

# SECTION 32 REPORT

## Notable Trees

May 2022

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## 1 Executive Summary

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 over multiple generations in many instances. 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, while improving water and air quality, increasing stormwater infiltration, and preventing erosion.

The review of the schedule of “Notable Trees” provisions in the Proposed District Plan (**PDP**) has identified issues relating to conflicts between trees and private land uses, maintenance and efficient operation of infrastructure, health and safety concerns and the demand for protection of trees which have been identified for social, cultural, and environmental values. It has also been identified that due to the scale of high value tree(s) in our district, careful consideration has to be given to what is notable and warrants this higher level of protection.

As a result, changes are proposed to the provisions to provide a more flexible approach to the management of these identified Notable Trees and that the schedule is amended to remove trees that do not achieve the required minimum score of 130 (in a few instances this score was achieved by some trees but due to other issues it was recommended not to include them in the Schedule) and to include new trees that had been nominated through a public consultation process completed in 2017. Limited feedback was provided on Notable Trees from consultation on the Draft District Plan (**DDP**). Due to the complexity of the conflict between private land uses and trees, assessments were only undertaken on trees nominated by landowners or located on public land. This approach was also undertaken due to the number of Notable Trees already in the schedule and which meet this criterion. Through the PDP notification process the community will have another opportunity to request notable tree status for other trees via a submission.

The proposed provisions in the Notable Tree chapter strike a balance between retaining provisions that currently function well and addressing existing issues with the provisions in the Operative District Plan (**OPD**).

The following evaluation has been undertaken in accordance with section 32 of the Resource Management Act 1991 (**RMA**) in order to identify the need, benefits, costs and the appropriateness of the proposal having regard to its effectiveness and efficiency in achieving the purpose of the RMA. The evaluation demonstrates that this proposal is the most appropriate option as drafted, as it includes the most appropriate objectives, policies and methods to ensure consistency and maintain the integrity of the proposed plan and align with any relevant higher order document.

## 2 Introduction and Purpose

### 2.1 Purpose of report

This report provides an evaluation undertaken by the Far North District Council (**Council**) in preparation of district plan provisions for the Notable Tree provisions in the Proposed Far North District Plan (**PDP**). This assessment is required by Section 32 of the Resource Management Act 1991 (**RMA**).

Section 32 of the RMA requires councils to examine the proposed objectives, associated policies, and other provisions, and to assess the anticipated environmental, economic, social, and cultural effects, benefits and costs of implementing the provisions. Since section 32 evaluations represent an on-going process, this report is only the initial evaluation, with further revisions expected throughout the review process in response to submissions received following notification of the proposed plan. Section 32 evaluations represent an on-going process in RMA plan development and a further evaluation under section 32AA of the RMA is expected throughout the review process in response to submissions received following notification of the PDP.

### 2.2 Overview of topic

#### 2.2.1 Background

Trees provide a significant contribution to the historical, ecological, cultural and amenity values of the District. Notable Trees are those specimens that exemplify those characteristics, and the identification of these ensure that the trees can be maintained and protected, and their ongoing benefits continue to be appreciated.

Given the extent of trees in the district it is not feasible to specifically identify and assess all those specimens. Additionally, given the high standard of trees in the district, a threshold had to be set to identify what was “notable” due to the greater restriction and costs placed on the management of that tree. This means that while some trees may be significant to tangata whenua, a community or an individual it may not meet the criteria of achieving notable tree status. This also helps to achieve the need to protect notable trees while balancing the competing needs of landowners. Indigenous vegetation is also maintained and protected through other provisions within the plan, therefore achieving notable tree status is not the only mechanism to retain certain trees.

Trees that are notable require protection especially in the urban environment as the RMA provides a framework that means in some instances trees cannot be protected unless they have a notable tree status. Plus, they may not be replaceable due to their historical or cultural values, or it may take more than 100 years to achieve the same level of ecological or amenity value.

If a tree is scheduled as “notable”, it means that consent may be required to remove it or to undertake pruning, and controls are in place to ensure its ongoing health and retention. Notable tree status can be applied to both exotic and native trees.

The method used to determine the “notable” tree status and whether it should be in the notable tree schedule is the Standard Tree Evaluation Method (**STEM**).

#### 2.2.2 The Standard Tree Evaluation Method

The benefits of using the STEM approach include:

- It is widely used throughout New Zealand and is seen as a consistent evaluation method. It is recognised by the NZ Environment Court system as consistent and appropriate. –
- The criteria used for tree evaluation is robust and scored by quantitative means rather than qualitative means. –

- It is endorsed by the New Zealand Arboricultural Association and the Royal New Zealand Institute of Horticulture. –
- The threshold scoring is set by Local Authorities and thus provides the ability to set appropriate quantitative standards for the district.
- It is uncomplicated by formulae or calculations which other systems use and which can lead to complications or a lack of integrity.

Additional to the evaluation itself, a threshold score is required for determining whether a tree is significant enough to be protected through a district plan. No national threshold score has been set and one is not provided within the STEM system. Where STEM has been used around the country, this figure has been determined by each Council. This approach has enabled them to have flexibility to apply an appropriate threshold to recognise, what is significant for each district based on the context of trees across that location. A threshold is applied retrospectively by arboricultural specialists considering the range of values captured on review of the trees and the qualities expressed by the trees in the District.

Additionally, it has been decided to include a risk assessment (e.g risk to people or buildings), when looking at a tree to ensure that there will not be a conflict with protecting the tree.

It was determined based on the range of values and the degree of Notable trees in the District to set the threshold at 130. If, however a tree was just above that score, and there was an issue identified by the arborist (e.g as the tree would affect a roading network safety), then in some instances it was not included. The report recommending the threshold score of 130 is attached as **Appendix 1**.

### 2.2.3 Assessment of Notable Trees

In March 2017, Council contacted all landowners, that had trees already listed within the OPD schedule of Notable Trees advising that they were going to be reassessed, on the basis that:

- The STEM evaluation method had been updated since the trees were last assessed, and
- Council wanting to include a health and safety assessment.

This work was undertaken by arborist Kent Thwaites who had previously undertaken notable tree assessment work for Council. In November 2017, Council sought nominations from the public, to enable consideration of new trees that could be included in the PDP Notable Tree schedule.

