

## 5. TREE REMOVAL 280 WAIMAIRI ROAD

<b>General Manager responsible:</b>	Jane Parfitt General Manager City Environment, DDI 941- 8656
<b>Officer responsible:</b>	Michael Aitken, Manager Transport & Greenspace, DDI 941- 8096
<b>Author:</b>	Shane Moohan, City Arborist, DDI 941- 8030

### PURPOSE OF REPORT

1. Obtain a decision on the removal or retention of two Eucalyptus trees from the roadside outside number 280 Waimairi Road.

### EXECUTIVE SUMMARY

2. Since May 2003 (and possibly prior to that) Mrs Scott has had concerns over two of the Eucalyptus trees situated on the Waimairi Stream bank adjacent to her property at 280 Waimairi Road. The concerns include debris, falling branches and the possibility of the trees falling over.
3. Council has pruned back some branches in an attempt to alleviate the falling debris (July 2004) and has inspected the trees at various times to assess their structural integrity and health.
4. Both trees have been considered as structurally sound and healthy as recently as March 2007 by Council's main tree contractor City Care Ltd.

### FINANCIAL IMPLICATIONS

5. An estimate of \$5,000 to remove both trees has been obtained.
6. The valuation for the two Eucalyptus trees combined using STEM is : \$22,600:

*STEM (A Standard Tree Evaluation Method) is the New Zealand national arboricultural industry standard for evaluating and valuing amenity trees by assessing their condition and contribution to amenity along with other distinguishable attributes such as stature, historic or scientific significance. STEM is used as a valuation tool by other Councils such as Auckland, Tauranga, Lower Hutt and Wellington.*

7. The estimate cost to remove all of the exotic vegetation and replant with native trees, shrubs and groundcovers is \$36,800 and is broken down as follows –

Estimated cost of vegetation removal	\$15,000
Estimated cost for traffic management (2 days)	\$ 2,400
Estimated cost to supply and plant 1860 pb2 grade Revegetation plants and 20 pb95 grade trees	\$12,700
Estimated cost to maintain plantings for 3 years	\$ 6,700

### Do the Recommendations of this Report Align with 2006-16 LTCCP budgets?

8. The recommendations align with the current LTCCP budgets as provision for removing and replacing trees no longer considered as appropriate in their position is provided for in the Park Tree Capital Renewals Programme.

### LEGAL CONSIDERATIONS

9. The Greenspace Manager has the following delegation with respect to trees:  

“In consultation with any other units affected and the relevant Community Board, authorise the planting or removal of trees from any reserve or other property under the Manager’s control.”
10. While the Transport and Greenspace Manager has the delegation to remove the two Eucalyptus trees current practice is that in most cases requests to remove healthy and structurally sound trees are placed before the appropriate Community Board for a decision.
11. Protected street trees can only be removed by a successful application under the Resource Management Act. These trees are not listed as protected under the provisions of the Christchurch City Plan.

12. The Council has a responsibility under the Health and Safety in Employment Act 1992 to provide a healthy and safe environment. This extends to public spaces under its administration and ownership.
13. City Plan Volume 2 Section 14.3.2 Policy: "Garden City" Image Identity states –  
*"To acknowledge and promote the "Garden City" identity of the City by protecting, maintaining and extending planting which compliments this image".*
14. An application to prune or remove the trees may be made to the District Court under The Property Law Amendment Act 1975.

**Have you considered the legal implications of the issue under consideration?**

15. Council has the legal right to approve or decline the application to remove these trees.
16. The District Court can order the pruning or removal of these trees under The Property Law Amendment Act 1975.

**ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**

17. Removing and replacing the trees without obtaining reimbursement from the applicant is inconsistent with the current LTCCP as funding has not been allocated in the Transport & Greenspace Unit tree maintenance budget for the removal of structurally sound and healthy trees.
18. Obtaining reimbursement from the applicant to remove and replace structurally sound and healthy trees is consistent with the current LTCCP.
19. Funding is available in the Transport & Greenspace Unit Street Tree Capital Renewals budget for the removal and replacement of trees which are no longer appropriate in their current position.
20. Retention of the trees is consistent with the Activity Management Plan provided the trees are structurally sound and healthy.
21. Removal and replacement of the trees is consistent with the Activity Management Plan.
22. Removing and not replacing the trees is not consistent with the Activity Management Plan.

