

11. COLMAN RESERVE – REMOVAL OF TREES

General Manager responsible:	General Manager, City Environment Group, DDI 941-8608
Officer responsible:	Unit Manager, Transport and Greenspace
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PURPOSE OF REPORT

1. The purpose of this report is to provide information and a recommendation to the Board on a request by residents for the removal of two cedar trees (*Thuja plicata* and *Cedrus deodara*) from Colman Reserve.

EXECUTIVE SUMMARY

2. On the 30 May 2011 the Board received a request to resolve an issue concerning trees in Colman Reserve causing shading, in particular during the winter months.
3. As the two cedar trees were assessed as healthy, the request has therefore been referred back to the Community Board for a decision.
4. A public meeting held on 8 June 2010 revealed there was a consensus to have two trees removed and replaced with smaller growing deciduous trees. This is reflected in the staff recommendation.

FINANCIAL IMPLICATIONS

5. The cost to remove the two trees and replace them with PB95 (or equivalent) grade trees is estimated at \$2,065.98 which includes watering and maintenance for one year following planting.
6. The STEM (Standard Tree Evaluation Method) evaluation including the nuisance factor is 96 for the *Thuja* tree.
7. The STEM evaluation without the nuisance factor is 114 for the *Thuja* tree.
8. The STEM evaluation including the nuisance factor is 84 for the *Cedrus* tree.
9. The STEM evaluation without the nuisance factor is 96 for the *Cedrus* tree.
10. The STEM valuation including the nuisance factor is \$10,100 for the *Thuja* tree.
11. The STEM valuation without the nuisance factor is \$11,000 for the *Thuja* tree.
12. The STEM valuation including the nuisance factor is \$9,500 for the *Cedrus* tree.
13. The STEM valuation without the nuisance factor is \$10,100 for the *Cedrus* tree.
14. The nuisance factor is a consideration of the negative effects of a large evergreen tree located on a northern aspect to and in relatively close proximity to a residential dwelling.
15. STEM 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?

16. 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 and Greenspace Unit tree maintenance budget for the removal of structurally sound and healthy tree that are not causing health and safety problems.

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17. Obtaining reimbursement from the applicant to remove and replace a structurally sound and healthy tree is consistent with the current LTCCP.

LEGAL CONSIDERATIONS

18. 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 tree from any reserve or other property under the Manager's control".
19. 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 that are not causing other health and safety or infrastructure damage concerns are placed before the appropriate Community Board for a decision.
20. Under the delegations to Community Boards, the Board has the authority to "plant, maintain and remove tree on reserves, parks and roads" under the control of the Council within the policy set by the Council.
21. Protected trees can only be removed by a successful application under the Resource Management Act. The trees in question are not listed as protected under the provision of the Christchurch City Plan.
22. 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 tree identified as "heritage" or "notable" and the subdivision process protects other tree which are considered to be "significant". The highest degree of protection applies to heritage tree.
- (b) Because Christchurch is largely built on a flat plain, tree 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 tree 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.

- (d) 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.

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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.

23. An application to prune or remove the tree may be made to the District Court under The Property Law Act 2007.
24. The District Court can order the pruning or removal of a tree under the Property Law Act 2007.
25. Any work carried out in relation to the trees is to be completed by a Council approved contractor.

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

26. Yes, as per above.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

27. LTCCP 2009-19.

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- (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.
28. 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.
 29. Retention of the trees is consistent with the Activity Management Plan provided the trees are structurally sound and healthy.
 30. Removal and replacement of the trees is consistent with the Activity Management Plan.
 31. 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?

32. Yes, as per above.

ALIGNMENT WITH STRATEGIES

33. 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.
34. There is currently no policy for the pruning or removing of tree in public places.

Do the recommendations align with the Council's strategies?

35. Yes, as per above.

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CONSULTATION FULFILMENT

36. A public meeting was held in the reserve on Saturday 15 October 2011, with members from the Community Board and local residents to discuss the residents' request to remove the three cedar trees along with other tree maintenance proposals.
37. The consensus from the meeting was to make amendment to the request to remove three trees and revise to only two. These are identified on the plan (refer **Attachment 1**) and photographs (refer **Attachment 2**) and are:
 - *Thuja plicata* (western red cedar) Tree ID No. 110733
 - *Cedrus deodar* (Atlantic cedar) Tree ID No. 110735
38. Note, as the resident from number 8 Impala Place was absent, a separate meeting was held to discuss the proposal and it was resolved not to remove the three trees adjacent to their property at this time.
39. Should the Community Board approve the removal and replacement of the two trees, an amended plan will be circulated as part of the Start Work Notice prior to commencement of works.

STAFF RECOMMENDATION

That the Board approve the removal of the two cedar trees on the north eastern boundary of 18 Gladson Avenue as identified in **Attachments 1 and 2** and replace them with two smaller, deciduous trees.

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BACKGROUND

40. Residents of 18 Gladson Avenue wrote to the Board to remove three large conifer (evergreen) trees on their north east boundary due to ongoing and adverse shading of their properties. The trees in question are three mature cedars located on the far south west boundary of the reserve. Previous requests have also been made by residents of number 22 Gladson Avenue.
41. Requests to remove the trees date back to 2004.
42. Staff and representatives from the Community Board met on the morning of 8 June 2011 to view the trees.
43. It was resolved at the site meeting to write up a plan for the trees in the park and invite residents to a site meeting to discuss the proposed plan.
44. All the trees in the park were surveyed and assessed over winter and a plan prepared to present to the Community Board and residents on Saturday 15 October 2011 (see Consultation Fulfilment).
45. Following this site meeting, the tree removal request was revised to only two of the trees.
46. Colman Reserve is a small local purpose reserve situated in a residential area of Upper Riccarton. Trees and shrub borders planted around the perimeters of the reserve provide added amenity to the reserve.
47. There are 52 trees located inside the reserve, predominantly exotic/deciduous with birch and oak/cherry as the most common species. The age/size range is mostly semi mature to mature trees, with medium sized being most common with only a few very large (15 metre plus) trees. The majority of trees are in average overall condition with only two trees noted for high priority work.
48. In December 2010 26 trees were pruned and ten trees removed due to their poor or declining condition. Ten spaces within the reserve have been identified for replacement tree planting.
49. The trees in question have been assessed as healthy and requiring routine maintenance only e.g. pruning to remove dead branches, diseased and defective branches and any minor canopy lifting/reduction where required. Any pruning of this nature is unlikely to satisfy the needs of the adjacent residents with regard to shading. Only significant pruning e.g. major height reduction/thinning would successfully alleviate the shading issue.

OPTIONS

50. Decline the request to remove the two cedar trees and continue to maintain them to internationally recognised and accepted arboricultural practices, standards and procedures.
51. Remove the two cedar trees and replace them with two smaller, deciduous trees.