Arborist Kent Thwaites inspected the OPD scheduled notable trees in 2017, these assessments are attached as **Appendix 2**. An assessment of site **104** could not be completed, as access to this private property could not be obtained. An assessment of sites **9 and 132** could also not be undertaken.

Following on from this initial work Council hired Arborlab in 2020 to complete the notable tree assessment, including consideration of the trees that had been nominated in 2017. In terms of the OPD trees already assessed, they were relooked at due to those assessments identifying a threat concern.

Fifty-eight of the existing ODP scheduled trees were re- inspected by Arborlab and assessed using the Quantified Tree Risk Assessment (**QTRA**) method. The associated report explaining this assessment method, and the outcome of the assessment is attached as **Appendix 3**.

From the 127 trees nominated 72 were assessed, in some instances trees could not be assessed due to lack of information for example. From that 72 trees, 39 were recommended to be included in the Notable Tree schedule in the PDP. This report is attached as **Appendix 4**.

An assessment was also obtained from Arborlab on the existing provisions in the OPD, which also included an assessment of the best method to assess any Notable tree, and what threshold should apply. This report is attached as **Appendix 1**. Where appropriate this was incorporated into the provisions of the Notable Tree chapter.

## 3 Statutory and Policy Context

### 3.1 Resource Management Act 1991

The Section 32 Overview Report for the PDP provides a summary of the relevant statutory requirements in the RMA relevant to the PDP. This section provides a summary of the matters in Part 2 of the RMA (purpose and principles) of direct relevance to this topic.

Section 74(1) of the RMA states that district plans must be prepared in accordance with the provisions of Part 2. The purpose of the RMA is the sustainable management of natural and physical resources which is defined in section 5(2) of the RMA as:

*“...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 wellbeing, 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.”*

To achieve the purpose of the RMA, all those exercising functions and powers under the RMA are required to:

- Recognise and provide for the matters of national importance identified in section 6
- Have particular regard to a range of other matters in section 7
- Take into account the principles of the Treaty of Waitangi in section 8 of the RMA.

The following section 6 matters are directly relevant to the management of Notable Trees

- (f) The protection of historic heritage from inappropriate subdivision, use, and development:
- (e) The relationship of maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:

Section 6(f) has particular relevance for the Notable Trees chapter as it directs the PDP to protect historic heritage from inappropriate subdivision, use and development. Section 6(e) is also directly relevant because many native species, including those identified as Notable Trees, are considered taonga and Māori have a unique relationship with indigenous biodiversity in their role as kaitiaki.

The following section 7 matters are directly relevant to Notable Trees chapter:

- (a) Kaitiakitanga:
- (aa) The ethic of stewardship:
- (b) The efficient use and development of natural and physical resources:
- (c) The maintenance and enhancement of amenity values:
- (d) Intrinsic values of ecosystems:
- (f) Maintenance and enhancement of the quality of the environment:
- (g) Any finite characteristics of natural and physical resources:

Section 8 of the RMA requires that all persons exercising functions and powers under it take into account the principles of the Treaty of Waitangi, which have been considered in the preparation of the Notable Trees chapter.

The Resource Management (Simplifying and Streamlining) Amendment Act 2009 made changes to tree protection in urban environments. The Amendment Act prohibited blanket tree protection rules in urban environments except in areas within a reserve or an area subject to a conservation

management plan or conservation management strategy. Section 76(4A)-(4D) of the RMA was amended in 2013 to align with original policy intent, to prohibit blanket tree protection rules in urban areas and to address an Environment Court decision on how the phrase “group of trees” should be interpreted (which was at odds with the intention of the 2009 amendments). Sections 76(4A)–76(4D) do not remove the ability for councils to protect trees on urban allotments. They do not place any restrictions on the types of trees to be protected, and do not limit the methods a council may use to assess the quality of a tree or group of trees. Rather, the sections require urban tree protection rules in district plans to be applied in ways that provide certainty for landowners and district plan users about what, if any, tree protection rules affect their properties.

## 3.2 Higher order planning instruments

Section 75(3) of the RMA requires district plans to give effect to higher order planning instruments – National Policy Statement (**NPS**), the New Zealand Coastal Policy Statement (**NZCPS**), National Planning Standards (**Planning Standards**), and the relevant Regional Policy Statement (**RPS**). The Section 32 Overview Report provides a more detailed summary of the relevant RMA higher order planning instruments relevant to the PDP. The sections below provide an overview of provisions in higher order planning instruments directly relevant to Notable Trees.

### 3.2.1 National Planning Standards

Section 75(3)(ba) of the RMA requires that district plans give effect to Planning Standards. The Planning Standards were gazetted in April 2019 and the purpose is to assist in achieving the purpose of the RMA and improve consistency in the structure, format and content of RMA plans.

In accordance with Mandatory Direction 7.16 within the national planning standards, if the following matters are addressed, they must be located in the Notable Trees chapter:

- a. Identification of individual trees or groups of trees;
- b. Provisions to manage trees or groups of trees; and
- c. A schedule(s) of individual trees and groups of trees. This schedule must include a description of the tree(s) including the species of the tree(s). This may cross reference an appendix.

### 3.2.2 National Policy Statements

Section 75(3)(a) of the RMA requires that district plans give effect to any NPS. The 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, hazard mitigation and for its contribution to the natural character of this environment.

The other National Policy statements are not considered relevant to this topic as they do not provide any direction on the management of Notable Trees.

### 3.2.3 National Environmental Standards

Section 44 of the RMA requires local authorities to recognise NES by ensuring plan rules do not conflict with or duplicate provisions in a NES.

In this instance the following standards and associated provisions are relevant to this topic:

National Environmental Standard for Telecommunication Facilities 2016 (**NES-TF**) provides specific requirements and standards for the installation, operation, and maintenance of telecommunications facilities as follows:

- Clause 44 of the NES-TF directs that if any work is to be undertaken within the dripline of any protected tree within road reserve, that any requirement under the relevant district plan must also be met.

- Clause 45 of the NES-TF identifies that the regulated activity, undertaken outside road reserve, but within the dripline of a tree or group of trees, can occur as long as the regulated activity is carried out in accordance with the district tree protection rules that apply in relation to that tree.

