

4. PROPOSED POLICY FOR TREES ON COUNCIL OWNED LAND

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

PURPOSE OF REPORT

1. The purpose of this report is seek adoption of the proposed Policy for Trees on Council Owned Land (**Attachment 1 - Clean Version, Attachment 2 – Tracked Change Version**), and make the necessary changes to the Council's register of delegations.

EXECUTIVE SUMMARY

2. On 25 March 2010 the amended proposed Tree Policy was adopted by the Council for consultation with Community Boards.

Consultation with all Community Boards has taken place and their comments are attached (**Attachment 3**). Comments included requests that the Tree Policy Working Party be reconvened to consider the comments from all Community Boards, this request was supported by the Board Chairpersons' Forum at its meeting of 23 July 2010 .

The Working Party met on 6 August 2010 to consider the Community Boards' comments. The Working Party consideration and staff recommendations and comments have been summarised and are attached (**Attachment 4**). This included renaming the Policy.

3. The need for this Policy arose because there is ambiguity in the Community Boards' and Transport and Greenspace Manger's delegations whereby both hold delegations for the planting and removal of trees. The proposed Policy for Trees on Council Owned Land (**Attachment 1**) removes that ambiguity by standardising existing practices, giving clear parameters over what decisions staff can make as well as greater clarity over when decisions are to be made by Community Boards, along with timely and pragmatic decisions for residents requesting tree removals.
4. The Transport and Greenspace Manager's delegation in Section 4 (Relevant Delegations) includes planning programmes for planting, maintenance and renewals along with planting of trees under Section 3.3, removal of trees under Section 3.4 and maintenance of trees under Section 3.7.

The Community Board delegations include anything outside the delegation of the Transport and Greenspace Manager, delegation for tree removals under Section 3.5, and a delegation under Sections 3.3 and 3.4 and 3.7 to review and either uphold the Transport and Greenspace Manager's decision or substitute its own decision where the issue has remained contentious and is unable to be resolved by the Transport and Greenspace Manager.

Where the proposed decision by a Community Board is not consistent with the Objectives of the Policy or the Long Term Council Community Plan, the matter is referred to Council for a decision.

To enable the proposed Policy for Trees on Council Owned Land to cover all Council owned land delegations for the Unit Managers of City Water and Waste, Recreation and Sports, Community Support, Libraries and Information and the Art Gallery Director have been included giving them delegated authority for the planning, planting, maintenance and removal of trees from any reserve or other property under their respective control.

It is recommended that a clause in the Relevant Delegations section be inserted to give the Chief Executive delegation to waive and reduce fees under the proposed Policy for Trees on Council Owned Land. By giving this delegation to the Chief Executive a more consistent, City wide approach to applying "user pays" is expected to be achieved.

Legal Services were asked to review the Delegation section of the proposed Policy for Trees on Council Owned Land. Following their review there have been word amendments made to the delegations. These amendments can be found in clause 46.

5. The proposed Policy for Trees on Council Owned Land incorporating recommended changes is attached (**Attachment 1**). Updated process maps for removals, maintenance and planting are attached (**Attachment 5**).

The recommendation is to adopt the proposed Policy for Trees on Council Owned Land and make the necessary changes to the Council's register of delegations.

FINANCIAL IMPLICATIONS

6. Adoption of the proposed Policy for Trees on Council Owned Land is not expected to have significant effects on operational or capital budgets.
7. The proposed Policy for Trees on Council Owned Land contains a "user pays" process for some tree planting (3.3.1 Commemorative Trees), some tree pruning (3.7 Pruning Trees in Public Spaces) and some tree removals (3.4 Removal of Trees in Public Spaces, 3.5 Requests to Remove Trees in Public Spaces, 3.6 Cost of Removal of Trees in Public Spaces). This involves the actual cost to complete the work and the cost incurred in gathering sufficient information for Community Boards to make an informed decision.
8. The proposed Policy for Trees on Council Owned Land also proposes that for some tree removals that applicants pay for the value of the tree (3.6 Cost of Removal of Trees in Public Spaces). The value of the tree is based on the Standard Tree Evaluation Method (STEM) which is the nationally recognised system for evaluating and valuing trees (see "Definitions" in proposed Policy for Trees on Council Owned Land (**Attachment 1**)).