**Do the recommendations of this report support a level of service or project in the 2006-16 LTCCP?**

23. Removing and replacing the trees would support the Park Tree Renewals capital programme.

**ALIGNMENT WITH STRATEGIES**

24. Removing and replacing the trees would be consistent with the Living Streets Strategy and the New Zealand Biodiversity Strategy.
25. Removing and replacing the trees would be consistent with the Christchurch Urban Design Vision.
26. There is currently no overarching city wide strategy for vegetation management.
27. There is currently no policy for the pruning or removing of trees in public spaces. A Draft Tree Policy is being worked on.
28. Removing and replacing the trees would be in keeping with the Garden City image.
29. Removing the trees and not replacing them would not be in keeping with the Garden City image.

## CONSULTATION FULFILMENT

30. Letters were sent to 56 residents either bordering this section of the Waimairi Stream or from the Grahams Road intersection to the Greers Road intersection explaining the request and asking what they thought of the trees and what they thought Council should do with them.

Results are

Number of respondents	-	36
Number of respondents who like the trees	-	20
Number of respondents who dislike the trees	-	11
Number of respondents with no particular view	-	5
Number who think the trees should be removed and not replaced	-	7
Number who think the trees should be removed and replaced	-	10
Number who think the trees should be retained	-	16

Two respondents suggested either Council should either remove and replace or retain the trees. One respondent gave no option to remove or retain.

31. A list of respondents and their comments are attached as Appendix "B".

## STAFF RECOMMENDATION

It is recommended that the Council:

- (a) Remove both Eucalyptus trees. (See Appendix A attached)
- (b) Restore the Waimairi Stream banks from Grahams Road through to 280 Waimairi Road by removing all exotic vegetation and planting with native trees, shrubs and groundcover.

## **BACKGROUND (THE ISSUES)**

32. Mrs Scott has said that she lives in constant fear of the trees falling on her house when the wind is strong.
33. Eucalyptus trees are well known for shedding large limbs in high wind and sometimes when there is no wind. Pruning of the branches to reduce their weight can go some way to alleviating this but is not guaranteed to stop branches falling from these trees. For these reasons Eucalyptus trees are not considered appropriate trees for urban areas outside of large parks.
34. Eucalyptus trees shed a high degree of debris. This includes fine hairs from the seed pods, the seed pods themselves, leaves, twigs, branches and bark. The Council's storm water engineers have advised that although the storm water grate requires regular cleaning both before and after heavy rain the removal of these two trees would have little effect on the frequency that this is done.
35. Mrs Scott is concerned about the fine hairs from the seed pods which can form a dense fibrous mat. The forming of this mat in her gutters has recently caused her down pipes to block up and flood the back room in her house. The hairs are fine enough to slip through most gutter protection systems. Pruning the trees will not alleviate this problem.
36. On 26 March 2007 Mrs Scott's solicitor wrote to the Council requesting the trees be removed and advising that if the trees were not removed then Mrs Scott "will be forced to resort to Court action to have this situation resolved".
37. The Council's main tree contractor City Care Ltd inspected the trees on 29 March 2007. They found that there was no arboricultural reason to remove them as, apart from a small amount of dead branches, they were in good health and of sound structure and that there was no evidence indicating they were likely to fall over. Mrs Scott's solicitor was advised of this and also that Council would continue to monitor the trees as and when required.
38. Tree one is approximately 34 metres high, DBH of 1.1 metres and a canopy spread of 18 metres. Tree two approximately 29 metres high, DBH of 1.25 metres and a canopy spread of 15 metres.
39. Removing one tree and leaving the other tree in place may cause future hazard risks as the remaining tree will be opened up to new wind forces which could cause it to lose large branches or fall over.