National Environmental Standard for Electricity Transmission Activities 2009 (**NES-ET**) provides specific requirements and standards for the operation, maintenance, upgrading, relocation, or removal of an existing National Grid transmission line as follows:

- Clause 30 of the **NES-ET** outlines that trees cannot be trimmed, felled or removed if there is a specific rule that prohibits or restricts it.

### 3.2.4 Regional Policy Statement for Northland

Section 75(3)(c) of the RMA requires district plans to 'give effect' to any RPS. The RPS was made fully operative in 2018. The RPS contains no matters relating specifically to the amenity or heritage values of specific trees or standards of trees. The RPS more holistically considers the importance of preserving wider areas of indigenous vegetation primarily for biodiversity purposes.

The RPS also more holistically considers the importance of preserving heritage, which could include the values of why a tree should have notable tree status due to natural heritage values, a taonga which Māori have a special relationship with, while when managing historic heritage, the focus is on areas, places, sites, buildings, or structures, either individually or as a group vs including notable trees. However historic heritage in terms of places or areas can be influenced also by trees that have been planted or where native to the area that are associated which helps form the historic story of that place.

### 3.3 Regional Plan for Northland

Section 75(4)(b) of the RMA states that any district plan must not be inconsistent with a regional plan for any matter stated in section 30(1) of the RMA. The operative Northland Regional Plans and proposed Northland Regional Plan are summarised in the **Section 32 Overview Report**.

NRC administers the following Operative Regional Plans:

- Regional Water and Soil Plan
- Air Quality Plan
- Coastal Plan

NRC is working through appeals on the Proposed Regional Plan, with the current version of the Regional Plan being the Proposed Regional Plan for Northland- Appeal Version (July 2021). The Regional Plans contain regulation relating to vegetation clearance, with protection only afforded to indigenous vegetation in relation to riparian margins for example.

The Proposed Regional Plan takes its direction from the current operative RPS and the NZCPS, therefore the consideration of matters related to the management and protection of trees revolves around the notion of indigenous vegetation, partially if it is significant as identified in Appendix 5 of the Northland RPS.

It is considered that there is nothing of direct relevance in the operative plans or proposed regional plans.

### 3.4 Iwi and Hapū Environmental Management Plans

When preparing and changing district plans, Section 74(2A) of the RMA requires Council to take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the district. At present there are 14 iwi planning documents accepted by Council which are set out and



summarised in the **Section 32 Overview Report**. The key issues in these plans that have been taken into account in the preparation of the provisions for Notable Trees.

These documents are generally more focused on the protection of indigenous vegetation as a whole or explain the cultural associations with indigenous vegetation for carving or medicine as opposed to detailing or referring to individual trees that should be given greater protection.

However, the Ngāti Kuri Environmental Plan highlights that a tree can have spiritual importance to Māoridom, when referring to taonga, with reference to individual trees such as the Kahika Tree located on the rocky cliff at Te Reranga Wairua, which is known as Te Aroha, which is the final leaping space for sprits of Māori as they depart Aotearoa and return to their homeland (this is identified as Notable Tree in the PDP). While a limited number of trees are listed it is not requested or stated that they should have notable tree status under the RMA. The focus is more on care and maintenance and propagation in some instances. Notable Trees are mentioned as needing to be continued to be protected and provide avenues for others to be considered for protection in the environmental plan. This opportunity was provided in 2017 when nominations were sought, and through Iwi engagement on the draft plan.

### **3.5 Other Legislation and Policy Documents**

When preparing or changing a district plan, section 74(2)(b)(i) of the RMA requires council to have regard to management plans and strategies prepared under other Acts to the extent that it has a bearing on resource management issues of the district. The **Section 32 Overview Report** provides a more detailed overview of strategies and plans prepared under legislation that are relevant to PDP. This section provides an overview of other strategies and plans directly relevant to Notable Trees.

#### **3.5.1 Engineering Standards**

The Council Engineering Standards April 2022 document highlights the importance of trees, and how they should be considered when developments are undertaken.

Section 1.6.4 Pre- Construction Meeting, clause (c) states trees for preservation will be considered at this meeting. Section 1.6.5.8 Protection and Remediation of Existing Trees, clause (a) states excavations, filling, accessways and retaining structures, shall be outside affected tree root and drip line areas.

Specific regard to notable trees is stated in 7.3.2.2 Below Ground Works, where it states no works are to commence within 20m of historic/protected or notable trees without written approval from Council's parks staff. Council may require that an arborist monitor works in or around these trees. This section relates to public spaces vs private land and therefore the written approval reflects the Council ownership of the tree hence the approval being required. The primary focus of the engineering standards appears to be more on street trees by ensuring existing trees are not damaged by development, and that new trees planted are in the appropriate location, and appropriately planted and established.

#### **3.5.2 Reserve Management Plans**

None of these plans reference the reserves containing any notable trees and, in most instances, do not contain any reference to the protection or management of trees within the reserve. It is not considered any of the reserve management plans are relevant to this topic.

#### **3.5.3 Management of Trees and Vegetation on Council Land – Policy # 5102 and Far North District Council Tree and Vegetation Guideline**

This policy is used to help with determining tree management decision making in relation to reserves that do not have a Reserves Management Plan, road corridors and other Council properties that do not have specific tree and vegetation guidelines. The policy does not make any specific reference to

notable trees but does have a footnote that states this policy should be read in conjunction with the District Plan. Council has also created a Tree and Vegetation Guideline document to support this policy. It covers both urban and rural situations within the district and is intended to be a blueprint for vegetation management within the Far North. In section 4 – Private Trees, Vegetation and Shrubs it states Council is not responsible for trees on property and will not be involved in issues surrounding privately owned trees, except in some circumstances, one of which is District Plan requirements such as Chapter 12.5, which relates to Notable Trees and refers to the reader to **Appendix 1D Schedule of Notable Trees**.

#### **3.5.4 Reserves Act 1977**

Provides for the acquisition, preservation, and management of areas for their conservation values or public recreational and educational values. This includes in relation to and providing protection for Department of Conservation, Regional Council and Council reserves. All trees located on reserve land are protected under Section 42 of the Reserves Act. Any cutting or destroying of bush or trees requires a special permit or, on recreation, government purpose, or local purpose reserves, the approval of the administering body of the reserve (generally a Council). Unauthorised removal or wilful damage of any tree, shrub, fern or plant on any reserve is an offence under Section 94 of the Act

#### **3.5.5 Electricity (Hazards from Trees) Regulations 2003**

These regulations help promote safety and maintain electricity supply by governing, among other things, the trimming of trees near power lines.

