

RICCARTON/WIGRAM COMMUNITY BOARD

**ENVIRONMENT COMMITTEE
AGENDA**

MONDAY 18 MAY 2009

AT 8.00AM

AT SOCKBURN SERVICE CENTRE

**IN THE BOARDROOM,
149 MAIN SOUTH ROAD, CHRISTCHURCH**

Community Board: Beth Dunn (Chairperson), Helen Broughton, Jimmy Chen, Judy Kirk,
Peter Laloli, Mike Mora and Bob Shearing.

Community Board Adviser

Liz Beaven

Telephone: 941-6501

Email: liz.beaven@ccc.govt.nz

PART A - MATTERS REQUIRING A COUNCIL DECISION

PART B - REPORTS FOR INFORMATION

PART C - DELEGATED DECISIONS

INDEX

	PAGE NO	CLAUSE	
PART B	2	1.	APOLOGIES
PART B	2	2.	DEPUTATIONS BY APPOINTMENT
		2.1	MR AND MRS KENT
		2.2	DR J SMALLEY
PART B	2	3.	CORRESPONDENCE
PART B	2	4.	BRIEFINGS
PART C	3	5.	RED OAK TREE REMOVAL OUTSIDE 1A LUDECKE PLACE
PART B	12	6.	ELECTED MEMBERS' INFORMATION EXCHANGE

We're on the Web!

www.ccc.govt.nz/Council/Agendas/

18. 5. 2009

- 2 -

1. APOLOGIES

2. DEPUTATIONS BY APPOINTMENT

Dr J Smalley (son of Mrs Smalley, resident of Ludecke Place) and Mr and Mrs Kent will discuss the removal of the Red Oak Tree in Ludecke Place.

3. CORRESPONDENCE

4. BRIEFINGS

5. RED OAK TREE REMOVAL OUTSIDE 1A LUDECKE PLACE

General Manager responsible:	General Manager, City Environment, DDI 941 8608
Officer responsible:	Transport and Greenspace Manager
Author:	Jonathan Hansen, Arborist and Tara Smith, Consultation Leader Greenspace

PURPOSE OF REPORT

1. The purpose of this report is to seek the Committee’s recommendation to the Board on whether to remove a Red Oak tree from outside 1A Ludecke Place in Upper Riccarton (**refer Attachment 1 and 2**).

EXECUTIVE SUMMARY

2. The Council has received ongoing feedback regarding the future of this tree. The issues revolve around the dropping of acorns and leaves from this tree, and concern over the risk of the tree falling onto the property at 1A Ludecke Place.
3. The tree has excellent form for its species and makes a significant contribution to the beauty and landscape of Ludecke Place.
4. An arboricultural assessment was carried out to evaluate the health, condition, value and hazard rating of the tree.
5. In summary there are currently no health and safety concerns associated with this tree which would warrant the Council to initiate its removal.
6. The Council does anticipate that there may be a number of management issues in the future in relation to the remaining trees in Ludecke Place. However, any further tree removals initiated by the Council would be in relation to health and safety or infrastructure damage.

FINANCIAL IMPLICATIONS

7. The cost to remove and replace the tree with a PB95 grade tree is estimated at \$1,968.27.
8. The valuation for the tree using STEM is \$9,400.
9. STEM (A Standard Tree Evaluation Method) is the New Zealand national arboricultural industry standard for evaluation and valuing amenity trees by assessing their condition and contribution to amenity along with other distinguishable attributes such as stature, historic or scientific significance. STEM is used as a valuation tool by other Councils such as Auckland, Tauranga, Lower Hutt and Wellington.

Do the Recommendations of this Report Align with 2006-16 LTCCP budgets?

10. Yes the recommendations align with the current LTCCP budgets. If the Community Board decides to have the tree removed and replanted funding would come from:

General Tree Maintenance budget - Tree Removal.
Street Tree Capital Replacement budget - Tree Replacement.

LEGAL CONSIDERATIONS

11. 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”.
12. While the Transport and Greenspace Manager has the delegation to remove the Red Oak tree 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.

5 Cont'd.

13. 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.
14. Protected street trees can only be removed by a successful application under the Resource Management Act. This tree is not listed as protected under the provision of the Christchurch City Plan.
15. Council has a responsibility under the Health and Safety in Employment Act 1992 to provide a healthy and safe environment. This extends to public spaces under its administration and ownership.
16. City Plan Volume 2 Section 14.3.2 Policy: “Garden City” Image Identity states:

“To acknowledge and promote the “Garden City” identity of the City by protecting, maintaining and extending planting which compliments this image”.
17. The District Court can order the pruning or removal of a tree under the Property Law Amendment Act 1975.
18. Any work carried out in relation to this Red Oak tree is to be completed by a Council approved contractor.

