

Planning and Development Committee Agenda

Date: Thursday, 19 April, 2018

Time: 9:00 am

Location: Council Chamber
Forum North, Rust Avenue
Whangarei

Elected Members: Her Worship the Mayor Sheryl Mai
(Chairperson)

Cr Stu Bell

Cr Gavin Benney

Cr Crichton Christie

Cr Vince Cocurullo

Cr Tricia Cutforth

Cr Shelley Deeming

Cr Sue Glen

Cr Phil Halse

Cr Cherry Hermon

Cr Greg Innes

Cr Greg Martin

Cr Sharon Morgan

Cr Anna Murphy

For any queries regarding this meeting please contact
the Whangarei District Council on (09) 430-4200.

1. Declarations of Interest	
2. Apologies	
3. Confirmation of Minutes of Previous Planning and Development Committee Meeting	
3.1 Minutes Planning and Development Committee meeting 15 March 2018	5
4. Decision Reports	
4.1 PC129 NPT Notable and Public Trees - Notification	9
4.2 RMA Consents - New Road Name - Evo Land Ltd	197
4.3 RMA Consents - New Road Name - Blue Moon Limited	203
5. Information Reports	
5.1 Capital Projects Report for the month ending 28 February 2018	209
5.2 Planning and Development and Strategy and Democracy Operational Report	213
6. Public Excluded Business	
7. Closure of Meeting	

Planning and Development Committee – Terms of Reference

Membership

Chairperson: Councillor G C Innes

Members: Her Worship the Mayor Sheryl Mai
Councillors Stu Bell, Gavin Benney, Crichton Christie, Vince Cocurullo, Tricia Cutforth, Shelley Deeming, Sue Glen, Phil Halse, Cherry Hermon, Greg Martin, Sharon Morgan, Anna Murphy

Meetings: Monthly

Quorum: 7

Purpose

To oversee planning, monitoring and enforcement activities, and guide the economic and physical development and growth of Whangarei District.

Key responsibilities include:

- Regulatory / Compliance
 - Environmental health
 - General bylaw administration
 - Animal (dog and stock control)
 - Hazardous Substances and New Organisms Control
 - Parking Enforcement (vehicles registrations and warrant of fitness)
 - Noise Control
 - Food Act
 - Landuse Consents
 - Building Act
- Building Control
 - Property Information and Land Information Memoranda
 - Consents and inspections
- Resource Consents
 - Subdivision, Land Use and Development Control
 - Development Contributions
- District Plan
 - Plan Changes
 - District Plan administration

- Strategic Planning
 - Futures planning
 - Urban design
- Economic Development
 - District Marketing/Promotions
 - Developer engagement
- Commercial Property
- Shared Services – investigate opportunities for Shared Services for recommendation to council.

Delegations

- (i) All powers necessary to perform the committee's responsibilities, including, but not limited to:
 - (a) approval of expenditure of less than \$5 million plus GST.
 - (b) approval of a submission to an external body
 - (c) establishment of working parties or steering groups.
 - (d) power to establish subcommittees and to delegate their powers to that subcommittee.
 - (e) the power to adopt the Special Consultative Procedure provided for in Section 83 to 88 of the LGA in respect of matters under its jurisdiction (this allows for setting of fees and bylaw making processes up to but not including adoption).
 - (f) the power to delegate any of its powers to any joint committee established for any relevant purpose under clause 32, Schedule 7 of the Local Government Act 2002

Planning and Development Committee Meeting Minutes

Date: Thursday, 15 March, 2018
Time: 9:00 a.m.
Location: Council Chamber
Forum North, Rust Avenue
Whangarei

In Attendance

Cr Greg Innes (Chairperson)
Her Worship the Mayor Sheryl Mai
Cr Stu Bell
Cr Gavin Benney
Cr Crichton Christie
Cr Vince Cocurullo
Cr Tricia Cutforth
Cr Shelley Deeming
Cr Sue Glen
Cr Cherry Hermon
Cr Greg Martin
Cr Sharon Morgan
Cr Anna Murphy

Not in Attendance

Cr Phil Halse

Scribe C Brindle (Senior Democracy Adviser)

1. Declarations of Interest

Item 5.1 – Operational Report – Cr Gavin Benney

2. Apologies

Cr Halse (absent on Council business) and Cr Deeming (lateness)

Moved By Cr Greg Innes

Seconded By Her Worship the Mayor

That the apologies be sustained.

Carried

Cr Halse requested that it is noted his absence is due to his representing Council at a meeting of the Kaipara Harbour Working Party.

.3. Confirmation of Minutes of Previous Planning and Development Committee Meeting

3.1 Minutes Planning and Development Committee meeting 15 February 2018

Moved By Cr Vince Cocurullo

Seconded By Cr Sue Glen

That the minutes of the Planning and Development Committee meeting held on Thursday 15 February 2018, having been circulated, be taken as read and now confirmed and adopted as a true and correct record of proceedings of that meeting.

Carried

4. Decision Reports

4.1 New Road Name - RMA Consents - Rock Solid Holdings Ltd

Moved By Cr Vince Cocurullo

Seconded By Cr Greg Martin

That the Planning and Development Committee approve the new public road off Provisional Drive to be named Torrey Pines Rise and the extension off Provisional Drive continue to be named as Provisional Drive.

Carried

4.2 New Road Name - RMA Consents - WFH Properties

Moved by Cr Vince Cocurullo

Seconded by Cr Tricia Cutforth

That the Planning and Development Committee approves the five new public roads, located within the new Subdivision at One Tree Point, to be named:

Public Road 1: Kahukaka Road

Public Road 2: Powhaitere Road

Public Road 3: Kaurinui Crescent

Public Road 4: Puroto Place

Public Road 5: Kapiakauri Road

Carried

5. Information Reports

5.1 Planning and Development and Strategy and Democracy Operational Report

Moved By Cr Greg Martin

Seconded By Cr Shelley Deeming

That the Planning and Development Committee notes the operational report for March 2018.

Carried

Cr Murphy requested her vote against be recorded.

Cr Benney declared an interest in regard to page 35 - Alcohol Licensing Compliance.

Cr Deeming joined the meeting at 9.14am during item 5.1.

6. Public Excluded Business

There was no business conducted in public excluded.

7. Closure of Meeting

The meeting concluded at 9.43 am

Confirmed this 19th day of April 2018

Councillor Greg Innes (Chairperson)

4.1 PC129 Notable and Public Trees (NPT) - Notification

Meeting: Planning and Development Committee
Date of meeting: 19 April 2018
Reporting officer: Melissa McGrath - District Plan Manager

1 Purpose

To adopt proposed Plan Change 129 Public and Notable Trees (NPT) for public notification.

2 Recommendations

That the Planning and Development Committee

- a) Adopt proposed Plan Change 129.
- b) Resolves to publicly notify proposed Plan Changes 129 pursuant to Clause 5 of the First Schedule to the Resource Management Act 1991.

3 Background

As part of the district plan rolling review, the provisions for heritage trees have been reviewed. Plan change provisions and section 32 evaluation were prepared in draft form, reviewed internally by Regulatory, Resource Consent and Infrastructure and Services Departments, legal counsel and opened to the public for feedback. Following workshops with the Planning and Development Committee and Te Karearea in June and July 2017.

Following advice received at these workshops, a six-week pre-notification consultation period was held from 22 September to 10 November 2017. Feedback from the pre-notification period has been detailed in the section 32 evaluation and taken into account in the preparation of the proposed PC129 provisions.

4 Discussion

PC129 proposes to replace the “Heritage Tree” provisions in chapters 14, 59 and Appendix 2 of the Operative Whangarei District Plan (WDP) with one district wide chapter titled ‘Notable and Public Trees (NPT)’ that relates to the protection of individual trees or groups of trees.

Both individually and collectively trees provide a significant contribution to the historical, ecological, cultural and amenity values of the District. Those specimens that exemplify these characteristics are identified as being “notable”.

Trees in road reserves, parks and reserves make the streetscape more appealing while improving pedestrian amenity and public health and provide important ecological functions. However, road reserves, parks and reserves facilitate a wide range of uses which can conflict with the presence of trees. As such Trees over a certain size in road reserves, parks and reserves are referred to throughout the proposed NPT chapter as “public trees”, with allowances made for necessary works.

The review of the ‘Heritage Tree’ provisions in the WDP has identified:

- Conflicts between trees and private land uses;
- Conflicts between maintenance and efficient operation of infrastructure and the call for protection of trees;
- Heritage trees have identified social, cultural and environmental values;
- The need to ensure that trees are considered in relation to future generations, and therefore identified and retained through future subdivision and development processes;
- The benefit associated with enabling trees on road reserves, parks and reserves to be efficiently managed in order to support the ongoing retention of this asset.

The recommended change from ‘Heritage Trees’ to ‘Notable and Public Trees’, recognises that a large number of trees afforded protection under these provisions are located on road reserves, parks and reserves and that those scheduled in the WDP are not necessarily scheduled for their heritage values, rather a range of more diverse values.

Pre-notification consultation has been undertaken on the PC129 provisions. This has resulted in specific feedback and in the engagement of an arborist to review scheduled trees at the request of landowners and adjoining properties. While the trees visited by the arborist are recommended to be retained in the schedule by Council’s arborist, it is acknowledged that submissions could seek to add or remove trees from the schedule following notification of PC129.

A full section 32 evaluation has been completed to confirm the appropriateness of draft PC129.

4.1 Options and Risks

Comprehensive section 32 evaluation has been prepared for PC129. Appropriate options for the plan change and potential risks have been evaluated as part of the section 32 evaluation.

4.2 Financial/budget considerations

The proposed plan change is programed as part of the district plan rolling review. The cost of processing this plan change through notification has been accommodated within the budget.

5 Significance and Engagement

5.1 Significance

The decisions or matters of this Agenda do not trigger the significance criteria outlined in Council’s Significance and Engagement Policy, and the public will be informed via the formal notification of the plan change.

5.2 Engagement

The draft plan change has been through a public consultation process from 22 September to 10 November 2017 including the following:

- Newspaper articles and news stories
- Letters sent to stakeholders and practitioners
- Letters sent to landowners with heritage trees identified on their properties and adjoining neighbouring landowners, so that they were aware of the draft plan change and could provide feedback on scheduled trees.
- Full drafts available on website
- 79 formal written comments received
- A number of informal phone conversations, customer meetings and consultation meetings.

The proposed plan change will be publicly notified for submission in accordance with the Resource Management Act 1991.

6 Attachment

1. Proposed Plan Change 129 Notable and Public Trees Section 32 Evaluation Report

Plan Change 129 – Notable and Public Trees

Section 32 Evaluation Report

March 2018

Final following Pre-notification consultation
Prepared for Whangarei District Council by Barker & Associates

B&A

Urban & Environmental

Executive Summary

Plan Change 129 (PC129) forms a component of the rolling review of the Operative Whangarei District Plan (WDP) which Council is required to undertake once every 10 years. PC129 *Notable and Public Trees (NPT)* is proposed to replace the *Heritage Tree* provisions in chapter 14, 59 and Appendix 2 of the Operative WDP that relate to the protection of individual trees or groups of trees.

Both individually and collectively trees provide a significant contribution to the historical, ecological, cultural and amenity values of the District. Those specimens that exemplify these characteristics are identified as being “notable”. Such trees are considered appropriate to maintain and protect, their ongoing benefits continuing to be appreciated in some cases over multiple generations. Public trees in road reserves, parks and reserves make the streetscape more appealing while improving pedestrian amenity and public health. Public trees also provide important ecological functions including providing habitat and food for wildlife, improving water and air quality, increasing stormwater infiltration, and preventing erosion.

The review of the ‘Heritage Tree’ provisions in the WDP has identified issues relating to conflicts between trees and private land uses, maintenance and efficient operation of infrastructure and the demand for protection of trees which have identified social, cultural and environmental values. The review has identified the need to ensure that trees are considered in relation to future generations, and therefore identified and retained through future subdivision and development processes. The benefit associated with enabling trees on road reserves, parks and reserves to be efficiently managed in order to support the ongoing retention of this asset has also been identified.

As a result, changes are proposed to the provisions to provide a more flexible and holistic approach to the management of these identified ‘notable and public’ trees, and to emphasise the need to consider and provide for trees through the future subdivision and development of land. PC129 also considers and recommends a change to the title of the chapter from ‘Heritage Trees’ to ‘Notable and Public Trees’, which recognises that a large number of trees afforded protection under these provisions are located on road reserves, parks and reserves and that those scheduled in the Plan are not necessarily scheduled for their heritage values rather a range of more diverse values.

Pre-notification consultation has been undertaken on the PC129 provisions. This has resulted in specific feedback and in the engagement of an arborist to review scheduled trees at the request of landowners and adjoining properties. While the trees visited by the arborist are recommended to be retained in the schedule, it is acknowledged that submissions could seek to add or remove trees from the schedule following notification of PC129.

This report details the comprehensive section 32 evaluation that has been undertaken to confirm the appropriateness of PC129. Section 32(1)(a) of the Resource Management Act 1991 (RMA) specifies examination of the extent to which the objectives of a plan change achieve the purpose of the RMA. In this instance the proposed provisions have been reviewed and considered in relation to the RMA, higher order plans and policy documents and the existing overarching objectives in the WDP. As a result, three new objectives are identified (in **Appendix B**) and have been assessed as being the most appropriate way to achieve the purpose of the RMA.

The proposed provisions attached as **Appendix B** have been detailed and compared against viable alternatives in terms of their costs, benefits, efficiency and effectiveness and risk in accordance with the relevant clauses of section 32 of the RMA. It is considered that the proposed provisions represent the most efficient and effective means of achieving the existing and proposed objectives, and for addressing the underlying resource management issues relating to the management of notable and public trees in the District.

Table of Contents

1.0	Introduction	4
1.1	Council's Rolling Review	4
1.2	Background – Notable Trees and Public Trees	4
1.3	Approach of Other Councils	11
1.4	Pre- Notification Consultation	12
2.0	Statutory Context	18
2.1	Resource Management Act 1991	18
3.0	National, Regional, District and other Policies and Plans	20
3.1	New Zealand Coastal Policy Statement.....	20
3.2	National Environmental Standard for Telecommunications Facilities.....	21
3.3	Northland Regional Policy Statement	21
3.4	Northland Regional Plans.....	21
3.5	Proposed Northland Regional Plan	21
4.0	WDP Objectives for Notable and Public Trees	22
4.1	Existing Objectives	22
4.2	Proposed Objectives	22
4.3	Part 2 of the RMA.....	23
4.4	New Zealand Coastal Policy Statement.....	25
4.5	Operative Northland Regional Policy Statement.....	26
4.6	Existing Overarching Objectives in the WDP	26
4.7	WDP Plan Changes	28
4.8	Whangarei District Council Public Places Bylaw 2014.....	28
4.9	Iwi Management Plans.....	28
4.10	Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016.....	29
4.11	Non-Statutory Council Strategies and Guidelines	29
4.12	Conclusion	32
5.0	Analysis of Efficiency and Effectiveness of Provisions (Policies and Rules)	32
5.1	Summary of Proposed Provisions.....	32
5.2	Efficiency and Effectiveness of Proposed Provisions	34
6.0	Summary and Conclusion.....	50
	Appendix A – WDP Heritage Tree Provisions.....	51
	Appendix B – Proposed Notable and Public Trees Provisions	52
	Appendix C – Consequential Changes to the WDP	53
	Appendix D – Comparative District Plan Analysis Table	54
	Appendix E – Pre-notification Consultation Letters	55
	Appendix F – Pre-notification Consultation – Draft Provisions	56
	Appendix G – Summary of Feedback from Pre-notification Consultation	57
	Appendix H – Peers Brown Miller: STEM Summary Spreadsheet	58
	Appendix I – Peers Brown Miller: Arboricultural Report – Summary of Findings	59

1.0 Introduction

1.1 Council's Rolling Review

1. The Operative Whangarei District Plan (WDP) became operative on 3 May 2007, however the Council had spent more than eight years formulating the WDP and therefore the data that the WDP was based upon is well over ten years old. Section 79 of the Resource Management Act ('the Act' or 'RMA') sets the Council requirement to review district plans. Whangarei District Council ('Council') must initiate a review of district plan provisions within a 10-year time period. To reflect this requirement a rolling review method has commenced. According to section 79(2) following a review of the provisions, should the local authority consider that the provisions require alteration, the local authority must undertake a plan change. Should the local authority consider that no alteration is required it still must publicly notify the provision as if it were a change.
2. A review of the WDP has identified issues with the complexity and accuracy of the Heritage Tree provisions in terms of how they are understood, applied, and how they may be effectively monitored.
3. The procedure for rolling review is outlined in Chapter 2 of the WDP, which sets the expectations for future Council and private plan change applications.

"Key Outcomes Sought:

- District Plan shall be streamlined and simplified.
 - Policy and rules shall direct consenting process to provide certainty.
 - Comprehensive policy and objectives shall reflect the sustainable management outcomes sought for the respective District Plan Environments and Policy Area.
 - District Plan shall address resource management matters only and will cross reference to other legislation as required.
 - Some methods shall only be utilised where expressly stated in the relevant Environment Rules Chapter."
4. To remedy some of the disjoints between (Operative) District Plan sections, a new structure has been adopted. The District Plan structure will evolve and chapter format will be adjusted through the rolling review to be more consistent with the manner in which the provisions are applied in practice (assessment of consent applications and enforcement of rules). District wide topics/matters will be contained within individual chapters to avoid repetition of methods throughout the District Plan.
 5. The rolling review provides an opportunity to include further objectives and policies on an Environment (zone) by Environment basis. A policy heavy approach to the District Plan has been introduced. The new structure provides opportunity for policy at a district wide, geographical, locality or neighbourhood context. The scope and degree of specification in the objectives and policies will be proportional to the level of context and relevance to ensure objectives and policies at each level do not overlap or contradict each other. In this instance, Plan Change 129 – Notable and Public Trees (PC129) seeks to replace the *Heritage Tree* provisions in chapter 14, 59 and Appendix 2 of the Operative Whangarei District Plan (WDP). PC129 will provide specific objectives and policies relating to the management of notable and public trees at a 'district wide' level and will incorporate the rules associated with this policy direction in one chapter in contrast to the piecemeal approach in the WDP which locates policies and rules across the different chapters as well as providing the schedule of heritage trees in an Appendix.

1.2 Background – Notable Trees and Public Trees

1.2.1 What are Notable Trees and Public Trees?

6. Trees provide a significant contribution to the historical, ecological, cultural and amenity values of the District. Notable Trees are those specimens that exemplify these characteristics, and the identification of these ensures that the trees can be maintained and protected, and their ongoing benefits continue to be appreciated.
7. Trees in road reserves, parks and reserves make the streetscape more appealing while improving pedestrian amenity and public health. These trees also provide an important environmental function in terms of storing carbon, providing habitat and food for wildlife, improving air quality and providing botanical and amenity values. Given the extent of public trees in the District, it is not feasible to specifically identify and assess all of these specimens. Rather, it is considered appropriate to provide general protection to public trees over a certain size. Road reserves, parks and reserves, facilitate a

wide range of uses, including network utilities which can conflict with the presence of trees. As such, the protection of trees in road reserves, parks and reserves needs to be balanced with these competing uses.

1.2.2 PC129 – Notable and Public Trees

8. The primary outcome of PC129 is a review of the objectives, policies and rules relating to Heritage Trees within the WDP (Chapters 14, 59 and Appendix 2). The protection of trees is also related to other matters within the WDP in terms of ecological areas, natural hazards, general amenity, sense of place and tangata whenua values. These related issues are considered in this review.
9. This review does not seek to undertake a re-classification of trees already listed as 'Heritage Trees' throughout the District. Nor has the review undertaken an assessment of any trees with the intention of adding these to a specified list. However, it is acknowledged that there is the potential for submissions to seek to add or remove trees from the schedule. This is discussed in further depth on Section 5.0 of this report.

1.2.3 WDP Approach

10. Provisions within the Operative Whangarei District Plan (WDP) relating to the protection of scheduled trees can be found within Chapters 14 and 59, and in Appendix 2 (see **Appendix A**). Chapter 14 *Heritage Trees* contains objectives and policies that relate to scheduled Heritage Trees, and also the criteria by which trees are classified for inclusion as Heritage Trees under Schedule 14A *Criteria for Heritage Tree Classification* (located in Chapter 14). This classification method is based upon the 'Standard Tree Evaluation Method' (STEMTM)¹, with trees scoring 100 points or greater meeting the required threshold to be included in the list in Appendix 2 referred to by the rules elsewhere in the WDP.
11. It is acknowledged that the schedule of heritage trees in the WDP is not exhaustive and there may be more specimens that meet the required threshold that have not been assessed.
12. As well as listing the scheduled 'Heritage Trees', Appendix 2 also identifies the protection of larger trees within a road reserve or 'reserve' administered by the council. The threshold for inclusion within this blanket protection is any tree greater than 6.0m in height or with a girth (measured 500mm above the ground) greater than 600mm.
13. The rules relating to the protection of the listed scheduled trees and public trees are contained within Chapter 59 *Heritage Trees Resource Area Rules*. Rules are included which control the trimming of trees, removal of trees, and activities undertaken near a Heritage Tree.
14. Destruction or removal of Heritage Trees requires Resource Consent to be sought as a discretionary activity. There are some allowances for the trimming of Heritage Trees as a permitted activity as follows, otherwise trimming is a discretionary activity:
 - a) It is the removal of dead, dying or diseased wood from the crown of the tree; or
 - b) It involves trimming by use of secateurs or loppers, (i.e. no handsaws or chainsaws) of branches less than 50.0mm in diameter, and
 - c) No more than one third of the foliage of the tree is removed in any 12 month period; and
 - d) Any work is undertaken by, or under the supervision of, a contractor approved by the New Zealand Arboricultural Association, who has advised the Parks Department of the Whangarei District Council in advance of the work to be carried out; or
 - e) The trimming is undertaken by the Whangarei District Council as an emergency work to safeguard life or property, or to restore power or communications' links.
 - f) The trimming is undertaken by a network utility operator in consultation with a contractor approved by the New Zealand Arboricultural Association, where branches are interfering with overhead wires or utility networks and trimming is required in order to maintain the security of an existing supply.
15. Under the Rule 59.2.3 in Chapter 59 of the WDP, if 'construction or alteration of any structure, excavation of land, or formation of new impervious surfaces' occur within the dripline of a Heritage Tree, Resource Consent must be sought as a restricted discretionary activity. Discretion is restricted to the following:

¹ Flook, R. 1996: A Standard Tree Evaluation Method, published by Ron Flook, Lower Hutt, New Zealand. Further detail regarding the STEMTM Evaluation System is provided below in heading 1.2.4.

- i. The public benefit or degree of necessity concerned;
 - ii. Any alternative methods which may be available to achieve the objectives of the application;
 - iii. The extent to which the tree or trees contribute to the neighbourhood;
 - iv. Whether the activity is likely, in the opinion of Council, to damage the tree or endanger its health.
16. While the trees identified in Appendix 2, and subject to the provisions in Chapters 14 and 59, are presently termed “Heritage Tree” in the WDP there is a note in the recently operative Historic Heritage Chapter of the WDP (Chapter HH) which highlights the distinction between items of historic heritage and trees that may be of significance predominantly for historic value. Chapter HH indicates that any consideration of trees of historical value are intended to fall solely within the specific provisions being promulgated in PC129.

1.2.4 STEM™ Evaluation System²

17. The STEM™ evaluation system is composed of three sections – Condition (Health), Amenity (Community Benefit) and Notability (Distinction).
18. Each of the three sections is further broken into additional categories against which tree trees are assessed and scored. The rationale behind the scoring of each category is explained in the publication titled STEM™ - A Standard Tree Evaluation Method, by Ron Flook. Below is an understanding of the STEM™ criteria prepared by Peers Brown Miller Arborists.

Condition (Health) (ref: pg's 17-21 STEM™ guidelines)

19. The criteria assessed in this section comprise of the following;
- Form
 - Occurrence
 - Vigour/ Vitality
 - Function (Usefulness) i.e. is the species a source of food for birdlife/ fauna/ invertebrates? Does it provide for roosting or nesting habitat for bird species? Does it perform a useful role in terms of wind modification, shading, screening and pollution/ toxin absorption?
 - Age
20. From an arboricultural perspective these criteria are not typically contentious. While form could be said to be in the eye of the beholder, assessment of this criterion is generally based on the physical and structural integrity of the canopy (i.e. extent of fractures, defects, pruning history etc) rather than whether it's a “nice looking” tree or not.
21. Occurrence, Vigour and Age are all evidential based assessments.
22. In terms of function, there has been an increase in documented evidence with regards to the roles trees play and their contribution to the urban forest. In the main this relates to moderation of adverse climatic effects, amelioration of wind, stormwater and pollutants, maintenance of ecological habitats and pathways and improved community health outcomes

Amenity (Community Benefit) (ref: pg's 23-27 STEM™ guidelines)

23. The criteria assessed in this section comprise of the following;
- Stature
 - Visibility
 - Proximity (to other trees)

² This section is taken and amended from section 4.0 of the Peers Brown Miller Arboricultural Report in **Appendix I.**

- Role i.e. how a particular scene or place would look without the tree; does it contribute to the setting?; does it lend serenity to an urban or rural space?; does it have an association with tradition?; is it attractive to fauna?
- Climatic Influence

24. Stature, Visibility and Proximity again are generally not contentious – all are measurement based. Historically, Role and Climatic Influence may have been scored lower. As with Function in the Condition section, there has been an increase in documented evidence with regards to the roles trees play and their contribution to the urban forest. In the main this relates to moderation of adverse climatic effects, amelioration of wind, stormwater and pollutants, maintenance of ecological habitats and pathways and improved community health outcomes.

1.2.5 History of Plan Provisions for Trees

25. Provisions in the WDP are largely unchanged from the original text of the Proposed District Plan as notified in September 1998 (PDP). The only notable difference being the note included at the end of the list in Appendix 2. Originally this note made reference to heritage trees being protected as per the Works and Services Tree Protection Policy, which was originally compiled in 1999 and known as the “Tree Policy”. The Tree Policy was drawn up to guide work on trees in public spaces.

26. A submission by the Department of Conservation (DoC) sought an amendment to the note to remove reference to the Tree Policy, ensuring instead that all trees meeting these criteria were afforded the same protection as any other listed tree under the District Plan and were subject to management through the resource consent process as opposed to the application of the “Tree Policy”. The note in Appendix 2 of the WDP read as follows:

“NOTE: Any tree greater than 6.0m in height or with a girth (measured 500mm above the ground) greater than 600mm located within a road reserve or reserve administered by the council is classified as a Heritage Tree.”

No further submissions from Utilities Companies nor Council's Roading Department were received in relation to this amendment, and it was carried into the WDP.

27. Boffa Miskell Consultancy had reviewed the provisions in the PDP a June 2004 report (also known as the “Tree Strategy”) on behalf of Council. The Tree Strategy was further supplemented by a “Tree Protection and Management Strategy” prepared by Conway Stewart in 2005. Following this review consideration was given to the protection of Pohutukawa and other listed native trees within the coastal area. This area, termed the ‘Coastal Tree Management Area’, extended from MHWS to a specified point inland.

28. The Draft Tree Strategy framework went to Council in December 2005, and the following was decided:

2.-1 That Council make a resolution on which type of tree protection should be afforded in the Coastal Environment:

2.1 Protection of Pohutukawa over a specified height and girth width; and

2.2 Protection of other Natives over a specified height and girth width.

3.-1 That tree protection in the **urban environment** consists of a voluntary mechanism utilizing the STEM™ criteria and Heritage Tree list in the District Plan;

4.-1 That tree protection rules in the **rural environment** are developed as part of the landscape project in areas identified as outstanding, visual amenity, natural character and heritage landscape areas, **and** that voluntary tree protection within the rural environment for individual trees through utilisation of the heritage tree list and STEM™ criteria **and/ or** through covenanting areas of bush;

5.-1 That the general vegetation clearance rules in the District Plan are retained for habitat protection, PNAP to be included in the District Plan once finalised;

6.-1 That additional criteria to the STEM™ **criteria** be inserted into the District Plan regarding the appropriateness of tree locations in regard to network utilities

7.-1 That an interim plan change is prepared in regard to trees **on Council and Road Reserve**

8.-1 That a **draft tree strategy document** is prepared and is to go out for targeted public consultation.

9.-1 That a policy of incentives is developed and included in any public consultation.

29. Draft Plan Change 56 – (PC56) Indigenous Tree Protection in the Coastal Environment sought to protect Pohutukawa and other specified native trees over a specific height and girth within the Coastal Environment. However, in August 2006 Council resolved not to proceed with the plan change.
30. In July 2007, the adoption of Draft Plan Change 44 (PC44) – Trees on Road Reserves (adopted June 2006) was rescinded, and staff directed to develop an internal best practice procedure for tree removal on Road Reserves. PC44 was then only to consist of removal of the note on trees in reserves (see above). This note was never removed and remains to date in the WDP.
31. In response to the rescinding of Draft PC44, Council Departments applied for and obtained a global resource consent (RC40898 and as amended by LU0840898.02) in 2008 that allows Council (and their authorised agents) to carry out maintenance work on heritage trees where they are greater than 6.0 metres in height and/or with a girth greater than 600 mm as measured 500 mm above the ground (provided that these heritage trees are not specifically listed in Appendix 2 of the WDP) which are located within a road reserve or reserve administered by the Council. This global consent expires in January 2020 and is considered vital to enable the efficient management of ‘public’ trees throughout the District.
32. A further review of tree provisions in 2010 considered the following:
 - The need for incentives for protection of trees.
 - In urban areas Council was to retain the STEM™ approach.
 - In rural (Countryside) areas to use the information from the Protected Natural Areas Programme (PNAPs).
 - In urban areas, the idea of ‘themed’ suburbs floated but not pursued.
 - Public and private land should be subject to guidelines as to what merits protection.
 - In coastal areas, the general approach floated for a plan change was to protect all pohutakawa trees within 100m-1.5km of the coast. Instead have the indigenous veg protection/natural hazards controls (protection in relation to MHWS).
33. Council also has an internal tree policy (policy 0073) that was originally developed in 1999, but was recently reviewed at a Council workshop in July 2015. The policy sets out long term objectives for the management of trees in with respect to their planting, pruning and removal. Council's Park Department have advised that this policy is not workable as:
 - The WDP provisions protect certain Heritage Trees on road reserves and reserves administered by Council. Policy 0073 is ultra vires as to give effect to the policy would contravene the District Plan and be unlawful.
 - There are major financial implications of Council giving effect to this policy and it represents a significant operational risk as Council does not have the resources to undertake the commitments of this policy
34. Since the review of policy 0073, no further progress has been made. Council Departments continue to rely on the global resource consent for maintenance work on heritage trees in road reserves or reserves administered by Council. Several heritage trees have also been removed by or retrospective resource consent.

1.2.6 Consultation with Council Staff

35. Council is responsible for administering the WDP provisions both in relation to the consideration of resource consent applications and also in relation to monitoring conditions of consent and ensuring compliance with the WDP provisions.
36. A review of the operative provisions has included workshops and interviews with the Policy, Resource Consents, Infrastructure and Services and Compliance departments at Council, and sought to identify:
 - How the Operative Heritage Tree provisions are being applied.
 - The number of resource consents involving these provisions, including the locations and types of activities triggering the provisions.

- Whether there has been an issue with the current consenting framework.
- Other mechanisms utilised by Council to protect trees?
- Compliance issues or complaints associated with existing scheduled trees and the unlawful removal of trees from private land.
- Monitoring of resource consents which required the removal of, trimming or works within the driplines of scheduled heritage trees.
- General feedback associated with the WDP provisions.

37. These workshops identified the following key feedback in relation to Council's administration of the existing heritage tree provisions in the WDP.

Infrastructure and Services Issues

38. There are over 17,000 trees in the road reserve that the Infrastructure and Services Department (I&S) are required to manage. This is a significant asset to manage. These trees are generally managed and reviewed on a 5-yearly basis. Trees in road reserves or Council reserves are protected by the general tree protection on page 12 of Appendix 2 which states:

“NOTE: Any tree greater than 6.0m in height or with a girth (measured 500mm above the ground) greater than 600mm located within a road reserve or reserve administered by the council is classified as a Heritage Tree.”

39. General feedback from the I&S team include:

- *Cost of Consents:* The Parks and Roading Departments highlighted that the general tree protection note in Appendix 2 required them to obtain consent for the removal of ‘Heritage Trees’ on Council reserves and road reserves. This is a cumbersome and costly process requiring the use of independent commissioners to avoid any perceived conflict of interest where another internal council department is the applicant. I&S staff would like to see a more efficient approach to managing trees in road reserves and Council administered road reserves that provides greater flexibility for works and removal while providing suitable protection to existing trees.
- *New Subdivisions:* Trees are not managed well when planted in new subdivisions. There is a clear conflict with Council's Environmental Engineering Standards 2010 (EES 2010) which seek to avoid street trees being planted in the road reserve where in proximity to underground services. As a result, it can be a case of one or the other with services being a key requirement to development.
- *Budget Issue:* Parks have a limited budget per annum to spend on tree maintenance for private property owners adjacent to parks and reserves. This fund is quickly depleted through the use of arborists to undertake the required works and the fund is identified as being inadequate to also address the resource consent costs. Tree removals and works are often required to achieve health and safety regulations, where the tree poses a risk to people and property.
- *Prevention of future conflicts:* The use of preventive measures was discussed and I&S identified that they do not have budget (or the ability to require that measures be put in place during the subdivision process) to put root barriers in place when locating new ‘public’ trees or street trees, therefore root intrusion into services or foundations on neighbouring sites can result as trees mature. I&S have also identified issues with scheduled trees on other properties impacting on services in road reserves.
- *Conflicting Interest:* Trees and road reserves can cause safety issues in terms of impeding sightlines for the road users or dropping leaves or other debris making footpaths hazardous. However, trees in the road reserve are valued for their contribution to amenity values, providing shade and shelter and separation between the road and adjoining properties.
- *Global Consent:* Council Departments have a global consent (RC40898 and as amended by LU0840898.02) that allows Council (and their authorised agents) to carry out maintenance work on heritage trees where they are greater than 6.0 metres in height and/or with a girth greater than 600 mm as measured 500 mm above the ground (provided that these heritage trees are

not specifically listed in Appendix 2 of the WDP) which are located within a road reserve or reserve administered by the Council. This global consent expires in January 2020 and is considered vital to enable the efficient management of 'public' trees throughout the District. The Parks Department would like to see provisions which enable the management and removal of pest plants in the road reserve and provide scope for the maintenance of trees.

- *Reserve Management Plans:* There are currently four reserve management plans covering, Kensington Park, Parihaka and Hatea River, William Fraser Memorial Park, and Pukenui Forest. The number of reserve management plans is limited because it tends to be time-consuming and costly to for Council to develop these. There are no immediate plans to complete additional reserve management plans for Council reserves, although it was acknowledged through the workshops that it would be useful to have plans that identified notable trees that were worthy of protection within Council's main reserves.
- *Policy 0073:* In the Parks Department's opinion, it is clear that this Policy needs to be reviewed urgently to align with the District Plan. In their view, the document is not workable and work is required to ensure that it does not attempt to supersede the District Plan.

General Council Staff Feedback

40. General feedback from Council staff included the following:

- *No Issue with STEM™ Scoring Approach:* generally, no issue was expressed with the STEM™ scoring approach and criteria currently utilised in the WDP.
- *Trees on Private Property:* this issue primarily relates to heritage trees on private property. Complaints about leaf litter, health and safety of overgrown, damaged or dying scheduled trees and their potential to damage people and property are reasonably frequently received by Council.
- *Tree Protection in Rural Areas:* There are no scheduled trees in rural areas. Tree protection is reliant on QEII or Conservation Covenants, and the environmental benefit approach to subdivisions.
- *Monitoring and Compliance:* Compliance and monitoring in the District is (as is the case in many Districts) primarily a 'reactionary' regime. Compliance investigations are generally triggered by a complaint, and monitoring visits are associated with resource consents, primarily where there is an applicable condition which requires a certain action be undertaken. The Monitoring and Compliance team also find it difficult to investigate and determine complaints relating to poisoning of or blatant damage to Scheduled trees, as evidence is required to determine who is responsible and who undertook the actions, which is often difficult to obtain.
- *Council Tree Policy:* Staff identified the need for a non-statutory strategy outside of the District Plan to set the direction in terms of new planting, incentives for retaining trees on private property and preference for different tree species.
- *Age of Current Trees:* Many of the currently scheduled trees are reaching maturity and new trees need to be listed in order to futureproof this asset for the District. There is a need to consider how mature trees are to be replaced and whether it is possible to include this in assessment criteria to enable this to be conditioned and accurately monitored.
- *Positive Maintenance:* New provisions need to provide for the ability to undertake positive maintenance of heritage trees without the need for consent.
- *Notification and Identification of Heritage Trees:* Currently scheduled heritage trees are highlighted by dots on planning maps and GIS maps. These are not necessarily accurate and may unintentionally affect multiple sites especially after subdivision approval.
- *Heritage Values:* The removal of trees in the 'extent of place' associated with heritage items/places is subject to the historic heritage provisions in Chapter HH. It was acknowledged that the STEM™ analysis undertaken for those trees currently included in the schedule at

Appendix 2 does not generally include an assessment of heritage values and the majority of trees are protected for their amenity or character values as identified in the STEM™ criteria, as such the title of 'heritage trees' associated with those listed in Appendix 2 is not considered to reflect the values held by the trees.

- *Amenity / Character Values:* Several trees are listed due to their botanical rarity, otherwise listings are reliant on other aspects of the STEM™ Scoring, largely character and amenity values. There needs to be more recognition for these values in the associated provisions.
- *Natural Hazards:* No clear issue was identified in relation to the removal of trees and vegetation in natural hazard areas, however it was acknowledged that indigenous vegetation is protected for slopes in coastal areas. Assessment criteria should acknowledge the consideration/relationship had between trees and vegetation and natural hazards, particularly land stability hazards.

1.3 Approach of Other Councils

41. There are multiple approaches to tree management being applied throughout New Zealand. A comparative analysis was undertaken of five different Councils' approaches to tree management. Far North District Council (FNDC), Kaipara District Council (KDC) and Auckland Council were used as a comparative study due to the close proximity to Whangarei. Thames Coromandel District Council (TCDC) and Queenstown Lakes District Council (QLDC) were also reviewed as examples nationally. A full overview of the district plan comparative analysis is provided in **Appendix D**.

1.3.1 Far North District Council

42. The Far North District Plan (Operative) schedules trees using the Rural New Zealand Institute of Horticulture (RNZIH) Tree Evaluation method. Assessment criteria includes, but is not limited to, size of tree, rarity of species, life expectancy, form and special features. Tree protection policies and rules are included in Chapter 12 Section 5 – Heritage. Policy direction seeks to protect notable trees except where it can be demonstrated that they pose a risk to people or property. Chapter 12 also includes provisions with regards to removal of indigenous vegetation. There are no specific rules relating to trees in either the Natural Hazards or Coastal chapters.
43. There are no provisions contained within the Plan relating to street trees or trees in reserves. FNDC have a 'Tree and Vegetation Guideline' (2008) which is implemented by their infrastructure arm. This document contains guidelines on the management of trees in parks, reserves and Council property, street trees and amenity planting and management of the road corridor. FNDC have advised that this document is due to be reviewed, however it will not be incorporated into the District Plan.

1.3.2 Kaipara District Council

44. The Kaipara District Plan (Operative 2013) schedules trees using the Standard Tree Evaluation Method (STEM™). Chapter 19 of the Plan provides the policy direction and rules relating to the management of notable trees throughout the District. The policies seek to protect notable trees, whilst recognising that notable trees can cause unreasonable hazard to people or buildings or can create unreasonable restriction on landowners' opportunities to provide for their social and economic well-being. Vegetation clearance rules are otherwise provided at zone level.
45. There are no provisions under the Kaipara District Plan relating to the protection of street trees.

1.3.3 Auckland Council

46. The Auckland Unitary Plan (Operative in Part 2016) schedules trees based on assessment criteria formulated based on STEM™, RNZIH Tree Evaluation Method (and Trees A-H system used in the UK. Assessment criteria includes, but is not limited to, special factors (standalone), negative factors and trees specific factors. The special factor criteria are standalone which means that if a tree or group of trees meets any one criterion then it is deemed notable. The tree specific criteria require a cumulative assessment. The Auckland Unitary Plan has a 'Notable Tree' overlay, under which it controls activities relating to notable trees. The notable tree overlay policies seek to protect and retain notable trees and groups of trees from inappropriate subdivision, use and development.
47. Street trees are managed through a separate Chapter, with the policies seeking to increase the number and quality of trees in roads, and recognizing that these trees contribute to cultural, amenity and landscape values. Activities are restricted with most works (excluding biosecurity tree works, dead wood removal and emergency works) requiring resource consent).

48. Provisions for the protection of trees in the Open Space Zone are also included in the Auckland Unitary Plan under another separate Chapter – Trees in Open Space zones. The provisions seek to encourage the ongoing maintenance of trees in Open Space zones to protect their cultural, amenity, landscape and ecological values. Activities are restricted with most works (excluding biosecurity tree works, dead wood removal and emergency works) requiring resource consent.

1.3.4 Thames Coromandel District Council

49. The Thames Coromandel District Plan (Appeals version³) schedules trees based on criteria set out in the District Plan which includes notable significance, botanical or scientific significance, historic heritage, cultural and spiritual significance, landmark and functional significance and amenity. Significant tree policy seeks to protect the health of significant trees by ensuring all works are carried out in accordance with best arboricultural practices. Removal or felling of trees is avoided except where there are health and safety risks. TCDC adopts a more permissive approach, to that of other Councils to works within the vicinity of protected trees whilst applying permitted activity standards. Vegetation clearance is otherwise controlled at zone level.
50. The Waikato Conservation Management Plan has a system of permissions and concessions for land use which the TCDC Plan defers to for works within the conservation zone. Council owned trees within public reserves and road berms are managed through the Tree Strategy 2002, which is implemented through a series of 'Tree Masterplans'.

1.3.5 Queenstown Lakes District Council

51. The Queenstown Lakes District Plan (proposed) schedules trees using the STEMTM methodology. The policies seek to protect scheduled trees from removal, inappropriate trimming and destruction whilst providing for works to or removal of trees in the instances of death or disease and where trees pose risk to people or property. Some activities are provided for as permitted activities, including minor trimming, maintenance, and removal of trees that are dead or diseased.
52. QLDC have also introduced provisions to protect trees in the Arrowtown area affording protection to trees within the road or public spaces in Arrowtown and to 'character' trees in the Arrowtown area. Character trees are considered to contribute to the character, amenity and historical status of Arrowtown however do not meet STEMTM criteria.

1.3.6 Comparative Summary

53. Different approaches to tree management have been identified across those Councils observed. In addition to district plans Councils rely on regional strategies, masterplans and guidelines, with some tree management falling to the responsibility of the operations, parks and infrastructure teams to implement.

1.4 Pre- Notification Consultation

1.4.1 WDC Planning Committee Workshop

54. The draft NPT provisions were presented to the WDC Planning Committee on 14 June 2017. Councillors and Council staff from various departments were presented with a summary of the research undertaken and initial draft provisions that had been developed for PC129.
55. Feedback from the Planning Committee Workshop included:
- There was agreement from the Elected Members to change to one chapter with the title Notable and Public Trees.
 - There was agreement from the Elected Members that there needed to be an appropriate balance between protection and health and safety.
 - STEMTM assessments should be made available to the public.
 - Comments regarding increasing the permitted girth for trimming and alteration from 50mm to 100mm branches.
 - Issues with the use of common names vs botanical names.
 - Ability to identify scheduled trees with metal plates.

³ Note that there are no provisions of Section 11 and 35 of the TCDC proposed plan which are under appeal and therefore can be treated as operative under s86F of the RMA.

- 4 weeks is not long enough for pre-notification consultation and it should be increased to 6 weeks to allow the general public to properly consider and make comment on the draft provisions and schedule of trees.

56. Particular regard has been given to the feedback from the Council Planning Committee. In particular, the following actions have been taken in response:

- A one chapter approach has been implemented in the recommended provisions. See discussion further on in this document.
- Amendments have been made and overall it is considered that the recommended provisions achieve an appropriate balance between protection and facilitating appropriate development and health and safety.
- STEM™ assessments were made available to the public during pre-notification consultation. See below for more details on this.
- The branch diameter was increased from 50mm to 100mm following consultation with Council's arborist in support of allowing more flexibility in this regard.
- A number of amendments were made to the tree schedule to correct in correct spelling or errors in the common name / botanical name prior to pre-notification consultation.
- The pre-notification period for the PC129 provisions was increased from 4 weeks to 6 weeks to allow greater consideration by the public.
- An arborist was engaged by Council to specifically visit and undertake revised STEM™ assessments in response to comments made by property owners and the general public during pre-notification consultation.

1.4.2 Te Kārearea Workshop

57. Following the workshop with the Planning Committee, a further workshop was held with Te Kārearea Strategic Forum at Council Chambers on 16 August 2017. Te Kārearea is a strategic partnership between the hapu of Whangarei and the Council. Committee members include Elected Representatives and representatives from local hapu.

58. Feedback from Te Karearea included:

- The primary feedback from Te Karearea and in particular the hapu representatives was the ability for Māori to schedule culturally significant trees or stands of trees on their ancestral lands. An example was given regarding the customary practice of returning whenua (placenta) to the whenua (land). In Māori, these terms are the same and represent the connection of Māori to the land where they belong. As such, in some cases stands of trees exist which contain the whenua of generations of whanau and provision should be made to protect these trees.
- The possibility of the chapter being renamed "Significant and Public Trees" rather than "Notable and Public Trees" as "significant" has more mana than "notable".
- Any criteria for scheduling culturally significant trees should be established by hapu and empower them to decide if a tree is culturally significant.
- Hapu representatives should be specifically given the opportunity to comment during pre-notification consultation period in light of the feedback given by Te Karearea.
- The pre-notification consultation period should be longer than 4 weeks to allow hapu to distribute the proposed provisions to marae and give them the opportunity to hold hui if required.

59. Particular regard has been given to the feedback from Te Karearea. In particular, the following actions have been undertaken in response:

- Letters (see **Appendix E**), including a feedback form, draft district plan text and STEM™ criteria were specifically sent to hapu representatives.

- During the workshop, it was highlighted that Council are concurrently preparing PC100 Sites of Significance to Māori plan change. This plan change was described as more appropriate for the identification and protection of tree(s) or groups of trees which should be protected for their cultural significance.
- Feedback from hapu during pre-notification consultation was specifically sought regarding the creation of separate culturally focused criteria for trees of significance for Māori.
- Feedback from hapu was specifically sought regarding amending the chapter title to “Significant and Public Trees.”

1.4.3 Distribution

60. The draft pre-notification consultation period commenced on 22nd September 2017 with the period for comments to be received closing on 10 November 2017.
61. Draft pre-notification provisions (see **Appendix F**) were distributed to a number of parties. This included the following actions:
 - Iwi and hapu representatives – sent draft provisions, comment form, STEM™ criteria list and were given a summary of the initial hapu comments from Te Karearea (see letter **Appendix E**).
 - Property owners with scheduled trees either on their property or on a property directly adjacent to their property – sent draft provisions, comment form, STEM™ criteria list and encouraged to provide comment (see letter **Appendix E**)
 - Local resource management practitioners, district plan holders and internal council departments: were sent draft provisions and were invited to make comment.
 - There was a release on Council's website providing the draft provisions and inviting public feedback within the pre-notification consultation timeframe.

1.4.4 Feedback Received

62. There was a good level of feedback received. In total, 79 unique feedback forms were returned. This is considerably more feedback than Council would typically receive for a plan change of this scale. Copies of full feedback forms are available on request from the Council.
63. A summary of the feedback is provided in **Appendix G**. This feedback has been grouped into the following topics:
 - Arborist Review Required;
 - Specific Changes requested;
 - General Comments and;
 - Other;
64. Comments made under these topics are discussed below and response provided to feedback where necessary.
65. No specific feedback was received from iwi and hapu representatives. As such, while comments were made during Te Karearea were made regarding potential additions or amendments (see heading 1.4.2), no clear direction or actions were identified and as such no changes have been made in response at this stage.

1.4.5 Arborist Review Required

66. The majority of the feedback received related to requests for specific trees to be removed or in limited cases added to the schedule of notable trees in NPT.1.9 because the given tree did not meet the STEM™ criteria for scheduling. Various reasons were given for these requests, but the key reasons include:
 - Health and safety – concerns expressed about the health of the tree and the potential damage that falling branches or trees could cause to people and property. Concerns about effects of roots were also expressed.

- Effect on development potential of the site – concerns expressed about the limitations that a scheduled tree put on the development of the site.
- Maintenance and upkeep costs – dissatisfaction expressed by property owners with trees in terms of the costs of maintaining scheduled trees.

67. During the Planning Committee workshop, Elected Representatives outlined their preference that an arborist be engaged to respond to requests from the public regarding the removal or addition of specific trees from the schedule in NPT.1.9. Accordingly, an arborist, Simon Miller from Peers Brown Miller, was engaged to review these specific requests and undertake site visits to assist revised STEM™ assessments as necessary.
68. A review of the comment forms that fell within this category was undertaken. In total 48 comment forms were identified as requiring input / review from Mr Miller. Some of these comment forms related to the same scheduled tree.
69. Mr Miller undertook site visits before Christmas 2017 from 11 – 14 December 2017. Prior to this, letters were sent to the property owners where the tree to be visited was located. This provided written notice of the intention of Mr Miller to undertake site visits and gave property owners the opportunity to select times when they were home to discuss the tree with Mr Miller.
70. Unfortunately, due to number of reasons (including inability to locate the tree, access the property or late submissions), Mr Miller did not make it to several trees that were on the list to be visited. This included the following trees.

Comment number	Name	Address	DP tree number
7	Badham G and Adam M	87 Fourth Avenue	225
29	Robbins B & G	21 Mair Street	518
44	Tomason H	110 Hatea Drive	
31	Hoogeveen J	27 Kauika Road	New tree
59	Laird L		New tree
79	Northland District Masonic Lodge	5 Waitawa Road	508

71. Parties whose trees were not visited, have been notified by Whangārei District Council and it is considered that these trees can be visited separately during the next round of arborist visits that will be required post notification.
72. Following the completion of his site visits, Mr Miller completed revised STEM™ assessments for the trees that he visited. A summary of the revised STEM™ assessments by Mr Miller is included in **Appendix H**. More detailed STEM™ assessment prepared by Mr Miller are available on request from Council. This is further supported by a report titled “Arboricultural Report – Summary of Findings” in **Appendix I**.
73. Mr Miller’s site visits and STEM™ assessments have not resulted in any of the identified trees falling below the required score of 100 to be listed as a scheduled tree in NPT.1.9. In fact, the majority of his assessments resulted in recommendations that the STEM™ scores of trees increase, with several scores decreasing and a new tree being added to the list. These changes to the STEM™ scores and details have been incorporated into the final version of the Proposed Provisions in **Appendix B**.

1.4.6 Specific Changes Requested

74. Several submissions focused on the content of the draft provisions and sought amendment or additional text. These are discussed below:

21 – Jaffurs W

75. Mr Jaffurs questioned the need for a qualified arborist to undertake tree trimming and sought to allow an owner to do occasional minor trimming including branches less than 25mm.

76. Mr Miller has provided specific comment regarding the tree trimming rules in section 5 and 5.1 of his summary report in **Appendix I**. Based on his recommendations, greater flexibility is provided in the proposed provisions for tree trimming or alteration. His expert opinion has been accepted and the proposed Provisions (**Appendix B**) have been amended to allow trimming and alteration of Notable and Public trees to be undertaken without an arborist and to a branch diameter of 100mm at severance.