#### **3.5.6 Property Law Act 2007**

Section 333 of the Property Law Act provides that the Court may order the removal or trimming of trees.

#### **3.5.7 Draft Parks and Reserves Policy**

Council is currently developing a parks and reserves policy. The policy will apply to all parks and reserves that are owned by the Council, or where the administration, control or management of the park or reserve is vested in Council. This policy does not address the management of trees or vegetation. Instead, this is managed currently by the other policies such as Management of Trees and Vegetation on Council land. It is anticipated that this policy will be adopted in May by Council.

## **4 Current State and Resource Management Issues**

This section provides an overview of the relevant context for Notable Trees, current approach to manage Notable Trees through the ODP, and key issues raised through consultation. It concludes with a summary of the key resource management issues for Notable Trees to be addressed through the PDP.

### **4.1 Operative District Plan Approach**

#### **4.1.1 Summary of current management approach**

The ODP provisions for the management of Notable Trees is contained in Chapter 12.5 (Heritage). The permitted framework allows:

- For the trimming and maintenance of a Notable Tree subject to informing Council and involving a member of the New Zealand Arboricultural Association.
- For the limbing or felling of a Notable Tree, subject to it being an emergency to protect life or a habitable building from immediate danger, in addition if its emergency work to maintain or restore utilities.

- For excavation, filling and impermeable surfaces subject to these works not being within the drip line of the tree.

If the permitted standards cannot be met, then a discretionary activity resource consent is required. Notable Trees are listed in Appendix 1D of the of the OPD and shown on the Zone Maps. Trees listed in the schedule have been evaluated using the New Zealand Institute of Horticulture Tree Evaluation Method. Trees that scored over 1,000 points have been included in the Schedule.

## 4.2 Key issues identified through consultation

The **Section 32 Overview Report** provides a detailed overview of the consultation and engagement Council has undertaken with tangata whenua, stakeholders and communities throughout the district to inform the development of the PDP and the key issues identified through this consultation and engagement.

### 4.2.1 Feedback on the Draft District Plan

Very little feedback was received on the topic of Notable Trees in relation to the DDP released in 2021. The feedback, is summarised as follows:

- Concern over removal of trees in the DDP in relation to the Russell area or requests for further trees to be protected within Russell.
- Request to include a further two notable trees at Opuā.
- Heritage New Zealand Pouhere Toanga raised questions over whether a time period prior to works being carried out should be applied. Also, that rules should prevent the application of chemicals or herbicides near or within the tree root perimeter of heritage trees. Additionally, that the list should be continuously reviewed.

None of the feedback provided detailed information as to why a tree should retain its notable tree status, or information to demonstrate that a tree would meet the criteria to be considered notable. In most instances it was a general comment about concern over removal of trees in general.

Very little feedback was received on the topic of Notable Trees in relation to the draft policy framework released in 2018. The feedback is, summarised as follows:

- That network utility providers need the ability to trim, alter or remove notable trees where necessary for the efficient operation of network utilities.
- There is no objective or policy that corresponds to notable trees.

### 4.2.2 2017 Nominations requested for Notable Tree status

In 2017, Council sought nominations for new trees to be included in the PDP as Notable. In some instances, there was limited information provided to demonstrate why the tree warranted that level of protection. Due to the cost of having a suitability qualified arborist assess each nomination, a decision was made to only assess trees, where sufficient information had been provided. Additionally, it was decided to focus on trees that were nominated on public land or where the landowner had sought or endorsed the nomination. This was consistent with the approach taken with the current schedule in the ODP. This nomination process and subsequent assessment of selected trees has determined what additional trees are included in the PDP.

### 4.2.3 Summary of advice from iwi authorities

Section 32(4A)(a) of the RMA requires that evaluation reports include a summary of advice on a proposed plan received from iwi authorities. The **Section 32 Overview Report** provides an overview of the process to engage with tangata whenua and iwi authorities in the development of the PDP and key issues raised through that process. In relation to the Notable Tree provisions in the DDP, 10 pieces of feedback were received. In summary the feedback sought:

- That a district wide assessment should be undertaken.

- Require consideration of iwi and hāpu management plans.
- Include additional trees that have significant cultural values.
- Protection of trees due to significant cultural values.
- More direction on what information should be provided if felling a tree and whether a replacement tree should be planted.
- Wanting the plan to direct how enforcement action will be taken if rules are not complied with.

**Section 5** of this report outlines how the proposed management approach responds to this advice in accordance with section 32(4A)(b) of the RMA.

### 4.3 Summary of resource management issues

The key resource management issue for Notable Trees is:

- Notable trees can have important historic (including cultural), amenity, botanical and ecological values that need specific protection.
- The potential loss or degradation of notable trees through inappropriate landuse, development or subdivision.
- Notable trees can pose a safety threat to property, people or infrastructure. The current assessment criteria and methodology used to identify and list trees for protection in the OPDP is outdated and does not reflect current best practice.
- Trees may be unnecessarily subject to stringent rule requirements or there may be other trees that should be protected that have not been identified and listed.
- The current rules need reconsideration in the light of best practice approaches to protect Notable trees.

## 5 Proposed District Plan Provisions

The proposed provisions are set out in District Wide Matters of Part 2 – Historical and Cultural Values of the PDP under the Notable Tree Chapter. These provisions should be referred to in conjunction with this evaluation report.

### 5.1 Strategic objectives

The PDP includes a strategic direction section which provides high level direction on the strategic or significant matters for the District, and objectives to guide strategic decision-making under the PDP. The strategic objectives in the PDP of direct relevance to the Notable Tree topic are:

- **SD-CP-01** - Te Tiriti o Waitangi partnerships support iwi and hapū to deliver on the social, economic, environmental, and cultural wellbeing outcomes for tangata whenua.
- **SD-SP-01** - Community wellbeing is heightened by a sense of place.
- **SD-EP-01** - Culture of stewardship in the community that increases the District’s biodiversity and environmental sustainability

### 5.2 Proposed Management Approach

This section provides a summary of the proposed management approach for Notable Trees focusing on the key changes from the ODP. The **Section 32 Overview Report** outlines and evaluates general differences between the PDP provisions and ODP, includes moving from an effects-based plan to a ‘hybrid plan’ that includes effects and activities-based planning and an updated plan format and structure to align with the national planning standards.

