

7. SHELDON PARK – UPDATE ON BELFAST RUGBY CLUB’S CHANGING ROOM DEVELOPMENT IN RELATION TO THE REQUIREMENT TO REMOVE TWO TREES AND CHANGE DRIVEWAY ALIGNMENT

General Manager responsible:	General Manager City Environment
Officer responsible:	Unit Manager, Greenspace
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PURPOSE OF REPORT

1. The purpose of this report is to seek the Board’s approval to the removal of two Silver Birch trees in Sheldon Park to enable the Belfast Rugby Club, (the applicant), to build extensions to its present changing room facility at Sheldon Park (the lease extension for which was approved by the Board at it’s meeting held on the 7 July 2004) and a change to the driveway alignment south of the proposed extended changing room facility.

EXECUTIVE SUMMARY

2. Subsequent to the report on this subject to the Board on 7 July 2004 (as a result of detailed planning work for the proposed extensions) and as a result of public consultation, it has been found necessary to remove the two Silver Birch trees immediately east of the building to allow the proposed extensions to the existing building to proceed.
3. Due to the concerns of adjacent residents at the possible loss of views of the park, the proposed extensions to the building have, by necessity, been widened requiring the driveway to be moved into the park further. This action will not impinge under the drip-line of the trees planted on the south (park) side of the driveway.
4. It is recommended that the Board approve the removal of the two trees, and the moving of the driveway further to the south into the park, at the applicant’s expense.
5. It is further recommended that the applicant pay for the planting of two trees in the park, one east of the extended changing room, the other in the park in a more appropriate position as defined by the Greenspace Manager or his designate.

FINANCIAL AND LEGAL CONSIDERATIONS

6. The Community Board has been delegated authority to consider applications for the removal of healthy trees from park and reserve land, the authority being:

To plant, maintain, and remove trees on reserves parks and roads under the control of Council within the policy set by the Council.

STAFF RECOMMENDATIONS

That the Board, under delegated authority of Council, approve the removal of the two Silver Birch trees immediately east of the Belfast Rugby Club’s present changing rooms at Sheldon Park, and the moving of the existing driveway south further into the park, to enable the present changing rooms to be extended, subject to the following conditions.

- (i) That a landscape plan of the area east of the building be submitted by the applicant to the Greenspace Manager for his designate’s (the Greenspace Policy & Leasing Administrator’s) approval prior to work on the extensions commencing upon the site. This plan is to show the path along the east side of the building required to service the changing rooms on this side of the building, and one tree to replace one of those lost because of the proposed development. The preparation and completion of the work required to implement the plan is to be undertaken by the applicant at its expense.
- (ii) The applicant is to be responsible for paying for the replacement of the other tree that is to be lost because of the development, this tree to be planted in a suitable position on the park as defined by the Greenspace Manager or his designate.

- (iii) The removal of the present trees is to be undertaken by a Council approved arboricultural contractor that has at least \$1,000,000 public liability insurance.
- (iv) The shifting of the driveway fencing, preparation and sealing of the carriageway widening, and installation of the bollards outside the southern entrance to the extended changing rooms is to be undertaken by a properly certified contractor, that holds at least \$1,000,000 public liability insurance policy. The work is to be undertaken at the applicant's expense. No work is to be undertaken within the present drip-line of the Redwood tree.
- (v) All trees remaining within the construction site (building and driveway) are to be fenced off before on-site work commences, to ensure that these trees are not damaged during the construction phase of the development.
- (vi) The applicant is to pay a \$2,000 bond to the Council via the (Greenspace Contract Manager, Fendalton Service Centre) before any construction work commences on the site. The bond less any expenses incurred by the Council will be refunded to the payee upon completion of the development to a standard acceptable to the Greenspace Manager or his designate.

CHAIRPERSON'S RECOMMENDATIONS

That the officer's recommendations be adopted.

BACKGROUND

7. At the time of the original application to the Council by the Belfast Rugby Club the exact layout of the proposed extensions was not finalised. It was thought that some encroachment into the car park could occur to minimise the proposed extensions impact on the two Silver Birch trees to the east.
8. A lease for the enlarged lease area as applied for (320 square metres) has been signed by the both the Club and the Council, this lease being endorsed by the Minister of Conservation. Therefore the matter at hand is to finally decide on the positioning of the proposed lease area on the park.
9. It transpired as a result of the consultation phase required to fulfil the leasing requirements of the Reserves Act 1977, that there are very limited areas, which the existing building can be extended into on its north side; this side being adjacent to the residential area to the north, without drastically affecting the views the two neighbours who live at 48 A and B Shannon Place, presently have over the Park (see attached aerial photograph). The Club has visited these neighbours, and discussed the extensions to the present building with them. The neighbours have given written consent for the extended buildings position as shown on the attached plan. These written consents will be required by the Club when they apply for resource consent, which will be required because the additions that are being made to the building, which is located in the Open Space 2 zone, will be closer than the 10 metres from the park boundary required in the plan. The position of the extended building as indicated on the attached plan will require the removal of the two Silver Birch trees to the east of the building to occur before construction of the additions can begin.
10. A Council arborist comments as follows:

