

OFFICER'S REPORT FOR: Hearing Commissioners:
Lisa Bridson
Margaret Cousins
Campbell Barry

SUBJECT: Proposed District Plan Change 36:
Notable Trees and Vegetation Removal Provisions

PREPARED BY: Corinna Tessendorf
Senior Environmental Policy Planner
Hutt City Council

REVIEWED BY: Andrew Cumming
Divisional Manager Environmental Policy
Hutt City Council

REPORT DATED: 23 February 2016

DATE OF HEARING: 9 March 2016

EXECUTIVE SUMMARY

- i. Proposed Plan Change 36 ('the Plan Change') reviews the existing Chapter 14G Trees of the City of Lower Hutt District Plan ('the Plan') and addresses legislative changes relating to blanket protection of trees and vegetation.
- ii. The Plan Change was publicly notified on 1 September 2015 and submissions closed on 2 October 2015. The summary of decisions requested (summary of submissions) was notified on 3 November 2015 and the further submission phase closed on 17 November 2015. Overall 21 submissions, two late submissions and three further submissions were received.
- iii. A hearing is scheduled to be held on 9 March 2016.
- iv. The following report recommends that Council accept or reject in full or in part the submissions and further submissions for the reasons outlined under Part 3 of this report.

Primary Issues

- v. From analysis of the Plan Change and the submissions received the following key matters are identified.
 1. **Resource Management Amendment Act 2013**
- vi. The Resource Management Amendment Act 2013 (RMAA 2013) introduced new legislation relating to blanket tree protection. One consequence of the RMAA 2013 was that all blanket tree protection rules became invalid on 4 September 2015. This affects, on urban environment allotments, all trees that have not been individually identified, described and mapped. Under the new Sections 76 (4A) to (4D) of the Resource Management Act ('RMA'), rules that prohibit or restrict the felling, trimming, damaging or removal of trees and groups of trees may only be included in the Plan if the tree or trees are described and have been individually identified by allotment. There are additional requirements for the protection of groups of trees. The exact wording of Section 76 (4A) to (4D) can be found in Section 2.3 (paragraph 23) of this report
- vii. The RMAA 2013 removal of blanket tree protection affects the existing provisions of the District Plan relating to nikau palms (Chapter 14G) and vegetation removal provisions in Residential Activity Areas (Chapters 4A, 4B, 4D and 4E).

- viii. Guidance on Tree Protection in Urban Environments published by the Ministry for the Environment in December 2013¹ states that the changes resulting from the RMAA 2013 were not designed to stop Councils protecting trees in urban environments but reflect the Government's desire for a change in approach to ensure that councils are clear about which trees are worthy of protection and landowners are clear about which trees on which allotments are protected. The Guidance further clarifies that provisions that restrict the clearance of vegetation (with trees being a type of vegetation) in an urban zone are likely to be contrary to Sections 76(4A) to (4D) unless the trees are satisfactorily identified and described.
- ix. The Guidance further points out that there are other regulatory and non-regulatory methods to protect significant vegetation and biodiversity. Hutt City Council intends to investigate and assess in detail the available methods as part of the District Plan review relating to the identification and protection of significant indigenous vegetation and significant habitats of indigenous fauna (ecosites).
- x. The Plan Change as notified gives effect to the changes made by the RMAA 2013 and brings the relevant chapters of the Plan in line with the RMA. Therefore no changes to the principles of the Plan Change are recommended.

2. Notable Trees

- xi. The Plan Change seeks a complete replacement of the existing Chapter 14G Trees of the District Plan. The Plan Change also proposes changes to the existing list of protected Notable Trees. The existing Chapter was outdated and did not meet the requirements of the RMA or best practice standards.
- xii. The Plan Change proposes to continue to list and protect individual Notable Trees in the Plan. The trees that are proposed to be protected have either been nominated by the public or are currently protected in the Plan (or both), have been assessed by a qualified arboriculturist using the Standard Tree Evaluation Method (STEM), have met a specified threshold (a score of 120 or more) and the owners have agreed to their trees being listed. Overall 248 individual trees have been assessed and 147 have been found to be Notable and are proposed for protection. As part of the submissions on the Plan Change further nominations of trees were received and then assessed (with the permission of the land owners). Other submitters requested the removal of trees on their properties from the proposed list. The proposed list is the outcome of nominations and independent assessments and the perceived lack or underrepresentation of native trees is an outcome of this process.
- xiii. The previous protection of all remnant nikau palms on the Valley Floor and the Eastern Bays became invalid on 4 September 2015. Individual nikau palms that were nominated and met the STEM score threshold are now proposed to be individually listed and protected.
- xiv. STEM has been used to assess all nominated and currently protected trees. The method has been used and refined in New Zealand since 1996 to provide an objective scoring system for amenity trees. The method is tried and tested in New Zealand and is widely accepted and used by local authorities and government departments in relation to the management and legal protection of amenity trees. STEM is the preferred method of the Royal New Zealand Institute of Horticulture (RNZIH). To amend the STEM criteria to focus more on ecology or other factors would detract from the approach of using the nationally recognised standard method and is therefore not recommended.
- xv. Council has a long-standing and recently confirmed policy to protect Notable Trees in the District Plan only with the consent of the landowners and in return assume responsibility for the ongoing maintenance of the trees irrespective of their location on public or private land.
- xvi. While the proposed list of Notable Trees includes trees on private and public land there are other protection mechanisms and legislation outside the District Plan protecting trees on public land.
- xvii. The Reserves Act 1977 protects all Department of Conservation, Greater Wellington Regional Council and Hutt City 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

¹ Ministry for the Environment Guidance Note: Tree protection in urban environments

(generally Council). Unauthorised removal or wilful damage of any tree, shrub, fern or plant on any reserve is an offence under Section 94.

- xviii. The Conservation Act 1987 prohibits the unauthorised taking of any plant from a conservation area.
- xix. The Hutt City Council Parks and Reserves Bylaw 2007 prohibits the unauthorised removal or damage of trees or plants on HCC reserves.
- xx. The Hutt City Council Public Places Bylaw 2006 prohibits damage or interference to trees and plants in public places.
- xxi. The Greater Wellington Parks, Forest and Reserves Bylaw 2009 prohibits the removal of or interference with trees and plants on Regional Parks and Reserves.
- xxii. Therefore trees on public land that have not been included in the District Plan are legally protected and cannot be removed without justification and authorisation.
- xxiii. The proposed issue, objective and policies have been drafted to address the potential adverse effects of the modification or removal of Notable Trees. The supporting rules specify that the trimming and removal of Notable Trees is only permitted if undertaken by Hutt City Council and restricts activities within the dripline of Notable Trees to ensure these activities do not damage the tree or endanger its health.
- xxiv. The proposed new Chapter 14G Notable Trees brings the plan in line with current legislation, sets a balance between private and community costs and benefits and achieves the objectives for the management of Notable Trees.

3. Vegetation Removal Provisions

- xxv. Proposed Plan Change 36 seeks changes to the existing vegetation clearance provisions in residential activity areas in response to recent changes to the RMA relating to blanket tree provisions (outlined above in more detail). The Plan Change proposes to delete the vegetation removal provisions in the General Residential Activity Area and the Special Residential Activity Area. In these zones the allotments almost always fit the RMAA 2013 definition of urban environment allotments and the existing blanket vegetation removal provisions became invalid on 4 September 2015.
- xxvi. The Plan Change amends the provisions relating to vegetation clearance in the Hill Residential Activity Area and Landscape Protection Residential Activity Area. For these zones the proposal is to delete any vegetation removal restrictions on sites under 4000m² (to avoid any urban environment allotments) and introduce new provisions for sites over 4000m². For sites of more than 4000m² the proposal is that:
 - Exotic vegetation removal on lots more than 4000m² is permitted subject to conditions relating to site stability;
 - Indigenous vegetation removal up to 500m² on lots more than 4000m² is permitted subject to conditions relating to site stability; and
 - Indigenous vegetation removal over 500m² on lots more than 4000m² is restricted discretionary with discretion restricted to consideration of visual amenity, site stability and the intrinsic values of ecosystems.
- xxvii. As indicated above, the threshold area of 'more than 4000m²' refers to the RMA's definition of 'urban environment allotment' and has been chosen to ensure that the revised blanket vegetation provisions comply with the RMA and do not apply to urban environment allotments. Urban environment allotments are defined in the RMA in Section 76:

(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 4000 m²; 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.*

xxviii. The proposed changes bring the Plan into line with current legislation and fulfil the requirements of the RMA by providing an appropriate management tool for the management of vegetation in residential areas by targeting areas and types of vegetation where significant adverse effects are more likely to occur (steeper areas generally with more vegetation cover). The Plan Change makes the remaining rules easier to understand, monitor and enforce. The proposed rules relating to vegetation removal on sites over 4000m² continue to address the matters of site stability, amenity values and the intrinsic values of ecosystems.

4. District Plan Context - The Bigger Picture

xxix. As outlined above Proposed Plan Change 36 addresses the protection of individual amenity trees and proposes amendments to vegetation clearance provisions in response to changes to the RMA prohibiting blanket protection of trees.

xxx. Several submitters raised the issue of Council's obligation to recognise and provide for the matters of national importance as outlined in Section 6 of the RMA:

6 Matters of national importance

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:

- (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 protected customary rights.*

xxxi. Some submitters consider that the proposed removal of vegetation clearance rules in the urban environment leaves wide areas of vegetation unprotected and suggest that Council is now in breach of its obligations under Section 6 (a), (b) and (c) of the RMA.

xxxii. Council is aware of its obligations under the RMA and recognises the current shortfall in the Plan provisions to preserve and protect the natural character of the coastal environment, outstanding natural features and landscapes and areas of significant indigenous vegetation and significant habitats of indigenous fauna.

- xxxiii. Council is also aware of its obligation to give effect to the Regional Policy Statement for the Wellington Region (RPS) and acknowledges that this Plan Change does not fully address the requirements of the RPS, in particular the requirements of Policy 47. As outlined earlier the focus of this Plan Change is mainly on the protection of amenity trees and addressing legislative changes to blanket tree protection rules. There have been time constraints to notify the plan change before 4 September 2015 in order to achieve ongoing protection for now individually listed nikau palms.
- xxxiv. To address this gap Council is currently undertaking a comprehensive and wide-ranging review of the above issues and the relevant chapters of the Plan. This review covers three different focus areas:
- the identification and protection of coastal natural character;
 - the identification and protection of outstanding natural landscapes, outstanding natural features and special amenity landscapes; and
 - the identification and protection of significant indigenous vegetation and significant habitats of indigenous fauna (ecosites).
- xxxv. The review is likely to result in a range of measures to protect areas of high significance including protection provisions within the Plan as well as other methods sitting outside the Plan. Council would welcome, in due course, the participation in the review by interested parties from the Notable Trees project and will work closely with identified stakeholders including the Greater Wellington Regional Council.
- xxxvi. Proposed Plan Change 36 has the specific focus of addressing the protection of individual Notable Trees and making necessary changes to existing blanket protection rules such as blanket protection for nikau palms on the Valley Floor and the Eastern Bays and vegetation removal provisions in the urban environment. The identification and protection of significant indigenous vegetation and habitats, outstanding natural landscapes and features and the coastal natural character is not within the scope of the Plan Change.

Recommendations

- xxxvii. On the basis of the above this report recommends that the Plan Change as notified be supported subject to minor changes to the text and appendices of the Plan Change. These are changes are shown attached as Appendix 2 of this report.

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1. INTRODUCTION

- (1) This report discusses and makes recommendations on submissions received in relation to proposed Plan Change 36 - Notable Trees and Vegetation Removal Provisions ('the Plan Change').
- (2) The purpose of the Plan Change is to review the Notable Trees Chapter 14G and to address legislative change relating to blanket protection of trees and vegetation in the City of Lower Hutt District Plan ('the Plan').
- (3) The Plan Change seeks to partly remove and partly amend the current provisions for vegetation removal in residential areas to bring them in line with the requirements of the Resource Management Act 1991 ('RMA').
- (4) The Plan Change contains a complete review of Chapter 14G Trees including the list of Notable Trees protected by the Plan. The proposed changes to the list of Notable Trees are the result of a city wide tree nomination process (Great Hutt Trees), consultation with tree owners, consultation with mana whenua, and independent arboriculturist assessments.
- (5) The two main reasons for this Plan Change are:
 - Council's obligation to review District Plan provisions at least every 10 years; and
 - Amendments to the RMA (Resource Management Amendment Act 2013 – 'RMAA 2103') which prevent blanket tree protection on urban environment allotments.
- (6) The relevant provisions in the District Plan which are affected by the Plan Change include:
 - Chapter 3 - Definitions;
 - Chapter 4A - General Residential Activity Area;
 - Chapter 4B - Special Residential Activity Area;
 - Chapter 4D - Hill Residential Activity Area;
 - Chapter 4E - Landscape Protection Residential Activity Area;
 - Chapter 14G - Notable Trees
 - District Plan Maps showing Notable Trees.
- (7) Although this report is intended as a stand-alone document, a more in-depth understanding of the Plan Change, the process undertaken, related issues and the submissions received can be gained from the Section 32 Report and associated Plan Change documents as publicly notified in September 2015, the Summary of Decisions Requested (Summary of Submissions and Further Submissions) and the full set of submissions received.

Statement of Experience

- (8) My full name is Corinna Tessendorf. I hold the equivalent of a Masters degree in Urban and Regional Planning (Diplom-Ingenieur fuer Stadt- und Regionalplanung) from the Technical University in Berlin, Germany.
- (9) I have over 18 years of experience in town planning including work in local government both in Germany and New Zealand. My work experience includes the development of policies and plans as well as the processing of consents under various legislation.
- (10) Since 2009 I have held the position of a Senior Environmental Policy Analyst at Hutt City Council, where I have led the preparation and processing of several District Plan Changes as well as contributing to RMA policy development in general.
- (11) Before my immigration to New Zealand I worked as a town planner for local government in Berlin, Germany. My work included the development of planning policies and controls as well as the processing of consent applications under constantly changing legislations (due to the reunification process of former East and West Berlin and East and West Germany).
- (12) I confirm that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note. I agree to comply with it and I confirm that my evidence is within my area of expertise. I am not aware of any material facts that I have omitted that might alter or detract from the opinions I express.

