

7. 95 WINDERMERE ROAD - STREET TREE REMOVAL

General Manager responsible:	General Manager City Environment
Officer responsible:	Transport and Greenspace Manager
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PURPOSE OF REPORT

1. The purpose of this report is to seek the Board's approval to the removal of a street tree situated on the grass berm on Windermere Road, to enable the sub-division development of two residential properties (new vehicular access).

EXECUTIVE SUMMARY

2. In November 2006 Mrs Jenny McLeod approached the Council with a request to remove one manna ash (*Fraxinus ornus*) street tree, on the berm of Windermere Road to allow a new vehicle crossing to be constructed which will facilitate access to the proposed sub-division second property .
3. Building consent for the construction of two dwellings with garages was applied for by Mr Gordon McLeod, which was granted pending resolution of the conflict of interest with the street tree for the development titled Lot 1 in the building consent. The trees on the berm were identified by the applicant on the design plans submitted.
4. The proposed new vehicle crossing location will require the removal of the tree on the berm outside 95 Windermere Road. The tree which the applicant would like removed is a mature manna ash. The manna ash has good vigour and vitality, is of reasonable size (approx 5.4m in height with a canopy spread of 3.6m) and moderate form. The tree is, however, becoming senescent and it is predicted that its condition will slowly deteriorate in the next ten years to a point where it will no longer contribute to the street landscape. The tree is situated mid-way across the grass berm in front of the property on the berm of Windermere Road, and contributes to the amenity of the street landscape (photographs attached). This tree is one of an avenue of similar species and aged trees which create a tree-lined avenue in Windermere Road. There are several trees in the avenue which are in more advanced stages of decline. These trees demonstrate the predicted decline of the tree for which removal is requested.
5. The manna ash will require removal to accommodate the submitted building consent plans for unit 1. Construction of the rear unit (unit 2) which will utilise the existing driveway is under way and it is understood that the applicant wishes to proceed with the development of the second unit at the earliest opportunity; the design of the redevelopment being such that separate access routes are planned for each dwelling.
6. The tree is currently encroaching within the growth limit zones of the overhead services (see attached photographs). Pruning to achieve legally required clearance from the services would compromise the form and amenity value of the tree.
7. Should the Community Board approve the removal of the tree, it is proposed to replace the lost amenity value by planting a replacement manna ash tree close to the location of the existing tree, but immediately between the two proposed access points to the 95 Windermere Road development.
8. The whole process is, however, currently being investigated by the units concerned with a view to establishing a procedure that ensures that the preservation of existing street trees is considered from an early planning stage. It is proposed that the accurate position of street trees will be shown by any applicant developer on all consent applications and plans. At this early stage, every reasonable effort will be made by the Council, in consultation with the developer, to position a driveway sufficiently clear of an affected tree and to construct it in a manner that ensures the tree's preservation in a safe and healthy condition. If this is not possible for some reason, any proposal to remove a street tree will still be subject to Council approval, along with any conditions under the appropriate delegation as is the case with this tree.

FINANCIAL AND LEGAL CONSIDERATIONS

Legal

9. Any healthy street tree can only be removed with approval from the appropriate Community Board and any protected street tree can only be removed by a successful application under the Resource Management Act. This tree is not listed as protected under the provisions of the Christchurch City Plan.

Financial

10. The actual cost to remove the tree and replace it with a pb95 grade tree is \$615.
11. The valuation of the tree using STEM is \$10,000.
12. STEM is the national arboricultural industry standard for evaluating and valuing amenity trees. STEM is used as a valuation tool by other councils such as Auckland, Tauranga, Lower Hutt and Wellington.
13. STEM valuation on the tree concerned is detailed on the attached valuation sheet.
14. Removing and replacing the tree without obtaining reimbursement from the applicant is inconsistent with the current LTCCP as funding has not been allocated in the Transport & Greenspace Unit's operational budget for the removal of healthy trees to allow for vehicle crossings.
15. Obtaining reimbursement from the applicant to remove and replace the tree is consistent with the current LTCCP.
16. All tree work will be carried out by Council's Street Tree Maintenance Contractor.

STAFF RECOMMENDATIONS

It is recommended that the Shirley/Papanui Community Board adopts Option (A) and approves:

- (a) That the manna ash tree located on the Windermere Road berm outside 95 (Tree ID 16340) be removed to allow for vehicle crossings to be constructed and the site development be completed as designed.
- (b) That the manna ash is replaced with a pb95 grade manna ash.
- (c) That the actual costs of \$615 for removing the tree and replacing it with pb95 grade manna ash is borne by the applicant.