The sections below provide a high-level summary of the objectives, policies, and rules and other methods for Notable Trees.

### 5.3 Summary of proposed objectives and provisions

This section provides a summary of the proposed objectives and provisions which are the focus of the section 32 evaluation in section 7 and 8 of this report.

#### 5.3.1 Summary of objectives

The proposed management approach for Notable Trees includes an objective that seeks to ensure that:

“Notable Trees and groups of trees which contribute to the botanical, ecological, historical, cultural or amenity value of the District are identified and protected.”

#### 5.3.2 Summary of provisions

For the purposes of section 32 evaluations, ‘provisions’ are the *“policies, rules, or other methods that implement, or give effect to, the objectives of the proposed plan or change”*.

The proposed management approach for Notable Trees includes policies that:

- Identify how a tree(s) can qualify for scheduling.
- Enable the minor pruning and trimming of tree(s) subject to certain circumstances.
- Requires a suitability qualified person to assess or undertake the work on any notable tree.
- Restrict landuses within the root zone area to protect the health of the notable tree(s).
- Adopts a precautionary approach by requiring resource consent for the destruction or removal of a notable tree in most circumstances.
- Allows for the maintenance, removal and installation of infrastructure that may result in the need to trim, prune or undertake activities within the rootzone area.
- Provides a framework for matters to be considered when processing resource consents applications.

The proposed management approach for Notable Trees includes rules and standards that:

- Permit gardening, mowing and cultivation within the rootzone area of notable tree(s), where it is not:
  - Mechanical cultivation, sealing or paving, involving the release, injection or placement of chemicals or toxic substances, planting of trees, altering of ground level except when undertaking standard gardening practices.
- Permit maintenance, pruning and trimming of branches of notable tree(s), where:
  - Branches to be cut are no more than 50mm;
  - This is limited to 10% of live growth each calendar year;
  - Work is undertaken by a qualified and experienced arborist and results in retention of the natural form of the tree and adheres to industry standards;
  - Council is advised of the work and the arborist confirms they have the required qualifications.
- Permits removal or pruning of unsafe or dead notable tree(s), where:
  - Work is undertaken by a qualified and experienced arborist and a hazard assessment is undertaken;
  - Council is advised of the work in advance, and the arborist confirms they have the required qualifications;
  - The hazard is due to the tree being dead, in terminal decline, at risk of extreme failure, has a significant loss of structural integrity.
- Permits pruning when a notable tree is close to power lines, where:

- It is required under Electricity (Hazards from Trees) Regulations 2003 or Telecommunications Act 2001;
- The work is undertaken by a suitability qualified arborist;
- Council is advised of work prior to it occurring and the arborist confirms they have the required qualifications;
- The health and integrity of the tree is retained.
- Permits underground network utilities in the rootzone area of a notable tree, where:
  - The services are at least 1m below the ground;
  - It is done by hand or thrusting;
  - The entry point is outside the rootzone area.
- Require a discretionary activity to undertake earthworks, or place impermeable surfaces, buildings and structures within a rootzone area not provided for as a permitted activity.
- Require consent as discretionary activity to remove or relocate a notable tree.

### 5.3.3 Responding to advice from iwi authorities

Section 32(4A) of the RMA requires evaluation reports to summarise advice received from iwi authorities on a proposed plan and the response to that advice, including any provisions that are intended to give effect to the advice. Section 4.2.3 of this report provides a summary of advice received from iwi authorities on the Infrastructure chapter.

- Te Runanga O Ngāti Rēhia advised:
  - *A district wide assessment of notable trees needs to take place to make sure they are all captured and protected appropriately.* In 2017 Council undertook a public process seeking nominations for trees to be considered for Notable Tree status in the PDP. Additionally, the release of the DDP was another opportunity to seek inclusion of additional trees. Through the submission process Notable Tree status can also be sought.
- Te Runanga O Te Rarawa advised:
  - The overview does not direct plan users to make use of iwi/hapū management plans which may include trees which are not scheduled in the Plan. The overview has been updated to make reference to tangata whenua, but it is not considered appropriate to refer to iwi/hapū management plans.
  - Request to make changes to the final policy in terms of assessment matters to consider to incorporate consultation with tangata whenua and regard to iw/hapu management plans. This has been amended to make reference to consultation with tangata whenua, and have regard to iwi/hapū management plans. Additionally, the rules have been amended that require regard to be given to the historic heritage and Sites and Areas of Cultural Significance to Māori and the policy framework requires this consideration when a resource consent is required.
  - The Plan doesn't explicitly consider trees on reserves which might be removed/trimmed by adjoining private landowners (e.g., to preserve views). Rules apply to both public and private land, additionally if trees are located on Council reserves approval is required from Council as the landowner regardless of any provisions in a district plan.
  - A request was made to give Notable Tree status to a list of trees provided. No attachment was provided with this information. If a list of trees had been provided in the feedback due to the timing of receiving this feedback, it would not have been feasible to undertake the required work to consider these trees for

notable status. Notable Tree status can still be sought through the formal submission process. Any request to protect a tree with this level of protection would require sufficient evidence to be provided to demonstrate it meets the notable tree assessment criteria, for example if it has associated cultural values the information relating to that would need to be provided, in addition to identifying the location of the tree, and if it had any other values e.g., amenity, size.

- Kahukuraariki, Matauri X, Ngati Kuri, Ngai Takoto, Whaingaroa, Ngati Kuta, Te Aupori, Ngati Kuta advised:
  - *Wanting changes to the objective to include reference to cultural values, and making comments about a need for strong policy direction to direct enforcement action.* The objective in the PDP does include “cultural values”. In terms of enforcement that is specified under the RMA itself, and a decision for Council monitoring team. A district plan can set out provisions, but it cannot control the implementation of the rules, and enforcement decisions Council may make.
- Kahukuraariki, Matauri X, Ngati Kuri, Ngai Takoto, Whaingaroa, Ngati Kuta, Te Aupori advised:
  - *NT-R7 should include the items to which applicants must be required to provide if they have felled a notable tree.* Resource Consents are required to fell a notable tree, this process will determine what information is required as per the policy framework stated.
- Ngati Kuta
  - *Require a report when cultural values are impacted.* The framework provides scope for a report to be required if appropriate.
  - *The criteria should state when a replacement tree is required.* If a tree is felled consent in most instances a consent will be required. At that time consideration can be given to whether a replacement tree is appropriate.

