

10. CENTAURUS PARK ELM TREE – RESPONSE TO DEPUTATION

General Manager responsible:	General Manager City Environment, DDI: 941, 8656
Officer responsible:	Transport and Greenspace Unit Manager
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PURPOSE OF REPORT

1. The purpose of this report is to respond to a request to remove an elm tree in Centaurus Park by Ruth and Walter Coapman's (7 Ramahana Road) deputation to the Board meeting of 4 July 2006 (copy **attached**) and for the Community Board to either approve or decline this request.

EXECUTIVE SUMMARY

2. A request has been received, via the Community Board, from the residents of 7 Ramahana Road to remove the elm tree on their boundary with Centaurus Park.
3. Centaurus Park is a local park situated on the corner of Centaurus Road and Ramahana Road and is the neighbouring reserve to St Martins School.
4. The elm tree is situated within the boundary of the park adjacent to 7 Ramahana Road on the northern aspect of the property. It is a mature specimen with an approximate height and canopy spread of 20 metres and girth measuring 4 metres.
5. An arboricultural assessment of the removal request (including photographs), which forms part of this report, has been undertaken and a copy is **attached** for your information. It concludes that the (elm) tree is healthy and that approval for its removal is therefore required from the Community Board.
6. The rootzone and canopy of the tree have been visually inspected from the ground with no diagnostic equipment; however, the assessment of the trunk included the use of a 'Picus Tomograph' in order to determine if any decay was present.
7. In summary the issues with the elm are shading, debris, root problems and concern about branch failure
8. The residents complain of adverse effects from both winter and summer shading, affecting light and temperature and their enjoyment of their property. The tree is deciduous so the likely period of adverse effect would be during autumn, however, it is acknowledged that by being close to the property on the northern aspect this would be exacerbated. Shading is a difficult issue to address, as, although measurable, it can often be subjective. As one of the positive effects of trees in the urban environment is the provision of shade in summer, a balance can be difficult to achieve.
9. Debris can be another negative effect experienced typically in autumn, but also periodically throughout the year, with the tree dropping varying sized branches and/or seeds etc, and often being weather dependant. Debris from trees is an accepted part of a trees life cycle and where it proves to be a problem this can be addressed by maintenance of both the tree and affected property, with the onus being on the respective property owners for this. Presently it is not Council policy or practice to maintain private property.
10. Damage to the fence can be identified and assessed, and the responsibility for the fence is shared by both the Council and the resident.
11. Problems associated with the drains would need further investigation to substantiate these concerns, with the onus being on the resident to provide this evidence to Council.
12. Further maintenance work is due on the elm tree, being general remedial pruning, but also including a limited amount of modification by thinning and reduction, in particular to address the branch on the southern side.
13. The effect of this pruning regime would be partially beneficial to the residents in addressing some of the concerns they have regarding, in particular, shading, debris, and health and safety.

14. The canopy on the southern side of the tree has already been reduced (pruned) back to about a 5 metre radius, thus leaving a visually unbalanced canopy from eastern and western aspects. Otherwise the tree has significance in the landscape of the park, being the only elm but contributing to the mature canopy trees (oak, plane), which are planted around the perimeters.
15. Removal of the tree would be the only assurance of completely negating nuisance and any potential health and safety issues.
16. Overall, there is inherent conflict between Council and its provision of amenity to the public in a park environment, and neighbouring residents use and enjoyment of their private property. This arises due to a mature tree on the boundary and although many issues can be addressed by maintenance, of both tree and property, they may only be minimised and hence may continue.
17. Other issues raised in the deputation referred to three oaks planted very close together not far from Mr and Mrs Coapman's property. One tree has poor structure and should be removed. The placement of the remaining two trees is not ideal, therefore the smaller tree will also be removed and possibly transplanted within the park.
18. The eucalypt that has been requested for pruning is noted, and this, along with other maintenance, will take place pending the outcome of the decision on the elm tree.
19. The school has been advised that a request has been received for the removal of the elm tree but at this stage no decision has been made, and they are happy to be kept informed.
20. Prior to any work being undertaken a start work notice will be distributed to the wider community, being any other affected party.

FINANCIAL AND LEGAL CONSIDERATIONS

21. Funding for all maintenance work, including removal (if supported) will be available from the 2006/07 operational budget for park trees.
22. Any future replanting would be funded from capital expenditure under the tree renewal budget.
23. The elm tree is not listed as protected under the City Plan.
24. The Property Law Act in regards to nuisance has been addressed in both the summary and the arborist assessment.
25. The Fencing Act will apply should the resident wish to proceed with any fencing renewal or replacement.
26. All work will be carried out by a Council approved contractor.

BACKGROUND ON CENTAURUS PARK ELM TREE – RESPONSE TO DEPUTATION

27. A history of requests date back to January 2003 when a large branch from the tree failed. The circumstances of this failure are unknown.
28. In February 2005 another request was received regarding another broken branch from the tree.
29. In October 2005 the resident of 7 Ramahana Road approached the Council concerning problems with the elm tree, adjacent oaks and the eucalypt within the park. At this time they were advised that maintenance could be undertaken but that the elm tree could not be removed without Community Board approval.
30. On 28 March 2006 a site meeting was undertaken with the residents, Greenspace Arborist, and Parks & Waterways Area Advocate, and concerns discussed relating to the elm, oak trees and eucalypt. The outcome was that maintenance would be undertaken on all the trees discussed but should they wish to pursue removal of the elm then this would need to be done through the Community Board. They were advised on the process for making a deputation to the Board, which was heard on 4 July 2006.
31. All maintenance is now on hold pending the outcome of the deputation relating to the elm tree.

OPTIONS

32. Option 1 – do nothing

This is not an option as outlined in both this report and the arboricultural assessment, as maintenance is a minimum requirement.

33. Option 2 – removal of the elm tree, as requested by the resident

It is the opinion of the Council (parks) Arborist that, at present, there is no arboricultural reason to remove the elm tree.

PREFERRED OPTION

34. Option 3 – retain the elm and pursue maintenance and monitoring of the tree

Due to there being no arboricultural reason to remove the elm, this is the preferred option.

STAFF RECOMMENDATION

It is recommended that the Community Board either approve or decline the request to remove an elm tree in Centaurus Park on the boundary of 7 Ramahana Road based on the information provided.

CHAIRPERSON'S RECOMMENDATION

For discussion.