CHAIRPERSON'S RECOMMENDATION

That before work is carried out, consultation take place with residents, including information regarding the possible removal of other trees in the street that are in decline.

OPTIONS

PREFERRED OPTION

Option (A)

17. Remove the manna ash tree and replace it with another manna ash tree. Actual cost of \$615 to remove and replace the tree is borne by the applicant

	Benefits (current and future)	Costs (current and future)
Social	Tree is removed and replaced at a more realistic cost. Council will have taken the opportunity to replace an aging asset at no cost. Replacement trees are deciduous and any shading that occurs in future will not be for 12 months of the year.	Cost of compliance may be added to the purchase price of these units. Possibility of future shading and leaf fall issues.
Cultural	Garden City image is retained.	No costs identified
Environmental	Replacement of the tree with newly planted manna ash will mitigate the effects of removal of the tree and over time improve the general streetscape appearance.	
Economic	There is no cost to Council to remove or replace the tree as all costs are borne by the applicant. Council will not be required to complete electrical line clearance operations thus costs are saved to Council in the short term.	Future general maintenance costs for the replacement tree.
<p>Extent to which community outcomes are achieved: Primary alignment with community outcomes: "... a place where people enjoy living" "... a thriving, healthy environment" "... the most attractive city in New Zealand"</p> <p>Impact on Council's capacity and responsibilities: No impacts on council's capacity and responsibilities have been identified.</p> <p>Effects on Maori: No specific effects on Maori identified.</p> <p>Consistency with existing Council policies: Consistent with Urban Renewal Policy, Traffic Calming Policy, Parks and Open Spaces Activity Management Plan</p> <p>Views and preferences of persons affected or likely to have an interest: Removal and replacement supported by the adjacent neighbour</p> <p>Other relevant matters: Nil</p>		

Option (B)

18. Remove of the manna ash tree and replace it with manna ash tree.
19. Actual cost to remove and replace the trees of \$615 is shared 50:50 between Council and the applicant.

	Benefits (current and future)	Costs (current and future)
Social	Council will have taken the opportunity to replace an aging asset at little cost. Replacement trees are deciduous and any shading that occurs in future will not be for 12 months of the year.	Cost of compliance may be added to the purchase price of these units
Cultural	Nil	No costs identified
Environmental	Replacement of the tree with newly planted manna ash will mitigate the effects of removal of the trees and over time improve the general streetscape appearance.	Possibility of future shading and leaf fall issues.
Economic	Cost to remove and replace is shared by Council and applicant.	There is a small initial cost to Council to remove or replace the tree. Future general maintenance costs for the tree.

Extent to which community outcomes are achieved:

Primary alignment with community outcomes:

“... a place where people enjoy living”

“... a thriving, healthy environment”

“... the most attractive city in New Zealand”

Impact on Council's capacity and responsibilities:

No impacts on council's capacity and responsibilities have been identified.

Effects on Maori:

No specific effects on Maori identified.

Consistency with existing Council policies:

Consistent with Urban Renewal Policy, Traffic Calming Policy, Parks and Open Spaces Activity Management Plan

Views and preferences of persons affected or likely to have an interest:

Removal and replacement supported by the adjacent neighbour

Other relevant matters:

Nil

Option (C)

- 20. Remove of the manna ash tree and replace it with manna ash tree.
- 21 All costs to be borne by the applicant including the cost of removing and replacing the tree, the valuation of the tree using the STEM to be applied. The Council to utilise the funds obtained from the STEM valuation to replace the existing tree with surplus funds utilised to plant trees in other potential planting locations both within Windermere Road and to enhance adjacent streets and reserves.
- 22. Total Cost \$10,315 (\$10,000.00 STEM/\$315 Removal Costs)