## 6 Approach to Evaluation

### 6.1 Introduction

The overarching purpose of section 32 of the RMA is to ensure all proposed statements, standards, regulations, plans or changes are robust, evidence-based and are the most appropriate, efficient and effective means to achieve the purpose of the RMA. At a broad level, section 32 requires evaluation reports to:

- Examine whether the objectives in the proposal are the most appropriate to achieve the purpose of the RMA.
- Examine whether the provisions are the most appropriate way to achieve the objectives through identifying reasonably practicable options and assessing the efficiency and effectiveness of the provisions, including an assessment of environment, economic, social and cultural economic benefits and costs.

These steps are important to ensure transparent and robust decision-making and to ensure stakeholders and decision-makers can understand the rationale for the proposal. There are also requirements in section 32(4A) of the RMA to summarise advice received from iwi authorities on the proposal and the response to that advice through the provisions.

## 6.2 Evaluation of scale and significance

Section 32(1)(c) of the RMA requires that evaluation reports contain a level of detail that corresponds with the scale and significance of the environmental, economic, social and cultural effects that are anticipated from the implementation of this proposal. This step is important as it determine the level of detail required in the evaluation of objectives and provisions so that it is focused on key changes from the status quo.

The scale and significance of the environmental, economic, social and cultural effects of the provisions for Notable Trees are evaluated in the table below.

Criteria	Comment	Assessment
Raises any principles of the Treaty of Waitangi	Provisions do not raise particular issues with regard to the principles of Te Tiriti o Waitangi / Treaty of Waitangi.	Low
Degree of change from the Operative Plan	Overall, the degree of policy and rule change from the ODP is low as it reflects second generation plans, and good practice. Changes mainly relate to who can undertake work on a notable tree, providing for infrastructure and allowing some work to be undertaken in a rootzone area. The proposed provisions align with the structure of the Planning Standards. However, there are 88 trees being removed from the schedule, either due to them having been removed (cut or fallen down), not meeting the 130-threshold requirement, or having a health and safety issue. Approximately 39 new trees are being proposed as a notable tree, however that figure will be higher as in some instances the sites relate to strands of trees vs a single tree. Limited feedback was received on the removal of the 88 trees for example no information was provided that demonstrated for cultural or heritage reasons why they should be retained. These factors could not be considered in the assessment by the arborist unless Council had been provided this information historically.	Medium
Effects on matters of national importance	It is considered that the proposed provisions are consistent and appropriately recognises and provide for the matters of national importance in section 6 of the RMA. In particular, will give effect to the protection of historic heritage (including cultural values) as it relates to a tree protected for that reason.	Low
Scale of effects – geographically (local, district wide, regional, national).	The proposal will have a district wide effect as the provisions will apply to notable trees that are located across the district. However, this is consistent with the provisions in the OPD.	Low
Scale of people affected – current	The schedule covers a total of 103 sites, which demonstrates the low degree of people affected	Low



Criteria	Comment	Assessment
and future generations (how many will be affected – single landowners, multiple landowners, neighbourhoods, the public generally, future generations?).	by the proposed provisions.	
Scale of effects on those with specific interests, e.g., Tangata Whenua	This topic will be of interest to tangata whenua where a tree has cultural values, and also Heritage New Zealand Pouhere Toanga for trees that have historic heritage values. Other community groups that have an interest in places or historic heritage may also have a specific interest. Additionally, the departments within Council that manage the roading network, parks and reserves will have a specific interest due to having to look after these trees on land they are responsible for managing. This would also apply to Waka Kotahi NZ Transport Agency.	Medium
Degree of policy risk – does it involve effects that have been considered implicitly or explicitly by higher order documents? Does it involve effects addressed by other standards/commonly accepted best practice?	The consideration of the proposed provisions does not represent a significant policy shift from the ODP provisions. The changes are in accordance with commonly accepted best practice for second generation plans.	Low

### 6.3 Summary of scale and significance assessment

Overall, it is considered the scale and significance of the proposal is low, noting the consideration of the proposed provision does not represent a significant policy shift from those within the ODP provisions. The main change is the removal of some trees from the schedule and the addition of others.

Consequently, a lower level of detail is appropriate for the evaluation of the objectives and provisions for Notable Trees in accordance with section 32(1)(c) of the RMA.

## 7 Evaluation of Objectives

Section 32(1)(a) of the RMA requires that the evaluation report examine the extent to which the objectives of the proposal are the most appropriate way to achieve the purpose of the RMA. The

assessment of the appropriateness of the objectives for Notable Trees is against four criteria to test different aspects of ‘appropriateness’ as outlined below.

Criteria	Assessment
Relevance	<ul style="list-style-type: none"> <li>Is the objective directly related to a resource management issue?</li> <li>Is the objective focused on achieving the purpose of the RMA?</li> </ul>
Usefulness	<ul style="list-style-type: none"> <li>Will the objective help Council carry out its RMA functions?</li> <li>Does the objective provide clear direction to decision-makers?</li> </ul>
Reasonableness	<ul style="list-style-type: none"> <li>Can the objective be achieved without imposing unjustified high costs on Council, tangata whenua, stakeholders and the wider community?</li> </ul>
Achievability	<ul style="list-style-type: none"> <li>Can the objective be achieved by those responsible for implementation?</li> </ul>

## 7.1 Evaluation of existing objectives

An evaluation of the existing objectives (as set out in the OPD) is provided in the table below. The objectives have been grouped together, as the OPD includes the notable tree provisions in the heritage section, as opposed to a stand-alone chapter.