## **THE OBJECTIVES**

40. The objective of this report is to place Mrs Scott's case before the Community Board for a decision on the future of the trees.

## **THE OPTIONS**

### **Option 1**

41. Maintain the status quo. Do not remove either of the trees. Continue to maintain both trees to internationally accepted arboricultural standards. Continue to monitor both trees for their ongoing health and structural integrity.

### **Option 2**

42. Remove both trees and do not replace them.

### **Option 3**

43. Remove both Eucalyptus trees. Restore the Waimairi Stream banks from Grahams Road through to 280 Waimairi Road by removing all exotic vegetation and planting with native trees, shrubs and groundcover.

## **THE PREFERRED OPTION**

### **Option 3**

44. Remove both Eucalyptus trees. Restore the Waimairi Stream banks from Grahams Road through to 280 Waimairi Road by removing all exotic vegetation and planting with native trees, shrubs and groundcover.

## ASSESSMENT OF OPTIONS

### The Preferred Option

45. Remove both Eucalyptus trees. Restore the Waimairi Stream banks from Grahams Road through to 280 Waimairi Road by removing all exotic vegetation and planting with native trees, shrubs and groundcover. (See diagram on next page).

	<b>Benefits (current and future)</b>	<b>Costs (current and future)</b>
<b>Social</b>	Mrs Scott's concerns over safety and debris are fully addressed. Local area character and amenity is improved. Street amenity improves over time.	Initial impact on street amenity as larger trees are removed and replaced with smaller trees, shrubs and groundcover. Some sections of the community may take exception to Council replacing exotics with natives.
<b>Cultural</b>	Garden City image is enhanced.	
<b>Environmental</b>	Chance to increase the native biodiversity within the City is taken. Native plantings will restore this section of the Waimairi stream into a natural healthy habitat; preserve the stream banks through erosion prevention by vegetative methods. Control of plant pests.	Loss of environmental benefits that large trees produce.
<b>Economic</b>	Funding for removal and establishment of plantings is within current LTCCP. Real estate values may increase.	Maintenance of new plantings is not within current LTCCP.
<p><b>Extent to which community outcomes are achieved:</b></p> <p>Environment "A City of people who value and protect the natural environment". Council will be seen as protecting, enhancing and restoring the street environment.</p> <p>City Development "An attractive and well designed City". Council will be seen as providing attractive neighbourhoods with lifestyles enhanced by the urban environment.</p> <p>Governance "A Well-Governed City". Council will be seen as utilising LTCCP funds responsibly, responding to current needs and planning for future needs for the street environment.</p> <p><b>Impact on the Council's capacity and responsibilities:</b></p> <p>Assists with delivering the LTCCP.</p> <p><b>Effects on Maori:</b></p> <p>Will have apposite effect as Council will be restoring the riparian margins to this section of the Waimairi Stream.</p> <p><b>Consistency with existing Council policies:</b></p> <p>Consistent with Corporate Environmental Policy, Public Transport Policy, Traffic Calming Policy, Urban Renewal Policy.</p> <p><b>Views and preferences of persons affected or likely to have an interest:</b></p> <p>See Consultation Fulfilment.</p> <p><b>Other relevant matters:</b></p> <p>72% of respondents say that trees should be present at this site in some shape or form. 44% of respondents think the two Eucalyptus trees should be retained. 19% of respondents say no trees should be present on this site.</p>		

## Maintain the Status Quo

46. Do not remove either of the trees. Continue to maintain both trees to internationally accepted arboricultural standards. Continue to monitor both trees for their ongoing health and structural integrity.