It is recommended that a limit to the maximum amount of money charged for the value of the tree is introduced. This limit is based on the age of the tree as follows:

0-5 yrs	\$0
6-10 yrs	\$5,000
11-20 yrs	\$10,000
21-50 yrs	\$20,000
51+ yrs	\$50,000

9. "User pays" (for the cost to remove and replace trees) is an existing practice albeit inconsistently applied by Community Boards across the City. The inclusion of cost recovery for work undertaken to obtain a decision from Community Boards (i.e. the cost of consultation, specialist reports, staff time) and "user pays" for some pruning are new concepts.
10. The "user pays" system is incorporated into the Council's Fees and Charges Schedule under Section 12 Local Government Act 2002 but is dependant on the adoption of the "user pays" part of this proposed Policy.
11. It is recommended that a clause in the Relevant Delegations section be inserted to give the Chief Executive delegation to waive and reduce fees under the proposed Policy for Trees on Council Owned Land. By giving this delegation to the Chief Executive a more consistent, City wide approach to applying "user pays" is expected to be achieved.

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

12. The recommendations align with the current LTCCP budgets.

LEGAL CONSIDERATIONS

13. Alignment with 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

14. The following Council Policies will need 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

15. At present there is no specific delegation to waive or reduce fees applicable to this proposed Policy. It is suggested that the appropriate delegation be set under the Delegations section of the proposed Policy for Trees on Council Owned Land.

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

- 16. The Council has the legal right to adopt the proposed Policy for Trees on Council Owned Land.
- 17. Irrespective of Council Policies and Strategies the District Court can order the pruning or removal of trees under The Property Law Act 2007.
- 18. Irrespective of Council Policies and Strategies some pruning and removal of protected trees may require a Resource Consent be granted prior to work to being undertaken.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

- 19. Recommendation aligns with current LTCCP and Activity Management Plans.

Do the recommendations of this report support a level of service or project in the 2009-19 LTCCP?

- 20. Supports the following Levels of Service:
 - (a) 6.0 Neighbourhood Parks 6.06 Planted areas and trees.
 - (b) 6.1 Sports Parks 6.1.8 Maintain planted areas and trees.
 - (c) 6.2 Garden and Heritage Parks 6.2.9 Planted areas and trees.
 - (d) 6.3 Regional Parks 6.3.2 Protecting biodiversity values.

- (e) 6.4 Cemeteries 6.4.8 Maintain planted areas and trees.
- (f) 6.5 Waterways and Land Drainage 6.5.3 Cost of maintaining waterways and land drainage system.
- (g) 10.0 Road Network 10.0.11 Road landscaping and street trees.

21. Supports the Capital tree replacement programmes for street and park trees.

ALIGNMENT WITH STRATEGIES

22. There is currently no overarching city wide policy for vegetation management. In the Memorandum from the Tree Policy Working Party it is suggested that funding for the commencement of a City wide policy be included for consideration in the next LTCCP.
23. The proposed Policy for Trees on Council Owned Land aligns with the following Strategies:
- (a) New Zealand Biodiversity Strategy.
 - (b) Christchurch City Council Biodiversity Strategy 2008-2035.
24. The proposed Policy for Trees on Council Owned Land aligns with Council Policies:
- (a) Traffic Calming Policy.
 - (b) Sponsorship of Trees and Other Plantings on Reserves.
 - (c) Proposed Central City Street Tree Plan.
 - (d) Central City Streetscape Plan.
 - (e) Consultation Policy.
 - (f) Seeking Community Views Policy.
 - (g) Residents' Association – Formation and Recognition Policy.
25. The proposed Policy for Trees on Council Owned Land aligns with the following sections of the Christchurch City Plan:

Volume 2: Section 4 City Identity

- (a) 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 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.

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.

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.

- (b) 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:

- (i) Tree-lined streets and avenues.
 - (ii) Parks and developed areas of open space.
- (c) 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.