2. BACKGROUND

2.1 Process

- (13) At its 18 August 2014 meeting, the Policy and Regulatory Committee resolved to instruct officers to prepare a draft proposed plan change and Section 32 evaluation. At its 13 October 2014 meeting the Policy and Regulatory Committee gave further direction on key issues identified during the plan preparation process.
- (14) The Plan Change was publicly notified on 1 September 2015 by placing a public notice in the Hutt News and sending direct notification letters to all owners of properties with current or proposed Notable Trees. The public notice advises on where the relevant plan change documents can be found, how to obtain a copy, how to make a submission and the further process under the RMA. The submission phase closed on 2 October 2015 and 21 submissions and two late submissions were received.
- (15) After the closing of the submission phase officers summarised the submissions received. The availability of the 'Summary of Decisions Sought' as well as details regarding the further submission phase were publicly notified in the Hutt News on 3 November 2015. Letters were sent to all submitters and the relevant documents were made available through Council's website, libraries and main office. The further submission phase closed on 17 November 2015. Three further submissions were received.

2.2 Consultation

- (16) In July and August 2014 Council ran the 'Great Hutt Trees' promotion. The promotion invited nominations of trees for consideration as Notable Trees. Great Hutt Trees led to nominations from 45 people of 216 individual trees or groups of trees. The nominations included trees on private properties as well as trees on public land including street trees. A preliminary assessment of all nominations undertaken by Council's consultant arboriculturist excluded 109 nominations on the basis that they could not reach the threshold of Notable. Following this initial assessment, letters were sent to the tree owners asking if they wished to have their tree or trees assessed by an arboriculturist and considered for listing as Notable in the Plan. The remaining nominations, as well as certain trees nominated in earlier submissions and trees identified in the Royal New Zealand Institute of Horticulture Notable Tree Register, were assessed by the arboriculturist using the Standard Tree Evaluation Method (STEM). Where a group of trees was involved, each tree in the group was individually assessed. 36 of the trees nominated and formally documented were already listed in the Plan.
- (17) In a second round of assessments all trees currently protected in the Plan that were not covered by the initial assessment as well as individual trees on public land and individual nikau palms identified by Council's Parks and Gardens Division were evaluated by Council's consultant arboriculturist using STEM. Overall a total of 248 individual trees were STEM assessed and formally documented.
- (18) As a result of the assessment and Council's proposed STEM score threshold, 79 individual trees are proposed for addition to the list of Notable Trees protected by the Plan. Three trees that no longer exist as well as 37 trees that do not meet the threshold of Notable are proposed to be removed from the list. Most of the trees that do not meet the threshold are currently protected as part of a group of trees. The proposed list of Notable Trees contains 147 trees.
- (19) Council staff consulted with Mana Whenua in face to face meetings with Port Nicholson Block Settlement Trust and Wellington Tenths Trust representatives, also providing photographs and maps of the location of nikau palms previously protected in the Plan. The Mana Whenua response was provided from the Wellington Tenths Trust, which indicated that no nikau palms were associated with significant cultural sites and therefore no nikau palms need to be protected in the Plan solely for cultural significance to Mana Whenua.

2.3 Legislative Changes

- (20) This review and the consequential Plan Change are required for 2 reasons:

- The RMA requires Plan provisions to be reviewed at least every 10 years. The Plan became operative in 2003. The Notable Trees provisions were partly reviewed in 2011 (Plan Change 23) in response to the Resource Management Amendment Act 2009.
 - The Resource Management Amendment Act 2013 (RMAA 2013) introduced new requirements and definitions associated with tree protection. The amendments also invalidated (from 4 September 2015) the current Plan provisions that protect trees that are not individually identified and are located on urban environment allotments as defined in the RMA. The Plan needs to be updated to meet the RMA's new requirements.
- (21) The current Plan (Chapter 14G Trees) protects, via policies and rules, 105 Notable Trees (individual trees and groups of trees individually identified in Appendix Trees 1) and previously protected all nikau palms in the areas defined in the maps in Appendix Trees 2 as Valley Floor and Eastern Bays. The Valley Floor and Eastern Bays maps were added in Plan Change 23 in response to Resource Management Amendment Act 2009.
- (22) The RMAA 2013 means that the Plan's "blanket protection" provisions for Valley Floor and Eastern Bays nikau palms became invalid on 4 September 2015. Transitional provisions in the RMA provide that if a proposed plan change is notified before 4 September 2015 the proposed rules affecting trees formerly enjoying blanket protection have legal effect from 4 September 2015.
- (23) The RMAA 2013 clarifies provisions for blanket tree protection, which were first introduced in the Resource Management Amendment Act 2009. Section 76 states:
- (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 4000 m²; 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.*

- (24) Any blanket tree protection rules on sites fitting the definition of urban environment allotment are invalid from 4 September 2015 if no validating amendments have been made to them. The previous rules that protected remnant nikau palms and the rules that manage vegetation removal in residential areas are affected by the above Section 76 of the RMA.

2.4 Summary of Proposed Plan Change 36

- (25) The Plan Change addresses two major subjects – provisions around protecting Notable Trees which are contained in Chapter 14G of the District Plan and vegetation removal provisions contained in the Residential Activity Areas.

Notable Trees

- (26) The Plan Change contains a complete review of Chapter 14G Trees. The Plan Change proposes a new introduction, a new issue and objective, new policies and new rules regulating the trimming of Notable Trees, removal of Notable Trees and activities within the dripline of Notable Trees.
- (27) The Plan Change also proposes changes to the list of Notable Trees protected by the Plan. The proposed changes to the list of Notable Trees are the result of a city wide tree nomination process (Great Hutt Trees), consultation with tree owners, consultation with mana whenua, and independent arboriculturist assessments. Only those trees that meet a specified threshold score of 120 are proposed to be added. Those trees that no longer exist or did not meet a specified threshold score are proposed to be deleted from the list.
- (28) Council has confirmed its longstanding policy to protect Notable Trees in the District Plan only with the consent of the owners and to take full responsibility for the maintenance of protected trees.
- (29) Any groups of trees that were previously listed have been individually assessed and only those trees that meet the threshold are proposed to be retained. The Plan Change proposes to add 79 individual trees to the list while deleting 40 trees resulting in a proposed list of 147 Notable Trees including 9 individually listed nikau palms.
- (30) All issues, objectives, policies and rules relating to blanket nikau palm protection as well as Appendix 2 of Chapter 14G are proposed to be deleted as they became invalid on 4 September 2015.

Vegetation Removal in Residential Zones

- (31) The Plan Change seeks to partly remove and partly amend the current provisions for vegetation removal in residential areas to bring them in line with the requirements of the RMA. The Plan Change proposes to remove controls on vegetation removal in the General Residential Activity Area and the Special Residential Activity Area and to amend the vegetation removal provisions in the Hill Residential Activity Area and the Landscape Protection Residential Activity Area as follows:
- No controls on vegetation removal for sites under 4000m²
 - Exotic vegetation removal on lots over 4000m² is permitted subject to conditions relating to site stabilisation
 - Indigenous vegetation removal up to 500m² on sites over 4000m² is permitted subject to conditions relating to site stabilisation
 - Indigenous vegetation removal over 500m² on sites over 4000m² is restricted discretionary with discretion restricted to visual amenity, site stability and intrinsic values of the ecosystems effects.
- (32) The policies, explanations and reasons and anticipated environmental results that relate to the above provisions are proposed to be deleted or amended.

3. ANALYSIS OF SUBMISSIONS AND RECOMMENDATIONS

- (33) The following sections of this report provide a brief summary of the issues raised in submissions, an assessment and discussion of the issues raised and a recommendation in response to each of the decisions sought. Every effort has been made to cover each matter raised in submissions.
- (34) The submissions are addressed in groups based on issues or concerns raised and where the content of the submissions is the same or similar. In summarising submissions, the name of the submitter is shown in bold, with their submission number shown in normal font within [square brackets]. (The submission number prefix DPC36 is not shown). In summarising further submissions, the name of the further submitter is shown in bold italics, with the submission number shown in italics within [square brackets]. For example:

Linda Mead [9.1 (i)] submits that the law says that blanket protection can be given but needs to be identified allotment by allotment and that this should be implemented as soon as possible.

East Harbour Environmental Association (EHEA) [F3.7] supports the suggestion that HCC carry out an allotment by allotment assessment, specifying street addresses in association with geo-referencing. The RMA amendment permits contiguous allotments, which should simplify the process in hill residential and landscape areas where the further submitter has greatest concerns.

- (35) Where amendments to the Proposed Plan Change provisions are recommended as a result of a submission, additional text is shown as double underlined and shaded while text to be removed is shown as being ~~double struck through and shaded~~. For example:

Policy 14G 4.3

Trimming or removal of Notable Trees should be undertaken by Council or a qualified arboriculturist approved by working on behalf of Council.

- (36) Where changes are recommended as a result of submissions, the effectiveness and efficiency of such changes has been assessed in accordance with the requirements of Section 32 of the RMA, in making that recommendation.

Late Submissions

- (37) Two late submissions were received on the Plan Change:
- Submission DPC36A/22 by Martin Edghill received on 4 November 2015 (22 working days after the close of the submission period)
 - Submission DPC36A/23 by Central Community Committee received on 11 November 2015 (27 working days after the close of the submission period).
- (38) Under Section 37 of the RMA, Council has the power to decide whether or not to waive a failure to comply with a set timeframe. Council can decide to waive the failure to comply with a timeframe only after taking into account:
- the interests of any person who, in its opinion, may be directly affected by the waiver;
 - the interests of the community in achieving adequate assessment of the effects of the Plan Change; and
 - its duty under Section 21 of the RMA to avoid unreasonable delay.
- (39) In considering whether to accept or reject late submission DPC36A/22, Council may wish to take into account the following:
- The late submission was received one day after the notification of the Summary of Decisions Requested and therefore was not included in the summary. Consequently there was no opportunity for further submissions on the issues raised in the submission.
 - The plan change process has not been held up in any way to date by this submission but would be if the submission was notified to provide the opportunity for further submissions.

- The late submission is not complex, and mainly requests the assessment and if appropriate the protection of a tree on the submitter's property. The submission does not raise any new issues or seek any new decisions from Council which would compromise its ability to fairly assess the effects of the Plan Change.
- (40) In considering whether to accept or reject late submission DPC36A/23, Council may wish to take into account the following:
- The late submission was received one week after the notification of the Summary of Decisions Requested and therefore was not included in the summary. Consequently there was no opportunity for further submissions on the issues raised in this submission.
 - The plan change process has not been held up in any way to date by this submission but would be if the submission was notified to provide the opportunity for further submissions.
 - The late submission is not complex, and raises general points that are consistent with other submissions already received. The submission does not raise any new issues or seek any new decisions from Council which would compromise its ability to fairly assess the effects of the Plan Change.

3.1 General - Support

Submission

- (41) **Rod & Liz Gillespie and David Butler [2.3]** submit general support for the Plan Change and request that the Plan Change be approved in all aspects.

Assessment

- (42) The submission supports the Plan Change as notified. While this report recommends some changes in response to other submissions, it recommends that the concepts of the Plan Change be adopted as notified.
- (43) Justification for the Plan Change and reasons for the recommended changes are provided throughout this report and in the Section 32 report that was notified together with the Plan Change. From this it has been concluded that the Plan Change, including the recommended changes, is appropriate in terms of achieving the purpose of the RMA.
- (44) Accordingly this report recommends that the submission be accepted in part, taking into consideration the recommendations made to amend the Plan Change as sought by other submissions.

Recommendation

- (45) This report recommends that the submission of **Rod & Liz Gillespie and David Butler [2.3]** be accepted in part insofar as the concept of the Plan Change remains unchanged and is adopted as notified.

3.2 General - RMAA 2013

Submissions

- (46) **Linda Mead [9.1 (i)]** submits that the law says that blanket protection can be given but needs to be identified allotment by allotment and that this should be implemented as soon as possible.
- (47) **East Harbour Environmental Association (EHEA) [F3.7]** supports the suggestion that HCC carry out an allotment by allotment assessment, specifying street addresses in association with geo-referencing. The RMA amendment permits contiguous allotments, which should simplify the process in hill residential and landscape areas where the further submitter has greatest concerns.

Assessment

- (48) The RMAA 2013 introduced new provisions which prevent Councils from establishing blanket tree provisions. Sections 76(4A) to (4D) were amended under the RMAA 2013 to reflect the Government's intention to prohibit blanket tree protection in urban areas. Initial amendments to Section 76(4) of the

RMA were introduced by the Resource Management Amendment 'Simplifying and Streamlining' Act 2009 (RMAA 2009) and were intended to prohibit blanket tree protection rules in urban areas. In 2010 the Environment Court provided direction on Section 76(4A) of the RMA which was contrary to the Government's intentions. The Government considered that the combined effect of the Environment Court decision and the response of councils created general confusion and therefore amended Section 76(4) to "align with its original policy intent – the prohibition of blanket tree protection rules in urban areas"². Sections 76(4A) to (4D) of the RMA are set out in paragraph (23) above.

- (49) Any District Plan rules that restrict the trimming, felling or removal of trees that are not in line with the new requirements in Sections 76(4A) to (4D) of the RMA were revoked and became invalid on 4 September 2015.
- (50) The RMA as amended by the RMAA 2013 does not allow for blanket tree protection on urban environment allotments but provides for the protection of individual trees and groups of trees on urban environment allotments. To be protected trees need to be individually listed and described and the allotments need to be specifically identified by street address and/or legal description in a schedule to the Plan. Groups of trees can be protected if the trees are on single or adjacent urban environment allotments, form a group and the group of trees is described and the allotments identified.
- (51) Council's approach to Notable Tree protection has been to seek nomination of trees by the public, assess the proposed trees using the Standard Tree Evaluation Method (STEM) and, if they qualify, protect them by agreement with the landowners.
- (52) Council is currently investigating sites of ecological and landscape significance. The project is likely to lead to a future District Plan change proposal and is outside the scope of this Plan Change.

Recommendation

- (53) This report recommends that the submission of **Linda Mead [9.1 (i)]** and the supporting further submission of **EHEA [F3.7]** be rejected.

Submissions

- (54) **Korokoro Environmental Group (KEG) [14]** submits that whilst some amendments may be necessary under the RMAA 2013 Council should retain as many as possible of the existing safeguards to protect trees and vegetation. This will guide and enable Council to withstand pressures, including from developers that would unnecessarily remove vegetation and irrevocably damage the natural environment.
- (55) **EHEA [10.1]** submits that the status quo should be maintained as far as possible.
- (56) **Central Community Committee (CCC) [23.1]** submits that the Plan Change should comply with the updated RMA but many of the proposed changes go beyond that.

