CHRISTCHURCH CITY COUNCIL PROPOSED TREE POLICY

Prepared by Combined Community Board and Staff Tree Policy Working Party

Approved by Combined Community Board Chairpersons' and Community Board Tree Policy Working Party Recommended Draft Tree Policy 16 October 2009

Further additions Council Workshop 23 February 2010 (in bold italics)

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1. INTRODUCTION

Trees make an important contribution to the health and wellbeing of Christchurch's residents and to the Garden City image through the quality of the city's landscape. Trees play a vital ecological, environmental, heritage, financial and cultural role. They have an important contribution to make in the sustainable management of natural and physical resources.

Just as streets, footpaths, public buildings and recreational facilities are a part of a community's infrastructure, so are publicly-owned trees. Trees are on the job 24 hours a day, 7 days a week working for us all to improve our environment and quality of life. Trees support the environment through releasing oxygen, removing carbon and other particulate pollutants from the atmosphere, collecting dust, moderating climates, providing shade and shelter, providing land stability and a habitat for wildlife, reducing excess water levels and assisting with storm water runoff, softening of harsh landscapes, increasing property values, increasing the life of roads, assisting with a decrease in noise levels. Conversely trees can have negative impacts on infrastructure such as drains, road surfaces, footpaths and kerbs, create nuisances with shade, debris fall and impeding of desirable views.

Christchurch is internationally recognised as the Garden City and one of the city's greatest assets is its trees. This is a tribute to those people past and present who on public and private land have planted a wide range of trees and other vegetation. In urban Christchurch they have helped to create a sense of vertical scale to a city that is built largely on a flat plain. Vegetative landscape is an asset that requires active management to ensure effective enhancement of the amenity, ecological and environmental values of the city.

The rate of development and urban intensification places pressure on privately owned protected trees and those that are not protected through the City Plan. Urban intensification places more pressure on public spaces to provide the vegetation amenity that was once provided for on private land. Retention of existing juvenile and mature trees, replacing old trees and the planting of new trees in public spaces therefore presents a significant contribution to retaining and enhancing the city's Garden City image. This relies on the continued interest and support from the community.

Council considers that it should be seen as taking a proactive stance by retaining trees wherever possible within the environment.

2. POLICY SCOPE AND OBJECTIVES

2.1 Scope

The scope of this Policy covers trees on publicly owned land or spaces.

- 2.2 Objectives
- (a) To beautify and enhance visual amenity;
- (b) To maintain and enhance the Garden City image;
- (c) To enhance community and neighbourhood character and identity;
- (d) To provide, over time, a city wide distribution of publicly owned street trees;
- (e) To preserve, nurture and enhance the City's heritage through its trees;
- (f) To provide and enhance natural features and focal points;
- (g) To provide a sense of natural scale to man made structures and soften and compliment hard surfaces and architectural form;
- (h) To enhance the urban environment by providing shade and shelter through increasing the number of publicly owned trees in streets and parks and other public spaces;
- (h) To create and enhance wildlife habitat and ecological values;
- (j) To contribute to the biodiversity of the city's environment;
- (k) To balance priority planting between the Garden City image, environmental goals, road reserves space and community requests;
- (l) To protect, nurture, manage, enhance and retain the city's publicly owned tree resource by: (i) planting new trees
 - (ii) allowing juvenile trees to reach maturity
 - (iii) replacing the city's senescent trees
 - (iv) protecting the city's resource of mature trees
- (m) To provide consistency in decision making with requests to remove, maintain or plant publicly owned trees;
- (n) To provide public education on tree planting, tree maintenance, tree removal and tree protection.

3. POLICY FOR THE PLANTING, MAINTENANCE AND REMOVAL OF TREES IN PUBLIC SPACES

3.1 Tree Management

Council will ensure the ongoing viability and sustainability of the treescape through:

- (a) Enhancing and protecting the surrounding environment and safeguarding biodiversity;
- (b) Community education and involvement by community activities, enhancing community spirit and civic pride, provision of information;
- (c) Planning by species selection, operational specifications, future needs, socio economic benefits and cultural and heritage significance;
- (d) Maintenance by pruning, planting, watering, removing and protecting trees;
- (e) Effectiveness by ensuring application of current internationally accepted arboricultural operational and management practices.