- (a) 14.3.5. Street Trees

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.

CONSULTATION FULFILMENT

26. All eight Community Boards appointed representatives to the Tree Policy Working Party to ensure their Ward’s views and concerns were represented.
27. On 16 October 2009 the Combined Community Board Chairpersons’ Forum recommended that the original first draft of the proposed Tree Policy be presented to the Council for adoption.

The Council was consulted in a workshop in February 2010 and further amendments including changes to delegations were made. These were incorporated into the report to Council in March 2010. Council asked for this later version of the policy for be subject to formal consultation with all Community Boards.

28. Eight Community Boards have had seminars with seven Community Boards providing comments on the proposed Policy by way of Resolution. The Shirley/Papanui Community Board held their Board meeting on 18 August 2010 and their comments are not by way of Resolution.
29. The Working Party met again on 6 August 2010 and made recommendations and further comment on each of the Community Board comments (including the comments from the Shirley/Papanui Community Board seminar).
30. No public consultation has been undertaken as this document is intended for internal use.

STAFF RECOMMENDATIONS

- (a) That the Council rescind the following policies:
- (i) Tree Planting in Streets Policy
 - (ii) Banks Peninsula District Council Tree and Vegetation Policy Resolutions 98/178 and 97/404
 - (iii) Banks Peninsula District Council Tree Trimmings (Private Plantings) Policy Resolution 94/636

- (iv) Banks Peninsula District Council Tree Planting on Reserves Policy Resolution 99/236
 - (v) Banks Peninsula District Council Wildling Trees – Removal from Road Reserve Resolution 98/178.
- (b) That the Council rescind the following delegations:
- (i) Greenspace Manager:

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. (CR 23.10.96)
 - (ii) Community Boards:

To plant, maintain and remove trees on reserves, parks and roads under the control of the Council within the policy set by the Council. (CR 13.12.07)
- (c) That the Policy for Trees on Council Owned Land, as attached (**Attachment 1**), be adopted.
- (d) That the delegations documented within the Policy for Trees on Council Owned Land be enacted and included within the Council's Register of Delegations.

BACKGROUND

31. On 12 June 2008 a workshop was held to discuss potential changes to the tree delegations. Currently delegations are:
- (a) Greenspace Manager:

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. (CR 23.10.96)
 - (b) Community Boards:

To plant, maintain and remove trees on reserves, parks and roads under the control of the Council within the policy set by the Council. (CR 13.12.07)
32. Changes were suggested to enable:
- (a) Clear parameters governing the decisions staff can make.
 - (b) Greater clarity over when decisions are to be made by Community Boards.
 - (c) Timely and pragmatic decisions for residents requesting tree removals.
33. As a result of this meeting a Memorandum was issued to the Mayor, Councillors and Community Board Members on 1 August 2008 outlining the current tree delegations for the Community Boards and the Greenspace Manager, suggesting changes to the delegations, the reasons why the changes were being suggested and safe guards.
34. On 29 September 2008 a further workshop was held providing an outline of issues faced by the arborists. These included:
- (a) Removal, replacement, removing otherwise healthy trees
 - (b) Pruning trees under power lines causing disfigurement to the tree
 - (c) Removing trees which are overcrowded
 - (d) Removing trees of poor shape
 - (e) Removing trees which pose a health and safety risk
35. Proposals to clarify staff delegations were mainly around tree removal and tree planting. Some guidelines around staff decisions on tree removal and planting were suggested. These included the significance of the tree to be removed and the agreement of affected parties. Guidelines around tree planting included aligning to strategies or plans or direction, maintaining design integrity (eg Living Streets), maintaining existing levels of service for provision of street and park trees, and agreement of affected parties.
36. On 13 October 2008 the Combined Community Board Chairpersons' forum requested that a working party made up of both staff and one nominated member from each Community Board be formed to work through issues relating to a tree policy.

