- social media,
- Public Voice presentations (by way of formal presentation to the full Council in chamber)
- letters to the editor
- petitions
- individual representations to Councillors and the General Manager
- reports from other authors supporting the contrary position

A key finding was that respondents to the various surveys indicated that they expected a 'just do it approach' from Council, where significant issues are decided on and actioned swiftly without the use of excessive funds or resources. Respondents also commented on the need for the information to be completely transparent, where they are provided with simple, honest, easy to understand 'facts' from the onset.

The overwhelming number of requests from Councillors, community groups, the media, and members of the public impacted significantly on Council Officers ability to complete their regular duties. On average the Media Officer receives 70-100 requests a month regarding Council activities. **In November 2011 over 200 requests were received on Laman Street alone.**

The problem was exacerbated because there was no officer designated to manage the flow of information in and out of the organisation. This resulted in multiple areas working at times simultaneously on similar requests.

An Issues Management Plan was developed by the Communications unit to deliver a comprehensive information campaign to educate the community about the issues but the plan was not implemented due to other organisational priorities at the time.

From early 2010 there was an active campaign opposing Council's position and criticising Council's information and officers. This, combined with the media's sustained coverage of the opposition's position resulted in the Council's key message of public safety being lost or diluted. A strategy of media releases to counter the claims was discussed but was not adopted.

When Council made efforts to correct misinformation, the information provided to journalists was rarely published. A more proactive approach was adopted in late 2011 involving media interviews with the General Manager, including ABC's *Statewide* program, publication of 'Fig Forum light on facts' (Appendix 2) on Council's website, and a full page community announcement in the Newcastle Herald.

Methods of communication between Council administration, Councillors, key stakeholders, community groups and the media

Council activities in relation to the Laman street trees were aligned with the IAPC2 Public Participation Spectrum. Information was provided in a variety of formats as in the following table.

Category	Communication Methods
Councillors	Advice and meetings with the General Manager Council briefings Council workshops In Touch (Councillor newsletter) Media releases Mediation and meetings with members of Save our Figs Memos Notices on Councillor intranet Public Voice Quarterly Ward Forums Updates in Community Issues Reports Council Reports (including two Newcastle Voice consultation reports) Reports from Laman Street Trees Working Party Reports from Urban Planning and Design Strategic Advisory Committee
Key Stakeholders RSL, churches, art gallery, library, police	Signage in Civic Park, Laman Street and at the Art Gallery and Library Direct contact to inform of removal process and timeline
Community Groups and the Broader Community	Advertising in the <i>Newcastle Herald</i> Advertising in free newspapers (<i>Star</i> and <i>Post</i>) Council's e-newsletter Council News (delivered to households in Newcastle Local Government Area) Newcastle Voice Newsletter (distributed to registered Newcastle Voice participants) Signage in Civic Park, Laman Street and at the Art Gallery and Library Quarterly Ward Forums Council's website Responses to individual enquiries
Media	Media releases Media conferences Media statements where required Responses to media enquiries

What were the most useful communication tools?

The Councillor survey indicated that the most useful communications tools were briefings, advice and meetings with the General Manager, and memos.

The community survey indicated Local Newspapers and word of mouth as most useful.

Whilst Council employed traditional communications methods, community groups implemented an active campaign using alternative methods including social media and letters to the editor of the *Newcastle Herald*.

It is understood that the *Newcastle Herald* does not fact check letters before publishing them and this resulted in erroneous information being presented to the public. Council responded to some of the letters but the publication cycle of the newspaper meant that Council's response could not be published until the following day so there was a delay of at least 24 hours before correction.

Function and operation of the Laman Street Fig Trees Working Party, relevant strategic advisory committees and Council

Council's Strategic Advisory Committee structure allows for working parties to be formed reporting to the 'parent' committee which then reports to the Council as a whole.

Following a Council resolution on 14 December 2010, the Urban Planning and Design Advisory Committee (UPDAC) adopted a framework on 10 February 2011 for the composition of the Laman Street Tree Working Party (LSTWP).