Assessment

- (57) As discussed above blanket tree protection provisions for urban environment allotments became invalid on 4 September 2015. Any new rules that introduced blanket tree protection would not comply with the RMA and would also be invalid.
- (58) The Plan Change proposes to continue to restrict vegetation clearance on sites larger than 4000m² but also proposes changes to the provisions to make them easier to implement and enforce and provide a stronger focus on indigenous vegetation.
- (59) As a result of the review of the existing list of protected trees and additional research and assessments in the preparation of the Plan Change this report recommends that the list of protected individual trees is extended and more individual trees become protected. Council's policy is to protect individual Notable Trees with the consent of the owner only.

² Ministry for the Environment Guidance Note: Tree protection in urban environments

- (60) The focus and main intention of this Plan Change is the identification and protection of notable individual amenity trees as well as providing an adequate response to the legislative changes relating to blanket tree protection introduced by the RMAA 2013.
- (61) Council is currently undertaking an independent review to identify and assess ecosites as well as coastal natural character areas and outstanding natural landscapes and natural features.

Recommendation

- (62) This report recommends that the submissions of **KEG [14]**, **EHEA [10.1]** and **CCC [23.1]** be rejected.

Submissions

- (63) **Greater Wellington Regional Council (GWRC) [16.5]** submits that it understands the need to meet the requirements of the RMAA 2013 by removing blanket vegetation clearance rules in the urban environment but considers that there are alternative options to meet RMAA 2013 requirements and continue to protect values of trees and vegetation in the urban environment:

Option 1: Include 'ecological values' in criteria for identification of Notable Trees and re-assess

Option 2: Define 'tree' separate to 'vegetation', exclude 'Notable Tree' from tree definition, continue to protect vegetation in urban environment while allowing for the removal of trees (except Notable Trees)

- (64) **Troy Baisden [F2.1]** supports the view that the recognition of ecological values in council plans is important.

Assessment

- (65) The alternative options proposed by GWRC are not appropriate for the reasons outlined below:

- (66) Option 1: The ecological values of assessed trees are covered in sufficient depth within the STEM criteria. Ecology is taken account of within the 'Function' category where both the physical and conservation value of the trees are assessed as well as in the 'Historic' and 'Scientific' scoring categories.

The STEM method has been used and refined in New Zealand since 1996 to provide an objective scoring system for amenity trees. The method is tried and tested in New Zealand and is widely accepted and used by local authorities and government departments in relation to the management and legal protection of amenity trees. To amend the STEM criteria to focus more on ecology or other factors would detract from the approach of using the nationally recognised standard method and is therefore not recommended.

- (67) Option 2: The suggestion to exclude trees from the definition of vegetation and to then draft provisions that restrict the removal of vegetation but at the same time allow for the removal of trees because they are not covered by the definition for vegetation provided by the plan (except for protected Notable Trees) would be not only confusing but inconsistent with and even contradictory to the intentions of the RMAA 2013. The clear intention of Sections 76(4A) to (4D) is to remove any blanket protection and provide certainty for landowners and plan users about what tree protection rules affect their properties.

Option 2 is apparently based on the "MfE Guidance on Tree Protection in Urban Environments" which discusses methods for protecting vegetation including groups of trees. The guidance suggests that differentiating trees from other forms of vegetation may be a way to provide for continued protection of vegetation. The guidance further suggests that the exclusion of trees within urban environment allotments from the rules relating to vegetation clearance while individually identifying and describing those trees to be protected in a schedule to the plan might be an option to achieve compliance with the RMA.

This approach seems contrary to the intentions of the provisions of the RMA unless all trees in the urban environment had been assessed comprehensively and all trees found to be notable are individually described and listed in the plan. Otherwise the above approach

would allow for trees to be removed while the surrounding vegetation (even if not notable) would be protected.

Recommendation

- (68) This report recommends that the submission of **GWRC [16.5]** and the supporting further submission of **Troy Baisden [F2.1]** be rejected.

3.3 General - RMA Sections 6 and 7

Submissions

- (69) **Robert Ashe [7(k)], Linda Mead [9.1(i)], EHEA [10.1]** and the **Eastbourne Community Board (ECB) [15]** point out that Council has an ongoing obligation under the RMA to
- preserve the natural character of the coastal environment and their margins and protect from inappropriate subdivision and development – Section 6 (a);
 - protect significant indigenous vegetation and significant habitats of indigenous fauna – Section 6 (c);
 - have particular regard to the intrinsic values of ecosystems, the enhancement of the quality of the environment and climate change – Section 7 (d), (f), (i); and
- (70) **Linda Mead** submits that Council is now in breach of the requirement to protect significant indigenous vegetation and significant habitats of indigenous fauna (Sec 6 (c), Sec 30 and Sec 31 RMA) and that this breach needs urgent attention.
- (71) **EHEA** submits that it was not the Government's intention to open hillsclapes to large scale subdivision and that Council must take prompt steps to give effect to Sections 5, 6 and 7 of the RMA.
- (72) **CCC [23.1]** submits that under Sec 6(c) RMA Council has an ongoing obligation to protect significant indigenous vegetation and significant indigenous fauna and this must apply to areas beyond reserves and parks to include residential areas.

Assessment

- (73) As mentioned earlier the purpose of the Plan Change is to review the Notable Trees Chapter 14G and to address legislative change relating to blanket protection of trees and vegetation in the Plan.
- (74) Independently from this Plan Change Council is also undertaking a review project addressing the following issues:
- Identification and protection of significant natural resources (ecosites);
 - Identification and protection of coastal natural character; and
 - Identification of outstanding natural landscapes and outstanding natural features.
- (75) In order to protect significant indigenous vegetation and habitats they need to be identified first. The previous vegetation clearance provisions, although referring to 'intrinsic values of ecosystems' were mainly intended to maintain and enhance residential amenity values and were not based on any assessment or evaluation of ecological significance.
- (76) Sections 5, 6 and 7 are given effect to as outlined in the Section 32 report.

Recommendation

- (77) This report recommends that the submissions of **Robert Ashe [7(k)], Linda Mead [9.1(i)], EHEA [10.1], ECB [15]** and **CCC [23.1]** be rejected.

3.4 General - Protection from adverse effects

Submissions

- (78) **Robert Ashe [7(b)]** submits that the Plan Change puts the intrinsic beauty of the bush clad hills at risk with incremental loss of bush on private property up to the ridgeline especially in the Eastern Bays.

- (79) **Petone Planning Action Group (PPAG) [5.1]** and **Robert Ashe [7.1]** submit that Council should adopt a positive vision for the city and protect the best of trees and retain high amounts of natural vegetation in suburbs and hills.
- (80) **Robert Ashe [7.16]** and **ECB [15.9]** submit that Council should acknowledge the importance of trees and native vegetation to protect communities from the adverse effects of climate change. Trees absorb carbon and runoff and stabilise hillsides from slips and erosion.
- (81) **EHEA [10.1]** submits that Council should introduce provisions that offer suitable protection against inappropriate development leading to adverse impacts on amenity values, destruction of significant indigenous vegetation and indigenous habitats.
- (82) **ECB [15]** and **Sharon Lawson [18.1]** submit that Council should not allow for increased development and density on unstable hillsides up to the ridgeline.
- (83) **CCC [23.1]** submits that the proposed changes will open the door for developers to remove old established trees in residential areas and indigenous vegetation from hillsides, increasing the risk of destabilisation.
- (84) ***EHEA [F3.4]** supports submissions that specifically request the blanket provisions currently in place for allotments greater than 4,000m² remain in place.*
- (85) ***EHEA [F3.5]** supports the request that the District Plan specifically takes the matter of slope stability into account.*

Assessment

- (86) Under previous rules vegetation clearance over a certain threshold was not a prohibited activity but a restricted discretionary activity meaning it would have required resource consent. If a subdivision or land use development was to occur on hillside properties it was likely to require consent for various reasons (e.g. earthworks, subdivision standards, building bulk and location) and vegetation clearance would have been addressed as part of the consent process. Furthermore the previous rules were not clear (because they provided no timeframes) and were effectively unenforceable.
- (87) Amended vegetation clearance rules are proposed to continue to apply to larger properties in areas zoned Hill Residential Activity Area or Landscape Protection Residential Activity Area.
- (88) The previous vegetation clearance rules would not have been the main factor in preventing more intense development on steep hillside properties (rather than slope stability, difficult access and higher development) and therefore the lapsing of those rules is unlikely to result in wide clearance of native bush for no particular gain. The above mentioned rules and provisions relating to earthworks, subdivision and bulk and location of buildings continue to apply.
- (89) As mentioned above the current review of ecosites, coastal natural character and outstanding landscapes and natural features aims at identifying and protecting sites of outstanding values.
- (90) The matter of slope stability has been taken into account and provided for in the proposed changes. Policies 4D 1.2.1 and 4E 1.2.1 as well as Rules 4D 2.1.1 (g) and (e), 4D 2.2.1 (b), 4E 2.1.1 (f) and (g) and 4E 2.2.1 (b) continue to refer to and promote slope stability.

Recommendation

- (91) This report recommends that the submissions of **Robert Ashe [7(b), 7.1, 7.16]**, **PPAG [5.1]**, **ECB [15, 15.9]**, **EHEA [10.1]**, **Sharon Lawson [18.1]** and **CCC [23.1]** and the supporting further submission of **EHEA [F3.4]** be rejected.
- (92) This report recommends that the further submission of **EHEA [3.5]** be accepted in part insofar as site stability continues to be a relevant matter for discretion on larger sites.

3.5 Notable Trees - General

Submission

- (93) **Robert Ashe [7(j)]** submits that established trees will disappear and compromise quality and security of the living environment.

Assessment

- (94) The Plan Change as notified proposes an increased number of individually listed Notable Trees to be protected. The proposed list of Notable Trees is an outcome of the Great Hutt Trees campaign, other nominations and the reassessment of currently protected trees to ensure they still warrant protection. The overall level of protection for Notable Trees has not been diminished by this Plan Change (except for nikau palms due to the previous blanket protection becoming invalid). Previous vegetation clearance rules did not target or prohibit the removal of established trees.

Recommendation

- (95) This report recommends that the submission of **Robert Ashe [7(j)]** be rejected.

Submissions

- (96) **Robert Ashe [7(e)], EHEA [10.1] and ECB [15]** submit that other councils such as Kapiti Coast District Council have done more to protect trees.
- (97) **EHEA [10.1]** requests that HCC should follow the example of Kapiti Coast District Council in making an inventory of native trees that must be protected and consider that the addition of a handful of trees does not remedy the environmental issues such as protection of natural resources, slope protection from erosion, visual amenity values and protection for indigenous plant and bird species.

Assessment

- (98) Kapiti Coast's District Plan had the most wide reaching blanket protection rules for indigenous trees in the region and is currently processing a plan change to achieve wide reaching protection of individually listed trees of high biodiversity value. The review proposes the protection of naturally occurring remnant trees (not planted trees) with very high biodiversity value. The proposed protection framework allows for trimming as a permitted activity if it is done according to the NZ Arboricultural Association Best Practice Amenity Tree Pruning Guideline while any other modification requires resource consent as either a controlled or restricted discretionary activity. The current review which has been referred to by submitters does not review the list of Notable Heritage Trees which is included in the Heritage Chapter, contains approximately 100 Notable Tree listings and is the equivalent of HCC's Notable Trees chapter.
- (99) As outlined earlier and discussed throughout this report the focus of this Plan Change is on the protection of Notable Trees mainly for their amenity and heritage values. Council is also undertaking a comprehensive review of ecosites, coastal natural character and outstanding natural landscapes and features. One other factor to keep in mind when comparing the different scope and proposals is that Hutt City's privately owned land has a much more urban character than the Kapiti Coast.
- (100) Furthermore Hutt City Council's policy is to only protect trees with the consent of the owner and in return take responsibility for the maintenance of protected trees. This approach may not be cost-effective for extensive numbers of protected trees.

Recommendation

- (101) This report recommends that the submissions of **Robert Ashe [7(e)], EHEA [10.1], ECB [15] and EHEA [10.1]** be rejected.

Submissions

- (102) **Robert Ashe [7.3] and ECB [15.10]** request that the requirement for land-owner permission for the protection of Notable Trees be removed.
- (103) **EHEA [F3.1]** supports the submissions in requesting that landowner consent not be required for adding trees to the register, for the reasons given.

Assessment

- (104) Council has decided it will continue its long-standing approach to protect trees on private land only with the permission of the owners. The protection of trees in the Plan may pose additional restrictions on

land owners and therefore Council's position is that compulsory protection of individual trees against the expressed wishes of owners can create avoidable conflicts.

- (105) Once a tree has been nominated or otherwise identified as potentially being Notable, a full STEM assessment is required to establish the value of the tree based on an objective and standardised evaluation. An owner who is opposed to having his/her tree protected is unlikely to grant Council access to undertake a meaningful evaluation and assessment of the tree.
- (106) The need for owners' consent for the assessment and protection of Notable Trees promotes a workable tree maintenance regime including property access, regular inspection and maintenance trimming if required. It also promotes a process that avoids costly and lengthy opposition from affected landowners that do not wish their trees to be assessed or protected.

Recommendation

- (107) This report recommends that the submissions of **Robert Ashe [7.3]** and **ECB [15.10]** and the supporting further submission of **EHEA [F3.1]** be rejected.

Submissions

- (108) **Robert Ashe [7.4]** and **ECB [15.11]** request to remove Council's responsibility for the maintenance of all protected trees and reserve this service for special cases.
- (109) **EHEA [F3.2]** supports the submissions in requesting that landowners remain responsible for maintenance, for the reasons given.

Assessment

- (110) Council's long-standing policy is to take responsibility for the maintenance of protected trees. This approach intends to lessen the burden on owners of protected trees. The costs of managing protected trees are assumed by Council on behalf of the community.
- (111) This approach avoids the imposition of additional costs for maintenance that needs to be undertaken by arboriculturists working on behalf of Council and potential consent costs onto landowners, who initially agreed to have their trees protected. It also recognises the benefits of protected trees to the community. While the cost of maintaining a protected tree for community benefit may be relatively high for the individual owner, such costs are relatively modest when spread among the community via Council. Council also achieves efficiencies and economies of scale with its widespread trees and parks and gardens maintenance programmes.

Recommendation

- (112) This report recommends that the submissions of **Robert Ashe [7.4]** and **ECB [15.11]** and the supporting further submission of **EHEA [F3.2]** be rejected.

Submissions

- (113) **Linda Mead [9.1]** submits that groups of trees can still be protected if identified by allotment.
- (114) **EHEA [F3.7]** supports suggestion that HCC carry out an allotment by allotment assessment, specifying street addresses in association with geo-referencing. RMA amendment permits contiguous allotments, which should simplify the process in hill residential and landscape areas where submitter has greatest concerns.