37. The Working Party was made up of the following Community Board Members:

Paula Smith	Lyttleton/Mt Herbert (Chairperson)
Matt Morris	Shirley/Papanui (Deputy Chairperson)
Tim Carter	Hagley/Ferrymead
Mike Mora	Riccarton/Wigram
Val Carter	Fendalton/Waimairi
Stewart Miller	Akaroa/Wairewa
Linda Stewart	Burwood/Pegasus
Karolyn Potter	Spreydon/Heathcote
Tim Scandrett	Spreydon/Heathcote (proxy)

38. The following Terms of Reference were drawn up to guide the Working Party in its discussions:

- (a) Clarify understanding around proposed changes to the tree delegations
- (b) Clarify staff and Community Board roles in tree maintenance i.e. business as usual versus pruning for views or shade or light and cost recovery with pruning for views or shade or light
- (c) Clarify staff and Community Board roles in tree planting and removals and cost recovery with tree removal and replacement planting
- (d) Consider the application of Standard Tree Evaluation Method (STEM) in its application to tree maintenance and removal decision making
- (e) Recommend any changes to existing delegations or the implementation of a Tree Policy following on from discussions over the above.

39. During Working Party discussions matters that were outside of the scope were raised. These are detailed in a the attached Memorandum from the Working Party (**Attachment 6**).

40. The suggested changes to the proposed Tree Policy discussed at the Council workshop on 23 February 2010 were made and on 25 March 2010 the Council adopted the amended proposed Policy for consultation with the Community Boards.

41. Seminars were conducted with each Community Board prior to formal consideration at Community Board meetings on the dates indicated below:

Community Board	Seminar	Board Meeting
Spreydon/Heathcote	29 June 2010	29 June 2010
Burwood/Pegasus	28 June 2010	12 July 2010
Akaroa/Wairewa	29 June 2010	7 July 2010
Lyttelton/Mt Herbert	29 June 2010	13 July 2010
Fendalton/Waimairi	28 June 2010	13 July 2010
Riccarton/Wigram	14 July 2010	19 July 2010
Hagley/Ferrymead	14 July 2010	14 July 2010
Shirley/Papanui	4 August 2010	18 August 2010

42. A summary of Community Board comments/recommendations is below:

- (a) That the delegation where there is a disagreement between the Community Board and the Transport and Greenspace Manager the decision is referred to the Council be removed.
- (b) Definition of "Garden City" be included.
- (c) Inclusion of a "liveability" element.

- (d) Additional assessment factor to reflect local/community significance
- (e) Decisions to remove trees should not be based on an applicant's ability to pay
- (f) Provision for a waiver or reduction in fees.
- (g) More flexible approach to pruning and better selection of species when planting.
- (h) Provision of a mediation service for tree disputes between private land owners.
- (i) Removing the words "in consultation with the Transport and Greenspace Manager and, where appropriate, the relevant infrastructure Manager" from the Community Board delegation.
- (j) Retention of Community Boards' current delegation for planting.
- (k) Amendments to wording.
- (l) STEM value criteria of 100 points too high.
- (m) Policy should apply to all Council property including Metropolitan parks.
- (n) Decisions to remove trees should not be based on an applicant's ability to pay
- (o) Community Boards to use judgement and discretion on all delegated matters.
- (p) Community Boards consulted on all tree activity in ward.
- (q) Document to be an "operational framework" and not a Policy.
- (r) User pays delegation is given to Community Boards.
- (s) Resident groups consulted on all tree activities.
- (t) Clarification to applicants that user pays includes the cost of preparing information for the Community Board.
- (u) Change to STEM criteria to include species.
- (v) Amendments to wording.

43. At the request of the Community Boards and the Community Board Chairpersons' Forum the Working Party reconvened on 6 August 2010 to consider and make recommendations/further comments on each of the Community Board comments (**Attachment 3**).

In summary, the Tree Policy Working Party agreed with the following:

- (a) Removing the clause "where there is a disagreement between the Community Board and the Transport and Greenspace Manager the decision is referred to the Council".
- (b) Additional assessment factor to reflect local/community significance.
- (c) Decisions to remove trees should not be based on an applicant's ability to pay.
- (d) Provision for a waiver or reduction in fees.
- (e) More flexible approach to pruning and better selection of species when planting.
- (f) Policy should apply to all Council property including Metropolitan parks.
- (g) Community Boards to use judgement and discretion on all delegated matters.