There was a contradiction within the original Council resolution and within the Terms of Reference for the Working Party that compromised the success of the LSTWP from the outset. Both include the retention of the existing trees and implementation of alternative risk mitigation strategies. However, the basis of all the independent assessments had been the risks posed by the trees, and the issue for Council and its insurer were that no acceptable risk mitigation strategies could be implemented to adequately address these risks.

The contradiction arose because the Council resolution to create the Working Party was raised as a Motion without notice so Council Officers were unable to provide advice on the Motion before it was resolved.

Had the officers been able to provide advice the contradiction could have been removed facilitating a more productive outcome for the Working Party.

The minutes of the Working Party mimicked debate in the Council chamber and in the public arena as membership of the Working Party consisted of members holding both points of view, resulting in a debate focussed on contradicting the evidence supplied by Council Officers, discrediting the independent risk assessments, and rejecting any additional data.

On several occasions comments were made by Councillors that were not aligned with Council resolutions. This encouraged protestors in their criticism of Council's decisions.

Council's Media Policy states:

- *Council officials should support Council decisions and should refrain from using the media to make negative personal reflections on each other or comments that could be interpreted as such and which are reasonably likely to undermine public confidence in the Council or local government generally.*
- *As members of the community, Council officials are entitled to enter into public debate and make comment on civic affairs provided they do not give the impression they are speaking in their official position for or on behalf of Council.*

Conclusions of the Engagement Processes Review

- A consistent message was delivered to the community and Councillors about Council's position regarding risk management of trees and the need to remove the trees in Laman Street to ensure public safety.
- An active community campaign opposing the removal of the trees and a reactive approach to communications by Council for the issue resulted in alternative views clouding the overwhelming evidence presented to Councillors and the community.
- It is important to develop and apply appropriate issues management strategies to ensure the community is fully informed about Council activities.
- It is equally important to carefully identify which issues require development of these strategies as the resources required to manage such issues can be quite extensive and may impact on officers' ability to complete their normal duties.

Recommendations of the Engagement Processes Review

The following is not a complete list of the recommendations; rather, it lists the recommendations of interest to other organisations facing the inevitability of renewing cultural plantings as part of sustaining urban forest benefits within a responsible risk management framework:

1. Develop an issues management strategy for issues of major community significance to include:
 - a dedicated project manager to oversee all activities including engagement with the community
 - an appropriate budget to ensure effective engagement activities are supported
 - an appropriate overarching community engagement plan as part of an overall project plan
2. Develop strategies to better utilise social media to introduce and manage issues

3. A directive stating that issues of major community significance, that are also identified as posing a high risk to safety, should be clearly communicated so that the community can be informed on the issues at hand and councils response. However community consultation in such matters would not be required as this would provide an expectation that the community would be able to provide feedback on an operational issue
4. Develop an Engagement Framework and an awareness campaign on the differing levels of public participation, based on the IAP2 spectrum.

The Path ahead – intergenerational equity - sustaining the urban forest

In June 2012 Council adopted a design for renewal of the Laman Street cultural precinct. Work, commencing in September 2012 includes construction of extensive load bearing root vaults as the foundations for establishing an avenue of purpose grown Hills Figs. The trees will define a people friendly cultural heart to Newcastle. The estimated construction cost of \$1.8 million is an investment in a long-term vision founded on the principle of intergenerational equity.

Dr Greg McPherson⁽²⁾ Director of the Centre for Urban Forest Research, California, touched on the essence of the Laman Street issues, at the end of his 2009 tour of four Australian capital cities, he observed:

“The transformation of mature urban forests, from forests of the past to forests for the future, poses problems in many communities. Renewal of the urban forest is particularly complex in Canberra, where the historic quality of its streetscapes is integral to the character of its neighborhoods. Can the emotional debates about tree removal and replacement become a touchstone for broader public understanding and support? “

“The public landscape along streets and in parks is the last vestige of greenspace, and needs to be redesigned for maximum functionality”.

The Laman Street cultural precinct is one such ‘public landscape along a street’ that is being ‘redesigned for maximum functionality’.

Finally, two personal observations from the Laman Street issues

The first concerns the public perception of commercial arboriculture. Throughout the life of the Laman Street issue a community group opposing the removal of the trees engaged a number of commercial arborists to give their opinions about Council’s risk assessments and reporting.

