



18 October 2020

The Mayor and General Manager  
Port Stephens Council  
Cc: Business Port Stephens

### Street trees in Nelson Bay

An immediate issue has arisen in relation to two trees outside the Seabreeze Hotel in Stockton St which have recently had barriers placed around them, but the issue is wider, having come up many times before, including in 2018 in relation to trees further south on Stockton St which were removed at short notice with inadequate consultation.

Street trees are widely recognised, including by Port Stephens Council, as a very valuable element of townscape, providing visual appeal, shade and temperature control. The *Public Domain Plan*, adopted in 2019 as part of the implementation of the 2018 *Nelson Bay Strategy Delivery Program*, emphasises the importance of street trees as part of a Green Network, with many benefits. The proposed actions for the Village and other Precinct include 'selective removal, pruning, maintenance and improvement' of street trees as well as installing new trees (p44 – *our emphasis*). The associated *Street Tree Masterplan* re-inforces the importance of new planting and does not specifically mention removal.

We call on Council to declare an **immediate moratorium** on removal of any street trees from the Nelson Bay Town Centre, pending further discussions with the Business Association, Civic Pride, TRRA and other interested parties, including businesses directly affected. We understand that a preliminary meeting between the Business Association and Council Community Engagement staff has been arranged for 19 October, and this may be a helpful first step in consultation.

We are advised that some of the street trees pose a trip hazard, and /or a longer term threat to utilities running under the footpath, We believe these two issues are being unnecessarily conflated as an excuse for an overly cautious assessment that trees need to be removed.

### Trip hazard

Clearly the tree roots raising pavers do pose a trip hazard. However, there are other ways of addressing this risk, such as positioning of planter boxes and/or



raised platforms. If this necessitates some narrowing of the footpath width this may be an acceptable consequence (provided there is still room for mobility scooters and prams). Many other Councils successfully manage street trees that have created far more uneven footpaths than those in Nelson Bay, which suggests that legal liability arguments, while obviously relevant, may be exaggerated.

## Utilities

We are advised by Council staff that there is no evidence of immediate risk to utilities running under the two 'barricaded' trees outside the Hotel (or any others?).

Given the importance of the trees to the town, we submit that removal should only be a *last* resort when there is clear evidence of an imminent threat to utilities than cannot be addressed by other measures (such as root trimming)

The implementation of the Nelson Bay Strategy and Public Domain Plan demands a planned approach to eventual replacement of street trees – ensuring that appropriate replacement trees are given time to establish themselves and start providing shade **before** existing trees need to be removed (as they all will in time).

Premature removal of street trees when other management options are available, has, both individually and cumulatively, a seriously adverse effect on the character and 'liveability' of the town centre and runs counter to both Council and State Government Policy on 'Greener Places'. As can be seen from the NW corner of Stockton and Donald Sts, replacement trees will take years to provide shade, cooling and visual appeal.

We call on Council to develop, in consultation with local stakeholders, a comprehensive plan and criteria for street tree removal, replacement and new planting in the Nelson Bay Town Centre, *before* any further removals (except in very exceptional circumstances agreed by a plurality of interested parties).

We look forward to your response.

Thanks.

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