- (h) User pays delegation is given to Community Boards.
- (i) Clarification to applicants that user pays includes the cost of preparing information for the Community Board.
- (j) Some amendments to wording.

In summary, the Tree Policy Working Party disagreed with the following:

- (a) Definition of "Garden City" be included.
- (b) Inclusion of a "liveability" element.
- (c) Removing the words "in consultation with the Transport and Greenspace Manager and, where appropriate, the relevant infrastructure Manager" from the Community Board delegation.
- (d) Retention of Community Boards' current delegation for planting.
- (e) STEM value criteria of 100 points too high.
- (f) Document to be an "operational framework" and not a Policy.
- (g) Change to STEM criteria to include species.
- (h) Some amendments to wording.

In summary, the Tree Policy Working Party partially agreed with the following:

- (a) Community Boards consulted on all tree activity in ward.
 - (b) Provision of a mediation service for tree disputes between private land owners.
 - (c) Resident groups consulted on all tree activities.
 - (d) Document to be an "operational framework" and not a Policy.
44. Staff have reviewed and made recommendations and, where appropriate, commented on the Community Board recommendations and comments (**Attachment 4**).
45. Recommended changes to the proposed Tree Policy as a result of the Community Board consultation can be found in tracked changes in the attached Policy for Trees on Council Owned Land (**Attachment 2**).

KEY CHANGES ARE:

46. **Section 4: Relevant Delegations:-**

- (a) The Transport and Greenspace Manager on the recommendation of the City Arborist, and where appropriate the relevant infrastructure Manager, has delegated authority for the tree planning programmes for planting, maintenance and renewals, the planting of trees under Section 3.3, the removal of trees under Section 3.4, and the pruning of trees under Section 3.7 of this policy.
- (b) The relevant Community Board has delegated authority, in consultation with the Transport and Greenspace Manager and, where appropriate, the relevant infrastructure Manager, to decide on any tree matter that falls outside of the Transport and Greenspace Manager's delegations, including the powers given to the Community Boards in Section 3.5 of this Policy.

- (c) The relevant Community Board is also delegated authority to review a decision of the Transport and Greenspace Manager under Sections 3.3, 3.4, or 3.7 of this Policy, and either uphold the Transport and Greenspace Manager's decision or substitute its own decision where, after consultation with the affected parties, the issue has remained contentious and is unable to be resolved by the Transport and Greenspace Manager.
- (d) Where the proposed decision of the relevant Community Board is not consistent with the Objectives of this Policy or the Long Term Council Community Plan, the matter must be referred to the Council for a decision
- (e) The Unit Managers of City Water and Waste, Recreation and Sports, Community Support, and Libraries and Information and the Art Gallery Director have delegated authority to authorise the planning, planting, maintenance and removal of trees from any reserve or other property under that Manager's control.
- (f) In an emergency situation, the Transport and Greenspace Manager or the City Arborist are delegated all powers of the Council to negate immediate danger to life or property. The Transport and Greenspace Manager or the City Arborist are delegated authority to determine whether a situation has become an emergency.
- (g) The Chief Executive has the delegated authority to waive and reduce fees and charges applicable under Sections 3.4, 3.6 and 3.7 of this Policy

47. **Change title of document** to read - "Policy for Trees on Council Owned Land"

48. **1. Introduction**

Second paragraph, third sentence to read – "Trees support the environment through releasing oxygen, removing carbon gases 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."

49. **2.2. Objectives**

- (a) Change numbering to run sequentially (two "h"s)
- (b) Paragraph (i) to read – "To create and enhance wildlife habitat and ecological values including food trees for native birds"
- (c) Paragraph (n) to read – "To provide public education on tree planning, tree planting, tree maintenance, tree removal and tree protection"

50. **3.1. Tree Management**

Paragraph (a) to read - "Enhancing and protecting the surrounding environment and safeguarding biodiversity"

51. **3.3. Planning and Planting of Trees in Public Spaces**

- (a) Change priorities and wording in (f) under 1 New Street Tree Planting to read –
 - (i) CBD (inside four Avenues)
 - (ii) Kerb and channel upgrades
 - (iii) Roads in urban communities where there are few street trees
 - (iv) Arterial roads, including gateways to Christchurch
 - (v) Collector roads before road landscape upgrading

(vi) Local roads by request.