3.2 Conservation of the City's Public Tree Framework

Trees and groups of trees including street, park and riverbank trees are conserved by appropriate means to safeguard neighbourhood and city character. Appropriate means includes this Policy and enforcement under existing Legislation. In some cases it may be appropriate to afford protection through the Christchurch City Plan Heritage and Notable Trees Register and the Banks Peninsula District Plan Schedule of Notable Trees or through the use of Covenants.

Council will conserve and sustain Christchurch City's tree framework by supporting programmed replacement planting schemes.

Trees will be allowed to grow true to their natural form and stature wherever possible.

3.3 Planning and Planting of Trees in Public Spaces

The Council will balance the priorities for planting between Christchurch's Garden City image, environmental goals, road reserves space and public community. In priority order planting priorities will be:

- 1. New street tree planting -
 - (a) CBD (inside four Avenues);
 - (b) Kerb and channel upgrades;
 - (c) Arterial roads, including gateways to Christchurch;
 - (d) Collector roads before road landscape upgrading;
 - (e) Roads in urban communities where there are few street trees;
 - (f) Local roads by resident request.

- 2. Replacement street tree planting -
 - (a) Trees severely disfigured through electrical line clearance;
 - (b) Condition or useful life expectancy of tree;
 - (c) Damage to infrastructure;
 - (d) Profile of tree (eg Bealey Avenue, Fitzgerald Avenue, other streets with protected trees);
 - (e) Trees severely disfigured by other means.
- 3. Parks and Recreation Reserve areas
- 4. Industrial areas

Trees planted within the road reserve will have appropriate root barriers installed to protect infrastructure and services. The minimum planting space for new trees is $2.25m^2$ i.e. $1.5m \times 1.5m$. The minimum planting space for replacement trees is generally $2.25m^2$ i.e. $1.5m \times 1.5m$ however it is recognised that in some areas of the city (e.g. older areas, CBD tree pits) it may be appropriate to have smaller size planting spaces to ensure ongoing tree coverage. In these circumstances the minimum planting space is $1m^2$ i.e. $1m \times 1m$.

All trees must be appropriate in size for their intended position and purpose. Designs for new tree planting will be based on:

- (a) The relationship of the trees with their surroundings in terms of character, form, heritage, shelter, amenity, environmental and biodiversity values;
- (b) The foreseeable effects of the trees in relation to shade, services and potential damage to built structures:
- (c) The scale of the tree in terms of current or future built structures.

Trees that are considered to:

- (a) have proven health and safety issues; or
- (b) not thrive in the conditions or area in which they are planted; or
- (c) have high maintenance costs; or
- (e) not provide the environmental benefits that another species would eg small trees on large berms/verges; or
- (d) not be a specimen tree.

may not be considered for planting in streets or reserves.

Residents or land owners who are affected by new or replacement tree planting may have input into the final positioning of the tree on the berm or verge outside their property but not as to whether or not a tree is to be planted outside their property.

Council will hold and maintain an up to date list of inappropriate species for planting as part of the Infrastructure Design Standards.

Planting in public spaces by members of the community will require prior approval from the Transport and Greenspace Manager or delegate, in consultation with the City Arborist and appropriate infrastructure Manager.

3.3.1 Commemorative Trees

Commemorative planting is a popular way of honouring a particular person or for remembering an event or time. It is important that it is managed effectively to ensure that the right type of tree is planted at the right time and in the right place. This means that commemorative planting not only meets the personal needs of the sponsor but it also contributes to the amenity of the location by ensuring healthy specimen trees are well located and complement the surrounding environment and are in keeping with relevant Reserve Management Plans or Council Strategies.

For people who would like to have a commemorative tree, specimen trees will be available for planting in parks and reserves approved by the Council. The types of trees available for selection may vary depending on the numbers available, the suitability of the site for a particular species and the specification of species in planting designs, Reserve Management Plans or Council Strategies.

Council will identify through the Reserve Management Plans or other appropriate processes those reserves available for commemorative tree planting. These may include cemeteries or local purpose reserves.

For trees commemorating visits by royalty, heads of state and other dignitaries or for special occasions (as determined by Council) Council will use either the Botanic Gardens, Mona Vale or the banks of the Avon River within the Central City.

