

4. 23A KEDLESTON DRIVE - PROPOSED TREE REMOVAL

General Manager responsible:	General Manager City Environment, DDI 941-8608
Officer responsible:	Manager Transport and Greenspace
Authors:	Lorraine Correia, Consultation Leader - Greenspace Laurie Gordon, Street Tree Arborist

PURPOSE OF REPORT

1. The purpose of this report is to consider a resident's request for the removal of one honey locust tree (*Gleditsia triacanthos*) located outside 23A Kedleston Drive, Hyde Park.

EXECUTIVE SUMMARY

2. A request has been made to the Fendalton/Waimairi Community Board, from the daughter of the owner of 23A Kedleston Drive, to consider the removal of the honey locust tree on road reserve which is directly outside her home. A copy of the letter is attached (**attachment 1**).
3. The concerns are that during the autumn months the tree drops huge amounts of large pods that fall in her property which kill her lawn when left and also cause blockages to spouting and drains. A picture of the tree and the pods is included (**attachment 2**). The pods cannot be collected by a lawn mower as this blocks up the machine.
4. An arboricultural assessment was carried out to evaluate the health, condition and hazard rating of all the trees on Kedleston Drive. The assessment of the tree in front of No. 23A is that it is a good specimen tree approximately 19 years old, is 10 metres in height, with no current health and safety issues. Roots from the tree are causing minor damage to the footpath.
5. The full tree assessment carried out on Kedleston Drive identified 41 other trees that require removal as they are in poor/declining health or with structural concerns. A memorandum summarising this assessment together with results of the tree survey is attached (**attachment 3**). These trees are expected to be removed and replaced during 2010, with the suggested replacement species being trident maple (*Acer buergerianum*).
6. The root systems of honey locust trees on the street have been raising the kerb and channel and causing cracks in footpaths. This has been an ongoing issue that has been addressed by the Council carrying out footpath repairs on an "as required" basis.
7. Honey locust trees are prone to branches breaking in windy conditions, resulting in relatively high maintenance requirements. The honey locust trees on Kedleston Drive received full maintenance prunes in May 2005, May 2007 and May 2008. Individual trees have also received maintenance in response to customer service requests. The species is no longer planted as a street tree due to it being prone to limb failure, large seed pods and thorns.
8. Given the condition of the tree at 23A Kedleston Drive staff recommend that this tree be retained.

FINANCIAL IMPLICATIONS

9. The cost to remove the honey locust tree at 23A Kedleston Drive and replace it with a PB95 grade tree is estimated at \$1,750.
10. The STEM evaluation points total 84. The valuation for the tree using STEM is \$14,400.

STEM (A Standard Tree Evaluation Method) is the New Zealand national arboricultural industry standard for evaluating and valuing amenity tree by assessing their condition and contribution to amenity along with other distinguishable attributes such as stature, historic or scientific significance.

Do the Recommendations of this Report Align with LTCCP budgets?

11. Removing and replacing the tree at 23A Kedleston Drive without obtaining reimbursement from the applicant is inconsistent with the current LTCCP as funding has not been allocated in the Transport and Greenspace Unit tree maintenance budget for the removal of structurally sound and healthy trees that are not causing health and safety or infrastructure problems that cannot be mitigated.
12. Obtaining reimbursement from the applicant to remove and replace structurally sound and healthy trees is consistent with the current LTCCP.
13. Funding is available in the current LTCCP to remove and replace the trees in Kedleston Drive with condition ratings of 4 and 5.

LEGAL CONSIDERATIONS

14. The Greenspace Manager has the following delegation with respect to trees:
 - (a) "In consultation with any other units affected and the relevant Community Board, authorise the planting or removal of tree from any reserve or other property under the Manager's control".
15. While the Transport and Greenspace Manager has the delegation to remove the honey locust tree, current practice is that in most cases requests to remove healthy and structurally sound trees that do not present infrastructure problems are placed before the appropriate Community Board for a decision.
16. Under the delegations to Community Boards, the Board has the authority to "plant, maintain and remove trees on reserves, parks and roads" under the control of the Council within the policy set by the Council.
17. Protected street trees can only be removed by a successful application under the Resource Management Act. The tree in question is not listed as protected under the provision of the Christchurch City Plan.
18. The following City Plan Policies may be of some benefit when considering the options –

Volume 2 : Section 4 City Identity

4.2.1 Policy: Tree Cover

To promote amenity values in the urban area by maintaining and enhancing the tree cover present in the City.

Tree cover and vegetation make an important contribution to amenity values in the City. Through the redevelopment of sites, existing vegetation is often lost and not replaced. The City Plan protects those trees identified as "heritage" or "notable" and the subdivision process protects other trees which are considered to be "significant". The highest degree of protection applies to heritage trees.

Because Christchurch is largely built on a flat plain, trees and shrubs play an important role in creating relief, contributing to visual amenity and attracting native birds.

The amount of private open space available for new planting and to retain existing trees is influenced by rules concerning building density and setback from boundaries. The rules do not require new planting for residential development but landscaping is required in business zones.

4.2.2 Policy: Garden City

To recognise and promote the “Garden City” identity, heritage and character of Christchurch.

A key aspect of achieving this policy will be maintaining and extending environments and vegetation types which compliment this image. A broad range of matters influence and contribute to this image, including the following:

- tree-lined streets and avenues
- parks and developed areas of open space

14.3.2 Policy: “Garden City” image identity

To acknowledge and promote the “Garden City” identity of the City by protecting, maintaining and extending planting which compliments this image

Volume 3: Part 8 Special Purpose Zone

14.3.5 Street Trees

Nearly half the length of streets within the city contains street trees, but the presence of very high quality street trees which add considerable presence to streets and neighbourhoods is confined to a relatively small proportion of the road network. These streets add particular character and amenity of the city, either in the form of avenues which form points into the city, or an important part of the local character of particular streets.