- (b) Paragraph (a) under 2 Replacement Street Tree Planting to read – “Trees that are or will be severely disfigured through electrical line clearance”
- (c) Delete - “All trees must be appropriate in size for their intended position and purpose. Designs for new tree planting will be based on:”
- (d) Insert – “Designs for new tree planting must be appropriate in size for their intended positions and purpose and will be based on:”

52. **3.3.1. Commemorative Trees**

Paragraph 4 to read – “For trees commemorating visits by royalty, heads of state and other dignitaries or for special occasions (as determined by the Council) the Council will use either the Botanic Gardens, Mona Vale or the banks of the Avon River within the Central City or other appropriate areas.”

53. **3.3.2. Planting in Banks Peninsula**

Delete (e) “where appropriate, use locally sourced indigenous plant species for its own new projects”

54. **3.4. Removal of Trees in Public Spaces**

- (a) Paragraph (g) to read – “where the tree has been assessed as having poor structural branch form and shape which cannot be rectified by remedial works”
- (b) Paragraph (i) to read – “where the loss of the tree would have only a minor detrimental effect on the public treescape”
- (c) Paragraph (k) to read - “any tree listed in the Canterbury Regional Pest Management Strategy 2005-2015 plus amendments. Control of roadside pest trees that are listed in the Canterbury Regional Pest Management Strategy 2005-2015 in Banks Peninsula remain the responsibility of the adjacent land owner”
- (d) Paragraph (l) to read – “any tree planted without Council approval”
- (e) Paragraph (m) to read - “any wilding tree that constitutes a nuisance and is not listed as a threatened or endangered species either locally or nationally or internationally.”

55. **3.5. Requests to Remove Trees in Public Spaces**

Paragraph (k) insert – “(iv) including tree(s) of value and meaning to the community’.

56. **3.6. Cost of Removal of Trees in Public Spaces**

- (a) First paragraph (a) to read –

“The value of the tree (as determined by the City Arborist using STEM) up to the following maximum values –

0-5 yrs	\$0
6-10 yrs	\$5,000
11-20 yrs	\$10,000
21-50yrs	\$20,000
51+ yrs	\$50,000

- (b) First paragraph (b) to read – “The actual costs to the Council of removal and replacement of the tree”.

- (c) Delete “The value of the tree is to be determined by the City Arborist using STEM”.
- (d) Insert - “Full or partial remission of the application fee or other costs, on the grounds of hardship or any other consideration will be considered.”

57. **3.7. Pruning Trees in Public Spaces**

- (a) Paragraph 4 to read – “The actual costs to Council of pruning must be borne by the applicant(s) if the request to prune exceeds normal maintenance pruning (e.g. removal of lower branches for safe vehicular and pedestrian access, removal of dead and dying and diseased branches, overhead services line clearance) as determined by the City Arborist.”
- (b) Insert - “Full or partial remission of the application fee or other costs, on the grounds of hardship or any other consideration will be considered.”

58. **6. Definitions**

- (a) Affected Community table - delete “<” and insert “approximate maximum”
- (b) Affected Community table: Local Park - delete “key stakeholders eg sports groups, lessees”
- (c) Affected Community (a) - delete “significant” and insert “important”
- (d) Insert “Minor detrimental effect is where the STEM evaluation conducted by the City Arborist is less than 100 points; 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; and all affected parties who make submissions on the removal of the tree agree to the tree’s removal”
- (e) Publicly owned land to read – “Council owned land for the purposes of this Policy are roads either formed or unformed and parks and reserves and any other land owned by the Council on behalf of the community”
- (f) Street Trees to read – “Street trees are trees located within the road boundary of either formed or unformed public roads”.