The cost of purchasing and planting of commemorative trees must be borne by the sponsor. The cost of ongoing maintenance is part of the operational Park Tree Maintenance budgets. Council will not be responsible for replacing dead or dying or diseased or damaged trees other than those planted to commemorate visits by royalty, heads of state or other dignitaries or for special occasions (as determined by Council). Council will source and supply the tree to ensure consistency of quality. The minimum size of tree at time of planting is pb95 grade.

All commemorative tree plantings will be recorded in the appropriate Commemorative Tree Plantings Register.

Any plaques placed with commemorative trees will require prior approval from the Transport and Greenspace Manager and must comply with Council technical guidelines for the design, installation and maintenance of plaques.

The Council will adopt a pro-active role through organising in advance opportunities for the public including visitors to the City to sponsor planting schemes in reserves (refer Sponsorship of Trees and Other Planting on Reserves Policy).

3.3.2 Planting in Banks Peninsula

The Council will:

- (a) have as its first option, unless there are acceptable reasons to the contrary, the intentional planting of indigenous plant species within its reserves, using locally sourced indigenous plants species;
- (b) maintain and, where possible, restore the remaining natural habitat of indigenous plant species under its jurisdiction to their natural healthy state;
- (c) take appropriate steps to control all threats to its indigenous plant species;
- (d) encourage the planting of indigenous plant species by both private landowners and public organisations;
- (e) where appropriate, use locally sourced indigenous plant species for its own new projects.

3.4 Removal of Trees in Public Spaces

In general trees will not be removed without good reason. Trees on publicly owned land may be removed if the trees have been assessed by the City Arborist and meet any one of the following criteria:

- (a) a proven threat to public safety or property due to tree ill health or poor structural integrity or fire hazard or species of tree (e.g. *Rhus toxicodendron*);
- (b) interfering with or within tolerance zones for overhead services and continued pruning is detrimental to the ongoing health or structure or STEM evaluation of the tree;
- (c) currently causing or likely to cause damage to buildings, services or property whether public or privately owned and the damage can not be rectified or mitigated through techniques such as pruning or installation of root barriers;
- (d) in a diseased/dying/senescent/vandalised condition which cannot be improved by treatment;
- (e) a threat to vehicle and pedestrian safety where pruning cannot mitigate the threat without causing the tree to become severely disfigured or affect its long term health and safety and stability;
- (f) the ongoing health of the tree itself or those trees in the direct vicinity is affected, e.g. overcrowded berms;
- (g) where the tree has been assessed as having poor structural branch form and shape which cannot be rectified by pruning;
- (h) interfering with drainage systems or water courses or streams or rivers;
- (i) where the loss of the tree would *have only a minor detrimental effect* on the public treescape and the tree can be replaced in the berm/verge from where the tree was removed from or, in the case of a park tree, elsewhere within the park and, if the removal is at the request of a member of the public, that person agrees that a replacement tree can be planted and agrees to fund the removal and replacement of the tree;
- (j) identified for removal or replacement in an approved Reserve Management Plan or Board/Council approved Development Plan;
- (k) any tree listed in the Canterbury Regional Pest Management Strategy 2005-2015 plus amendments, control of roadside pests that are listed in the Canterbury Regional Pest Management Strategy 2005-2015 in Banks Peninsula remain the responsibility of the adjacent land owner;
- (l) any tree planted by anyone other than the Council, and without Council approval;
- (m) any wilding tree that is not listed as a threatened or endangered species either locally or nationally or internationally.

Trees will not be removed because of health effects that are perceived to be associated with any tree.

Removal of trees under this section can be instigated by Council staff or by public request.

The decision as to whether the criteria are met rests with the Transport and Greenspace Manager on the recommendation of the City Arborist and relevant infrastructure Manager.

Where a tree or treescape, specifically planted by council for amenity reasons or other values, exists prior to the transfer of ownership of an adjoining property, the Council is not required to remove or prune the tree(s) for views or shade on request. The tree(s) is defined as a pre-existing condition before the landowner's purchase of the property. This does not, however, preclude the council from working with landowners to try to seek resolution of their tree related issues, regardless of when the tree was planted.