22 -Landowners Coalition Inc

77. Landowners Coalition have sought a number of changes to the draft pre-notification consultation provisions (**Appendix F**).
78. NPT.1.5.1.b.i – sought to increase the maximum branch diameter from 100mm to 200mm. No evidence or reasons are given for this request. This change is not supported by Council's arborist Mr Miller who has recommended 100mm, therefore the change has not been proposed in **Appendix B**.
79. NPT.1.5.1.b.ii – sought increase from crown removal from 10% to 20%. Mr Miller has recommended a change in his Summary Report in **Appendix I** and therefore the change to "20% live growth" has been incorporated into NPT.1.5.1.b.ii.
80. NPT.1.5.d – sought to add "private land owner" for parties that can undertake emergency works. This change is not supported as no justification is provided.
81. NPT.1.5.e – sought change from five working days to three working days. This change is not supported as it is considered that five working days (e.g. one week) represents a reasonable timeframe through which to notify Council of the intention to undertake tree works.
82. NPT.1.5.f – add a new clause regarding vehicle sight lines for traffic safety. This change is not supported as it will give inappropriate scope to undertake tree works on notable trees that may endanger their long term health.
83. NPT.1.6.1 and 2 – sought change from 100m² to 200m² for a building platform. The 100m² building platform is standard and used in the District Plan at present. A change to 200m² is not supported or consistent with that approach.
84. NPT.1.7.1.b – sought removal of the term "cultural values." This change is not supported as it is inconsistent with the feedback received in Te Karearea regarding the cultural significance of certain scheduled trees and their association to certain moments, whanau or historic events.
85. NPT.1.7.1.c – sought clarification as to what is adequate mitigation. No change is requested for the provision. In response, this assessment criterion will require a case by case consideration under a discretionary activity resource consent application. No further changes are recommended to this criterion in response.
86. NPT.1.8 – general concern expressed regarding STEM™ criteria and scoring method. A detailed explanation of the STEM™ criteria and how it works is provided in section 1.2.4 of this report. STEM™ is widely used by other councils throughout New Zealand for scoring and scheduling notable trees. It provides a consistent measurement and comparison of trees that has been identified as best practice. Examples of STEM™ assessments have been undertaken by Mr Miller as part of his review of comments made during pre-notification consultation where a specific arborist review was required.
87. NPT.1.10.1 - seek increase of girth from 600mm to 1500mm. This change is not supported as the limits set in NPT.1.10 have been reviewed by Council's arborist and deemed to be consistent with best practice. The change sought has no such justification.
88. NPT.1.10.1.c – remove protection on edible fruit species. This change is not supported as the list provided in NPT.1.10 is consistent with the previous blanket consent and has been reviewed by Council's arborist as being appropriate.

067 – Transpower NZ Limited

89. Transpower have an interest in the NPT provisions as it plans, builds, maintains and operates New Zealand's National Grid. This includes a number of assets in Whangārei which are mapped in Appendix 1 of their submission form. Transpower have outlined that it is important from a health and safety

perspective that they are able to trim and clear any vegetation that could affect the safe operation, maintenance or upgrade of the National Grid. Transpower have provided 6 comments with regard to the pre-notification consultation NPT provisions (see **Appendix F**)

90. Comment 1 supports the definition of protected public tree within NPT.1.10. No changes to this definition have been proposed as a result of pre-notification consultation.
91. Comment 2 supports NPT.1.2.2. No changes to this provision have been proposed as a result of pre-notification consultation.
92. Comment 3 seeks changes to objective NPT.1.3.2 and NPT.1.3.3. It is agreed that the addition of the word “public” clarifies that objective NPT.1.3.2 relates to public trees which is defined in NPT.1.10. This change has been made in the final proposed provisions (see **Appendix B**). A change has been made to NPT.1.3.3 to include the term “existing and new” (see **Appendix B**). It is considered that this clarifies the objective and provides a clearer link to Policy NPT.1.4.3 which provides the policy direction as to how this objective is to be implemented
93. Comment 4 seeks an amendment to policy 2 to include the term “public” to clarify that the policy relates to public trees which is defined in NPT.1.10. This change is supported and has been made throughout the policy to improve clarification as to the applicability of the policy (see **Appendix B**). Clause d has also been added to the policy as requested by Transpower, albeit with the addition of the term “appropriate.”
94. Comment 5 seeks a number of amendments to NPT.1.5.4 which relate to the trimming and alteration of public trees. The clause “Compromising the safe and efficient operation, maintenance and upgrade” has been incorporated (see **Appendix B**), however some requests relating to the provision of access have not as it was considered that this allowance was too broad and open for interpretation in terms of what would constitute access.
95. Comment 6 seeks that NPT.1.7 be retained. No changes to this provision have been proposed as a result of pre-notification consultation.

070 – Northpower

96. Northpower generally support the draft pre-notification provisions but have sought the provision of a specific note / provision in NPT.1.5 as follows:

[11] Northpower proposes the following provision be considered in the draft provisions to accommodate severance and final tree work form as a note to the draft chapter:

- ***Note: In situations where utility operators or their contractor arborist:***
 - i. ***are unable to undertake the tree works in accordance with provisions that limit cut severance; and or***
 - ii. ***the utility operators or their contractor arborist deem the severance and cut form provisions are in consistent with the requirements of Electricity (Hazards from Trees) Regulations 2003;***

the utility operators or their contractor arborist will undertake the tree works as they determines as most appropriate for the health of the tree, protection of utility lines and the health and safety of the public.

97. While it is understood that the intent of this provision is to allow greater flexibility to undertake severance, the actual implementation of the above note is unclear. Furthermore, it appears to give significant discretion to the utility operators or their contractor arborist to undertake tree works that they deem appropriate with no clear checks or balances on this. As such, this change is not supported and has not been recommended in the final proposed provisions.

1.4.7 General Comments

98. A large portion of the feedback received also provided comment on the approach taken in the proposed plan change. There was a variety of feedback ranging from general support for the protection of notable and public trees through to opposition to the protection of trees on private land and opposition to the use of the STEM™ criteria. This feedback has been taken into account with regard to the above responses and also the overall consideration of the section 32 analysis and final proposed provisions in **Appendix B**.

1.4.8 Other Feedback

99. Feedback was received from the below submitters which did not naturally fit into the above topics. These instances are discussed below.

068 – Whangārei Intermediate School

100. This relates to tree No. 513 listed in the Operative District Plan. This tree was specifically visited by Mr Miller and a revised STEM™ assessment was undertaken as summarized in **Appendix H**. This has resulted in the tree having an increased STEM™ score and still exceeding the 100 score required for scheduling in NPT.1.8.
101. The additional or unique matter raised in this feedback, was that the land is subject to a designation and therefore should not be subject to obtaining a resource consent for the removal of the tree as it would be “contrary to the rationale for holding a designation”. This position is not supported. It was accepted by the Ministry of Education that discretionary resource consent was required back in 2009 under the Operative rule 59.2.2 when they applied to remove the tree, despite the presence of the designation. This position was accepted by Council in the notification decision made in March 2011 and nothing has changed since then to revise this position.

072 – Housing New Zealand

102. Housing New Zealand provided feedback noting that two scheduled trees (no. 233 and no.363) on their properties in Whangārei had been removed without resource consent March 2016 by their maintenance contractor who advised that the trees were unstable and rotting. No notice was given to Council of this removal nor was resource consent applied for or granted for this.
103. There is little option but to remove these trees from the proposed schedule in NPT.1.9 and this change has been outlined in the proposed provisions in **Appendix B**. However, this feedback has been passed onto the Resource Consent and Compliance team for follow up in terms of enforcement action and retrospective consent.

2.0 Statutory Context

2.1 Resource Management Act 1991

2.1.1 Part 2 – Purpose of the Act

104. The RMA requires district plans, and thereby any changes to district plans, whether private or Council driven, to meet the purpose and principles of the RMA. Section 5 clarifies the purpose of the Act as being: ‘to promote the sustainable management of natural and physical resources’; with sustainable management meaning: managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while:
- a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and
 - b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and
 - c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.
105. The purpose of the RMA involves two elements, one enabling and the other regulatory. The enabling component provides for the management of resources in a way that allows for communities and their people to look after their social, economic, and cultural wellbeing, whilst the regulatory component sets the terms of these management matters which are further refined in Sections 6, 7, and 8 of the RMA.

106. Section 6 of the RMA sets out matters of national importance that must be recognised and provided for when exercising functions and powers under the RMA.
- a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:
 - b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:
 - c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:
 - d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:
 - e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:
 - f) the protection of historic heritage from inappropriate subdivision, use, and development:
 - g) the protection of recognised customary activities.
107. Section 7 of the RMA sets out the specific matters that those exercising functions and powers under the Act shall have particular regard to. In achieving the purpose of the RMA, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to —
- a) kaitiakitanga:
 - aa) the ethic of stewardship:
 - b) the efficient use and development of natural and physical resources:
 - ba) the efficiency of the end use of energy:
 - c) the maintenance and enhancement of amenity values:
 - d) intrinsic values of ecosystems:
 - e) [Repealed]
 - f) maintenance and enhancement of the quality of the environment:
 - g) any finite characteristics of natural and physical resources:
 - h) the protection of the habitat of trout and salmon:
 - i) the effects of climate change:
 - j) the benefits to be derived from the use and development of renewable energy.
108. Section 8 of the RMA requires that all persons exercising functions and powers under the RMA take into account the principles of the Treaty of Waitangi.

2.1.2 Section 32

109. Section 32 of the Resource Management Act ('the Act') requires the Council to consider the appropriateness of any plan change for achieving the purpose of the Act, its functions, relevant costs, benefits and risks. Pursuant to section 32(1) an evaluation report must:
- (a) *examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act; and*
 - (b) *examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by—*
 - (i) *identifying other reasonably practicable options for achieving the objectives; and*
 - (ii) *assessing the efficiency and effectiveness of the provisions in achieving the objectives; and*
 - (iii) *summarising the reasons for deciding on the provisions; and*
 - (c) *contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.*
110. Council's evaluation of PC129 under Section 32 must consider the extent to which each proposed objective is the most appropriate way to achieve the purpose of the Act (s32(1)(a)).
111. The WDP already contains a number of 'settled' higher order objectives which apply across the District and address a range of matters which have previously been assessed as the most appropriate way to achieve the purpose of the RMA. The existing overarching objectives are not proposed to be subject to change as a result of PC129. As such Council's evaluation of PC129 under section 32 must also consider the extent to which each proposed objective aligns with the settled overarching objectives in the WDP.
112. Section 32 requires Council to undertake an analysis of the benefits, costs, efficiency and effectiveness of the proposed policy and methods of PC129, and of the risks of acting or not acting where there may be uncertainty. This report details the comprehensive section 32 evaluation undertaken to confirm the appropriateness of PC129.

2.1.3 Section 76(4A) and 76(4B)

113. Within Section 76 of the RMA (District Rules), controls are placed on the method by which trees can be protected within the urban environment to ensure that blanket protection cannot be applied to trees located on private property. These controls were introduced and further strengthened through the 2009 and 2013 RMA amendments, and state the following:
- (4A) *A rule may prohibit or restrict the felling, trimming, damaging, or removal of a tree or trees on a single urban environment allotment only if, in a schedule to the plan,—*
- (a) *the tree or trees are described; and*
 - (b) *the allotment is specifically identified by street address or legal description of the land, or both.*
- (4B) *A rule may prohibit or restrict the felling, trimming, damaging, or removal of trees on 2 or more urban environment allotments only if—*
- (a) *the allotments are adjacent to each other; and*
 - (b) *the trees on the allotments together form a group of trees; and*
 - (c) *in a schedule to the plan,*
 - (i) *the group of trees is described; and*
 - (ii) *the allotments are specifically identified by street address or legal description of the land, or both.*
- (4C) *In subsections (4A) and (4B),—*
- group of trees** *means a cluster, grove, or line of trees*
- urban environment allotment** *or allotment means an allotment within the meaning of section 218—*
- (a) *that is no greater than 4000m²; and*
 - (b) *that is connected to a reticulated water supply system and a reticulated sewerage system; and*
 - (c) *on which there is a building used for industrial or commercial purposes or as a dwellinghouse; and*
 - (d) *that is not reserve (within the meaning of section 2(1) of the Reserves Act 1977) or subject to a conservation management plan or conservation management strategy prepared in accordance with the Conservation Act 1987 or the Reserves Act 1977.*
- (4D) *To avoid doubt, subsections (4A) and (4B) apply—*
- (a) *regardless of whether the tree, trees, or group of trees is, or the allotment or allotments are, also identified on a map in the plan; and*
 - (b) *regardless of whether the allotment or allotments are also clad with bush or other vegetation.*
114. To protect a tree within the urban environment via a rule in a district plan the tree needs to be scheduled with a description of the tree sufficient to identify it (i.e. species and size), and the street address or legal description of the allotment the tree is located within. A group of trees may also be identified within the schedule but these must be within a distinct cluster.
115. The definition of “urban environment” within Section 76 means that blanket rules can still apply to public land such as reserves or road reserves, as well as rural areas.

3.0 National, Regional, District and other Policies and Plans

3.1 New Zealand Coastal Policy Statement

116. The New Zealand Coastal Policy Statement (NZCPS) states objectives and policies designed to achieve the purpose of the Act in relation to the coastal environment. With respect to the preservation of trees, the NZCPS is primarily interested in the protection and retention of indigenous vegetation within the coastal environment at a broader scale than the consideration of individual trees and their values. The NZCPS recognises that vegetation in the coastal environment is important for biodiversity purposes, and hazard mitigation, but also deserves preservation for its contribution to the natural character of the coastal environment.

117. The NZCPS provides direction for the Northland Regional Policy Statement, and subsequent lower order planning documents, therefore the following can be expected to reflect the direction given in the NZCPS.

3.2 National Environmental Standard for Telecommunications Facilities

118. The National Environmental Standard for Telecommunications Facilities provides specific requirements and standards for the installation, operation, and maintenance of telecommunication facilities. These are often located within the road reserve, and the regulations direct that if any works are to be undertaken within the dripline of any protected trees, that any requirements under the relevant district plan must also be met. See heading 4.10 for further discussion of the NES for Telecommunications Facilities.

3.3 Northland Regional Policy Statement

119. The Northland Regional Policy Statement (NRPS) contains no matters relating specifically to the amenity or heritage values of specific trees or stands of trees. The NRPS more holistically considers the importance of preserving wider areas of indigenous vegetation primarily for biodiversity purposes, but also to preserve natural character especially within the coastal environment, and as a means of mitigating natural hazards. Riparian vegetation is also recognised for its role in maintaining and improving water quality.
120. The threshold for preservation of indigenous vegetation is highest within the Coastal Environment (defined within mapping for the NRPS and proposed to be replicated within the WDP maps). Under Policy 4.4.1, adverse effects on significant indigenous vegetation within the Coastal Environment must be avoided. Criteria to identify Significant Indigenous vegetation are provided in Appendix 5 of the NRPS. Where an area falls outside of the Coastal Environment, the NRPS directs that significant adverse effects of subdivision, use and development are avoided, remedied or mitigated to the extent that they are not significant on areas of predominantly indigenous vegetation.

3.4 Northland Regional Plans

121. As the higher order policy documents, do not contain objectives and policies directly relating to the management of trees, the Regional Plans themselves also do not specifically cover what are generally considered as Heritage Trees currently within the WDP. The Regional Plans contain regulation relating to vegetation clearance, with protection only afforded to indigenous vegetation, and at a higher threshold if the indigenous vegetation is significant.
122. The Regional Coastal Plan for Northland is not relevant to the consideration of this matter as the RCP only deals with matters in the coastal marine area, outside of the jurisdiction of WDC.
123. The only related matter within the Regional Air Quality Plan for Northland is the consideration of the effect of agrichemical spraying on areas of indigenous vegetation, habitat areas and reserves.
124. The Regional Water and Soil Plan for Northland recognises the importance of trees within the riparian management area to assist water quality through controlling light, water temperature, and sediment and nutrient regimes, and the importance of vegetation for controlling erosion and stormwater run-off.

3.5 Proposed Northland Regional Plan

125. The proposed Regional Plan for Northland (pRPFN) was publicly notified in September 2017. The pRPFN combines the current Regional Water and Soil Plan for Northland (RWSP), the Regional Air Quality Plan for Northland, and the Regional Coastal Plan for Northland.
126. The draft NRP takes its direction from the NRPS and NZCPS, therefore the consideration of matters related to the management and protection of trees revolves around the notion of indigenous vegetation, particularly if it is significant as identified in Appendix 5 of the NRPS.
127. More specific reference is made to the ti kouka, or cabbage tree, which is listed under native dune vegetation. Native dune vegetation is proposed to be protected from removal in the coastal riparian management zone or in the coastal hazard management zone, unless resource consent is obtained as a Discretionary Activity.
128. Otherwise there is nothing of direct relevance in the pRPFN for PC129 and the proposed provisions.

4.0 WDP Objectives for Notable and Public Trees

4.1 Existing Objectives

129. Existing objectives and policies for Heritage Trees are contained in Chapter 14 as follows:

14.3 Objectives

The protection and enhancement of trees that make a significant contribution to heritage values.

14.4 Policies

14.4.1 Identification

To identify trees of heritage value to the community in the Plan. Consideration is given to the criteria set out in Schedule 14A to determine whether trees are worthy of protection

14.4.2 Destruction

To ensure that no subdivision, use or development should result in destruction of, or adverse effects on, Heritage Trees, in particular adverse effects on:

- The long term life of the tree;
- The heritage and amenity values of the tree.

14.4.3 Trees of Significance to Tangata Whenua

To ensure that subdivision, use or development does not adversely affect the cultural values of trees of significance to tangata whenua.

14.4.4 Cross Boundary Effects

To administer the heritage tree protection provisions in a manner which recognises that works may be required at times to avoid significant loss of daylight to adjoining properties, and/or damage through falling branches and root growth; provided that the amenity value and health of the tree is not compromised.

4.2 Proposed Objectives

130. Council must evaluate in accordance with Section 32 of the RMA the extent to which each objective proposed in PC129 is the most appropriate way to achieve the purpose of the RMA. To confirm the appropriateness of the proposed objectives they are evaluated for consistency with the purpose of the RMA and with existing provisions of the NRPS and WDP.
131. PC129 proposes the following three objectives to replace 14.3 in Chapter 14 as those most appropriate for achieving the purpose of the RMA:

NPT.1.3 Objectives

1. *Notable trees and notable groups of trees with significant amenity, historical, ecological or cultural values are retained and protected from inappropriate subdivision, use and development.*
2. *Public trees in road reserves, parks and reserves are protected and maintained where they positively contribute to amenity, historical, ecological or cultural values, while enabling the safe and efficient development, maintenance, operation and upgrading of the roading network and network utilities.*
3. *Future subdivision, use and development provides for existing and new trees that contribute to amenity, historical, ecological or cultural values.*

132. The term “most appropriate” is comparative and therefore consideration of the objectives proposed for PC129 must be assessed against some alternatives to test the appropriateness of the proposed objectives. The following two alternatives were considered in the appropriateness assessment of the proposed PC129 objectives with part 2 of the RMA:

- Alternative 1 – Status Quo: Existing objectives in Chapter 14.
- Alternative 2 – No tree protection: No objectives for notable trees.
- Alternative 3 – Blanket tree protection: objectives provide for blanket tree protection across the District on private property and public land.

133. Pursuant to section 32, the following sections of this report will assess whether these proposed objectives are the most appropriate way to achieve the purpose of the RMA.

4.3 Part 2 of the RMA

TABLE 1 – APPROPRIATENESS OF OBJECTIVES WITH PART 2	
PART 2 Provision(s)	Appropriateness of Objective(s)
<p>5 Purpose</p> <p>(1) The purpose of this RMA is to promote the sustainable management of natural and physical resources.</p> <p>(2) In this RMA, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—</p> <p>(a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and</p> <p>(b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and</p> <p>(c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.</p>	NPT.1.3.1
	<p>This objective seeks to sustain the presence of notable trees where they provide for social, cultural or environmental well-being, and to ensure that their presence is not undermined by the use and development of land.</p> <p>However, this is tempered with the term inappropriate, as this indicates that there may be instances where appropriate use and development may have an effect on notable trees.</p>
	NPT.1.3.2
	<p>This objective seeks an appropriate balance between the protection of the natural resource of notable trees, and the requirement to establish and maintain vital physical infrastructure within the public realm.</p>
	NPT.1.3.3
	<p>This objective provides for the ongoing management of notable trees, including replacement trees, to ensure that there are notable trees for the benefit of future generations, ensuring ongoing social and cultural well-being.</p>
	Overall
	<p>The proposed objectives meet Section 5 of the Act as they promote sustainable management of notable trees, while providing for appropriate use and development to continue relative to notable trees, and recognise the need for works to occur in the vicinity of notable trees commensurate to the importance of the works, with community health and safety being a priority.</p> <p>The objectives also recognise the finite nature of notable trees, and the need to encourage replacement of this resource for future generations.</p> <p>The alternatives are not as appropriate because:</p> <ul style="list-style-type: none"> Alternative 1 – objective 14.3 only refers to contribution to heritage values which does not acknowledge the full range of other values that trees can contribute to. Alternative 2 – removing any tree protection would mean that trees that contribute to

TABLE 1 – APPROPRIATENESS OF OBJECTIVES WITH PART 2	
PART 2 Provision(s)	Appropriateness of Objective(s)
	<p>important values would no longer be protected and potentially removed.</p> <ul style="list-style-type: none"> Alternative 3 – blanket protection of trees on private and public land will not enable people to provide for their economic and social well-being and is not lawful pursuant to s76(4A) of the RMA.
6 Matters of National Importance	Having considered the matters set out in section 6 of the RMA, the proposed objectives are not considered of particular relevance to these matters. As such the proposed objectives do not conflict with those matters set out in section 6 of the RMA.
7 Other Matters	NPT.1.3.1
(a) <i>kaitiakitanga</i> :	<p>The proposed objective provides for the ethic of stewardship (7(aa)) in the protection and retention of notable trees for the ongoing benefits to the environment and to people.</p> <p>The proposed objective also provides for the maintenance and enhancement of amenity values (7(c)), and of the environment, where notable trees are maintained particularly within an urban environment. The protection of a number of larger trees may also have a greater impact on amenity values than replacing trees with additional lower level vegetation or grassed areas.</p> <p>The proposed objective also recognises the finite nature of a specific tree (7(g)) that once lost cannot be replaced.</p> <p>The retention of trees for their ecological values also meets part (7(d)) recognising the importance of trees for intrinsic reasons such as their rarity or form.</p>
(aa) <i>the ethic of stewardship</i> :	
(b) <i>the efficient use and development of natural and physical resources</i> :	
(ba) <i>the efficiency of the end use of energy</i> :	
(c) <i>the maintenance and enhancement of amenity values</i> :	
(d) <i>intrinsic values of ecosystems</i> :	
(e) <i>[Repealed]</i>	
(f) <i>maintenance and enhancement of the quality of the environment</i> :	
(g) <i>any finite characteristics of natural and physical resources</i> :	
(h) <i>the protection of the habitat of trout and salmon</i> :	
(i) <i>the effects of climate change</i> :	
(j) <i>the benefits to be derived from the use and development of renewable energy</i> :	
	NPT.1.3.2
	<p>This objective provides for maintenance and enhancement of amenity values, and of the environment (7(c)), and the ability to recognise and protect trees for their intrinsic values (7(d)).</p> <p>The objective also recognises that public works may need to be undertaken that may impact upon notable trees and vice versa, and allowing for appropriate work to occur, therefore facilitating the efficient use and development of resources (7(b)).</p>
	NPT.1.3.3

TABLE 1 – APPROPRIATENESS OF OBJECTIVES WITH PART 2	
PART 2 Provision(s)	Appropriateness of Objective(s)
	<p>This objective recognises the finite nature of notable trees, ensuring that sufficient replacement trees can be established to ensure an ongoing benefit (7(g)), and again provides for the maintenance and enhancement of amenity values, and of the environment (7(c)).</p>
	Overall
	<p>Overall, the objectives meet Section 7 of the Act because they provide for the maintenance and enhancement of amenity values, and of the environment.</p> <p>The objectives provide for the efficient use and development of resources (e.g. land), by acknowledging that physical works may need to occur in the vicinity of, or have a direct impact on trees that cannot be avoided, and to appropriately manage these conflicts.</p> <p>The objectives also recognise the importance of maintaining and protecting notable trees for their intrinsic values, and that notable trees are a finite resource, providing for the ongoing management and eventual replacement of trees.</p> <p>The alternatives are not as appropriate because:</p> <ul style="list-style-type: none"> Alternative 1 – objective 14.3 only refers to contribution to heritage values which does not acknowledge the full range of other values such as amenity values (7(c)) that trees can contribute to. Alternative 2 – removing any tree protection would mean that trees that contribute to important values such as amenity values (7(c)) would no longer be protected and potentially removed. Alternative 3 – blanket protection of trees on private and public land will not enable people to provide for their economic and social well-being and is not lawful pursuant to s76(4A) of the RMA.
8 Treaty of Waitangi	<p>Having taking into account the principles of the Treaty of Waitangi pursuant to section 8 of the RMA, it is considered that the proposed objectives and PC129 do not conflict with the principles.</p>

134. Taking into account the comments in the above table including the consideration of alternative objectives, it is considered that the three proposed objectives represent the most appropriate way to achieve Part 2 of the RMA.

4.4 New Zealand Coastal Policy Statement

135. The NZCPS states objectives and policies designed to achieve the purpose of the Act in relation to the coastal environment.

136. The NZCPS provides direction for the NRPS which is discussed in Section 3.1. The NZCPS does not include provisions specifically relating to the preservation of individual trees, or stands or trees, but more widely supports the preservation of indigenous vegetation within the coastal environment. The NZCPS recognises that vegetation in the coastal environment is important for biodiversity purposes, and hazard mitigation, but also deserves preservation for its contribution to the natural character of the coastal environment.
137. The NZCPS does not distinguish between public and private land in reference to the protection of indigenous vegetation, and seeks to avoid significant effects of activities on areas of predominantly indigenous vegetation in the coastal environment.
138. It is considered that the proposed objectives are consistent with the relevant provisions of the NZCPS.

4.5 Operative Northland Regional Policy Statement

139. The NRPS covers the management of natural and physical resources across the Northland region. The provisions within the NRPS give guidance at a higher planning level in terms of the significant regional issues. Pursuant to the RMA district plans are required to give effect to regional policy statements.
140. As noted in Section 3.1 above, the NRPS does not include specific provisions relating to notable trees. Moreover, the regional planning framework is focused on the protection and enhancement of indigenous vegetation at a wider scale, most notably within the coastal area.
141. It is considered that the proposed objectives are consistent with the regional planning framework, including the NRPS and Regional Plans, as the objectives proposed complement the wider-scale vegetation protection objectives by providing the opportunity for sustainable management of trees.

4.6 Existing Overarching Objectives in the WDP

142. Part C of the WDP contains 23 chapters of topic based objectives and policies. Despite being grouped by topic all objectives and policies are applicable district wide, to any activity, and are intended to collectively achieve the purpose of the RMA. In addition to this, new plan wide chapters are being developed under the rolling review which contain more specific objectives and policies relating to specific areas and values.
143. The proposed objectives (and policies) contained in PC129 are considered to be consistent with the overarching objectives for the District. This is assisted by Heritage Trees currently having their own chapter, which has resulted in a degree of consistency in terms of the manner in which the WDP has developed and any cross-references have been incorporated.
144. A more detailed analysis of the objectives and policies from each of the relevant chapters in Part C is provided below:

4.6.1 Chapter 5 Amenity Values & Chapter 8 Subdivision and Development

145. The objectives in chapter 5 relate to the amenity values across all Environments. The objectives seek to ensure that the character of each Environment is maintained, and adverse effects including those which are desirable for people's health and safety are not reduced. Policy 5.4.10 *Trees and Vegetation* specifically deals with the retention of trees that contribute to the amenity values of an Environment.
146. Objectives in Chapter 8 provide for subdivision and development which does not detract from the character of the locality, and is designed and located to avoid, remedy or mitigate adverse effects on natural character, landscape and ecological values, and amenity values and sense of place.
147. The proposed objectives for PC129 are considered consistent with these existing objectives because:
 - Chapter 5 directly recognises that the presence of trees in part contributes to the high levels of amenity normally enjoyed within residential environments. Therefore, the

retention of Notable Trees and public trees are an important part of retaining expected levels of amenity within residential areas. Ongoing protection and encouraging the establishment of new trees can enhance amenity values.

- Within Countryside, Coastal Countryside and Open Space Environments, indigenous vegetation and landscapes more generally are identified than individual trees due to the scale of sites compared with residential environments. This supports a more generalised protection of vegetation in these areas. Open Space Environments are generally reserve land administered by WDC therefore the second proposed objective recognises the protection of these trees in public reserves.
- Adverse effects from shading or damage from tree roots or branches are acknowledged, and the proposed objectives provide an ability to undertake maintenance to ensure notable trees do not reduce amenity values to a level that impacts on people's health and safety if the notable tree is compromised.
- The proposed objectives also ensure that Notable Trees and public trees are considered, and provided for through subdivision, use and development, including the future provision of notable trees.
- The proposed objectives retain the ability to manage Notable Trees and public trees if necessary, and to facilitate use and development in the vicinity of notable trees, if the work is for health and safety purposes or to establish or maintain important infrastructure.

4.6.2 Other chapters

148. Other chapters of relevance include:

- Chapter 10 – The Coast
- Chapter 11 – Riparian and Coastal Margins
- Chapter 15 – Open Space
- Chapter 16 - Landscapes
- Chapter 17 – Indigenous Vegetation and Habitat
- Chapter 19 – Natural Hazards
- Chapter 22 – Road Transport
- Chapter 23 – Network Utilities Operations
- Chapter 26 – Town Basin Environment.

149. Chapters 10, 11, 15 and 16 relating to the specified values of the coastal environment, open space and landscapes, seek to maintain and enhance these values and ensure that subdivision, use and development does not adversely affect the attributes or resources of these areas, including vegetation that contributes to the character of these areas.

150. Chapter 17 seeks to maintain and enhance ecosystems, and the biodiversity of the District, and contains more specific policies relating to the protection of areas of significant indigenous vegetation, and to manage the effects of environmental pest plants.

151. The objectives in Chapter 19 seek to avoid adverse effects of natural hazards on people, property and the environment, as far as practicable, and to protect, maintain and enhance natural buffers to these hazards. Coastal dune systems and vegetation are recognised as a natural buffer.

152. The objectives of Chapter 22 seek to establish and maintain a safe and efficient road network, and to protect the road network from adjoining development and avoid, remedy or mitigate any adverse effects of road transport activities on the surrounding environment, including ecological, landscape and amenity values.

153. Chapter 23 applies a similar approach seeking both the protection of network utility operations, and the mitigation of adverse effects on the environment from works and infrastructure, particularly on natural character and amenity values of the surrounding environment.
154. Chapter 26 objectives seek to develop a successful and cohesive staged development process for the wider Town Basin area which includes substantial open space areas, maintain and enhance special amenity, recreation and cultural values, tangata whenua values, and the sense of place unique to the maritime setting.
155. The proposed objectives are considered to be consistent with the above provisions as the proposed objectives seek to preserve notable trees for their amenity, ecological, cultural and historic values to ensure natural character and amenity values are maintained, and where possible enhanced, while providing for appropriate ongoing use and development in the vicinity of notable trees, including network utilities operations.

4.7 WDP Plan Changes

156. A number of plan changes have been proposed as a part of the rolling review of the WDP. Those plan changes progressing at present include:
 - Change 131 Genetically Modified Organisms (GMO) - currently subject to appeal.
 - Change 114 Landscapes – subject to appeal.
 - Change 100 Sites of Significance to Maori - currently in preparation.
 - Change 94B Papakāinga – made operative on 27 February 2018.
 - Change 87 Coastal Area – subject to appeal.
 - Change 85, A-D and 86A and B: Rural Environment Plan Changes – subject to appeal.
 - Change 102: Minerals – subject to appeal.
 - Private Plan Change 135: GNLC Limited – plan change made operative on 1 November 2017.
 - Change 91 Hazardous Substances: pre-notification consultation period closed, seeking feedback from Council prior to proceeding to public notification.
157. Having reviewed the proposed plan changes above, the proposed objectives are not considered to conflict with the outcomes sought in these plan changes.

4.8 Whangarei District Council Public Places Bylaw 2014

158. Section 25 of the bylaw states: “No person shall plant or remove or damage any tree, shrub or flower on any public place except with the prior written consent of the Chief Executive Officer or delegate.”
159. The proposed objectives are not considered to be contrary to the Public Place Bylaw 2014, as they are consistent with the intent of the bylaw being the management and protection of notable trees, but acknowledging that physical works may be undertaken within the public realm that could impact upon notable trees, and to allow for controlled and carefully managed maintenance and installation works to occur.

4.9 Iwi Management Plans

160. The formally recognised iwi / hapu management plans for the Whangarei District are listed below:
 - Ngatiwai – “Te Iwi o Ngatiwai: Iwi Environmental Policy Document 2007”
 - Ngati Hine – “Ngati Hine Iwi Environmental Management Plan 2008”
 - Patuharakeke – “Patuharakeke Hapu Environmental Management Plan 2014”
 - Ngati Hau – “Hapu Environmental Management Plan 2016”
 - Te Uriroro Hapu Environmental Management Plan Whatiriri Hapu Environment Plan 2016.

161. The Iwi and hapu management plans identify the wellbeing of the environment and its inhabitants as being an important consideration. The objectives and policies refer to the management of natural resources and protection and restoration of the environment.
162. Generally, the relevant objectives of the Iwi and Hapu Management Plans highlighted above seek to identify and protect indigenous vegetation, and to promote the planting of indigenous species, with local sourcing of seeds/plants. Incentives are also identified as a way of promoting the maintenance and protection of indigenous vegetation.
163. Having reviewed each document and taking into account all of the provisions it is considered that the proposed objectives for PC129 are consistent with the intent of each of the Iwi and Management Plans. Furthermore, it is considered that proposed policies NPT.1.4.2.c and NPT.1.5.3.c specifically give effect to the desire to promote the planting of indigenous trees and vegetation to recognise existing uses and adjoining landowners.

4.10 Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016

164. Under the Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016, Sections 44 and 45 relate to the installation of telecommunication facilities (antennas, cabinets, telecommunication lines, or small cell units) in the vicinity of protected trees.
165. If a regulated activity under the NES for Telecommunications Facilities is being carried out within the dripline of protected trees within the road reserve (Section 44), or specifically scheduled trees (Section 45), then any tree protection measures stipulated in the district plan (or proposed district plan) take precedence and the installation of telecommunication facilities must comply with the measures.
166. Therefore, provisions relating to the management and protection of notable and public trees will also have an indirect impact upon the application of these regulations, as any proposal utilising the NES for Telecommunications Facilities may also need to comply with requirements proposed under PC129.

4.11 Non-Statutory Council Strategies and Guidelines

4.11.1 Whangarei District Growth Strategy: Sustainable Futures 30/50

167. The 'Whangarei District Growth Strategy: Sustainable Futures 30/50 ('30/50')' is Whangarei's strategic planning document, which was produced in response to growth in the District over the period 2001-2008. It was adopted by Council in 2010.
168. 30/50 developed three broad long-term development scenarios for Whangarei. After extensive consultation, a long term integrated strategic planning programme was developed based on the principles which will assist progress towards the sustainable development of the District over the next 30-50 years. 30/50 identifies four sustainability criteria – sustainable economy, environment, society and culture.
169. 30/50 notes that there are more trees that should be scheduled and protected in the District Plan. Within the 30/50 Implementation Plan, under Section 5.2 Historic/Cultural Heritage, an action point is identified to “ensure all heritage items are contained in the District Plan schedules and on the planning maps.”
170. The importance of public trees is also identified in an urban setting, particularly for Whangarei City. In Section 3 Whangarei City, under Action 1.8, 30/50 includes urban trees, and the presence of street trees for their importance in improving sense of place and amenity values, and introducing vegetation to “green up” the City and assist with biodiversity and ecosystem services such as assisting with water infiltration, air purification in an urban environment.
171. It is considered that the proposed objectives are consistent with and supported by the relevant provisions within 30/50.

4.11.2 Whangarei Urban Growth Strategy 2003

172. Adopted in 2003, the Whangarei Urban Growth Strategy (UGS) was developed to ensure the issues and opportunities raised by growth in the District are dealt with in a sustainable manner in accordance with the views and aspirations expressed by the community during consultation.
173. The UGS seeks to prevent the degradation and loss of historic trees from urban development by protecting trees from the adverse effects of urban development and subdivision.
174. It is considered that the proposed objectives are consistent with the relevant provisions within the UGS.

4.11.3 Whangarei Urban Design Strategy 2011

175. The Urban Design Strategy (UDS) adopts an ongoing incremental approach to building a high quality urban environment that will help develop Whangarei into a leading meeting place and destination and secure a sustainable future. To achieve this vision, urban development should be compact, connected, distinctive, diverse, attractive, appropriate, sustainable and safe. A number of design objectives, stakeholder responsibilities, and mechanisms have been identified and set according to their priorities for implementation.
176. The UDS outlines design objectives and elements that contribute to sustainable and safe places and recognises the contribution street trees make to these objectives.
177. Having reviewed the UDS, it is considered that the proposed objectives are consistent with the intentions and design principles contained within the UDS.

4.11.4 Coastal Management Strategy

178. The Coastal Management Strategy (CMS) was adopted by Council in 2003 and provides guidance for how we use and protect the District's unique coastal environment over the next 20 to 50 years. It contains nine specific study areas and a detailed Structure Plan has been developed for each area.
179. The CMS seeks to identify and protect resources and areas of high amenity value, environmental quality and heritage value that contribute to a diverse sense of place, including notable trees.
180. Overall it is considered that the proposed objectives are consistent with the relevant provisions within the CMS.

4.11.5 Rural Development Strategy

181. The Rural Development Strategy (RDS) was adopted by Council in 2013 and examines the rural issues that are relevant to the District and create a strategic vision for the role Council and communities want our rural environments to play in the future in accordance with the direction of Sustainable Futures 30/50. The RDS specifically applies to those areas outside Whangarei City.
182. The RDS acknowledges the particular values in the rural areas and proposed a hierarchy or range of 'Environments' within the rural areas of the District. Many of these Environments have been reflected in the rural plan changes which seek to replace the existing zoning in rural parts of the region with revised Environments.
183. The RDS seeks to recognise and protect heritage resources in the rural environment.
184. It is considered that the proposed objectives are consistent with the relevant provisions within the RDS.

4.11.6 Whangarei District Council Environmental Engineering Standards 2010

185. Council's Environmental Engineering Standards 2010 (EES 2010) is a guidance document for land development set out the minimum acceptable levels for engineering design and construction within the District. The EES 2010 is incorporated into the District Plan by reference under Chapter 47 Road Transport Rules at Rule 47.2.11 Engineering Standards, which states that an activity is a permitted activity if: a) It complies with all the relevant Standards set out in the EES 2010. Otherwise an activity falls to a restricted discretionary status.

186. In relation to trees, the EES 2010 provides guidance in two main areas. Primarily the EES 2010 provides guidance on works in proximity to existing public trees. Direction is given to avoid excavation for services within the dripline of public trees where practicable (section 1.10.9), otherwise approval is required to build inside the dripline. The EES 2010 also specifies a requirement to provide extra protection to pipes in the vicinity of existing trees in order to avoid future damage to pipes.
187. Section 7 of the EES 2010 covers the requirements for the design of landscaping within parks, recreation and other reserves in the District. Section 7 notes that the Whangarei District Reserves Strategy sets out Council's intentions for the provision of reserves and levels of service within those reserves. However, at present there is no Reserves Strategy to guide the scale and location of future reserves, and no requirement within the District Plan to provide reserve space within developments of any size.
188. The objectives proposed under PC129 seek to assist with the protection of trees within road reserves, while allowing some flexibility for other services that have a functional need to be located within the road reserve.
189. The proposed objectives also aim to ensure that future development considers the ongoing need for trees, which supports the consideration for street planting and reserve provision in future development.
190. It is considered that the proposed objectives do not conflict with the EES 2010.

4.11.7 Blue-Green Network Strategy

191. A key aspect of the Blue-Green Network Strategy (BGNS) is to create and strengthen ecological corridors along and between waterways through Whangarei City. There are multiple benefits of doing this including environmental factors such as improved water quality and biodiversity, and improvements to urban amenity and sense of place.
192. The BGNS specifically highlights the importance of trees in urban areas as "stepping stones" for native fauna between larger reserve areas and ecological corridors, and the use of trees in the streetscape providing benefits for air purification, stormwater infiltration, shading of pedestrian routes, and general streetscape amenity.
193. The BGNS does not specify that all plant species should be native, as this can limit potential food sources for bird species (pg. 61).
194. The proposed objectives of PC129 are considered to be consistent with the BGNS as they seek to encourage the protection, and further provision of trees in the urban area.

4.11.8 Project Crimson

195. Project Crimson is an initiative that supports local communities undertake conservation projects, particularly replanting. The Crimson Coast initiative refers to a nationwide project aiming to re-plant locally sourced pohutukawa, and northern or southern rata trees where relevant in coastal areas. There are a number of community planting events that have occurred around the Whangarei District, as a direct result of support from the Project Crimson initiative.

4.11.9 Other Community Initiatives

196. Other community-led and voluntary planting initiatives are also organised by locally-based organisations such as the local NZ Landcare Trust office (which includes Biodiversity Northland), and the Whitebait Connection which focuses on riparian vegetation.

4.11.10 Northland Regional Council Plant Pest Management Strategy 2010-2015

197. The primary mechanisms available to the Northland Regional Council (NRC) for the control of pests are Regional Pest Management Strategies which are developed under the Biosecurity Act 1993. Under the Biosecurity Act, Regional Councils are the agencies responsible for processing and approving regional pest management strategies. While Regional Councils have no statutory obligation to undertake pest management, most have significant roles in this field.

198. The purpose of the Regional Pest Management Strategies (RPMS) is to provide a strategic and statutory framework for the efficient and effective management of pests in Northland. The primary objective of the Strategies is to reduce or eliminate the impact of introduced pests on environmental, economic and social values. Long-term management of pests extends far beyond simply controlling those that currently infest the region. It also includes management to reduce susceptibility to infestation by pests, control operations to prevent reinvasion and to control the mechanisms by which pests enter and are spread within the region.
199. The current Plant Pest Management Strategy is operative until 20 July 2017, while a new strategy is currently being developed. The Plant Pest Management Strategy indicates control of plants at four levels, depending on how well established species are. Pest plant species that are not currently established but considered a biosecurity threat are excluded, through to thoroughly established species such as gorse and wild ginger, where exclusion or eradication is now impossible and suppression of these species is the primary aim of the strategy.
200. The proposed objectives of PC129 are considered to be consistent with this strategy as they will not promote the use of any pest species, and enable their ongoing management.

4.12 Conclusion

201. The previous sections have considered the proposed objectives against Part 2 of the RMA and settled overarching objectives in existing plans and relevant non-statutory Council strategies.
202. The proposed objectives give effect to the purpose of the RMA by enabling present and future generations to provide for their social, cultural and economic wellbeing. In particular, the proposed objectives seek to ensure the ongoing management and protection of notable and public trees recognising the historical, ecological, cultural or amenity values that notable trees possess, and their importance to the character of a place, while providing for appropriate use and development to continue. The objectives recognise the need for works to reasonably occur in the vicinity of notable trees, with community health and safety being a priority.
203. Overall, for these reasons it is considered that the proposed objectives are the most appropriate way to achieve the purpose of the RMA.

5.0 Analysis of Efficiency and Effectiveness of Provisions (Policies and Rules)

204. Council must evaluate in accordance with section 32 of the Act, the benefits and costs of policies and methods, and the risk of acting or not acting where there is uncertainty of outcome. It is important to determine whether the preferred approach will be more effective and efficient than other alternatives and whether this effectiveness and efficiency comes at a higher cost than other alternatives. It is also important that the Council considers whether the costs potentially outweigh the benefits. The following sections of this report will analyse the efficiency and effectiveness of the preferred provisions and alternative ways of achieving the proposed objectives.

5.1 Summary of Proposed Provisions

205. PC129 proposes a number of new provisions regarding Notable and Public Trees (see **Appendix B** for copy of new NPT Chapter) and the deletion of a number of existing provisions in the Plan (See **Appendix C** for consequential changes to existing District Plan provisions). The proposed provisions of the NPT Chapter are summarised below.

5.1.1 One Chapter

206. It is proposed that all tree provisions from Chapter 14, 59 and Appendix 2 are combined into one chapter titled Notable and Public Trees (NPT). This proposed change generally aligns with the direction of the structure of the rolling review topics such as Noise and Vibration (NAV) and Historic Heritage (HH) have been consolidated into overall District Wide chapters.

5.1.2 Chapter Title

207. It is proposed that the new combined chapter be titled Notable and Public Trees (NPT) instead of Heritage Trees, as the current provisions in the WDP are titled. The new chapter title acknowledges that the proposed provisions include scope for the protection of specifically identified notable trees or groups of trees in road reserves, parks and reserves.

5.1.3 NPT.1.1 Description and Expectations

208. A new overall description and expectations section is proposed. This section provides general discussion of the issues and approach provided throughout the NPT Chapter.

5.1.4 NPT.1.2 Eligibility

209. In line with other recently operative chapters (e.g. Noise and Vibration), an eligibility provision is proposed which clarifies that the provisions of the proposed NPT chapter apply District wide in addition to any other provisions in the WDP applicable to the same area or site. Further eligibility rules are proposed, clarifying the default activity status for land use and subdivision activities not requiring resource consent, and clarifying that the Notable Tree provisions take precedence when the tree is located in a road reserve, park or reserve.

5.1.5 NPT.1.3 Objectives

210. Three new objectives are proposed which relate to the protection of notable trees and notable groups of trees, the protection and maintenance of trees in road reserves, parks and reserves and the provision of trees in future subdivision, use and development. These have been assessed in section 4 of this report as being the most appropriate to achieve the purpose of the RMA.

5.1.6 NPT.1.4 Policies

211. In order to achieve the proposed objectives, three policies (including a number of sub-points) are proposed. The proposed policies are designed to provide a coherent link between the proposed objectives to the methods and rules outlined in proceeding sections.

5.1.7 NPT.1.5 Discretionary Activities (Land Use)

212. In accordance with the structure of the WDP under the Rolling Review, discretionary activity rules are specified in this section. The land use discretionary activity rules are split into two sub headings, Notable Trees and Public trees. While the rules under both sub headings are similar and address activities such as trimming or alteration, works within the dripline of trees and damage or removal to trees, there are some subtle differences, with the rules for Public trees being more permissive in some instances. These rules are designed to achieve proposed objective 1 and 2.

5.1.8 NPT.1.6 Discretionary Activities (Subdivision)

213. Three discretionary activity subdivision rules are proposed. These relate specifically to the subdivision of sites which contain identified Notable trees or any public trees. These provisions are designed to achieve objective 3.

5.1.9 NPT.1.7 Assessment Criteria

214. A number of assessment criteria for discretionary activity consent applications are included. This aligns with the structure of the WDP under the Rolling Review where discretionary activity assessment criteria are provided in recently operative chapters (such as the NAV and KWE chapters). The proposed criteria are designed to give guidance to applicants and consent planners about what matters to consider when determining a resource consent application pursuant to the discretionary land use and subdivision rules.

5.1.10 NPT.1.8 Criteria for Notable Tree Classification

215. The identification and scheduling of Notable Trees is proposed to be done in accordance with the STEM™ criteria.

5.1.11 NPT.1.9 Schedule of Notable Trees

216. This section includes a table with identified Notable Trees that are currently considered Heritage Trees in Appendix 2 of the WDP. Trees that were removed via resource consent have been deleted from the list. Changes to the schedule have been proposed in light of the feedback received from pre-notification consultation (see further details in section 1.4). This primarily relates to updated STEM™ scores as a result of the revised STEM™ assessments undertaken by Mr Miller, although some additional trees have been added and several deleted where they are no longer present. Through the public notification and submission process, submitters will be able to make requests for the addition of new trees for protection or the deletion of existing trees.

5.1.12 NPT.1.10 Public trees

217. This section provides an explanation of what constitutes public trees and includes a number of exemptions relating to pest species.

5.2 Efficiency and Effectiveness of Proposed Provisions

218. Section 32 assessments must determine whether the proposed provisions are the most appropriate way to achieve the proposed objectives. In this instance, PC129 proposes three objectives and this section 32 assessment must assess whether the proposed provisions are the most appropriate to achieve these proposed objectives. This must include the identification of alternatives, and cost benefit analysis of the economic, social, environmental and cultural effects of the provisions including, whether opportunities for economic growth and employment are reduced or increased. The risk of acting or not acting where uncertain information exists must also be considered.
219. PC129 proposes a number of new provisions (see **Appendix B** for copy of the proposed provisions). These provisions are discussed generally in section 5.1 of this report. The following sections of this report will assess the efficiency and effectiveness of the preferred provisions and compare them to other reasonably practicable options.

5.2.1 One Chapter

220. It is proposed that all of the provisions relating to notable and public trees be located in one chapter.
221. Reasonably practicable options for the chapter structure are as follows:
- **Option 1:** Status Quo – retain the objectives and policies in Chapter 14, rules in Chapter 59 and the schedule of notable trees in Appendix 2.
 - **Option 2:** Proposed Provisions (see **Appendix B**) – combine objectives, policies and rules into one chapter titled Notable and Public Trees with the abbreviation NPT.
 - **Option 3:** Separate Chapters – follow the Auckland Unitary Plan approach and have separate chapters for notable trees, trees in Open Space zones, and trees in roads.
222. It is considered that option 2 represents the most efficient and effective option for the following reasons:
- Option 2 is consistent with the structure of the WDP under the rolling review. Other plan changes that have been recently made operative, such as Noise and Vibration (NAV) and Historic Heritage (HH) have incorporated all provisions for their relevant topic area into one comprehensive chapter. This is desirable as all provisions relating to a particular topic are located in one chapter without the need to cross reference to different chapters as is the case with Option 1 and Option 3. This enables better understating of what is to be achieved, locating the explanation and objectives and policies alongside the rules, and will eliminate the need for lengthy appendices which can be overlooked when referring to the WDP provisions. This makes it easier for plan users to navigate the plan and to determine requirements for a specific area or topic.
 - There are no other perceivable economic, social, environmental or cultural costs with this option.
 - There are no economic growth and employment opportunities arising from the options for this component of PC129.

- There is no risk due to insufficient information.

5.2.2 Chapter Title

223. It is proposed that the chapter be titled “Notable and Public Trees” with the acronym NPT applied throughout the chapter.
224. Reasonably practicable options for the chapter title are as follows:
- **Option 1:** Status Quo – retain “Heritage Trees” chapter title.
 - **Option 2:** Notable and Public Trees – change the chapter title to Notable and Public Trees and use the abbreviation NPT.
225. It is considered that option 2 represents the most efficient and effective option for the following reasons:
- The existing title Heritage Trees is misleading as it implies that scheduled trees in Appendix 2 of the WDP are protected only for their heritage values. However, assessment of the STEM™ criteria and feedback from Council staff has demonstrated that scheduled trees are protected for a number of other reasons, such as for ecological, cultural or amenity values. With proposed objective NPT.1.3.1 referring to “significant amenity, historical, ecological or cultural values” and NPT.1.3.2 also referring to “trees in road reserves, parks and reserves” it is important that the chapter title is revised to more accurately reflect its content.
 - This is a simple change in wording with no perceivable economic, social, environmental or cultural costs.
 - There are no economic growth and employment opportunities arising from the options for this component of PC129.
 - There is no risk due to insufficient information.

5.2.3 NPT.1.1 Description and Expectations

226. A new description and expectations section is proposed that discusses the issues and approach provided in the NPT chapter.
227. Reasonably practicable options for the description and expectations section are as follows:
- **Option 1:** Status Quo – duplicate 14.2 Overview from Chapter 14 and 59.1 Introduction from Chapter 59 of the WDP.
 - **Option 2:** No description and expectations.
 - **Option 3:** Proposed Provisions NPT.1.1 Descriptions and Expectations (**Appendix B**) – more detailed description and expectations.
228. It is considered that Option 3 represents the most efficient and effective option for the following reasons:
- Option 3 will ensure that the expectations and reasons for the NPT chapter are clear, thus making the subsequent provisions easier to understand for plan users. This is also consistent with the structure of the WDP under the rolling review where each chapter has its own description and expectations section.
 - Option 1 is not an efficient or effective option as the expectations for the NPT chapter would not be updated to match the new approach which incorporates notable and public trees, thus making the subsequent provisions more difficult to understand for plan users.
 - Option 2 is not an efficient or effective option as it would represent a lack of consistency with the new WDP structure and would make the expectations and reasons unclear for plan users.
 - There are no economic growth and employment opportunities arising from the options for this component of PC129.
 - There is no risk due to insufficient information.

5.2.4 NPT.1.2 Eligibility

229. It is proposed to include an Eligibility rule to referring to the application of other provisions in the WDP.
230. Reasonably practicable options for the Eligibility rule are as follows:
- **Option 1:** Status Quo – no eligibility rule.
 - **Option 2:** Proposed Provisions NPT.1.2 Eligibility – specifically states that the NPT provisions shall apply district wide in addition to any other provisions in the WDP applicable to the same area or site, identifies the default activity statuses for land use and subdivision activities and clarifies that the Notable Tree provisions take precedence when the tree is located in a road reserve, park or reserve.
231. It is considered that Option 2 represents the most efficient and effective option for the following reasons:
- Option 2 is efficient and effective as the structure of the proposed eligibility rule is consistent with the structure of other WDP chapters progressed under the Rolling Review. Furthermore, it will provide clarity as to the application of other provisions in the WDP, identifies the default activity statuses and clarifies that the Notable Tree provisions take precedence when the tree is located in a road reserve, park or reserve. This will make it easier for plan users utilising an interpreting the NPT provisions, and ensure that special characteristics (e.g. flooding hazards, outstanding landscapes) are provided for in accordance with the WDP.
 - Option 1 is neither efficient nor effective as the lack of an eligibility rule will be inconsistent with the structure of other WDP chapters progressed under the Rolling Review. There will be no clarity as to the application of other provisions in the WDP which would make it more difficult for plan users utilising and interpreting the WDP.
 - There are no economic growth and employment opportunities arising from the options for this component of PC129.
 - There is no risk due to insufficient information.