Assessment

- (115) The submitter is correct in stating that the RMA provides for the protection of identified groups of trees. The particular requirements relating to the protection of groups of trees are contained in Section 76(4A) for groups of trees on single allotments and Section 76(4B) for groups of trees on 2 or more adjacent allotments.
- (116) However this Plan Change and the related community tree nomination process (Great Hutt Trees promotion), were focused on and mainly resulted in the nomination of individual amenity trees rather than groups of trees. To ensure a transparent and robust evaluation to form the basis for protection all

nominated trees were assessed individually, even if they formed part of a group. All groups of trees that have been nominated and assessed happen to be situated on public land and are protected regardless of their status in the District Plan.

- (117) The suggested approach would have significant costs in identifying groups of trees to be assessed, carrying out STEM assessments and, if protected, the ongoing maintenance of those groups of trees.
- (118) Should Council's ecosites project identify that there are urban environment allotments with ecologically significant groups of trees then regulatory and other protection mechanisms will be considered through the ecosites process.

Recommendation

- (119) This report recommends that the submission of **Linda Mead [9.1]** and the supporting further submission of **EHEA [F3.7]** be rejected.

Submissions

- (120) **Ned Bruno [12.1]** and **Kate Orange [13.1]** are concerned about the impact of tree protection removal on site stability, amenity values and intrinsic values of ecosystems
- (121) **EHEA [F3.4]** supports submissions that specifically request the blanket provisions currently in place for allotments greater than 4,000m² remain in place.
- (122) **EHEA [F3.5]** supports the request that the District Plan specifically takes the matter of slope stability into account.

Assessment

- (123) Very few protected trees are proposed to be removed from the list of Notable Trees. Reasons for the proposed removals are that the tree doesn't exist anymore (e.g. storm damage), that it has been assessed and doesn't meet the STEM threshold of 120 or that the current owner did not give his/her consent for continued protection. Due to the lapsing of blanket tree provisions the previous protection for nikau palms became invalid on 4 September 2015 and is therefore proposed to be removed from the Plan. As part of this Plan Change 14 individual nikau palms have been nominated and individually assessed using STEM. Of these 14 nikau palms 12 met the threshold of 120 and are now proposed to be individually protected.
- (124) Vegetation clearance rules that are now invalid were not intended or designed to protect trees in particular but existing vegetation in general. Therefore the proposed changes are not removing tree protection in particular and are not expected to have any significant negative impact on site stability, amenity values and intrinsic values of ecosystem. Furthermore the proposed rule changes apply mainly to smaller, flatter sites in the urban environment where stability is unlikely to be of significant concern. The loss of the intrinsic values of ecosystems is accepted by the community for small urban allotments. For larger sites in the Hill Residential and Landscape Protection Residential Activity Areas the Plan Change proposes to retain vegetation clearance rules including the reference to site stability while making some amendments to the rules.

Recommendation

- (125) This report recommends that the submissions of **Ned Bruno [12.1]** and **Kate Orange [13.1]** and the supporting further submissions of **EHEA [F3.4]** be rejected.
- (126) This report recommends that the further submission of **EHEA [3.5]** be accepted in part insofar as site stability continues to be a relevant matter for discretion on larger sites.

3.6 Notable Trees - Proposed List of Notable Trees

Submissions

- (127) **Robert Ashe [7]** and **EHEA [10.1]** submit that the larger Notable Trees register does not make up for the loss of blanket protection for nikau palms and that significant numbers of old growth nikau palms are now unprotected and can be cut down.

Assessment

- (128) This report acknowledges that the majority of nikau palms lost their protection under the Plan. As outlined above the loss of blanket protection for nikau palms is a result of recent changes to the RMA. As a result of the nomination and assessment process 12 individual nikau palms are proposed to be added to the list of Notable Trees in the Plan and due to relevant legislation these nikau palms have immediate protection.
- (129) Nikau palms are generally valued by the community, often being described as iconic features of the city. Therefore there is likely to be wide interest in maintaining the majority of existing nikau palms on private properties. The benefits of a more regulatory approach to the protection of nikau palms do not outweigh the considerable cost associated with the identification, assessment, protection and maintenance of those trees.

Recommendation

- (130) This report recommends that the submissions of **Robert Ashe [7]** and **EHEA [10.1]** be rejected.

Submissions

- (131) **Robert Ashe [7.6]**, **Linda Mead [9.1]** and **ECB [15.13]** submit that the register needs regular updating, and that there must be an easy way to add trees and groups of trees.
- (132) **Linda Mead [9.1]** also submits that there must be a clear mechanism for the removal of trees from the register as they grow old and die.

Assessment

- (133) Under the provisions of the RMA adding any trees to or deleting any trees from the list of Notable Trees in the Plan will always require a plan change. However, if Council continues to follow its long-standing policy to only protect trees with the consent of owners, any future plan change proposing the addition of new trees to the Plan (without reviewing the underlying rules and provisions) would be expected to be relatively straight forward and potentially undisputed.
- (134) The proposed rules provide for the removal of dead or dying trees by Council as a permitted activity. This contributes to a timely, practical, cost-effective approach to managing Notable Trees.
- (135) Note: Council may wish to consider a regular review of the relevant part of the Plan and consequential plan changes to update the list of Notable Trees. These plan changes could potentially be combined with updates of other lists and schedules such as the list of Heritage Buildings and Structures. The frequency of such reviews would need to be determined but could occur every 3 years for example. The Hearing Committee could make a recommendation to Council to review and update the Work Programme of the Environmental Policy Division accordingly. This recommendation would however be on a matter beyond the scope of this Plan Change.

Recommendation

- (136) This report recommends that the submission of **Robert Ashe [7.6]**, **Linda Mead [9.1]** and **ECB [15.13]** be accepted in part.

Submissions

- (137) **Robert Ashe [7.7]** and **ECB [15.14]** submit that the proposed register protects predominantly early English heritage, not Maori or pre-Maori heritage. A wider variety of native endemic trees needs to be added.
- (138) **Linda Mead [9.1]** submits that there needs to be a way of including more local native trees, perhaps by reducing the STEM requirements for these.
- (139) **KEG [14.13]** submits that kahikatea should be added to list of Notable Trees.
- (140) **CCC [23.1]** submits that while the Notable Trees register is commendable, the emphasis is on British heritage and there is a distinct absence of indigenous species such as kahikatea, totara and nikau.

Assessment

- (141) The proposed list of Notable Trees is based on the current list of trees protected in the Plan. As mentioned earlier Council ran the Great Hutt Trees campaign in July and August 2014 which encouraged the public to nominate trees they consider notable and worthy of protection. In response to the nominations received Council undertook a preliminary assessment and excluded those trees that could not reach the threshold of notable. The remaining trees as well as other trees nominated earlier by members of the public and trees identified in the Royal New Zealand Institute of Horticulture Notable Trees Register were then assessed by Council's consultant arboriculturist using the Standard Tree Evaluation Method. There has been no bias or focus on Council's side to protect mainly early English heritage trees over native endemic trees with relevance to Maori or pre-Maori heritage.
- (142) One kahikatea was nominated and assessed but did not meet the STEM threshold of 120 and therefore is not proposed for protection.
- (143) To amend the STEM criteria to favour particular types of trees or to use different thresholds for different species would detract from the approach of using the nationally recognised standard method and is therefore not recommended.

Recommendation

- (144) This report recommends that the submissions of **Robert Ashe [7.7]**, **ECB [15.14]**, **Linda Mead [9.1]**, **KEG [14.13]** and **CCC [23.1]** be rejected.

3.7 Notable Trees - Individual Tree Proposals

Submission

- (145) **Paulette Yvonne Scott [1.1]** requests the removal of the Copper Beech on her property at 7 Norfolk Street, Belmont from the proposed list of protected trees.

Assessment

- (146) Council's policy is to protect Notable Trees only with the consent of the owner. As the owner does not give her consent the tree is recommended to be removed from the list of protected trees as requested by the owner.

Recommendation

- (147) This report recommends that the submission of **Paulette Yvonne Scott [1.1]** be accepted.

Submission

- (148) **Rod & Liz Gillespie and David Butler [2.1]** request to retain the European Ash on their property at 18 Hautana Square, Woburn on the proposed list of protected trees.

Assessment

- (149) This tree achieved a STEM score of 138 and its protection is supported by the owners.

Recommendation

- (150) This report recommends that the submission of **Rod & Liz Gillespie and David Butler [2.1]** be accepted.

Submission

- (151) **Julia Stewart [3.1]** requests that the totara tree in Oroua Street (opposite 111-113 Oroua Street), Eastbourne be added to the proposed list of protected trees.

Assessment

- (152) The tree has been assessed by Council's consultant arboriculturist and achieved a STEM score of 99. It does not meet Council's proposed STEM threshold of 120 or more and is therefore not recommended to be added to the list of protected trees.

Recommendation

- (153) This report recommends that the submission of **Julia Stewart [3.1]** be rejected.

Submission

- (154) **Julia Stephens et al. [4.1]** request the removal of the English Oak on her property at 235 Riverside Drive, Waterloo from the proposed list of protected trees. The submitters list a number of reasons for the removal of the tree from the list and disagree with some of the findings of the STEM assessment.

Assessment

- (155) Council's policy is to only protect trees with the consent of the owner. As the owner does not give her consent the tree is recommended to be removed from the list of protected trees as requested by the owner.

Recommendation

- (156) This report recommends that the submission of **Julia Stephens et al. [4.1]** be accepted.

Submissions

- (157) **PPAG [5.2]** and **KEG [14.13]** request that the Morten Bay Fig at 193 Jackson Street (Doreen Doolan Mall) be added to the proposed list of protected trees.

Assessment

- (158) This tree had been nominated and assessed as part of the Great Hutt Trees campaign but with a STEM score of 114 does not meet Council's proposed threshold of 120 and therefore has not been proposed to be protected.

Recommendation

- (159) This report recommends that the submissions of **PPAG [5.2]** and **KEG [14.13]** be rejected.

Submission

- (160) **PPAG [5.2]** requests that the Kermadec Pohutukawa at 274A Jackson Street (eastern-most in front of Police station) be added to the proposed list of protected trees.

Assessment

- (161) This tree has previously been listed in the District Plan and has been assessed by Council's consultant arboriculturist as part of the Plan Change process. The tree achieved a STEM score of 114 and does not meet Council's proposed threshold of 120 to qualify for protection.

Recommendation

- (162) This report recommends that the submission of **PPAG [5.2]** be rejected.

Submission

- (163) **PPAG [5.2]** requests that all Pohutukawa Trees in the northern Buick Street centre strip, Petone be added to the proposed list of protected trees.

Assessment

- (164) All Pohutukawa Trees in the northern Buick Street centre strip were previously listed and have been individually assessed by Council's consultant arboriculturist as part of the Plan Change process. Those that reached Council's proposed threshold of 120 or more are proposed to be retained on the list of protected trees. However those trees that did not meet the minimum STEM score of 120 to qualify for protection are proposed to be deleted from the list. The STEM scores for those trees not recommended for protection vary between 90 and 111. All street trees are owned by Council and therefore are managed and protected by Council.

Recommendation

- (165) This report recommends that the submission of **PPAG [5.2]** be rejected.

Submission

- (166) **PPAG [5.2]** requests that all pohutukawa trees on the island in Tennyson Street, Petone be added to the proposed list of protected trees.

Assessment

- (167) All Pohutukawa Trees on the island in Tennyson Street were previously listed in the Plan and have been individually assessed by Council's consultant arboriculturist as part of the plan change process. Those that reached Council's proposed threshold of 120 or more are proposed to be retained on the list of protected trees. However those trees that did not meet the minimum STEM score of 120 to qualify for protection are proposed to be deleted from the list. The STEM scores for those trees not recommended for protection vary between 108 and 114. All street trees are owned by Council and are therefore managed and protected by Council.

Recommendation

- (168) This report recommends that the submission of **PPAG [5.2]** be rejected.

Submission

- (169) **PPAG [5.2]** requests that all other pohutukawa trees making the canopy of trees at the Victoria Street/Cuba Street intersection, Petone be added to the proposed list of protected trees.

Assessment

- (170) All pohutukawa trees at the intersection of Victoria Street and Cuba Street were previously listed in the District Plan and have been individually assessed by Council's consultant arboriculturist as part of the plan change process. Those that reached Council's proposed threshold of 120 or more are proposed to be retained on the list of protected trees. However those trees that did not meet the minimum STEM score of 120 to qualify for protection are proposed to be deleted from the list. The STEM scores for those trees not recommended for protection vary between 72 and 114. All street trees are owned by Council and are therefore managed and protected by Council.

Recommendation

- (171) This report recommends that the submission of **PPAG [5.2]** be rejected.

Submission

- (172) **PPAG [5.2]** requests that the nikau palm at 37 Tory Street, Petone be added to the proposed list of protected trees (subject to the owner's approval)

Assessment

- (173) The owner declined permission for their nikau palm to be assessed or added to the list of Notable Trees.

Recommendation

- (174) This report recommends that the submission of **PPAG [5.2]** be rejected.

Submission

- (175) **PPAG [5.2]** requests that the northern rata at 15 Elizabeth Street, Petone be added to the proposed list of protected trees.

Assessment

- (176) The owner has been approached but so far has not given consent to assess and potentially protect the tree.

Recommendation

- (177) This report recommends that the submission of **PPAG [5.2]** be rejected.

Submission

- (178) **John Marwick [17.1]** requests that the flowering eucalypt tree at on his property at 12 Konini Street, Eastbourne be added to the proposed list of protected trees.

Assessment

- (179) The tree has been assessed by Council's consultant arboriculturist but only achieved a STEM score of 117. It does not meet Council's proposed STEM threshold of 120 or more and is therefore not recommended to be added

Recommendation

- (180) This report recommends that the submission of **John Marwick [17.1]** be rejected.

Submission

- (181) **Alison Fleming [6.1]** requests that seven nikau palms on the property at 19/19A Nikau Street, Eastbourne be added to the proposed list of protected trees.

Assessment

- (182) Five nikau palms on the property at 19/19A Nikau Street have been assessed by Council's consultant arboriculturist and three of those reached a STEM score of 120 or over (123, 144, 150) and would thereby qualify for protection.
- (183) The property at 19 and 19A Nikau Street is a cross-lease property containing two flats. The nikau palms have been nominated by the owners of Flat 1 (19 Nikau Street - A Fleming, G Nielsen, F Staples) but there is no consent or otherwise from the owners of Flat 2 (19A Nikau Street - S and M Diederich).
- (184) Council's policy is to protect Notable Trees only with the consent of the owner. This report recommends that Council's policy be applied consistently and the nikau palms are not added to the list of protected trees without the support of all the property's owners.