Removal of existing or former agricultural shelter belts planted within the road reserve is the responsibility of the adjacent landowner unless, in the opinion of the City Arborist, the shelter belt is in a hazardous condition however, where the Transport and Greenspace Manager recognises that exceptional circumstances prevail consideration may be given to offering assistance.

3.5 Requests to remove Trees in Public Spaces

Where a request is received to remove a tree or group of trees which do not meet any of the criteria in 3.4 consideration will be given to the following matters (as relevant):

- (a) A qualified arborist's report which will include the health and structural integrity of the tree, the value of the tree as a public amenity, including shade contribution, the historical cultural or scientific significance (if any) of the tree, the botanical significance of the tree, the contribution of the tree to the ecology of the area including significance as habitat for native fauna, whether the requested works constitute good arboricultural practice and the effect these works would have on the tree(s), and the impact of the tree (positive or negative) at that location on adjoining properties, including impact on amenity values;
- (b) The STEM evaluation and valuation;
- (c) The relevant Activity Management Plans, Asset Management Plans, Reserve Management Plans or Board/Council approved Development Plans;
- (d) Available funding (see Section 3.6 below);
- (e) If it can be proved that the species of tree has a detrimental effect on the applicant(s) or wider community health;
- (f) If the tree is listed in Council's inappropriate tree list and why and in what situation the tree is considered as inappropriate;
- (g) The level of support for removal from residents living in the affected community;
- (h) The proximity of the tree to the house or business premises;
- (i) The length of time the applicant has been living in the property compared to the age of the tree;
- (j) The number of other trees in the street or park;
- (k) The interests of the public in the maintenance of an aesthetically pleasing environment -
 - (i) The desirability of conserving public reserves containing trees
 - (ii) Whether the tree or treescape contributes to a landscape of local, regional or national significance and/or a landscape designed with public consultation
 - (iii) The contribution of the tree(s) to the medium to long term vision of a reserve management plan or streetscape
- (l) All viable alternative options have been tried and have failed to remedy all of the concerns;
- (m) The objectives of this tree policy;
- (n) Any other relevant circumstance.

Following consideration of the above one of the following courses of action will be decided upon by the relevant Community Board in consultation with the Transport and Greenspace Manager:

- (a) Continue to manage the tree in accordance with internationally recognised arboricultural standards, practices and procedures;
- (b) Remove the tree and replace with another tree;
- (c) Remove the tree and not replace with another tree;

(d) Bring forward the programmed replanting of the affected area as a means of resolving the issue

3.6 Cost of Removal of Trees in Public Spaces

If a tree is requested to be removed under Section 3.5 and the tree does not meet any of the criteria under Section 3.4 the applicant may be required to pay a non refundable application fee to cover the cost of obtaining the information required to assess the application against the criteria set out in Section 3.5.

If after assessing the application under the criteria in Section 3.5 it is agreed that the tree may be removed then the applicant will be required to pay the following in addition to the application fee prior to the tree being removed:

- (a) The value of the tree, and
- (b) The actual costs to Council of removal of the tree.

The value of the tree is to be determined by the City Arborist using STEM.

Funds received from the removal of publicly owned trees will be used where appropriate to plant pb150 grade or larger trees -

(a) Firstly, in the road reserve of the street from which the tree was removed

or

(b) Secondly, in the road reserve in streets within the immediate vicinity of where the tree was removed. As a guide this would be within 500m of the site from where the tree was removed

or

(c) Thirdly, or in the case of a park tree, in a reserve within the immediate vicinity of where the tree was removed. As a guide this would be within 500m of the site from where the tree was removed

Where funds received from trees removed under Sections 3.5 and 3.6 result in new or replacement trees within the road reserve residents who are affected by new or replacement tree planting may have input into the final positioning of the tree on the berm or verge outside their property but not as to whether or not a tree is to be planted outside their property.

3.7 Pruning Trees in Public Spaces

Council supports the established international arboricultural standards, practices and procedures for pruning to enable trees to grow true to form.

Council will ensure that trees are pruned to alleviate immediate hazards eg electrical conductors, dead and dying and diseased branches, public footpaths, carriageways, car parks, emergency situations. Council may also undertake pruning to alleviate boundary encroachment.