19. An application to prune or remove the tree may be made to the District Court under The Property Law Amendment Act 1975.
20. The District Court can order the pruning or removal of a tree under the Property Law Amendment Act 1975.
21. Any work carried out in relation to the Honey Locust tree are to be completed by a Council approved contractor.

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

22. Yes, as per above.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

23. LTCCP 2009-19

Streets and Transport

- (a) Governance – By enabling the community to participate in decision making through consultation on plans and projects.
 - (b) City Development – By providing a well-designed, efficient transport system and attractive street landscapes.
24. Funding is available in the Transport and Greenspace Unit Street Tree Capital Renewals budget for the removal and replacement of trees which are no longer appropriate species or no longer appropriate in their current position. Due to current city wide commitments funding to replace the healthy trees (condition ratings 3 and 2) in Kedleston Drive should become available in 2019.

25. Retention of the tree is consistent with the Activity Management Plan provided the tree is structurally sound and healthy and does not pose infrastructure problems that cannot be mitigated.
26. Removal and replacement of the tree is consistent with the Activity Management Plan.
27. Removing and not replacing the tree is not consistent with the Activity Management Plan.

Do the recommendations of this report support a level of service or project in the 2009-19 LTCCP ?

28. Yes, as per above.

ALIGNMENT WITH STRATEGIES

29. Removing and replacing the tree would be consistent with the following strategies:
 - (a) Biodiversity Strategy.
 - (b) Christchurch Urban Design Vision.
 - (c) Garden City Image as per the City Plan.
30. There is currently no policy for the pruning or removing of trees in public places. A draft Tree Policy is being worked on.

Do the recommendations align with the Council's strategies?

31. Yes, as per above.

CONSULTATION FULFILMENT

32. In August 2009 a letter and a feedback form were delivered to 62 properties along Kedleston Drive, providing an opportunity for the community to indicate their preference along with any additional comments or feedback.
33. The consultation received 34 responses (a 55% response rate) and community feedback was generally in favour of the removal of the tree with a suitable replacement: (please refer to the full schedule of community feedback and project team responses circulated separately to Board members)
 - (a) Twenty-nine submitters (85%) responded "I support the removal of the Honey Locust tree and its replacement with one suitable sized tree".
 - (b) Five submitters (15%) responded "Mixed views/some concerns".
 - (c) One submitter (3%) responded "I do not support the removal of the Honey Locust tree".
34. We have also received a mixed request from residents wanting the following replacement trees:
 - (a) Six submitters preferred a similar sized tree to the honey locust.
 - (b) Two submitters preferred to have the tree replaced with a smaller evergreen species.
35. Many of the submitters also indicated that they would like the trees outside their properties or those on the whole street removed and replaced with suitable trees.

36. The submissions that indicated that they had *mixed views* generally supported the removal and replacement of the tree but had the following comments/concerns:
- Only this one tree should be removed and replaced.
 - Prefer to see the tree replaced with a similar sized tree.
 - Ensure street cleaning is done more frequently than existing schedule.
37. One submitter advised us that on average and over a period of seven weeks a single honey locust tree can fill approximately three small organic wheelie bins.
38. Once the consultation period had closed, each submitter received an interim reply letter, which acknowledged that their submission had been received and that their suggestions would be considered.
39. All respondents have been sent a final letter advising them of the results of the consultation, a copy of the comments received from this consultation process together with staff comments and information that the Board report would be presented to the Fendalton/Waimairi Works, Traffic and Environment Committee for their approval. Details of the meeting (date, time and venue) were provided to enable residents to make a deputation to the Board prior to a decision being made.

Arboricultural Assessment

40. The tree at 23A Kedleston Drive is in a healthy condition and shows no signs of immediate failure which would warrant its removal for tree health and safety concerns. However, honey locust trees are prone to branches breaking in windy conditions, resulting in relatively high maintenance requirements.
41. The tree is one of the largest in the street and produces relatively large quantities of seed pods when compared to the other honey locust trees in Kedleston Drive. Seed pods from the tree were observed on the street and on the property including the roof guttering of the house.
42. Staff carried out an inspection for damage to the footpath and kerb and channel. At present there is minor cracking in the footpath, and the footpath is likely to require repairing within the next few years. The footpath was repaired approximately four years ago following damage caused by roots from the tree.
43. The Council records show that the honey locust trees in Kedleston Drive were planted in 1980.
44. A survey of all the trees in Kedleston Drive was undertaken in August 2009 (see attached Memorandum). This shows that out of 71 trees 41 have a condition rating of either 4 (poor) or 5 (very poor). The trees rated 4 and 5 will be replaced in 2010.

Options

45. Decline the request to remove the honey locust tree outside number 23A Kedleston Drive and that the tree continues to be maintained to internationally recognised and accepted arboricultural practices, standards and procedures.
46. Remove and replace the honey locust tree. Costs of \$1,750 (+GST) are to be borne by the applicant. All work is to be carried out by an approved Council tree contractor.

Preferred Option

47. Decline the request to remove the honey locust tree outside number 23A Kedleston Drive and that the tree continue to be maintained to internationally recognised and accepted arboricultural practices, standards and procedures.

STAFF RECOMMENDATION

It is recommended that the Fendalton/Waimairi Works, Traffic and Environment Committee recommends that the Community Board:

- (a) Decline the request to remove the Honey Locust tree outside number 23A Kedleston Drive; and
- (b) Agree that the tree continues to be maintained to internationally recognised and accepted arboricultural practices, standards and procedures.