Recommendation

- (185) This report recommends that the submission of **Alison Fleming [6.1]** be rejected.

Submissions

- (186) **Sinead & Matt Diederich [19.1]** and **Gary Baird [20.1]** request the removal of the kauri tree on the property at 19/19A Nikau Street, Eastbourne from the proposed list of protected trees.

Assessment

- (187) The kauri tree on the property at 19/19A Nikau Street is currently protected in the District Plan and has been assessed as part of this plan change process. The assessment resulted in a STEM score of 129 and the tree was therefore recommended to be retained on the list of protected trees.
- (188) The property at 19 and 19A Nikau Street is a cross-lease property containing two flats. The owners of Flat 2 (19A Nikau Street - S & M Diederich) request the removal of the Kauri Tree from the list of protected trees. The owners of Flat 1 (19 Nikau Street - A Fleming, G Nielsen, F Staples) however have not given their approval or otherwise for the tree to be removed. During a phone conversation on 2 February 2016 Mr Glenn Nielsen stated his concern and opposition to the removal but a formal submission or further submission to this effect has not been received.
- (189) Council's policy is to protect Notable Trees only with the consent of the owner. In this case this could be interpreted in two ways – either delete the tree from the list of protected trees because not all of the owners support the retention or retain the tree on the list because it is currently a protected tree and the deletion does not have the support of all the property owners. Considering that this tree is currently protected and not all of the owners support the proposed removal this report recommends that the kauri tree is not deleted from the list of protected trees without the support of all the property's owners.

Recommendation

- (190) This report recommends that the submissions of **Sinead & Matt Diederich [19.1]** and **Gary Baird [20.1]** be rejected.

Submission

- (191) **Martin Edghill [22.1 - late]** requests that the titoki tree on his property at 46 Laings Road, Hutt Central be added to the proposed list of protected trees.

Assessment

- (192) Council's consultant arboriculturist has repeatedly but unsuccessfully tried to contact Mr Edghill to arrange access to the site for a full STEM assessment of the tree.

Recommendation

- (193) This report recommends that the submission of **Martin Edghill [22.1 - late]** be rejected.

3.8 Notable Trees - Nikau Palm Protection

Submissions

- (194) **PPAG [5.1]** and **Robert Ashe [7.1]** submit that nikau palms are endemic and should be valued and become iconic parts of the city.
- (195) **Robert Ashe [7.5]** and **ECB [15.12]** request that Council identify and add all remaining unprotected old growth nikau palms to the Notable Trees register.
- (196) **EHEA [F3.4]** supports submissions that specifically request the blanket provisions currently in place for allotments greater than 4,000m² remain in place.

Assessment

- (197) Nikau palms have been protected by the Plan since it became operative in 2003. They are widely valued and seen as an important part of the city's landscape and appearance. The end of blanket protection does not mean that nikau palms are not valued by residents anymore. Certain specimen have been nominated and assessed and are now proposed to be protected individually.
- (198) The cost of identifying and regulating the protection of all old growth nikau palms throughout the City would be high and would outweigh the benefits. This approach would, under the current policy, require the consent of all owners and the individual assessment of all trees or groups of trees. Furthermore there appear to be large quantities of old growth nikau palms on HCC reserve land and within regional

parks which are already protected through Council's ownership and the relevant bylaws as well the Reserves Act 1977.

Recommendation

- (199) This report recommends that the submissions of **PPAG [5.1]** and **Robert Ashe [7.1]** and the supporting further submission of **EHEA [F3.4]** be accepted in part.
- (200) This report recommends that the submissions of **Robert Ashe [7.5]** and **ECB [15.12]** be rejected.

3.9 Notable Trees - STEM Assessment Criteria

Submission

- (201) **Rod & Liz Gillespie and David Butler [2.2]** request that the STEM assessment method be approved.

Assessment

- (202) The Standard Tree Evaluation Method is the most widespread method of evaluating heritage and Notable Trees for district plans around the country and is the preferred methodology used by the Royal New Zealand Institute of Horticulture (RNZIH). It provides an objective scoring system and is generally considered the most robust evaluation method for amenity trees.

Recommendation

- (203) This report recommends that the submission of **Rod & Liz Gillespie and David Butler [2.2]** be accepted.

Submissions

- (204) **PPAG [5.2]** and **KEG [14.13]** submit that the STEM assessment system can be limiting and therefore the selection of Notable Trees should not be based only on STEM but should also consider their context in the local environment.
- (205) **Robert Ashe [7.2]** submits that the STEM scoring system is flawed as it looks at trees in isolation and does not capture positive biodiversity values and therefore should be used as a guide only.
- (206) **Linda Mead [9.1]** submits that the STEM requirements should be reduced for local native trees to ensure protection.
- (207) **GWRC [16.3 and 16.5]** submits that ecological value should be included in the criteria for assessment of Notable Trees and that a re-evaluation is required.
- (208) **Troy Baisden [F2.1]** *supports the view that the recognition of ecological values in Council plans is important.*
- (209) **EHEA [F3.3]** *supports comments to the effect that scattered individual or small clusters of trees, particularly large specimens can have disproportionately high biodiversity values.*

Assessment

- (210) The STEM method has been used and refined in New Zealand since 1996 to provide an objective scoring system for amenity trees. The method is tried and tested in New Zealand and is widely accepted and used by local authorities and government departments in relation to the management and legal protection of amenity trees. STEM is the preferred method of the Royal New Zealand Institute of Horticulture (RNZIH).
- (211) The ecology values of assessed trees are covered in reasonable depth within the STEM criteria. Ecology is covered is found by the 'Function' category where both the physical and conservation value of the trees are assessed. It is also provided for in the 'Historic' and 'Scientific' scoring categories.
- (212) To amend the STEM criteria to focus more on ecology or favour particular types of trees would detract from the approach of using the nationally recognised standard method and is therefore not recommended.

Recommendation

- (213) This report recommends that the submissions of **PPAG [5.2]**, **KEG [14.13]**, **Robert Ashe [7.2]**, **Linda Mead [9.1]** and **GWRC [16.3 and 16.5]** and the supporting further submission of **Troy Baisden [F2.1]** and **EHEA [F3.3]** be rejected.

3.10 Notable Trees - Amendments - Issue, Objective, Policies

Amendment 28 - Chapter 14G - Introduction

Amendment 29 - Chapter 14G - Issue 14G 2.1

Amendment 30 - Chapter 14G - Objective 14G 3.1

Submissions

- (214) **GWRC [16.3]** requests that the recognition of ecological values be incorporated in the proposed Introduction. The submitter further requests to amend the wording of Issue 14G 2.1 and Objective 14G 3.1 to include reference to ecological values.
- (215) **EHEA [F3.3]** supports comments to the effect that scattered individual or small clusters of trees, particularly large specimens can have disproportionately high biodiversity values.

Assessment

- (216) As discussed earlier ecological value, while playing a role, is not the main criteria for the protection of trees as Notable Trees. The Notable Trees chapter focuses on the protection of trees with high amenity values in the urban environment and recognises and protects trees mainly for their heritage, cultural and amenity values.
- (217) As discussed earlier the ecology values of assessed trees are covered in reasonable depth within the STEM criteria. This is found within the 'Function' category where both the physical and conservation value of the trees are assessed. It is also provided for in the 'Historic' and 'Scientific' scoring categories.
- (218) The focus of this review is not on the ecological value of individual trees. Council is currently in the process of reviewing the Significant Natural Resources provisions and is actively identifying, assessing and potentially protecting ecosites to fulfil its obligation under the RMA and the Regional Policy Statement for the Wellington Region (RPS) to protect significant indigenous vegetation and significant habitats of indigenous fauna.

Recommendation

- (219) This report recommends that the submission of **GWRC [16.3]** and the supporting further submission of **EHEA [F3.3]** be rejected.

Amendment 34 - Chapter 14G Policy 14G 4.4

Submission

- (220) **Ministry of Education (MoE) [11.3]** submits that there is uncertainty as to what is the extent of trimming or activities in relation to Notable Trees (including within canopy and root zone) that may constitute damage or be a compromise to a Notable Tree.

Assessment

- (221) Under the existing and proposed rules the trimming of a protected Notable Tree is only permitted if undertaken by Council, which includes its agents and contractors. Any trimming of a protected tree that is undertaken by someone who is not a Council arboriculturist is a discretionary activity requiring a resource consent and the conditions of the resource consent are expected to outline the extent of work allowed for under the consent and the standards to be followed when undertaking the work (e.g. the New Zealand Arboriculture Association Best Practice Guideline for Amenity Tree Pruning). A reference to this guideline or a specific definition for trimming is not necessary in relation to the permitted activity considering that trimming is only permitted if undertaken by Council's arboriculturist.

(222) With regard to activities in the dripline of Notable Trees (canopy and root zone) a pre-cautionary approach should be taken to avoid any potential damage to the tree (e.g. pruning or trimming of roots, laying of impermeable surfaces or storage of hazardous materials or chemicals within the dripline).

Recommendation

(223) This report recommends that the submission of **MoE [11.3]** be rejected.

3.11 Notable Trees - Amendments - Rules

Amendment 36 - Chapter 14G - Rule 14G 5.1

Amendment 37 - Chapter 14G - Rule 14G 5.2

Submissions

(224) **MoE [11.2, 11.4 and 11.5]** submits that the wording of Rule 14G 5.1 and Rule 14G 5.2 seems to be inconsistent with the wording of Policy 14G 4.3 as it does not provide for the trimming or removal of a Notable Tree as a permitted activity if it is done by a qualified arboriculturist approved of but not working under Hutt City Council. The submitter requests that Rule 14G 5.1 and Rule 14G 5.2 be amended to reflect the intent of Policy 14G 4.3 to allow for trimming to be undertaken by an arboriculturist approved by but not working for Council.

(225) **Powerco [F1.1]** requests that Council accept the submission and make the changes sought. Works in and around Powerco's gas distribution network, including the trimming or removal of vegetation, must be undertaken by Powerco approved contractors for health and safety reasons.

Assessment

(226) Rules 14G 5.1 and 14G 5.2 are intentionally worded the way they are to reflect the intention that only Council (which includes consultant arboriculturists working on behalf of Council) is entitled to undertake the trimming or removal of protected trees. This is based on Council's policy to take responsibility for and undertake all work required for the maintenance of protected trees. There is no need to provide for arboriculturists that are approved by but do not work for or on behalf of Council to be included in this rule.

(227) To provide consistency and avoid any uncertainty this report recommends to amend the wording of Policy 14G 4.3 to reflect this intention by replacing the words "approved by Council" with the words "working on behalf of Council".

(228) The further submission by Powerco raises the issue that any work around Powerco's gas distribution network, including the trimming and removal of vegetation, needs to be undertaken by Powerco approved contractors.

(229) This issue can be addressed by having Council's consultant arboriculturist on site as well as Powerco's approved contractors and for those parties to work together to ensure the best outcome in protecting the health of the tree as well as complying with Powerco's health and safety requirements.

Recommendation

(230) This report recommends that the submission of **MoE [11.2, 11.4 and 11.5]** and the supporting further submission of **Powerco [F1.1]** be accepted in part.

(231) The initially proposed wording of Policy 14G 4.3 does not align completely with the wording of Rules 14G 5.1 and 14G 5.2. Council's intention is however correctly reflected by Rules 14G 5.1 and 14G 5.2 and therefore this report recommends to amend Policy 14G 4.3 as follows:

<p><u>Policy 14G 4.3</u></p> <p><u>Trimming or removal of Notable Trees should be undertaken by Council or a qualified arboriculturist approved by working on behalf of Council.</u></p>

Amendment 38 - Chapter 14G - Rule 14G 5.3

Submission

- (232) **MoE [11.6]** submits that the proposed rule makes no provision for minor activities in relation to either emergency or routine maintenance of existing services such as power, telephone, stormwater, water or wastewater and that the current form of the proposed rule creates an inability of a school to complete maintenance which could lead to school closures and is not acceptable.
- (233) The submitter states that the trimming of vegetation and routine infrastructure maintenance would not be covered under the provision of an Outline Plan of Works or Waiver of Outline Plan under Sec 176A of the RMA. These works are more frequent and may occur on an unplanned and ad hoc basis. The submitter considers that infrastructure upgrade works, or physical changes within the School designation however (e.g. new buildings or playgrounds) are public work of a scale and significance that is planned and would trigger a Sec 176A process and would be exempt from compliance with the proposed rules.
- (234) The submitter requests that Rule 14G 5.3 is amended to provide for routine infrastructure maintenance services (fixing or replacement of the same line or pipe used as part of a utility network) as a permitted activity. If maintenance is required the trimming of vegetation or excavation of pipes or lines within the dripline of protected trees should be allowed without need for resource consent.
- (235) **Powerco [F1.2]** requests that Council accept the submission and make the changes sought. *The submitter considers that it is appropriate to make provision for the ongoing operation, maintenance and upgrade of existing network utilities as a permitted activity. Tree roots can grow into and cause damage to underground gas assets, while above ground vegetation can restrict access to assets for maintenance and upgrade purposes. The trimming and, where necessary clearing of vegetation is an essential part of ongoing operation, maintenance and upgrade of the gas distribution network to ensure a continuous supply of gas to customers*

Assessment

- (236) The submitter states that the proposed rule does not provide for minor activities in relation to emergency or routine maintenance of existing services such as power, telephone, stormwater, water or wastewater and thereby creates an inability of a school to complete maintenance which could lead to school closures.
- (237) Those trees protected in the Plan have gone through a robust assessment process and have been found to be Notable and worthy of protection by meeting a threshold for protection set by Council. To allow for the trimming or any disturbance and potential damage to the canopy or the root system within the dripline of protected trees for standard maintenance work relating to network utilities is appropriate and might compromise the protection of these trees.
- (238) The submitter considers that the trimming of vegetation and routine infrastructure maintenance would not be covered under the provision of an Outline Plan of Works or Waiver of Outline Plan under sec 176A of the RMA. If that was the case these activities would have to comply with the underlying rules of the Plan and require resource consent. The submitter states that these works may occur on an unplanned and ad hoc basis.
- (239) This report does not support the submitter's view that infrastructure maintenance and upgrading is not covered by the designation. Any maintenance and upgrading of the school site (including the maintenance or upgrading of buildings, play areas and related infrastructure) that relates to the designated purpose (being school) is covered by the designation. Only activities that do not relate to the purpose of the designation, e.g. the erection of a dwelling and related activities affecting protected trees would not be covered by the designation and would require resource consent. Overall the designation and any work or activity covered by the designation overrides the underlying provisions of the Plan.
- (240) Any work or activity not covered by the purpose of the designation should be subject to the same rules that apply as beyond the boundaries of the designation. Case by case assessment through the resource consent process is appropriate if the work/activity may potentially endanger the health of a protected Notable Tree.