Council may prune for view, shade and light purposes at the request of a resident, provided, in the opinion of the City Arborist it does not affect the health or STEM evaluation of the tree. Council will not "top" trees unless for:

- (a) tree health and safety concerns and it is desirable that the tree be retained; or
- (b) clearance of overhead electrical conductors; or
- (c) any environmental reason why the retention of the tree is appropriate (e.g. slope stability, providing shelter for new planting).

The cost of pruning must be borne by the applicant(s) if the request to prune exceeds normal maintenance pruning as determined by the City Arborist.

Pruning of existing or former agricultural shelter belts planted within the road corridor is generally the responsibility of the adjacent land owner unless, in the opinion of the City Arborist, the shelter belt is in a hazardous condition however, where the Transport and Greenspace Manager recognises that exceptional circumstances prevail consideration may be given to offering assistance.

4 Relevant Delegations

The Transport and Greenspace Manager on the recommendation of the City Arborist and relevant infrastructure Manager where appropriate has delegated authority for the planting of trees under Section 3.3 and the removal of trees under Section 3.4 and the pruning of trees under Section 3.7 of this policy.

The relevant Community Board has delegated authority in consultation with the Transport and Greenspace Manager and relevant infrastructure Manager to decide on any tree matter that either falls outside of the Transport and Greenspace Manager's delegation or, after consultation with affected parties, has remained contentious and is unable to be resolved by the Transport and Greenspace Manager.

Where the relevant Community Board and the Transport and Greenspace Manager do not agree on the recommended course of action, the matter will be referred to Council for a decision.

In emergency situations, the Transport and Greenspace Manager or the City Arborist have full delegated powers to negate immediate danger.

The Transport and Greenspace Manager will be responsible for providing advice and support on the use of this policy and its procedures.

5. Relevant References And Legislation

This Policy is consistent with and in accordance with the legislation and Council Policies listed below.

Principal Legislation

- (a) Resource Management Act 1991;
 - (i) Banks Peninsula District Plan
 - (ii) City of Christchurch City Plan
- (b) Reserves Act 1977;
- (c) Biosecurity Act 1993;
- (d) Health and Safety in Employment Act 1992 plus amendments and regulations;
- (e) Electricity Act 1992 plus regulations;
- (f) Telecommunications Act 2001;
- (g) Property Law Act 2007;
- (h) Public Works Act 1981;
- (i) Local Government Act 1974 and 2002;
- (j) Christchurch City Council Parks & Reserves Bylaw 2008.

Council Policies

- (a) Christchurch City Council Biodiversity Strategy 2008-2035;
- (b) Traffic Calming Policy;
- (c) Sponsorship of Trees and Other Plantings on Reserves;
- (d) Urban Renewal Policy;
- (e) Community Policy;
- (f) Consultation Policy;
- (g) Corporate Environmental Statement.

Other

- (a) Infrastructure Design Standard;
- (b) New Zealand Transport Agency and Land Transport Safety Authority, 1991, Guidelines for Planting for Road Safety;
- (c) Commemorative Tree Plantings Register.

Council Policies to be Rescinded

- (a) Tree Planting in Streets Policy;
- (b) Banks Peninsula District Council Tree and Vegetation Policy Resolutions 98/178 and 97/404;
- (c) Banks Peninsula District Council Tree Trimmings (Private Plantings) Policy Resolution 94/636;
- (d) Banks Peninsula District Council Tree Planting on Reserves Policy Resolution 99/236;
- (e) Banks Peninsula District Council Wildling Trees Removal from Road Reserve Resolution 98/178.

6. Definitions

Affected community is the street or park that the tree is located on.

Location	Letter/leaflet Drop to Local Residents*	Other Stakeholders or Methods of Communication
Street	Approximate maximum 150 properties	-
Local Park	Approximate maximum 250 properties	-
Sports Park	Approximate maximum 500 properties	Key stakeholders e.g. sports groups, lessees
Regional Park	Approximate maximum 300 properties	Park users e.g. notice in the park, Have Your Say Website
Garden and Heritage Park/Cemetery	Approximate maximum 250 properties	Park users e.g. notice in the park, Have Your Say Website

Note: the catchment area will be affected by local geographic, social and environmental factors, such as:

- (a) The number, size and *importance* (from STEM evaluation) of the proposed tree(s) to be removed;
- (b) The number and location of existing publicly owned trees on or adjoining the park;
- (c) Arterial Roads, Railway corridors, Rivers and Waterways;
- (d) The location of the nearest neighbouring open space;
- (e) Location of the site e.g. Living 1, Living 3, Industrial or Rural zones;
- (f) Existing community facilities/lessees on the park.