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

19. Yes, as per above.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

20. LTCCP 2006-16, Streets and Transport – page 151
 - City Development – By providing a well-designed, efficient transport system and attractive street landscapes.
21. 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.
22. Retention of the tree is consistent with the Activity Management Plan provided the tree is structurally sound and healthy.
23. Removal and replacement of the tree is consistent with the Activity Management Plan.
24. 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 2006-16 LTCCP?

25. Yes, as per above.

ALIGNMENT WITH STRATEGIES

26. Social Wellbeing Policy - Engage citizens and communities in decision making and policy implementation. Increase and maintain living standards sufficient to ensure everyone can participate in the life of the community and live lives they find fulfilling.
27. Removing and replacing the tree would be consistent with the Living Streets Strategy and the Biodiversity Strategy.

5 Cont'd.

28. Removing and replacing the tree would be consistent with the Christchurch Urban Design Vision.
29. Removing and replacing the tree would be in keeping with the Garden City Image as per the City Plan.
30. Removing and not replacing the tree would not be in keeping with the Garden City Image as per the City Plan Volume 2 Section 14.3.2.
31. 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?

32. Yes, as per above.

CONSULTATION FULFILMENT

33. The consultation on the potential removal of this tree was carried out in March 2009. A letter and a questionnaire were sent to 32 residents surrounding the area of the Red Oak tree. **(Refer Attachment 3).**
34. Residents were asked whether they support or do not support the removal of the Red Oak tree. We also asked residents to comment on the remaining trees in Ludecke Place to give us some insight into future maintenance issues for this street.
35. Twenty four submissions were received in reply. Fifteen (63 per cent) did not support the removal of the Red Oak tree, nine (37 per cent) did support the removal of the Red Oak tree. **(Refer Attachment 4).**
36. In summary those who did not support the removal of the tree liked the aesthetic value of the tree(s) and believe it is part of the appeal of living in this street. There were also concerns that if this tree is removed that more tree removal requests will follow. Those who did support the tree removal had concerns over the close proximity of the tree to the address at 1A Ludecke Place and the potential for the tree to blow over in strong winds.
37. In relation to the remaining trees in Ludecke Place there were five comments suggesting the trees are pruned or trimmed to keep them more manageable and to let more light into the street. Three comments suggested removing the forked trees only and five comments suggested no further maintenance at all.
38. Those who responded to the questionnaire were also advised of the decision making process and how they could be involved. **(Refer Attachment 5 and 6).**

STAFF RECOMMENDATION

That the Committee recommend to the Board not to remove the Red Oak tree outside 1A Ludecke Place. It is recommended that some light pruning of this and the other street trees in Ludecke Place occur to let more light into the street.

Images of tree outside 1A Ludecke Place:

1.



This photos illustrates the Red Oak tree outside the property of number 1A Ludecke Place.

2.



This illustrates the effect of the tree landscape when entering Ludecke Place.

2 March 2009

To the occupier

CHRISTCHURCH

Dear Sir/Madam

Ludecke Place – Red Oak Tree

The Christchurch City Council has received correspondence raising issues about the dropping of acorns from the Red Oak tree located outside 1A Ludecke Place, and a request has been made for its removal. This tree has excellent form for its species and there are currently no health and safety concerns associated with this tree which would warrant the Council to initiate its removal.

Part of the reporting process is therefore to gain feedback from local residents on the proposal of the possible removal of this red oak tree. This feedback is valuable to us in ascertaining the feeling of the local community prior to any decision being made.

If the majority of the residents support the removal of the tree, this information will make up part of the report to be presented to the Riccarton/Wigram Community Board, who have delegated authority to make the final decision. The above tree assessment will make up the other part of the report.

The Christchurch City Council would also appreciate your feedback on the remaining street trees in Ludecke Place, particularly with regard to their future maintenance.

Your feedback is very important to us so I would appreciate it if you could indicate your preferred option on the attached questionnaire and return it in the prepaid envelope by **Monday 16 March 2009**.

Should you have any questions or wish to discuss this proposal, please feel free to contact me at the Sockburn Service Centre, phone 941 6510.

Thank you for taking the time to fill out the questionnaire.

Yours sincerely



Tara Smith
Consultation Leader – Greenspace



REPLY FORM PROPOSED REMOVAL OF RED OAK TREE OUTSIDE 1A LUDECKE PLACE

I/we support the removal of the red oak tree

I/we do not support the removal of the red oak tree

Additional comments (including your feedback on the remaining trees in Ludecke Place)

.....
.....
.....
.....
.....
.....

NAME.....

ADDRESS.....

PHONE.....