5.2.5 NPT.1.4 Policies

232. The proposed objectives in NPT.1.3 seek to protect notable trees and notable groups of trees and trees in road reserves, parks and reserves from inappropriate subdivision, use and development while enabling the safe and efficient provisions of the roading network and network utilities and ensuring that future subdivision, use and development provide new trees. These objectives are achieved through the application of policies and methods, in this case the use of land use and subdivision rules and the identification and scheduling of certain trees.
233. The policies proposed for inclusion (see NPT.1.4 in **Appendix B**) are considered to achieve the objectives through:
- Establishing a clear process through which notable trees and groups of trees are identified and scheduled.
 - Providing a policy framework to avoid the removal of identified trees, enable necessary trimming and alteration in accordance with arboricultural best practice and promote education and advice to the general public.
 - Specifying that trees over a certain size in road reserves, parks and reserves are attributed protection, while enabling ongoing maintenance and ensuring appropriate selection and location of species that recognises existing uses in the vicinity and encourages the use of indigenous trees and vegetation in public spaces.
 - Requiring future subdivision and development to protect scheduled notable trees and groups of trees and to assess the need for new trees.
234. The proposed policies are considered the most efficient and effective for achieving the objectives and provide a coherent link to the methods and rules in the proceeding sections of the NPT chapter. The use of clear and direct policies also aligns with the policy driven approach applied to the Rolling Review.

5.2.6 NPT.1.5 Discretionary Activities (Land Use)

235. The proposed provisions include rules for discretionary land use activities in NPT.1.5 relating to both notable trees and public trees. These provisions are assessed below in terms of their efficiency and effectiveness under the following sub headings.

Separate Provisions for Notable Trees & Public trees

236. Structurally, proposed discretionary rules for notable trees and public trees have been separated under different subheadings in NPT.1.5. While the provisions themselves are largely the same, there are some subtle differences which generally afford more protection to Notable Trees over public trees.
237. Reasonably practicable options for the structure of the rules are as follows:
- **Option 1:** Status Quo – Only rules for Heritage Trees (which include public trees via a note on page 12 of Appendix 2)
 - **Option 2:** Proposed Provisions – separate provisions for Notable Trees (equivalent of heritage trees in WDP) and public trees.
 - **Option 3:** No rules – include no rules for notable trees or public trees.
238. It is considered that Option 2 represents the most efficient and effective option for the following reasons:
- Option 2 allows for different provisions for Notable Trees and public trees. It is considered that Notable Trees should be attributed different protection than public trees because scheduled Notable Trees have been subject to a comprehensive assessment under the STEM™ criteria which determines that they have significant amenity, historical, ecological or cultural values worthy of protection in accordance with proposed objective NPT.1.3.1. Given the overall importance of trees in road reserves, parks and reserves, trees greater than 6.0m in height or with a girth (measured 1.4m above the ground) greater than 600mm located within a road reserve or reserve administered by WDC have been identified for general protection in NPT.1.10.1. These trees have not been subject to the same rigorous assessment as scheduled Notable Trees in NPT.1.9.1 and due to their location in road reserves, parks and reserves, there is more of a need to allow certain works, such as tree works required to maintain sightlines and specified in NPT.1.4.4.e and thrusting for the installation of network utilities specified in NPT.1.5.5.a, to be allowed.
 - Option 1 is not efficient nor effective as it classifies trees greater than 6.0m in height or with a girth (measured 500mm above the ground) greater than 600mm located within a road reserve or reserve administered by WDC as Heritage Trees. Therefore, these trees are afforded the same level of protection as scheduled Heritage Trees that have been subject to comprehensive assessment under the STEM™ criteria in the Plan. Further, this approach does not allow different provisions for public trees which, due to their location, generally have more of a requirement for trimming, alteration or works within the dripline to facilitate works in the roading corridor and network utilities.
 - Option 3 is not efficient nor effective as having no rules would potentially result in the damage or removal of Notable Trees and public trees. This would not achieve the proposed objectives which seek to protect these trees for the significant amenity, historical, ecological or cultural values they provide.
 - There are no economic growth and employment opportunities arising from the options for this component of PC129.
 - There is no risk due to insufficient information.

NPT.1.5.1 and NPT 1.5.4 – Trimming and Alteration

239. Proposed rules for the trimming and alteration of Notable Trees are contained in NPT.1.5.1 and for public trees are contained in NPT.1.5.4. The rules for both are similar but with some subtle differences, with generally more flexibility provided for trimming and alteration of Public Trees compared to Notable Trees.

240. Reasonably practicable options for the rules for trimming and alteration are identified below and assessed in detail in table 2:

- **Option 1:** Status Quo – Rule 59.2.1 Trimming of trees.
- **Option 2:** Proposed Provisions – NPT.1.5.1 and NPT.1.5.4.
- **Option 3:** All trimming or alteration requires discretionary resource consent.
- **Option 4:** All trimming or alteration is permitted with no controls.

TABLE 2: EVALUATION OF TRIMMING AND ALTERATION OPTIONS		
Option	Costs	Benefits
Option 1: Status Quo	<p><u>Environmental</u></p> <p>Allowing trimming to Notable Trees and public trees could result in significant damage if not undertaken correctly. This could threaten the ecological and amenity benefits that the tree(s) provide.</p> <p><u>Economic</u></p> <p>There is an economic cost to landowners and Council (with regard to public trees) in engaging a contractor approved under the New Zealand Arboricultural Association to undertake the trimming works.</p> <p><u>Social</u></p> <p>Allowing trimming to Notable Trees and public trees could result in significant damage if not undertaken correctly. This could threaten the historical benefits that the tree(s) provide.</p> <p>Council staff have identified concerns with the current provisions.</p> <p><u>Cultural</u></p> <p>Allowing trimming to the tree(s) could result in significant damage if not undertaken correctly. This could threaten the cultural benefits that the tree(s) provide.</p>	<p><u>Environmental</u></p> <p>Trimming and alteration is sometimes required to ensure the long-term health of a tree(s). The trimming of tree(s) is controlled in a manner which will ensure this. This will protect the ecological and amenity benefits that the tree(s) provide.</p> <p><u>Economic</u></p> <p>Tree(s), and more specifically generally protected trees, improve the attractiveness and amenity of public spaces which can have positive economic benefits.</p> <p>Tree(s) can interfere with overhead wires and network utilities. Allowing appropriate trimming to facilitate the ongoing operation of these services is important to the local and regional economy.</p> <p><u>Social</u></p> <p>Tree(s) can present risks to life and property. Allowing emergency tree works is necessary to protect people and their properties.</p> <p>Tree(s) can interfere with overhead wires and network utilities. Allowing appropriate trimming to facilitate the ongoing operation of these services is important to the social wellbeing of communities.</p> <p>Consistency in application with existing Heritage Tree provisions / structure.</p> <p><u>Cultural</u></p> <p>None known.</p>
Option 2: Plan Change	<p>The potential costs for Option 2 are the same as those identified above for Option 1, with the exception that Council staff have identified concerns with the current provisions which do not apply to Option 2.</p>	<p>The benefits for Option 2 are the same as those identified above for Option 1, with the exception being that there will not be consistency of application with the existing Heritage Tree provisions. The main additional benefits of Option 2 are:</p> <ul style="list-style-type: none"> • The proposed provisions will match the structure of the new WDP Chapters under the Rolling Review. • NPT.1.5.4.e makes an allowance for tree works on public trees required to maintain visibility of road safety signage, maintain sight lines for traffic safety and to maintain legal clearance height.

		<p>Council's Roading Department has identified that such work is necessary to comply with roading standards in other legislation and to maintain overall safety of the roading network. This provision avoids the cost of applying for resource consent for such instances and allows Council's Roading Department to undertake positive maintenance of the roading corridor to maintain traffic safety.</p> <ul style="list-style-type: none"> • Council's arborist has identified that it is not necessary to get a qualified arborist to undertake trimming and alteration of Notable and Public Trees. He has highlighted that greater flexibility can be provided for in order to facilitate a better relationship between landowners and protected trees and allowance of more tree works provided that they comply with arboricultural best practice and the other specified limits.
<p>Option 3: Discretionary RC</p>	<p><u>Environmental</u></p> <p>Trimming and alteration is sometimes required to ensure the long-term health of a tree(s). Requiring discretionary consent for all trimming or alteration could discourage people from undertaking necessary works to protect the tree(s).</p> <p><u>Economic</u></p> <p>Tree(s) can interfere with overhead wires and network utilities. Not allowing trimming to facilitate the ongoing operation of these services could have an adverse effect on the local and regional economy.</p> <p>There would be a considerable cost associated with landowners, network utility operators and Council obtaining resource consents for trimming and alteration works.</p> <p><u>Social</u></p> <p>Tree(s) can present risks to life and property. Not allowing trimming including emergency tree works could result in danger to people and their properties.</p> <p>Tree(s) can interfere with overhead wires and network utilities. Not allowing trimming to facilitate the ongoing operation of these services could have an adverse effect on the social wellbeing of communities.</p> <p><u>Cultural</u></p> <p>Trimming and alteration is sometimes required to ensure the long-term health of a tree(s). Not permitting the trimming of trees could affect the long-term health of the tree and the cultural benefits it provides.</p>	<p><u>Environmental</u></p> <p>Trees would be able to grow and exist without disruption.</p> <p>Allowing trimming to tree(s) could result in significant damage if not undertaken correctly. Not allowing trimming could protect the ecological and amenity benefits that the tree(s) provide.</p> <p><u>Economic</u></p> <p>None known.</p> <p><u>Social</u></p> <p>Allowing trimming to the tree(s) could result in significant damage if not undertaken correctly. Not allowing trimming could protect the historical benefits that the tree(s) provide.</p> <p><u>Cultural</u></p> <p>Allowing trimming to the tree(s) could result in significant damage if not undertaken correctly. Not allowing trimming could protect the cultural benefits that the tree(s) provide.</p>
<p>Option 4: Permitted Activity</p>	<p><u>Environmental</u></p> <p>Allowing uncontrolled trimming to the tree(s) could result in significant damage if not</p>	<p><u>Environmental</u></p> <p>None known.</p>

	<p>undertaken correctly. This could threaten the ecological and amenity benefits that the tree(s) provide.</p> <p><u>Economic</u></p> <p>None known.</p> <p><u>Social</u></p> <p>Allowing uncontrolled trimming to the tree(s) could result in significant damage if not undertaken correctly. This could threaten the historical benefits that the tree(s) provide.</p> <p><u>Cultural</u></p> <p>Allowing uncontrolled trimming to the tree(s) could result in significant damage if not undertaken correctly. This could threaten the cultural benefits that the tree(s) provide.</p>	<p><u>Economic</u></p> <p>Landowners, network utility operators and Council would not need to engage arborists or obtain resource consents to undertake trimming which would reduce costs.</p> <p><u>Social</u></p> <p>More freedom to landowners, network utility operators and Council to undertake trimming when they deem it necessary.</p> <p><u>Cultural</u></p> <p>None known.</p>
Option	Efficiency & Effectiveness	
Option 1:	Option 1 is not as efficient and effective as Option 2. While the current provisions are very similar to the proposed provisions, the current provisions are inconsistent with the structure of the WDP under the Rolling Review, inconsistent with best practice, and Council staff have identified issues with application of the current provisions.	
Option 2:	Option 2 is the most efficient and effective option as it presents the same benefits of protection as Option 1 while providing additional benefit through consistency with the structure of the WDP under the Rolling Review, closer alignment to recent best practice and more flexibility for landowners and Council to undertake tree works on public trees to maintain traffic safety.	
Option 3:	Option 3 is not an efficient and effective option. Requiring discretionary resource consent for all trimming and alteration is too restrictive. There would be a considerable financial cost associated with landowners, network utility operators and Council obtaining resource consents for all trimming and alteration works while also limiting the ability for necessary trimming for dead or dying branches, emergency works or works to facilitate network utilities.	
Option 4:	Option 4 is not an efficient and effective option. Permitting all tree trimming would mean that anyone could undertake unlimited tree works which could result in potential damage to the long-term health of the trees. This would go against the intent of the objectives which seek to protect Notable trees and public trees from inappropriate subdivision, use and development.	
Option	Economic Growth and Employment Opportunities	
Option 1:	There are no economic growth and employment opportunities arising from the options for this component of PC129.	
Option 2:		
Option 3:		
Option 4:		
Risk of acting and not acting if there is uncertain or insufficient information		
There is no risk due to insufficient information.		

241. Option 2 is the most efficient and effective option.

NPT.1.5.2 and NPT.1.5.5 – Works within the Dripline

242. Proposed rules for works within the dripline of Notable Trees are contained in NPT.1.5.2 and for public trees are contained in NPT.1.5.5. Both proposed rules are similar, however NPT.1.5.5 has an exception for “thrusting for the installation of network utilities supervised by a qualified arborist.” Apart from this exception the proposed rules are identical to existing rule 59.2.3 Activities Near a Heritage Tree in the WDP.

243. Reasonably practicable options for the rules for works within the dripline are identified below and assessed in detail in table 3:

- **Option 1:** Status Quo – Rule 59.2.3 Activities Near a Heritage Tree.
- **Option 2:** Proposed Provisions – NPT.1.5.2 and NPT.1.5.5.
- **Option 3:** All works within the dripline are permitted with no controls.

TABLE 3: EVALUATION OF WORKS WITHIN THE DRIPLINE OPTIONS		
Option	Costs	Benefits
Option 1: Status Quo	<p><u>Environmental</u></p> <p>None known.</p> <p><u>Economic</u></p> <p>There is a financial cost associated with landowners, network utility operators and Council obtaining resource consents for works within the dripline of trees.</p> <p><u>Social</u></p> <p>Landowners, network utility operators and Council do not have the freedom to undertake works within the dripline of trees without resource consent.</p> <p><u>Cultural</u></p> <p>None known.</p>	<p><u>Environmental</u></p> <p>Appropriate resource consent conditions can be enforced which ensure that the trees will be protected from significant damage from any activities in the dripline. This will protect the ecological and amenity benefits that the tree(s) provide.</p> <p><u>Economic</u></p> <p>None known</p> <p><u>Social</u></p> <p>Trees are protected from inappropriate works being undertaken in their dripline. This will protect the historical benefits that the tree(s) provide.</p> <p>Consistency in application with existing Heritage Tree provisions / structure.</p> <p><u>Cultural</u></p> <p>Trees are protected from inappropriate works being undertaken in their dripline. This will protect the cultural benefits that the tree(s) provide.</p>
Option 2: Plan Change	<p>The potential costs for Option 2 are the same as those identified above for Option 1.</p>	<p>The benefits for Option 2 are the same as those identified above for Option 1, with the exception being that there will not be consistency of application with the existing Heritage Tree provisions. The main additional benefits of Option 2 are:</p> <ul style="list-style-type: none"> • The proposed provisions will match the structure of the new WDP Chapters under the Rolling Review. • The proposed provisions are more closely aligned with current best practice. • NPT.1.5.5 provides an exception for thrusting works to a depth of greater than 650mm⁴ for the installation of network utilities supervised by a qualified arborist. This more directly enables the installation and operation of network utilities in road reserves in accordance with proposed objective NPT.1.3.3.
Option 3: Permitted Activity	<p><u>Environmental</u></p> <p>Allowing uncontrolled works within the dripline of tree(s) could result in significant damage.</p>	<p><u>Environmental</u></p> <p>None known.</p>

⁴ This depth was recommended by the Park's Department's arborist as an appropriate depth to reasonably protect the health of public trees.

	<p>This could threaten the ecological and amenity benefits that the tree(s) provide.</p> <p><u>Economic</u></p> <p>None known.</p> <p><u>Social</u></p> <p>Allowing uncontrolled works within the dripline tree(s) could result in significant damage. This could threaten the historical benefits that the tree(s) provide.</p> <p><u>Cultural</u></p> <p>Allowing uncontrolled works within the dripline tree(s) could result in significant damage. This could threaten the cultural benefits that the tree(s) provide.</p>	<p><u>Economic</u></p> <p>Landowners, network utility operators and Council would not need to engage arborists or obtain resource consents to undertake works within the dripline of trees which will reduce costs.</p> <p><u>Social</u></p> <p>More freedom to landowners, network utility operators and Council to undertake works within the dripline of tree(s) when they deem it necessary.</p> <p><u>Cultural</u></p> <p>None known.</p>
Option	Efficiency & Effectiveness	
Option 1:	Option 1 is not as efficient and effective as Option 2. While the current provisions are very similar to the proposed provisions, the current provisions are inconsistent with the structure of the WDP under the Rolling Review, inconsistent with best practice, and do not allow works for the installation of network utilities supervised by an arborist.	
Option 2:	Option 2 is the most efficient and effective option as it presents the same benefits of protection as Option 1 while providing additional benefit through consistency with the structure of the WDP under the Rolling Review, closer alignment to recent best practice, and more directly enables the installation and operation of network utilities in road reserves in accordance with proposed objective NPT.1.3.3.	
Option 3:	Option 3 is not an efficient and effective option. Permitting all works within the dripline of trees would mean that all manner of works could be undertaken without the supervision from an arborist which could result in potential damage to the long-term health of trees. This would go against the intent of the objectives which seek to protect Notable trees and public trees from inappropriate subdivision, use and development.	
Option	Economic Growth and Employment Opportunities	
Option 1:	There are no economic growth and employment opportunities arising from the options for this component of PC129.	
Option 2:		
Option 3:		
Risk of acting and not acting if there is uncertain or insufficient information		
There is no risk due to insufficient information.		

244. Option 2 is the most efficient and effective option.

NPT.1.5.3 and NPT.1.5.6 Damage or Removal

245. Proposed rules for damage and removal of Notable Trees are contained in NPT.1.5.3 and for public trees are contained in NPT.1.5.6. Both proposed rules are the same. Apart from this exception and reference to “damage” instead of “destruction”, the proposed rules are the same as existing Rule 59.2.2 Removal of Trees in the WDP.

246. Reasonably practicable options for the rules for works within the dripline are identified below and assessed in detail in table 4:

- **Option 1:** Status Quo – Rule 59.2.2 Removal of Trees.
- **Option 2:** Proposed Provisions – NPT.1.5.3 and NPT.1.5.6.
- **Option 3:** Removal of Notable Trees and public trees is permitted.

TABLE 4: EVALUATION OF TRIMMING AND ALTERAION OPTIONS

Option	Costs	Benefits
Option 1: Status Quo	<p><u>Environmental</u> None known.</p> <p><u>Economic</u> There is a financial cost associated with landowners, network utility operators and Council obtaining resource consents for the removal of any Notable Trees or public trees.</p> <p><u>Social</u> Landowners, network utility operators and Council do not have the freedom to undertake removal of any Notable Trees or public trees without resource consent.</p> <p><u>Cultural</u> None known.</p>	<p><u>Environmental</u> Trees are protected from damage and removal. This will protect the ecological and amenity benefits that they provide. If a tree needs to be removed (e.g. for safety purposes or to accommodate important infrastructure), then Council can impose appropriate conditions to mitigate or offset (e.g. require planting of additional trees) the environmental effects of removal.</p> <p><u>Economic</u> None known.</p> <p><u>Social</u> Council has the ability to decline consent to the removal of any trees. Trees will only be allowed to be removed following due consideration in a resource consent process. If the effects are assessed to be more than minor, then public notification would be required and there would be an opportunity for the public to make submissions. Trees are protected from damage and removal. This will protect the historical benefits that the tree(s) provide. Consistency in application with existing Heritage Tree provisions / structure.</p> <p><u>Cultural</u> Trees are protected from damage and removal. This will protect the cultural benefits that the trees provide.</p>
Option 2: Plan Change	<p>The potential costs for Option 2 are the same as those identified above for Option 1.</p>	<p>The benefits for Option 2 are the same as those identified above for Option 1, with the exception being that there will not be consistency application with the existing Heritage Tree provisions. The main additional benefits of Option 2 are:</p> <ul style="list-style-type: none"> • The proposed provisions will match the structure of the new WDP Chapters under the Rolling Review. • The proposed provisions are more closely aligned with current best practice. •
Option 3: Permitted Activity	<p><u>Environmental</u> Allowing uncontrolled removal of Notable Trees and public trees could result in significant removal across the District. This would severely threaten the ecological and amenity benefits that the tree(s) provide.</p> <p><u>Economic</u> None known.</p> <p><u>Social</u> Allowing uncontrolled removal of Notable Trees and protected public trees could result</p>	<p><u>Environmental</u> None known.</p> <p><u>Economic</u> Landowners, network utility operators and Council would not need to obtain resource consents to remove Notable Trees or public trees which would reduce costs.</p> <p><u>Social</u> More freedom to landowners, network utility operators and Council to remove trees when they deem it necessary.</p>

	in significant removal across the District. This would severely threaten the historical benefits that the tree(s) provide. <u>Cultural</u> Allowing uncontrolled removal of Notable Trees and public trees could result in significant removal across the District. This would severely threaten the cultural benefits that the tree(s) provide.	<u>Cultural</u> None known.
Option	Efficiency & Effectiveness	
Option 1:	Option 1 is not as efficient and effective as Option 2. While the current provisions are very similar to the proposed provisions, the current provisions are inconsistent with the structure of the WDP under the Rolling Review, inconsistent with best practice and do not allow for the removal of trees when in accordance with an approved reserve management plan.	
Option 2:	Option 2 is the most efficient and effective option as it presents the same benefits of protection as Option 1 while providing additional benefit through consistency with the structure of the WDP under the Rolling Review and closer alignment to recent best practice.	
Option 3:	Option 3 is not an efficient and effective option. Permitting removal of Notable Trees and public trees could result in significant removal across the District. This would go against the intent of the objectives which seek to protect Notable trees and public trees from inappropriate subdivision, use and development.	
Option	Economic Growth and Employment Opportunities	
Option 1:	There are no economic growth and employment opportunities arising from the options for this component of PC129.	
Option 2:		
Option 3:		
Risk of acting and not acting if there is uncertain or insufficient information		
There is no risk due to insufficient information.		

247. Option 2 is the most efficient and effective option.

5.2.7 NPT.1.6 Discretionary Activities (Subdivision)

248. Three discretionary subdivision rules are proposed in NPT.1.6. These rules will replace those currently included in the WDP relating 'Other Significant Features' which link to the items scheduled in Appendix 2.

249. Reasonably practicable options for the discretionary activity subdivision rules in NPT.1.6 are as follows:

- **Option 1:** Status Quo – retention of subdivision rules in the subdivision Environment chapters
- **Option 2:** Proposed Provisions – NPT.1.6 which provides three rules for subdivision relating to Notable Trees and public trees.

250. It is considered that Option 2 represents the most efficient and effective option for the following reasons:

- The current WDP provisions locate rules relating to 'other significant features' within the body of the subdivision provisions. The rule refers to the need to locate features identified in Appendix 2 (as well as other appendices) within one of the allotments produced by the subdivision and ensure that building areas avoid the feature. Option 1 is considered to be an inefficient way of identifying the presence of a notable tree on a given site and does not provide clear links to the policy direction in NPT which underpin the outcomes sought for notable trees. For these reasons, Option 1 is not identified as an efficient or effective option.
- Option 2 provides a clear direction clearly linked to the NPT provisions and policy framework. The discretionary activity status gives Council the ability to decline consent where necessary or

grant consent subject to suitable conditions (such as consent notices) to ensure the ongoing protection of any Notable Trees or public trees.

- There are no economic growth and employment opportunities arising from the options for this component of PC129.
- There is no risk due to insufficient information.

251. Consequential changes to the subdivision rules are required to implement this option. Amendments to the Other Significant Features rules (74.3.16 and 71.3.15) in chapters 71 and 74 are required to delete reference to Appendix 2 as this will be replaced by the provisions in NPT. This is reflected in the consequential changes attached at **Appendix C**.

5.2.8 NPT.1.5 and NPT.1.6 – Discretionary Activity Status

252. NPT.1.5 and NPT.1.6 propose a discretionary activity status for the activities specified within them. This is generally consistent with the activity status specified in Chapter 58, with the trimming of trees pursuant to Rule 59.2.1 and the removal of trees pursuant to Rule 59.2.2 providing a discretionary activity status, however Rule 59.2.3 activities near a heritage tree specifies a restricted discretionary activity status. It is appropriate to consider what activity status should apply.

253. Reasonably practicable options for the discretionary activity status in NPT.1.5 and NPT.1.6 are as follows:

- **Option 1:** Status Quo – discretionary activity status for trimming of trees pursuant to Rule 59.2.1 and the removal of trees pursuant to Rule 59.2.2, and restricted discretionary activity status for activities near a heritage tree pursuant to Rule 59.2.3.
- **Option 2:** Proposed Provisions – discretionary activity status for all activities specified in NPT.1.5 and NPT.1.6.
- **Option 3:** Permitted activity status for all activities specified in NPT.1.5 and NPT.1.6.
- **Option 4:** Controlled activity status for all activities specified in NPT.1.5 and NPT.1.6.
- **Option 5:** Restricted discretionary activity status for all activities specified in NPT.1.5 and NPT.1.6.
- **Option 6:** Non-complying activity status for all activities specified in NPT.1.5 and NPT.1.6.
- **Option 7:** Prohibited activity status for all activities specified in NPT.1.5 and NPT.1.6.

254. It is considered that Option 2 represents the most efficient and effective option for the following reasons:

- A discretionary activity status (Option 2) is appropriate as it allows Council to consider any relevant matter when deciding whether to grant or decline a resource consent. Assessment criteria is provided in NPT.1.7 to provide clear indication as to what matters Council would consider when reviewing a resource consent application, whilst not unnecessarily restricting the ability to consider other matters that could arise from various situations. Furthermore, the proposed discretionary activity status is consistent with the architecture of the WDP under the Rolling Review, which sees most new chapters utilising a discretionary activity status for activities that require resource consent.
- A permitted activity status (Option 3) is not efficient nor effective as the uncontrolled trimming or alteration, works within driplines and removal of Notable Trees and public trees could result in significant removal across the District. This would go against the intent of the proposed objectives which seek to protect Notable trees and public trees from inappropriate subdivision, use and development.
- A controlled activity status (Option 4) is not an efficient nor effective option because a controlled activity resource consent must be granted, albeit with the ability of Council to impose conditions relating to specified matters of control. This would allow trimming or alteration, works within driplines and removal of Notable Trees and public trees with Council only able to specify

conditions of consent. This would go against the intent of the proposed objectives which seek to protect Notable trees and public trees from inappropriate subdivision, use and development.

- A restricted discretionary activity status (Option 5 and part Option 1) is not efficient or effective. The architecture of the WDP under the rolling review is generally seeing restricted discretionary activity status phased out in favour of permitted, discretionary, non-complying and prohibited activity statuses. This is intended to reduce the size and complexity of the WDP and to avoid unnecessarily restricting the ability to consider other matters that could arise from various situations. There are many matters that need to be considered for the trimming or alteration, works within driplines and removal of Notable Trees and public trees, and it is not considered appropriate to restrict the discretion of Council in this regard.
- A non-complying activity status (Option 6) is not efficient nor effective as a non-complying activity status assumes that the activity is not provided for by the objectives and policies and is generally utilised in situations where it is intended that consents only be granted in exceptional circumstances. The proposed objectives and policies recognise that in certain instances it may be necessary to allow trimming or alteration, works within driplines and removal of Notable Trees and public trees.
- A prohibited activity status (Option 7) is not efficient nor effective as it would prohibit any activity without exception. This is not appropriate as the proposed objectives and policies recognise that in certain instances it may be necessary to allow trimming or alteration, works within driplines and removal of Notable Trees and public trees.
- There are no economic growth and employment opportunities arising from the options for this component of PC129.
- There is no risk due to insufficient information.

5.2.9 NPT.1.7 Assessment Criteria for Discretionary Activities

255. NPT.1.7 proposes assessment criteria for discretionary activities pursuant to the rules in NPT.1.5 and NPT.1.6.
256. Reasonably practicable options for the assessment criteria for discretionary activities in NPT.1.7 are as follows:
- **Option 1:** Status Quo – no assessment criteria.
 - **Option 2:** Proposed Provisions – assessment criteria for discretionary activities pursuant to NPT.1.7.
257. Option 2 is considered the most efficient and effective option for the following reasons:
- The current provisions (Option 1) specify a discretionary activity status for trimming of Heritage Trees (Rule 59.2.1) and the removal of Heritage Trees (Rule 59.2.2) but do not give any assessment criteria to applicants and resource consent planners as to what the likely matters of concern are. Activities near a heritage tree (Rule 59.2.3) are considered a restricted discretionary activity so matters of discretion are provided. However, as outlined in the assessment in section 5.2.8 above, the discretionary activity status for all trimming and alteration, works within driplines and removal of Notable Trees and public trees has been assessed as the most efficient and effective option, therefore the matters for discretion in Rule 59.2.3 are proposed to be deleted.
 - Providing assessment criteria for discretionary activities pursuant to the rules in NPT.1.5 and NPT.1.6 (Option 2) gives a clear indication as to what matters Council would consider when reviewing a resource consent application, whilst not unnecessarily restricting the ability to consider other matters that could arise from various situations. It is considered that the proposed assessment criteria will give direct guidance which will help achieve the proposed objectives.

- The proposed utilisation of assessment criteria is consistent with the architecture of the WDP under the Rolling Review, which sees most new chapters utilising assessment criteria for discretionary activities that require resource consent.
- There are no economic growth and employment opportunities arising from the options for this component of PC129.
- There is no risk due to insufficient information.

5.2.10 NPT.1.8 Criteria for Notable Tree Classification

258. NPT.1.8 provides criteria for Notable Tree Classification.

259. Reasonably practicable options considered for Notable Tree Classification include:

- **Option 1:** Status Quo – retain the existing criteria in Schedule 14A of the WDP.
- **Option 2:** Amend existing criteria or provide new criteria.
- **Option 3:** Proposed Provisions – Simply refer to the STEM™ publication⁵.

260. It is considered that Option 3 is the most efficient and effective option for the following reasons:

- During consultation with Council staff, no concerns were raised from Council's perspective with the existing criteria in Schedule 14A of the WDP (Option 1). There was some concern expressed in pre-notification consultation regarding the fairness of the STEM™ criteria and the ability to take into account restrictions that a scheduled tree places on a private landowner. An explanation of the criteria is provided in section 1.2.4 of this report. The STEM™ criteria are considered to be comprehensive and generally consistent with recent district plan reviews undertaken in other areas (see general discussion in section 1.3 of this document). The issue with Option 1, it is unclear what link the criteria in Schedule 14A have to the STEM™ criteria in the relevant publication and how the individual criteria are scored.
- Amending the existing criteria or providing new criteria (Option 2) is not an efficient nor effective option. It would consequently require the revisiting of every existing scheduled tree in Appendix 2 to ensure that it met any new / amended criteria. While there would be some benefit in terms of ensuring that the criteria were consistent with current best practice, this would be offset by the significant financial burden to Council in terms of engaging a suitably qualified arborist and requiring them to visit every tree. This is considered unnecessary given that no concerns from Council were expressed with the existing criteria and because it is understood that all of the scheduled trees in Appendix 2 were reviewed in 2010. The draft pre-notification consultation process has enabled landowners with scheduled trees currently on them to submit on there existing trees and obtain revised STEM assessments from Council's arborist Mr Miller. Furthermore, the Schedule 1 public notification process for Plan Changes means that landowners, network utility operators and the general public can make submissions on PC129 and the criteria in NPT.1.8. This will enable Council to consider any requests for changes if they are made, and further engage an arborist to consider these requests following the completion of the public notification process.
- Option 3 is very similar to Option 1 in that it refers to the STEM™ criteria in the relevant publication. However, it is different in that it simply directs the assessment to the STEM™ publication rather than attempting to interpret or paraphrase the relevant criteria in Schedule 14A. It is considered that this is more efficient and effective option as this will avoid any confusion about the applicability of the STEM™ criteria.
- There are no economic growth and employment opportunities arising from the options for this component of PC129.
- There is no risk due to insufficient information.

⁵ Flook, R. 1996: A Standard Tree Evaluation Method, published by Ron Flook, Lower Hutt, New Zealand.

5.2.11 NPT.1.9 Schedule of Notable Trees

261. NPT.1.9.1 includes the schedule of trees that are considered Notable Trees (formally those included at Appendix 2) in the NPT Chapter as opposed to referring to them as an Appendix. This schedule replicates Appendix 2, however trees which had been removed or their location has been determined to be inaccurate have been deleted or updated. Further changes have also been made as a result of the revised STEM™ assessments undertaken by Mr Miller in response to the feedback received during pre-notification consultation.
262. Reasonably practicable options considered for Notable Tree Classification include:
- **Option 1:** Status Quo – retain the existing Schedule of Trees in Appendix 2 of the WDP.
 - **Option 2:** Proposed Provisions – retain the existing Schedule of Trees amending to reflect tree removals, clarifications around tree location and revised STEM™ assessments undertaken by Council's arborist in response to feedback received during pre-notification consultation.
 - **Option 3:** Review all existing trees to see if they still warrant protection and consider new trees for addition to the schedule prior to notification.
263. It is considered that Option 2 is the most efficient and effective option for the following reasons:
- Option 1 and Option 2 achieve the same outcome, the difference being that Option 2 removes trees from the existing list which have already been removed or their details updated (e.g. some trees had the wrong legal description in terms of their location) and in response to the revised STEM™ assessments undertaken by Mr Miller in response to feedback received during pre-notification consultation. It makes sense and is more efficient to update the details of these trees and delete any trees that are known to have been removed. Therefore Option 2 is considered the most efficient and effective option.
 - Option 3 is not an efficient and effective option. It would require the revisiting of every existing scheduled tree in Appendix 2. While there would be some benefit in terms of ensuring that the currently scheduled trees still exist and that they still maintained a STEM™ score over 100, this would be offset by the significant financial burden to Council in terms of engaging a suitably qualified arborist and requiring them to visit each and every tree. This is also considered unnecessary as it is understood that the scheduled trees in Appendix 2 were reviewed in 2010. Landowners and adjoining properties with scheduled trees listed on them were informed of the draft provisions and pre-notification consultation process that was undertaken. A number of submitters were received and site visits undertaken by Mr Miller in response to the instances where a site visit was required with revised STEM™ assessments being undertaken. Furthermore, the Schedule 1 public notification process for Plan Changes means that landowners, Council departments, network utility operators and the general public can make submissions requesting the removal of existing scheduled trees or the addition of unprotected trees. This will enable the appropriate consideration of any requests, and allow Council to further engage an arborist if additional requests for the removal or addition of additional trees to the schedule in NPT.1.9 are made.
 - There are no economic growth and employment opportunities arising from the options for this component of PC129.
 - There is no risk due to insufficient information.

5.2.12 NPT.1.10 Public trees

264. NPT.1.10.1 states which trees are considered public trees. This includes trees greater than 6.0m in height or with a girth (measured 1.4m above the ground) greater than 600mm located within a road reserve, park and reserve administered by Whangarei District Council with exclusions relating to pest species in the Northland Regional Council Pest Management Strategy and Surveillance list and specific pest species identified by the Council. These exceptions have been included based on the blanket consent (RC40898 and as amended by LU0840898.02 which is available from Council on request) for unscheduled heritage trees granted to the Council's Parks Department.

265. Reasonably practicable options considered for Notable Tree Classification include:

- **Option 1:** Status Quo – retain the general protection Note on page 12 of Appendix 2 of the WDP.
- **Option 2:** Proposed Provisions – retain the general protection note and parameters, but include exclusions relating to pest species in the Northland Regional Council Pest Management Strategy and Surveillance list and specific pest species identified by Council.
- **Option 3:** No general protection for trees located within a road reserve, park and reserve administered by Whangarei District Council.

266. it is considered that Option 2 is the most efficient and effective option for the following reasons:

- Option 1 is not an efficient or effective option. Council has had to obtain a resource consent (RC40898 and as amended by LU0840898.02) to allow blanket approval for certain activities relating to generally protected trees. This is not efficient as the consent has only a limited duration and reapplication for this consent is a costly process. Furthermore, the Parks Department's arborist has advised that measuring the girth of the tree at 500mm is not appropriate for a public tree and advised that current best practice is Diameter at Breast Height which is generally 1.4m. Alternatively, it is also costly for Council to apply for consent to undertake certain activities and to remove pest species on a case by case or site specific basis. It is logical to incorporate scope for the removal of pest species into the WDP provisions to enable this activity and support regional biosecurity outcomes.
- Option 2 retains the majority of the size parameters for general protection, but increases the girth measurement from 500mm above ground to 1.4m above ground and includes exclusions relating to pest species in the Northland Regional Council Pest Management Strategy and Surveillance list and specific pest species identified by Council. This avoids the cost of Council having to apply for consent to remove these pest species and also allows greater scope to network utility providers to undertake works where these species are located.
- Option 3 is not an efficient or effective option as it could result in the widespread removal of trees in road reserves or reserves administered by the Council. These trees contribute to ensuring the streetscape is visually appealing while improving pedestrian amenity and public health. These trees also provide an important environmental function in terms of storing carbon, providing habitat and food for wildlife, improving air quality and contributing to character and amenity values. Not providing general protection for these trees would not achieve the objectives which seek to protect these trees which contribute to historical, ecological, cultural and amenity values.
- There are no economic growth and employment opportunities arising from the options for this component of PC129.
- There is no risk due to insufficient information.

5.2.13 Consequential Changes

267. As a result of providing a combined chapter for Notable and Public Trees a revision of the provisions and controls across the WDP is required.

268. Broadly this involves:

- The deletion of Part C Policies – Chapter 14 Heritage Trees. All objectives and policies for Notable and Public Trees are now proposed to be located in NPT.1.3 and NPT.1.4 with the criteria for heritage tree classification located in NPT.1.8.
- The deletion of Part E Resource Areas – Chapter 59 Heritage Tree Resource Area Rules. All rules for Notable and Public Trees are now proposed to be located in NPT.1.5 and NPT.1.6.
- The deletion of Appendix 2 – Heritage Trees. The schedule of Notable and Public trees is now proposed to be located in NPT.1.9.

- Amendment to the REF – Referenced Documents Chapter to incorporate reference to the STEM™ publication referred to in the text of the NPT chapter.
- Amendment to the Other Significant Features Rules in Part F – Subdivision Rules – Living 1, 2 and 3 Environments and Part F – Subdivision Rules - Business 1, 2, 3, 4, Town Basin, Marsden Point Port, Port Nikau and Airport Environments to remove reference to Appendix 2.
- Consequential change to matters of control and assessment criteria for subdivision:
 - The expansion of matters at 70.3 'Additional Matters Over Which Control Has Been Reserved' to refer to "...the identification, accommodation and protection of any trees or groups of trees which are considered to be notable or of value in terms of their form; occurrence of the species; vitality; function; age; stature; visibility; proximity of other trees; role in setting; climatic influence; special feature; historic value and' scientific and botanical value,..."

269. A detailed summary of these changes is provided at Appendix C. These changes are considered to be required to implement the proposed NPT provisions which have been identified as the most efficient and effective way for achieving the objectives. An analysis of the options associated with plan structure is discussed in previous sections.
270. It is considered that these consequential changes are necessary and represent the most efficient and effective approach to achieving the proposed objectives.

6.0 Summary and Conclusion

271. Plan Change 129 has been developed to review the existing Heritage Tree Provisions in the WDP. The review of these provisions has identified that the existing provisions require some amendment and restructuring.
272. Three key objectives have been developed, which have been considered in relation to; Part 2 of the RMA, the relevant National Environmental Standards and National Policy Statements, the relevant objectives in the Regional Policy Statement and in the Regional Plan, the overarching objectives in the WDP, and the relevant Iwi Management Plans and non-statutory documents applicable for the District. Pursuant to Section 32 of the RMA, and subject to the above review, these objectives have been assessed to be the most appropriate way to achieve the purpose of the RMA.
273. The proposed provisions have been detailed and compared against viable alternatives in terms of their costs, benefits, efficiency and effectiveness and risk in accordance with the relevant clauses of section 32 of the RMA. It is considered that the proposed provisions represent the most efficient and effective means of achieving the proposed objectives and for addressing the underlying resource management issues relating to notable and public trees.

Appendix A – WDP Heritage Tree Provisions

14 Heritage Trees

14.1 Significant Issues

The damage and destruction of heritage trees can significantly affect the heritage, cultural, amenity and natural values of an area.

14.2 Overview

Trees serve as reminders of past generations and their achievements, and provide a sense of continuity and identity for the community. As such, they are a significant component of the heritage and amenity values of the District. This is particularly so in urban areas that are faced with continuous demand for intensive land development.

The heritage, amenity and natural values associated with these trees makes many of them deserving of protection. The majority of these significant trees are located on private land. Several are located in roads and parks which are publicly owned. An important factor in maintaining the unique heritage character of the District is the continued and healthy existence of trees of heritage value.

Trees, whether individually or collectively, can have a number of positive effects on the environment. These include:

- A heritage and natural environmental legacy we will leave for future generations;
- A pleasant outlook for a site and the surrounding area, whether it be in a residential, commercial or industrial location, by softening, complementing and in some instances contrasting with the built environment;
- A safe habitat for birds, insects and other wildlife;
- Shelter from the elements for humans, wildlife and other vulnerable elements of the environment;
- Avoidance or mitigation of the effects of natural hazards, such as landslips and erosion;
- Atmospheric processes by recycling moisture, absorbing carbon dioxide and giving off oxygen, and by settling and gathering airborne dust.

14.3 Objectives

The protection and enhancement of trees that make a significant contribution to heritage values.

Explanation and Reasons: Trees that possess heritage values contribute to the identity of the District and to the well-being of the people who reside here. Development and other activities need to avoid adversely affecting these trees and the values associated with them.

14.4 Policies

14.4.1 Identification

To identify trees of heritage value to the community in the Plan. Consideration is given to the criteria set out in Schedule 14A to determine whether trees are worthy of protection:

Explanation and Reasons: This policy reflects the need to identify and protect trees within the District that possess heritage value to the community. Identifying individual trees or stands of trees that are significant by listing them in an appendix and identifying them on the Planning Maps, will result in greater public awareness of the importance of the trees. Such identification will also provide increased opportunities for management and protection of the heritage trees. It will allow for voluntary management by landowners and enforceable rules regulating activities involving listed Heritage Trees. Trees of significance to tangata whenua will be identified in Iwi/Hapu Environment Management Plans.

14.4.2 Destruction

To ensure that no subdivision, use or development should result in destruction of, or adverse effects on, Heritage Trees, in particular adverse effects on:

- The long term life of the tree;
- The heritage and amenity values of the tree.

Explanation and Reasons: Heritage Trees are an important heritage resource in the District, and as such their destruction, or modification in any way, is not considered to be desirable. Work undertaken on, or in the vicinity of, the trees should not endanger the trees or endanger people's health and safety. Development in the vicinity of a heritage tree can detract from its character. Therefore, development in the vicinity of a heritage tree can detract from its character. Therefore, development needs to be undertaken with care and sensitivity.

14.4.3 Trees of Significance to Tangata Whenua

To ensure that subdivision, use or development does not adversely affect the cultural values of trees of significance to tangata whenua.

Explanation and Reasons: Certain trees have Maori cultural value and can be tapu. Certain trees were set aside for specific cultural purposes and some of these are still standing today.

14.4.4 Cross Boundary Effects

To administer the heritage tree protection provisions in a manner which recognises that works may be required at times to avoid significant loss of daylight to adjoining properties, and/or damage through falling branches and root growth; provided that the amenity value and health of the tree is not compromised.

Explanation and Reasons: This policy seeks to ensure that cross-boundary effects as set out in the Property Law Amendment Act 1975 are duly recognised in administration of the heritage tree protection provisions.

14.5 Methods

14.5.1 Regulatory Methods

- Identification of Heritage Trees on the Planning Maps (Policy 14.4.1).
- Resource Area rules relating to trimming and removal of Heritage Trees and activities near Heritage Trees (Policy 14.4.2).
- Resource consent conditions (Policy 14.4.2).
- Heritage Orders (Policy 14.4.2).

14.5.2 Other Plans and Legislation

- Identification of trees of significance to tangata whenua in Iwi/Hapu Environmental Management Plans (Policy 14.4.3).

14.5.3 Information, Education and Advocacy

- Liaison with other organisations involved in resource management, for example: Transit New Zealand, Heritage New Zealand Pouhere Taonga (Policy 14.4.1).
- Liaison with iwi authorities and tangata whenua (Policy 14.4.3).
- Educate and inform owners and the public about the trees (Policy 14.4.1).
- Promote voluntary protection of Heritage Trees through the use of protective covenants under the Historic Places Act 1993 (Policy 14.4.1).
- Provide guidelines on trimming and care of Heritage Trees (Policy 14.4.4).

14.6 Anticipated Environmental Results

The following results are expected to be achieved by the foregoing Objectives, Policies and Methods. The means of monitoring whether the Plan achieves the expected outcomes are set out in the Whangarei District Council Monitoring Strategy.

- The recognition and identification of heritage trees of significance to the District.
- The protection of heritage trees to a level appropriate to their significance to the District.
- Nearby land use and development that is cognisant of, and sympathetic to, recognised heritage trees.
- The recognition, identification and protection of heritage trees of significance to Maori.

Schedule 14A - Criteria for Heritage Tree Classification★

To provide a basis for regulatory measures to protect trees of heritage value, and to enhance public awareness of them. Selection and listing of trees of heritage value in this Plan has taken into account the following factors:

1. Form

The tree should have good form, be reliable in structure and a good example of the species.

2. Occurrence of the Species

How common or rare the tree is within the District, regional and national context.

3. Vitality

The assessment of the health of the tree.

4. Function

The physical and ecological functioning and contribution of the tree. This factor also includes recognition of the local adverse effects of the tree.

5. Age

The loss of a mature tree leaves a time lapse before another tree will fulfil similar functions and achieve the same values. This factor also recognises the tree's natural life expectancy.

6. Stature

The height and canopy spread of a tree can have a significant influence on its visual impact.

7. Visibility

The amenity value of the tree and its accessibility to the public.

8. Proximity of Other Trees

The singularity of a tree can be more important than a group of trees.

9. Role in Setting

The visual and spatial qualities surrounding the tree in its setting. Many trees are significant landmarks in the District.

10. Climatic Influence

The influence of a tree on the microclimate, e.g. shade, shelter and temperature control.

11. Feature

Trees of exceptional proportions, or tree forms of special interest.

12. Historic

The association of the tree with historic events, people and significant periods in the development of the District.

13. Scientific and Botanical

The significance of the tree in a scientific or botanical context, having particular regard to rarity, representativeness and endemism. This factor also recognises trees of unusual genetic or morphological form.

Each of the factors is scored, and then a total score is calculated for each tree, in accordance with the Council's Standard Tree Evaluation Method.

* A Standard Tree Evaluation Method (STEM), Ron Flook, 1996

Trees scoring 100 points or greater are listed as heritage trees in Appendix 2 of this Plan.

Date Approved	Editor	Paragraph	Change Reference	Decision Date	Approved By
14 September 2016	JM	14.5 14.5.3	Plan Change 124 becoming operative.	Operative date 28 September 2016 16/106480	MM

Editor
Editor Position

Jane Murdoch (JM)
Team Administrator Policy Division

Approved By

Paul Waanders (PW)
Melissa McGrath (MM)

Approver Position

Policy and Monitoring Manager (PW)
Team Leader District Plan (MM)

59 Heritage Trees

59.1 Introduction

This Chapter contains rules relating to land uses that affect Heritage Trees. These trees are shown on the Planning Maps by symbols on the Resource Area Maps. These rules apply in addition to any other rules in this Plan applicable to the same areas or sites. See Appendix 2 for a list of Heritage Trees and their classification.

59.2 Heritage Trees Rule Table

59.2.1 Trimming of Trees

<p>Trimming carried out on Heritage Tree is permitted if:</p> <ul style="list-style-type: none"> a) It is the removal of dead, dying or diseased wood from the crown of the tree; or b) It involves trimming by use of secateurs or loppers, (i.e. no handsaws or chainsaws) of branches less than 50.0mm in diameter, and c) No more than one third of the foliage of the tree is removed in any 12 month period; and d) Any work is undertaken by, or under the supervision of, a contractor approved by the New Zealand Arboricultural Association, who has advised the Parks Department of the Whangarei District Council in advance of the work to be carried out; or e) The trimming is undertaken by the Whangarei District Council as an emergency work to safeguard life or property, or to restore power or communications' links. f) The trimming is undertaken by a network utility operator in consultation with a contractor approved by the New Zealand Arboricultural Association, where branches are interfering with overhead wires or utility networks and trimming is required in order to maintain the security of an existing supply. 	<p>Trimming of any listed Heritage Tree that does not comply with a condition for a permitted activity is a discretionary activity.</p> <p>Any activity that does not comply with a standard for a discretionary activity is a non-complying activity.</p>
--	--

59.2.2 Removal of Trees

Destruction or removal of a tree is a permitted activity, in terms of this rule, if it is not the destruction or removal of a Heritage Tree listed in Appendix 2 of this Plan.	Destruction or removal of a Heritage Tree is a discretionary activity.
---	---

59.2.3 Activities Near a Heritage Tree

Construction or alteration of any structure, excavation of land, or formation of new impervious surfaces is permitted if It does not occur within the dripline of a Heritage Tree.	<p>Any activity that does not comply with the condition for a permitted activity is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> i. The public benefit or degree of necessity concerned; ii. Any alternative methods which may be available to achieve the objectives of the application; iii. The extent to which the tree or trees contribute to the neighbourhood; iv. Whether the activity is likely, in the opinion of Council, to damage the tree or endanger its health.
---	--

Note: Heritage Trees are listed in Appendix 2.

59.3 Reasons for Rules / Explanations

Trimming

Trees of significant heritage value are considered worthy of protection. The number of Heritage Trees listed in the Plan is a small proportion of the total number of trees within the District, and includes those that are of outstanding rarity or quality, in terms of the criteria stated in Chapter 14.

Removal

The removal of Heritage Trees is a discretionary activity.

Nearby Development

Nearby development can have significant impacts on the values of Heritage Trees. The visual values associated with the trees can be interrupted by allowing development on-site or on adjacent sites. The creation of extensive impervious surfaces near these trees is likely to have significant effects on the health of the tree Sites of Significance to Maori.



Revision and Sign-off Sheet

Date Approved	Paragraph	Change Reference	Decision Date
21 Sept. 2010	Reference to Chapter 2.3.3	Plan Change 106 consequential changes, this provision no longer exist.	Record 10/96471
21 August 2012	All	Header in chapter corrected - reformat of entire chapter - LB	Memo: 21 August 2012 TRIM: 12/66910

Author **France Prévost (FP)**
Lisa Blagrove (LB)
 Author Position Team Administrator Policy Division
 Approved By Paul Waanders (PGW)
 Position Policy & Monitoring Manager

Appendix 2 - Heritage Trees

This Appendix contains details of Heritage Trees indicated on the Planning Maps. The trees have been identified in accordance with the criteria in Chapter 14. Rules relating to these trees are in Chapter 59.