	Benefits (current and future)	Costs (current and future)
Social	Council would be using the funds from the removal of the tree to remove and replace the tree. This will ensure the street continues to retain its identity. Surplus funds could be used to plant trees in other potential planting location both within Windermere Road and to enhance adjacent streets and reserves. Replacement trees are deciduous and any shading that occurs in future will not be for 12 months of the year.	Cost to the applicant may be considered as unreasonable given the size of the tree and its proximity to the overhead power lines. Should the tree remain Council will be required to undertake remedial pruning that will have a detrimental effect on the tree's amenity value. Cost of compliance may be added to the purchase price of these units
Cultural	Garden City image is enhanced. Opportunity to improve native biodiversity in is available.	No costs identified
Environmental	Replacement of the existing tree with newly planted manna ash will mitigate the effects of removal of the tree and over time maintain the general streetscape appearance while contributing to the local character and identity. New tree planting within the immediate area will have associated visual and environmental benefits.	There will be an initial period where the overall amenity value to the street will be affected by removing the existing tree. This will decrease over a 5-6 year period as the new tree matures. Possibility of future shading and leaf fall issues.
Economic	Council gets the opportunity to renew the planting in the entire street and adjacent areas at no cost.	Future general maintenance costs for the trees
<p>Extent to which community outcomes are achieved: Primary alignment with community outcomes: "... a place where people enjoy living" "... a thriving, healthy environment" "... the most attractive city in New Zealand"</p> <p>Impact on Council's capacity and responsibilities: No impacts on council's capacity and responsibilities have been identified.</p> <p>Effects on Maori: No specific effects on Maori identified.</p> <p>Consistency with existing Council policies: Consistent with Urban Renewal Policy, Traffic Calming Policy, Parks and Open Spaces Activity Management Plan</p> <p>Views and preferences of persons affected or likely to have an interest: Removal and replacement supported by the adjacent neighbour</p> <p>Other relevant matters: Nil</p>		

Option (D)

- 23. Status quo. Do not remove the manna ash tree.
- 24. Tree is to be maintained to accepted international arboricultural standards. Vehicle crossing for unit 2 is to be redesigned so that it does not interfere with either the roots or the canopy of the manna ash tree.

	Benefits (current and future)	Costs (current and future)
Social	Nil	Council may be seen as unreasonable given that building consent has been granted. It is unlikely that the vehicle crossings can be redesigned as the building of unit two is already underway and changes to the development will be both time consuming and costly to the applicant. Tenants/owners unit 1 may not be able to use their garage if the development proceeds regardless of the tree issue, therefore more cars will be parked on the street. Tenants/owners may be forced to drive over the kerb, grass berm and footpath to access their garage.
Cultural	Nil	Nil
Environmental	Tree remains on site and continues to contribute the overall amenity value of the streetscape.	Streetscape will look 'unplanned' as there will be a driveway 'leading to nowhere'. Kerb, grass berm and footpath are at risk from vehicles illegally accessing garages by driving directly over them. Tree will have its amenity value affected due to the type, nature and extent of pruning required to maintain its clearance of the overhead power lines
Economic	Nil	Possibility of future kerb, grass berm and footpath repairs from vehicle garage. Future general maintenance of trees.
<p>Extent to which community outcomes are achieved:</p> <p>"... the most attractive city in New Zealand"</p> <p>Impact on Council's capacity and responsibilities: No impacts on council's capacity and responsibilities have been identified.</p> <p>Effects on Maori: No specific effects on Maori identified.</p> <p>Consistency with existing Council policies: Consistent with Traffic Calming Policy, Parks and Open Spaces Activity Management Plan</p> <p>Views and preferences of persons affected or likely to have an interest: Removal and replacement required by the adjacent neighbour, which does not support this option</p> <p>Other relevant matters: Nil</p>		

Maintain The Status Quo (If Not Preferred Option)

25. Do nothing/maintain the status quo and decline the request to remove the tree.

	Benefits (current and future)	Costs (current and future)
Social	Nil	This is not considered a viable option as it would leave the Council exposed to a charge of being unreasonable or obstructive to access to the new development
Cultural	Nil	Nil
Environmental	Nil	Nil
Economic	Nil	Nil
<p>Extent to which community outcomes are achieved: No alignment with community outcomes</p> <p>Impact on Council's capacity and responsibilities: No impacts on council's capacity and responsibilities have been identified.</p> <p>Effects on Maori: No specific effects on Maori identified.</p> <p>Consistency with existing Council policies: Inconsistent with Parks and Open Spaces Activity Management Plan</p> <p>Views and preferences of persons affected or likely to have an interest: Removal and replacement required by the adjacent neighbour, which does not support this option</p> <p>Other relevant matters: Nil</p>		