Despite Council’s extensive and readily accessible technical reporting detailing the investigations, the facts, the evidence and the findings, commercial arborists contributed the following statements relating to the Laman Street trees :

- *“... there is no evidence that the trees have moved in the slightest or are in anyway structurally compromised.”*
- *“All of the Laman Street figs are structurally sound”*
- *“No evidence the trees are dangerous and the level of risk is akin to falling out of bed”*
- *“A blind person can see the trees are structurally sound and in good condition at the moment”*
- *“The level of risk is marginal for several of the trees but many of the trees currently present virtually no risk as they would fall into an adjoining tree if they were to fail”*
- *“The current root morphology is more than adequate to support the trees to date and there is no evidence that the trees have moved in the slightest or are in anyway structurally compromised.”*
- *“There has been an assertion that these trees (sic) fig trees pose an abnormal level of risk yet to date all evidence suggests otherwise.”*
- *“To date there is no quantifiable evidence that suggests that these trees have a greater risk of failing.”*

These and many more such statements contained in tree reports and media statements provided by community groups and prompted a Council officer to ask, *“What do you call a group of arborists?”* *“A controversy!”*

This sentiment was echoed during the December 2010 Public Voice hearing when a Councillor said, *“I’ve been very much reliant upon reports and I’ve read very many reports on this matter. What I’ve learnt from those reports is that arboreal science is far from being exact and you can get somebody to write your report to support your point of view regardless of what it happens to be.”*

These comments should ring alarm bells for all arborists and arboriculture organisations as they suggest the industry has a professional credibility problem that risks ‘tarring us all with the same brush’.

The complexity of information, the statutory framework, the political and social circumstances and the dynamic nature of the Laman Street trees gave decision-makers (elected and administrative) a monumental task. In the end it boiled down to judging the credibility of arborists and the veracity their information. With statements like those quoted above, perhaps their task was made that much easier?

My second observation is that those concerned with identifying defects and assessing their connective significance with respect to cultivated Hills Fig, should find Dennis Marsden’s 2006, 2007 and 2009 reporting on the Laman Street trees a very useful resource. His reports detail and discuss symptoms and defects contributing to Hills Fig failures in Newcastle. These include the cluster wedge, the ‘I’ beam formation, bark inclusion, compression forks, notch defects, root plate linearity and crown asymmetry.

Dennis made the following observation on the assessment of trees such as Hills Figs growing in streets and other highly developed urban spaces:

“In assessing the subject trees, we are not dealing with trees that fit neatly into test book examples of horticultural ideals and well defined defects, rather, we are dealing with a departure from the ideal and the departure takes us out of the text books and into the grey areas that are neither perfect nor so far in the opposite direction to perfect that tree removal is instantly and unequivocally warranted”⁽³⁾

This observation points to the challenge facing arborists responsible for managing large, ageing trees in confined concrete and asphalt street environs.

References

The City of Newcastle, 2012 *Review of Laman Street Engagement Processes*

http://www.newcastle.nsw.gov.au/_data/assets/pdf_file/0019/187003/Laman_Street_Report_-_Final.pdf

McPherson G. E., 2009 *Observing Urban Forests in Australia*. Arborist News, International Society of Arboriculture, USA

http://www.fs.fed.us/psw/publications/mcpherson/psw_2009_mcpherson001.pdf

Marsden D (2007) *Assessment of Hill’s Weeping Fig Ficus microcarpa var. hillii In Civic Cultural Precinct, Laman Street , Cooks Hill, Newcastle* The Sugar Factory, Australia

http://www.newcastle.nsw.gov.au/_data/assets/pdf_file/0012/100092/Marsden_report_2.pdf

Sources of further information

Council decisions on Laman Street:

http://www.newcastle.nsw.gov.au/environment/tree_management/laman_street_figs/council_decisions

Key documents on the Laman Street Trees:

http://www.newcastle.nsw.gov.au/environment/tree_management/laman_street_figs/key_documents

2006 report on Laman Street tree root plate architecture by Dennis Marsden:

http://www.newcastle.nsw.gov.au/_data/assets/pdf_file/0009/100071/0612Investigation_Report_Root_Plate_Arch_Sugar_Factory.pdf