Catchment Area means residents who can reasonably be expected to use the park given geographical barriers such as arterial and collector roads, water courses and railway lines, key stakeholders (e.g. sports clubs).

City means all publicly owned land or spaces within the boundaries of Christchurch City.

Commemorative Tree Plantings Register is a Register held at Council which records the date of planting, species of tree, location of the planting, who the tree was planted by and the signatures of those who planted the tree.

Diameter at Breast Height (DBH) is the standard method of expressing the diameter of the trunk or bole of a standing tree. On sloping ground the reference point is taken as the highest point on the ground touching the trunk. If the DBH point falls on a swelling in the trunk the measure is taken below the swelling at the point where the diameter is smallest.

Form means either the shape that the species of tree naturally grows in or the structural make up of the tree's roots, trunk, or branches.

Inappropriate Species are those tree species listed in Part 10: Reserves, Streetscape and Open Spaces in the Infrastructure Design Standards and any subsequent amendments.

Infrastructure Design Standards (IDS) is a set of guidelines determining the principles behind and the minimum standards required for the creation or enhancement of infrastructure assets either owned or to be owned by Council.

International Arboricultural Standards, Practices and Procedures are British Standard 3998:1989 'British Standard Recommendations for Tree Work' and Australian Standard 4373 1996 Pruning of Amenity Trees. Practices and procedures are based upon modern arboricultural teachings of Dr Alex Shigo, Richard W Harris, Harris Clark and Matheny, David Lonsdale and Mattheck and Breloer.

Park Tree means a tree (other than those purposely planted and managed as hedges or shrub borders) that is specifically planted and maintained for the purpose of adding amenity value to a park.

Public Health and Safety is to fulfil the community's interest in assuring conditions in which people can be healthy and safe in their immediate environment.

Publicly-owned land or spaces for the purposes of this Policy are road reserve either formed or unformed (excluding arterial roads), Garden and Heritage Parks (excluding the Botanic Gardens and Mona Vale), Riverbank and Conservation Parks, and Local Parks owned by the Council on behalf of the community.

Publicly-owned Tree is any tree situated on public owned land or spaces.

Qualified Arborist is a person who by possession of a recognised arboricultural degree, diploma or certificate and on the job experience, is familiar with the equipment and hazards involved in arboriculture operations, has demonstrated Level 6 Diploma proficiency in tree inspection and evaluating and analysing and treating hazardous trees and who has demonstrated the ability to perform the tasks involved. A certificate referred to in this definition must consist of a minimum of 240 New Zealand Qualifications Authority credits of learning, or be of an equivalent standard

Senescent Trees are trees that have in the opinion of a qualified arborist reached their optimum growth potential and have started to decline in health, vigour and vitality.

Specimen Tree means any tree on public owned land or spaces that is planted as a stand alone feature, other than a tree listed on the Notable and Heritage Tree Register, which is considered by the City Arborist to be of good quality in terms of health, vigour and vitality, and sound structure, has a minimum overall condition rating of 3 and is growing or has the potential to grow true to the species form.

STEM (**Standard Tree Evaluation Method**) is designed specifically for use in New Zealand and is the nationally recognised system for evaluating a tree's condition, amenity and significance. STEM can also can be used to place a value on a tree.

Street Trees are trees located within the road reserve boundary of either formed or unformed public roads.

Tree means a woody plant with the potential to reach either a single stem diameter at breast height of, or exceeding, 250mm or a combined aggregate (of no more than 4 stems) of 800mm or more diameter at breast height, and which is managed as a specimen tree.

Treescape is the overall mix of private and publicly owned trees.

Urban Amenity is the natural and physical qualities and characteristics of an area that contribute to peoples' appreciation of its pleasantness, aesthetic coherence and cultural, heritage, environmental and recreational attributes.

Wider Community refers to the residents and landowners of Christchurch City, or community groups located within the City.

Wilding Tree is a self sown tree growing wild or escaped from cultivation and growing wild and not planted for any specific purpose.