

8. DE COURCY PLACE - STREET TREES REPLACEMENT

General Manager responsible:	General Manager City Environment, DDI 941-8608
Officer responsible:	Transport and Greenspace Unit Manager
Author:	Shane Moohan, City Arborist

PURPOSE OF REPORT

1. The purpose of this report is to recommend to the Burwood/Pegasus Community Board that the street trees in De Courcy Place be replaced (**Attachment 1** refers).

EXECUTIVE SUMMARY

2. On 16 November 2009, a residents petition requesting the replacement of the street trees in De Courcy Place, was presented to the Board by Mr Tony Dowell (**Attachment 2** refers).

The reasons for the request were:

- (a) continued mess from leaf drop all year round;
 - (b) root growth threatening fences and pools;
 - (c) growth impeding views into park;
 - (e) increasing maintenance costs to keep at a reasonable size;
 - (f) tree not a good choice and akin to silver birch as it is banned from street frontage plantings;
 - (g) residents want lower growing less messy tree.
3. The Board received the petition and decided '*to seek a report from staff responding to the request of the residents for the removal and replacement of the trees in De Courcy Place*'.
 4. An arboricultural assessment shows that of the original eight trees planted, four are in an average condition, two are in a poor condition, one is in a very poor condition and one has been removed and not replaced. Two trees (numbers three and eight) have been inappropriately pruned by residents.
 5. For these reasons, staff recommend that the trees be replaced.

FINANCIAL IMPLICATIONS

6. The cost to remove and replace the tree with PB95 grade trees is estimated at \$12,000, including the cost of watering and mulching the tree over the first three years.

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

7. Yes.

LEGAL CONSIDERATIONS

8. 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".
9. While the Transport and Greenspace Manager has the delegation to remove the 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.
10. 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.

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 provision of the Christchurch City Plan.
12. 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.

- (a) 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.
- (b) 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.
- (c) 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) 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:
 - (i) tree-lined streets and avenues;
 - (ii) 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

- (a) 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.
13. An application to prune or remove the tree may be made to the District Court under the Property Law Amendment Act 1975.
 14. The District Court can order the pruning or removal of a tree under the Property Law Amendment Act 1975.
 15. The removal and replacement of the tree is to be completed by a Council approved contractor.

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

16. Yes, as per above.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

17. LTCCP 2009-19:

Streets and Transport Volume 1, Page 77:

- (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.

18. Retention of the tree is consistent with the Activity Management Plan provided the tree is structurally sound and healthy.

19. 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?

20. Yes, as per above.

ALIGNMENT WITH STRATEGIES

21. 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.

22. 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?

23. Yes, as per above.

CONSULTATION FULFILMENT

24. No consultation has been undertaken at this point in time. Consultation regarding replacement species will be undertaken in March/April 2011.

STAFF RECOMMENDATION

It is recommended that the Burwood/Pegasus Community Board approve the replacement of all of the street trees in De Courcy Place.

BACKGROUND

25. The trees were planted in 1986. Of the three trees that have nearly reached their full height potential one has been topped (number three) and is considered in a very poor condition. The other two are considered to be in average condition. The remainder of the trees in the street show average health but are stunted and small for their age.
26. There are three recorded requests for tree maintenance and one for removal of the trees since 2005.
27. In response to resident concerns staff advise:

- (a) Continued mess from leaf drop all year round.

Every tree or shrub sheds leaves, flowers etc. It is a normal part of nature's life cycle. Irrespective of whether or not trees are evergreen or deciduous Council has discussions with residents about leaf fall.

- (b) Root growth threatening fences and pools.

The trees are approximately 4.5 metres from the residential boundaries and their roots are not sufficiently large enough to be causing damage to either fences or pools. It is highly unlikely that, given the species, that roots will ever be a problem in this regard. There is no root damage to the berms or footpath, and little to the kerb and channel.

- (c) Growth impeding views into park.

While there may be a slight impediment to some residents, there are still sufficient view shafts to the side of the trees to enable passive surveillance of the park. Private fences and vegetation, along with vegetation within the park itself, form the greatest impediment to residents' views into the park

- (d) Increasing maintenance costs to keep at a reasonable size.

There are no overhead services in De Courcy Place therefore Council would not be spending money controlling the height of the trees. *Pittosporum eugenoides* grow to seven metres in height. Three of them are around five metres tall (one has been topped) and the others are reasonably small for their age.

- (e) Tree not a good choice and akin to silver birch as it is banned from street frontage plantings.

The Infrastructure Design Standards classifies some "tree" species as woody shrubs and therefore their planting as specimen trees is discouraged.

- (f) Residents want lower growing less messy tree.

Given that the height these will grow to is only seven metres, they are considered small. Irrespective of whether trees are deciduous or evergreen, residents will experience leaf fall throughout the year.

Options

28. Decline the petitioners request to replace the trees in De Courcy Place and continue to maintain them to internationally recognised and accepted arboricultural practices, standards and procedures.

29. Decline the petitioners request to replace all of the trees in De Courcy Place:
 - (a) offer to replace the trees that have been inappropriately pruned with the cost incurred by those residents (numbers three and eight), and
 - (b) replace the missing tree at the Council's cost, and
 - (c) continue to maintain the remaining trees to internationally recognised and accepted arboricultural practices, standards and procedures.
30. Replace all of the trees in De Courcy Place.