"The two (2) trees in question are mature Silver Birch (Betula pendula) trees which are approximately ten (10) metres in height with a combined canopy. At the time of inspection (May 2006) the trees appeared to be healthy, although one of the trees showed unusual fissures in the trunk and both trees appeared to have sustained some root damage through compaction. At present there is no apparent arboricultural reason to remove the trees, with little maintenance required on the trees either. The reason to remove the trees is solely for the purpose of the proposed development. The trees are not uncommon, with a line of Birch planted around the park perimeter and other trees contributing to the landscape and amenity value of the area. These trees, although fairly prominent (being close to the entrance and buildings) do not, in my opinion, contribute greatly to the park landscape and hence their removal would not be a significant loss. However, there is a strip of land along the park boundary adjacent to the residential properties in Shannon Place which is adjacent to the public car parking area for the park which could be considered an opportunity for planting. This would assist to mitigate the tree removal to make way for the changing shed extensions. It should also be noted that the other two (2) trees in this vicinity, namely a Redwood and another Birch could be adversely affected by the proposal ie extension of driveway width. The Redwood is only semi-mature and has much greater growing potential than the Birch. It will be a condition of the approval to move the driveway closer to the tree, that no work is to be undertaken within the existing 'drip-line' of this tree. The third Birch is similar to the other two, albeit smaller. This tree could be removed also, to open up the entrance area and provide a planting site for more of a feature tree as a replacement. (see photograph attached). All trees to be retained need to be protected from any construction damage during any development of the site. This should be done by installing temporary protective fencing around these trees. Any tree work needs to be carried out by council approved arboricultural contractors, the cost attributed back to the development proposal."

11. As mentioned above, there are limits to how far the extensions to the building can be made along the boundary of the park, and consequently, it has been necessary to widen the building into the park, to enable the facilities required to be fitted into the building. The enlarged building will contain six changing rooms serviced by six showering and toilet areas, referees changing/showing/toilet area, first aid room, and two store rooms. The widening of the building to enable these facilities to be fitted into it while maintaining adjacent residents views into the park, has necessitated the south eastern corner of the building encroaching onto the present driveway.

12. There is room to realign the driveway further into the park without the need for it to encroach underneath the 'drip line' of any trees (see attached plan). This will require the fences to be moved further into the park to enable the sealed carriageway to be extended. It will also be necessary (as shown on the attached plan) to place bollards outside the southern entrance to the changing rooms on this side of the building to provide better separation between players entering and exiting from the building, and vehicles using the driveway. This part of the attached plan has been perused by Council traffic engineering staff, who have indicated that the proposal is acceptable.
13. At the time when the initial approval was given for the extension to the applicant's changing sheds, Board members will recall that approval was granted to the provision of a further changing room facility by altering and adding to the former Tennis Club's pavilion to service the sports fields at the southern end of the park. This work has now been completed. Officers are of the view that if a further changing room complex was sited elsewhere in the park, other than by addition to the applicant's present complex, that this would increase the cost of providing the necessary changing rooms considerably for the applicant, because of the necessity to bring services to the new site. Such an action would also increase the number of separate buildings on the park necessary to service the users of the park, which from a long term planning perspective is less than ideal. After taking the competing issues into account, officers are of the view that the removal of the trees to allow the additions to proceed, replacing the trees lost with more appropriate specimens planted in more suitable locations in the park, is the best solution from a long term planning perspective for the park.

OPTIONS

Option 1

14. The preferred option is to grant permission for the two trees to be removed to enable the additions to the changing rooms to proceed, subject to the applicant paying to have two suitable trees planted in suitable locations elsewhere in the park. This option has the approval of neighbours most affected by the additions, eliminates the necessity for the applicant to pay to bring services from elsewhere to service a new building, and from a long term parks planning perspective, minimises the number of separate buildings required to be built on the park to service the users of the park.

Option 2

15. Not to grant permission for the two trees to be removed will mean that while part of the proposed additions could proceed without affecting neighbours, the addition of two changing rooms could not. If the applicant wished to still build these changing rooms, and approval to do so could not be gained from adjacent neighbours, they would need to be built elsewhere on the park at a greater cost to the applicant because of the need to bring services to the site. This building would need to be built on the park, not too far from an existing car park, which from a long term planning perspective is not ideal because it would result in another building being built on the park to service the users of the park.