No.	Common Name	Botanical Name	Stem Score	Site Address	Legal Description	Map No.
200	Taraire	Beilschmiedia tarairi	102	89 Crawford Cres	Lot 1 DP 65923	35
201	Taraire	Beilschmiedia tarairi	102	89A Crawford Cres	Lot 2 DP 65925	35
202	Taraire (2)	Beilschmiedia tarairi	102	47 Bush Road	Lot 78 DP 51732	35
203	Puriri	Vitex lucens	123	14 Barclay Place	Lot 14 DP 62193	33
205	Puriri	Vitex lucens	126	34 Puriri Street	Lot 1 DP 131477	33
206	Illawarra Flame Tree	Brachychiton acerifolium	105	17 Puriri Street	Pt Lot 9 Deeds W72	33
207	English Oak (8)	Quercus robur	126	20 Grant Street	Pt Section 126, Town of Kamo	33
208	Southern Magnolia	Magnolia grandiflora	114	421 Kamo Road	Lot 1 DP 57301	35
209	Hawaiian Kowhai	Sophora chrysophylla	108	117 Whau Valley Road	Lot 4 DP 39110	35
210	Taraire	Beilschmiedia tarairi	120	58 Fisher Terrace	Lot 66 DP 58330	35
211	Puriri	Vitex lucens	108	77 Fisher Terrace	Lot 80 DP 58330	35
212	Puriri	Vitex lucens	114	57A Fisher Terrace	Lot 2 DP 160104	35
214	Sentry Palm	Howea forsteriana	108	351 Kamo Road	Lot 5 DP 32993 (tree not found)	35
217	Maidenhair Tree	Ginkgo bilboa	126	20 Whau Valley Road	Lot 1 DP 28355	35
219	Jacaranda Felled under Retrospective approval Oct 07	Jacaranda mimosaeifolia	105	23 Whau Valley Road	Lot 1 DP 23601	35
220	Illawarra Flame Tree	Brachychiton acerifolium	102	59 Whau Valley Road	Lot 2 DP 77269	35

No.	Common Name	Botanical Name	Stem Score	Site Address	Legal Description	Map No.
223	Tulip Tree	Liriodendron tulipifera	102	34 Bedlington Street	Lot 4 DP 35518	35
224	Pohutukawa, Titoki	Metrosideros excelsa; Alectryon excelsus	114 102	162 Kamo Road	Lot 1 DP 58120	35
226	Camphor Laurel, Jacaranda	Cinnamomum camphora; Jacaranda mimosaeifolia	114 108	17 Moody Avenue	Lot 2 DP 61116	36
228	Rimu (7), Kauri (2) Japanese Maple, Jacaranda,	Dacrydium cupressinum; Agathis australis Acer plamatum; Jacaranda mimosaeifolia	114 102 111 108	19 and 21 Moody Avenue	Lot 1 DP 61116 and Lot 28 DP 17834	36
229	Camphor Laurel	Cinnamomum camphora	114	27 Moody Avenue	Lot 1 DP 75180	36
230	Camphor Laurel	Cinnamomum camphora	108	31 Moody Avenue	Pt Lot 4 DP 45519	36
233	English Oak	Quercus robur	102	71 Keyte Street	Lot 27 DP 38993	36
236	Totara (2), Karaka, Puriri, Kohekohe, Nikau, Puriri	Podocarpus totara, Corynocarpus laevigatus, Rhopalostylis sapida; Vitex lucens	114 score for stand	1A Gillingham Road	Pt Lot 12 DP 1583 & Pt Lot 13 DP 1583	34
244	Puriri	Vitex lucens	114	33 Kiripaka Road	Lot 1 DP 43988	36
245	Totara (2)	Podocarpus totara	102	40 Tapper Crescent	Lot 39 DP 72561	36

No.	Common Name	Botanical Name	Stem Score	Site Address	Legal Description	Map No.
246	Pohutukawa, Red Oak, Puriri	Metrosideros excelsa; Quercus rubra; Vitex lucens	111 111 102	194 Corks Road	Pt Lot 108, 109 PSH OF Whangarei	36
247	Totara	Podocarpus totara	120	17 Meadow Park Cres	Lot 115 DP 58121	36
248	Totara	Podocarpus totara	105	54 Boundary Road	Lot 5 DP 61344	36
250	Totara (2)	Podocarpus totara	114	5 Kea Place	Lot 2 DP 70523	42
251	Totara	Podocarpus totara	120	3 Kea Place	Lot 10 DP 62276	42
252	Totara	Podocarpus totara	114	8 Kea Place	Lot 16 DP 62276	42
253	Kauri	Agathis australis	114	120 Maunu Road	Lot 2 DP 347018	42
255	English Oak	Quercus robur	114	85 Fourth Avenue	Pt Lot 2 3 DP 14650	37
257	English Oak	Quercus robur	105	83 Fourth Avenue	Lot 1 DP 172504	37
258	English Oak	Quercus robur	114	14 Kirikiri Road	Lot 10 DP 203278	37
262	Pohutukawa	Metrosideros excelsa	102	41A Kauika Rd	Lot 1 DP 202399	37
265	English Oak,	Quercus robur;	120	9 - 11 Kauika Rd	Lot 2 DP 178081	43
266	English Oak	Quercus robur	114	82 Maunu Road	Lot 3 DP 341875	43
268	Totara	Podocarpus totara	108	36 Third Avenue	Lot 1 DP 8555	37
269	Totara	Podocarpus totara	114	48 Maunu Road	Lot 2 DP 123891	37
271	English Oak	Quercus robur	120	18 Central Avenue	Lot 1 DP 17446	37
272	Michelia	Michelia doltsopa	105	35 Russell Road	Lot 2 DP 35158	37
273	Kauri (2), Southern Magnolia	Agathis australis; Magnolia grandiflora	114 114	1 Russell Road	Pt 19 DP 12468	37
277	Rimu	Dacrydium cupressinum	108	7 Powhiri Avenue	Lot 1 DP 149824	37

No.	Common Name	Botanical Name	Stem Score	Site Address	Legal Description	Map No.
278	Kauri	Agathis australis	102	23 Lupton Avenue	Pt 2 Deeds W58	37
280	Pohutukawa	Metrosideros excelsa	120	127 Kamo Road	Lot 2 DP 11413	37
281	Kawaka Hazardous and Removed	Libocedrus plumosa	108	2 Zealandia Street	Lot 1 DP 84533	37
284	Pohutukawa, Rimu (2)	Metrosideros excelsa; Dacrydium cupressinum	126	8 Kensington Ave	Lot 4 DP 54577	37
285	Kawaka (2)	Libocedrus plumosa	102	70 Kamo Road	Lot 1 Deeds 307	37
289	Totara (7)	Podocarpus totara	108	28 Mains Avenue	Lot 4 DP 31693	36
290	Pohutukawa	Metrosideros excelsa	102	25 Elizabeth Street	Lot 53 Deeds Plan W20	36
293	Maidenhair Tree	Ginkgo biloba	117	46 Kamo Road	Lot, 4 DP 53575	38
294	Kowhai	Sophora microphylla	114	34 Kamo Road	Lot 1 DP 24064	37
295	Pohutukawa – Hazardous and removed 11/36543	Metrosideros excelsa	111	59 Kamo Road	Lot 1 DP 137286	37
296	Spanish Chestnut	Castanea sativa	114	11 Mill Road	Lot 2 DP 43654	37
297	Camphor Laurel, NSW Christmas Bush, Totara, Moreton Bay Chestnut	Cinnamomum camphora; Ceratopetalum gummiferum; Podocarpus totara; Castanospermum australe	102 105 108 111	17 Mill Road	Pt Lot 12 Deeds 55 & Pt Lot 12 DP 24064	37
299	Pohutukawa, Totara	Metrosideros excelsa; Podocarpus totara	108 108	19 Mill Road	Lot 14 DP 24066	38
300	Camphor Laurel	Cinnamomum camphora	114	29 Mill Road	Lot 8 DP 24064	38



No.	Common Name	Botanical Name	Stem Score	Site Address	Legal Description	Map No.
301	Pohutukawa, (2) Kauri	Metrosideros excelsa; Agathis australis	102 114	19 Nixon Street	Lot 5 DP 28817	38
302	Kauri	Agathis australis	114	15 Nixon Street	Allotment 2 PSH of Whangarei	37/38
304	Puriri	Vitex lucens	114	36 Mill Road	Lot 6 Deeds 54B	38
305	NSW Christmas Bush	Ceratopetalum gummiferum	108	52 Mill Road	Lot 22 Deeds 47	38
306	Kauri	Agathis australis	120	54 Mill Road	Lot 2 DP 32065	38
309	English Oak	Quercus robur	126	5 Waiaatawa Road	Lot 3 DP 52738	36
310	English Oak	Quercus robur	126	2 Cairnfield Road	Lot 2 DP 43765 (tree not found)	36
311	Dead and removed – 10/113127			114 Mill Road, Lot 43 Dp 49343		
313	Miro, Pohutukawa,	Podocarpus ferruginea; Metrosideros excelsa;	105 107	5 Haronui Street	Lot 1 DP 198101	38
314	Totara (6) (4) 2 Trees removed LU1400131	Podocarpus totara	120	8 Parahaki Street	Lot 1 DP 30499	38
315	Japanese Cedar	Cryptomeria japonica	120	7 Drummond Street	Lot 1 DP 61911	38
316	Pohutukawa, Puriri	Metrosideros excelsa; Vitex lucens	102 102	13 Deveron Street	Part 5 DP 43729, 201, 202 Whg Parish	38
317	Pohutukawa (2), Camphor Laurel	Metrosideros excelsa; Cinnamomum Camphora	108 117	52 Hatea Drive	Lot 2 DP 50447 Lot 1 DP470739	38
319	Magnolia	Magnolia grandiflora	111	64 Hatea Drive	Pt Lot 7 DP 20669	38
320	Persimmon Tree felled	Diospyros kaki	105	28 Mair Street	Lot 1 DP 54911	38

No.	Common Name	Botanical Name	Stem Score	Site Address	Legal Description	Map No.
321	Totara (tree not found) Pohutukawa Tree felled RC40000	Podocarpus totara; Metrosideros excelsa	114 120	21 Mair Street	Lot 3 DP 210369	38
322	Totara	Podocarpus totara	102	23 Mair Street	Lot 1 DP 134340	38
323	Sapote	Bumelia lycioides	102	109 Hatea Drive	Lot 20 DP 23799	38
324	Turpentine Tree	Syncarpia glomulifera	120	119 Hatea Drive	Lot 3 DP 163785	38
327	English Oak	Quercus robur	102	445 Maunu Road	Lot 2 DP 76853	42
328	Totara, Taraire	Podocarpus totara; Beilschmiedia tarairi	105 108	10 Le Ruez Place	Lot 4 DP 81042	42
329	Camphor Laurel	Cinnamomum camphora	180	432 Maunu Road	Lot 1 DP 163236	42
330	Puriri	Vitex lucens	126	7 Puriri Park Road	Lot 1 DP 127363	42
331	Karaka (2), Puriri (2), Taraire(14), Totara	Corynocarpus laevigatus; Vitex lucens; Beilschmiedia tarairi; Podocarpus totara	111 117 117 117	415 Maunu Road	Lots 9 & 10 DP 36424	42
332	Puriri, Taraire (3)(2) <u>One Taraire removed</u> <u>(LU1500062)</u>	Vitex lucens; Beilschmiedia tarairi	108 126	409 Maunu Road	Lot 1 DP 171202	42
333	Puriri, Taraire (3)	Vitex lucens; Beilschmiedia tarairi	120 126	407 Maunu Road	Lot 1 DP 168512	42
334	Totara, Tanekaha	Podocarpus totara; Phyllocladus trichomanoides	108 114	64 Silverstream Road	Lot 23 DP 55371	42



No.	Common Name	Botanical Name	Stem Score	Site Address	Legal Description	Map No.
362	Kauri (2)	Agathis australis	108	180 Beach Road	Pt Allotment 125 TN OF Grahamtown	46
363	Pohutukawa (2)	Metrosideros excelsa	126	13A Whimp Avenue	Pt Allotment 29 TN OF Grahamtown	46
368	Kahikatea (3)	Dacrycarpus dacrydoides	108	33-35 Whangarei Heads Rd	Lots 5, 6, DP 44469	46
378	Rimu (2)	Dacrydium cupressinum	102	1 Apirana Avenue	Lot 1 DP 77897	37
379	Kauri	Agathis australis	120	31 Norfolk Street	Lot 8 DP 23815	37
385	Puriri, Liquidamber, English Holly (3), Maiden Hair Tree, Pohutukawa (9), Puriri, Titoki, Kermadec Pohutukawa (2)	Vitex lucens; Liquidamber styraciflua; Ilex aquifolium; Gingko bilboa; Metrosideros excelsa; Alectryon excelsus; Metrosideros kermadecensis	114 108 114 114 126 114 120	Christ Church, Kamo Road	Pt Lot 2 Deeds W20	37
387	Liquidamber (2), Scarlet Oak, Camphor Laurel	Liquidambar styraciflua; Quercus coccinea; Cinnamomum camphora	108 108 121	1 Cross Street	Pts Allot 1 Psh Whangarei	37
389	Jacaranda (2),	Jacaranda mimosaeifolia;	108	174 Bank Street	Lot 1 DP 37723 Deeds 555	37



No.	Common Name	Botanical Name	Stem Score	Site Address	Legal Description	Map No.
390	Puriri	Vitex lucens	108	153A Bank Street	Pt Lot 1 Psh Whangarei	37
392	Southern Magnolia (3)	Magnolia grandiflora	114	145 Bank Street	Road Reserve - Lot 5 DP 23509	37
393	Pohutukawa	Metrosideros excelsa	108	28 Norfolk Street	Lot 2 DP 125737	37
394	Pohutukawa	Metrosideros excelsa	108	2 Pentland Road	Lot 1 DP 125737	38
397	Puriri	Vitex lucens	114	12 Aubrey Street	Lot 2 DP 101542	38
398 and 399	Stand of Kahikatea, Totara	Dacrycarpus dacrydioides; Podocarpus totara	117 and 126	103, 105 and 107 George Street	Lots 10,11 and 12 DP 23178	28
400	Kahikatea	Dacrycarpus dacrydioides	114	95 George Street	Lot 6 DP 13614	28
401	Liquidamber	Liquidamber styraciflua	126	73 George Street	Lot 2 DP 85894	28
403	Stand of Kahikatea	Dacrycarpus dacrydioides; Podocarpus totara	111	Jordan Valley Rd	Allot 229 Parish of Hikurangi	28
404	Magnolia	Magnolia grandiflora	122	48B George Street	Lot 3 DP 50900	28
407	Stand of Totara	Podocarpus totara	114	State Highway 1 Hikurangi	Pt Allot 68 Parish of Hikurangi	28
408	Stand of Kahikatea, Totara	Dacrycarpus dacrydioides; Podocarpus totara	102	Union Street – end	Pt Lot 1 DEEDS 485	28
409	Oak	Quercus robur	114	16 King Street	Lot 20 DP 17558	28

No.	Common Name	Botanical Name	Stem Score	Site Address	Legal Description	Map No.
410	Oak, Tulip Tree, Oak, Liquidamber, Japanese Cedar	Quercus robur ; Liriodendron tulipifera ; Quercus robur ; Liquidamber styraciflua ; Cryptomeria japonica	102 102 105 120 114	8 Valley Road	Lot 42 Psh Hikurangi	28
411	Oaks	Quercus robur	108	Valley Road- beside railway line	<u>Lot 1 DP 431260, Lot 1 DP417056 – Lot 1 DP 77667- Pt Allot 42 and Pt Allot NW42 Hikurangi Parish</u>	28
415	Totara (2) Felled RC # 39717	Podocarpus totara	108	48 Moody Avenue	Lot 11 DP 38052	36
416	Rimu (2)	Dacrydium cupressinum	108	33 Mains Avenue	Lot 1 DP 162893	36
417	Kauri	Agathis australis	102	63 Anzac Road	Lot 5 DP 34469	43
418	Totara (stand)	Podocarpus totara	108	16 Bedlington Street	Lot 1 DP 46028	35
426	Magnolia	Magnolia grandiflora	120	85 George Street	Lot 3 DP 156426	28
429	Pohutukawa	Metrosideros excelsa	126	6 Boswell Street	Lot 2 DP 21592	33
431	Jacaranda	Jacaranda mimosaeifolia	102	76 Hatea Drive	Lot 2 DP 410	
433	Liquidamber	Liquidamber styraciflua	120	74 Mains Avenue	Lot 24 DP 11618	36
434	Walnut Felled RC 40784	Juglans regia	114	20 Radcliffe Street	Lot 2 DP 43704	36
435	Pohutukawa	Metrosideros excelsa	126	81 Ridgeway Road, Headland Farm Park	Lots 1-4 DP 10055	48
436	Totara (3)	Podocarpus totara	108	9 Te Puia Street Kamo (2) and 13 Conifer Grove, Kamo (1)	lot 8 DP52362 Lot 2 DP 365884	35



No.	Common Name	Botanical Name	Stem Score	Site Address	Legal Description	Map No.
438	Kauri	Agathis australis	102	11 Wallace Street	Lot 1 DP 20158	37
500	Norfolk Island Pine	Araucaria hetrophylla	132	421 Kamo Road	Lot 1 DP 57301	35
501	Liquidamber	Liquidamber styraciflua	138	23 Whau Valley Road	Lot 1 DP 23601	35
502	Tulip Tree Tree felled RC37100	Liriodendron tulipifera	132	27 Whau Valley Road	Lot 6 DP 42701	35
503	London Plane Tree	Platanus acerifolia	129	56 Weaver Street	Lot 2 DP 179429	36
504	Tulip Tree	Liriodendron tulipifera	150	151 Kiripaka Road	Lot 7 DP 40467	36
505	Grove of native trees		144	27 Kauika Rd	Lot 51 DP 2605	37
506	Norfolk Island Pine	Araucaria hetrophylla	132	25 Kauika Rd	Pt Lot 7 DP 1827	37
507	Jacaranda	Jacaranda mimosaeifolia	129	46 Kamo Road	Lot 4 DP 53575	37
508	Holm Oak (Holly Oak)	Quercus ilex	132	5 Waiatawa Road	Lot 3 DP 52738	36
509	Californian Redwoods	Sequoia sempervirens	144	264 Maunu Road	Lot 5 DP 174384	42
510	Camphor Laurel	Cinnamomum camphora	144	53 Hospital Road	Lot 5 DP 4692	42
511	London Plane Tree	Platanus acerifolia	144	154 Maunu Road	Lot 1 DP 48922	42
512	Puriri	Vitex lucens	132	34 Weir Crecent	Lot 2 DP 49501	46
513	Dawn Redwood	Metasequoia glyptostroboides	120	32 Rust Avenue	Lot 1 DP 34026	37/39
514	Senegal Date Palm	Phoenix reclinata	132	12 Aubrey Street	Lot 1 DP 101542	38
515	Italian Cypress (2)	Cupressus sempervirens stricta	129	7 Pentland Road	Lot 5 DP 23637	38
516	Pohutukawa	Metrosideros excelsa	120	401 Western Hills Drive	Pt Lot 8 DP 1827	43
517	Senegal Date Palm	Phoenix reclinata	132	12A Aubrey Street	Lot 2 DP 101542	38
518	Totara (2)	Podocarpus totara	114	21A Mair Street	Lot 2 DP 210369 (Trees not found)	38

No.	Common Name	Botanical Name	Stem Score	Site Address	Legal Description	Map No.
519	Pohutukawa	Metrosideros excelsa	120	21B Mair Street	Lot 1 DP 207207	38
520	Totara	Podocarpus totara,	114 score for stand	7 Kaiaua Road	Lot 65 DP 186937	33
521	Totara	Podocarpus totara,	114 score for stand	Gillingham Road	Lot 19 DP 182617	33

NOTE: Any tree greater than 6.0m in height or with a girth (measured 500mm above the ground) greater than 600mm located within a road reserve or reserve administered by the council is classified as a Heritage Tree.

Revision and Sign-off Sheet

Date Approved	Author	Paragraph	Change Reference	Decision Date
24 July 2007	FP	Heritage Trees 516-521	Re-insertion of missing table rows.	
26 July 2007	FP	Text	Correction to show reference to Chapter 14 and Chapter 59.	
4 February 2008	FP	Tree 434	Felled	RC40784
5 June 2008	FP	Tree 342	Correction of Legal description from Lot 7 DP 35302 to Lot 2 DP 391024	Clause 20A Memo 08/41300 or 08/43460 with maps
15 July 2008	FP	Tree 436	Correction of Legal description due to subdivision	Clause 20A Memo 08/53864
26 February 09	FP	Tree lot 335	-1 of 3 tree 335 felled Jan 2009	Authority 08/73887
26 February 09	FP	Tree 219	Dying tree felled October 2007	Retrospective Approval 07/88976
14 Sept. 2010	FP	Tree 342	Lot 2 DP 391024 has been subdivided and is now Lot 12 DP 409108 with new site address	Clause 20A Record P119473/RC40649
10 December 2010	FP	Tree 311	Dead and removed. 114 Mill Road, Lot 13 Dp 49343	Clause 20A Record 10/113127
17 May 2011	FP	Tree 295	Hazardous and removed. 59 Kamo Rd	P09041 - 11/31156 and 11/28289
14 June 2011	FP	Tree 320	Persimmon 28 Mair Street, felled	Clause 20A Ref. 11/49938
9 May 2012	LB	Tree 281	Kawaka 2 Zealandia Street, felled	Clause 20A Ref: 12/33681 and 11/41757
9 December 2002	MD	Tree 502	Felled	RC37100
19 August 2014	MD	Tree 295	Correction of Trim reference number	Ref: 11/46543
4 December 2014	TB	Tree 314	2 trees removed 4 December 2014	LU1400131
15 January 2015	TB	Tree 262	41 Kauika Rd became 41A Kauika Road	Authorised by Paul Waanders
18 March 2015	TB	Tree 411	Amendment to Legal Description	Ref: 15/23326
20 May 2015	TB	Tree 332	One of the Taraire Trees died and it was removed	LU1500062

No.	Common Name	Botanical Name	Stem Score	Site Address	Legal Description	Map No.
335	Totara (3) (2) 1 dead tree felled October 2008 ref 08/73387	Podocarpus totara	126	44 Silverstream Road	Lot 33 DP 55371	42
336	Totara (2)	Podocarpus totara	114	48 Silverstream Road	Lot 31 DP 55371	42
337	Rimu (2), Totara (3)	Dacrydium cupressinum; Podocarpus totara	108 114	33 Silverstream Road	Lot 17 DP 54205	42
338	English Oak	Quercus robur	105	264 Maunu Road	Lot 5 DP 174384	42
339	Pohutukawa, English Oak, English Oak (7), Totara (3)	Metrosideros excelsa; Vitex lucens; Quercus robur; Podocarpus totara	105 102 108 108	Hospital 53 Hospital Road	Lots 1 & 6 DP 2380 Sections 2 & 16 Blk XII Purua SD	42
340	Totara (2)	Podocarpus totara	126 111	202 Maunu Road	Lots 1 & 3, DP 59270	42
342	English Oak	Quercus robur	114	2 Kirikiri Stream Lane	Lot 12 DP 409108	42 R
343	English Oak	Quercus robur	114	166 Maunu Road	Lot 1 DP 155164	42
349	Sentry Palm	Howea forsteriana	102	12 Hilltop Avenue	Lot 7 DP 48255	43
350	Kauri	Agathis australis	108	217 Morningside Road	Lot 2 DP 102274	43
351	Indian Cedar	Cedrus deodara	114	211 Morningside Road	Lots 3 - 4 DP 40075	43
353	Totara	Podocarpus totara	108	49 Morningside Road	Lot 22 DP 44841	43
355	Totara	Podocarpus totara	108	84A Morningside Road	Lot 2 DP 83173	43
358	Kauri	Agathis australis	111	17 Weir Crescent	Lot 2 DP 30773	46
359	Puriri	Vitex lucens	108	198 Beach Road	Lot 3 DP 19792	46

Date Approved	Author	Paragraph	Change Reference	Decision Date
20 May 2015	TB	Tree 317	Amendment to Legal Description	Ref: 15/44100

Editor

France Prevost (FP)
Lisa Blagrove (LB)
Melanie Donaghy (MD)
Taya Baxter (TB)
 Team Administrator Policy Division

Approved By
 Position

Paul Waanders (PGW)
 Policy & Monitoring Manager

Appendix B – Proposed Notable and Public Trees Provisions

NPT.1

Notable and Public Trees

Index

NPT.1	Notable and Public Trees
NPT.1.1	Description and Expectations
NPT.1.2	Eligibility
NPT.1.3	Objectives
NPT.1.4	Policies
NPT.1.5	Discretionary Activities (Land use)
NPT.1.6	Discretionary Activities (Subdivision)
NPT.1.7	Assessment Criteria for Discretionary Activities
NPT.1.8	Criteria for Notable Tree Classification
NPT.1.9	Schedule of Notable Trees
NPT.1.10	Public Trees

NPT.1.1 Description and Expectations

Trees provide a significant contribution to the amenity, historical, ecological and cultural values of the District. This is particularly so in urban areas where the ongoing demand for land development can threaten the existence of established trees.

Trees, whether individually or collectively, can have a number of positive effects on the environment. These include:

- A heritage and natural environmental legacy for current and future generations.
- Providing a habitat and food source for birds, insects and other wildlife.
- Providing shelter from the elements by providing shade, reducing glare and reducing the heat island effect.
- Improving the quality of waterways by filtering polluting particulates.
- Avoidance or mitigation of the effects of natural hazards, such as landslips and erosion by intercepting and reducing runoff and soil erosion.
- Absorbing carbon dioxide, releasing oxygen, and capturing and removing particulate matter and dust from the air.
- Providing a sense of place that contributes to character and local identity.
- Calming traffic, slowing speeds and providing a buffer between pedestrians and cars.
- Contributing to public health and well-being.

Individual trees and groups of trees that are considered to be among the most significant trees in Whangarei are scheduled in this chapter in order to protect the benefits they provide for current and future generations. These trees have been specifically identified as “Notable Trees” using the Standard Tree Evaluation Method (STEM™)¹. This takes into account a number of factors, with each factor scored in accordance with the STEM™ methodology and an overall score provided determining the status of the tree or trees as Notable Trees. Notable Trees are identified on the planning maps. The majority of scheduled Notable Trees are located on private land. A number of Notable Trees are also located in road reserves, parks and reserves.

Trees over a certain size in road reserves, parks and reserves are referred to throughout this chapter as “public trees”. Public trees make the streetscape more appealing while improving pedestrian amenity and public health. These trees also provide an important environmental function in terms of storing carbon, providing habitat and food for wildlife, improving air quality and providing ecological and amenity values. However, road reserves, parks and reserves facilitate a wide range of uses which can conflict

¹ Flook, R. 1996: A Standard Tree Evaluation Method, published by Ron Flook, Lower Hutt, New Zealand.

NPT.1

Notable and Public Trees

with the presence of trees. For instance, road reserves contain critical underground and network utility infrastructure and sometimes, conflict can occur between trees and these assets. As such the protection of public trees in road reserves, parks and reserves need to be balanced with these competing uses.

Future subdivision and development needs to consider how to accommodate existing and new trees and vegetation that contribute to ecological, cultural and amenity values, especially in new road reserves, parks and reserves. Council encourages the use of indigenous trees and vegetation in road reserves, parks and reserves and private land.

NPT.1.2 Eligibility

1. The following provisions shall apply district wide in addition to any other provisions in the District Plan applicable to the same area or site.
2. Any land use activity not requiring resource consent as a discretionary activity pursuant to NPT.1.5 is a permitted activity.
3. Any subdivision not requiring resource consent as a discretionary activity pursuant to NPT.1.6 is a controlled activity.
4. Where a tree or group of trees has been identified as a Notable Tree in NPT.1.9.1 and is located in a road reserve, park or reserve, the rules relating to Notable Trees shall take precedence.

NPT.1.3 Objectives

1. Notable trees and notable groups of trees with significant amenity, historical, ecological or cultural values are retained and protected from inappropriate subdivision, use and development.
2. Public trees in road reserves, parks and reserves are protected and maintained where they positively contribute to amenity, historical, ecological or cultural values, while enabling the safe and efficient development, maintenance, operation and upgrading of the roading network and network utilities.
3. Future subdivision, use and development provides for existing and new trees that contribute to amenity, historical, ecological or cultural values.

NPT.1.4 Policies

1. To require that notable trees and notable groups of trees are retained and protected from inappropriate subdivision, use and development by:
 - a. Identifying and scheduling notable trees and notable groups of trees by applying the STEM™ criteria in NPT.1.8.
 - b. Ensuring that subdivision, use or development does not result in the removal of notable trees or notable groups of trees, or have adverse effects on the life of the tree or identified significant amenity, historical, ecological or cultural values.
 - c. Enabling trimming and alteration of notable trees and notable groups of trees in accordance with arboricultural best practice where works are required to safeguard life or property or where the works are necessary to accommodate the efficient operation of the roading network or network utilities.
 - d. Providing education and advice to encourage the protection of notable trees and notable groups of trees.
 - e. Requiring future subdivision, use or development to respond to, accommodate and protect notable trees and notable groups of trees.

NPT.1

Notable and Public Trees

2. To require the protection of public trees in road reserves, parks and reserves while providing for the safe and efficient development, operation, use, maintenance and upgrading of infrastructure, utilities and the road network by:
 - a. Providing protection to public trees over a certain size in road reserves, parks and reserves.
 - b. Enabling the ongoing maintenance of public trees in road reserves, parks and reserves, while ensuring that tree selection and location recognises existing uses and adjoining landowners.
 - c. Encouraging the use of indigenous trees and vegetation, where appropriate, for planting within road reserves, parks and reserves, to recognise amenity, cultural and ecological values.
 - d. Enabling appropriate works to public trees to provide for the safe and efficient operation, use, maintenance and upgrading of network utilities.
3. To recognise and provide for existing and new trees when designing future subdivision and development by:
 - a. Identifying existing trees on sites or in new road reserves, parks and reserves which meet the NPT.1.8 criteria and requiring the design of subdivision and development to respond to, and where appropriate schedule, these identified trees.
 - b. Assessing the need for new trees to contribute to the amenity, historical, ecological or cultural values of the neighbourhood.
 - c. Encouraging the use of indigenous trees and vegetation for planting, where appropriate, to recognise amenity, cultural and ecological values.

NPT.1.5 Discretionary Activities (Land Use)

Notable Trees

1. Trimming or alteration of Notable Trees listed in NPT.1.9.1 which does not comply with the following:
 - a. The trimming or alteration is required for the removal of dead, dying or diseased wood.
 - b. Tree works undertaken in accordance with arboricultural best practice where:
 - i. The maximum branch diameter must not exceed 100mm at severance;
 - ii. No more than 20% of live growth of the tree is removed in any 12 month period and;
 - iii. Any works must retain the natural shape, form and branch habit of the tree.
 - c. Emergency tree works undertaken by the Whangarei District Council or their authorised representative in order to safeguard life or property, or to restore power or telecommunications infrastructure.
 - d. Tree works undertaken by a qualified arborist on behalf of a network utility operator where branches are interfering with overhead wires or network utilities and the trimming is required in order to maintain the security of an existing supply or to restore power or telecommunication infrastructure.
 - e. Council are notified in writing at least five working days prior to the tree works being undertaken.
2. Construction or alteration of any structure, excavation of land, compaction of soil or formation of any new impervious surfaces within the dripline of a Notable Tree listed NPT.1.9.1.

NPT.1

Notable and Public Trees

3. Damage to or removal of a Notable Tree listed in NPT.1.9.1.

Public Trees

4. Trimming or alteration of any public tree defined in NPT.1.10.1 which does not comply with the following:
 - a. The trimming or alteration is required for the removal of dead, dying or diseased wood.
 - b. Tree works are undertaken in accordance with arboricultural best practice where:
 - i. The maximum branch diameter does not exceed 100mm at severance;
 - ii. No more than one third of the foliage of the tree is removed in any 12 month period and;
 - iii. Works must retain the natural shape, form and branch habit of the tree.
 - c. Emergency tree works undertaken by the Whangarei District Council or their authorised representative.
 - d. Tree works undertaken by a qualified arborist on behalf of a network utility operator, where branches are compromising the safe and efficient operation, maintenance and upgrade of overhead wires or network utilities and the trimming is required in order to maintain the security of an existing supply or to restore power or telecommunication infrastructure.
 - e. Tree works undertaken by Whangarei District Council, a road controlling authority or their designated agent required to maintain the visibility of road safety signage, maintain vehicle sight lines for traffic safety or to maintain legal clearance height and width above the road carriageway.
5. Construction or alteration of any structure, excavation of land, compaction of soil or formation of any new impervious surfaces within the dripline of any public tree identified in NPT.1.10.1 except where:
 - a. The works are thrusting to a depth of greater than 650mm for the installation of network utilities supervised by a qualified arborist.
6. Damage to or removal of any public tree defined in NPT.1.10.1.

NPT.1.6 Discretionary Activities (Subdivision)

1. Subdivision of land that contains a Notable Tree listed in NPT.1.9.1 which is not able to locate a 100m² building platform, accessway(s) and associated services outside of the dripline of the identified tree or group of trees.
2. Subdivision of land that contains a public tree identified in NPT.1.10.1, which is not able to locate a 100m² building platform, accessway(s) and associated services outside of the dripline of the identified tree or group of trees.
3. Subdivision of land that results in the root zone or dripline of a Notable tree listed in NPT.1.9.1 being located on more than one site.

NPT.1.7 Assessment Criteria for Discretionary Activities

1. When assessing discretionary applications pursuant to NPT.1.5 and NPT.1.6, the assessment shall include (but is not limited to):
 - a. The extent to which alternative methods to avoid the trimming, alteration or removal of the tree or trees have been considered.

NPT.1

Notable and Public Trees

- b. Consideration of the specific historical, ecological, cultural or amenity values of the tree or trees and whether effects on these values can be minimised or avoided.
- c. The degree to which any proposed mitigation adequately compensates for the values that the tree or trees provide.
- d. Whether any impact on the immediate or long term-health and stability of the tree or trees is able to be minimised or avoided.
- e. The actual and potential risk of actual damage to people and property from the tree or trees.
- f. Methods to contain and control plant pathogens and diseases including measures for preventing the spread of soil and the safe disposal of plant material.
- g. The provision of a tree works plan to address the effects of the works on the tree or trees and outlining the proposed methods to be used.
- h. The functional and operational needs of infrastructure.
- i. Consistency with best arboricultural practices including consideration of the need for the direction and supervision by an on-site monitoring arborist while the works are being carried out.
- j. When subdividing land containing a Notable Tree or protected public tree, the ability for reasonably anticipated future development to occur in a manner which does not adversely affect the health and retention of the tree or group of trees.

NPT.1.8 Criteria for Notable Tree Classification

1. To provide a basis for regulatory measures to protect trees of significant amenity, historical, ecological or cultural values, selection and listing of Notable Trees in table NPT.1.9.1, have been assessed against the Standard Tree Evaluation Method (STEMTM)². A total score is calculated for each tree in accordance with the STEMTM criteria with trees scoring 100 points or greater being listed as Notable Trees in table NPT.1.9.1.
2. Consideration of any additional tree or group of trees for classification as Notable Trees shall also be assessed against the STEMTM criteria. Any tree which scores 100 points or greater can be considered for listing as a Notable Tree in table NPT.1.9.1.

NPT.1.9 Schedule of Notable Trees

1. This section contains details of Notable Trees identified on the Planning Maps. Trees within Table NPT.1.9.1 below have been identified in accordance with the criteria in NPT.1.8. Rules relating to these trees are provided in NPT.1.5 and NPT.1.6.

No.	Common Name	Botanical Name	Stem Score	Site Address	Legal Description	Map No.
200	Taraire	Beilschmiedia tarairi	102	89 Crawford Cres	Lot 1 DP 65923	35
201	Taraire	Beilschmiedia tarairi	144	89A Crawford Cres	Lot 2 DP 65925	35
202	Taraire (2)	Beilschmiedia tarairi	147	47 Bush Road	Lot 78 DP 51732	35

² Flook, R. 1996: A Standard Tree Evaluation Method, published by Ron Flook, Lower Hutt, New Zealand.

NPT.1

Notable and Public Trees

No.	Common Name	Botanical Name	Stem Score	Site Address	Legal Description	Map No.
203	Puriri	Vitex lucens	123	14 Barclay Place	Lot 14 DP 62193	33
205	Puriri	Vitex lucens	126	34 Puriri Street	Lot 1 DP 131477	33
206	Illawarra Flame Tree	Brachychiton acerifolium	105	17 Puriri Street	Pt Lot 9 Deeds W72	33
207	English Oak (8)	Quercus robur	126	20 Grant Street	Pt Section 126, Town of Kamo	33
208	Southern Magnolia	Magnolia grandiflora	114	421 Kamo Road	Lot 1 DP 57301	35
209	Hawaiian Kowhai	Sophora chrysophylla	108	117 Whau Valley Road	Lot 4 DP 39110	35
210	Taraire	Beilschmiedia tarairi	120	58 Fisher Terrace	Lot 66 DP 58330	35
211	Puriri	Vitex lucens	108	77 Fisher Terrace	Lot 80 DP 58330	35
212	Puriri	Vitex lucens	114	57A Fisher Terrace	Lot 2 DP 160104	35
214	Sentry Palm	Howea forsteriana	108	351 Kamo Road	Lot 5 DP 32993 (tree not found)	35
217	Maidenhair Tree	Ginkgo biloba	126	20 Whau Valley Road	Lot 1 DP 28355	35
220	Illawarra Flame Tree	Brachychiton acerifolium	102	59 Whau Valley Road	Lot 2 DP 77269	35
223	Tulip Tree	Liriodendron tulipifera	102	34 Bedlington Street	Lot 4 DP 35518	35
224	Pohutukawa,	Metrosideros excelsa;	129	162 Kamo Road	Lot 1 DP 58120	35
	Titoki	Alectryon excelsus	102			
226	Camphor Laurel, Jacaranda	Cinnamomum camphora; Jacaranda mimosaeifolia	114 108	17 Moody Avenue	Lot 2 DP 61116	36

NPT.1

Notable and Public Trees

No.	Common Name	Botanical Name	Stem Score	Site Address	Legal Description	Map No.
228	Rimu (7), Kauri (2) Japanese Maple, Jacaranda,	Dacrydium cupressinum; Agathis australis Acer palmatum; Jacaranda mimosaeifolia	126 102 111 108	19 and 21 Moody Avenue	Lot 1 DP 61116 and Lot 28 DP 17834	36
229	Camphor Laurel	Cinnamomum camphora	120	27 Moody Avenue	Lot 1 DP 75180	36
230	Camphor Laurel	Cinnamomum camphora	108	31 Moody Avenue	Pt Lot 4 DP 45519	36
236	Totara (2), Karaka, Puriri, Kohekohe, Nikau, Puriri	Podocarpus totara, Corynocarpus laevigatus, Vitex lucens Rhopalostylis sapida; Vitex lucens	114 score for stand	1A Gillingham Road	Pt Lot 12 DP 1583 & Pt Lot 13 DP 1583	34
244	Puriri	Vitex lucens	114	33 Kiripaka Road	Lot 1 DP 43988	36
245	Totara (2)	Podocarpus totara	114	40 Tapper Crescent	Lot 39 DP 72561	36
246	Pohutukawa, Red Oak, Puriri	Metrosideros excelsa; Quercus rubra; Vitex lucens	111 111 102	194 Corks Road	Pt Lot 108, 109 PSH OF Whangarei	36
247	Totara	Podocarpus totara	120	17 Meadow Park Cres	Lot 115 DP 58121	36
248	Totara	Podocarpus totara	105	54 Boundary Road	Lot 5 DP 61344	36
250	Totara (2)	Podocarpus totara	114	5 Kea Place	Lot 2 DP 70523	42
251	Totara	Podocarpus totara	120	3 Kea Place	Lot 10 DP 62276	42
252	Totara	Podocarpus totara	114	8 Kea Place	Lot 16 DP 62276	42
253	Kauri	Agathis australis	114	120 Maunu Road	Lot 2 DP 347018	42
255	English Oak	Quercus robur	114	85 Fourth Avenue	Pt Lot 2 3 DP 14650	37

NPT.1

Notable and Public Trees

No.	Common Name	Botanical Name	Stem Score	Site Address	Legal Description	Map No.
257	English Oak	Quercus robur	105	83 Fourth Avenue	Lot 1 DP 172504	37
258	English Oak	Quercus robur	114	14 Kirikiri Road	Lot 10 DP 203278	37
262	Pohutukawa	Metrosideros excelsa	102	41A Kauika Rd	Lot 1 DP 202399	37
265	English Oak,	Quercus robur;	120	9 - 11 Kauika Rd	Lot 2 DP 178081	43
266	English Oak	Quercus robur	114	82 Maunu Road	Lot 3 DP 341875	43
268	Totara	Podocarpus totara	108	36 Third Avenue	Lot 1 DP 8555	37
269	Totara	Podocarpus totara	114	48 Maunu Road	Lot 2 DP 123891	37
271	English Oak	Quercus robur	114	18 Central Avenue	Lot 1 DP 17446	37
272	Michelia	Michelia doltsopa	105	35 Russell Road	Lot 2 DP 35158	37
273	Kauri (2), Southern Magnolia	Agathis australis; Magnolia grandiflora	114 114	1 Russell Road	Pt 19 DP 12468	37
277	Rimu	Dacrydium cupressinum	108	7 Powhiri Avenue	Lot 1 DP 149824	37
278	Kauri	Agathis australis	102	23 Lupton Avenue	Pt 2 Deeds W58	37
280	Pohutukawa	Metrosideros excelsa	120	127 Kamo Road	Lot 2 DP 11413	37
284	Pohutukawa, Rimu (2)	Metrosideros excelsa; Dacrydium cupressinum	126	8 Kensington Ave	Lot 4 DP 54577	37
285	Kawaka (2)	Libocedrus plumosa	102	70 Kamo Road	Lot 1 Deeds 307	37
289	Totara (8)	Podocarpus totara	150	28 Mains Avenue	Lot 4 DP 31693	36
290	Pohutukawa	Metrosideros excelsa	144	25 Elizabeth Street	Lot 53 Deeds Plan W20	36
293	Maidenhair Tree	Ginkgo biloba	117	46 Kamo Road	Lot, 4 DP 53575	38
294	Kowhai	Sophora microphylla	114	34 Kamo Road	Lot 1 DP 24064	37

NPT.1

Notable and Public Trees

No.	Common Name	Botanical Name	Stem Score	Site Address	Legal Description	Map No.
296	Spanish Chestnut	<i>Castanea sativa</i>	114	11 Mill Road	Lot 2 DP 43654	37
297	Camphor Laurel, NSW Christmas Bush, Totara, Moreton Bay Chestnut	<i>Cinnamomum camphora</i> ; <i>Ceratopetalum gummiferum</i> ; <i>Podocarpus totara</i> ; <i>Castanospermum australe</i>	102 105 108 111	17 Mill Road	Pt Lot 12 Deeds 55 & Pt Lot 12 DP 24064	37
299	Pohutukawa, Totara	<i>Metrosideros excelsa</i> ; <i>Podocarpus totara</i>	108 108	19 Mill Road	Lot 14 DP 24066	38
300	Camphor Laurel	<i>Cinnamomum camphora</i>	114	29 Mill Road	Lot 8 DP 24064	38
301	Pohutukawa, (2) Kauri	<i>Metrosideros excelsa</i> ; <i>Agathis australis</i>	138 138	19 Nixon Street	Lot 5 DP 28817	38
302	Kauri	<i>Agathis australis</i>	114	15 Nixon Street	Allotment 2 PSH of Whangarei	37/38
304	Puriri	<i>Vitex lucens</i>	114	36 Mill Road	Lot 6 Deeds 54B	38
305	NSW Christmas Bush	<i>Ceratopetalum gummiferum</i>	108	52 Mill Road	Lot 22 Deeds 47	38
306	Kauri	<i>Agathis australis</i>	120	54 Mill Road	Lot 2 DP 32065	38
309	English Oak	<i>Quercus robur</i>	126	5 Waiaawa Road	Lot 3 DP 52738	36
310	English Oak	<i>Quercus robur</i>	126	2 Cairnfield Road	Lot 2 DP 43765 (tree not found)	36
313	Miro, Pohutukawa,	<i>Podocarpus ferruginea</i> ; <i>Metrosideros excelsa</i> ;	105 107	5 Haronui Street	Lot 1 DP 198101	38
314	Totara (4)	<i>Podocarpus totara</i>	120	8 Parahaki Street	Lot 1 DP 30499	38
315	Japanese Cedar	<i>Cryptomeria japonica</i>	120	7 Drummond Street	Lot 1 DP 61911	38

NPT.1

Notable and Public Trees

No.	Common Name	Botanical Name	Stem Score	Site Address	Legal Description	Map No.
316	Pohutukawa, Puriri	Metrosideros excelsa; Vitex lucens	102 102	13 Deveron Street	Part 5 DP 43729, 201, 202 Whg Parish	38
317	Pohutukawa (2), Camphor Laurel	Metrosideros excelsa; Cinnamomum Camphora	108 117	52 Hatea Drive	Lot 1 DP470739	38
319	Magnolia	Magnolia grandiflora	111	64 Hatea Drive	Pt Lot 7 DP 20669	38
322	Totara	Podocarpus totara	141	23 Mair Street	Lot 1 DP 134340	38
323	Sapote	Bumelia lycioides	102	109 Hatea Drive	Lot 20 DP 23799	38
324	Turpentine Tree	Syncarpia glomulifera	120	119 Hatea Drive	Lot 3 DP 163785	38
327	English Oak	Quercus robur	102	445 Maunu Road	Lot 2 DP 76853	42
328	Totara, Taraire	Podocarpus totara; Beilschmiedia tarairi	105 108	10 Le Ruez Place	Lot 4 DP 81042	42
329	Camphor Laurel	Cinnamomum camphora	180	432 Maunu Road	Lot 1 DP 163236	42
330	Puriri	Vitex lucens	159	7 Puriri Park Road	Lot 1 DP 127363	42
331	Karaka (2), Puriri (2), Taraire(14), Totara	Corynocarpus laevigatus; Vitex lucens; Beilschmiedia tarairi; Podocarpus totara	111 117 117 117	415 Maunu Road	Lots 9 & 10 DP 36424	42
332	Puriri, Taraire (2)	Vitex lucens; Beilschmiedia tarairi	108 126	409 Maunu Road	Lot 1 DP 171202	42
333	Puriri, Taraire (3)	Vitex lucens; Beilschmiedia tarairi	120 126	407 Maunu Road	Lot 1 DP 168512	42
334	Totara, Tanekaha	Podocarpus totara; Phyllocladus trichomanoides	138 114	64 Silverstream Road	Lot 23 DP 55371	42
335	Totara (2)	Podocarpus totara	126	44 Silverstream Road	Lot 33 DP 55371	42

NPT.1

Notable and Public Trees

No.	Common Name	Botanical Name	Stem Score	Site Address	Legal Description	Map No.
336	Totara (2)	Podocarpus totara	114	48 Silverstream Road	Lot 31 DP 55371	42
337	Rimu (2), Totara (3)	Dacrydium cupressinum; Podocarpus totara	108 114	33 Silverstream Road	Lot 17 DP 54205	42
338	English Oak	Quercus robur	105	264 Maunu Road	Lot 5 DP 174384	42
339	Pohutukawa, Puriri, English Oak (7), Totara (3)	Metrosideros excelsa; Vitex lucens; Quercus robur; Podocarpus totara	105 102 108 108	Hospital 53 Hospital Road	Lots 1 & 6 DP 2380 Sections 2 & 16 Blk XII Purua SD	42
340	Totara (2)	Podocarpus totara	126 111	202 Maunu Road	Lots 1 & 3, DP 59270	42
342	English Oak	Quercus robur	141	2 Kirikiri Stream Lane	Lot 12 DP 409108	42
343	English Oak	Quercus robur	114	166 Maunu Road	Lot 1 DP 155164	42
349	Sentry Palm	Howea forsteriana	102	12 Hilltop Avenue	Lot 7 DP 48255	43
350	Kauri	Agathis australis	108	217 Morningside Road	Lot 2 DP 102274	43
351	Indian Cedar	Cedrus deodara	114	211 Morningside Road	Lots 3 - 4 DP 40075	43
353	Totara	Podocarpus totara	108	49 Morningside Road	Lot 22 DP 44841	43
355	Totara	Podocarpus totara	108	84A Morningside Road	Lot 2 DP 83173	43
358	Kauri	Agathis australis	111	17 Weir Crescent	Lot 2 DP 30773	46
359	Puriri	Vitex lucens	108	198 Beach Road	Lot 3 DP 19792	46
362	Kauri (2)	Agathis australis	108	180 Beach Road	Pt Allotment 125 TN OF Grahamtown	46
368	Kahikatea (3)	Dacrycarpus dacrydoides	108	33-35 Whangarei Heads Rd	Lots 5, 6, DP 44469	46

NPT.1

Notable and Public Trees

No.	Common Name	Botanical Name	Stem Score	Site Address	Legal Description	Map No.
378	Rimu (2)	Dacrydium cupressinum	102	1 Apirana Avenue	Lot 1 DP 77897	37
379	Kauri	Agathis australis	120	31 Norfolk Street	Lot 8 DP 23815	37
385	Puriri, Liquidambar, English Holly (3), Maiden Hair Tree, Pohutukawa (9), Puriri, Titoki, Kermadec Pohutukawa (2)	Vitex lucens; Liquidambar styraciflua; Ilex aquifolium; Ginkgo biloba; Metrosideros excelsa; Vitex lucens Alectryon excelsus; Metrosideros kermadecensis	114 108 114 114 126 114 120	Christ Church, Kamo Road	Pt Lot 2 Deeds W20	37
387	Liquidambar (2), Scarlet Oak, Camphor Laurel	Liquidambar styraciflua; Quercus coccinea; Cinnamomum camphora	108 108 121	1 Cross Street	Pts Allot 1 Psh Whangarei	37
389	Jacaranda (2),	Jacaranda mimosaeifolia;	108	174 Bank Street	Lot 1 DP 37723 Deeds 555	37
390	Puriri	Vitex lucens	108	153A Bank Street	Pt Lot 1 Psh Whangarei	37
392	Southern Magnolia (3)	Magnolia grandiflora	114	145 Bank Street	Road Reserve - Lot 5 DP 23509	37
393	Pohutukawa	Metrosideros excelsa	135	28 Norfolk Street	Lot 2 DP 125737	37
394	Pohutukawa	Metrosideros excelsa	108	2 Pentland Road	Lot 1 DP 125737	38
397	Puriri	Vitex lucens	114	12 Aubrey Street	Lot 2 DP 101542	38

NPT.1

Notable and Public Trees

No.	Common Name	Botanical Name	Stem Score	Site Address	Legal Description	Map No.
398 and 399	Stand of Kahikatea, Totara	Dacrycarpus dacrydioides; Podocarpus totara	117 and 126	103, 105 and 107 George Street	Lots 10,11 and 12 DP 23178	28
400	Kahikatea	Dacrycarpus dacrydioides	114	95 George Street	Lot 6 DP 13614	28
401	Liquidamber	Liquidambar styraciflua	162	73 George Street	Lot 2 DP 85894	28
403	Stand of Kahikatea	Dacrycarpus dacrydioides; Podocarpus totara	111	Jordan Valley Rd	Allot 229 Parish of Hikurangi	28
404	Magnolia	Magnolia grandiflora	122	48B George Street	Lot 3 DP 50900	28
407	Stand of Totara	Podocarpus totara	114	State Highway 1 Hikurangi	Pt Allot 68 Parish of Hikurangi	28
408	Stand of Kahikatea, Totara	Dacrycarpus dacrydioides; Podocarpus totara	102	Union Street – end	Pt Lot 1 DEEDS 485	28
409	Oak	Quercus robur	114	16 King Street	Lot 20 DP 17558	28
410	Oak, Tulip Tree, Oak, Liquidamber, Japanese Cedar	Quercus robur ; Liriodendron tulipifera ; Quercus robur ; Liquidambar styraciflua ; Cryptomeria japonica	102 102 105 120 114	8 Valley Road	Lot 42 Psh Hikurangi	28
411	Oaks	Quercus robur	108	Valley Road- beside railway line	Lot 1 DP 431260, Lot 1 DP417056 –Pt Allot 42 and Pt Allot NW42 Hikurangi Parish	28
416	Rimu (2)	Dacrydium cupressinum	132	33 Mains Avenue	Lot 1 DP 162893	36
417	Kauri	Agathis australis	102	63 Anzac Road	Lot 5 DP 34469	43
418	Totara (stand)	Podocarpus totara	108	16 Bedlington Street	Lot 1 DP 46028	35

NPT.1

Notable and Public Trees

No.	Common Name	Botanical Name	Stem Score	Site Address	Legal Description	Map No.
426	Magnolia	Magnolia grandiflora	120	85 George Street	Lot 3 DP 156426	28
429	Pohutukawa	Metrosideros excelsa	126	6 Boswell Street	Lot 2 DP 21592	33
431	Jacaranda	Jacaranda mimosaeifolia	102	76 Hatea Drive	Lot 2 DP 410	
433	Liquidamber	Liquidambar styraciflua	150	76 Mains Avenue	Lot 24 DP 11618	36
435	Pohutukawa	Metrosideros excelsa	192	81 Ridgeway Road, Headland Farm Park	Lots 1-4 DP 10055	48
436	Totara (3)	Podocarpus totara	138	9 Te Puia Street Kamo (2) and 13 Conifer Grove, Kamo (1)	lot 8 DP52362 Lot 2 DP 365884	35
438	Kauri	Agathis australis	102	11 Wallace Street	Lot 1 DP 20158	37
500	Norfolk Island Pine	Araucaria hetrophylla	132	421 Kamo Road	Lot 1 DP 57301	35
501	Liquidamber	Liquidambar styraciflua	138	23 Whau Valley Road	Lot 1 DP 23601	35
503	London Plane Tree	Platanus acerifolia	129	56 Weaver Street	Lot 2 DP 179429	36
504	Tulip Tree	Liriodendron tulipifera	150	151 Kiripaka Road	Lot 7 DP 40467	36
505	Grove of native trees		144	27 Kauika Rd	Lot 51 DP 2605	37
506	Norfolk Island Pine	Araucaria hetrophylla	132	25 Kauika Rd	Pt Lot 7 DP 1827	37
507	Jacaranda	Jacaranda mimosaeifolia	129	46 Kamo Road	Lot 4 DP 53575	37
508	Holm Oak (Holly Oak)	Quercus ilex	132	5 Waiaatawa Road	Lot 3 DP 52738	36
509	Californian Redwoods	Sequoia sempervirens	144	264 Maunu Road	Lot 5 DP 174384	42
510	Camphor Laurel	Cinnamomum camphora	144	53 Hospital Road	Lot 5 DP 4692	42
511	London Plane Tree	Platanus acerifolia	144	154 Maunu Road	Lot 1 DP 48922	42
512	Puriri	Vitex lucens	132	34 Weir Crecent	Lot 2 DP 49501	46

NPT.1

Notable and Public Trees

No.	Common Name	Botanical Name	Stem Score	Site Address	Legal Description	Map No.
513	Swamp Cypress	Taxodium distichum	144	32 Rust Avenue	Lot 1 DP 34026	37/39
514	Senegal Date Palm	Phoenix reclinata	132	12 Aubrey Street	Lot 1 DP 101542	38
515	Italian Cypress (2)	Cupressus sempervirens stricta	126	7 Pentland Road	Lot 5 DP 23637	38
516	Pohutukawa	Metrosideros excelsa	120	401 Western Hills Drive	Pt Lot 8 DP 1827	43
517	Senegal Date Palm	Phoenix reclinata	132	12A Aubrey Street	Lot 2 DP 101542	38
518	Totara (2)	Podocarpus totara	114	21A Mair Street	Lot 2 DP 210369 (Trees not found)	38
519	Pohutukawa	Metrosideros excelsa	144	21B Mair Street	Lot 1 DP 207207	38
520	Totara	Podocarpus totara,	114 score for stand	7 Kaiaua Road	Lot 65 DP 186937	33
521	Totara	Podocarpus totara,	114 score for stand	Gillingham Road	Lot 19 DP 182617	33
522	Pohutukawa (4)	Metrosideros excelsa	180	Headland Farm Park, Esplanade Reserve, adjacent to Lot 47 DP 100551	Lot 94 DP 100551	48

NPT.1.10 Protected Public Trees

1. Public tree means, any tree or trees located within a road reserve, park or reserve administered by Whangarei District Council greater than 6.0m in height or with a girth (measured 1.4m above the ground) greater than 600mm except:
 - a. Pest species identified in the Northland Regional Council Pest Management Strategy and Surveillance list are not subject to general protection.
 - b. Any tree listed as an Environmental weed or National pest plant under an approved document prepared in accordance with the Biosecurity Act 1993.
 - c. Any tree subject to an order made under Section 129 of the Property Law Act 1952.
 - d. Any tree species grown for its edible fruit (except Walnut (*Juglans* spp.), Chestnut (*Castanea sativa*), Pecan nut (*Carya illinoensis*) and Carob (*Ceratonia siliqua*) which are protected).