2009 report on the Laman Street trees by Dennis Marsden:

http://www.newcastle.nsw.gov.au/_data/assets/pdf_file/0014/100067/090807Assmtfigslamandmarsden_final.pdf

Response to engineers presentation on Laman Street trees:

http://www.newcastle.nsw.gov.au/_data/assets/pdf_file/0009/179163/Response_to_engineers_presentation_19_July_2011.pdf

2011 Newcastle Herald article on the political background to the Laman Street fig tree issues.

<http://www.theherald.com.au/news/local/news/general/figs-expose-relations-between-councillors/2302042.aspx?storypage=0>

25 January 2012



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To the Newcastle community

On 19 July 2011, Newcastle's elected Council resolved to remove and replace 14 Hill's figs in Laman Street "as soon as practical" because they "are likely to cause danger to traffic, property and persons in the use of Laman Street and are a traffic hazard in severe weather events."

In all Council activities, safety is the number one priority.

Council has already obtained four independent assessments by expert arborists on the Laman Street figs and they all come to the same conclusion – the trees pose a significant risk to public safety.

Council, as a public body, is proud of its openness and transparency in this matter. All relevant information (except where privileged) has been put before the Councillors and the community. The vast majority of this is available on our website.

Council has undertaken substantial investigation and analysis using both internal and external experts in arboriculture, engineering and other relevant professions. These experts have based their opinions on detailed knowledge of the site, evidence-based investigations and readily available relevant literature.

Council is very comfortable with the conclusions drawn from those reports and the decision by the majority of the democratically elected Council to remove and replace the trees.

Due to the huge body of evidence supporting the safety risk, Council's insurer Statewide Mutual will no longer cover the figs and no other insurer worldwide will provide cover.

It is worth noting that over the past seven years, nine fig trees in the Civic and Cultural Precinct have failed due to poorly developed root systems. One of these trees landed on the childcare facility in Darby Street. Further, over the past 10 years, 35 Hill's figs out of 135 in the inner city have failed or been removed as a foreseeable risk.

I want to make it clear there is no ulterior motive to remove the trees and suggestions to the contrary are completely unfounded. Council will replant figs in Laman Street and already has replacement trees ready to go. These trees are now four metres high and will be planted in specially constructed vaults to avoid the root problems that have plagued the existing figs.

Council's actions in Laman Street do not herald the wholesale removal of street trees across the city. Council undertakes a very detailed and rigorous assessment of its public trees and risk is assessed on a site-specific, case-by-case basis.

On Friday 7 October, work to remove the figs commenced but was soon brought to a stop due to significant unrest that impacted on the safety of contractors, staff, councillors and community members.

Work to remove and replace the trees will recommence soon. I acknowledge not everyone is happy with this outcome. However, I am seeking the community's understanding in this matter and ask people to recognise that the individuals involved in the removal of the trees are doing their jobs.

I would urge anyone planning to demonstrate against this decision to do so in a respectful and lawful manner to assist Council ensure the safety of all involved.

Phil Pearce
General Manager



Artist impression of figs in 15 years



The replacement figs now

Appendix 2 – City of Newcastle - Web Release – 17 January 2012

Fig forum light on facts

Last night's fig fact forum included a number of statements that were false. These are addressed below.