- (241) Routine infrastructure maintenance and upgrading is as a matter of course scheduled and planned ahead rather than being undertaken on an ad hoc basis. The need to apply for resource consent in relation to maintenance work within the dripline of a known protected tree that is not covered by the designation could be factored into the work programme to avoid school closures.
- (242) Emergency works in relation to network utilities are provided for in Section 330 of the RMA.
- (243) As discussed earlier Council's policy is to protect Notable Trees on private property only with the consent of the owners. The Ministry of Education or the affected schools have the option of withdrawing their permission for District Plan protection of trees on school properties and managing their trees as they see fit.

Recommendation

- (244) This report recommends that the submission of **MoE [11.6]** and the supporting further submission of **Powerco [F1.2]** be rejected.

3.12 Vegetation Removal Provisions - General

Submissions

- (245) **PPAG [5.1]** submits that the Plan Change should add a balancing statement on the value to the community of retaining vegetation, especially native vegetation and provisions to protect the best trees and retain high amounts of natural vegetation in suburbs and hills.
- (246) **EHEA [F3.4]** supports submissions that specifically request the blanket provisions currently in place for allotments greater than 4,000m² remain in place.

Assessment

- (247) The proposed provisions are considered to be the most appropriate way of protecting Notable Trees given the limitations on blanket protection introduced by the RMAA 2013. A detailed evaluation is contained in the Section 32 report which forms part of the notified Plan Change.
- (248) As outlined throughout this report Council is currently reviewing the Plan relating to the identification and protection of significant natural resources (ecosites) and the identification and protection of coastal natural character and outstanding natural landscapes and outstanding natural features.

Recommendation

- (249) This report recommends that the submission of **PPAG [5.1]** and the supporting further submission of **EHEA [F3.4]** be rejected.

Submissions

- (250) **PPAG [5.1]** and **Robert Ashe [7.9]** request the addition of provisions for any replacement vegetation for the stabilisation of slopes after vegetation clearance to use/prefer locally sourced native (indigenous, endemic) plants.
- (251) **EHEA [F3.4]** supports submissions that specifically request the blanket provisions currently in place for allotments greater than 4,000m² remain in place.

Assessment

- (252) The proposed provision which requires stabilisation against erosion by vegetation cover or other method is anticipated to be sufficient. Exotic species may sometimes be better suited to achieve short term results and become nursery plants for native indigenous vegetation over time. To regulate the plant species that property owners are allowed to plant in their urban gardens (be it for slope stabilisation or otherwise) may not find community support. Furthermore the proposed restriction to use only locally sourced native plants would be almost impossible to monitor and enforce. Overall the costs are likely to outweigh the benefits of this approach.

Recommendation

- (253) This report recommends that the submissions of **PPAG [5.1]** and **Robert Ashe [7.9]** and the supporting further submission of **EHEA [F3.4]** be rejected.

Submission

- (254) **Robert Ashe [7(g)]** submits that no balancing measures are proposed by the Plan Change to protect or enhance the intrinsic values and ecosystem services that trees and vegetation offer and that there is a need to balance development needs with the interests of existing residents/communities. The submitter requests that Council evaluates the more extensive use of protective covenants.

Assessment

- (255) As mentioned above Council is currently undertaking a review to identify and establish appropriate provisions for the protection of ecosites and outstanding natural landscapes. The review will provide the opportunity for such issues to be fully considered.
- (256) As previously explained all blanket tree protection provisions became invalid on 4 September 2015. The proposed provisions as outlined in the Plan Change are considered to be one step towards achieving a balance between the need for further development and the interests of the existing residents to protect vegetation and amenity values. The outcomes of the above mentioned reviews of ecosites, natural landscapes and coastal natural character are expected to be the next steps in achieving this balance.
- (257) Protective covenants are a tool that land owners can choose to enhance long term protection for valued trees or areas of vegetation on their property. They are usually voluntary and initiated by land owners. The cost for establishing a covenant as well as the cost for the ongoing maintenance lies solely with the owner of the tree/vegetation that is protected rather than being shared with the community.

Recommendation

- (258) This report recommends that the submission of **Robert Ashe [7(g)]** be rejected.

Submissions

- (259) **Ann van der Veen [8.1]** submits that the current regulations protecting hill side flora should not be weakened by proposed changes. The submitter wants to see the native flora of hillsides preserved as it supports native fauna and trees help to prevent erosion and flooding.
- (260) **EHEA [F3.4]** supports submissions that specifically request the blanket provisions currently in place for allotments greater than 4,000m² remain in place.

Assessment

- (261) As discussed earlier all blanket tree protection provisions (including the vegetation clearance rules for sites under 4000m² and the blanket protection rules for remnant nikau palms) became invalid on 4 September 2015. As a result of the new RMA provisions for urban environment allotments any protected trees and groups of trees need to be individually identified and this Plan Change focusses on identifying and protecting individual Notable Trees as well as updating vegetation clearance rules for sites over 4000m².
- (262) A review to identify and establish appropriate provisions for the protection of ecosites and outstanding natural landscapes is expected to address appropriate protection for significant or outstanding sites.

Recommendation

- (263) This report recommends that the submission of **Ann van der Veen [8.1]** and the supporting further submission of **EHEA [F3.4]** be rejected.

Submissions

- (264) **Linda Mead [9.1]** submits that the continued protection of ‘vegetation’ (now ‘groups of trees’) is important and land owner’s permission should not be required. The submitter is concerned that the consequences of vegetation clearance will become highly significant over time.
- (265) **EHEA [F3.7]** supports the suggestion that HCC carry out an allotment by allotment assessment, specifying street addresses in association with geo-referencing. The RMA amendment permits contiguous allotments, which should simplify the process in hill residential and landscape areas where the further submitter has greatest concerns.

Assessment

- (266) As outlined earlier the term ‘vegetation’ is not equivalent to nor can simply be replaced by the term ‘groups of trees’. Groups of trees are defined in the RMA as “trees forming a cluster or line or grove on a single or adjacent allotments. A group of trees includes trees that are located in close proximity to each other but do not need to overlap or touch, have an obvious level of visual connectedness and may be the same or variable species. A group of trees must not be dispersed, dissected, interrupted or traversed by a road or an empty allotment.” To be protected each group needs to be identified and scheduled in the plan.
- (267) As discussed earlier in this report Council’s policy is to protect Notable Trees only with the permission of the land owner and this policy would apply to groups of trees on private properties as well as individual trees.
- (268) The amount of vegetation clearance is unlikely to increase dramatically in response to the removal of vegetation clearance provisions on urban environment allotments (under 4000m²). Under the previous (now invalid) vegetation clearance provisions a proposed development that required the removal of vegetation over a certain threshold would have required resource consent. A brief monitoring of resource consents applications for vegetation clearance shows that the majority of those resource consents have been granted and the vegetation clearance and development was enabled to go ahead. Under the proposed provisions there would be no limitation on vegetation clearance on urban environment allotments (except for listed Notable Trees). However if no development is proposed there is a very limited likelihood for an owner to clear all vegetation especially on steeper hillside lots considering the associated costs and the questionable benefits.

Recommendation

- (269) This report recommends that the submission of **Linda Mead [9.1]** and the supporting further submission of **EHEA [F3.7]** be rejected.

3.13 Vegetation Removal Provisions - RMAA 2013

Submissions

- (270) **Julia Stuart [3.2], Robert Ashe [7] and ECB [15]** submit that the amendments relating to vegetation clearance go beyond what is required by the RMAA 2013.
- (271) **Julia Stuart [3.2]** submits that the remediation provisions are inadequate and requests that the proposed amendments be deleted except for limited exceptions relating to tree protection required by RMAA 2013.
- (272) **EHEA [10.1]** submits that the status quo should be maintained as far as possible.
- (273) **EHEA [F3.4]** supports submissions that specifically request the blanket provisions currently in place for allotments greater than 4,000m² remain in place.

Assessment

- (274) As discussed above all rules that restrict vegetation clearance in urban zones are now considered to be contrary to Sections 76(4A) to (4D) unless they relate to individual trees and groups of trees that are satisfactorily identified and described in a schedule to the Plan. The existing vegetation clearance provisions for urban environment allotments therefore became invalid on 4 September 2015.

- (275) As mentioned before Sections 76(4A) to (4D) relate to urban environment allotments only. To reflect this the Plan Change proposes to retain amended vegetation clearance restrictions for sites over 4000m² in the Hill Residential and Landscape Protection Residential Activity Areas. The proposed changes to these provisions are mainly designed to improve the effectiveness and enforceability of these rules e.g. by introducing time frames and focussing protection on indigenous vegetation.
- (276) Blanket protection provisions for all trees cannot be justified. Any protective regulation needs to relate to significant or outstanding areas and as outlined throughout this report the process of identifying and assessing these areas is currently underway.

Recommendation

- (277) This report recommends that the submissions of **Julia Stuart [3.2]**, **Robert Ashe [7]**, **ECB [15]** and **EHEA [10.1]** and the supporting further submission of **EHEA [F3.4]** be rejected.

Submissions

- (278) **Linda Mead [9.1]** submits that there is need for a clear, legally defensible definition of “significant indigenous vegetation and significant habitats of indigenous fauna” and identification of these areas.
- (279) **ECB [15.8]** submits that significant areas of vegetation and habitats for significant fauna need to be mapped and protected.
- (280) **EHEA [F3.7]** supports the suggestion that HCC carry out an allotment by allotment assessment, specifying street addresses in association with geo-referencing. The RMA amendment permits contiguous allotments, which should simplify the process in hill residential and landscape areas where the further submitter has greatest concerns.

Assessment

- (281) As mentioned above the identification and protection of significant indigenous vegetation and significant habitats of indigenous fauna will be addressed as part of the work on ecosites which is currently underway. The focus of the Plan Change is to protect Notable Trees and bring the Plan in line with recent changes of the RMA.
- (282) The RPS provides guidance on the identification and protection of indigenous ecosystems and habitats with significant indigenous biodiversity values (Objective 16, Policies 23, 24 and 47). The proposed definition and work on the identification of these areas are beyond the scope of this Plan Change.

Recommendation

- (283) This report recommends that the submission of **Linda Mead [9.1]** and **ECB [15.8]** and the supporting further submission of **EHEA [F3.7]** be rejected.

3.14 Vegetation Removal Provisions - Amendments - New Definitions

Submissions

- (284) **Robert Ashe [7.8]** and **ECB [15.5]** request the addition of a definition for endemic vegetation meaning native vegetation specific to the region and sourced from local seed

Assessment

- (285) At this stage it is not necessary to insert a definition for endemic vegetation as there is no reference to this term in the proposed provisions. In the context of this Plan Change the proposed definition of exotic and indigenous vegetation is sufficient.

Recommendation

- (286) This report recommends that the submissions of **Robert Ashe [7.8]** and **ECB [15.5]** be rejected.

Submissions

- (287) **GWRC [16.5]** requests to define ‘tree’ separately to ‘vegetation’ and exclude Notable Trees from the definition for ‘tree’.
- (288) **Troy Baisden [F2.1]** supports the view that the recognition of ecological values in Council plans is important.

Assessment

- (289) The suggestion to exclude trees from the definition of vegetation and then draft provisions that restrict the removal of vegetation but at the same time allow for the removal of trees because they are not covered by the definition for vegetation provided by the plan (except for protected Notable Trees) would be not only confusing but inconsistent with and even contradictory to the intentions of the RMAA 2013. The clear intention of Sections 76(4A) to (4D) is to remove any blanket protection and provide certainty for landowners and plan users about what tree protection rules affect their properties

Recommendation

- (290) This report recommends that the submission of **GWRC [16.5]** and the supporting further submission of **Troy Baisden [F2.1]** be rejected.

3.15 Vegetation Removal Provisions - Amendments - Policies

Amendment 4 - Policies 4A 1.1.1 (e) and (f)

Submission

- (291) **KEG [14.1]** requests to retain Policies 4A 1.1.1 (e) and (f).

Assessment

- (292) Policies 4A 1.1.1 (e) and (f) relate to and were supported by Rules 4A 2.3 (b) and 4A 2.3.1 (c) which classified the removal of vegetation in excess of 500m² (or 35% of the site) as a restricted discretionary activity in the General Residential Activity Area. As outlined throughout this report these rules are now invalid and are therefore proposed to be deleted. Consequently this report recommends deleting any policy relating to the restriction of vegetation removal as these are no longer supported by the relevant rules.

Recommendation

- (293) This report recommends that the submission of **KEG [14.1]** be rejected.

Amendment 5 - Explanation and Reasons 4A 1.1.1

Submission

- (294) **KEG [14.2]** requests to retain the last sentence of 4A 1.1.1 Explanation and Reasons

Assessment

- (295) The last sentence of 4A 1.1.1 Explanation and Reasons relates to a restricted discretionary activity that has become invalid and is therefore proposed to be deleted. To retain this sentence would be confusing and not add any value to the Explanation and Reasons.

Recommendation

- (296) This report recommends that the submission of **KEG [14.2]** be rejected.

Amendment 9 - Policy 4B 1.1.1 (b)

Submission

- (297) **KEG [14.1]** requests to retain Policy 4B 1.1.1 (b).

Assessment

- (298) Policy 4B 1.1.1 (b) relates to and was supported by Rules 4B 2.2 (b) and 4B 2.2.1 (b) which classified the removal of vegetation in excess of 500m² (or 35% of the site) as a restricted discretionary activity in the Special Residential Activity Area. As outlined throughout this report these rules are now invalid and are therefore proposed to be deleted. Consequently this report recommends deleting any policy relating to the restriction of vegetation removal as these are no longer supported by the relevant rules.

Recommendation

- (299) This report recommends that the submission of **KEG [14.1]** be rejected.

Amendment 14 - Policy 4D 1.1.1 (c)

Submissions

- (300) **KEG [14.9]** requests to retain Policy 4D 1.1.1 (c).
- (301) **EHEA [F3.4]** supports submissions that specifically request the blanket provisions currently in place for allotments greater than 4,000m² remain in place.