NPT.1

Notable and Public Trees

- e. The following additional tree species are not subject to protection within a road reserve, park or reserve administered by Whangarei District Council:
- i. *Acacia* species – all except *Acacia melanoxylon*.
 - ii. *Eucalyptus cinera* (silver dollar gum).
 - iii. *Acmena smithii* (acmena or lillypilly).
 - iv. *Casuarina* spp.
 - v. *Phoenix canariensis* (Phoenix palm).
 - vi. *Ligustrum* spp (Privet).
 - vii. *Salix* species (willow).
 - viii. *Hakea salicifolia*.
 - ix. *Archontophoenix cunninghamiana* (Bangalow palm).
 - x. *Erythrina x sykesii* (Coral Tree – also referred to as Flame Tree).
 - xi. *Trachycarpus Fortunei* (Windmill palm).
 - xii. *Populus yunnanensis* (Chinese Poplar).
 - xiii. *Cupressus macrocarpa* (Macrocarpa).
 - xiv. *Pinus* spp.
 - xv. *Prunus campanulata* (Taiwan cherry)

NPT.1

Notable and Public Trees

Revision and Sign-off Sheet

Date Approved	Editor	Paragraph	Change Reference	Decision Date	Approved By

Editor **xxx**

Author Position Team Administrator Policy Division

Approved By **xxx**

Approver Position District Plan Team Leader

Appendix C – Consequential Changes to the WDP

Appendix C Consequential Changes

Consequential Changes to the Operative Whangarei District Plan Text

The following pages contain the relevant sections of the Operative District Plan that require consequential amendments as a result of Plan Change 129

Consequential amendments are proposed to the following Parts of the Operative District Plan:

Plan section	Provisions	Action
Part C- Policies	Chapter 14	Delete
Part E – Resource Areas – Heritage Trees Resource Area Rules	59.1 Introduction	Delete
	59.2 Heritage Trees Rule Table	Delete
	59.2.1 Trimming of Tress	Delete
	59.2.2 Removal of Trees	Delete
	59.2.3 Activities new a Heritage Tree	Delete
	59.3 Reasons for Rules/Explanations	Delete
Part I Appendices	Part I – Appendix 2 – Heritage Trees	Delete
Part F – Subdivision – Introduction to Subdivision Rules	70.3 Additional Matters Over Which Control Has Been Reserved	Amend
Part F – Subdivision Rules – Living 1, 2 and 3 Environments	71.3.15 Other Significant Features	Amend
Part F – Subdivision Rules - Business 1, 2, 3, 4, Town Basin, Marsden Point Port, Port Nikau and Airport Environments	74.3.16 Other Significant Features	Amend

Part C- Policies

Heritage Trees

14. Significant Issues

The damage and destruction of heritage trees can significantly affect the heritage, cultural, amenity and natural values of an area.

14.2 Overview

Trees serve as reminders of past generations and their achievements, and provide a sense of continuity and identity for the community. As such, they are a significant component of the heritage and amenity values of the District. This is particularly so in urban areas that are faced with continuous demand for intensive land development.

The heritage, amenity and natural values associated with these trees makes many of them deserving of protection. The majority of these significant trees are located on private land. Several are located in roads and parks which are publicly owned. An important factor in maintaining the unique heritage character of the District is the continued and healthy existence of trees of heritage value.

Trees, whether individually or collectively, can have a number of positive effects on the environment. These include:

- A heritage and natural environmental legacy we will leave for future generations;
- A pleasant outlook for a site and the surrounding area, whether it be in a residential, commercial or industrial location, by softening, complementing and in some instances contrasting with the built environment;
- A safe habitat for birds, insects and other wildlife;
- Shelter from the elements for humans, wildlife and other vulnerable elements of the environment;
- Avoidance or mitigation of the effects of natural hazards, such as landslips and erosion;
- Atmospheric processes by recycling moisture, absorbing carbon dioxide and giving off oxygen, and by settling and gathering airborne dust.

14.3 Objectives

The protection and enhancement of trees that make a significant contribution to heritage values.

Explanation and Reasons: Trees that possess heritage values contribute to the identity of the District and to the well-being of the people who reside here. Development and other activities need to avoid adversely affecting these trees and the values associated with them.

14.4 Policies

14.4.1 Identification

To identify trees of heritage value to the community in the Plan. Consideration is given to the criteria set out in Schedule 14A to determine whether trees are worthy of protection:

Explanation and Reasons: This policy reflects the need to identify and protect trees within the District that possess heritage value to the community. Identifying individual trees or stands of trees that are significant by listing them in an appendix and identifying them on the Planning Maps, will result in greater public awareness of the importance of the trees. Such identification

~~will also provide increased opportunities for management and protection of the heritage trees. It will allow for voluntary management by landowners and enforceable rules regulating activities involving listed Heritage Trees. Trees of significance to tangata whenua will be identified in Iwi/Hapu Environment Management Plans.~~

14.4.2 Destruction

To ensure that no subdivision, use or development should result in destruction of, or adverse effects on, Heritage Trees, in particular adverse effects on:

- ~~The long term life of the tree;~~
- ~~The heritage and amenity values of the tree.~~

~~Explanation and Reasons: Heritage Trees are an important heritage resource in the District, and as such their destruction, or modification in any way, is not considered to be desirable. Work undertaken on, or in the vicinity of, the trees should not endanger the trees or endanger people's health and safety. Development in the vicinity of a heritage tree can detract from its character. Therefore, development in the vicinity of a heritage tree can detract from its character. Therefore, development needs to be undertaken with care and sensitivity.~~

14.4.2 Trees of Significance to Tangata Whenua

To ensure that subdivision, use or development does not adversely affect the cultural values of trees of significance to tangata whenua.

~~Explanation and Reasons: Certain trees have Maori cultural value and can be tapu. Certain trees were set aside for specific cultural purposes and some of these are still standing today.~~

14.4.4 Cross Boundary Effects

To administer the heritage tree protection provisions in a manner which recognises that works may be required at times to avoid significant loss of daylight to adjoining properties, and/or damage through falling branches and root growth; provided that the amenity value and health of the tree is not compromised.

~~Explanation and Reasons: This policy seeks to ensure that cross-boundary effects as set out in the Property Law Amendment Act 1975 are duly recognised in administration of the heritage tree protection provisions.~~

14.5 Methods

14.5.1 Regulatory Methods

- ~~Identification of Heritage Trees on the Planning Maps (Policy 14.4.1).~~
- ~~Resource Area rules relating to trimming and removal of Heritage Trees and activities near Heritage Trees (Policy 14.4.2).~~
- ~~Resource consent conditions (Policy 14.4.2).~~
- ~~Heritage Orders (Policy 14.4.2).~~

14.5.2 Other Plans and Legislation

- ~~Identification of trees of significance to tangata whenua in Iwi/Hapu Environmental Management Plans (Policy 14.4.3).~~

14.5.3 Information, Education and Advocacy

- ~~Liaison with other organisations involved in resource management, for example: Transit New Zealand, Heritage New Zealand Pouhere Taonga (Policy 14.4.1).~~

- Liaison with iwi authorities and tangata whenua (Policy 14.4.3).
- Educate and inform owners and the public about the trees (Policy 14.4.1).
- Promote voluntary protection of Heritage Trees through the use of protective covenants under the Historic Places Act 1993 (Policy 14.4.1).
- Provide guidelines on trimming and care of Heritage Trees (Policy 14.4.4).

14.6 Anticipated Environmental Results

The following results are expected to be achieved by the foregoing Objectives, Policies and Methods. The means of monitoring whether the Plan achieves the expected outcomes are set out in the Whangarei District Council Monitoring Strategy.

- The recognition and identification of heritage trees of significance to the District.
- The protection of heritage trees to a level appropriate to their significance to the District.
- Nearby land use and development that is cognisant of, and sympathetic to, recognised heritage trees.
- The recognition, identification and protection of heritage trees of significance to Maori.

Schedule 14A – Criteria for Heritage Tree Classification★

To provide a basis for regulatory measures to protect trees of heritage value, and to enhance public awareness of them. Selection and listing of trees of heritage value in this Plan has taken into account the following factors:

1. Form

The tree should have good form, be reliable in structure and a good example of the species.

2. Occurrence of the Species

How common or rare the tree is within the District, regional and national context.

3. Vitality

The assessment of the health of the tree.

4. Function

The physical and ecological functioning and contribution of the tree. This factor also includes recognition of the local adverse effects of the tree.

5. Age

The loss of a mature tree leaves a time lapse before another tree will fulfil similar functions and achieve the same values. This factor also recognises the tree's natural life expectancy.

6. Stature

The height and canopy spread of a tree can have a significant influence on its visual impact.

7. Visibility

The amenity value of the tree and its accessibility to the public.

* A Standard Tree Evaluation Method (STEM), Ron Flook, 1996

8. Proximity of Other Trees

~~The singularity of a tree can be more important than a group of trees.~~

9. Role in Setting

~~The visual and spatial qualities surrounding the tree in its setting. Many trees are significant landmarks in the District.~~

10. Climatic Influence

~~The influence of a tree on the microclimate, e.g. shade, shelter and temperature control.~~

11. Feature

~~Trees of exceptional proportions, or tree forms of special interest.~~

12. Historic

~~The association of the tree with historic events, people and significant periods in the development of the District.~~

13. Scientific and Botanical

~~The significance of the tree in a scientific or botanical context, having particular regard to rarity, representativeness and endemism. This factor also recognises trees of unusual genetic or morphological form.~~

~~Each of the factors is scored, and then a total score is calculated for each tree, in accordance with the Council's Standard Tree Evaluation Method.~~

~~Trees scoring 100 points or greater are listed as heritage trees in Appendix 2 of this Plan.~~

Part E – Resource Areas –

59. Heritage Trees

59.1 Introduction

This Chapter contains rules relating to land uses that affect Heritage Trees. These trees are shown on the Planning Maps by symbols on the Resource Area Maps. These rules apply in addition to any other rules in this Plan applicable to the same areas or sites. See Appendix 2 for a list of Heritage Trees and their classification.

59.2 Heritage Trees Rule Table

59.2.1 Trimming of Trees

<p>Trimming carried out on Heritage Tree is permitted if:</p> <ul style="list-style-type: none"> a) It is the removal of dead, dying or diseased wood from the crown of the tree; or b) It involves trimming by use of secateurs or loppers, (i.e. no handsaws or chainsaws) of branches less than 50.0mm in diameter, and c) No more than one third of the foliage of the tree is removed in any 12 month period; and d) Any work is undertaken by, or under the supervision of, a contractor approved by the New Zealand Arboricultural Association, who has advised the Parks Department of the Whangarei District Council in advance of the work to be carried out; or e) The trimming is undertaken by the Whangarei District Council as an emergency work to safeguard life or property, or to restore power or communications' links. f) The trimming is undertaken by a network utility operator in consultation with a contractor approved by the New Zealand Arboricultural Association, where branches are interfering with overhead wires or utility networks and trimming is required in order to maintain the security of an existing supply. 	<p>Trimming of any listed Heritage Tree that does not comply with a condition for a permitted activity is a discretionary activity.</p> <p>Any activity that does not comply with a standard for a discretionary activity is a non-complying activity.</p>
--	--

59.2.2 Removal of Trees

Destruction or removal of a tree is a permitted activity, in terms of this rule, if it is not the destruction or removal of a Heritage Tree listed in Appendix 2 of this Plan.	Destruction or removal of a Heritage Tree is a discretionary activity.
--	--

59.2.3 Activities Near a Heritage Tree

Construction or alteration of any structure, excavation of land, or formation of new impervious surfaces is permitted if it does not occur within the dripline of a Heritage Tree.	Any activity that does not comply with the condition for a permitted activity is a restricted discretionary activity. Discretion is restricted to: <ol style="list-style-type: none"> The public benefit or degree of necessity concerned; Any alternative methods which may be available to achieve the objectives of the application; The extent to which the tree or trees contribute to the neighbourhood; Whether the activity is likely, in the opinion of Council, to damage the tree or endanger its health.
--	--

Note: ~~Heritage Trees are listed in Appendix 2.~~

59.3 Reasons for Rules / Explanations

Trimming

~~Trees of significant heritage value are considered worthy of protection. The number of Heritage Trees listed in the Plan is a small proportion of the total number of trees within the District, and includes those that are of outstanding rarity or quality, in terms of the criteria stated in Chapter 14.~~

Removal

~~The removal of Heritage Trees is a discretionary activity.~~

Nearby Development

~~Nearby development can have significant impacts on the values of Heritage Trees. The visual values associated with the trees can be interrupted by allowing development on site or on adjacent sites. The creation of extensive impervious surfaces near these trees is likely to have significant effects on the health of the tree Sites of Significance to Maori.~~

Part I – Appendices–

Appendix 2 Heritage Trees

This Appendix contains details of Heritage Trees indicated on the Planning Maps. The trees have been identified in accordance with the criteria in Chapter 14. Rules relating to these trees are in Chapter 59.

No.	Common Name	Botanical Name	Stem Score	Site Address	Legal Description	Map No.
200	Taraire	Beilschmiedia tarairi	102	89 Crawford Cres	Lot 1 DP 65923	35
201	Taraire	Beilschmiedia tarairi	102	89A Crawford Cres	Lot 2 DP 65925	35
202	Taraire (2)	Beilschmiedia tarairi	102	47 Bush Road	Lot 78 DP 51732	35
203	Puriri	Vitex lucens	123	14 Barclay Place	Lot 14 DP 62193	33
205	Puriri	Vitex lucens	126	34 Puriri Street	Lot 1 DP 131477	33
206	Illawarra Flame Tree	Brachychiton acerifolium	105	17 Puriri Street	Pt Lot 9 Deeds W72	33
207	English Oak (8)	Quercus robur	126	20 Grant Street	Pt Section 126, Town of Kamo	33
208	Southern Magnolia	Magnolia grandiflora	114	421 Kamo Road	Lot 1 DP 57301	35
209	Hawaiian Kowhai	Sophora chrysophylla	108	117 Whau Valley Road	Lot 4 DP 39110	35
210	Taraire	Beilschmiedia tarairi	120	58 Fisher Terrace	Lot 66 DP 58330	35
211	Puriri	Vitex lucens	108	77 Fisher Terrace	Lot 80 DP 58330	35
212	Puriri	Vitex lucens	114	57A Fisher Terrace	Lot 2 DP 160104	35
214	Sentry Palm	Howea forsteriana	108	351 Kamo Road	Lot 5 DP 32993 (tree not found)	35
217	Maidenhair Tree	Ginkgo bilboa	126	20 Whau Valley Road	Lot 1 DP 28355	35
219	Jacaranda Felled under Retrospective approval Oct 07	Jacaranda mimosaeifolia	105	23 Whau Valley Road	Lot 1 DP 23601	35
220	Illawarra Flame Tree	Brachychiton acerifolium	102	59 Whau Valley Road	Lot 2 DP 77269	35
223	Tulip Tree	Liriodendron tulipifera	102	34 Bedlington Street	Lot 4 DP 35518	35

No.	Common Name	Botanical Name	Stem Score	Site Address	Legal Description	Map No.
224	Pohutukawa, Titoki	Metrosideros excelsa; Alectryon excelsus	114 102	162 Kamo Road	Lot 1 DP 58120	35
226	Camphor Laurel, Jacaranda	Cinnamomum camphora; Jacaranda mimosaeifolia	114 108	17 Moody Avenue	Lot 2 DP 61116	36
228	Rimu (7), Kauri (2) Japanese Maple, Jacaranda,	Daerydium cupressinum; Agathis australis Acer plamatum; Jacaranda mimosaeifolia	114 102 111 108	19 and 21 Moody Avenue	Lot 1 DP 61116 and Lot 28 DP 17834	36
229	Camphor Laurel	Cinnamomum camphora	114	27 Moody Avenue	Lot 1 DP 75180	36
230	Camphor Laurel	Cinnamomum camphora	108	31 Moody Avenue	Pt Lot 4 DP 45519	36
233	English Oak	Quercus robur	102	71 Keyte Street	Lot 27 DP 38993	36
236	Totara (2), Karaka, Puriri, Kohokohe, Nikau, Puriri	Podocarpus totara, Gorynocarpus laevigatus, Rhopalestylis sapida; Vitex lucens	114 score for stand	1A Gillingham Road	Pt Lot 12 DP 1583 & Pt Lot 13 DP 1583	34
244	Puriri	Vitex lucens	114	33 Kiripaka Road	Lot 1 DP 43988	36
245	Totara (2)	Podocarpus totara	102	40 Tapper Crescent	Lot 39 DP 72561	36
246	Pohutukawa, Red Oak, Puriri	Metrosideros excelsa; Quercus rubra; Vitex lucens	111 111 102	194 Corks Road	Pt Lot 108, 109 PSH OF Whangarei	36
247	Totara	Podocarpus totara	120	17 Meadow Park Cres	Lot 115 DP 58121	36
248	Totara	Podocarpus totara	105	54 Boundary Road	Lot 5 DP 61344	36
250	Totara (2)	Podocarpus totara	114	5 Kea Place	Lot 2 DP 70523	42

No.	Common Name	Botanical Name	Stem Score	Site Address	Legal Description	Map No.
251	Totara	Podocarpus totara	120	3 Kea Place	Lot 10 DP 62276	42
252	Totara	Podocarpus totara	114	8 Kea Place	Lot 16 DP 62276	42
253	Kauri	Agathis australis	114	120 Maunu Road	Lot 2 DP 347018	42
255	English Oak	Quercus robur	114	85 Fourth Avenue	Pt Lot 2 3 DP 14650	37
257	English Oak	Quercus robur	105	83 Fourth Avenue	Lot 1 DP 172504	37
258	English Oak	Quercus robur	114	14 Kirikiri Road	Lot 10 DP 203278	37
262	Pohutukawa	Metrosideros excelsa	102	41A Kauika Rd	Lot 1 DP 202399	37
265	English Oak;	Quercus robur;	120	9 11 Kauika Rd	Lot 2 DP 178081	43
266	English Oak	Quercus robur	114	82 Maunu Road	Lot 3 DP 341875	43
268	Totara	Podocarpus totara	108	36 Third Avenue	Lot 1 DP 8555	37
269	Totara	Podocarpus totara	114	48 Maunu Road	Lot 2 DP 123891	37
271	English Oak	Quercus robur	120	18 Central Avenue	Lot 1 DP 17446	37
272	Michelia	Michelia doltsopa	105	35 Russell Road	Lot 2 DP 35158	37
273	Kauri (2); Southern Magnolia	Agathis australis; Magnolia grandiflora	114 114	1 Russell Road	Pt 19 DP 12468	37
277	Rimu	Dacrydium cupressinum	108	7 Powhiri Avenue	Lot 1 DP 149824	37
278	Kauri	Agathis australis	102	23 Lupton Avenue	Pt 2 Deeds W58	37
280	Pohutukawa	Metrosideros excelsa	120	127 Kamo Road	Lot 2 DP 11413	37
281	Kawaka Hazardous and Removed	Libocedrus plumosa	108	2 Zealandia Street	Lot 1 DP 84533	37
284	Pohutukawa, Rimu (2)	Metrosideros excelsa; Dacrydium cupressinum	126	8 Kensington Ave	Lot 4 DP 54577	37
285	Kawaka (2)	Libocedrus plumosa	102	70 Kamo Road	Lot 1 Deeds 307	37
289	Totara (7)	Podocarpus totara	108	28 Mains Avenue	Lot 4 DP 31693	36

No.	Common Name	Botanical Name	Stem Score	Site Address	Legal Description	Map No.
290	Pohutukawa	<i>Metrosideros excelsa</i>	102	25 Elizabeth Street	Lot 53 Deeds Plan W20	36
293	Maidenhair Tree	<i>Ginkgo biloba</i>	117	46 Kamo Road	Lot 4 DP 53575	38
294	Kowhai	<i>Sophora microphylla</i>	114	34 Kamo Road	Lot 1 DP 24064	37
295	Pohutukawa – Hazardous and removed 11/36543	<i>Metrosideros excelsa</i>	111	59 Kamo Road	Lot 1 DP 137286	37
296	Spanish Chestnut	<i>Castanea sativa</i>	114	11 Mill Road	Lot 2 DP 43654	37
297	Camphor Laurel, NSW Christmas Bush, Totara, Moreton Bay Chestnut	<i>Cinnamomum camphora</i> ; <i>Ceratopetalum gummiferum</i> ; <i>Podocarpus totara</i> ; <i>Castanospermum australe</i>	102 105 108 111	17 Mill Road	Pt Lot 12 Deeds 55 & Pt Lot 12 DP 24064	37
299	Pohutukawa, Totara	<i>Metrosideros excelsa</i>; <i>Podocarpus totara</i>	108 108	19 Mill Road	Lot 14 DP 24066	38
300	Camphor Laurel	<i>Cinnamomum camphora</i>	114	29 Mill Road	Lot 8 DP 24064	38
301	Pohutukawa, (2) Kauri	<i>Metrosideros excelsa</i>; <i>Agathis australis</i>	102 114	19 Nixon Street	Lot 5 DP 28817	38
302	Kauri	<i>Agathis australis</i>	114	15 Nixon Street	Allotment 2 PSH of Whangarei	37/38
304	Puriri	<i>Vitex lucens</i>	114	36 Mill Road	Lot 6 Deeds 54B	38
305	NSW Christmas Bush	<i>Ceratopetalum gummiferum</i>	108	52 Mill Road	Lot 22 Deeds 47	38
306	Kauri	<i>Agathis australis</i>	120	54 Mill Road	Lot 2 DP 32065	38
309	English Oak	<i>Quercus robur</i>	126	5 Waiatawa Road	Lot 3 DP 52738	36
310	English Oak	<i>Quercus robur</i>	126	2 Cairnfield Road	Lot 2 DP 43765 (tree not found)	36

No.	Common Name	Botanical Name	Stem Score	Site Address	Legal Description	Map No.
311	Dead and removed 10/113127			114 Mill Road, Lot 13 Dp 49343		
313	Miro, Pohutukawa,	Podocarpus ferruginea; Metrosideros excelsa;	105 107	5 Haronui Street	Lot 1 DP 198101	38
314	Totara (6) (4) 2 Trees removed LU1400131	Podocarpus totara	120	8 Parahaki Street	Lot 1 DP 30499	38
315	Japanese Cedar	Cryptomeria japonica	120	7 Drummond Street	Lot 1 DP 61911	38
316	Pohutukawa, Puriri	Metrosideros excelsa; Vitex lucens	102 102	13 Deveron Street	Part 5 DP 43729, 201, 202 Whg Parish	38
317	Pohutukawa (2), Camphor Laurel	Metrosideros excelsa; Cinnamomum Camphora	108 117	52 Hatea Drive	Lot 2 DP 50447 Lot 1 DP470739	38
319	Magnolia	Magnolia grandiflora	111	64 Hatea Drive	Pt Lot 7 DP 20669	38
320	Persimmon Tree felled	Diospyros kaki	105	28 Mair Street	Lot 1 DP 54911	38
321	Totara (tree not found) Pohutukawa Tree felled RC40000	Podocarpus totara; Metrosideros excelsa	114 120	21 Mair Street	Lot 3 DP 210369	38
322	Totara	Podocarpus totara	102	23 Mair Street	Lot 1 DP 134340	38
323	Sapote	Bumelia lycioides	102	109 Hatea Drive	Lot 20 DP 23799	38
324	Turpentine Tree	Syncarpia glomulifera	120	119 Hatea Drive	Lot 3 DP 163785	38
327	English Oak	Quercus robur	102	445 Maunu Road	Lot 2 DP 76853	42
328	Totara, Tarairi	Podocarpus totara ; Beilschmiedia tarairi	105 108	10 Le Ruez Place	Lot 4 DP 81042	42
329	Camphor Laurel	Cinnamomum camphora	180	432 Maunu Road	Lot 1 DP 163236	42
330	Puriri	Vitex lucens	126	7 Puriri Park Road	Lot 1 DP 127363	42

Plan Change 129 Heritage Trees
Consequential Changes to the Operative Whangarei District Plan

No.	Common Name	Botanical Name	Stem Score	Site Address	Legal Description	Map No.
331	Karaka (2), Puriri (2), Tarairo (14), Totara	Corynocarpus laevigatus; Vitex lucens ; Beilschmiedia tarairi; Podocarpus totara	111 117 117 117	415 Maunu Road	Lots 9 & 10 DP 36424	42
332	Puriri, Tarairo (3)(2) <u>One Tarairo removed (LU1500062)</u>	Vitex lucens; Beilschmiedia tarairi	108 126	409 Maunu Road	Lot 1 DP 171202	42
333	Puriri, Tarairo (3)	Vitex lucens ; Beilschmiedia tarairi	120 126	407 Maunu Road	Lot 1 DP 168512	42
334	Totara, Tanekaha	Podocarpus totara; Phyllocladus trichomanoides	108 114	64 Silverstream Road	Lot 23 DP 55371	42
335	Totara (3) (2) 1 dead tree felled October 2008 ref 08/73387	Podocarpus totara	126	44 Silverstream Road	Lot 33 DP 55371	42
336	Totara (2)	Podocarpus totara	114	48 Silverstream Road	Lot 31 DP 55371	42
337	Rimu (2), Totara (3)	Dacrydium cupressinum; Podocarpus totara	108 114	33 Silverstream Road	Lot 17 DP 54205	42
338	English Oak	Quercus robur	105	264 Maunu Road	Lot 5 DP 174384	42
339	Pohutukawa, English Oak, English Oak (7), Totara (3)	Metrosideros excelsa; Vitex lucens ; Quercus robur; Podocarpus totara	105 102 108 108	Hospital 53 Hospital Road	Lots 1 & 6 DP 2380 Sections 2 & 16 Blk XII Purua SD	42
340	Totara (2)	Podocarpus totara	126 111	202 Maunu Road	Lots 1 & 3, DP 59270	42
342	English Oak	Quercus robur	114	2 Kirikiri Stream Lane	Lot 12 DP 409108	42 R
343	English Oak	Quercus robur	114	166 Maunu Road	Lot 1 DP 155164	42

No.	Common Name	Botanical Name	Stem Score	Site Address	Legal Description	Map No.
349	Sentry Palm	Howea forsteriana	102	12 Hilltop Avenue	Lot 7 DP 48255	43
350	Kauri	Agathis australis	108	217 Morningside Road	Lot 2 DP 102274	43
351	Indian Cedar	Cedrus deodara	114	211 Morningside Road	Lots 3-4 DP 40075	43
353	Totara	Podocarpus totara	108	49 Morningside Road	Lot 22 DP 44841	43
355	Totara	Podocarpus totara	108	84A Morningside Road	Lot 2 DP 83173	43
358	Kauri	Agathis australis	111	17 Weir Crescent	Lot 2 DP 30773	46
359	Puriri	Vitex lucens	108	198 Beach Road	Lot 3 DP 19792	46
362	Kauri (2)	Agathis australis	108	180 Beach Road	Pt Allotment 125 TN OF Grahamtown	46
363	Pohutukawa (2)	Metrosideros excelsa	126	13A Whimp Avenue	Pt Allotment 29 TN OF Grahamtown	46
368	Kahikatea (3)	Dacrycarpus dacrydoides	108	33-35 Whangarei Heads Rd	Lots 5, 6, DP 44469	46
378	Rimu (2)	Dacrydium cupressinum	102	1 Apirana Avenue	Lot 1 DP 77897	37
379	Kauri	Agathis australis	120	31 Norfolk Street	Lot 8 DP 23815	37
385	Puriri, Liquidamber, English Holly (3), Maiden Hair Tree, Pohutukawa (9), Puriri, Titoki, Kermadec Pohutukawa (2)	Vitex lucens; Liquidambar styraciflua; Ilex aquifolium; Ginkgo bilboa; Metrosideros excelsa; Alectryon excelsus; Metrosideros kermadecensis	114 108 114 114 126 114 120	Christ Church, Kamo Road	Pt Lot 2 Deeds W20	37
387	Liquidamber (2), Scarlet Oak, Camphor Laurel	Liquidambar styraciflua; Quercus coccinea; Cinnamomum camphora	108 108 121	1 Cross Street	Pts Allot 1 Psh Whangarei	37

Plan Change 129 Heritage Trees
Consequential Changes to the Operative Whangarei District Plan

No.	Common Name	Botanical Name	Stem Score	Site Address	Legal Description	Map No.
389	Jacaranda (2);	Jacaranda mimosaeifolia;	108	174 Bank Street	Lot 1 DP 37723 Deeds 555	37
390	Puriri	Vitex lucens	108	153A Bank Street	Pt Lot 1 Psh Whangarei	37
392	Southern Magnolia (3)	Magnolia grandiflora	114	145 Bank Street	Road Reserve Lot 5 DP 23509	37
393	Pohutukawa	Metrosideros excelsa	108	28 Norfolk Street	Lot 2 DP 125737	37
394	Pohutukawa	Metrosideros excelsa	108	2 Pentland Road	Lot 1 DP 125737	38
397	Puriri	Vitex lucens	114	12 Aubrey Street	Lot 2 DP 101542	38
398 and 399	Stand of Kahikatea, Totara	Dacrycarpus dacrydioides; Podocarpus totara	117 and 126	103, 105 and 107 George Street	Lots 10,11 and 12 DP 23178	28
400	Kahikatea	Dacrycarpus dacrydioides	114	95 George Street	Lot 6 DP 13614	28
401	Liquidamber	Liquidamber styraciflua	126	73 George Street	Lot 2 DP 85894	28
403	Stand of Kahikatea	Dacrycarpus dacrydioides; Podocarpus totara	111	Jordan Valley Rd	Allot 229 Parish of Hikurangi	28
404	Magnolia	Magnolia grandiflora	122	48B George Street	Lot 3 DP 50900	28
407	Stand of Totara	Podocarpus totara	114	State Highway 1 Hikurangi	Pt Allot 68 Parish of Hikurangi	28
408	Stand of Kahikatea, Totara	Dacrycarpus dacrydioides; Podocarpus totara	102	Union Street end	Pt Lot 1 DEEDS 485	28
409	Oak	Quercus robur	114	16 King Street	Lot 20 DP 17558	28

No.	Common Name	Botanical Name	Stem Score	Site Address	Legal Description	Map No.
410	Oak, Tulip Tree, Oak, Liquidamber, Japanese Cedar	Quercus robur; Liriodendron tulipifera; Quercus robur; Liquidamber styraciflua; Cryptomeria japonica	102 102 105 120 114	8 Valley Road	Lot 42 Psh Hikurangi	28
411	Oaks	Quercus robur	108	Valley Road beside railway line	Lot 1 DP 431260, Lot 1 DP417056 Lot 1 DP 77657 Pt Allot 42 and Pt Allot NW42 Hikurangi Parish	28
415	Totara (2) Felled RC # 39717	Podocarpus totara	108	18 Moody Avenue	Lot 11 DP 38052	36
416	Rimu (2)	Dacrydium cupressinum	108	33 Mains Avenue	Lot 1 DP 162893	36
417	Kauri	Agathis australis	102	63 Anzac Road	Lot 5 DP 34469	43
418	Totara (stand)	Podocarpus totara	108	16 Bedlington Street	Lot 1 DP 46028	35
426	Magnolia	Magnolia grandiflora	120	85 George Street	Lot 3 DP 156426	28
429	Pohutukawa	Metrosideros excelsa	126	6 Boswell Street	Lot 2 DP 21592	33
431	Jacaranda	Jacaranda mimosaeifolia	102	76 Hatea Drive	Lot 2 DP 410	
433	Liquidamber	Liquidamber styraciflua	120	74 Mains Avenue	Lot 24 DP 11618	36
434	Walnut Felled RC 40784	Juglans regia	114	20 Radcliffe Street	Lot 2 DP 43704	36
435	Pohutukawa	Metrosideros excelsa	126	81 Ridgeway Road, Headland Farm Park	Lots 1-4 DP 10055	48
436	Totara (3)	Podocarpus totara	108	9 Te Puia Street Kamo (2) and 13 Conifer Grove, Kamo (1)	lot 8 DP52362 Lot 2 DP 365884	35
438	Kauri	Agathis australis	102	11 Wallace Street	Lot 1 DP 20158	37
500	Norfolk Island Pine	Araucaria heterophylla	132	421 Kamo Road	Lot 1 DP 57301	35

Plan Change 129 Heritage Trees
Consequential Changes to the Operative Whangarei District Plan

No.	Common Name	Botanical Name	Stem Score	Site Address	Legal Description	Map No.
501	Liquidamber	Liquidamber styraciflua	138	23 Whau Valley Road	Lot 1 DP 23601	35
502	Tulip Tree Tree felled RC37100	Liriodendron tulipifera	132	27 Whau Valley Road	Lot 6 DP 42701	35
503	London Plane Tree	Platanus acerifolia	129	56 Weaver Street	Lot 2 DP 179429	36
504	Tulip Tree	Liriodendron tulipifera	150	151 Kiripaka Road	Lot 7 DP 40467	36
505	Grove of native trees		144	27 Kauika Rd	Lot 51 DP 2605	37
506	Norfolk Island Pine	Araucaria heterophylla	132	25 Kauika Rd	Pt Lot 7 DP 1827	37
507	Jacaranda	Jacaranda mimosaeifolia	129	46 Kamo Road	Lot 4 DP 53575	37
508	Holm Oak (Holly Oak)	Quercus ilex	132	5 Waiatawa Road	Lot 3 DP 52738	36
509	Californian Redwoods	Sequoia sempervirens	144	264 Maunu Road	Lot 5 DP 174384	42
510	Camphor Laurel	Cinnamomum camphora	144	53 Hospital Road	Lot 5 DP 4692	42
511	London Plane Tree	Platanus acerifolia	144	154 Maunu Road	Lot 1 DP 48922	42
512	Puriri	Vitex lucens	132	34 Weir Crescent	Lot 2 DP 49501	46
513	Dawn Redwood	Metasequoia glyptostroboides	120	32 Rust Avenue	Lot 1 DP 34026	37/39
514	Senegal Date Palm	Phoenix reclinata	132	12 Aubrey Street	Lot 1 DP 101542	38
515	Italian Cypress (2)	Cupressus sempervirens stricta	129	7 Pentland Road	Lot 5 DP 23637	38
516	Pohutukawa	Metrosideros excelsa	120	401 Western Hills Drive	Pt Lot 8 DP 1827	43
517	Senegal Date Palm	Phoenix reclinata	132	12A Aubrey Street	Lot 2 DP 101542	38
518	Totara (2)	Podocarpus totara	114	21A Mair Street	Lot 2 DP 210369 (Trees not found)	38
519	Pohutukawa	Metrosideros excelsa	120	21B Mair Street	Lot 1 DP 207207	38

No.	Common Name	Botanical Name	Stem Score	Site Address	Legal Description	Map No.
520	Totara	Podocarpus totara,	114 score for stand	7 Kaiaua Road	Lot 65 DP 186937	33
521	Totara	Podocarpus totara,	114 score for stand	Gillingham Road	Lot 19 DP 182617	33

Part F – Subdivision

70 Introduction to Subdivision Rules

70.3 Additional Matters Over Which Control Has Been Reserved

The additional matters over which control has been reserved for controlled activities, referred to in Chapter 70.2 above, are:

...

c) Works or services to ensure the protection, restoration or enhancement of any natural or physical resource, including (but not limited to) the creation, extension or upgrading of services and systems, planting or replanting, the identification, accommodation and protection of any trees or groups of trees which are considered to be notable or of value in terms of their form; occurrence of the species; vitality; function; age; stature; visibility; proximity of other trees; role in setting; climatic influence; special feature; historic value and' scientific and botanical value, (the protection of Significant Ecological Areas) or any other works or services necessary to ensure the avoidance, remediation or mitigation of adverse environmental effects.

Part F –

71 Subdivision Rules – Living 1, 2 and 3 Environments

...

71.3.15 Other Significant Features

<p>Subdivision is a controlled activity if:</p> <ul style="list-style-type: none"> a) The boundaries of all allotments are drawn relative to a significant or notable feature identified in Appendices 2, 3 and 13, to ensure that the whole feature is entirely within one of the allotments produced by the subdivision; and b) Any identified building areas avoid the significant feature; c) Permanent protection of the significant feature is achieved; <p>Control is reserved over:</p> <ul style="list-style-type: none"> i. Effects on allotment boundaries and/or identified building areas on the integrity of the significant features; ii. Methods of permanent protection of significant features; iii. The additional matters listed in Chapter 70.3. 	<p>Any activity that does not comply with a standard for a controlled activity is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> i. The matters over which control is reserved; ii. Alternative location of allotment boundaries; iii. Alternative location of identified building areas; iv. Alternatives to the permanent protection of the significant feature.
---	---

Part F –

74 Subdivision Rules – Business 1, 2, 3, 4, Town Basin, Marsden Point Port, Port Nikau and Airport Environments

...

74.3.16 Other Significant Features

<p>Subdivision is a controlled activity if:</p> <ul style="list-style-type: none"> a) The boundaries of all allotments are drawn relative to a significant or notable feature identified in Appendices 2, 3 and 13, to ensure that the whole feature is entirely within one of the allotments produced by the subdivision; and b) Any identified building areas avoid the significant feature; c) Permanent protection of the feature is achieved. <p>Control is reserved over:</p> <ul style="list-style-type: none"> i. Effects on allotment boundaries and/or identified building areas on the integrity of the significant features; ii. Methods of permanent protection of significant features; iii. The additional matters listed in sec Chapter 70.3. 	<p>Any activity that does not comply with a standard for a controlled activity is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> i. The matters over which control is reserved; ii. Alternative location of allotment boundaries; iii. Alternative location of identified building areas; iv. Alternatives to the permanent protection of the significant feature.
---	---

Appendix D – Comparative District Plan Analysis Table

Appendix D – Comparative District Plan Analysis Table

Council	Operative/ Proposed/ Draft	Applicable sections	Notable trees approach -policy	Notable trees approach - rules	Street trees/reserve trees- policy/rules	Other tree protection? Natural hazards/coastal/vege etc	Comments	Scheduling Approach
FNDC	Operative	Chapter 12 - Section 5 Heritage	Generally covered off in heritage item policies, policy 12.5.4.3 specifically relates to notable trees - 'That notable trees be provided protection, except where it can be demonstrated that they pose a hazard to people or habitable buildings.'	Trimming and felling is provided the tree has died, or is required to prevent immediate risk to people/property* - PA. Activity complying with notable tree rules but not Part 2 of the Plan - Environment Provisions or Part 3 of the Plan - District Wide Provisions – RDA. Activity not complying with notable tree PA standards – DA.	There are no tree rules in the recreation or transport chapters relating to reserves or street trees. FNDC have a 'Tree and vegetation guideline' document produced 2008 regarding trees in reserves, street trees, private trees and road corridor management. This guideline includes applications for the removal of street trees. This guideline is used by operations team/ infrastructure arm but is not used by resource consents.	Notable trees are included in Chapter 12 'Natural and physical resources' Chapter 12 section 2 - Indigenous Flora and Fauna – includes provisions relating to removal of indigenous vegetation. Chapter 12 section 4 - natural hazards (section 4) – doesn't contain rules re. trees. Chapter 12 refers to compliance with Part 2 Environmental Provisions and Part 3 District Wide provisions however, there are no rules in these chapters relating to vegetation clearance/tree protection. No rules in coastal chapter.	Facilities Planner Carine Andries advised tree management guideline is due to be reviewed. Policy team advised that there is going to be an update to the plan to include Urban design matters which will place more emphasis on street trees and open space.	Evaluated using the New Zealand Institute of Horticulture Tree Evaluation Method: • size of the tree; • the importance of its position; • the presence of other trees; • the rarity of the species; • the setting and the tree's importance to that setting; • life expectancy and health of the tree; • form or shapeliness of the tree; • any other special features associated with the tree that may increase its value as a notable tree.

*Conditions/Permitted activity standards apply which must be complied with to retain their permitted activity status.

Appendix D – Comparative District Plan Analysis Table

Council	Operative/ Proposed/ Draft	Applicable sections	Notable trees approach -policy	Notable trees approach - rules	Street trees/reserve trees- policy/rules	Other tree protection? Natural hazards/coastal/vege etc	Comments	Scheduling Approach
Kaipara	Operative 2013	Chapter 19 Notable trees.	19.6.1 By identifying and where landowners agree, protecting Notable Trees in the District Plan. 19.6.2 By recognising that Notable Trees can cause unreasonable hazard to people or buildings or can create unreasonable restriction on landowners' opportunities to provide for their social and economic well-being. 19.6.3 By encouraging landowners to protect Notable Trees on their land through the provision of information and by offering development incentives.	Removal permitted if tree is dead or for emergency work, otherwise DA. Activities (earthworks, development etc) is permitted so long as not within dripline of notable tree, otherwise is DA. Trimming/maintenance permitted provide meets PA standards, otherwise a RDA.	Reserve Management Units in chapter 20 but no reference to trees. No reference to street trees.	Vegetation clearance rules are included in zone chapters.	The District Plan does not provide general tree protection rules and the protection of Notable Trees is provided with the agreement of the landowners concerned. In addition, it is noted that the District Plan does contain vegetation clearance rules within each Zone Chapter, which offer protection to groups of trees / vegetation though this is largely for protection of ecological and landscape values. Objectives and policies re. vegetation clearance are included in chapter 6 (ecological) and 7 (natural hazards), however rules are in zone chapter. Chapter 18 refers to ONLs, again rules are in zone chapter. Zone rules relate to clearance of indigenous vegetation.	STEM
Auckland	Operative 2016	Chapter D13 – Notable Tree overlay	Provide education and advice to encourage the protection of notable trees and notable groups of trees in rural and urban areas; Require notable trees and notable groups of trees to be retained and protected from inappropriate subdivision, use and development	Biosecurity tree works – permitted. Dead wood removal–permitted if undertaken by arborist, if not undertaken by arborist - CA. Emergency tree works – Permitted. Tree trimming, if complying with PA standards, permitted, otherwise RDA. Tree removal – DA. Works within protected root zone complying with PA standards – permitted, otherwise RDA.	<u>Street trees Chapter E17</u> Policies: (1) Trees in roads that contribute to cultural, amenity, landscape and ecological values are protected. (2) There is an increase in the quality and extent of tree cover in roads, particularly within areas identified for intensified living. (3) The safe and efficient development, maintenance, operation and upgrading of the transport system and utilities is enabled while ensuring that the overall	Additional vegetation clearance rules in overlays (ONL, SEA, HNC) chapter E15.		AUC has developed criteria based on the previous legacy councils. These criteria used STEM and the Royal NZ Institute of Horticulture Tree Evaluation Method (RNZIH) derived from the Helliwell system in Europe. Consideration was also given to the Trees A-H system used in the UK. There are three types of criteria: Special factors (standalone), Negative factors and Tree Specific factors. The special factor criteria are stand alone which means that if a tree or group of trees meets any one criterion then it is deemed notable. The tree-specific criteria require a

*Conditions/Permitted activity standards apply which must be complied with to retain their permitted activity status.

Appendix D – Comparative District Plan Analysis Table

Council	Operative/ Proposed/ Draft	Applicable sections	Notable trees approach -policy	Notable trees approach - rules	Street trees/reserve trees- policy/rules	Other tree protection? Natural hazards/coastal/vege etc	Comments	Scheduling Approach
					<p>ecological and amenity values provided by trees in roads are maintained.</p> <p>Rules:</p> <p>Biosecurity tree works – Permitted.</p> <p>Dead wood removal – Permitted.</p> <p>Emergency tree works - permitted.</p> <p>Pest plant removal – permitted.</p> <p>Tree trimming, if complying with PA standards, permitted, otherwise RDA.</p> <p>Tree removal of any tree less than 4m in height and less than 400mm in girth – Permitted.</p> <p>Tree removal of any tree greater than 4m in height or greater than 400mm in girth – RDA.</p> <p>Planting over network utilities with trees with a mature height of more than 4m – Permitted.</p> <p>Tree trimming, alteration or removal not otherwise provided for – DA.</p> <p><u>Open Space Chapter E16</u></p> <p>Policies:</p> <p>(1) Encourage ongoing maintenance of trees to enhance open space zones, while recognising existing constraints and functional requirements of the site. (2) Manage trees within open space zones to protect their cultural, amenity, landscape and ecological values, while</p>		<p>cumulative assessment. That means, for a tree or group of trees to be notable, it must have a cumulative score of 20 or more out of 40 using the scoring systems described in Appendix 1. Both the special factor and tree-specific criteria are used in combination to determine whether a tree or group of trees is notable. A tree will be notable if it meets only one of the special factors or the score threshold for tree-specific criteria. In addition, the assessment against the Special factor and tree-specific criteria is then balanced by taking into account the potential negative effects of the tree. In situations where negative effects occur then these must be offset against the benefits of protecting a notable tree. Special Factors – Heritage; scientific, ecosystem, cultural, intrinsic, negative.</p> <p>Tree Specific – age and health, character and form, size and visual contribution.</p> <p>Negative effects</p>	

*Conditions/Permitted activity standards apply which must be complied with to retain their permitted activity status.

Appendix D – Comparative District Plan Analysis Table

Council	Operative/ Proposed/ Draft	Applicable sections	Notable trees approach -policy	Notable trees approach - rules	Street trees/reserve trees- policy/rules	Other tree protection? Natural hazards/coastal/vege etc	Comments	Scheduling Approach
					<p>acknowledging that multiple uses occur in open space areas. (3) Encourage the use of indigenous trees and vegetation for planting within open space zones, where appropriate, to recognise and reflect cultural, amenity, landscape and ecological values.</p> <p>Rules:</p> <p>Biosecurity tree works – Permitted.</p> <p>Dead wood removal – Permitted.</p> <p>Emergency tree works - permitted.</p> <p>Pest plant removal of any tree less than 4m in height and less than 400mm in girth – permitted.</p> <p>Tree trimming, if complying with PA standards, permitted, otherwise RDA.</p> <p>Works within the protected root zone complying with A standards – Permitted, otherwise RDA.</p> <p>Tree removal of any tree less than 4m in height and less than 400mm in girth – Permitted.</p> <p>Tree removal of any tree greater than 4m in height or greater than 400mm in girth – RDA.</p>			
TCDC	Appeals version – no appeals therefore can be treated as operative.	Section 11 Significant trees (obs and pols); Section 35 Significant trees rules.	1a – work on or within the vicinity of a significant tree shall be carried out in a way that does not adversely affect the health of the tree. 1b – work on a significant tree shall be carried out in accordance with accepted arboriculture practice. 1c – financial incentives may be considered where they can assist private property owners with the	Rule 1 – Activities within the vicinity of a significant tree: Activities that are permitted in the underlying zone retain their activity status provided that: Parking or storage of materials, vehicles or machinery is on existing sealed, formed surfaces;	Tree strategy 2002. Tree masterplans fulfil the requirements of the 2002 strategy which covers all Council trees, and reinforce the amenities and natural values of the area. The documents are intended to guide tree selection processes for public	No tree/vegetation clearance rules in conservation zone, DOC land has a system of permissions and concessions for land use under the Waikato Conservation Management Strategy. There is a natural hazard chapter and an open	Vegetation clearance is controlled at zone level with additional significant tree provisions overriding them.	1. Notable significance – the tree is of significant age or exemplifies significant stature, vitality or form. 2. Botanical or scientific significance the significance of the tree because of its rarity, its representativeness, its value as a native tree or its unusual genetic form.

*Conditions/Permitted activity standards apply which must be complied with to retain their permitted activity status.

Appendix D – Comparative District Plan Analysis Table

Council	Operative/ Proposed/ Draft	Applicable sections	Notable trees approach -policy	Notable trees approach - rules	Street trees/reserve trees- policy/rules	Other tree protection? Natural hazards/coastal/vege etc	Comments	Scheduling Approach
			<p>care and maintenance of a significant tree.</p> <p>1d – the removal or felling of a significant tree shall be avoided, unless there are health and safety reasons for its removal.</p> <p>2a – subdivision and land use activities shall take into account the location of significant trees on a site being subdivided and/or developed and integrate them with the design and layout to retain their significance.</p> <p>2b – subdivision and land use activities should consider private property rights as well as the public value of significant trees.</p>	<p>Does not involve compaction, sealing, removal or addition of soil;</p> <p>There is no discharge of a substance that may harm the tree;</p> <p>There is no excavation except that within the road zone excavation no deeper than 200mm and at least 2m away from the tree trunk and any sealing is within an existing formed carriageway or footpath is permitted.</p> <p>Excitation within the protected root zone not permitted as per the above is a controlled activity.</p> <p>Any other activity not complying with the above provisions is an RDA.</p> <p>Rule 2 – Maintenance or enhancement of a significant tree: Maintenance/enhancement including pruning, trimming, dead wooding, crown reduction, cutting thinning or topping* - PA. Maintenance/enhancement not permitted as above – RDA.</p> <p>Rule 3 – Felling or damaging a significant tree: Tree is dead, damaged, dying or diseased* - PA. Tree is a hazard to people or property* - PA. Utility works* - PA. Other felling or damaging of a significant tree – NCA.</p>	<p>reserves and road berms. The plans identify trees that contribute to each ward's character and ensure that these tree species and others be considered for all future plantings.</p>	<p>space zone chapter, both of which include rules on natural hazards – neither of which have rules on tree/vegetation clearance.</p>		<p>3. Historic heritage significance – the tree is associated with historic events, people and significant periods in the development of the district.</p> <p>4. Cultural and spiritual significance – the tree has significant customary or spiritual value to a particular group of people.</p> <p>5. Landmark significance – there are visual and spatial qualities which make the tree an important landscape feature of a particular area.</p> <p>6. Functional significance – the tree has a significant physical and ecological function which may include amenity or climatic benefits (e.g. shade, screening, shelter and temperature control).</p> <p>7. Amenity values – the qualities and characteristics of a tree that contribute to people's appreciation of it.</p>

*Conditions/Permitted activity standards apply which must be complied with to retain their permitted activity status.

