

## 10. RISINGHOLME PARK - TREE REMOVAL REQUEST

<b>General Manager responsible:</b>	General Manager City Environment, DDI 941-8608
<b>Officer responsible:</b>	Unit Manager Transport & Greenspace
<b>Authors:</b>	Tony Armstrong, Parks Arborist, DDI 941- 8578 Ann Campbell, Consultation Leader, DDI 941-5111

### PURPOSE OF REPORT

1. The purpose of this report is to present a resident's request for the removal of a western red cedar tree (*Thuja plicata*) from Risingholme Park and to make recommendation for the Spreydon/Heathcote Community Board decision. It is also to present information on other requests (CSR) for trees within the park.

### EXECUTIVE SUMMARY

2. A request has been received from the resident at 173 Fifield Terrace, Opawa, for the removal of a large conifer tree (western red cedar) tree within Risingholme Park adjacent to their property.
3. The reasons given for the request are because of adverse shading to the property, being their garden all year and including the house during winter also. Previous requests by this resident for this tree have been received in 2002, 2006 and 2009.
4. An arboricultural assessment of the tree concludes that it is in good condition with typical form. There has been some pruning historically i.e. canopy lifting on the trunk and further (pruning) work is possible. This would be limited to further canopy lifting and removal of deadwood.
5. There are five other trees of this species recorded in Risingholme Park, notably at the entrance and another along this particular boundary. However, this tree is most visible from the entrance to the Community Centre building (see **Attachment 1**).
6. Since 2002 there has been sixty-two customer service requests (CSR) received and recorded by Council for Risingholme Park. These include the three for this tree by this resident. These (62) have all been actioned and closed with only this current issue pending a decision.
7. A capital programme project was initiated and implemented over the years 2004 to 2006. This identified and actioned priority tree removals and some replacement planting over this period. The project is no longer active for the current LTCCP.
8. The resident has expressed that they would be "willing to contribute to the costs of any work"
9. The recommendation is not to remove the tree based on its assessment as being a healthy tree and the public consultation being divided.

### FINANCIAL IMPLICATIONS

10. The cost to remove the tree and replace it with a PB95 grade tree is estimated at \$1,359.65 (including watering and maintenance for one year following planting).
11. The STEM evaluation including the nuisance factor is 96  
The STEM evaluation without the nuisance factor is 102  
  
The STEM valuation including the nuisance factor is \$9,000  
The STEM valuation without the nuisance factor is \$9,300

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

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

## LEGAL CONSIDERATIONS

13. The Greenspace Manager has the following delegation with respect to tree:
  - (a) “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”.
14. While the Transport and Greenspace Manager has the delegation to remove the tree, 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.
15. 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.
16. Protected trees can only be removed by a successful application under the Resource Management Act. The tree in question is not listed as protected under the provision of the Christchurch City Plan.
17. 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 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.

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.

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.**

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:

- Tree-lined streets and avenues.
- 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**

18. An application to prune or remove the tree may be made to the District Court under The Property Law Act 2007.
19. The District Court can order the pruning or removal of a tree under the Property Law Act 2007.
20. Any work carried out in relation to the western red cedar is to be completed by a Council approved contractor.

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

21. Yes, as per above.

#### **ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**

22. LTCCP 2009-19

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

- (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.
23. Retention of the tree is consistent with the Activity Management Plan provided the tree is structurally sound and healthy.
  24. Removal and replacement of the tree is consistent with the Activity Management Plan.
  25. 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?**

26. Yes, as per above.

#### **ALIGNMENT WITH STRATEGIES**

27. Removing and replacing the tree would be consistent with the following strategies:
  - (a) Christchurch City Council Biodiversity Strategy.
  - (b) Christchurch Urban Design Vision.
  - (c) Garden City Image as per the City Plan.
28. There is currently no policy for the pruning or removing of tree in public places. A Draft Tree Policy is being worked on.

#### **Do the recommendations align with the Council’s strategies?**

29. Yes, as per above.

## CONSULTATION FULFILMENT

30. In February/March 2010 a letter and a feedback form were delivered to ten properties adjacent to Risingholme Park in the vicinity of the tree, including the Risingholme Community Centre. This provided an opportunity for the community to indicate their preference along with any additional comments or feedback.
31. The consultation received five responses (a 50% response rate) and community feedback was divided (please refer to the full schedule of community feedback and project team responses attached to this report – **Attachment 2**) Note; the resident requesting the removal did not respond:
  - (a) two responded “I support the removal of the tree”.
  - (b) three responded “I support retaining the tree”.
32. As part of the consultation all residents were advised of when the staff report would be presented to the Spreydon/Heathcote Community Board for their decision. Details of the meeting date, time and venue were provided to enable residents to either attend or make a deputation to the Board prior to a decision being made. They were also advised of how they could access the report prior to the meeting.

## Arboricultural Assessment

33. Risingholme Park is listed as a Garden and Heritage park that lies in a predominantly residential area near the Heathcote River in Opawa. The Risingholme Community Centre exists within the park.
34. There are 235 trees listed in the park of which 25 are listed as protected in the City Plan. The vegetation in the reserve is mixed age and species. The landscape comprises specimen trees, shrub borders and beds, ornamental collections, native plant collection in the watercourse and open lawn areas. The predominant trees are the large exotic deciduous and evergreen species. There are five other western red cedar trees recorded in Risingholme Park, notably at the entrance and another along this particular boundary.
35. The tree which is subject of this report is situated to the north east of 173 Fifield Terrace in a shrub and tree border. Its location alongside the residential boundary contributes to the general amenity and landscape of the reserve by providing screening, shade and shelter.
36. The western red cedar is approximately ten metres in height with a canopy spread of approximately eight metres. It is a mature tree showing typical form and condition for a tree of such species and age. There is nothing apparent or abnormal which would warrant its removal for tree health and safety concerns.
37. There has been some pruning historically ie. canopy lifting on the trunk to clear property boundary and further (pruning) work is possible. This would be limited to further canopy lifting to ‘balance’ the canopy and removal of deadwood only.
38. The tree is not fully mature and could be expected to grow to perhaps twice its existing height.
39. Council has received three CSR (customer service requests) from the resident at this address relating to this tree. CSR 90116231 was received in September 2002 requesting pruning, CSR 90574991 in August 2006 once again requesting pruning and more recently in May 2009 requesting pruning or removal.

40. The current request (September 2009) has not been logged as a CSR but following a site inspection and meeting with the resident it was addressed as a letter to the local Community Board seeking a deputation to request removal. The matter is now reported to the Board for a decision.
41. Other CSR and work undertaken as part of capital renewals programme have not identified this tree as a specific concern and therefore a decision on this tree has not previously been considered,
42. If the decision is made to remove the western red cedar tree it would be appropriate to replace the tree with another species, and possibly to another location within the park. The resident states that they would be willing to contribute to the costs of any work.

### **Options**

43. Decline the request to remove the tree and continue to maintain the tree to internationally recognised and accepted arboricultural practices, standards and procedures.
44. Remove and replace the tree. Costs of \$1,359.65 are to be borne by the applicant. All work is to be carried out by an approved Council tree contractor.

### **STAFF RECOMMENDATION**

It is recommended that the Spreydon/Heathcote Community Board decline the request to remove the tree and continue to maintain the tree to internationally recognised and accepted arboricultural practices, standards and procedures.

### **CHAIRPERSONS' RECOMMENDATION**

For discussion.