- Council as a public body is proud of its openness and transparency in this matter. All relevant information (except where privileged) has been put before Council and the community. Council has conducted workshops, open forums, public voices, open Council meetings and provided information to interested parties through correspondence and *Government Information (Public Access) Act* requests. The vast majority of the information available is on our website.
- Council did not withhold the RADAR report from Caity Raschke nor doctor it as Dr Raschke claimed in her opening statements. Council processes all requests for information in accordance with the *Government Information (Public Access) Act*. All requests in relation to the RADAR report were processed in accordance with these obligations and the RADAR reports provided. It is offensive to accuse council of doctoring a report.
- Council has already obtained four independent assessments by expert arborists on the Laman Street figs and they all support the findings that the risk to public safety and property is foreseeable and not insignificant.
- Due to the huge body of evidence supporting the safety risk, Council's insurer Statewide Mutual will not cover the figs beyond 31 January 2012. Council's broker has canvassed the global insurance market and no other insurer worldwide is prepared to indemnify Council for loss caused by the figs.
- Council is bound to provide an accurate assessment of risk to the insurer and we believe we have done so. Statewide made its offer to fund dynamic testing before it reviewed any existing information relating to the trees and revoked its offer after receiving Council's reports. Council has given its Insurers both Council reports and those provided by Save Our Figs (SOF) to the Laman Street Working Party.
- Statements that claim the trees are safe as evidenced by "*looking out the window*" are extremely irresponsible. A statement made that the level of risk of a tree failure is the same as falling out of bed is also irresponsible. Further comments made about public utilities, public liability and professional indemnity insurance indicate a limited knowledge or understanding of tree management in the urban context. Over the past 10 years, 35 Hill's figs out of 135 in the inner city have failed or been removed as a foreseeable risk. That's just over one in four.
- Council's comment on the risk assessment by Mr Mike Ellison was released last night prior to the Fig Forum. However, there seems to be discrepancies between the risk assessment in the report and comments attributed to the author in the media. The difference is an order of magnitude which is of concern.
- Any suggestion that the Anzac Centenary submission to the National Commission (made in September 2010) is behind the removal of the figs is a conspiracy theory. The Anzac Centenary submission was an ideas submission only and NOT an application for funding. This is clearly stated on the Anzac Centenary website. It is illogical for this idea to be the reason for removing the trees when no plans have been exhibited, approved nor funding received. Secondly, the submission was made at a time when there was a resolution to remove and replace the trees. The submission clearly states the figs trees are being replaced, not removed to make way for a "plaza". The submission also says Laman Street could become a cultural gathering place beyond its present function as a roadway. It never suggests that this would be at the exclusion of new fig trees. Thirdly, every single piece of concept artwork in the submission includes fig trees planted in Laman Street.
- None of the inspections, investigations, analysis, consultations, forums, working parties and reporting by Council on the Laman Street fig trees has anything to do with any proposal to construct an Anzac Memorial or underground carpark.
- Work done in providing a restraint system for the Lone Pine within the Memorial Grove is an example of proactive tree management in light of the exposure this tree will receive when the Laman Street fig trees are removed. Propagation of seeds from the Lone Pine are underway.
- A statement made at the forum that this is the first time the *Roads Act* has been used this way to remove trees is utterly false. Councils all over the State use the *Roads Act* on a regular basis to remove hazardous trees. Council's decision to remove the trees under the *Roads Act* was upheld by the Land and Environment Court last year.
- Council's actions in Laman Street do not herald the wholesale removal of street trees across the city. Council undertakes a very detailed and rigorous assessment of its public trees and risk is assessed on a site-specific, case-by-case basis. In fact, a number of trees that were a significant risk have been removed over the last 10 years.
- Concerns expressed at the forum regarding the necessity for Council to have police protection while undertaking reasonable, lawful removal of the trees was the result of the behaviour of members of Save Our Figs and their supporters and not Council staff. In this matter, Council staff have behaved in a professional manner despite, at times, extreme provocation.
- A detailed response to the presentation Professor Mark Stewart and a colleague of his made to Council last year has been provided on Council's website.

- Although Save Our Figs has often referred to a number of other arborist reports that contradict Council advice, none of the authors of these opinions or reports have entered into a contractual agreement that would make them legally accountable for their opinions. Council's internal reports and externally sourced reports base their opinions on detailed knowledge of the site, evidence-based investigations and readily available relevant literature.
 - There is no ulterior motive to remove the trees and suggestions to the contrary are completely unfounded. Council will replant figs in Laman Street and already has replacement trees ready to go. These trees are now nearly four metres high and will be planted in specially constructed vaults to avoid the root problems that have plagued the existing figs.
 - Council acknowledges that this issue has become highly contentious for some members of the community. However, it is our responsibility to act in the best interest of the whole community, not just some of its members.
 - It is wasteful to spend any more ratepayers' money and resources on pursuing this issue and The City of Newcastle is extremely keen to return its full attention to its core duties as soon as possible.
-