Appendix D – Comparative District Plan Analysis Table

Council	Operative/ Proposed/ Draft	Applicable sections	Notable trees approach -policy	Notable trees approach - rules	Street trees/reserve trees- policy/rules	Other tree protection? Natural hazards/coastal/vege etc	Comments	Scheduling Approach
QLDC	Proposed	Chapter 26 Historic Heritage & Chapter 32 Protected Trees	32.2.1.1 Identify and schedule in the District Plan the District's protected trees. 32.2.1.2 Protect scheduled trees from avoidable removal, removal of the protected tree status or inappropriate trimming or destruction, recognising them as an important part of the character, amenity and heritage values of the District. 32.2.1.3 Recognise where genuine circumstances exist, the removal or significant trimming of protected trees may not be avoidable because the values of the tree for which it was protected have significantly deteriorated, or the tree is causing a hazard to life or property. 32.2.1.4 Permit works and maintenance to be undertaken on protected trees where the work will assist in maintaining the health of the tree.	Minor trimming – PA. Significant trimming – DA. Works with protected rootzone – DA. Maintenance of protected hedgerows (to be supervised by qualified arborist) – PA. Removal or significant trimming of protected tree where the tree: is dead, diseased, damaged or hazard to life or property* – PA. Maintenance of the ground within the protected root zone e.g. lawn mowing domestic gardening – PA. Any works to a protected tree or within protected root zone – DA.	Chapter 32 Protected trees also includes provisions for protection of character trees and street trees in Arrowtown Management Areas. <u>Streets and public spaces</u> Policies: 32.2.2.1 Provide efficiencies to the Council where it is responsible for the conservation, maintenance and management of trees within streets and public spaces. 32.2.2.2 Recognise that trees within streets and public spaces provide a significant contribution to the amenity, heritage and biodiversity values of the Arrowtown Residential Historic Management Zone. 32.2.2.3 Protect trees within streets and public places in the Arrowtown Residential Historic Management Zone while acknowledging the primary function of streets and public spaces. Rules: Works by Council or their agent Removal or significant trimming where there is the tree is dead, diseased, damaged or likely to cause harm to people or property* – PA. Tree trimming– PA. Works within protected root zone - PA.	Chapter 34 Wilding Exotic Trees; Chapter 33 Indigenous vegetation lwi management plans.	Operative DP had a blanket tree protection rule in zones which is no longer relevant since change in legislation. Through proposed plan have schedule 'character' tree which are considered to contribute to the character, amenity and historical status of Arrowtown however do not meet STEM criteria. Protected trees (Heritage/scheduled trees) based on STEM assessment. Trees within the road or public spaces in Arrowtown.	STEM.

*Conditions/Permitted activity standards apply which must be complied with to retain their permitted activity status.

Appendix D – Comparative District Plan Analysis Table

Council	Operative/ Proposed/ Draft	Applicable sections	Notable trees approach -policy	Notable trees approach - rules	Street trees/reserve trees- policy/rules	Other tree protection? Natural hazards/coastal/vege etc	Comments	Scheduling Approach
					<p>Removal or significant trimming of any tree <4m in height – PA. Removal or significant trimming of any tree >4m in height – DA.</p> <p>Works by any other person/party Significant trimming or removal – DA. Any works within the protected root zone – DA.</p> <p><u>Character trees</u></p> <p>32.2.3.1 Identify and schedule in the District Plan trees and groups of trees within the Arrowtown Residential Historic Management Zone that contribute to the zone’s unique character and heritage values. 32.2.3.2 Protect or enhance Arrowtown’s unique character and amenity by recognising the contribution trees and groups of trees make to Arrowtown’s landscape, cultural identity and historic heritage values. 32.2.3.3 Acknowledge the important role trees and groups of trees have in contributing to the character and historic heritage of Arrowtown, despite that on an individual basis a tree or group of trees may not be significant in stature. 32.2.3.4 Have regard to the reasonable and efficient use of land anticipated in the Arrowtown Residential Historic Management zone,</p>			

*Conditions/Permitted activity standards apply which must be complied with to retain their permitted activity status.

Appendix D – Comparative District Plan Analysis Table

Council	Operative/ Proposed/ Draft	Applicable sections	Notable trees approach -policy	Notable trees approach - rules	Street trees/reserve trees- policy/rules	Other tree protection? Natural hazards/coastal/vege etc	Comments	Scheduling Approach
					<p>while ensuring the removal or modification of trees or groups of trees does not lead to the cumulative loss of Arrowtown's heritage character and amenity values.</p> <p>Rules:</p> <p>Significant trimming, removal, destruction or damage of a tree or hedgerow - RDA.</p> <p>Minor trimming of tree/hedgerow – PA.</p> <p>Works within protected root zone – RDA.</p> <p>Any building, excavation or trenching for underground services within protected root zone of a tree or hedge – RDA.</p> <p>Maintenance of character hedgerow* PA.</p> <p>Removal or significant trimming of a character tree that is dead, diseased, damaged or likely to cause hazard – PA.</p>			

*Conditions/Permitted activity standards apply which must be complied with to retain their permitted activity status.

Appendix E – Pre-notification Consultation Letters



Forum North, Private Bag 9023
 Whangarei 0148, New Zealand
Telephone: +64 9 430 4200
Facsimile: +64 9 438 7632
Email: mailroom@wdc.govt.nz
Website: www.wdc.govt.nz

In reply please quote

PC129

28 September 2017

Dear Sir/Madam

Draft Plan Change 129 NPT Notable and Public Trees

The Whangarei District Council is proposing to undertake a plan change (PC129) to update the district plan provisions applying to public and notable trees.

Your Input is Sought

Council is now seeking early input from a range of stakeholders. If you have any comments or questions, the District Plan Department want to hear from you by the 10th of November 2017. Comments will be used to make changes to the PC129 provisions prior to formal notification. Regardless of whether or not you wish to comment at this stage, there will also be the opportunity to make a formal submission when the plan change is notified later in the year.

What is PC129?

PC129 proposes to replace the "Heritage Tree" provisions in chapters 14, 59 and Appendix 2 of the Operative Whangarei District Plan (WDP) with one district wide chapter titled 'Notable and Public Trees (NPT)' that relates to the protection of individual trees or groups of trees.

Both individually and collectively trees provide a significant contribution to the historical, ecological, cultural and amenity values of the District. Those specimens that exemplify these characteristics are identified as being "notable".

Trees in road reserves, parks and reserves make the streetscape more appealing while improving pedestrian amenity and public health and provide important ecological functions. However, road reserves, parks and reserves facilitate a wide range of uses which can conflict with the presence of trees. As such Trees over a certain size in road reserves, parks and reserves are referred to throughout the proposed NPT chapter as "public trees", with allowances made for necessary works.

Why complete PC129?

PC129 forms part of Council's rolling review of the District Plan over a 10 year period. The review of the 'Heritage Tree' provisions in the WDP has identified:

- Conflicts between trees and private land uses;
- Conflicts between maintenance and efficient operation of infrastructure and the call for protection of trees;
- Heritage trees have identified social, cultural and environmental values;
- The need to ensure that trees are considered in relation to future generations, and therefore identified and retained through future subdivision and development processes;
- The benefit associated with enabling trees on road reserves, parks and reserves to be efficiently managed in order to support the ongoing retention of this asset.

The change from 'Heritage Trees' to 'Notable and Public Trees', recognises that a large number of trees afforded protection under these provisions are located on road reserves, parks and reserves and that those scheduled in the WDP are not necessarily scheduled for their heritage values, rather a range of more diverse values.

PC129 does not propose to amend the list of scheduled trees included in the WDP, all of which would remain protected under the proposed provisions. However, it is acknowledged that comments could seek to add or remove trees from the schedule following notification of PC129.

Yours faithfully

District Plan Department

Encl.

1. Feedback form
2. Draft district plan text – Notable and Public Trees

Private Bag 9023 | Whangarei 0148 | New Zealand
 T: 09 430 4200 | 0800 WDC INFO | 0800 932 463 | F: 09 438 7632
 W: www.wdc.govt.nz | E: mailroom@wdc.govt.nz



Pre-Consultation Comment Form

Plan Change 129: Notable and Public Trees

Please return completed forms to the following address:

Whangarei District Council, District Plan Department
 Private Bag 9023,
 Whangarei 0148
 Attention:

Or via email: mailroom@wdc.govt.nz

Comments must be received no later than ??

Full Name

Please print clearly

Postal address

Telephone no

Email

I **support**, **oppose** or are **neutral** (please circle):

Comment:

Office use

Doc ID _____

Submitter no _____

Submission no _____

Date _____

In reply please quote

PC129

28 September 2017

Dear Sir/Madam

Feedback on Draft Plan Change 129 NPT Notable and Public Trees

The Whangarei District Council is proposing to undertake a plan change (PC129) to update the district plan provisions applying to heritage trees.

Your Input is Sought

Council is now seeking early input from a range of stakeholders. If you have any comments or questions, the District Plan Department want to hear from you by the 10th of November 2017. Comments will be used to make changes to the PC129 provisions prior to formal notification. Regardless of whether or not you wish to comment at this stage, there will also be another opportunity to make a formal submission when the plan change is notified later in the year.

What is PC129?

PC129 proposes to replace the "Heritage Tree" provisions in chapters 14, 59 and Appendix 2 of the Operative Whangarei District Plan (WDP) with one district wide chapter titled 'Notable and Public Trees (NPT)' that relates to the protection of individual trees or groups of trees.

Both individually and collectively trees provide a significant contribution to the historical, ecological, cultural and amenity values of the District. Those specimens that exemplify these characteristics are identified as being "notable".

Trees in road reserves, parks and reserves make the streetscape more appealing while improving pedestrian amenity and public health and provide important ecological functions. However, road reserves, parks and reserves facilitate a wide range of uses which can conflict with the presence of trees. As such Trees over a certain size in road reserves, parks and reserves are referred to throughout the proposed NPT chapter as "public trees", with allowances made for necessary works.

Why complete PC129?

PC129 forms part of Council's rolling review of the District Plan over a 10 year period. The review of the 'Heritage Tree' provisions in the WDP has identified:

- Conflicts between trees and private land uses;
- Conflicts between maintenance and efficient operation of infrastructure and the call for protection of trees;
- Heritage trees have identified social, cultural and environmental values;
- The need to ensure that trees are considered in relation to future generations, and therefore identified and retained through future subdivision and development processes;
- The benefit associated with enabling trees on road reserves, parks and reserves to be efficiently managed in order to support the ongoing retention of this asset.

The change from 'Heritage Trees' to 'Notable and Public Trees', recognises that a large number of trees afforded protection under these provisions are located on road reserves, parks and reserves and that

those scheduled in the WDP are not necessarily scheduled for their heritage values, rather a range of more diverse values.

PC129 does not propose to amend the list of scheduled trees included in the WDP, all of which would remain protected under the proposed provisions. However, it is acknowledged that comments could seek to add or remove trees from the schedule following notification of PC129.

Initial Hapu Comments:

Representatives on Te Karearea have provided some initial feedback which has focused on the cultural importance of protecting trees. Feedback included:

- The chapter should be re-named to 'significant and public trees' rather than "notable and public trees".
- Requests for more direction about the cultural criteria applied to tree selection.
- The criteria for identification of culturally significant trees should be established by hapu.

Any further feedback you may have would be greatly appreciated.

Further Information

Copies of relevant District Plan provisions applying to public and notable trees, are attached. Also attached is a copy of the STEM heritage tree selection criteria. The full District Plan is available electronically on-line on the Whangarei District Council website www.wdc.govt.nz.

Yours faithfully

District Plan Department

Encl.

1. Feedback form
2. Draft district plan text – Notable and Public Trees
3. STEM criteria

Appendix F – Pre-notification Consultation – Draft Provisions

NPT.1

Notable and Public Trees

Index

NPT.1	Notable and Public Trees
NPT.1.1	Description and Expectations
NPT.1.2	Eligibility
NPT.1.3	Objectives
NPT.1.4	Policies
NPT.1.5	Discretionary Activities (Land use)
NPT.1.6	Discretionary Activities (Subdivision)
NPT.1.7	Assessment Criteria for Discretionary Activities
NPT.1.8	Criteria for Notable Tree Classification
NPT.1.9	Schedule of Notable Trees
NPT.1.10	Public Trees

NPT.1.1 Description and Expectations

Trees provide a significant contribution to the amenity, historical, ecological and cultural values of the District. This is particularly so in urban areas where the ongoing demand for land development can threaten the existence of established trees.

Trees, whether individually or collectively, can have a number of positive effects on the environment. These include:

- A heritage and natural environmental legacy for current and future generations.
- Providing a habitat and food source for birds, insects and other wildlife.
- Providing shelter from the elements by providing shade, reducing glare and reducing the heat island effect.
- Improving the quality of waterways by filtering polluting particulates.
- Avoidance or mitigation of the effects of natural hazards, such as landslips and erosion by intercepting and reducing runoff and soil erosion.
- Absorbing carbon dioxide, releasing oxygen, and capturing and removing particulate matter and dust from the air.
- Providing a sense of place that contributes to character and local identity.
- Calming traffic, slowing speeds and providing a buffer between pedestrians and cars.
- Contributing to public health and well-being.

Individual trees and groups of trees that are considered to be among the most significant trees in Whangarei are scheduled in this chapter in order to protect the benefits they provide for current and future generations. These trees have been specifically identified as “Notable Trees” using the Standard Tree Evaluation Method (STEM™)¹. This takes into account a number of factors, with each factor scored in accordance with the STEM™ methodology and an overall score provided determining the status of the tree or trees as Notable Trees. Notable Trees are identified on the planning maps. The majority of scheduled Notable Trees are located on private land. A number of Notable Trees are also located in road reserves, parks and reserves.

Trees over a certain size in road reserves, parks and reserves are referred to throughout this chapter as “public trees”. Public trees make the streetscape more appealing while improving pedestrian amenity and public health. These trees also provide an important environmental function in terms of storing carbon, providing habitat and food for wildlife, improving air quality and providing ecological and amenity values. However, road reserves, parks and reserves facilitate a wide range of uses which can conflict

¹ Flook, R. 1996: A Standard Tree Evaluation Method, published by Ron Flook, Lower Hutt, New Zealand.

NPT.1

Notable and Public Trees

with the presence of trees. For instance, road reserves contain critical underground and network utility infrastructure and sometimes, conflict can occur between trees and these assets. As such the protection of public trees in road reserves, parks and reserves need to be balanced with these competing uses.

Future subdivision and development needs to consider how to accommodate existing and new trees and vegetation that contribute to ecological, cultural and amenity values, especially in new road reserves, parks and reserves. Council encourages the use of indigenous trees and vegetation in road reserves, parks and reserves and private land.

NPT.1.2 Eligibility

1. The following provisions shall apply district wide in addition to any other provisions in the District Plan applicable to the same area or site.
2. Any land use activity not requiring resource consent as a discretionary activity pursuant to NPT.1.5 is a permitted activity.
3. Any subdivision not requiring resource consent as a discretionary activity pursuant to NPT.1.6 is a controlled activity.
4. Where a tree or group of trees has been identified as a Notable Tree in NPT.1.9.1 and is located in a road reserve, park or reserve, the rules relating to Notable Trees shall take precedence.

NPT.1.3 Objectives

1. Notable trees and notable groups of trees with significant amenity, historical, ecological or cultural values are retained and protected from inappropriate subdivision, use and development.
2. Trees in road reserves, parks and reserves are protected and maintained where they positively contribute to amenity, historical, ecological or cultural values, while enabling the safe and efficient development, maintenance, operation and upgrading of the roading network and network utilities.
3. Future subdivision, use and development provides for trees that contribute to amenity, historical, ecological or cultural values.

NPT.1.4 Policies

1. To require that notable trees and notable groups of trees are retained and protected from inappropriate subdivision, use and development by:
 - a. Identifying and scheduling notable trees and notable groups of trees by applying the STEM™ criteria in NPT.1.8.
 - b. Ensuring that subdivision, use or development does not result in the removal of notable trees or notable groups of trees, or have adverse effects on the life of the tree or identified significant amenity, historical, ecological or cultural values.
 - c. Enabling trimming and alteration of notable trees and notable groups of trees in accordance with arboricultural best practice where works are required to safeguard life or property or where the works are necessary to accommodate the efficient operation of the roading network or network utilities.
 - d. Providing education and advice to encourage the protection of notable trees and notable groups of trees.
 - e. Requiring future subdivision, use or development to respond to, accommodate and protect notable trees and notable groups of trees.

NPT.1

Notable and Public Trees

2. To require the protection of trees in road reserves, parks and reserves while providing for the safe and efficient development, operation, use, maintenance and upgrading of infrastructure, utilities and the road network by:
 - a. Providing protection to trees over a certain size in road reserves, parks and reserves.
 - b. Enabling the ongoing maintenance of trees in road reserves, parks and reserves, while ensuring that tree selection and location recognises existing uses and adjoining landowners.
 - c. Encouraging the use of indigenous trees and vegetation, where appropriate, for planting within road reserves, parks and reserves, to recognise amenity, cultural and ecological values.
3. To recognise and provide for existing and new trees when designing future subdivision and development by:
 - a. Identifying existing trees on sites or in new road reserves, parks and reserves which meet the NPT.1.8 criteria and requiring the design of subdivision and development to respond to, and where appropriate schedule, these identified trees.
 - b. Assessing the need for new trees to contribute to the amenity, historical, ecological or cultural values of the neighbourhood.
 - c. Encouraging the use of indigenous trees and vegetation for planting, where appropriate, to recognise amenity, cultural and ecological values.

NPT.1.5 Discretionary Activities (Land Use)

Notable Trees

1. Trimming or alteration of Notable Trees listed in NPT.1.9.1 which does not comply with the following:
 - a. The trimming or alteration is required for the removal of dead, dying or diseased wood undertaken by a qualified arborist.
 - b. Tree works undertaken by a qualified arborist in accordance with arboricultural best practice where:
 - i. The maximum branch diameter must not exceed 100mm at severance;
 - ii. No more than 10% of the crown of the tree is removed in any 12 month period and;
 - iii. Any works must retain the natural shape, form and branch habit of the tree.
 - c. Emergency tree works undertaken by the Whangarei District Council or their authorised representative in order to safeguard life or property, or to restore power or telecommunications infrastructure.
 - d. Tree works undertaken by a qualified arborist on behalf of a network utility operator where branches are interfering with overhead wires or network utilities and the trimming is required in order to maintain the security of an existing supply or to restore power or telecommunication infrastructure.
 - e. Council are notified in writing at least five working days prior to the tree works being undertaken.
2. Construction or alteration of any structure, excavation of land, compaction of soil or formation of any new impervious surfaces within the dripline of a Notable Tree listed NPT.1.9.1.

NPT.1

Notable and Public Trees

3. Damage to or removal of a Notable Tree listed in NPT.1.9.1.

Public Trees

4. Trimming or alteration of any public tree identified in NPT.1.10.1 which does not comply with following:
 - a. The trimming or alteration is required for the removal of dead, dying or diseased wood undertaken by a qualified arborist.
 - b. Tree works are undertaken by a qualified arborist in accordance with arboricultural best practice where.
 - i. The maximum branch diameter does not exceed 100mm at severance;
 - ii. No more than one third of the foliage of the tree is removed in any 12 month period and;
 - iii. Works must retain the natural shape, form and branch habit of the tree.
 - c. Emergency tree works undertaken by the Whangarei District Council or their authorised representative.
 - d. Tree works undertaken by a qualified arborist on behalf of a network utility operator, where branches are interfering with overhead wires or network utilities and the trimming is required in order to maintain the security of an existing supply or to restore power or telecommunication infrastructure.
 - e. Tree works undertaken by Whangarei District Council, a road controlling authority or their designated agent required to maintain the visibility of road safety signage, maintain vehicle sight lines for traffic safety or to maintain legal clearance height and width above the road carriageway.
5. Construction or alteration of any structure, excavation of land, compaction of soil or formation of any new impervious surfaces within the dripline of any public tree identified in NPT.1.10.1 except where:
 - a. The works are thrusting to a depth of greater than 650mm for the installation of network utilities supervised by a qualified arborist.
6. Damage to or removal of any public tree pursuant to NPT.1.10.1.

NPT.1.6 Discretionary Activities (Subdivision)

1. Subdivision of land that contains a Notable Tree listed in NPT.1.9.1 which is not able to locate a 100m² building platform, accessway(s) and associated services outside of the dripline of the identified tree or group of trees.
2. Subdivision of land that contains a public tree identified in NPT.1.10.1, which is not able to locate a 100m² building platform, accessway(s) and associated services outside of the dripline of the identified tree or group of trees.
3. Subdivision of land that results in the root zone or dripline of a Notable tree listed in NPT.1.9.1 being located on more than one site.

NPT.1.7 Assessment Criteria for Discretionary Activities

1. When assessing discretionary applications pursuant to NPT.1.5 and NPT.1.6, the assessment shall include (but is not limited to):
 - a. The extent to which alternative methods to avoid the trimming, alteration or removal of the tree or trees have been considered.

NPT.1

Notable and Public Trees

- b. Consideration of the specific historical, ecological, cultural or amenity values of the tree or trees and whether effects on these values can be minimised or avoided.
- c. The degree to which any proposed mitigation adequately compensates for the values that the tree or trees provide.
- d. Whether any impact on the immediate or long term-health and stability of the tree or trees is able to be minimised or avoided.
- e. The actual and potential risk of actual damage to people and property from the tree or trees.
- f. Methods to contain and control plant pathogens and diseases including measures for preventing the spread of soil and the safe disposal of plant material.
- g. The provision of a tree works plan to address the effects of the works on the tree or trees and outlining the proposed methods to be used.
- h. The functional and operational needs of infrastructure.
- i. Consistency with best arboricultural practices including consideration of the need for the direction and supervision by an on-site monitoring arborist while the works are being carried out.
- j. When subdividing land containing a Notable Tree or protected public tree, the ability for reasonably anticipated future development to occur in a manner which does not adversely affect the health and retention of the tree or group of trees.

NPT.1.8 Criteria for Notable Tree Classification

1. To provide a basis for regulatory measures to protect trees of significant amenity, historical, ecological or cultural values, selection and listing of Notable Trees in table NPT.1.9.1, have been assessed against the Standard Tree Evaluation Method (STEMTM)². A total score is calculated for each tree in accordance with the STEMTM criteria with trees scoring 100 points or greater being listed as Notable Trees in table NPT.1.9.1.
2. Consideration of any additional tree or group of trees for classification as Notable Trees shall also be assessed against the STEMTM criteria. Any tree which scores 100 points or greater can be considered for listing as a Notable Tree in table NPT.1.9.1.

NPT.1.9 Schedule of Notable Trees

1. This section contains details of Notable Trees identified on the Planning Maps. Trees within Table NPT.1.9.1 below have been identified in accordance with the criteria in NPT.1.8. Rules relating to these trees are provided in NPT.1.5 and NPT.1.6.

No.	Common Name	Botanical Name	Stem Score	Site Address	Legal Description	Map No.
200	Taraire	Beilschmiedia tarairi	102	89 Crawford Cres	Lot 1 DP 65923	35
201	Taraire	Beilschmiedia tarairi	102	89A Crawford Cres	Lot 2 DP 65925	35
202	Taraire (2)	Beilschmiedia tarairi	102	47 Bush Road	Lot 78 DP 51732	35

² Flook, R. 1996: A Standard Tree Evaluation Method, published by Ron Flook, Lower Hutt, New Zealand.

NPT.1

Notable and Public Trees

No.	Common Name	Botanical Name	Stem Score	Site Address	Legal Description	Map No.
203	Puriri	Vitex lucens	123	14 Barclay Place	Lot 14 DP 62193	33
205	Puriri	Vitex lucens	126	34 Puriri Street	Lot 1 DP 131477	33
206	Illawarra Flame Tree	Brachychiton acerifolium	105	17 Puriri Street	Pt Lot 9 Deeds W72	33
207	English Oak (8)	Quercus robur	126	20 Grant Street	Pt Section 126, Town of Kamo	33
208	Southern Magnolia	Magnolia grandiflora	114	421 Kamo Road	Lot 1 DP 57301	35
209	Hawaiian Kowhai	Sophora chrysophylla	108	117 Whau Valley Road	Lot 4 DP 39110	35
210	Taraire	Beilschmiedia tarairi	120	58 Fisher Terrace	Lot 66 DP 58330	35
211	Puriri	Vitex lucens	108	77 Fisher Terrace	Lot 80 DP 58330	35
212	Puriri	Vitex lucens	114	57A Fisher Terrace	Lot 2 DP 160104	35
214	Sentry Palm	Howea forsteriana	108	351 Kamo Road	Lot 5 DP 32993 (tree not found)	35
217	Maidenhair Tree	Ginkgo biloba	126	20 Whau Valley Road	Lot 1 DP 28355	35
220	Illawarra Flame Tree	Brachychiton acerifolium	102	59 Whau Valley Road	Lot 2 DP 77269	35
223	Tulip Tree	Liriodendron tulipifera	102	34 Bedlington Street	Lot 4 DP 35518	35
224	Pohutukawa,	Metrosideros excelsa;	114	162 Kamo Road	Lot 1 DP 58120	35
	Titoki	Alectryon excelsus	102			
226	Camphor Laurel, Jacaranda	Cinnamomum camphora; Jacaranda mimosaeifolia	114 108	17 Moody Avenue	Lot 2 DP 61116	36

NPT.1

Notable and Public Trees

No.	Common Name	Botanical Name	Stem Score	Site Address	Legal Description	Map No.
228	Rimu (7), Kauri (2) Japanese Maple, Jacaranda,	Dacrydium cupressinum; Agathis australis Acer palmatum; Jacaranda mimosaeifolia	114 102 111 108	19 and 21 Moody Avenue	Lot 1 DP 61116 and Lot 28 DP 17834	36
229	Camphor Laurel	Cinnamomum camphora	114	27 Moody Avenue	Lot 1 DP 75180	36
230	Camphor Laurel	Cinnamomum camphora	108	31 Moody Avenue	Pt Lot 4 DP 45519	36
233	English Oak	Quercus robur	102	71 Keyte Street	Lot 27 DP 38993	36
236	Totara (2), Karaka, Puriri, Kohekohe, Nikau, Puriri	Podocarpus totara, Corynocarpus laevigatus, Vitex lucens Rhopalostylis sapida; Vitex lucens	114 score for stand	1A Gillingham Road	Pt Lot 12 DP 1583 & Pt Lot 13 DP 1583	34
244	Puriri	Vitex lucens	114	33 Kiripaka Road	Lot 1 DP 43988	36
245	Totara (2)	Podocarpus totara	102	40 Tapper Crescent	Lot 39 DP 72561	36
246	Pohutukawa, Red Oak, Puriri	Metrosideros excelsa; Quercus rubra; Vitex lucens	111 111 102	194 Corks Road	Pt Lot 108, 109 PSH OF Whangarei	36
247	Totara	Podocarpus totara	120	17 Meadow Park Cres	Lot 115 DP 58121	36
248	Totara	Podocarpus totara	105	54 Boundary Road	Lot 5 DP 61344	36
250	Totara (2)	Podocarpus totara	114	5 Kea Place	Lot 2 DP 70523	42
251	Totara	Podocarpus totara	120	3 Kea Place	Lot 10 DP 62276	42
252	Totara	Podocarpus totara	114	8 Kea Place	Lot 16 DP 62276	42
253	Kauri	Agathis australis	114	120 Maunu Road	Lot 2 DP 347018	42

NPT.1

Notable and Public Trees

No.	Common Name	Botanical Name	Stem Score	Site Address	Legal Description	Map No.
255	English Oak	Quercus robur	114	85 Fourth Avenue	Pt Lot 2 3 DP 14650	37
257	English Oak	Quercus robur	105	83 Fourth Avenue	Lot 1 DP 172504	37
258	English Oak	Quercus robur	114	14 Kirikiri Road	Lot 10 DP 203278	37
262	Pohutukawa	Metrosideros excelsa	102	41A Kauika Rd	Lot 1 DP 202399	37
265	English Oak,	Quercus robur;	120	9 - 11 Kauika Rd	Lot 2 DP 178081	43
266	English Oak	Quercus robur	114	82 Maunu Road	Lot 3 DP 341875	43
268	Totara	Podocarpus totara	108	36 Third Avenue	Lot 1 DP 8555	37
269	Totara	Podocarpus totara	114	48 Maunu Road	Lot 2 DP 123891	37
271	English Oak	Quercus robur	120	18 Central Avenue	Lot 1 DP 17446	37
272	Michelia	Michelia doltsopa	105	35 Russell Road	Lot 2 DP 35158	37
273	Kauri (2), Southern Magnolia	Agathis australis; Magnolia grandiflora	114 114	1 Russell Road	Pt 19 DP 12468	37
277	Rimu	Dacrydium cupressinum	108	7 Powhiri Avenue	Lot 1 DP 149824	37
278	Kauri	Agathis australis	102	23 Lupton Avenue	Pt 2 Deeds W58	37
280	Pohutukawa	Metrosideros excelsa	120	127 Kamo Road	Lot 2 DP 11413	37
284	Pohutukawa, Rimu (2)	Metrosideros excelsa; Dacrydium cupressinum	126	8 Kensington Ave	Lot 4 DP 54577	37
285	Kawaka (2)	Libocedrus plumosa	102	70 Kamo Road	Lot 1 Deeds 307	37
289	Totara (7)	Podocarpus totara	108	28 Mains Avenue	Lot 4 DP 31693	36
290	Pohutukawa	Metrosideros excelsa	102	25 Elizabeth Street	Lot 53 Deeds Plan W20	36
293	Maidenhair Tree	Gingko biloba	117	46 Kamo Road	Lot, 4 DP 53575	38

NPT.1

Notable and Public Trees

No.	Common Name	Botanical Name	Stem Score	Site Address	Legal Description	Map No.
294	Kowhai	<i>Sophora microphylla</i>	114	34 Kamo Road	Lot 1 DP 24064	37
296	Spanish Chestnut	<i>Castanea sativa</i>	114	11 Mill Road	Lot 2 DP 43654	37
297	Camphor Laurel, NSW Christmas Bush, Totara, Moreton Bay Chestnut	<i>Cinnamomum camphora</i> ; <i>Ceratopetalum gummiferum</i> ; <i>Podocarpus totara</i> ; <i>Castanospermum australe</i>	102 105 108 111	17 Mill Road	Pt Lot 12 Deeds 55 & Pt Lot 12 DP 24064	37
299	Pohutukawa, Totara	<i>Metrosideros excelsa</i> ; <i>Podocarpus totara</i>	108 108	19 Mill Road	Lot 14 DP 24066	38
300	Camphor Laurel	<i>Cinnamomum camphora</i>	114	29 Mill Road	Lot 8 DP 24064	38
301	Pohutukawa, (2) Kauri	<i>Metrosideros excelsa</i> ; <i>Agathis australis</i>	102 114	19 Nixon Street	Lot 5 DP 28817	38
302	Kauri	<i>Agathis australis</i>	114	15 Nixon Street	Allotment 2 PSH of Whangarei	37/38
304	Puriri	<i>Vitex lucens</i>	114	36 Mill Road	Lot 6 Deeds 54B	38
305	NSW Christmas Bush	<i>Ceratopetalum gummiferum</i>	108	52 Mill Road	Lot 22 Deeds 47	38
306	Kauri	<i>Agathis australis</i>	120	54 Mill Road	Lot 2 DP 32065	38
309	English Oak	<i>Quercus robur</i>	126	5 Waiaatawa Road	Lot 3 DP 52738	36
310	English Oak	<i>Quercus robur</i>	126	2 Cairnfield Road	Lot 2 DP 43765 (tree not found)	36
313	Miro, Pohutukawa,	<i>Podocarpus ferruginea</i> ; <i>Metrosideros excelsa</i> ;	105 107	5 Haronui Street	Lot 1 DP 198101	38
314	Totara (4)	<i>Podocarpus totara</i>	120	8 Parahaki Street	Lot 1 DP 30499	38

NPT.1

Notable and Public Trees

No.	Common Name	Botanical Name	Stem Score	Site Address	Legal Description	Map No.
315	Japanese Cedar	Cryptomeria japonica	120	7 Drummond Street	Lot 1 DP 61911	38
316	Pohutukawa, Puriri	Metrosideros excelsa; Vitex lucens	102 102	13 Deveron Street	Part 5 DP 43729, 201, 202 Whg Parish	38
317	Pohutukawa (2), Camphor Laurel	Metrosideros excelsa; Cinnamomum Camphora	108 117	52 Hatea Drive	Lot 1 DP470739	38
319	Magnolia	Magnolia grandiflora	111	64 Hatea Drive	Pt Lot 7 DP 20669	38
322	Totara	Podocarpus totara	102	23 Mair Street	Lot 1 DP 134340	38
323	Sapote	Bumelia lycioides	102	109 Hatea Drive	Lot 20 DP 23799	38
324	Turpentine Tree	Syncarpia glomulifera	120	119 Hatea Drive	Lot 3 DP 163785	38
327	English Oak	Quercus robur	102	445 Maunu Road	Lot 2 DP 76853	42
328	Totara, Taraire	Podocarpus totara; Beilschmiedia tarairi	105 108	10 Le Ruez Place	Lot 4 DP 81042	42
329	Camphor Laurel	Cinnamomum camphora	180	432 Maunu Road	Lot 1 DP 163236	42
330	Puriri	Vitex lucens	126	7 Puriri Park Road	Lot 1 DP 127363	42
331	Karaka (2), Puriri (2), Taraire(14), Totara	Corynocarpus laevigatus; Vitex lucens; Beilschmiedia tarairi; Podocarpus totara	111 117 117 117	415 Maunu Road	Lots 9 & 10 DP 36424	42
332	Puriri, Taraire (2)	Vitex lucens; Beilschmiedia tarairi	108 126	409 Maunu Road	Lot 1 DP 171202	42
333	Puriri, Taraire (3)	Vitex lucens; Beilschmiedia tarairi	120 126	407 Maunu Road	Lot 1 DP 168512	42
334	Totara, Tanekaha	Podocarpus totara; Phyllocladus trichomanoides	108 114	64 Silverstream Road	Lot 23 DP 55371	42

NPT.1

Notable and Public Trees

No.	Common Name	Botanical Name	Stem Score	Site Address	Legal Description	Map No.
335	Totara (2)	Podocarpus totara	126	44 Silverstream Road	Lot 33 DP 55371	42
336	Totara (2)	Podocarpus totara	114	48 Silverstream Road	Lot 31 DP 55371	42
337	Rimu (2), Totara (3)	Dacrydium cupressinum; Podocarpus totara	108 114	33 Silverstream Road	Lot 17 DP 54205	42
338	English Oak	Quercus robur	105	264 Maunu Road	Lot 5 DP 174384	42
339	Pohutukawa, Puriri, English Oak (7), Totara (3)	Metrosideros excelsa; Vitex lucens; Quercus robur; Podocarpus totara	105 102 108 108	Hospital 53 Hospital Road	Lots 1 & 6 DP 2380 Sections 2 & 16 Blk XII Purua SD	42
340	Totara (2)	Podocarpus totara	126 111	202 Maunu Road	Lots 1 & 3, DP 59270	42
342	English Oak	Quercus robur	114	2 Kirikiri Stream Lane	Lot 12 DP 409108	42 R
343	English Oak	Quercus robur	114	166 Maunu Road	Lot 1 DP 155164	42
349	Sentry Palm	Howea forsteriana	102	12 Hilltop Avenue	Lot 7 DP 48255	43
350	Kauri	Agathis australis	108	217 Morningside Road	Lot 2 DP 102274	43
351	Indian Cedar	Cedrus deodara	114	211 Morningside Road	Lots 3 - 4 DP 40075	43
353	Totara	Podocarpus totara	108	49 Morningside Road	Lot 22 DP 44841	43
355	Totara	Podocarpus totara	108	84A Morningside Road	Lot 2 DP 83173	43
358	Kauri	Agathis australis	111	17 Weir Crescent	Lot 2 DP 30773	46
359	Puriri	Vitex lucens	108	198 Beach Road	Lot 3 DP 19792	46
362	Kauri (2)	Agathis australis	108	180 Beach Road	Pt Allotment 125 TN OF Grahamtown	46

NPT.1

Notable and Public Trees

No.	Common Name	Botanical Name	Stem Score	Site Address	Legal Description	Map No.
363	Pohutukawa (2)	<i>Metrosideros excelsa</i>	126	13A Whimp Avenue	Pt Allotment 29 TN OF Grahamtown	46
368	Kahikatea (3)	<i>Dacrycarpus dacrydoides</i>	108	33-35 Whangarei Heads Rd	Lots 5, 6, DP 44469	46
378	Rimu (2)	<i>Dacrydium cupressinum</i>	102	1 Apirana Avenue	Lot 1 DP 77897	37
379	Kauri	<i>Agathis australis</i>	120	31 Norfolk Street	Lot 8 DP 23815	37
385	Puriri, Liquidamber, English Holly (3), Maiden Hair Tree, Pohutukawa (9), Puriri, Titoki, Kermadec Pohutukawa (2)	<i>Vitex lucens</i> ; <i>Liquidambar styraciflua</i> ; <i>Ilex aquifolium</i> ; <i>Ginkgo biloba</i> ; <i>Metrosideros excelsa</i> ; <i>Vitex lucens</i> <i>Alectryon excelsus</i> ; <i>Metrosideros kermadecensis</i>	114 108 114 114 126 114 120	Christ Church, Kamo Road	Pt Lot 2 Deeds W20	37
387	Liquidamber (2), Scarlet Oak, Camphor Laurel	<i>Liquidambar styraciflua</i> ; <i>Quercus coccinea</i> ; <i>Cinnamomum camphora</i>	108 108 121	1 Cross Street	Pts Allot 1 Psh Whangarei	37
389	Jacaranda (2),	<i>Jacaranda mimosaeifolia</i> ;	108	174 Bank Street	Lot 1 DP 37723 Deeds 555	37
390	Puriri	<i>Vitex lucens</i>	108	153A Bank Street	Pt Lot 1 Psh Whangarei	37
392	Southern Magnolia (3)	<i>Magnolia grandiflora</i>	114	145 Bank Street	Road Reserve - Lot 5 DP 23509	37
393	Pohutukawa	<i>Metrosideros excelsa</i>	108	28 Norfolk Street	Lot 2 DP 125737	37

NPT.1

Notable and Public Trees

No.	Common Name	Botanical Name	Stem Score	Site Address	Legal Description	Map No.
394	Pohutukawa	<i>Metrosideros excelsa</i>	108	2 Pentland Road	Lot 1 DP 125737	38
397	Puriri	<i>Vitex lucens</i>	114	12 Aubrey Street	Lot 2 DP 101542	38
398 and 399	Stand of Kahikatea, Totara	<i>Dacrycarpus dacrydioides</i> ; <i>Podocarpus totara</i>	117 and 126	103, 105 and 107 George Street	Lots 10,11 and 12 DP 23178	28
400	Kahikatea	<i>Dacrycarpus dacrydioides</i>	114	95 George Street	Lot 6 DP 13614	28
401	Liquidamber	<i>Liquidambar styraciflua</i>	126	73 George Street	Lot 2 DP 85894	28
403	Stand of Kahikatea	<i>Dacrycarpus dacrydioides</i> ; <i>Podocarpus totara</i>	111	Jordan Valley Rd	Allot 229 Parish of Hikurangi	28
404	Magnolia	<i>Magnolia grandiflora</i>	122	48B George Street	Lot 3 DP 50900	28
407	Stand of Totara	<i>Podocarpus totara</i>	114	State Highway 1 Hikurangi	Pt Allot 68 Parish of Hikurangi	28
408	Stand of Kahikatea, Totara	<i>Dacrycarpus dacrydioides</i> ; <i>Podocarpus totara</i>	102	Union Street – end	Pt Lot 1 DEEDS 485	28
409	Oak	<i>Quercus robur</i>	114	16 King Street	Lot 20 DP 17558	28
410	Oak, Tulip Tree, Oak, Liquidamber, Japanese Cedar	<i>Quercus robur</i> ; <i>Liriodendron tulipifera</i> ; <i>Quercus robur</i> ; <i>Liquidambar styraciflua</i> ; <i>Cryptomeria japonica</i>	102 102 105 120 114	8 Valley Road	Lot 42 Psh Hikurangi	28
411	Oaks	<i>Quercus robur</i>	108	Valley Road- beside railway line	Lot 1 DP 431260, Lot 1 DP417056 –Pt Allot 42 and Pt Allot NW42 Hikurangi Parish	28

NPT.1

Notable and Public Trees

No.	Common Name	Botanical Name	Stem Score	Site Address	Legal Description	Map No.
416	Rimu (2)	Dacrydium cupressinum	108	33 Mains Avenue	Lot 1 DP 162893	36
417	Kauri	Agathis australis	102	63 Anzac Road	Lot 5 DP 34469	43
418	Totara (stand)	Podocarpus totara	108	16 Bedlington Street	Lot 1 DP 46028	35
426	Magnolia	Magnolia grandiflora	120	85 George Street	Lot 3 DP 156426	28
429	Pohutukawa	Metrosideros excelsa	126	6 Boswell Street	Lot 2 DP 21592	33
431	Jacaranda	Jacaranda mimosaeifolia	102	76 Hatea Drive	Lot 2 DP 410	
433	Liquidamber	Liquidambar styraciflua	120	74 Mains Avenue	Lot 24 DP 11618	36
435	Pohutukawa	Metrosideros excelsa	126	81 Ridgeway Road, Headland Farm Park	Lots 1-4 DP 10055	48
436	Totara (3)	Podocarpus totara	108	9 Te Puia Street Kamo (2) and 13 Conifer Grove, Kamo (1)	lot 8 DP52362 Lot 2 DP 365884	35
438	Kauri	Agathis australis	102	11 Wallace Street	Lot 1 DP 20158	37
500	Norfolk Island Pine	Araucaria hetrophylla	132	421 Kamo Road	Lot 1 DP 57301	35
501	Liquidamber	Liquidambar styraciflua	138	23 Whau Valley Road	Lot 1 DP 23601	35
503	London Plane Tree	Platanus acerifolia	129	56 Weaver Street	Lot 2 DP 179429	36
504	Tulip Tree	Liriodendron tulipifera	150	151 Kiripaka Road	Lot 7 DP 40467	36
505	Grove of native trees		144	27 Kauika Rd	Lot 51 DP 2605	37
506	Norfolk Island Pine	Araucaria hetrophylla	132	25 Kauika Rd	Pt Lot 7 DP 1827	37
507	Jacaranda	Jacaranda mimosaeifolia	129	46 Kamo Road	Lot 4 DP 53575	37
508	Holm Oak (Holly Oak)	Quercus ilex	132	5 Waitatawa Road	Lot 3 DP 52738	36
509	Californian Redwoods	Sequoia sempervirens	144	264 Maunu Road	Lot 5 DP 174384	42

NPT.1

Notable and Public Trees

No.	Common Name	Botanical Name	Stem Score	Site Address	Legal Description	Map No.
510	Camphor Laurel	Cinnamomum camphora	144	53 Hospital Road	Lot 5 DP 4692	42
511	London Plane Tree	Platanus acerifolia	144	154 Maunu Road	Lot 1 DP 48922	42
512	Puriri	Vitex lucens	132	34 Weir Crecent	Lot 2 DP 49501	46
513	Dawn Redwood	Metasequoia glyptostroboides	120	32 Rust Avenue	Lot 1 DP 34026	37/39
514	Senegal Date Palm	Phoenix reclinata	132	12 Aubrey Street	Lot 1 DP 101542	38
515	Italian Cypress (2)	Cupressus sempervirens stricta	129	7 Pentland Road	Lot 5 DP 23637	38
516	Pohutukawa	Metrosideros excelsa	120	401 Western Hills Drive	Pt Lot 8 DP 1827	43
517	Senegal Date Palm	Phoenix reclinata	132	12A Aubrey Street	Lot 2 DP 101542	38
518	Totara (2)	Podocarpus totara	114	21A Mair Street	Lot 2 DP 210369 (Trees not found)	38
519	Pohutukawa	Metrosideros excelsa	120	21B Mair Street	Lot 1 DP 207207	38
520	Totara	Podocarpus totara,	114 score for stand	7 Kaiaua Road	Lot 65 DP 186937	33
521	Totara	Podocarpus totara,	114 score for stand	Gillingham Road	Lot 19 DP 182617	33

NPT.1.10 Protected Public Trees

1. Public tree means, any tree or trees located within a road reserve, park or reserve administered by Whangarei District Council greater than 6.0m in height or with a girth (measured 1.4m above the ground) greater than 600mm except:
 - a. Pest species identified in the Northland Regional Council Pest Management Strategy and Surveillance list are not subject to general protection.
 - b. Any tree listed as an Environmental weed or National pest plant under an approved document prepared in accordance with the Biosecurity Act 1993.
 - c. Any tree subject to an order made under Section 129 of the Property Law Act 1952.

NPT.1

Notable and Public Trees

- d. Any tree species grown for its edible fruit (except Walnut (*Juglans* spp.), Chestnut (*Castanea sativa*), Pecan nut (*Carya illinoensis*) and Carob (*Ceratonia siliqua*) which are protected).
- e. The following additional tree species are not subject to protection within a road reserve, park or reserve administered by Whangarei District Council:
 - i. *Acacia* species – all except *Acacia melanoxylon*.
 - ii. *Eucalyptus cinerea* (silver dollar gum).
 - iii. *Acmena smithii* (acmena or lillypilly).
 - iv. *Casuarina* spp.
 - v. *Phoenix canariensis* (Phoenix palm).
 - vi. *Ligustrum* spp (Privet).
 - vii. *Salix* species (willow).
 - viii. *Hakea salicifolia*.
 - ix. *Archontophoenix cunninghamiana* (Bangalow palm).
 - x. *Erythrina x sykesii* (Coral Tree – also referred to as Flame Tree).
 - xi. *Trachycarpus Fortunei* (Windmill palm).
 - xii. *Populus yunnanensis* (Chinese Poplar).
 - xiii. *Cupressus macrocarpa* (Macrocarpa).
 - xiv. *Pinus* spp.
 - xv. *Prunus campanulata* (Taiwan cherry)

NPT.1

Notable and Public Trees

Revision and Sign-off Sheet

Date Approved	Editor	Paragraph	Change Reference	Decision Date	Approved By

Editor **xxx**

Author Position Team Administrator Policy Division

Approved By **xxx**

Approver Position District Plan Team Leader

Appendix G – Summary of Feedback from Pre-notification Consultation

ID#	Submitter	Tree #	Issue	Comments	Arborist Review Required	Specific Changes Requested	General comment	Other
1	Vulecich G	330	Unsafe	Tree has rotten branches that are falling off. Branches are about to touch the power pole.	yes - health and safety			
2	Rudolph P		Processes	Feels that more care needs to be taken to ensure the location of heritage trees and that professional arborist reports should have more weighting than the views of the owner of the property on which a heritage tree is located.				
3	Piolettim J & E	343	General comment	General comment in support of the protection of trees and a pragmatic approach to removing heritage trees if they become unsafe.				
4	Hershberger L	429	General comment	General comment in support of the protection of trees.				
5	Noy P	289	General comment	General comment in support of the protection of trees.				
6	Pullman M	290	Doesn't meet criteria/unsafe	Thinks that the tree should be removed as it is a hazard to the surrounding houses and especially dangerous during high winds.	yes - health and safety			
7	Badham G and Adam M	225	Tree is unsafe	Some big branches have fallen off the tree, presenting a hazard. There is also concern that the tree is not in good health.	yes - health and safety			
8	Molony P & B	290	Doesn't meet criteria	Tree creates considerable debris during strong winds. Submitter does not believe pohutukawa should be protected in a confined garden.	yes - health and safety			
9	McNab M	515	Unsafe	Tree could easily fall onto house and is a fire risk. Roots may present risk to drains, sewerage and driveways.	yes - health and safety			
10	Campbell R & B	515	Unsafe	Trees have grown too large for the house and section, concern for underground services, regarding root structure. Submitter concerned that should the tree fall down it will damage property.	yes - health and safety			
11	Hindle R	9 Headland Farm Park Rd	New tree	grove of pohutukawa trees on fringes of Headland Farm Park, just below section 47, between this section and the beach.	yes - assess new tree for inclusion			
12	Froggatt		General comment	General comment in support of the protection of trees.				
13	Bax J	209	General comment	General comment against the protection of notable trees.				
14	Mackinnon V	355	General comment	General comment in support of the protection of trees.				
15	Wheeler L	436	Unsafe	Concern for stability of trees during high wind	yes - health and safety			
16	Long E	435	General comment	General comment in support of the protection of trees.				
17	Taylor R & L	301	Tree requires trimming	Limbs of tree overhang footpath and dropping debris. The debris is causing downpipes to become blocked, creating overflows and is dangerous to footpath users.	requires trimming - health and safety			

18	Trimmer A	290	Doesn't meet criteria/unsafe	Tree has grown to over 17m tall and is unsuitable for the built up urban setting. During wind there are concerns for safety as the top branches 'sway alarmingly'.	yes - health and safety			
19	Francis FE	342	Irrelevant	Comment unrelated to PC129				Not relevant
20	Hammer W & F	436	Doesn't meet criteria/unsafe	Risk of trees falling or losing limbs during high winds, damaging nearby homes. Trees are becoming too tall and are unmaintained.	yes - health and safety			
21	Jaffurs W	435	General comment	General comment in support of protecting trees. Questions the necessity for qualified arborists to undertake all tree works for protected trees - minor works (e.g. cutting of branches less than 25mm diameter) could be undertaken by landowner as engaging an arborist can be costly.		Yes		
22	Landowners Coalition Inc		Specific comment on policy	Requests for specific changes to wording of policy. Issue taken with the process and methodology of STEM scoring.		Yes		
23	Newman F	271	Doesn't meet criteria/unsafe	Tree poses a hazard to the public and vehicle traffic. WDC removed identical trees from Mander Park. The species is not scarce or under threat.	yes - health and safety			
24	Jowitt D		General comment	General comment in support of protecting trees.				
25	Reader D & Perkin M	501	Doesn't meet criteria/unsafe	Tree poses a hazard as it is extremely close to the main road. Submitter believes that this tree does not belong in such a built up, urban setting.	yes - health and safety			
26	Polkinghorne V & Burns K	224	Locational problem	Submitter is unsure which tree is subject to protection	requires clarification of location			
28	Macgregor V & B	245	Doesn't meet criteria/unsafe	Tree roots have damaged driveways and there is concern that they will interfere with underground services	yes - health and safety			
29	Robbins B & G	519	Unsafe	Concern for stability of trees during high winds. Tree has roots that are lifting the road up, creating a hazard.	yes - health and safety			
30	Thurgood J	290	Doesn't meet criteria/unsafe	Tree is over 17m tall and considered to be a risk to surrounding properties, it's size is also not appropriate to the urban setting. Additionally, tree debris blocks spouting creating maintenance issues.	yes - tree too large for setting			
31	Hoogeveen J		New tree	Pohutukawa at 27 Kauika Road should be added to list of notable trees	yes - identify new tree			
32	McKenna H	309	Doesn't meet criteria/unsafe	Size of trees is inappropriate for the built up urban setting. Trees pose a risk of falling during high winds and the roots are a potential threat to underground services.	yes - health and safety			
33	Vesly R & D	506	General comment	General comment in support of trees.				
34	Morgan D	401	Unsafe	Tree is close to the house and over 20m high. It is dangerous during high winds and close to powerlines.	yes - health and safety			

35	Ward M	401	Unsafe	Tree is over 20m tall and close to submitter's house. Concern for safety as large branches have fallen off the tree as a result of rot.	yes - health and safety			
36	O'Connor S	253	Wants to remove tree	Doesn't want tree on property				
37	Churches J	418	Support of tree protection	Supports tree protection				
38	Bisset C	229	General comment	General comment in support of tree protection				
39	O'Connell J	294	Unsafe/requires trimming	During high winds large branches have broken off the tree. The tree needs trimming as several branches do not seem healthy and possibly have borer.	yes/requires trimming - health and safety			
41	Augustine G	342	Doesn't meet criteria/unsafe	Branches are falling off the tree creating a hazard. Concern for stability of tree during high winds.	yes - health and safety			
42	Rye H	433	Locational problem	Tree number 433 listed as on 74 Mains Avenue however submitter believes that the actual location of said tree is 76 Mains Avenue. Submitter does not want this tree to be listed as its size is inappropriate to the urban setting there is significant risk of branches falling off during strong winds.	yes - locational issue and health and safety			
43	Abbeyfield Properties Ltd	289	Locational problem	Needs clarification as to which trees are included in the list and subject to protection measures.	requires clarification of location			
44	Tomason H	Hatea Drive	Doesn't meet criteria/new tree	The falling fruit of the protected Supote tree is a hazard to both people and property. Submitter notes two pohutukawa nearby on the roadside which are more significant and could be protected.	yes - health and safety and potentially other trees to be added to list			
45	Williamson R	342	Doesn't meet criteria	Oak tree at 2 Kirkiri Stream Lane has no notable value.	yes - assess value			
46	Robertson M	206	Support of tree protection	Supports tree protection				
47	Duplicate							
48	Walker P	519	Doesn't meet criteria/unsafe	More needs to be done to maintain and prune this tree. The pohutukawa should be checked for myrtle rust. There is also concern that the roots are too close to underground services.	yes - health and safety			
49	Singh G	290	Doesn't meet criteria	Tree is big and old and creates a lot of debris from its falling leaves which blocks drains.	Yes - health and safety			
50	McRae N	236	Support of tree protection	Supports tree protection				
51	Chapman J	271	Opposes plan change	Opposes plan change				
52	Jelavich R	205	General comment	Believes that no trees on residential properties should have heritage status as it impinges on ability of landowners to develop their land.				
53	Ogle S	229	Tree requires trimming	Neighbour's notable tree dangerously overhangs submitter's driveway.	requires trimming - health and safety			
54	Tyler A & J	358	Support of tree protection	Supports tree protection				
55	Parker K & L	280	General comment	Protection of trees is important but a pragmatic approach is required when they threaten health and safety. The financial cost of maintaining heritage trees should not be a great burden on the landowner.				

