

## 6. TREE REMOVALS OF POPLAR TREES WITHIN MATANGI RESERVE

<b>General Manager responsible:</b>	General Manager, City Environment, DDI 941-8608
<b>Officer responsible:</b>	Unit Manager, Transport and Greenspace
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### PURPOSE OF REPORT

1. The purpose of this report is to seek the Committee's recommendation to the Board on the removal of three large Poplar trees located along the western boundary of Matangi Reserve in Hei Hei (refer **Attachments 1 and 2**).

### EXECUTIVE SUMMARY

2. The Council has received a request in relation to the three large Poplar trees located within Matangi Reserve. The issues raised being falling branches, debris and seasonal problem with seed. Concern regarding the proximity of the trees to the boundary having the potential to cause problems with the fence and neighbouring driveway was also raised.
3. Matangi Reserve is a small, well landscaped local reserve with playground. The three Poplar trees are the largest (trees) within this reserve and immediate area; hence they make a contribution to the local landscape of the reserve and neighbouring streets. They also offer some shelter and shade for park users and neighbouring, mostly residential property.
4. An arboricultural assessment has recently been carried out on these trees. There are currently no apparent or major health and safety concerns that warrant the Council staff to initiate their immediate removal. The trees appear to have sound root and trunk and appear healthy. There is evidence of branch failure in the mid and upper canopy which is known to be typical of the species. The trees are not fully mature and are expected to continue to grow in height, canopy spread and trunk increment.
5. However, the location of these trees (against the boundary fence) is not ideal, ie not where the Council (staff) would consider planting a tree of this species today. Therefore, given issues presently raised, there are a number of management issues in relation to these Poplar trees. These include, but may not be limited to, potential costs for pruning, damages and repairs to fence, driveway and neighbouring property. The potential for a major branch failure also exists along with potential for personal injury. It is anticipated that the removal of the trees will be an inevitable issue at some stage in the future.

### FINANCIAL IMPLICATIONS

6. The cost to remove and replace the existing three trees with pb 95 (or equivalent) grade trees is estimated at \$5,000 (including watering and aftercare maintenance for one year).
7. The STEM evaluation for the three trees is 114 points each and a total valuation of \$65,700.
  - (a) 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).

### Do the Recommendations of this Report Align with 2009-19 LTCCP budgets?

8. Removing and replacing the trees without obtaining reimbursement 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 problems or infrastructure problems.
9. Obtaining reimbursement from the applicant to remove and replace structurally sound and healthy trees is consistent with the current LTCCP.

## LEGAL CONSIDERATIONS

10. 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”.
11. While the Transport and Greenspace Manager has the delegation to remove the Poplar 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.
12. 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.
13. Protected trees can only be removed by a successful application under the Resource Management Act. These trees are not listed as protected under the provision of the Christchurch City Plan.
14. 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 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.**

15. An application to prune or remove the tree may be made to the District Court under The Property Law Amendment Act 1975.
16. The District Court can order the pruning or removal of a tree under the Property Law Amendment Act 1975.
17. Any work carried out in relation to these Poplar trees is to be completed by a Council approved contractor.

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

18. Yes, as per above.

**ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**

19. LTCCP 2009-19:

**Parks, Open Spaces and Waterways – Pg. 117**

- (a) Governance – By involving people in decision-making about parks, open spaces and waterways.
  - (b) City Development – By providing an inviting, pleasant and well cared-for environment.
20. Funding is available in the Transport and Greenspace Unit Park 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.
21. Retention of the trees is consistent with the Activity Management Plan provided the trees are structurally sound and healthy.
22. Removal and replacement of the trees is consistent with the Activity Management Plan.
23. 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 2009-19 LTCCP?**

24. Yes, as per above.

**ALIGNMENT WITH STRATEGIES**

25. Removing and replacing the trees would be consistent with the following strategies:
- (a) Biodiversity Strategy.
  - (b) Christchurch Urban Design Vision.
  - (c) Garden City Image as per the City Plan.
26. 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?**

27. Yes, as per above.

**CONSULTATION FULFILMENT**

28. The consultation on the potential removal of these trees was carried out in August 2009. A letter and a questionnaire were sent to 29 residents surrounding Matangi Reserve in Hei Hei (refer **Attachment 3**).
29. Residents were asked whether they support or do not support the removal of the three Poplar trees.
30. Ten submissions were received in reply. Seven (70 percent) did support the removal of the three Poplar trees, three (30 percent) did NOT support the removal of the three Poplar trees (refer **Attachment 4**).

31. In summary those who did support the removal of the trees had issues with the size of the trees, their location to nearby houses, debris created by the trees and the risk of children being tempted to climb these trees and harm themselves. Those who did NOT support the tree removals had concerns over the loss of the only large trees within the reserve.
35. Those who responded to the questionnaire were also advised of the decision making process and how they could be involved (refer **Attachment 5**).

#### **OPTIONS**

36. (a) Decline the request to remove the three (3) poplar trees from Matangi Reserve;  
and  
(b) Continue to maintain the trees to internationally accepted arboricultural standards, practices and procedures, and, continue to monitor the trees for ongoing health and safety.
37. (a) Approve the request to remove the three poplar trees from Matangi Reserve to be commenced 2013 (dependant on available funding);  
and  
(b) Continue to maintain the trees to internationally accepted arboricultural standards, practices and procedures, and, continue to monitor the trees for ongoing health and safety in the interim.
38. Approve the request to remove the three poplar trees from Matangi Reserve and charge the applicants \$5,000 for the cost of removal and replacement. All work is to be undertaken by the Council's park tree contractor.

#### **STAFF RECOMMENDATION**

It is recommended that the Committee recommend that the Board:

- (a) Approve the request to remove the three poplar trees from Matangi Reserve to be commenced 2013 (dependant on available funding);  
and  
(b) Continue to maintain the trees to internationally accepted arboricultural standards, practices and procedures, and, continue to monitor the trees for ongoing health and safety in the interim.