Assessment

- (302) Policies 4D 1.1.1 (b) and (c) relate to and were supported by Rules 4D 2.2 (b) and 4D 2.2.1 (b) which classified the removal of vegetation in excess of 500m² (or 35% of the site) as a restricted discretionary activity in the Hill Residential Activity Area. As outlined throughout this report these rules are now partially invalid and are therefore proposed to be amended to apply to sites over 4000m² and to focus on the removal of indigenous vegetation. Consequently this report recommends partly amending and partly deleting the related policies to reflect those changes.

Recommendation

- (303) This report recommends that the submission of **KEG [14.9]** be rejected.

Amendment 21 - Policy 4E 1.1.1 (d)

Submissions

- (304) **KEG [14.11]** requests to retain Policy 4E 1.1.1 (d)
- (305) **EHEA [F3.4]** supports submissions that specifically request the blanket provisions currently in place for allotments greater than 4,000m² remain in place

Assessment

- (306) Policies 4E 1.1.1 (c) and (d) relate to and were supported by Rules 4E 2.2 (b) and 4E 2.2.1 (b) which classified the removal of vegetation in excess of 300m² (or 15% of the site) as a restricted discretionary activity in the Landscape Protection Residential Activity Area. As outlined throughout this report these rules are now partially invalid and are therefore proposed to be amended to apply to sites over 4000m² and to focus on the removal of indigenous vegetation. Consequently this report recommends partly amending and partly deleting the related policies to reflect those changes.

Recommendation

- (307) This report recommends that the submission of **KEG [14.11]** be rejected.

3.16 Vegetation Removal Provisions - Amendments - Anticipated Environmental Results

Amendment 13 - Anticipated Environmental Results 4B 3 (b)

Submission

- (308) **KEG [14.8]** requests to retain Anticipated Environmental Result 4B 3 (b)

Assessment

- (309) The Anticipated Environmental Result relates to provisions that became invalid and are proposed to be deleted.

Recommendation

- (310) This report recommends that the submission of **KEG [14.8]** be rejected.

Amendment 26 - Anticipated Environmental Results 4E 3 (c)

Submission

- (311) **KEG [14.12]** submits their support for the addition of the word 'indigenous' to Anticipated Environmental Results 4E 3 (c).

Assessment

- (312) The addition of the word 'indigenous' reflects the increased focus on the protection of indigenous vegetation on non-urban environment allotments.

Recommendation

- (313) This report recommends that the submission of **KEG [14.12]** be accepted.

3.17 Vegetation Removal Provisions - Amendments - Rules

Submission

- (314) **Robert Ashe [7.15]** and **ECB [15.4]** request to restore any references to site stability provided by vegetation and intrinsic value of vegetation in Amendments 4, 5, 7, 9, 12, 14, 21

Assessment

- (315) The existing policies of Chapters 4A, 4B, 4D and 4E (Amendments 4, 5, 9, 14 and 21), which are proposed to be deleted, do not refer to site stability. As discussed above the rules supporting these policies are considered to amount to blanket protection of trees and became invalid on 4 September 2015. The same applies to the 'Matters in which Council has Restricted its Discretion' (Amendments 7 and 12). Therefore these policies and matters should be deleted in their entirety.
- (316) Site stability and intrinsic value of vegetation are still relevant matters for discretion in relation to vegetation removal controls on sites over 4000m² in the Hill Residential and Landscape Protection Residential Activity Areas.
- (317) Any adverse effects of vegetation clearance on the intrinsic values of significant ecosystems in particular will be considered as part of the above mentioned review on ecosites.

Recommendation

- (318) This report recommends that the submissions of **Robert Ashe [7.15]** and **ECB [15.4]** be rejected.

Submissions

- (319) **GWRC [16.5]** requests the following amendments in urban zones:

- continue to protect vegetation in urban environment while allowing for the removal of trees by excluding trees from the definition of vegetation (except Notable Trees);
- include a new permitted rule for vegetation clearance (except trees [removal permitted] and Notable Trees [protected under different rules]) allowing clearance of up to 500m² in a 12 month period; and
- include a new restricted discretionary rule for vegetation clearance of more than 500m² and/or more than once in 12 month period with discretion restricted to effects on vegetation values.

[Amendments 6, 7, 11, 12, 15, 16, 17, 18, 22, 23, 24, 25]

(320) **Troy Baisden [F2.1]** supports the view that the recognition of ecological values in Council Plans is important.

Assessment

- (321) The suggestion to exclude trees from the definition of vegetation and then draft provisions that restrict the removal of vegetation but at the same time allow for the removal of trees because they are not covered by the definition for vegetation provided by the plan (except for protected Notable Trees) would be not only confusing but inconsistent with and even contradictory to the intentions of the RMAA 2013. The clear intention of Sections 76(4A) to (4D) is to remove any blanket protection and provide certainty for landowners and plan users about what tree protection rules affect their properties
- (322) Any rule that restricts vegetation clearance including trees in an urban zone is blanket protection and therefore be contrary to the intentions of Sections 76(4A) to (4D).

Recommendation

- (323) This report recommends that the submission of **GWRC [16.5]** and the supporting further submission of **Troy Baisden [F2.1]** be rejected.

Submissions

- (324) **Robert Ashe** and **ECB** request the following amendments for sites over 4000m² [Amendments 15, 16, 17, 18, 22, 23, 24, 25]:
- Specify that indigenous endemic vegetation be used to stabilise cleared areas against erosion **[7.9, 7.10, 15.6, 15.7]**;
 - Prohibit indigenous vegetation clearance in areas of significant vegetation or fauna **[7.11]**
 - Remove creeping 12 months clearance provision **[7.12, 15.1]**;
 - Restore original vegetation clearance limit to 300m² or 15% whichever is less **[7.13, 15.2]**
 - Restore original allowance for clearance of pest plants **[7.14, 15.3]**

Assessment

- (325) The proposed provision to require stabilisation against erosion by vegetation cover or other method is sufficient. The main purpose of this provision is to provide slope stability and there is no evidence that indigenous endemic vegetation is more effective in achieving this. On the contrary exotic species may sometimes be better suited to achieve short term effects and may become nursery plants for native indigenous vegetation. The proposed restriction to use only locally sourced native plants would be impossible to monitor and enforce.
- (326) At this stage and as part of this Plan Change there have been no assessments undertaken to identify areas of significant vegetation or fauna. The identification and management of significant indigenous vegetation will be addressed in the separate review relating to ecosites.
- (327) The proposed permitted activity restricts the clearance of indigenous vegetation to 500m² in any 12 month period (on sites over 4000m²). This introduction of a time frame has the potential to be creeping but the absence of any timeframe provides no protection. The proposed time frame gives guidance as well as certainty and clarification in relation to vegetation clearance while the existing provisions do not provide any timeframes at all and could therefore be interpreted as 500m² or 35% at any one time/event, with events able to follow in quick succession.
- (328) The existing vegetation clearance provisions do not differentiate between exotic and indigenous vegetation. This approach does not reflect the higher significance of and the priority in protecting indigenous vegetation over exotic vegetation. Therefore to restrict the limitation of vegetation removal to indigenous vegetation rather than include exotic vegetation is appropriate.
- (329) To raise the minimum clearance from 300m² to 500m² for Hill Residential and Landscape Protection Residential Activity Areas is appropriate in view of the minimum lot size of 4000m² to which this rule applies. 500m² is reflective of the area typically required for a house, driveway and curtilage area.

Note that the existing provisions refer to the lesser of 500m² or 35% of the site for Hill Residential and 300m² or 15% for Landscape Protection Residential. The percentage provisions have been removed as the minimum lot size for sites to which this rule applies has been raised to 4000m² and therefore 500m² will always be less than 35% or 15% of 4000m² (35% of 4000m² = 1400m²; 15% of 4000m² = 600m²).

- (330) There is no need to specifically provide for the removal of pest plants as there is no limit on the removal of exotic vegetation. The proposed permitted activity condition requires the stabilisation against erosion as soon as possible. The 500m² limit for vegetation removal only applies to indigenous vegetation.

Recommendation

- (331) This report recommends that the submissions of **Robert Ashe [7.9, 7.10, 7.11, 7.12, 7.13, 7.14]** and **ECB [15.1, 15.2, 15.3, 15.6, 15.7]** be rejected.

Submissions

- (332) **Linda Mead [9.1]** requests that on sites over 4000m² the maximum extent of vegetation removal be no greater than 35%. [Amendments 15, 16, 17, 18, 22, 23, 24, 25]
- (333) **EHEA [F3.4]** supports submissions that specifically request the blanket provisions currently in place for allotments greater than 4,000m² remain in place.

Assessment

- (334) The proposed limit of 500m² for the removal of indigenous vegetation is always lower and thereby more restrictive than the suggested 35% when applied to a minimum lot size of 4000m².
- (335) As discussed above the removal of exotic vegetation is proposed to be permitted if adequate measures are taken to stabilise the site against erosion.

Recommendation

- (336) This report recommends that the submission of **Linda Mead [9.1]** and the supporting further submission of **EHEA [F3.4]** be rejected.

Submissions

- (337) **GWRC [16.5]** submits the following in relation to amendments in non-urban areas [Amendments 15, 16, 17, 18, 22, 23, 24, 25]:
- Support for the strengthening of rules by restricting permitted clearance of indigenous vegetation but some reservations on the amount of indigenous vegetation clearance and cumulative effect of loss over time;
 - Support for 12 month period limit and acceptance that 35% limit has become irrelevant;
 - Support for proposed restricted discretionary rule; and
 - Neutral on rules on removal of exotic vegetation, however exotic vegetation can provide important habitats for indigenous species therefore identification of indigenous ecosystems and habitats with significant indigenous biodiversity values using policies 23 and 24 of the RPS is urgently required.

- (338) **Troy Baisden [F2.1]** supports the view that the recognition of ecological values in Council plans is important.

Assessment

- (339) GWRC's support for the recommended changes has been noted. The concerns regarding the amount of indigenous vegetation clearance and the cumulative effect of loss over time are expected to be addressed more appropriately as part of the current review of ecosites, coastal natural character and outstanding natural landscapes and features.

- (340) In particular the current review of indigenous ecosystems and habitats with significant indigenous biodiversity values (ecosites) includes the identification, management and protection of significant sites and will replace the existing (mostly invalid) Significant Natural Resources provisions of the Plan.
- (341) The need to monitor the potential cumulative loss of vegetation over time is a valid point that should be built into Council's programme to monitor the effectiveness of the Plan.

Recommendation

- (342) This report recommends that the submission of **GWRC [16.5]** and the supporting further submission of **Troy Baisden [F2.1]** be accepted in so far as no changes are recommended.

Amendment 6 - Rule 4A 2.3 (b)

Amendment 7 - Rule 4A 2.3.1 (c)

Amendment 11 - Rule 4B 2.2 (b)

Amendment 12 - Rule 4B 2.1.1 (b)

Submission

- (343) **KEG [14.3, 14.4, 14.6, 14.7]** requests to retain existing Rules 4A 2.3 (b), 4A 2.3.1 (c), 4B 2.2 (b) and 4B 2.1.1 (b).

Assessment

- (344) The existing Rules 4A 2.3 (b), 4A 2.3.1 (c), 4B 2.2 (b) and 4B 2.1.1 (b) amount to blanket tree protection and therefore became invalid on 4 September 2015.

Recommendation

- (345) This report recommends that the submission of **KEG [14.3, 14.4, 14.6, 14.7]** be rejected.

Amendment 16 - Rule 4D 2.1.1 (g) and (h)

Submission

- (346) **KEG [14.10]** submits support for the addition of 4D 2.1.1 (g) and (h)

Assessment

- (347) The proposed permitted activity conditions relate to proposed activities 4D 2.1 (i) and (j) and address the issue of site stability by requiring stabilisation against erosion within specified time frames.

Recommendation

- (348) This report recommends that the submission of **KEG [14.10]** be accepted.

3.18 Designation

Submission

- (349) **MoE [11.1]** submits that some trees proposed for protection are located on land covered by designations for education purposes (Ministry of Education). Designated land is exempt from compliance with District Plan rules which should be clearly stated in the Plan Change.

Assessment

- (350) As the submitter correctly points out the relationship between the Plan and designated land is set out in detail in the RMA. A repetition of those provisions and regulations in the Plan or the Plan Change is not necessary or appropriate.

Recommendation

- (351) This report recommends that the submission of **MoE [11.1]** be rejected.

3.19 Section 32

Submission

- (352) **Robert Ashe [7]** submits that the Section 32 evaluation concludes that vegetation removal has a “moderate to high probability of occurring with moderate to significant consequences”. The submitter states that inappropriate hillside development has caused significant damage due to the loss of houses from slips and that the Plan Change increases the likelihood of further loss of indigenous vegetation, slips and possible harm to people.

Assessment

- (353) The Plan Change addresses changes to the RMA which rendered existing vegetation clearance rules invalid. Even without a plan change the previous provisions around vegetation clearance would be invalid for urban environment allotments.
- (354) The proposed provisions for sites over 4000m² are intended to address issues with the clarity and enforceability of the existing provisions.
- (355) The submitter is correct that as a result of the RMA changes (and this Plan Change) resource consent is no longer required for the clearance of vegetation other than Notable Trees on urban environment allotments this does not necessarily mean an automatic increase in people doing so. Resource consent will continue to be required for most housing developments on steep hillsides due to the earthworks provisions of the plan. Subdivision, land use and building consent requirements continue to address issues such as safety and site stability.
- (356) Furthermore under the proposed provisions site stability is still a relevant matter for discretion in relation to vegetation removal controls on sites over 4000m² in the Hill Residential and Landscape Protection Residential Activity Areas [Rules 4D 2.2.1 (b) and 4E 2.2.1 (b)]
- (357) Usually vegetation clearance occurs in conjunction with the subdivision or development of a property. Of the 36 resource consent applications received for vegetation clearance over the last 10 years only 1 has been declined. There is unlikely to be a significant increase in vegetation clearance that is not related to a specific development or would not have occurred with the previous provisions in place.

Recommendation

- (358) This report recommends that the submission of **Robert Ashe [7]** be rejected.

Submissions

- (359) **GWRC [16.5]** submits that the assessment does not clearly describe effects of invalid vegetation clearance rules on indigenous ecological values.
- (360) **Troy Baisden [F2.1]** supports the view that the recognition of ecological values in Council plans is important.

Assessment

- (361) The main focus of the vegetation clearance provisions in the urban environment (which are now invalid) was on residential amenity values. However, Council is aware of its obligation to give effect to the RPS and will work closely with the community as well as identified stakeholders including GWRC on the identification and protection of significant indigenous ecological values in Hutt City including in the urban environment.