56	Johnson J	433	General comment	Appreciates aesthetic value of tree however thinks that more maintenance is required - especially more frequent road sweeping.				
57	Calabano V & D	334	Unsafe	Tree is causing damage to submitters roof due to high volumes of debris and falling branches. Concern that more serious damage could occur during high winds.	Yes - health and safety			
58	Erceg L & D	201	Unsafe	Concern that if a branch or bough breaks off it will damage people or property. The trees are extremely large and 'out of control'.	yes - health and safety			
59	Laird L		New tree	Large pohutukawa on the boundary of submitter's property on the Kirikiri Stream.	yes - identify new tree			
60	McKenzie I & Richards G	431	General comment	Supports tree protection				
61	Thomson M	228	Doesn't meet criteria	The large size of the two rimus is inappropriate for the context and they are too close to the submitter's house. The roots are also damaging the driveway.	yes - health and safety			
62	Jones B	342	Unsafe	There is concern that branches from the tree will fall and damage people and property. There is a rotten branch that is ready to fall. Submitter would like the tree to be assessed and trimmed back. Heritage trees on private property should be allowed to be maintained regularly by the owner to a reasonable specified degree, or the council should take full responsibility for tree maintenance so it is not a financial burden to the landowner	yes & requires trimming			
63	Lee D & B	416	Doesn't meet criteria/unsafe	Concern that the root system is interfering with underground services. Roots have already caused damage at 33 Mains Avenue . Concerns regarding the debris generated by the trees.	yes - health and safety			
64	Stallworthy L		Locational problem	Two puriri are listed as on 415 Maunu Road however these do not exist, instead one tree is on 411 Maunu Road and one on Selwyn Village at the corner of three properties. Would like to see more active recruitment of suitable trees on to the register. Would like owners of properties adjacent to notable trees to be made more aware of their responsibility.	requires clarification of location			
65	Hill D	290	General comment	Acknowledges the importance of trees however doesn't believe the costs of maintaining notable trees should be borne by the landowner.				
66	Stratford J	416	Unsafe	Debris from the tree blocks drains. The root system is damaging to driveways and has the potential to disrupt underground services.	yes - health and safety			

67	Transpower NZ Ltd		Specific comment on policy	A number of specific comments on the content of the plan change. Transpower is generally supportive and satisfied with the provisions. However as set out in this submission, several amendments are sought to ensure that the NPSET is given effect to, appropriate recognition is given to the provisions of the NESETA, and as a result of this appropriate provision is made for the ongoing operation, maintenance, upgrading and development of the National Grid.		Yes		
68	Whangarei Intermediate School	513	Doesn't meet criteria	Tree is located on land that is subject to a designation. Tree is incorrectly identified as a Dawn Redwood when it is actually a Swamp Cypress. Submitter sees the tree's inclusion on the list to be because of it's initial incorrect identification as Dawn Redwoods, a species of Scientific Significance. Falling branches from the tree poses a hazard to children at the school. Additionally the tree is located near to a Critical Underground Electrical Line and there is concern that the root system may damage this.	yes - identification and health and safety issues			
69	Luke P	416	Unsafe	The tree is an inconvenience and the root system has caused damage to the driveway which is hazardous to the users.	yes - health and safety			
70	Northpower			A number of specific comments on the content of the plan change. Notes importance of provisions of CEL.1 of the DP to ensure tree works are undertaken in a safe manner. Considered 100mm severance is limiting to their ability to safely undertake tree works that are to close to powerlines. It will be difficult at times to retain the natural shape, form and branch habitat of the tree when undertaking works. Suggestion of provision to accommodate severance and final tree work form.		Yes		
71	Pike G		General comment	Supports provisions to protect trees.				
72	Housing New Zealand Corporation	233, 258, 363		Trees 233 and 363 erroneously removed due to being unstable and rotting - requests these trees be removed from the list. HNZN satisfied with the policies, objectives and rules relating to Notable Trees as outlined in Draft Plan Change 129.				Trees to be removed from list.
73	Williams M	416	Unsafe	Roots of tree have damaged the driveway causing a hazard to the users. Concern that branches and debris may fall and damage people or property during strong winds. Cost of maintenance of notable trees should not be borne by landowner.	yes - health and safety			

74	Percy E	393	Doesn't meet criteria/unsafe	The roots of the tree have potential to damage the road, footpath and private driveways. There is also potential that they will interfere with powerlines. Tree is a pohutukawa which is a coastal tree and submitter believes it to be inappropriate for it to be a notable tree in its urban context. The total care, pruning, removing of debris and removal of trees should be handled by council at no cost to the landowner. Further, the 100mm at severance and no more than 10% of the crown of the tree to be removed rules should be reviewed as they are too restrictive.	yes			
75	Harris M & M		General comment	No trees should be placed on the schedule without approval of immediate neighbours due to the effects on shading and amenity etc that a large tree would cause. Council should undertake pest control measures for possums/rats/etc that live within these protected trees. No exotic species or trees under 20 years old should be included on the schedule.				
76	Bruce R		Unsafe	Palm on 31 Princes St is unstable and dangerous	Yes - health and safety			
77	Turner L & C	201 and 202	Doesn't meet criteria	Tree has grown too large and creates too much shading.	Yes			
78	Houlbrooke W	435		Submitter wants this tree which is on their property removed as they were not aware of its protected status when the property was purchased and its presence prevents the planned development of the property.	Yes			
79	Northland District Masonic Lodge	508	Unsafe	The tree is of concern for health and safety issues. Tree 508 as in Appendix 2 has significant ongoing adverse effects on the economic and social well-being of residents of the Lupton Masonic Village and nearby residents. WDC has failed to give effect to Part II of the RMA when considering rules around heritage trees. The STEM system has been applied unreasonably in Whangarei in comparison to other cities in NZ. The STEM system has allocated too many points to tree 508. It is inappropriate that an exotic tree (which is recognised as an alien invader elsewhere) be a notable/heritage tree.				

Appendix H – Peers Brown Miller: STEM Summary Spreadsheet

ID#	Submitter	Tree #	Issue	Submitter Comments	Arborist Comments	Original STEM Score	Updated STEM score	Difference in STEM score	Reason for difference in STEM score
77	Turner L & C	201	Doesn't meet criteria	Tree has grown too large and creates too much shading.	The property (and tree) owner indicated that he really likes the trees. However he has concern about the size of the trees (he submitted that the 'were out of control') and the extent of shading arising from them. He would like Council to prune the trees as it is his understanding that at some point in the past the Council pruned them every two years or so. The owner was supportive of a change in Heritage Tree controls that would allow for the pruning of branches of a larger diameter within recourse to resource consent. From an arboricultural perspective enabling the property owner to feel that he had some level of control over the perceived 'maintenance' requirements of the trees would go some way to address his concerns of the presence of scheduled trees on his property.	102	144	plus 42	Trees generally scored higher in vitality, function, role and climatic influence categories in 2017 STEM assessment. This is due in the main to an increase in documented evidence with regards to the roles trees play and their contribution to the urban forest. In the main this relates to moderation of adverse climatic effects, amelioration of wind, stormwater and pollutants, maintenance of ecological habitats and pathways and improved community health outcomes
58	Erceg L & D	201	Unsafe	Concern that if a branch or bough breaks off it will damage people or property. The trees are extremely large and 'out of control'.	See above	102	144	plus 42	Trees generally scored higher in vitality, function, role and climatic influence categories in 2017 STEM assessment. This is due in the main to an increase in documented evidence with regards to the roles trees play and their contribution to the urban forest. In the main this relates to moderation of adverse climatic effects, amelioration of wind, stormwater and pollutants, maintenance of ecological habitats and pathways and improved community health outcomes

77	Turner L & C	202	Doesn't meet criteria	Tree has grown too large and creates too much shading.	The submitter (my understanding not the property owner - or more correctly the former property owner who was vacating the premises on the day of my site visit due to having sold the house) has submitted that the tree/ trees don't meet criteria and create too much shading. Based on the current STEM assessment the trees meet the criteria. With regards to the shading issue it was unclear who or what was being shaded. Given the breadth and volume of trees within the stand it may be appropriate that the stand be assessed (by appropriate personnel) from an historical, ecological and/ or significant landscape perspective	102	147	plus 45	Trees generally scored higher in vitality, function, role and climatic influence categories in 2017 STEM assessment. This is due in the main to an increase in documented evidence with regards to the roles trees play and their contribution to the urban forest. In the main this relates to moderation of adverse climatic effects, amelioration of wind, stormwater and pollutants, maintenance of ecological habitats and pathways and improved community health outcomes
26	Polkinghorne V & Burns K	224	Locational problem	Submitter is unsure which tree is subject to protection	With regards to locational problem as highlighted by submitter, the subject tree is the only Pohutukawa tree standing within the site. Tree is a multi-stemmed specimen, stems arising from the base of the tree. It is recommended that the tree be monitored on a yearly basis taking note of any alteration of torsional load on stems (twisting), especially over road. The canopy overhangs low over the road - recommend clearing canopy to 4.25m above carriageway. Canopy should be pruned to clear power lines.	102	129	plus 27	Original STEM assessment is for a Titoki tree on this site. The 2017 STEM assessment was for a Pohutukawa tree on site. As such there is no reason for the difference in STEM scores as two different trees were assessed
7	Badham G and Adam M	225	Tree is unsafe	Some big branches have fallen off the tree, presenting a hazard. There is also concern that the tree is not in good health.	Site not visited as was not included in supplied list of trees to be visited				

61	Thomson M	228	Doesn't meet criteria	The large size of the two rimus is inappropriate for the context and they are too close to the submitter's house. The roots are also damaging the driveway.	On-site discussions revealed that the roof of the dwelling had been recently replaced, the former roof having been compromised by the extent of leaf litter falling from the caopies of the scheduled trees. The submitter would like to be able, at a minimum, to further prune the canopies of the trees to provide a greater clearance between the canopies of the trees and the (new) roof. She notes however that she is uncertain about the rules relating to pruning and was concerned that pruning couldn't occur without a resource consent. With regards to pruning of the trees it is considered reasonable, from an arboricultural perspective, that a tree owner - scheduled tree or otherwise - should be able to maintain an appropraite clearance between a given tree canopy and their dwelling without requiring a resource consent.	114	126	plus 12	Original STEM assessment is for two Kauri trees on this site. Trees generally scored higher in vitality, function, role and climatic influence categories in 2017 STEM assessment. This is due in the main to an increase in documented evidence with regards to the roles trees play and their contribution to the urban forest. In the main this relates to moderation of adverse climatic effects, ameoleoration of wind, stormwater and pollutants, maintenace of ecological habitats and pathways and improved community health outcomes
53	Ogle S	229	Tree requires trimming	Neighbour's notable tree dangerously overhangs submitter's driveway.	Issue could be addressed through the removal of a reasonable sized branch (diameter approx 100mm) that hangs low over the submitter's driveway. Removal of this branch would provide approximatey 4.5m clearance above ground.	114	120	plus 6	Trees generally scored higher in vitality, function, role and climatic influence categories in 2017 STEM assessment. This is due in the main to an increase in documented evidence with regards to the roles trees play and their contribution to the urban forest. In the main this relates to moderation of adverse climatic effects, ameoleoration of wind, stormwater and pollutants, maintenace of ecological habitats and pathways and improved community health outcomes

28	Macgregor V & B	245	Doesn't meet criteria/unsafe	Tree roots have damaged driveways and there is concern that they will interfere with underground services	Two Totara trees on site; one in decline. While the two trees collectively achieve sufficient STEM assessment points to warrant inclusion on the Heritage Tree List, it should be considered whether it is appropriate to include a declining tree - albeit one that may take many years to decline - on the list (given that ecological/habitat functions are not the principal assessment criteria)	102	114	plus 12	Trees generally scored higher in vitality, function, role and climatic influence categories in 2017 STEM assessment. This is due in the main to an increase in documented evidence with regards to the roles trees play and their contribution to the urban forest. In the main this relates to moderation of adverse climatic effects, amelioration of wind, stormwater and pollutants, maintenance of ecological habitats and pathways and improved community health outcomes
23	Newman F	271	Doesn't meet criteria/unsafe	Tree poses a hazard to the public and vehicle traffic. WDC removed identical trees from Mander Park. The species is not scarce or under threat.	From an arboricultural perspective, and with reference to the STEM assessment the tree meets criteria for scheduling. However the tree is currently displaying evidence of stress (canopy retrenchment, epicormic growth, increased levels of dead wood). It is recommended that the condition of the tree be monitored at quarterly to six monthly intervals (or after severe weather events). Levels of dead wood, delamination of branches and appearance (or otherwise) of bracket fungi should be noted. Should the condition of the tree decline further its inclusion on the Heritage Tree list should be reassessed. The tree is displaying characteristics of a 'veteran' tree i.e. retrenchment of canopy; mid-canopy reformation (through epicormic growth). It may be appropriate to manage the tree in a manner that acknowledges the reality of its aging condition i.e. significant canopy reduction that results in a more compact canopy and removal of declining large diameter limbs.	120	114	minus 6	2017 STEM assessment saw the tree score lower in stature and proximity categories.

43	Abbeyfield Properties Ltd	289	Locational problem	Needs clarification as to which trees are included in the list and subject to protection measures.	The Heritage Tree List lists 7 trees, however there is a total of 12 trees on site (in close proximity to each other), of which 8 stand in the most 'definable' first main group as one enters the site. From an arboricultural perspective it is considered that this group is the most likely candidate (despite there being 8 as opposed to 7 trees). Further clarification may be required from WDC.	108	150	plus 48	Trees generally scored higher in vitality, function, role and climatic influence categories in 2017 STEM assessment. This is due in the main to an increase in documented evidence with regards to the roles trees play and their contribution to the urban forest. In the main this relates to moderation of adverse climatic effects, amelioration of wind, stormwater and pollutants, maintenance of ecological habitats and pathways and improved community health outcomes. Original STEM assessment appears to treat the stand of trees as if it was an individual tree.
49	Singh G	290	Doesn't meet criteria	Tree is big and old and creates a lot of debris from its falling leaves which blocks drains.	A number of submitters (5) note that the tree doesn't meet the criteria for scheduling. The tree/ property owner (one of the submitters) is concerned about the volume of leaf litter arising from the tree and potentially damaging the roof. The general tenor of the submitter's concerns is that the tree is too tall, potentially dangerous in high winds and unsuitable for its setting. Based on the result of the STEM assessment the tree meets the criteria for scheduling. From an arboricultural perspective, the tree could be said to be located in generally unfavourable (for the tree) growing environment due to the density of development and proximity of adjacent dwellings/ structures. It is noted however that within 25 Elizabeth St, a significant portion of the tree's rootzone is permeable and relatively unmodified. Overall the tree's form and current condition are not displaying evidence of decline. The canopy of the tree extends approximately 2 metres over the roof of the dwelling on 25 Elizabeth St. Pruning of the canopy to clear the roof may reduce some of the volume of leaf litter on the roof. (It is unclear what damage the leaf litter is doing to the root.) Monitoring of the condition of the tree on a yearly basis or after severe weather events could address some	102	144	plus 42	Trees generally scored higher in vitality, function, role and climatic influence categories in 2017 STEM assessment. This is due in the main to an increase in documented evidence with regards to the roles trees play and their contribution to the urban forest. In the main this relates to moderation of adverse climatic effects, amelioration of wind, stormwater and pollutants, maintenance of ecological habitats and pathways and improved community health outcomes

6	Pullman M	290	Doesn't meet criteria/unsafe	Thinks that the tree should be removed as it is a hazard to the surrounding houses and especially dangerous during high winds.	See above	102	144	plus 42	Trees generally scored higher in vitality, function, role and climatic influence categories in 2017 STEM assessment. This is due in the main to an increase in documented evidence with regards to the roles trees play and their contribution to the urban forest. In the main this relates to moderation of adverse climatic effects, amelioration of wind, stormwater and pollutants, maintenance of ecological habitats and pathways and improved community health outcomes
8	Molony P & B	290	Doesn't meet criteria	Tree creates considerable debris during strong winds. Submitter does not believe pohutukawa should be protected in a confined garden.	See above	102	144	plus 42	Trees generally scored higher in vitality, function, role and climatic influence categories in 2017 STEM assessment. This is due in the main to an increase in documented evidence with regards to the roles trees play and their contribution to the urban forest. In the main this relates to moderation of adverse climatic effects, amelioration of wind, stormwater and pollutants, maintenance of ecological habitats and pathways and improved community health outcomes
18	Trimmer A	290	Doesn't meet criteria/unsafe	Tree has grown to over 17m tall and is unsuitable for the build up urban setting. During wind there are concerns for safety as the top branches 'sway alarmingly'.	See above	102	144	plus 42	Trees generally scored higher in vitality, function, role and climatic influence categories in 2017 STEM assessment. This is due in the main to an increase in documented evidence with regards to the roles trees play and their contribution to the urban forest. In the main this relates to moderation of adverse climatic effects, amelioration of wind, stormwater and pollutants, maintenance of ecological habitats and pathways and improved community health outcomes

30	Thurgood J	290	Doesn't meet criteria/unsafe	Tree is over 17m tall and considered to be a risk to surrounding properties, it's size is also not appropriate to the urban setting. Additionally, tree debris blocks spoutings creating maintenance issues.	see above	102	144	plus 42	Trees generally scored higher in vitality, function, role and climatic influence categories in 2017 STEM assessment. This is due in the main to an increase in documented evidence with regards to the roles trees play and their contribution to the urban forest. In the main this relates to moderation of adverse climatic effects, ameoleoration of wind, stormwater and pollutants, maintenace of ecological habitats and pathways and improved community health outcomes
39	O'Connell J	294	Unsafe/requires trimming	During high winds large branches have broken off the tree. The tree needs trimming as several branches do not seem healthy and possibly have borer.	The property (and tree) owner is very concerned about liability arising from branches falling on the street side of the tree. She reports that a large branch was shed by the tree in the winter of 2015. It is her understanding that she is liable for any damage that may arise. She would like to prune the tree and remove the existing dead and dangerous wood from the canopy of the tree but is concerned that a consent would be required. From an arboricultural perspective it is considered that a Heritage Tree rules environment that allowed for removal of branches up to 100mm in diameter without requiring resource consent would address much of the submitter's concerns.	114	114		No change in STEM score
17	Taylor R & L	301(a)	Tree requires trimming	Limbs of Pohutukawa trees overhang footpath and dropping debris. The debris is causing downpipes to become blocked, creating overflows and is dangerous to footpath users.	Two trees/ tree groups i.e. two Pohutukawa trees standing immediately adjacent to each other is one scheduled tree; the other is a Kauri standing apart from the Pohutukawa. The resident on site expressed concern regarding liability for any damage to the dwelling on site that may arise from the scheduled trees on site (Pohutukawa in particular). It is recommended that dead wood and declining branches within the canopies of the trees - in particular where they overhang the dwelling, greater than 50mm in diameter is removed.	102	138	plus 36	Trees generally scored higher in vitality, function, role and climatic influence categories in 2017 STEM assessment. This is due in the main to an increase in documented evidence with regards to the roles trees play and their contribution to the urban forest. In the main this relates to moderation of adverse climatic effects, ameoleoration of wind, stormwater and pollutants, maintenace of ecological habitats and pathways and improved community health outcomes

17	Taylor R & L	301(b)	Tree requires trimming	Kauri	The Kauri tree stands apart from the Pohutukawa trees on site. The resident on site expressed concern regarding liability for any damage to the dwelling on site that may arise from the scheduled trees on site (Pohutukawa in particular). It is recommended that dead wood and declining branches within the canopies of the trees - in particular where they overhang the dwelling, greater than 50mm in diameter is removed.	114	138	plus 24	Trees generally scored higher in vitality, function, role and climatic influence categories in 2017 STEM assessment. This is due in the main to an increase in documented evidence with regards to the roles trees play and their contribution to the urban forest. In the main this relates to moderation of adverse climatic effects, amelioration of wind, stormwater and pollutants, maintenance of ecological habitats and pathways and improved community health outcomes
32	McKenna H	309	Doesn't meet criteria/unsafe	Size of trees is inappropriate for the built up urban setting. Trees pose a risk of falling during high winds and the roots are a potential threat to underground services.	Submitter notes that the size of tree(s) is inappropriate for the built up urban setting, poses a risk of falling during high winds and roots are a potential threat to underground services. The subject tree is typical in height and spread of a mature Oak; trees of this size are often found in urban settings. At the time of writing this assessment I have not been made aware of any conflict with existing underground services. However it is recommended that the condition of the tree be monitored on a yearly basis, or after extreme weather events, to ensure that any structural issues that may become apparent are addressed.	126	120	minus 6	Difference relates to height measurement. 2017 STEM assessment measured height with a laser measuring instrument.
29	Robbins B & G	322	Unsafe	Concern for stability of trees during high winds.	It is unclear what the submitters consider to be 'unsafe' or 'unstable' about the tree - further discussion would be required to gain a fuller understanding of their concerns. Similarly further consultation with the submitters would be required to gain an understanding of what is required - from their perspective - from pruning of the canopy of the tree. The tree has been extensively pruned previously. It was noted however, during the site visit the surface root activity is affecting existing paving within the site.	102	141	plus 39	Trees generally scored higher in vitality, function, role and climatic influence categories in 2017 STEM assessment. This is due in the main to an increase in documented evidence with regards to the roles trees play and their contribution to the urban forest. In the main this relates to moderation of adverse climatic effects, amelioration of wind, stormwater and pollutants, maintenance of ecological habitats and pathways and improved community health outcomes

48	Walker P	322	Doesn't meet criteria/unsafe	More needs to be done to maintain and prune this tree.	See above	102	141	plus 39	Trees generally scored higher in vitality, function, role and climatic influence categories in 2017 STEM assessment. This is due in the main to an increase in documented evidence with regards to the roles trees play and their contribution to the urban forest. In the main this relates to moderation of adverse climatic effects, amelioration of wind, stormwater and pollutants, maintenance of ecological habitats and pathways and improved community health outcomes
1	Vulelich G	330	Unsafe	Tree has rotten branches that are falling off. Branches are about to touch the power pole.	With regards to the 'rotten' branches the property owner/ resident indicated a branch on the ground of her property of a similar size to the one that the submitter was concerned about. This branch was 15mm - 20mm in diameter (i.e. very small) and typical of the dead wood that occurs in Puriri trees, particular when they are not growing in a forest environment. Standard arboricultural practice would see dead wood of a diameter of 50mm or greater as warranting removal (in some instances). Dead wood of a lesser diameter is not considered hazardous. With regards to the proximity of the canopy to the existing power pole and power lines on the street. There is typically a statutory obligation on behalf of the lines company and/ or tree owner to maintain a minimum clearance between the canopy of a given tree and adjacent power lines. It is recommended that District Plan controls with respect to Notable/ Scheduled trees to not come into conflict with these statutory obligations.	126	159	plus 33	Trees generally scored higher in vitality, function, role and climatic influence categories in 2017 STEM assessment. This is due in the main to an increase in documented evidence with regards to the roles trees play and their contribution to the urban forest. In the main this relates to moderation of adverse climatic effects, amelioration of wind, stormwater and pollutants, maintenance of ecological habitats and pathways and improved community health outcomes

57	Calabano V & D	334	Unsafe	Tree is causing damage to submitters roof due to high volumes of debris and falling branches. Concern that more serious damage could occur during high winds.	Two scheduled trees on site - a Totara and a Rimu. Based on the proximity of the Totara to the dwelling it is assessed that this is the problematic tree on site (no one was at home at scheduled time of site visit). Submitter notes that tree is causing damage to roof due to high volume of debris and falling branches. While extent of damage to roof hasn't been assessed (by report's author) or evidence of extent of previous damage and diameter of previously fallen branches hasn't been provided (to report's author) the extent of small diameter dead wood within the canopy/ overhanging the existing root would likely result in small diameter deadwood and leaf litter falling on the roof, particular when the wind blows. It is likely also that the gutters of the house would fill up reasonable frequently with this debris. Based on previous arboricultural experience it would not be unusual that both scenarios would be irritating and/ or annoying for the resident. It is therefore recommended that the the vigour, condition and extent of dead wood within the canopy is monitored on a yearly basis (at this stage) so that any change in condition is noted and assessed. It is further recommended that any decline in condition of the tree should result in an updated STEM assessment.	108	138	plus 30	Trees generally scored higher in vitality, function, role and climatic influence categories in 2017 STEM assessment. This is due in the main to an increase in documented evidence with regards to the roles trees play and their contribution to the urban forest. In the main this relates to moderation of adverse climatic effects, amelioration of wind, stormwater and pollutants, maintenance of ecological habitats and pathways and improved community health outcomes
----	----------------	-----	--------	---	---	-----	-----	---------	---

41	Augustine G	342	Doesn't meet criteria/unsafe	Branches are falling off the tree creating a hazard. Concern for stability of tree during high winds.	The property owner is concerned that should the tree fall it would fall on his house. He would like the tree removed or, at a minimum, the tree is pruned by the Council. The likelihood of the tree falling on the house, or otherwise, has not been assessed. Should this be progressed it is recommended that a Quantified Tree Risk Assessment be undertaken to assess the likelihood of this risk of harm being realised. The property owner indicated that the size of branches falling off was small diameter deadwood. With regards to the notable value of the tree, the tree meets the STEM criteria for scheduling. Significant earthworks - likely drainage - have been undertaken in close proximity to the base of the tree. The owner of the site indicated that works had occurred to months previous to site visit (Sept/ Oct 2017). Based on the scale and proximity of the works it would appear that the health and stability of the tree and its rootzone were not taken into account.. It is recommended that the condition of the tree is monitored - taking particular note of foliar density, canopy/ shoot-tip die back and cracking in the bark/ cambium - at 6 monthly intervals and after any extreme weather events.		141		2017 STEM assessment is first assessment
45	Williamson R	342	Doesn't meet criteria	Oak tree at 2 Kirkiri Stream Lane has no notable value.	See above		141		2017 STEM assessment is first assessment
62	Jones B	342	Unsafe	There is concern that branches from the tree will fall and damage people and property. There is a rotten branch that is ready to fall. Submitter would like the tree to be assessed and trimmed back.	See above		141		2017 STEM assessment is first assessment

74	Percy E	393	Doesn't meet criteria/unsafe	The roots of the tree have potential to damage the road, footpath and private driveways. There is also potential that they will interfere with powerlines. Tree is a pohutukawa which is a coastal tree and submitter believes it to be inappropriate for it to be a notable tree in its urban context.	Sections of the footpath within the property have been uplifted/ cracked by surface roots arising from the tree - this is not an uncommon scenario with regards to Pohutukawa. During the site visit the owner expressed concern about roots undermining the dwelling on site. However there was no immediate evidence of cracking or lifting in the side of the house immediately adjacent to the tree. Conclusive comment regarding the undermining of the dwelling or otherwise would have to be made an appropriately qualified individual. While the tree owner expressed her overall like of the tree/ trees in general, the responsibility she feels about the maintenance of the tree weighs heavily on her. She considers that WDC should bear some of the responsibility for maintenance. Based on discussions with the tree owner, some of her concerns about both the 'safety' of the tree and the canopy's proximity to power lines may likely be allayed through the pruning/ end weight reduction of the bough of the tree that overhangs the public footpath in close proximity to the lines. From an arboricultural perspective these pruning works would be in accordance with modern arboricultural practice and in compliance with statutory requirements regarding the proximity	108	135	plus 27	Trees generally scored higher in vitality, function, role and climatic influence categories in 2017 STEM assessment. This is due in the main to an increase in documented evidence with regards to the roles trees play and their contribution to the urban forest. In the main this relates to moderation of adverse climatic effects, amelioration of wind, stormwater and pollutants, maintenance of ecological habitats and pathways and improved community health outcomes
----	---------	-----	------------------------------	---	---	-----	-----	---------	---

34	Morgan D	401	Unsafe	Tree is close to the house and over 20m high. It is dangerous during high winds and close to powerlines.	The tree (and property) owners noted that they feel constrained by the the existing Hertiage Tree controls in the extent that they can prune the tree. The owners really love the tree but want to be able to undertake pruning e.g. clearing the canopy away from the roof line of their house; removal of fractured or comprimised branches, keeping the canopy clear from the power lines in the street without having to gain consent to do so. Given the history of failure within the canopy of the tree (the tree is exposed to the NE) this seems reasonable from an arboricultural perspective. It is therefore recommended that a Heritage Tree rules allow for removal of branches up to 100mm in diameter without requiring resource consent.	126	162	plus 36	Trees generally scored higher in vitality, function, role and climatic influence categories in 2017 STEM assessment. This is due in the main to an increase in documented evidence with regards to the roles trees play and their contribution to the urban forest. In the main this relates to moderation of adverse climatic effects, ameoleoration of wind, stormwater and pollutants, maintenace of ecological habitats and pathways and improved community health outcomes
35	Ward M	401	Unsafe	Tree is over 20m tall and close to submitter's house. Concern for safety as large branches have fallen off the tree as a result of rot.	The owners of the tree, with some justification, are concerned about branches failing over the roof of their house. During our discussion on site the erection of a 'Cobra Bracing' system (a system of flexible bracing that essentially would hold a failed branch 'in situ' within the canopy until it could be safely removed) was discussed. The owners were aware of this system through discussions with other arborists and wondered if the Council might come to the party in terms of installation costs.	126	162	plus 36	Trees generally scored higher in vitality, function, role and climatic influence categories in 2017 STEM assessment. This is due in the main to an increase in documented evidence with regards to the roles trees play and their contribution to the urban forest. In the main this relates to moderation of adverse climatic effects, ameoleoration of wind, stormwater and pollutants, maintenace of ecological habitats and pathways and improved community health outcomes

63	Lee D & B	416	Doesn't meet criteria/unsafe	Concern that the root system is interfering with underground services. Roots have already caused damage at 33 Mains Avenue . Concerns regarding the debris generated by the trees.	Two Rimu trees are scheduled. The owners of the neighbouring property (may or may not be submitters)f are particularly concerned about the extent of the canopy that extends into their property. They were also concerned that the tree could not be pruned (over their property in particular) without recourse to resource consent (and subsequent costs). They noted that they had difficulty erecting a new boundary fence due to roots arising from the tree and also reported that roots from the tree had been found in a sewer line. They were concerned about the tree's proximity to the power lines and felt that the Council should 'come to the party' in terms of costs of maintaining the tree. Another concern was that a resident had a fall on the driveway where a temporary repair was made a the site of damage to the driveway arising from root activity. From an arboricultural perspective it is considered that the bulk of concerns could be addressed through a District Plan Heritage Tree rules environment that allowed for greater flexibility in the pruning of scheduled trees without the need to obtain a consent i.e. allow for removal of branches up to 100mm in diameter without requiring resource consent..	108	132	plus 24	Trees generally scored higher in vitality, function, role and climatic influence categories in 2017 STEM assessment. This is due in the main to an increase in documented evidence with regards to the roles trees play and their contribution to the urban forest. In the main this relates to moderation of adverse climatic effects, ameoleoration of wind, stormwater and pollutants, maintenace of ecological habitats and pathways and improved community health outcomes
66	Stratford J	416	Unsafe	Debris from the tree blocks drains. The root system is damaging to driveways and has the potential to disrupt underground services.	See above	108	132	plus 24	Trees generally scored higher in vitality, function, role and climatic influence categories in 2017 STEM assessment. This is due in the main to an increase in documented evidence with regards to the roles trees play and their contribution to the urban forest. In the main this relates to moderation of adverse climatic effects, ameoleoration of wind, stormwater and pollutants, maintenace of ecological habitats and pathways and improved community health outcomes

69	Luke P	416	Unsafe	The tree is an inconvenience and the root system has caused damage to the driveway which is hazardous to the users.	See above	108	132	plus 24	Trees generally scored higher in vitality, function, role and climatic influence categories in 2017 STEM assessment. This is due in the main to an increase in documented evidence with regards to the roles trees play and their contribution to the urban forest. In the main this relates to moderation of adverse climatic effects, amelioration of wind, stormwater and pollutants, maintenance of ecological habitats and pathways and improved community health outcomes
73	Williams M	416	Unsafe	Roots of tree have damaged the driveway causing a hazard to the users. Concern that branches and debris may fall and damage people or property during strong winds.	See above	108	132	plus 24	Trees generally scored higher in vitality, function, role and climatic influence categories in 2017 STEM assessment. This is due in the main to an increase in documented evidence with regards to the roles trees play and their contribution to the urban forest. In the main this relates to moderation of adverse climatic effects, amelioration of wind, stormwater and pollutants, maintenance of ecological habitats and pathways and improved community health outcomes

42	Rye H	433	Locational problem	Tree number 433 listed as on 74 Mains Avenue however submitter believes that the actual location of said tree is 76 Mains Avenue. Submitter does not want this tree to be listed as its size is inappropriate to the urban setting there is significant risk of branches falling off during strong winds.	The site visit to assess the tree confirmed - as the submitter noted - that the tree stands in 76 Mains Ave. The submitter also noted that she considers the trees size is inappropriate in an urban setting - 76 Mains Ave is a small lot. The tree's canopy is a significant component of the both the site and the adjacent path and carriageway. From an arboricultural perspective it is accepted that the tree could be seen to dominate both the site and adjacent streetscape. However the bulk of the canopy is situated above the garden fence and property boundary with the trunk occupying a small portion of the garden. From a STEM perspective these issues are difficult to factor into the scoring system. The canopy of the tree extends towards the adjacent power lines, as such regular pruning is required to maintain clearnace between the canopy and the lines. Sites of previous branch failure and fractures within the canopy are evident. It is recommended that the tree is monitored on a yearly basis or after severe weather events for structural instability, especially at sites of included unions and scaffold stems and branches extending over the carriageway.		150		2017 STEM assessment is first assessment
78	Houlbrooke W	435		Submitter wants this tree which is on their property removed as they were not aware of its protected status when the property was purchased and its presence prevents the planned development of the property.	From an arboricultural perspective this is one of the most impressive Pohutukawa trees I have ever encountered. The tree achieves a STEM score of 192 (almost twice the baseline for scheduling.) As such its removal could not be supported from an arboricultural perspective				2017 STEM assessment is first assessment
15	Wheeler L	436	Unsafe	Concern for stability of trees during high wind	The trees do not currently display characteristics (e.g. canopy die-back, poor vigour, extensive decay) that would indicate that the trees are unstable.		138		2017 STEM assessment is first assessment
20	Hammer W & F	436	Doesn't meet criteria/unsafe	Risk of trees falling or losing limbs during high winds, damaging nearby homes. Trees are becoming too tall and are unmaintained.	Based on my site visit it is apparent that the trees have been pruned ('maintained') relatively frequently in the past. In terms of height they are considered typical of the species and are not unusually tall		138		2017 STEM assessment is first assessment

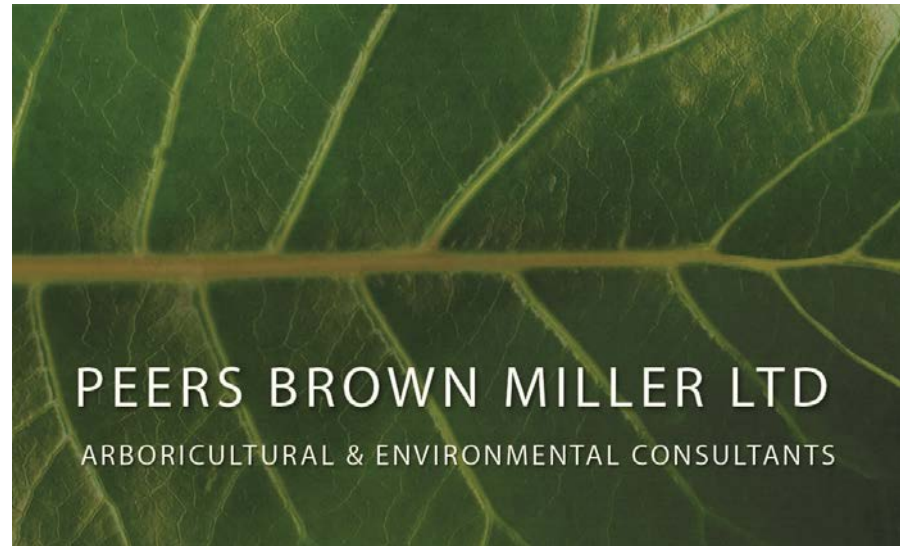
25	Reader D & Perkin M	501	Doesn't meet criteria/unsafe	Tree poses a hazard as it is extremely close to the main road. Submitter believes that this tree does not belong in such a built up, urban setting.	Based on the submitters concerns, a recent branch failure (the resident - renting the house - reported that a branch had split out from the tree and landed in the garden during the winter of 2016. No damage arose) and the size, species and existing structural issues of the tree (included unions, long spreading branches over carriageway and adjacent power lines) it is recommended that the tree is monitored on a yearly basis and some end weight reduction of branches over the carriageway should be considered.	138	138		No change in STEM score
68	Whangarei Intermediate School	513	Doesn't meet criteria	Tree is located on land that is subject to a designation. Tree is incorrectly identified as a Dawn Redwood when it is actually a Swamp Cypress. Submitter sees the tree's inclusion on the list to be because of it's initial incorrect identification as Dawn Redwoods, a species of Scientific Significance. Falling branches from the tree poses a hazard to children at the school. Additionally the tree is located near to a Critical Underground Electrical Line and there is concern that the root system may damage this.	With regards to the tree being previously incorrectly identified, this does not affect the STEM score achieved by the tree - sufficient for scheduling. From an arboricultural perspective the threat, or otherwise, of branches falling on children, would need to be quantified (via a QTRA assessment). To date I am unaware of any injuries to children of the school arising from falling branches. Similarly with (potential) threats or otherwise to the Electrical Line further information with regards to previous damage arising from roots would need to be provided in order for an assessment to be made.	120	144	24	Trees generally scored higher in vitality, function, role and climatic influence categories in 2017 STEM assessment. This is due in the main to an increase in documented evidence with regards to the roles trees play and their contribution to the urban forest. In the main this relates to moderation of adverse climatic effects, amelioration of wind, stormwater and pollutants, maintenance of ecological habitats and pathways and improved community health outcomes

9	McNab M	515	Unsafe	Tree could easily fall onto house and is a fire risk. Roots may present risk to drains, sewerage and driveways.	With regards to the risk of complete tree failure (tree falling on house - trees in very close proximity to house), the trees current condition does not indicate that complete tree failure is likely in the next 12 months. Their root zone was examined and no cracking or heaving was evident. The buttress roots of both trees did not display any signs of structural instability. The risk of trees catching on fire were discussed with the owner and there seemed to be general agreement, from an arboricultural perspective (as opposed to a qualified fire risk assessor's perspective) that it would take a deliberate attempt on behalf of a given individual to set the trees on fire. As such the risk of this hazard arising could not be meaningfully assessed under the strictures of STEM.	156	126	minus 30	Form, stature, visibility, proximity and occurrence of species categories were scored higher in the 1996 assessment.
10	Campbell R & B	515	Unsafe	Trees have grown too large for the house and section, concern for underground services, regarding root structure. Submitter concerned that should the tree fall down it will damage property.	Discussion with the tree owner at the time of the site visit indicated that no issues with services had arisen thus far.	156	126	minus 30	Form, stature, visibility, proximity and occurrence of species categories were scored higher in the 1996 assessment.
29	Robbins B & G	518	Unsafe	Concern for stability of trees during high winds.	Not assessed as site was not included in supplied list of sites to be visited				
29	Robbins B & G	519	Unsafe	Concern for stability of trees during high winds. Tree has roots that are lifting the road up, creating a hazard.	See below	120	144	plus 24	Trees generally scored higher in vitality, function, role and climatic influence categories in 2017 STEM assessment. This is due in the main to an increase in documented evidence with regards to the roles trees play and their contribution to the urban forest. In the main this relates to moderation of adverse climatic effects, amelioration of wind, stormwater and pollutants, maintenance of ecological habitats and pathways and improved community health outcomes

48	Walker P	519	Doesn't meet criteria/unsafe	More needs to be done to maintain and prune this tree. The pohutukawa should be checked for myrtle rust. There is also concern that the roots are too close to underground services.	Based on site assessment the tree meets the STEM criteria for scheduling (from an arboricultural perspective). The tree displays good vigour - the tree owner reports that she is concerned about the proximity of the tree to the roof of her house but that there has been no damage arising from branch failure thus far. The tree does shed small dead branches and seed husks. This is considered typical of the species and age of the tree. Extent of damage to the road, and any arising hazard, would need to be assessed by a roading engineer. The tree has been pruned previously with the canopy 'breaking' high above the ground. The extent of any further pruning necessary should be assessed through further consultaion with tree owner/ submitters to gain a fuller understanding of what the pruning should achieve (there may be more specific outcomes required in their perspective). Discolouration of the canopy which may be indicitave of Myrtle Rust was not evident at the time of the site visit. Further monitoring would be required to monitor the situation with regards to Myrtle Rust.	120	144	plus 24	Trees generally scored higher in vitality, function, role and climatic influence categories in 2017 STEM assessment. This is due in the main to an increase in documented evidence with regards to the roles trees play and their contribution to the urban forest. In the main this relates to moderation of adverse climatic effects, ameoleoration of wind, stormwater and pollutants, maintenace of ecological habitats and pathways and improved community health outcomes
11	Hindle R	9 Headland Farm Park Rd	New tree	grove of pohutukawa trees on fringes of Headland Farm Park, just below section 47, between this section and the beach.	Based on site assessment the tree meets the STEM criteria for scheduling (from an arboricultural perspective).The trees display and support a vibrant biodiversity within their (combined) canopies. Epiphytes are evident; a Totara tree grows and is 'supported' by the Pohutukawa canopy. Tui's were evident within the canopy on the day of assessment.		180		2017 STEM assessment is first assessment
44	Tomason H	Hatea Drive	Doesn't meet criteria/new tree	The falling fruit of the protected Supote tree is a hazard to both people and property. Submitter notes two pohutukawa nearby on the roadside which are more significant and could be protected.	Not assessed as site was not included in supplied list of sites to be visited				

64	Stallworthy L		Locational problem	Two puriri are listed as on 415 Maunu Road however these do not exist, instead one tree is on 411 Maunu Road and one on Selwyn Village at the corner of three properties.	Submitter/ resident has queried location of three Puriri trees standing in or adjacent to her property. This tree - #331(b), straddles boundary of 415 and 411 Manu Road. Consultation of site with the property owner indicated that the existing boundary fence was an accurate indication of the property boundary. This being the case #331(a) clearly stands within the site boundaries of 411 Manu Road. Given that two Puriri trees only are listed on the schedule, this tree (#331(a) was not assessed as it clearly stands in the neighbouring property. The Puriri tree standing within the grounds of Selwyn Village - #331(c) - was assessed as its location could be considered to be 'unclear' as it stands within the same forest remnant as #331(b)	117	141	224	Trees generally scored higher in vitality, function, role and climatic influence categories in 2017 STEM assessment. This is due in the main to an increase in documented evidence with regards to the roles trees play and their contribution to the urban forest. In the main this relates to moderation of adverse climatic effects, amelioration of wind, stormwater and pollutants, maintenance of ecological habitats and pathways and improved community health outcomes
31	Hoogeveen J		New tree	Pohutukawa at 27 Kauika Road should be added to list of notable trees	Not assessed as site was not included in supplied list of sites to be visited				
59	Laird L		New tree	Large pohutukawa on the boundary of submitter's property on the Kirikiri Stream.	Tree could not be located - need more info				

Appendix I – Peers Brown Miller: Arboricultural Report – Summary of Findings



ARBORICULTURAL REPORT – Summary of Findings

Project: Whangarei District Council, PC 129, STEM Assessments

Prepared For: David Badham, Barker & Associates

By: Simon Miller

Date: 05.02.18

Peers Brown Miller Ltd

Arboricultural & Environmental Consultants

1.0 Introduction

The purpose of this report is to document and summarise the various issues, results and recommendations arising from the assessment of a number of scheduled trees on behalf of Whangarei District Council. The assessments were undertaken between 11.12.17 and 14.12.17. More than fifty trees/ tree groups were assessed using the STEM assessment system.

The results of the individual STEM assessment reports are summarised in the following document;

- PC129 Submission Notable Trees- STEM assessment report 07.02.18

2.0 Background

Prior to the assessments being undertaken a number of tree owners and/ or submitters within the community had submitted comments to WDC regarding their concerns in relation to the scheduled trees. Comments ranged from a given submitter's opinion that a tree on the Heritage Tree List did not meet the criteria for scheduling, to concerns about the safety of the given tree, to submitters wanting to ensure that a given tree was included on the List.

During the subsequent site visits and assessments many of the submitters and/ or tree owners were met on site and their various issues and concerns were discussed.

3.0 Summary of Submitters Concerns

As noted in Section 2 above many submitters considered that a given scheduled tree did not meet the criteria for scheduling. As the accompanying STEM assessment reports demonstrate however, all of the assessed trees clearly met the criteria for scheduling. The other most common concern related to the perceived safety of the trees. During discussions with submitters and/ or tree owners on site this concern typically arose for one or all of the following reasons;

- Proximity of a tree's canopy or scaffold stems/ branches to a dwelling

Peers Brown Miller Ltd

Arboricultural & Environmental Consultants

- A sense that nothing could be done to alter (prune) the canopy of a scheduled tree without resource consent (difficult) and costs (significant)
- A sense that the size of the tree made it inherently unsafe and inappropriate in an urban context
- Root activity in a driveway or potential for roots to harm underground services

The first two points above generally led to irritation on behalf of the submitter/ tree owner and a notion that nothing could be done without encountering difficulty. Compounding this was the damage (perceived or otherwise) that the tree was doing to a roof of a dwelling or the dwelling itself. Ill will towards the tree, or its scheduled nature, tended to result with the Heritage Tree Rules and/ or the 'Council' in the gun.

Again, based on discussions during site visit, the above irritation or sense that 'nothing can be done' led to the third point i.e. that the size of the tree made it inherently unsafe and inappropriate in an urban context. There is no doubt that a number of the trees are very large and stand in close proximity to existing dwellings or are situated in relatively small urban gardens.

Regarding problematic root activity this was only physically apparent in a couple of instances, otherwise it was not a concern that was backed up with physical evidence (i.e. I was not presented with documented details or pictures of the damage to underground services).

4.0 STEM Evaluation System

The STEM evaluation system is composed of three sections – Condition (Health), Amenity (Community Benefit) and Notability (Distinction).

Each of the three sections is further broken into additional categories against which tree trees are assessed and scored. The rationale behind the scoring of each category is explained in the publication titled STEM - A Standard Tree Evaluation Method, by Ron Flook. Those descriptions have been studied by Peers Brown Miller Ltd and, accordingly, our/ my evaluations reflect our understanding of the rationale relating to each of the categories.

4.1 Condition (Health) (*ref: pg's 17-21 STEM guidelines*)

The criteria assessed in this section comprise of the following;

Peers Brown Miller Ltd

Arboricultural & Environmental Consultants

- Form
- Occurrence
- Vigour/ Vitality
- Function (Usefulness) i.e. is the species a source of food for birdlife/ fauna/ invertebrates? Does it provide for roosting or nesting habitat for bird species? Does it perform a useful role in terms of wind modification, shading, screening and pollution/ toxin absorption?
- Age

The assessment of Form, Occurrence, Vigour/ Vitality and Age was found to be, in the main, broadly consistent across the original (1996) STEM assessments and the 2017 STEM assessment.

From an arboricultural perspective these criteria are not typically contentious. While form could be said to be in the eye of the beholder, assessment of this criterion is generally based on the physical and structural integrity of the canopy (i.e. extent of fractures, defects, pruning history etc) rather than whether it's a "nice looking" tree or not.

Occurrence, Vigour and Age are all evidential based assessments.

However, with the assessment of Function this generally scored higher in the 2017 assessment than previously. This is primarily due to an increase in documented evidence with regards to the roles trees play and their contribution to the urban forest. In the main this relates to moderation of adverse climatic effects, amelioration of wind, stormwater and pollutants, maintenance of ecological habitats and pathways and improved community health outcomes

4.2 Amenity (Community Benefit) (*ref: pg's 23-27 STEM guidelines*)

The criteria assessed in this section comprise of the following;

- Stature
- Visibility
- Proximity (to other trees)
- Role i.e. how a particular scene or place would look without the tree; does it contribute to the setting?; does it lend serenity to an urban or rural space?; does it have an association with tradition?; is it attractive to fauna?
- Climatic Influence

Peers Brown Miller Ltd

Arboricultural & Environmental Consultants

Stature, Visibility and Proximity again are generally not contentious – all are measurement based. Historically, Role and Climatic Influence may have been scored lower. As with Function in the Condition section an increase in documented evidence with regards to the roles trees play and their contribution to the urban forest. In the main this relates to moderation of adverse climatic effects, amelioration of wind, stormwater and pollutants, maintenance of ecological habitats and pathways and improved community health outcomes saw the trees in the 2017 STEM assessment scoring higher than previously.

4.3 Communicating/ Explaining STEM method to Stakeholders

A number of submitters/ tree owners were met on site during the STEM assessment process. As much as was practicable the STEM method was discussed and its vagaries explained. It was generally found that once a specific cause for concern was acknowledged (e.g. a problematic branch; the extent of a canopy overhang over a roof) and a potential solution discussed (generally pruning) the overall benefits of trees (i.e. Function, Role, Climatic Influence) were agreed upon and supported.

From an arboricultural perspective, the general ‘take-away’ from the discussions was that a Heritage Tree rules environment (as per District Plan) that allowed scheduled tree owners a greater degree of latitude in the basic management of their trees without recourse to Resource Consent would engender a more positive response to the presence of a scheduled tree on their properties (Not in all cases obviously. A number of submitters just wanted the tree gone).

5.0 Conclusions & Recommendation

In my arboricultural experience, there is often a fear or a concern among those in the statutory arm of urban forest or tree management that too much latitude in pruning rules in particular would see a wholesale desecration of the canopies and stature of scheduled trees. I do not share this opinion. Not out of an unrealistic idea of tree owners’ appreciation of form or aesthetics, simply that large scale pruning is often difficult and costly.

Similarly, it is my arboricultural opinion, that the use of an arborist should not be mandated in the rules – in my experience most people simply do not want to, or are fearful of, getting more than a metre or two above ground with a saw or chainsaw. They would rather employ the services of an arborist. However, in my arboricultural experience and also as a result of talking to submitters during this process, the feeling that ‘they could if they wanted to’ would engender a more positive attitude towards the scheduled trees on their properties.

Once again it is my arboricultural experience that if people feel they have a degree of control over (their) scheduled trees that is not unduly constrained by a District Plan rules process they are less likely to seek the removal of those trees. It is my professional opinion that it is

Peers Brown Miller Ltd

Arboricultural & Environmental Consultants

incumbent upon those of us working in the statutory arena not to make people 'hate' or become very irritated or agitated by their protected trees.

It is therefore recommended that the scale of controls relating to scheduled trees would range from loose control – small to mid-level pruning (i.e. Permitted up to 100mm, no arborist required) to very tight control – tree removal; significant alteration of rootzone (Discretionary).

5.1 Example of 'Permitted' Scheduled Tree Pruning Rule

Tree trimming or alteration

- (1) The maximum branch diameter must not exceed 100mm at severance.
- (2) No more than 20 per cent of live growth of the tree may be removed in any one calendar year.
- (3) The works must meet best arboricultural practice (however use of arborist not mandated – i.e. could be undertaken by an owner who has researched arboricultural best practice).
- (4) All trimming or alteration must retain the natural shape, form and branch habit of the tree.



Simon Miller
Peers Brown Miller Ltd

Peers Brown Miller Ltd

Arboricultural & Environmental Consultants

Appendix 1 – Auckland Unitary Plan: Operative in Part, Chapter D13 – Notable Trees Overlay

4.2 RMA Consents – New Road Name – Evo Land Ltd

Meeting: Planning and Development
Date of meeting: 19 April 2018
Reporting officer: Keryn Ryan – Team Leader Support (RMA Consents)

1 Purpose

To name a public road in the Whangarei District.

2 Recommendation

That the Planning and Development Committee approve the new public road off Karanui Road to be named Cornerstone Place.

3 Background

A road name application by Evo Land Ltd has been submitted to Council for a new public road name within a subdivision located off Three Mile Bush Road.