<b>Objectives:</b>	
12.5.3.1 To protect and retain the heritage values of resources, such values to include those of an archaeological, architectural, cultural, historic, scientific, and technological nature.	
12.5.3.2 To protect waahi tapu and other sites of spiritual, cultural or historical significance to Maori from inappropriate use, development and subdivision.	
12.5.3.3 To protect the notable trees of the District.	
12.5.3.4 To conserve the historic and amenity values of settlements with significant historic character. 12.5.3.5 To protect the cultural, spiritual, scientific and historic values of archaeological sites from inappropriate use, development and subdivision.	
12.5.3.6 To assist landowners’ understanding and appreciation of the heritage resources located on their land.	
12.5.3.7 To ensure that subdivision and land use management practices avoid adverse effects on heritage values and resources.	
12.5.3.8 To support landowners who protect heritage resources by providing financial relief and incentives	
<b>Relevance</b>	The objectives recognise the need to protect notable trees, but the outcomes sought are lost in the mix of other objectives which are looking at just historic heritage matters. A notable tree is not just protected due to heritage values.
<b>Usefulness</b>	The ODP framework provides a very simplistic objective framework that states notable trees have to be protected, but it gives not context to the other values associated with notable trees such as ecological or scale of the tree. The outcomes sought are lost in the mixing of the single objective with the overall heritage framework.
<b>Reasonableness</b>	The objectives are reasonable in the context of heritage values, but as stated it is not clear beyond protection as to how this will be achieved.
<b>Achievability</b>	Apart from objective 12.5.3.3, it is considered the other objectives are either tailored solely to just heritage values, or they are written more like a policy for example 12.5.3.6 and are a non-statutory method.
<b>Overall evaluation</b>	
Overall, the existing objectives are not considered relevant, and are not the most appropriate way to achieve the purpose the of the Act, when managing this topic of Notable Trees.	

## 7.2 Evaluation of proposed objectives

An evaluation of the proposed objectives (as set out in the PDP) is provided in the table below.

<b>Objective NT-01</b> Notable Trees and groups of trees which contribute to the botanical, ecological, historical, cultural or amenity value of the District are identified and protected.
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<b>Relevance</b>	<p>The single objective relates to the resource management issue of identifying and protecting notable trees from potential adverse effects.</p> <p>The proposed objective meets Section 5 of the Act as it promotes a sustainable management by protecting trees which have special values.</p> <p>The objective recognises the different values that determine why a tree or group of trees can be of significant value and how by protecting them it ensures that not only the current generation benefits from the retention of these trees but also future generations. This is important as a native tree life span can be in the hundreds if not thousands of years.</p>
<b>Usefulness</b>	This objective provides clear direction to decision makers, because it is more concise and clearer on the outcomes sought from the provisions.
<b>Reasonableness</b>	The use of the precautionary approach is reasonable, as it is targeted to specific trees identified in the PDP. Costs associated with implementation will be generated by the requirement to apply for consent (on any person wishing to undertake work on a notable tree) and monitoring (on Council). The proposed objectives do not result in any un-justifiable costs given the targeted nature of the specific rules.
<b>Achievability</b>	This is an achievable objective which is consistent with the existing framework and is consistent with higher order statutory documents. The objective is sufficient to achieve the purpose of the RMA.
<b>Overall evaluation</b>	
<p>On the basis of the above assessment, it is considered that the proposed objective outlined represents the most appropriate way to achieve Part 2 of the Act. The objective seeks to identify and protect trees of significance in the district which is the most appropriate way to achieve the purpose of the RMA in terms of relevance, usefulness, reasonableness and achievability.</p>	

## 8 Evaluation of Provisions to Achieve the Objectives

### 8.1 Introduction

Section 32(1)(b) of the RMA requires the evaluation report to examine whether the provisions 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.*

When assessing the efficiency and effectiveness of the provisions in achieving the objectives, section 32(2) of the RMA requires that the assessment:

*(a) identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for—*

- (i) economic growth that are anticipated to be provided or reduced; and*
- (ii) employment that are anticipated to be provided or reduced; and*

*(b) if practicable, quantify the benefits and costs referred to in paragraph (a); and*

*(c) assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.*

This section provides an assessment of reasonably practicable options and associated provisions (policies, rules and standards) for achieving the objectives in accordance with these requirements.

Each option is assessed in terms of the benefits, costs, and effectiveness and efficiency of the provisions, along with the risks of not acting or acting when information is uncertain or insufficient. For the purposes of this assessment:

- **effectiveness** assesses how successful the provisions are likely to be in achieving the objectives and addressing the identified issues
- **efficiency** measures whether the provisions will be likely to achieve the objectives at the least cost or highest net benefit to society.

The sections below provide an assessment of options (and associated provisions) for achieving the objectives in accordance with sections 32(1)(b) and 32(2) of the RMA.

## **8.2 Quantification of benefits and costs**

Section 32(2)(b) of the RMA requires that, where practicable, the benefits and costs (environmental, economic, social and cultural) of a proposal are quantified. The requirement to quantify benefits and costs if practicable recognises it is often difficult and, in some cases, inappropriate to quantify certain costs and benefits through section 32 evaluations, particularly those relating to non-market values.

As discussed in section 6.3, the scale and significance of the effects of proposed changes for Notable Trees are assessed as being low due to the proposed provisions being a continuation of the operative framework, apart from updating it to reflect current good practice and the current STEM assessment criteria. Therefore, exact quantification of the benefits and costs of the different options to achieve the objectives is not considered to be necessary or practicable for Notable Trees. Rather this evaluation focuses on providing a qualitative assessment of the environmental, economic, social and cultural benefits and costs provided where practicable.

## 8.3 Evaluation of options

### 8.3.1 Maintaining status quo provisions as provided under ODP

<b>Option 1:</b>		
<i>Adopting the operative provisions as set out (with structural and formatting changes to give effect to the Planning Standards)</i>		
<b>Benefits</b>	<b>Costs</b>	<b>Risk of acting / not acting</b>
<ul style="list-style-type: none"> <li>• Controls are generally well understood by both Council staff and plan users.</li> <li>• Will be able to operate 'business as usual' with little to no disruption to current consenting and compliance practice.</li> <li>• All existing trees would continue to be protected, except where it has been identified they have been removed.</li> <li>• The provisions would be in accordance with the Planning Standards.</li> <li>• It will not result in the removal of trees from the schedule that may have cultural, or heritage values not considered in the assessment due to lack of information being provided to Council.</li> </ul>	<ul style="list-style-type: none"> <li>• Does not address the difficulty in having landowners maintaining notable trees due to the current framework requiring the arborist to be a member of New Zealand Arboricultural Association. This has historically caused issues due to the lack of local arborist's meeting this criteria.</li> <li>• Placing controls on trees that do not warrant this level of protection, which has a cost for landowners, without achieving public benefit.</li> <li>• The rules not providing for infrastructure unless there is an emergency.</li> <li>• Due to the limited provision framework, it may be result in trees being maintained in an inappropriate manner, as there is no framework to follow for pruning other than using the services of someone who is a member of the New Zealand Arboricultural Association. This is likely as Council is very rarely contacted regarding any trimming and maintenance as per the requirement of the associated rule.</li> <li>• New trees that warrant protection would not be given "Notable Tree" status if the status quo was maintained.</li> </ul>	<ul style="list-style-type: none"> <li>• There is a risk that the wrong trees are being protected with a Notable Tree status.</li> <li>• There is a risk that trees are being inappropriately maintained, which may result in their eventual decline.</li> </ul>