	<b>Benefits (current and future)</b>	<b>Costs (current and future)</b>
<b>Social</b>	Visual amenity that these trees provide will remain.	Mrs Scott's problem with the fine hairs getting in to the down pipes will continue. Mrs Scott will continue to not feel safe in her own home. Overall street amenity does not improve.
<b>Cultural</b>		Garden City image may be affected as the chance to improve this section of the Waimairi Stream is not taken.
<b>Environmental</b>	Trees will continue to provide environmental benefits.	Chance to increase the native biodiversity is not taken. Chance to restore a riparian strip is not taken.
<b>Economic</b>	Future maintenance costs for the new plantings are not needed.	Trees will require ongoing monitoring and future maintenance.
<p><b>Extent to which community outcomes are achieved:</b></p> <p>Environment            "A City of people who value and protect the natural environment."            Council may be seen as protecting trees not worthy of protection. Council may be seen as not enhancing and restoring the street environment.</p> <p>City Development            "An attractive and well designed City."            Council may be seen as not providing attractive neighbourhoods with lifestyles enhanced by the urban environment.</p> <p>Governance            "A Well-Governed City."            Council may not be seen as utilising LTCCP funds responsibly, responding to current needs and planning for future needs for the street or riparian environment.</p> <p><b>Impact on the Council's capacity and responsibilities:</b></p> <p>Council may be seen as not supplying Mrs Scott with a healthy and safe environment.</p> <p><b>Effects on Maori:</b></p> <p>May have negative effect as Council will not be restoring the riparian margins to this section of the Waimairi Stream.</p> <p><b>Consistency with existing Council policies:</b></p> <p>Inconsistent with Corporate Environmental Policy and Urban Renewal Policy.</p> <p>Consistent with Public Transport Policy, Traffic Calming Policy.</p> <p><b>Views and preferences of persons affected or likely to have an interest:</b></p> <p>See Consultation Fulfilment.</p> <p><b>Other relevant matters:</b></p> <p>+72% of respondents say that trees should be present at this site in some shape or form. 44% of respondents think the two Eucalyptus trees should be retained. 19% of respondents say no trees should be present on this site.</p>		

47. Remove both trees and do not replace them.

	<b>Benefits (current and future)</b>	<b>Costs (current and future)</b>
<b>Social</b>	Mrs Scott's concerns over safety and debris are fully addressed.	Loss of visual amenity that these trees give. Council may be seen as removing trees unnecessarily. Residents with similar problems may reasonably expect to receive favourable consideration for tree removal requests. Residents may view Council as unable/unwilling to provide protection for public trees.
<b>Cultural</b>		Garden City image may be affected. Contribution to local area character that the tree provides is lost. Residents with similar problems may reasonably expect to receive favourable consideration for tree removal requests. This would result in a reduction in the public tree canopy for Christchurch City which may negatively affect the Garden City image.
<b>Environmental</b>		Chance to increase the native biodiversity is not taken. Chance to restore a riparian strip is not taken. Loss of environmental benefits that large trees produce. Residents with similar problems may reasonably expect to receive favourable consideration for tree removal requests. This would result in a reduction in the public tree canopy for Christchurch City and could have a negative impact on Christchurch's environment.
<b>Economic</b>	Future maintenance costs for the trees are not needed.	Residents with similar problems may reasonably expect to receive favourable consideration for tree removal requests. This would result in a reduction in the public tree canopy for Christchurch City and may negatively affect property values, increase costs for regulating temperatures in winter and summer for private residences.
<p><b>Extent to which community outcomes are achieved:</b></p> <p>Not achieved.</p> <p><b>Impact on the Council's capacity and responsibilities:</b></p> <p>Council will be seen as supplying Mrs Scott with a healthy and safe environment.</p> <p>Council is not enhancing the Garden City image.</p> <p>Council can still deliver the LTCCP in other areas of the City.</p> <p><b>Effects on Maori:</b></p> <p>None.</p> <p><b>Consistency with existing Council policies:</b></p> <p>Inconsistent with Corporate Environmental Policy and Urban Renewal Policy, Public Transport Policy and Traffic Calming Policy.</p> <p><b>Views and preferences of persons affected or likely to have an interest:</b></p> <p>See Consultation Fulfilment.</p> <p><b>Other relevant matters:</b></p> <p>19% of respondents think the trees should be removed and not replaced.</p>		