4 Discussion

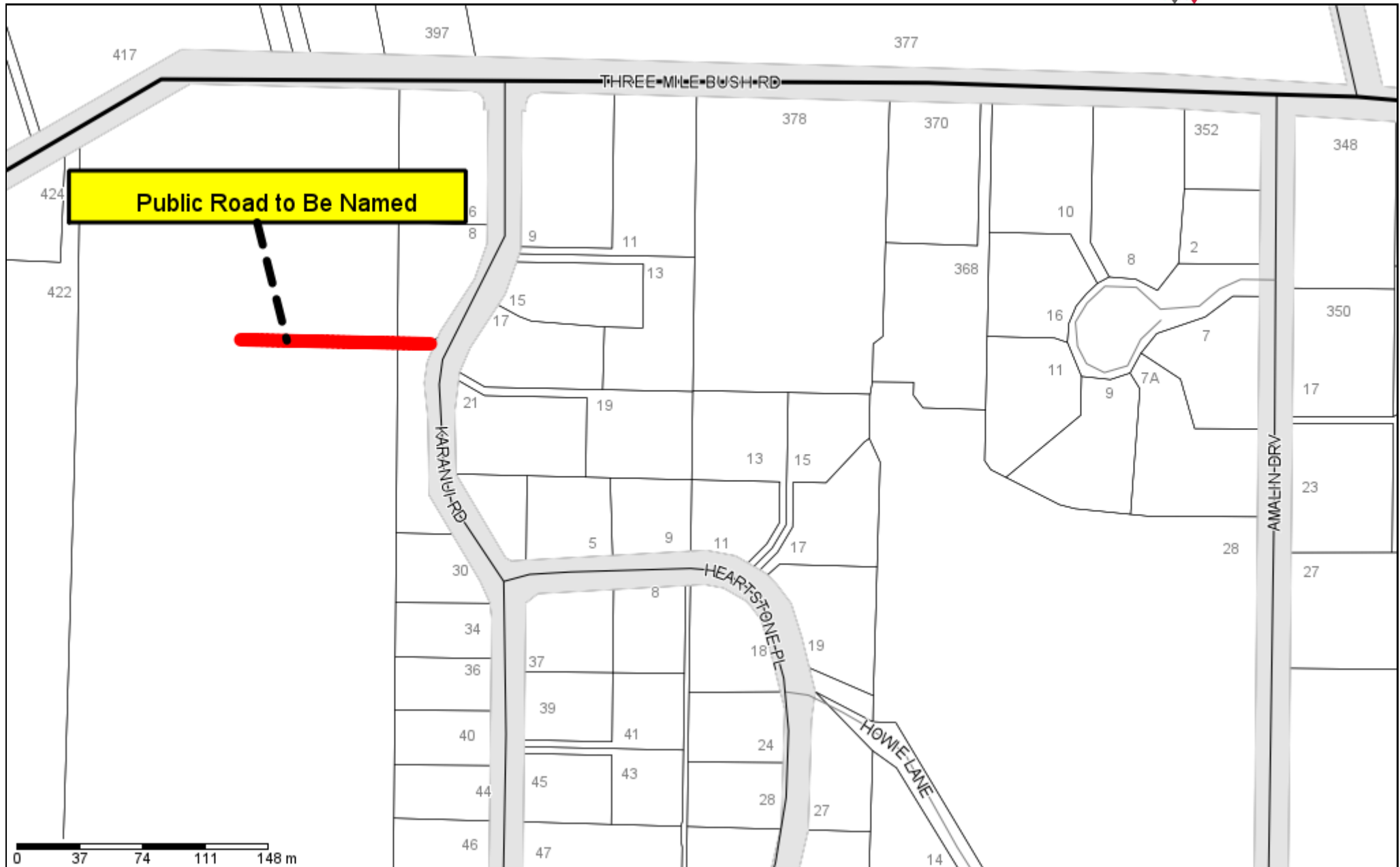
All road names have been considered in accordance with Council Road Naming Policy.

5 Significance and engagement

Having considered the significance and Engagement Policy, this proposal and decision is not considered significant and the public will be informed via agenda publication on the Council website.

6 Attachments

- 1 Location map – Evo Land Ltd – Stage 5.
- 2 Application for the naming of a new road – Evo Land Ltd – Stage 5.



Application for the naming of a new public road

Subdivision off Three Mile Bush Road.

Below is a summary of the road name submissions from the developer in order of preference

Proposed status & class of road	Proposed road name	Reason and relevance	Accepted/Rejected	Local Māori consulted & evidence supplied
Public Road	Cornerstone Place	Referring to the large cornerstone stones used in dry stone wall construction, synonymous with the area. This ties in with Heartstone Place, located with this development.	Accepted	N/A
	Quoin Place	Referring to the flat faced stones used in the rock wall construction located nearby.	Accepted	N/A
	Kohatu Place	Meaning Stone in Maori	Rejected due to duplicate within district (Kohatu Road).	N/A

Consultation

Not required as no titles have been issued yet for stage 5 of this development and the land is still therefore owned by the developer, Evo Land Ltd.

Recommendation

That the new public road off Karanui Road be named Cornerstone Place.

Document References

Location Map

4.3 RMA Consents - New Road Name - Blue Moon Limited

Meeting: Planning and Development
Date of meeting: 19 April 2018
Reporting officer: Keryn Ryan – Team Leader Support (RMA Consents)

1 Purpose

To name two public roads and three private right of ways in the Whangarei District.

2 Recommendation

That the Planning and Development Committee approve the three new private ROWs within the new subdivision off Cove Road, Waipu to be named Solar Way, Milky Way and Galaxy Lane and the two new public roads off Cove Road to be named Blue Moon Rise and Starlight Place.

3 Background

A road name application by Blue Moon Limited has been submitted to Council for the approval of 5 new road names within the new subdivision located at Waipu.

4 Discussion

All road names have been considered in accordance with Council Road Naming Policy.

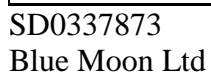
It is noted that Council's style guide states that generally roads should not be named after any commercial organisation. Due to the astrological theme, it is not considered inappropriate to use Blue Moon Rise as a public road name, noting that the developer is Blue Moon Limited. Should there be a concern with this, the second option (Luna Drive) can be used.

5 Significance and engagement

Having considered the significance and Engagement Policy, this proposal and decision is not considered significant and the public will be informed via agenda publication on the Council website.

6 Attachments

- 1 Location map – Blue Moon Ltd
- 2 Application for the naming of a new road – Blue Moon Ltd



19 April 2018
Council Meeting

Application for the naming of 2 public roads and 3 private ROWs

Subdivision at Waipu

Below is a summary of the road name submissions from the developer in order of preference

Proposed status & class of road	Proposed road name	Reason and relevance	Accepted/Rejected	Local Māori consulted & evidence supplied
All roads have been selected with an Astrological theme for the development due to the great night views of the sky from the site at night				
Public Road 1	Blue Moon Rise	In reference to the Astrological theme chosen.	Accepted	N/A
	Luna Drive	Luna is Latin for Moon.	Accepted	N/A
	Saros Drive	The name Saros comes from the term 'Saros Cycle', a period in which eclipses repeat themselves.	Accepted	N/A
Private ROW 1	Solar Way	Reference to the sun.	Accepted	N/A
	Sunrise Lane	Reference to the sun.	Accepted	N/A
	Cosmos Lane	Cosmos is the entire physical universe, the world	Accepted	N/A
Private ROW 2	Milky Way	Galaxy that contains our solar system.	Accepted	N/A
	Stardust View	In reference to the stars.	Accepted	N/A
	Callisto Way	Callisto is the name of the third-largest moon in the universe.	Accepted	N/A
Private ROW 3	Galaxy Lane	Reference to the night views, with Galaxy being a system of millions of stars.	Accepted	N/A
	Asteroid Lane	Referencing asteroids orbiting the sun.	Accepted	N/A
	Jericho Lane	Has origins in the Arabic language and means 'city of the moon'.	Accepted	N/A
Public Road 2	Starlight Place	Astrological theme for the development due to the great night views of the sky from the site at night.	Accepted	N/A

	Orion Place	The brightest and best known constellation in the sky.	Accepted	N/A
	Perseus Place	Name of the constellation located in the northern portion of the sky.	Accepted	N/A

Consultation

No consultation is required as no titles have been issued yet for this development and the land is therefore owned by the developer, Blue Moon Ltd.

Recommendation

That the 3 new private ROWs within the new subdivision off Cove Rd, Waipu be named Solar Way, Milky Way and Galaxy Lane and the 2 new public roads off Cove Road be named Blue Moon Rise and Starlight Place.

Document References

Location Map

5.1 Planning and Development Capital Projects Report for the month ending 28 February 2018

Meeting: Planning & Development Committee
Date of meeting: 19 April 2018
Reporting officer: Alison Geddes – Group Manager Planning and Development

1 Purpose

To provide the Planning and Development Capital Projects Report for the month ending 28 February 2018.

2 Recommendation

That the Planning and Development Committee note the Planning and Development Capital Projects Report for the month ending 28 February 2018.

3 Background

This Report provides an update on Planning and Development Capital Projects expenditure to date compared to budget, as well as the forecast spend for the year and carry forwards against budget.

4 Discussion

The Capital Projects expenditure for Planning and Development as at 28 February 2018 is currently \$393k more than budget. Planning and Development is forecasting to spend a total of \$7.0m against the \$4.3m budget, with forecast carry forwards of 650k to the next financial year.

The unfavourable variance forecast for the year is mainly due to:

- the unbudgeted \$3.4m spent on the RSA site (funded from Property Reinvestment Reserve).
- the Port Road Site remediation of which \$650k is forecast to be carried forward.

5 Significance and engagement

The decisions or matters of this Agenda do not trigger the significance criteria outlined in Council's Significance and Engagement Policy, and the public will be informed via agenda publication on the website.

6 Attachment

Capital Projects Report - Planning and Development - February 2018

PLANNING & DEVELOPMENT CAPITAL PROJECTS REPORT

AS AT 28 February 2018

(Figures include both Operating and Capital Expenditure)

	Actual YTD \$000	Revised Budget YTD \$000	Variance YTD \$000	Full Year Forecast \$000	Full Year Revised Budget \$000	Forecast (Underspent)/ Overspent \$000	Forecast Carry Forwards \$000	Total (Underspent)/ Overspent \$000
Economic Growth								
Twin Coast Signage	0	30	(30)	0	30	(30)	0	(30)
Whangarei City Entrance Signage & Beautification	92	89	3	95	89	6	0	6
Economic Growth Total	92	119	(27)	95	119	(25)	0	(25)
Planning & Regulatory								
Dog Pound Renewals	0	20	(20)	20	20	0	0	0
Planning & Regulatory Total	0	20	(20)	20	20	0	0	0
Support Services								
Central City Carpark Upgrades & Improvements	2	0	2	204	204	0	0	0
Commercial Property Renewals & Improvements	66	0	66	66	0	66	0	66
Old Harbour Board Building Development	1	1,469	(1,468)	1,470	1,469	1	0	1
Parihaka Transmission Mast Upgrade	0	100	(100)	903	1,003	(100)	0	(100)
Port Road Site Remediation	0	1,500	(1,500)	850	1,500	(650)	650	0
Property Purchases	3,413	0	3,413	3,404	0	3,404	0	3,404
Town Basin Property Renewals & Improvements	27	0	27	15	0	15	0	15
Water Services Building Renewals	0	0	0	20	20	0	0	0
Support Services Total	3,510	3,069	440	6,932	4,196	2,736	650	3,386
Total	3,602	3,209	393	7,047	4,335	2,711	650	3,361

5.2 Planning and Development and Strategy and Democracy Operational Report

Meeting: Planning and Development Committee

Date of meeting: 19 April 2018

Reporting officer: Alison Geddes (General Manager - Planning and Development)
 Jill McPherson (Acting General Manager - Strategy and Democracy)

1 Purpose

To provide a brief overview of work occurring, in the current financial year, across functions that the Planning and Development Committee has responsibility for.

2 Recommendation

That the Planning and Development Committee notes the operational report for April 2018.

3 Discussion

Planning and Development

The District Plan team must be recognised and congratulated for its part in developing the Te Tai Tokerau Papakainga Tool Kit which won the New Zealand Planning Institute's Best Practice, Non-Statutory Planning Award at the recent NZPI annual conference. The City Centre Plan also received a commendation from NZPI. It's great for WDC to get such recognition on the national stage.

The economic impact and benefits analysis of the DHL New Zealand Lions Series 2017 shows a pleasing result and work is being done in District Development to ensure that there is more rigorous measurement of all activities to enable us to evaluate the success of initiatives on a more quantitative, objective basis.

The Commercial Property Strategy project is well underway and we are looking forward to having more certainty and guidance in the management of the Commercial property portfolio from a longer-term, strategic perspective in the future.

The harvesting of the forest at Whau Valley continues and is expected to be completed at the ends of April.

Volumes in RMA Consenting continue to be comparable with the same time last year and there are no current appeals to resource consents.

The throughput of Building consent applications is consistently above 90% now that the overflow contractor has settled in and new staff are coming up to speed. There have been some complaints about the increased strictness of information requests and we have been working with applicants to lift the standard of information provided, to assist them to improve the quality of their applications. The building department is currently preparing for the IANZ audit in May.

The Police had a disappointing result from a Controlled Purchase Operation but the two operators involved have been cooperating with Police on this.

Strategy

The City Centre Plan was recognised at this year's New Zealand Planning Institute awards with a commendation for the Best Practice Award - Strategic Planning & Guidance. This acknowledged the quality of the plan as well as the process for creating it. Work is now well underway on the City Core Precinct Plan, which is the next piece of the puzzle for our City Centre.

It has been a busy month for our strategy department. The Recreation Strategy scope was discussed with Councillors and this is now being finalised with our Parks department and Sport NZ. Ongoing work on the National Policy Statement on Urban Development Strategy is to deliver an understanding of our capacity growth. This information will be shared with Council over the coming months. Finally, our strategy team is supporting the LTP with project management oversight and the summarising of submissions to assist in Council deliberations.

4 Significance and Engagement

The decisions or matters of this report do not trigger the significance criteria outlined in Council's Significance and Engagement Policy, and the public will be informed via report publication.

5 Attachment

Planning and Development Operational Report – April 2018.

April Operational Report

Planning and Development and Strategy and Democracy (March 2018 activities)

District Development

The District Development Team continues to work alongside the business community and business associations to best support local economic growth. Initiatives led by the business community have included dressing of Waipu Township in preparation for the Long Easter Weekend. Similar initiatives have been sought for Whangarei CBD in lead up to 'Rev Up Whangarei'.

Filters and social Media engagement has been a focus of growing positive regard and there has been measurable success against this criteria.

Work is ongoing with Infometrics to value our sectors, against employment, Gross Value Added and direct/indirect employment.

Economic Development

DHL New Zealand Lions

The economic impact and benefits analysis of the DHL New Zealand Lions Series 2017 has now been released.

This report has been commissioned by the Ministry of Business, Innovation and Employment (MBIE) to measure the impact of the Series on New Zealand and also the host city economies. The evaluation focuses on the economic and broader benefits to New Zealand and host cities from hosting the Series.

Whangarei was Host City for the opening match of the Series between the DHL British & Irish Lions and the NZ Provincial Barbarians on 3 June 2017 in front of a 19,720-capacity good natured crowd at Toll Stadium. Despite the extreme torrential overnight rain the pitch was presented immaculately, as were the training fields at William Fraser Park which were utilised by the visiting team.

The match attracted approximately 1208 international and 6660 domestic visitors to the region.

Producing a spectacle, the DHL British & Irish Lions had to come from behind to beat the gutsy NZ Provincial Barbarians 13-7 in a tour opener that was predicted to be far more straightforward. For a while it looked as though the unthinkable might happen; the professionals might lose against a bunch of part-timers whose ranks included a sheep farmer, a shopkeeper, a nurse and a fruit picker, primarily drawn from lower-ranked New Zealand "Heartland" provincial sides.

Including expenditure relating to hosting and leverage activities, the overall economic contribution of the Series to Whangarei's GDP was a significant \$6.2m (including flow-on effects); 96 Full Time Equivalents (FTEs) were required to support the GDP impact.

Total investment by Whangarei District Council (WDC) to successfully host the event and ancillary activities amounted to \$327K.

Popular ancillary events that were organised included, The Late Lunch, Lions Fan Trail, Matariki Whanau Festival, Legends at The Local, Crafternoon, Taku Ahi – Maori Arts and Artists and many travelled Watangi Treaty Grounds for the formal welcome on Sunday following the match.

A grant of \$60K from Central Government also supported these activities.

The WDC investment of \$327K is \$79K higher than the anticipated budget of \$250K which was estimated at the time of the bid process back in 2015. This is primarily due to inflationary increases in areas such as temporary seating, security, standby generator, IT capital costs, pre-match fireworks and the cleaning of the Stadium canopy.

In summary feedback from management of the British & Irish Lions, NZ Rugby and Sport NZ was very positive which puts Whangarei in a favourable position to be considered to bid for more major events.

As a Council and community, we now have a solid base of capability to successfully manage these types of attractions that benefit our economy.

For additional data and information, please refer to the report in the following link.

<http://www.majorevents.govt.nz/news-latest/dhl-new-zealand-lions-series-2017-economic-impact-report>



Destination Marketing

Media

In December, last year, we provided suggestions to writer Sheryl Bainbridge for activities, attractions and places that could be of interest to the RV Travel lifestyle audience. This resulted in a five-page story featuring the Whangarei Quarry Gardens, Whangarei Growers Market, the Hatea Loop, Claphams National Clock Museum, Kiwi North - Whangarei Museum and Heritage Park, Poor Knights Islands, Sculpture Northland and more. Readership of the magazine is approx. 60,000. It is available at 700 airline lounges and VTNZ has copies at all testing stations. It is available for purchase at 2,600 retail outlets and available at 700 airline lounges.

Publications

The latest version of the Whangarei Central Walks brochure has been printed on 100% recycled paper with eco-friendly inks. District Development aims to move as many printed publications to more sustainable practices as reprints are done.

HATEA RIVER WALK
The entire Hatea River track travels from the Town Basin to Otuhau - Whangarei Falls via Mair Park, Parahiaka Scenic Reserve and the Ah Reed Memorial Park. The walk can be done in the entirety or in sections.
4. Town Basin to Mair Park 40 minutes
5. Mair Park to Ah Reed Memorial Park 40 minutes
6. Ah Reed Memorial Park to Otuhau - Whangarei Falls 30 minutes
Canopy Bridge Carpark (Town Basin), Rurumaki Street, Whangarei Road or Boundary Road
Dogs on leash are allowed

5. AH REED MEMORIAL PARK
Ah Reed Memorial Park is a remnant of the original Northland kauri forest. 200-year-old maturing kauri trees can be viewed from a boardwalk through the forest canopy. The bubbling Wai Kauri Stream runs through the middle of the park and the 23 metre high Parahiaka Falls is well worth taking the short detour to see.
Continue following the Hatea River through native forest until you arrive at Otuhau - Whangarei Falls.
1 hour return 2km Easy Wheelchair access
There are three car parks for visitors to use. The main Lower Car Park is on the left, 1.5km from the turn into Whangarei Road, the Middle Car Park for less able visitors is a further 200 metres on the left and the Upper Car Park just off Clapham Road, is another 200 metres along the road.
No dogs allowed

6. OTUHAU - WHANGAREI FALLS
There is an easy loop walkway around the stunning 24 metre high waterfall. Three viewing spots along the track offer fantastic photo opportunities and there are many picnic spots within the Reserve.
The viewing platform closest to the carpark is fully accessible for those with pushchairs and mobility aids. The walk track leading down to the base of the waterfall is steep in some places.
30 minutes return 1km Easy to medium
Wheelchair access Boundary Road
Dogs on leash are allowed

PARHIKA SCENIC RESERVE
Parahiaka is an eroded volcanic cone rising to 241m above sea level. The summit offers panoramic views over the city and harbour. There are three well-maintained bush tracks to choose from. The Double and Drummond Tracks are both accessible from Mair Park, while the Ross Track begins at the top of Dundas Road.
1.5 hours return 2km Medium
Rurumaki Street (Mair Park) or Dundas Road
No dogs allowed

GREEN FLAG AWARD WINNER
Parahiaka Scenic Reserve is one of only 15 southern hemisphere winners and the award is a public recognition of good quality green spaces.

Commercial Property

Town Basin

With the summer months fading, maintenance plans are being reviewed in preparation for the winter clean. No major maintenance has been identified as part of the ongoing programme.

A condition survey of infrastructure adjacent to the identified Hundertwasser construction site is underway. The report will include the current building condition, internal and external, of both Mokaba and The Bach tenancies. A photographic record will be used as a baseline to measure any future impact on the assets as a consequence of the adjacent construction.

Although informal, positive feedback has increased from tenancies regarding paid parking. The vehicle turnover has increased resulting in more opportunities to park. Long-term parkers appear to have reduced freeing up space for short-term paying users of the Town Basin. The Commercial Property Manager will continue to support the Roding team who are monitoring the situation.

Forestry – Whau Valley Dam

Harvesting continues in accordance with the schedule. There has been limited feedback from residents whose comments have been empathetic. Two reported incidents received from the public, have been specific to traffic congestion on Whau Valley road and the speed of one truck. Each incident was acted upon immediately and resolved.

Harvesting is expected to be completed at the end of April.



View North from the crown of the dam looking North



Temporary Road constructed at the southern entrance.

201-209 Port Road (ex-Balance/ Fertilizer Stores)

Demolition is gaining momentum, with 90% of the main building now complete. To date, approximately 28 Tons of asbestos has been removed from the site.



Asbestos waste wrapped and ready for load out



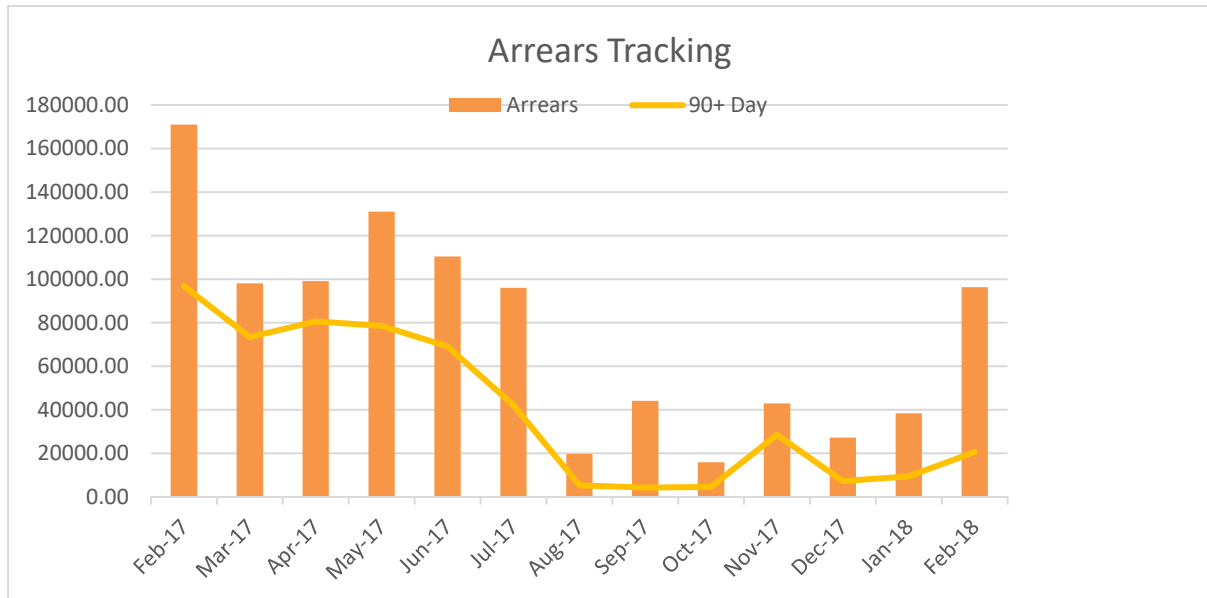
Rent Reviews/Renewals

Rental reviews and renewals continue in accordance with both ground and commercial freehold leases.

Rental Arrears

Staff continue to work with tenants regarding the recovery of arrears. Approximately 70% of the total arrears are associated with one tenancy. Staff are progressing recovery through legal channels.

50% of the 90+ total is being pursued through a debt collection agency, as per policy.



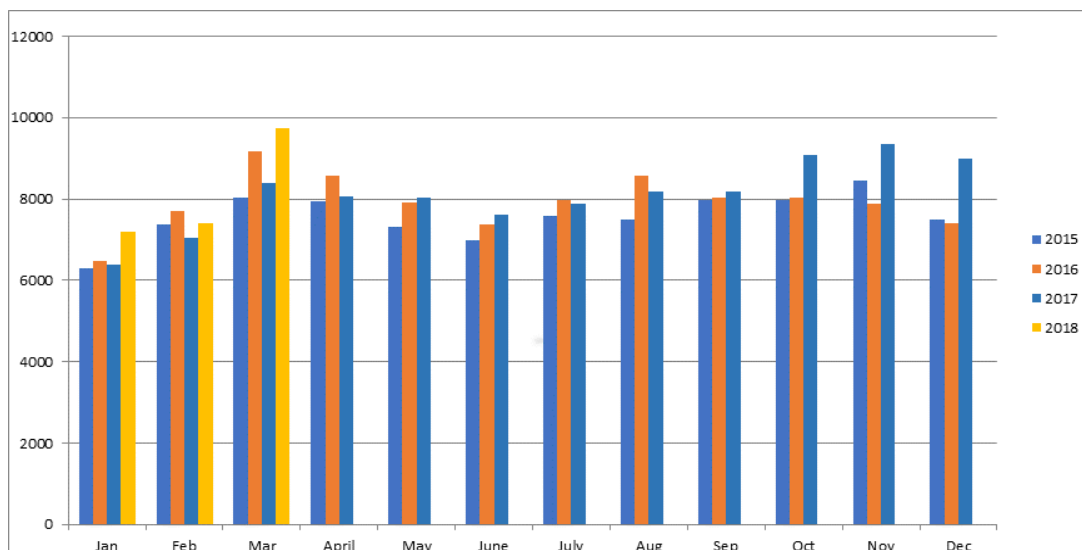
*The data is reflective of the entire February invoicing cycle.

Airport

Passenger numbers

Passenger numbers for March exceeded 9700 passengers. This is the busiest month tracked in almost four years and continue to shown a steady increase each month since October 2017.

Monthly Passenger numbers



Airport Operations

- The CAA audit was completed on 19 March. There is no indication of any issues that would not see continued airport certification. Confirmation is expected by 2 May.
- The Airport management team attended a CAA seminar in Auckland specific to the Safety Management System requirements. Staff are very confident the draft plan in progress is well on track to meet the CAA requirement. The CAA has been asked to comment on progress to date, and we are awaiting feedback.
- Locking access gates to the terminal roads at night has begun with no issues or complaints.
- Information is being gathered regarding charges for parking at the Airport. Occupancy levels are very high. Staff are contacting Park n Fly regarding the potential impact of paid parking. A complete summary and options paper will be presented to Council, as the Airport Authority, for consideration.
- Super Shuttle has indicated that they will withdraw their services here. A combination of driver retiring and existing local operator offering a good product.

Strategy

City Centre Plan

Congratulations to the Strategy Department for being awarded a commendation for the New Zealand Planning Institute Best Practice Award - Strategic Planning & Guidance for the Whangarei City Centre Plan. This award recognises the quality of the plan and the process that was undertaken to develop it.



National Policy Statement on Urban Development Capacity (NPS-UDC)

Work is underway on the housing and business capacity assessments. This is a significant component of the NPS-UDC and will identify whether we have enough zoned land over the short, medium and long term for our projected growth. The initial focus of this work will be on the methodology used to calculate our capacity for growth.

Recreation Strategy

The scope for the proposed Recreation Strategy was discussed with Councillors in March with staff from our Strategy Department, Parks Department as well as representatives from Sport Northland. Staff are now working through the detailed scoping and procurement processes.

Kaipara Moana Treaty Settlement

Ongoing meetings have been held through February and March. A Council Workshop was held in April to provide an update on key issues.

Alcohol Controls Bylaw

Council's current Liquor Management Bylaw must be reviewed before December 2018. Staff presented an overview item on this issue to the March Planning and Development Committee Scoping meeting.

The item included a staff proposal to establish a working group to support the review. Councillors agreed to the working group proposal, and the first meeting is to be scheduled in late April. The working group will provide input to the standard formal Council processes of the review. This will include:

- a briefing workshop on the issues and options
- Council adopts a Statement of Proposal for consultation
- associated hearings and deliberations meetings
- Council makes the final revised bylaw.

Long Term Plan

The Strategy Department have continued to assist in the LTP through project management of the programme and the strategic direction and activity profiles. The consultation phase of the LTP is drawing to a close, with the Have Your Say Event taking place on the 5 April.

The strategy team will be assisting with the summarising and analysis of submissions as well as putting in place a project plan for the delivery of material to Council for the deliberations.

Standard Operating Procedure for External Policy and Strategy Development and Management

To ensure greater consistency in the way that Policies and Strategies are developed and maintained, the Strategy Team are developing a Standard Operating Procedure. This will define what is a policy, strategy, processs and guidance. It will also outline the steps of developing a policy and strategy.

District Plan

Award Winning Te Tai Tokerau Papakāinga Tool Kit

The Te Tai Tokerau Papakāinga Tool Kit was a project initiated the Whanaketia Project Team. The project team comprised of representatives from Kaipara, Far North, Whangarei District Councils and Northland Regional Council.

The tool kit is an information guide designed to help owners of Māori ancestral land to navigate the complexities of approval for papakāinga development on their land. The tool kit supplements the recently operative Papakāinga Chapter of the District Plan.

The Tool Kit won the New Zealand Planning Institute's Best Practice, Non-Statutory Planning Award.

PC85 A – D, PC86A & B Rural, PC87 Coastal Area, PC102 Minerals and PC114 Landscapes

20 notices of appeal have been received against these plan changes. 30 parties have joined under section 274 with 78 separate notices.

Environment Court has directed Council to respond by 13 April 2018, providing indication of any jurisdictional matters and suggested grouping of appeals.

Environment Court will hold a meeting (call over) in Whangarei on 24 April 2018 to issue instructions regarding progression of the appeals and potential mediation dates.

PC109 Transportation, PC136 Three Waters, PC139 Land Suitability and Environmental Engineering Standards

On 4 April 2018 an Infrastructure and Services Committee Workshop was held to review the draft Environmental Engineering Standards, and how these link to the district plan. This included initial outline of draft provisions for Transportation, Three Waters and Land Suitability.

Urban Plan Changes

Drafting of urban plan changes continues with an initial scoping of the draft zoning and provisions scheduled prior to high level public consultation.

PC82 Signs and Artificial Lighting

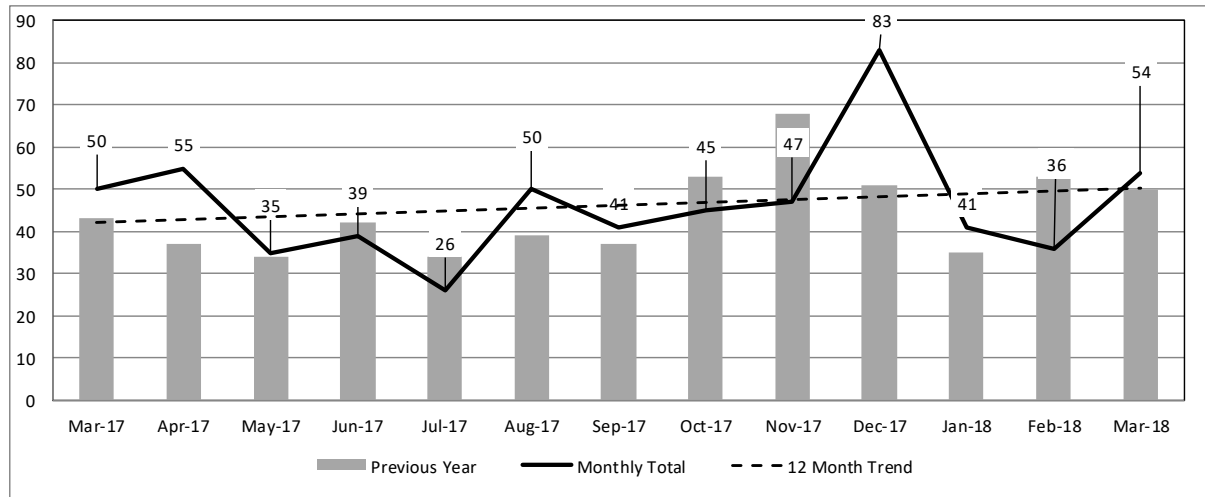
Pre-notification consultation has been completed on this plan change. The draft provisions and section 32 evaluation have been prepared responding to feedback received.



Resource Consents

Resource Consent Processing

March saw an increase in application numbers on par with last year with 54 applications received. Application numbers increased significantly following the anticipated drop off experienced in February following the release of decisions on submissions on the rural plan changes.



Subdivision

Subdivision applications equated to 48% of the total number of applications. This is a smaller percentage than previous months and reflects the position of plan change rules not yet being operative due to appeals.

One decision on a notified application heard by an Independent Commissioner was released during March. The application was to subdivide a site at Kauri into 3 lots containing 1.76ha, 0.87ha and 0.61ha. The proposal was a non-complying activity and was declined.

Landuse

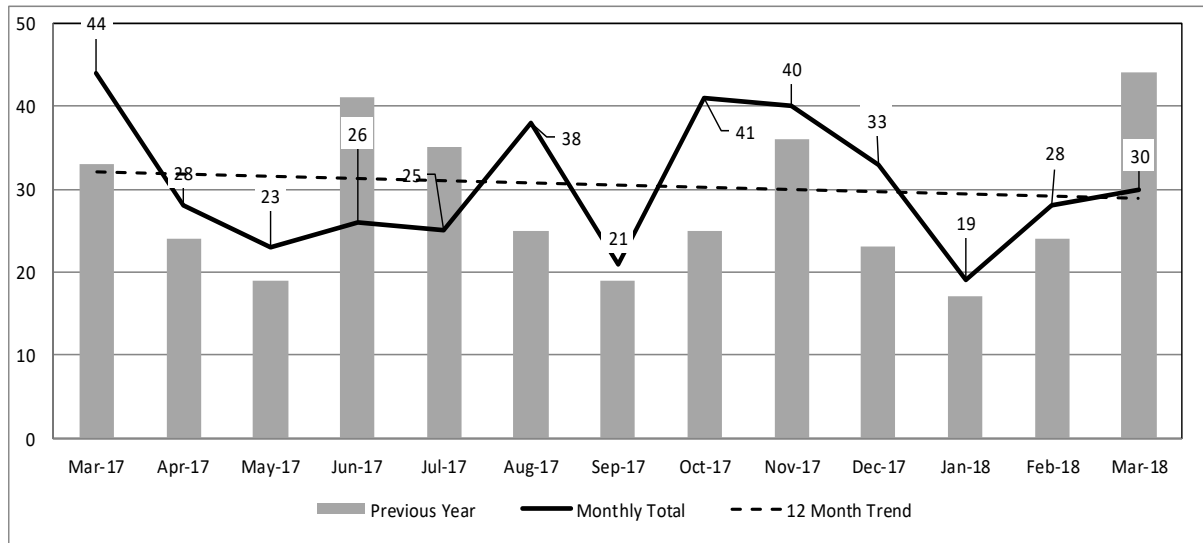
Landuse applications made up 52% of the total number of resource consents for the period.

The application by GBC Winstone for overburden disposal from the Otaika Quarry is scheduled to be heard in the week commencing 16 April 2018.

Applications for a new marina in Whangarei Harbour have been received by WDC & NRC. Following receipt of further information, the applications will be publicly notified.

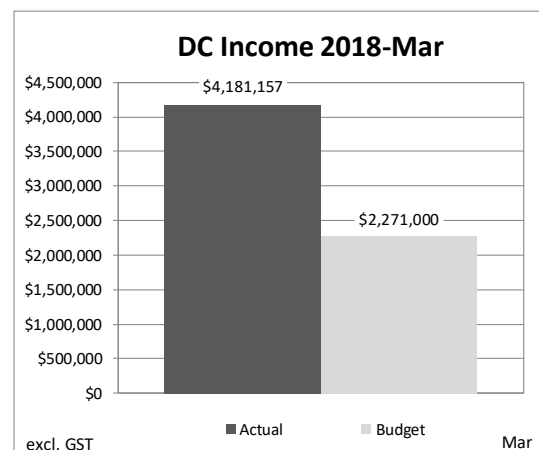
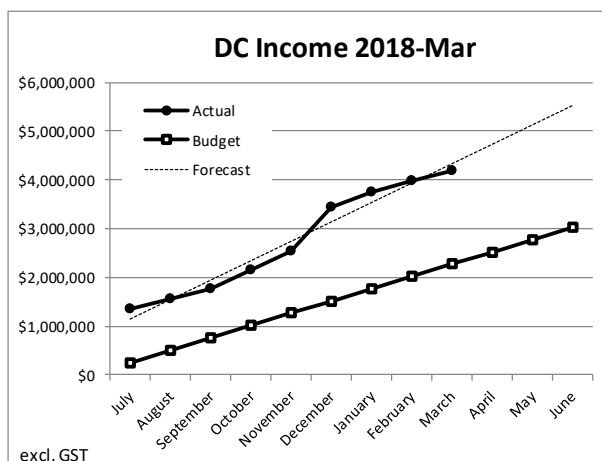
Post-Approval

Applications were less than anticipated, probably due to the recent weather events that have impacted on engineering works and delayed the completion of some developments.



Development Contributions

Currently DC income to the end of March is \$4.2M, well above the budgeted DC revenue. This reflects the expected continuation development activity. As DCs recover part of the cost of past and future projects, which have or will be been undertaken in anticipation of growth, this money is already allocated to those projects.



Appeals

There are no current appeals in relation to resource consents.

Building Control

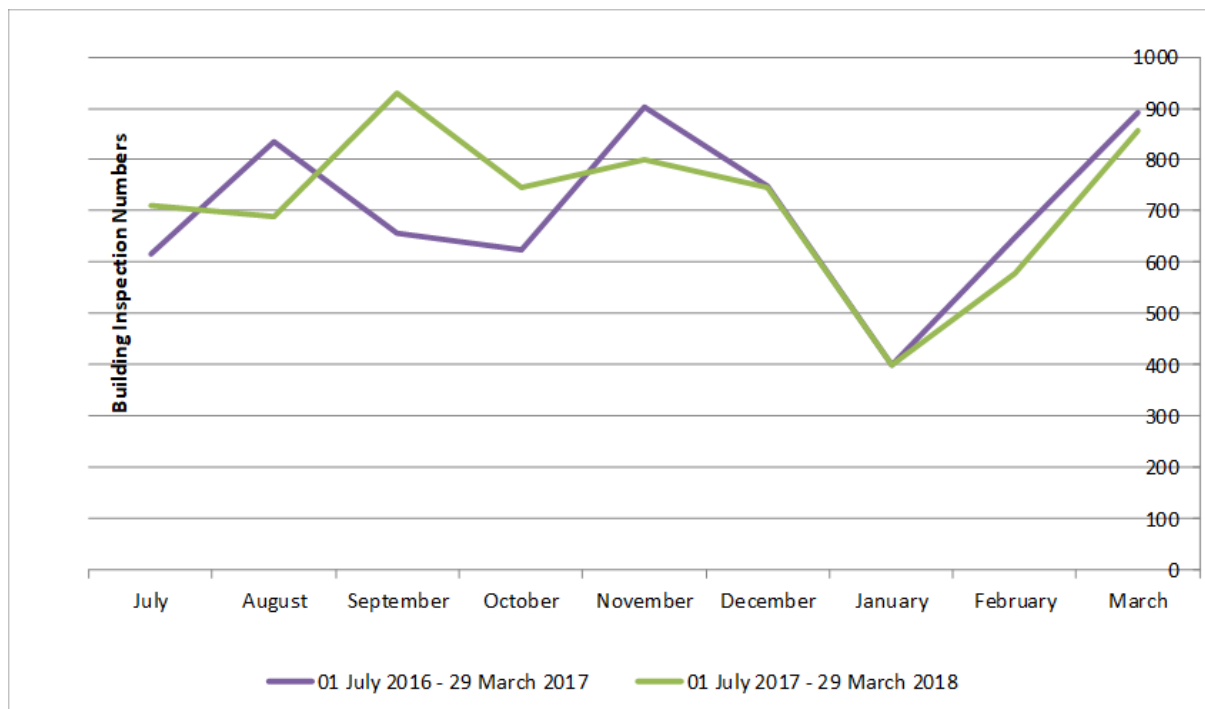
Building Performance Indicators

Building consent applications have continued to show a steadiness in activity. The number of consents issued within timeframe has improved again from 89% - 94%. This is largely due to the successful engagement of the overflow contractors. LIM's and PIM's have improved and this area now has more capacity.

Performance Indicators		Mar-18	Year's Average To Date
Building Consents	Issued In 20 Days	94%	60%
LIMs	% Within 7 Days	92%	93%
LIMs (Statutory Requirement)	% Within 10 Days	100%	100%
PIMs	% Within 5 Days	97%	92%
Inspections (Completed within 48 Hrs)	% Complete Within 2 Working Days	97%	96%

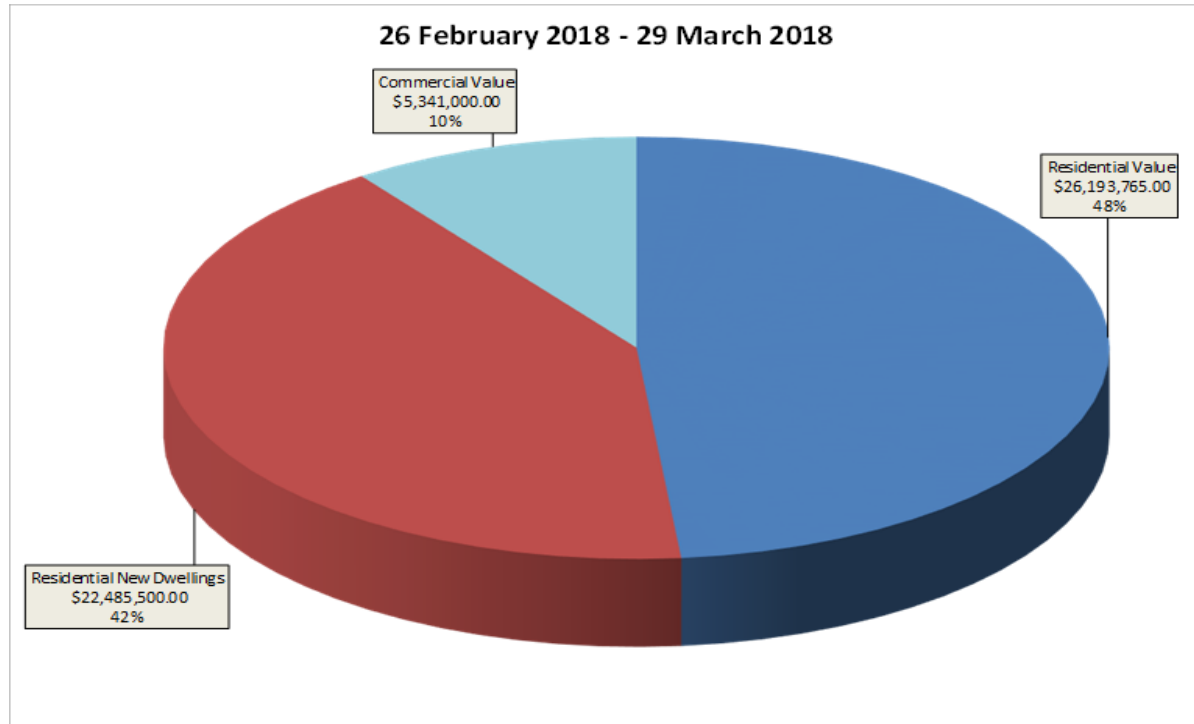
Inspections

Inspection numbers have reduced compared to this time last year, this is largely a reflection on the service levels that we can provide rather than a demand type cycle. The 97% completion shows that this area remains under pressure. Recruitment for experienced staff is ongoing.



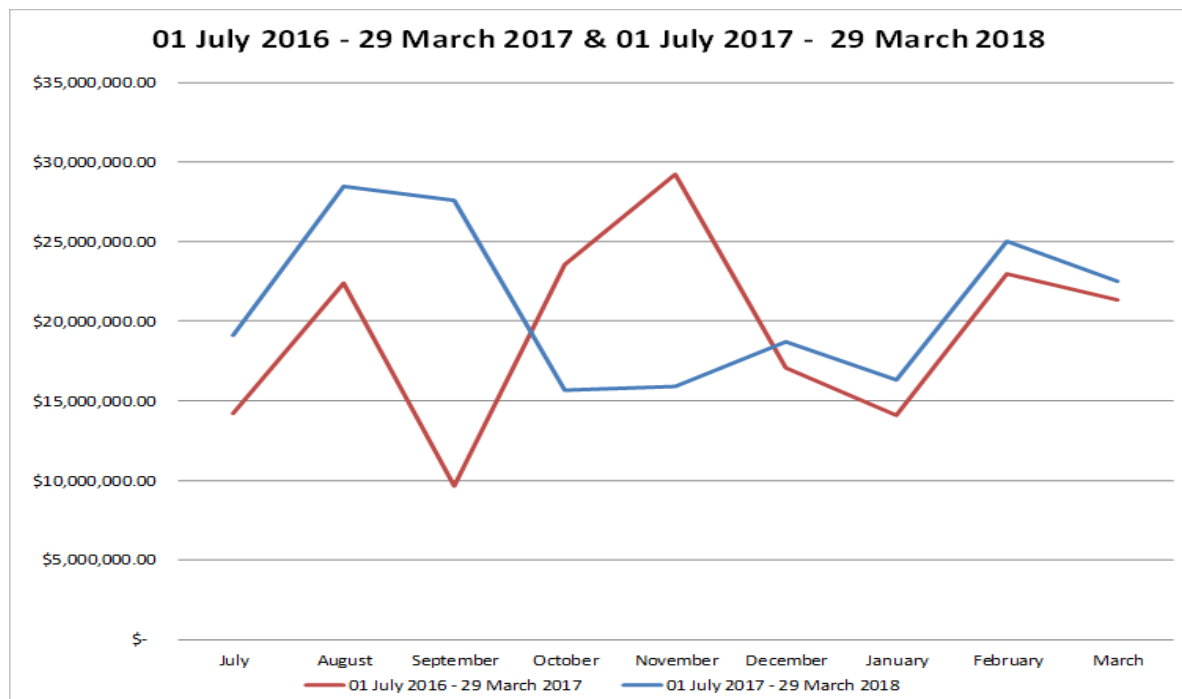
Residential and Commercial trends

The residential sector continues to show strength with new dwellings alone being at 42%. This continues to be a strong trend of residential strength. Northland, Tauranga (the Bay of Plenty) and Hamilton have shown this trend over the last 2-3 years.



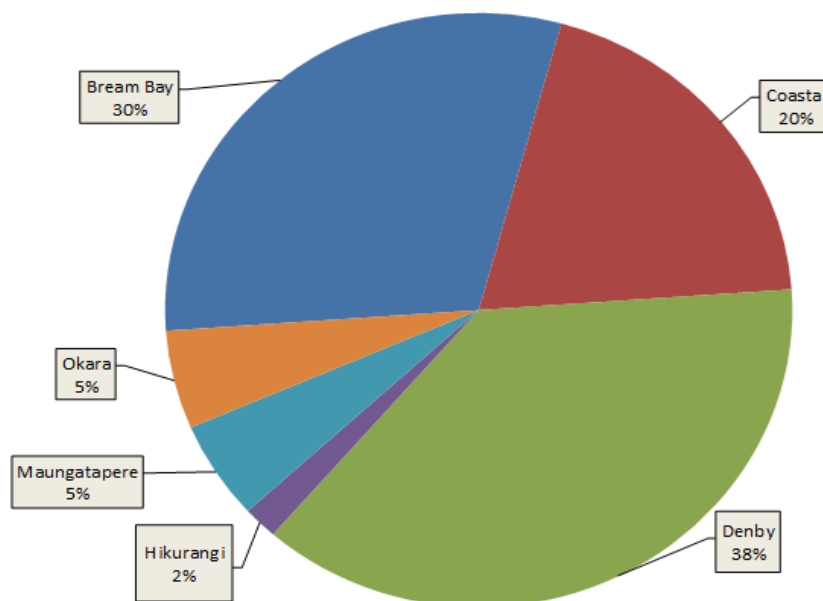
New Dwelling Trends and Wards

New dwellings continue to show an increase in growth and the forecast of 7% increase is now at 9%. The new dwelling in the wards pattern is a consistent pattern with Denby being the largest area then Bream Bay, Coastal then Okara with the remainder being rural areas. The graph below refers to these trends.



26 February 2018 - 29 March 2018

■ Bream Bay ■ Coastal ■ Denby ■ Hikurangi ■ Maungatapere ■ Okara



Health and Bylaws

Alcohol Licensing

During the month two On-licensed Taverns situated in the Central Business District each failed a Controlled Purchase Operation in that they sold alcohol to minors. The relevant licensees and the responsible duty managers were subsequently interviewed by Police and WDC licensing inspectors. As this was a first-time failure for both these licensees and duty managers, a voluntary suspension of the On-licence for a period of 48 hours was offered and accepted by the licensees. Similarly, the responsible duty managers signed a voluntary 28-day suspension of their manager's certificate.

Once ratified by the Alcohol Regulatory and Licensing Authority this will see the licensees losing their ability to trade and sell alcohol for a 48-hour period over a Friday and Saturday.

The certificated managers won't be able to work as duty managers on licensed premises for a month, both a substantial loss of income. Hopefully this will serve as a deterrent to these licensees and managers to be more vigilant in future when selling alcohol and to not sell to minors, as required under legislation.

Bathing Water Monitoring Program

Annually popular swimming spots are tested throughout the summer to determine whether they are safe to swim with regards to bacteria in the water. Each time they are tested the graded according to the MfE / MOH guidelines for Coastal and Freshwater Swimming Quality. The guidelines stipulate the following:

Action – unsuitable for swimming – E.coli >550/100mL or Ent. >280/100mL

Alert – potentially unsuitable – 206/100mL < E.coli < 550/100mL or 140/100mL < Ent. < 280/100mL

Acceptable – suitable – E.coli <206/100mL or Ent. 140/100mL

At **Action level** a sign is erected at the sample location to warn the public of the potential dangers and daily follow up samples are taken until the results comes back acceptable. At **alert level**, no sign needs to be erected, but daily water samples are taken until the level returns back to acceptable.

During the previous 2016/2017 season, we tested 26 coastal sites and 3 freshwater sites.

Sites were tested from November to February a total of 16 weeks.

During that season, coastal were acceptable to swim 100% of the time.

Two of the three freshwater sites were acceptable 100% of the time. The only fresh water site that returned an unacceptable result was Hatea / Whangarei Falls, which failed to meet the guidelines to swim three times during that season, but is historically known for returning unacceptable results due to contamination by birds and livestock.

During the current 2017/2018 season December to March (16 weeks), we again tested 26 coastal sites and 3 freshwater sites.

At coastal sites, we had **26 Action levels** and **19 Alert levels**

At fresh water sites, we had **7 Action levels** and **12 Alert levels**

This year being the worst season we have ever had in relation to 'failed' results. While disappointing, initial indications are that this are due to the significantly higher rainfall events and higher than normal temperatures we've had this year when compared with previous years. Sudden and/or heavy rainfall events wash contaminants into waterbodies and higher temperatures create an ideal environment for bacteria to grow and multiply.

RESOLUTION TO EXCLUDE THE PUBLIC

That the public be excluded from the following parts of proceedings of this meeting.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

1.	The making available of information would be likely to unreasonably prejudice the commercial position of persons who are the subject of the information. {Section 7(2)(c)}
2.	To enable the council (the committee) to carry on without prejudice or disadvantage commercial negotiations. {(Section 7(2)(i))}.
3.	To protect the privacy of natural persons. {Section 7(2)(a)}.
4.	Publicity prior to successful prosecution of the individuals named would be contrary to the laws of natural justice and may constitute contempt of court. {Section 48(1)(b)}.
5.	To protect information which is the subject to an obligation of confidence, the publication of such information would be likely to prejudice the supply of information from the same source and it is in the public interest that such information should continue to be supplied. {Section 7(2)(c)(i)}.
6.	In order to maintain legal professional privilege. {Section 2(g)}.
7.	To enable the council to carry on without prejudice or disadvantage, negotiations {Section 7(2)(i)}.

Resolution to allow members of the public to remain

If the council/committee wishes members of the public to remain during discussion of confidential items the following additional recommendation will need to be passed:

Move/Second

"That _____ be permitted to remain at this meeting, after the public has been excluded, because of his/her/their knowledge of Item _____.

This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter because _____.

Note:

Every resolution to exclude the public shall be put at a time when the meeting is open to the public.