	<p>The existing trees have not been assessed under current methods, nor has there been any recent regard to whether the appropriate score threshold has been set for the range of “significance trees there are in the district”, this means there may be trees being protected that are not notable.</p>	
<p><b>Effectiveness</b></p> <ul style="list-style-type: none"> <li>This approach would not give effect to the proposed objective to identify and protect trees of notable value. It would also not enable a re-assessment of existing scheduled trees and the introduction of new trees that are of notable value. The rule framework would also not represent best practice as per second generation plans.</li> </ul>	<p><b>Efficiency</b></p> <ul style="list-style-type: none"> <li>This method would not efficiently manage effects associated with not protecting the right trees and having an existing provision framework which may result in non-qualified persons undertaking trimming and pruning on these trees putting their and long term health and viability at risk.</li> </ul>	
<p><b>Overall evaluation</b></p> <p>On balance this option is not considered to be the most appropriate to achieve the objective because:</p> <ul style="list-style-type: none"> <li>not updating the schedule and including new trees of significance and removing trees of low value, would not result in the right environmental outcomes for the district.</li> <li>protecting the wrong trees results in an unreasonable restriction on the associated landowner and could result in unnecessary resource consents applications or additional costs for the landowner to care for the tree.</li> <li>the provisions are not consistent with second generation plans, which are more activity based, giving more direction on how to manage notable trees under a number of permitted standards subject to certain controls such as who can do the work.</li> </ul>		

### 8.3.2 Option 2: The proposed provisions – preferred approach

<p><b>Option 2:</b></p> <ul style="list-style-type: none"> <li><i>Adopting provisions that reflect good practice and have policies and rules that are clear and directive in the outcomes anticipated for Notable Trees, which are also in accordance with the Planning Standards.</i></li> <li><i>Using an up to date methodology to assess Notable Trees and applying a 130 threshold requirement.</i></li> <li><i>Updating the schedule in accordance with current assessments and scores achieved, for existing Notable Trees and new ones.</i></li> <li><i>Update to reflect Planning Standards.</i></li> </ul>		
<p><b>Benefits</b></p>	<p><b>Costs</b></p>	<p><b>Risk of acting / not acting</b></p>

<ul style="list-style-type: none"> <li>• Trees that are not significant will not have unnecessary cost and regulation placed on them.</li> <li>• Trees that are notable but are not currently appropriately protected, will be.</li> <li>• This approach results in landowner support and desire to protect and manage the notable tree appropriately. Without this it places trees at risk of inappropriate management or decline due to lack of activate management and removal.</li> <li>• These provisions are in accordance with Planning Standards and good practice.</li> </ul>	<ul style="list-style-type: none"> <li>• Majority of the new trees to be included in the schedule are located on public land, which is a cost for the ratepayer. However, protection of notable trees has public benefit, and it results in the tree being accessible.</li> <li>• Costs to the landowner to having to use the services of a qualified arborist opposed to doing their own trimming or pruning, and not being able to use the services of just any arborist. However, that cost exists under the ODP.</li> </ul>	<ul style="list-style-type: none"> <li>• Due to lack of feedback on the draft district plan, some of the trees being removed may have significant cultural or heritage values that warrant them still having this level of protection. While this can be addressed through submissions, in the interim it may place trees at risk.</li> <li>• By not acting there is the risk the wrong trees are being protected.</li> </ul>
<p><b><u>Effectiveness</u></b></p> <ul style="list-style-type: none"> <li>• This approach will effectively protect and manage Notable Trees in the District. Additionally, it will ensure that the Plan is not protecting trees that are not significant.</li> </ul>	<p><b><u>Efficiency</u></b></p> <ul style="list-style-type: none"> <li>• This approach ensures that Notable Trees are protected, while still providing a framework for their maintenance, and where appropriate the installation and maintenance of infrastructure.</li> </ul>	
<p><b><u>Overall evaluation</u></b></p> <p>On balance this option is considered to be the most appropriate option to achieve the objectives because:</p> <ul style="list-style-type: none"> <li>• it is effective and efficient as it protects scheduled trees from inappropriate development, and maintenance.</li> <li>• it is also practical in that it defines the circumstances in which a Notable Tree can have work undertaken on or near it without the need for resource consent, associated time and costs and uncertainty.</li> <li>• an updated methodology and threshold score has been applied to ensure the right trees are being protected.</li> <li>• it is considered to be the right balance between public benefit (bearing in mind the private landowner also receives the same benefits) and private development rights.</li> </ul>		

## **9 Summary**

The proposed provisions in the Notable Tree chapter strike a balance between retaining provisions that currently function well and addressing existing issues with the provisions in the ODP.

The following evaluation has been undertaken in accordance with section 32 of the Resource Management Act 1991 (**RMA**) in order to identify the need, benefits, costs and the appropriateness of the proposal having regard to its effectiveness and efficiency in achieving the purpose of the RMA. The evaluation demonstrates that this proposal is the most appropriate option as drafted, as it includes the most appropriate objectives, policies and methods to ensure consistency and maintain the integrity of the proposed plan and align with any relevant higher order document.

## **10 Appendices**

### **10.1 Appendix 1- Notable Tree Review and Recommendations by Arborlab**

### **10.2 Appendix 2- 2017 Notable Tree reassessments by arborist Kent Thwaites**

### **10.3 Appendix 3- Tree Risk Review by Arborlab**

### **10.4 Appendix 4- 2017 Nominated Trees assessment report by Arborlab**