THANK YOU FOR YOUR FEEDBACK
Please return by Monday 16 March 2009 to Tara Smith, Consultation Leader,
Sockburn Service Centre, PO Box 11 011, Sockburn, Christchurch

Privacy Act: The Capital Development Unit of the Christchurch City Council wishes to collect the personal information requested above for the purposes of communicating with you in regard to the development of open space. Providing this information is not compulsory. The information will be held by the Capital Development Unit and may be shared with other Council Units for the purpose of contacting you on related Council matters. You have the right to access and correct this information.

LUDECKE PLACE – PROPOSED RED OAK TREE REMOVAL Consultation Summary

The consultation on this project was carried out in March 2009 and sent to 32 residents around the immediate perimeter of the Red Oak tree outside 1A Ludecke Place. There was a 75% response rate with 24 questionnaires returned.

Submitters were asked whether they support or do not support the removal of the Red Oak tree. They were also asked to comment on the remaining trees in Ludecke Place.

Red Oak Tree Removal	Number of Responses	Percentage
<i>No – I DO NOT support the removal of the Red Oak tree</i>	15	63 %
<i>Yes – I do support the removal of the Red Oak tree</i>	9	37 %

While these figures indicate strong support for the Red Oak tree to remain, the following issues were also identified:

- That if the tree is removed it may encourage further requests for tree removals in this street.

“if this tree is removed it will be regarded as an opportunity to remove many others”

“if the tree is removed it could start the ball rolling for all wanted a tree removed for some years on”

“we do not want random street clearance of trees”.

- The trees are part of the appeal of living in this street.

“the trees in Ludecke Place look beautiful”

“with the arrival of autumn folk drive in the Cul-de-sak simply to view the lovely reds/browns/amber shades of beauty”

“it is the trees that provide this street with its essential character and their removal would greatly reduce the appeal of the neighbourhood”.

- Residents who support the removal of the tree are concerned with the location of this tree and the potential for a strong wind to blow it over.

“if this tree was blown over it would come straight thru my bedroom window”

“it is the largest of the red oaks and if blown over by a nor’west”

“there are some others that need removal due to too close to home”

- Trimming or pruning of the remaining trees in the street may help to bring more light into the street.

“I’d just say keep them well trimmed”

“pruning of the trees in the next few weeks would be a help and let more light into Ludecke Place”

“during the summer etc months sunlight is severely restricted”

19 March 2009

CHRISTCHURCH

Dear Sir/Madam

Red Oak Tree Removal Outside 1A Ludecke Place – Upper Riccarton

Thank you for responding to my questionnaire of 2 March 2009 regarding the removal of the Red Oak tree outside 1A Ludecke Place.

Results from the consultation were as follows:

- 32 households received the questionnaire
- 23 responded
- 14 were not in support of the removal of the tree
- 9 were in support of the removal of the tree

Both the consultation information and the arboricultural assessment has been included in the report which will be presented to the Riccarton/Wigram Community Board. The Community Board have delegated authority to then make a final decision on whether the tree will be removed or not.

The Riccarton/Wigram Community Board meeting will take place on Tuesday 5 May 2009, 5 pm at the Sockburn Service Centre (upstairs in boardroom), 149 Main South Road. This is a public meeting and you are more than welcome to attend.

Anyone wishing to speak at the meeting in relation to this report should contact the Community Board Advisor, Liz Beaven, on phone 941 6501, no later than Monday 27 April 2009 to request speaking rights.

Should you have any further enquiries please feel free to contact me at the Sockburn Service Centre on phone 941 6510.

Yours sincerely



Tara Smith
Consultation Leader – Greenspace

25 March 2009

CHRISTCHURCH

Dear Sir/Madam

Red Oak Tree Removal Outside 1A Ludecke Place – Upper Riccarton

I recently wrote to you with details of the Riccarton/Wigram Community Board meeting when a decision will be made on the future of the above tree. The report in relation to this tree will now be heard by the Riccarton/Wigram Environment Committee first. This committee will then make a recommendation to the Riccarton/Wigram Community Board who then have delegated authority to make a decision on the future of this tree. Details of the Riccarton/Wigram Environment Committee meeting are:

Monday 18 May 2009
8.00am
The Boardroom
Sockburn Service Centre
149 Main South Road

The next Riccarton/Wigram Community Board meeting after this Environment Committee Meeting where the decision on this tree will be made is Tuesday 16 June, 5pm, Sockburn Service Centre.

These meetings are both public meetings and you are more than welcome to attend. Anyone wishing to speak at either meeting (you are only able to speak at one of these meetings, not both) in relation to this report should contact the Community Board Advisor, Liz Beaven, on phone 941 6501, no later than Monday 11 May 2009 to request speaking rights.

Should you have any further enquiries please feel free to contact me at the Sockburn Service Centre on phone 941 6510.

Yours sincerely



Tara Smith
Consultation Leader – Greenspace

18. 5. 2009

- 12 -

6. ELECTED MEMBERS' INFORMATION EXCHANGE