Recommendation

- (362) This report recommends that the submission of **GWRC [16.5]** and the supporting further submission of **Troy Baisden [F2.1]** be rejected.

Submissions

- (363) **GWRC [16.5]** submits that the complete removal of protection on urban vegetation is not considered a ‘precautionary approach’ (page 96 sec 32).

(364) **Troy Baisden [F2.1]** supports the view that the recognition of ecological values in Council plans is important.

Assessment

(365) The rules relating to vegetation clearance in urban environments are being removed because they have been made invalid by changes to the RMA. As mentioned above Council is currently reviewing its provisions for and working on the identification of significant indigenous ecosystems and habitats. However these ecosystems and habitats are expected to be found mainly outside the urban environment. The comment “precautionary approach” refers specifically to the retention of indigenous vegetation clearance provisions on larger lots in Hill Residential and Landscape Protection Residential Activity Areas.

Recommendation

(366) This report recommends that the submission of **GWRC [16.5]** and the supporting further submission of **Troy Baisden [F2.1]** be rejected.

Submissions

(367) **GWRC [16.4]** requests that Council make plain the justification and purpose of the Plan Change – some changes are over and above the requirements of RMAA 2013 and reasons for these changes should be more clearly discussed.

(368) **EHEA [F3.6]** supports GWRC’s view that RMAA 2013 does not require what HCC is proposing and that the Section 32 evaluation did not make this clear and claims that submitters who reluctantly accepted the need for the proposed changes were not properly informed.

Assessment

(369) The existing provisions relating to vegetation clearance in residential areas have been reviewed when preparing this Plan Change and those proposed changes that are not directly related to RMA changes have been found appropriate to better address the relevant issues. The existing rules have insufficiencies relating to enforceability and clarity. Where regulations have been removed, the Section 32 evaluation clearly states they have been removed and the reasoning behind that.

Recommendation

(370) This report recommends that the submission of **GWRC [16.4]** and the supporting further submission of **EHEA [F3.6]** be rejected.

3.20 Consultation

Submission

(371) **Robert Ashe [7]** submits his concerns regarding late timing and extent of consultation undertaken with Maori.

Assessment

(372) Mana Whenua have been consulted with throughout the preparation of the Plan Change.

Recommendation

(373) This report recommends that the submission of **Robert Ashe [7]** be rejected.

Submission

(374) **Derek Wilshere [21.1]** requests to extend the period to propose Notable Trees by 1 month supported by renewed consultation.

Assessment

- (375) The 'Our Great Hutt Trees' nomination campaign ran for a month and nominations were accepted past the closing date.
- (376) Any nominations received in recent times were also registered and assessed as part of the preparation of this Plan Change. The Plan Change is now going through the statutory process which included further consultation (4 weeks for submissions and 2 weeks for further submissions). All nominations that were received during the plan change process have been assessed and considered as well. An additional nomination phase followed by additional consultation may not justify the significant additional cost and time delays.

Recommendation

- (377) This report recommends that the submission of **Derek Wilshere [21.1]** be rejected.

3.21 Out of Scope

Submission

- (378) **Sharon Lawson [18.2]** requests careful consideration of any commercial or industrial activities in hilly areas.

Assessment

- (379) This Plan Change is not reviewing the provisions for commercial or industrial activities in hill side areas. Its sole focus is on Notable Tree protection and vegetation removal provisions. Therefore the requested decision is beyond the scope of this Plan Change.

Recommendation

- (380) This report recommends that the submission of **Sharon Lawson [18.2]** be rejected.

Submission

- (381) **Derek Wilshere [21]** submits that the principles behind the RMAA 2013 reforms undermine environmental protection and deny the public the opportunity to advocate in their interest. The submitter states that Council is bound and took commendable initiatives to identify Notable Trees but the process largely missed the community.

Assessment

- (382) This plan change process can not address issues raised by the submitter in relation to amendments to legislation. Council made significant effort to engage with the community.

Recommendation

- (383) This report recommends that the submission of **Derek Wilshere [21]** be rejected.

Submission

- (384) **Derek Wilshere [21.2]** requests to add a Code of Good Practice Notice to the subdivision rules that developers seriously consider retaining vegetation on their proposals to enhance both environmental and aesthetic values.

Assessment

- (385) This Plan Change does not propose any changes to the subdivision chapter. Therefore the requested decision is beyond the scope of this Plan Change.

Recommendation

- (386) This report recommends that the submission of **Derek Wilshere [21.2]** be rejected.

Submissions

- (387) **Derek Wilshere [21.3]** requests that HCC revisit the principles and recommendations contained in earlier reports on “Slips and Slopes”.
- (388) **EHEA [F3.5]** supports the request that the District Plan specifically takes the matter of slope stability into account.

Assessment

- (389) This Plan Change is addressing Notable Tree protection and vegetation removal provisions rather than general principles and recommendations around slope stability. Therefore the requested decision is beyond the scope of this Plan Change.

Recommendation

- (390) This report recommends that the submission of **Derek Wilshere [21.3]** be rejected.
- (391) This report recommends that the further submission of **EHEA [3.5]** be accepted in part insofar as site stability continues to be a relevant matter for discretion on larger sites.

3.22 Correction of Minor Errors

- (392) Amendment 2 adds a new definition for Indigenous Vegetation which was intended to include a reference to exotic vegetation, however this reference refers to indigenous vegetation which creates a meaningless reference and is clearly a typo. It is recommended that this minor error be corrected.

Indigenous Vegetation: means vegetation or trees that occur naturally in New Zealand or arrived in New Zealand without human assistance (refer also to the definition of indigenous exotic vegetation).

APPENDIX 1: LIST OF SUBMITTERS

The following submitters have lodged submissions on proposed Plan Change 36:

Submission #	Name of Submitter	Submission Reference
DPC36A/001	Paulette Yvonne Scott	1.1
DPC36A/002	Rod & Liz Gillespie / David Butler	2.1, 2.2, 2.3
DPC36A/003	Julia Stuart	3.1, 3.2
DPC36A/004	Julia Stephens on behalf of: Aaron & Julia Stephens Layne & Aroha McKenzie Patricia Lee	4.1
DPC36A/005	Petone Planning Action Group c/- Graeme Lyon	5.1, 5.2
DPC36A/006	Alison Fleming	6.1
DPC36A/007	Robert Ashe	7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8, 7.9, 7.10, 7.11, 7.12, 7.13, 7.14, 7.15, 7.16, 7.17
DPC36A/008	Ann van der Veen	8.1
DPC36A/009	Linda Mead	9.1
DPC36A/010	East Harbour Environmental Association Incorporated c/- Felicity Rashbrooke	10.1
DPC36A/011	Ministry of Education Te Tahuu O Te Matauraunga c/- Nick Cooper, Opus International Consultants Ltd	11.1, 11.2, 11.3, 11.4, 11.5, 11.6
DPC36A/012	Ned Bruno	12.1
DPC36A/013	Kate Orange	13.1
DPC36A/014	Korokoro Environmental Group c/- Ruth Mansell	14.1, 14.2, 14.3, 14.4, 14.5, 14.6, 14.7, 14.8, 14.9, 14.10, 14.11, 14.12, 14.13
DPC36A/015	Eastbourne Community Board c/- Virginia Horrocks	15.1, 15.2, 15.3, 15.4, 15.5, 15.6, 15.7, 15.8, 15.9, 15.10, 15.11, 15.12, 15.13, 15.14
DPC36A/016	Greater Wellington Regional Council c/- Caroline Ammundsen	16.1, 16.2, 16.3, 16.4, 16.5
DPC36A/017	John Marwick	17.1
DPC36A/018	Sharon Lawson	18.1, 18.2
DPC36A/019	Sinead & Matt Diederich	19.1
DPC36A/020	Gary Baird	20.1
DPC36A/021	Derek Wilshere - Common Sense Solutions - Derek S. Wilshere for Natural Resources Management and Hockey	21.1, 21.2, 21.3
DPC36A/022	Martin Edghill - LATE	22.1
DPC36A/023	Central Community Committee c/- Sue Lafrentz - LATE	23.1

#	Name of Further Submitter	Submission Reference
DPC36F/1	Powerco Limited c/- Georgina McPherson, Burton Planning Consultants Ltd	F1.1, F1.2
DPC36F/2	Troy Baisden	F2.1
DPC36F/3	Eastbourne Community Board c/- Virginia Horrocks	F3.1, F3.2, F3.3, F3.4, F3.5, F3.6, F3.7

APPENDIX 2: RECOMMENDED AMENDMENTS AND CORRECTION

(Note: For the purpose of this report only the changes recommended in this report have been shown here.)

Amendment 1: Amend Policy 14G 4.3 as follows:

Policy 14G 4.3

Trimming or removal of Notable Trees should be undertaken by Council or a qualified arboriculturist approved by working on behalf of Council.

Amendment 2: Amend Appendix Notable Trees 1 as follows

Appendix Notable Trees 1

NO	ADDRESS	LEGAL DISCRIPTION	LOCATION	COMMON NAME (SPECIES)	STATEMENT OF SIGNIFICANCE	STEM SCORE
1	35 Athlone Crescent Avalon	Road Reserve	On Council berm, southern corner of Scanlan Street.	Northern Rata (<i>Metrosideros robusta</i>)	Very healthy specimen. Over 80 years old.	126
2	2 Avalon Crescent Avalon	Road Reserve	On Council berm.	Cork Oak (<i>Quercus suber</i>)	Planted by Thomas Mason in 1860 as part of 'Mason Gardens'. Excellent form, well balanced and symmetrical.	153
3	6 Avalon Crescent Avalon	LOT 3 DP 19679	Rear of property.	Totara (<i>Podocarpus totara</i>)	Large, mature, very healthy specimen. Likely to be a remnant tree. Around 200 years old.	150
4	6 Avalon Crescent Avalon	LOT 3 DP 19679	Rear of property.	Wellingtonia / Giant Redwood (<i>Sequoiadendron giganteum</i>)	Planted by Thomas Mason in 1859. Healthy tall tree that dominates the locality.	147
5	7 Avalon Crescent Avalon	LOT 2 DP 19841	Front of property, next to footpath.	Weeping Japanese Pagoda Tree (<i>Sophora japonica 'Pendula'</i>)	Mature grafted tree. Planted by Thomas Mason in 1896. Oldest known specimen in NZ.	135
6	7A Avalon Crescent Avalon	LOT 1 DP 19841	Front of property.	Magnolia (<i>Magnolia campbellii</i>)	Planted by Thomas Mason around 1860. Highly likely to be oldest known specimen in NZ.	132
7	9A Avalon Crescent Avalon	LOT 2 DP 86064	Along driveway.	Gold-Leaved Chestnut (<i>Castanopsis cuspidata</i>)	Planted by Thomas Mason around 1860. Displays good structural strength and very healthy canopy.	162
8	12A Avalon Crescent Avalon	LOT 2 DP 25363	Rear of property.	Cork Oak (<i>Quercus suber</i>)	Planted by Thomas Mason around 1860. Mature and healthy tree.	144
9	18A Avalon Crescent Avalon	LOT 2 DP 21901	Growing on boundary.	Maidenhair Tree (<i>Ginkgo biloba</i>)	Very healthy mature tree showing excellent vigour. Likely to be planted around 1850 by Thomas Mason.	129
10	22 Avalon Crescent Avalon	LOT 1 DP 17026	Front of property.	Oak (<i>Quercus</i>) <i>Inspection required when in leaf for positive identification.</i>	Planted by Thomas Mason around 1860. Very good form, healthy, not compromised by pruning. (Currently determined as infrequent but may be rare or very rare depending on final classification.)	150

NO	ADDRESS	LEGAL DISCRPTION	LOCATION	COMMON NAME (SPECIES)	STATEMENT OF SIGNIFICANCE	STEM SCORE
11	Belmont Domain 711 Western Hutt Road Belmont	SEC 3 BLOCK IX SO 24042 HCC Reserve	Adjacent to Belmont Memorial Hall building.	Norfolk Island Pine (<i>Araucaria heterophylla</i>)	Mature tree with healthy foliage and canopy. Around 100 years old.	123
12	Belmont Domain 711 Western Hutt Road Belmont	SEC 3 BLOCK IX SO 24042 HCC Reserve	Centre Island adjacent to Belmont Memorial Hall building.	Wellingtonia / Giant Redwood (<i>Sequoiadendron giganteum</i>)	Memorial tree to Peter and Matilda Speedy. Overall healthy tree.	120
13	Bishop Park opposite 35 Marine Parade Eastbourne	Road Reserve	Adjacent to Bishop Park, opposite 35 Marine Parade.	Norfolk Island Pine (<i>Araucaria heterophylla</i>)	Planted between 1911 and 1918. Mature tree with reasonable form.	120
14	Bishop Park opposite 45 Marine Parade Eastbourne	Road Reserve	Adjacent to Bishop Park, opposite 45 Marine Parade.	Norfolk Island Pine (<i>Araucaria heterophylla</i>)	Planted between 1911 and 1918. Mature tree with reasonable health and vigour.	132
15	Bishop Park opposite 57 Marine Parade Eastbourne	Road Reserve	Adjacent to Bishop Park, opposite 57 Marine Parade.	Norfolk Island Pine (<i>Araucaria heterophylla</i>)	Planted between 1911 and 1918. Mature tree with reasonable health and well-balanced form.	126
16	Bishop Park opposite 61 Marine Parade Eastbourne	Road Reserve	Adjacent to Bishop Park, opposite 61 Marine Parade.	Norfolk Island Pine (<i>Araucaria heterophylla</i>)	Planted between 1911 and 1918. Mature tree with reasonable health.	120
17	Bishop Park opposite 71 Marine Parade Eastbourne	Road Reserve	Adjacent to Bishop Park, opposite 71 Marine Parade.	Norfolk Island Pine (<i>Araucaria heterophylla</i>)	Planted between 1911 and 1918. Mature tree with reasonable health.	120
18	9 Boulcott Street Boulcott School Boulcott	LOT 5 DP 8735	By driveway on the western aspect of school grounds. Tree in lawn area 20m back from the road.	Totara (<i>Podocarpus totara</i>)	Good health and form. Around 100 years old.	141
19	9 Boulcott Street Boulcott School Boulcott	LOT 5 DP 8735	By driveway on the western aspect of school grounds. Tree closest to the main road.	Totara (<i>Podocarpus totara</i>)	Very healthy tree showing good vigour. Around 100 years old.	123
20	11 Bracken Street Petone	Road Reserve	On Council berm.	Kermadec Pohutukawa (<i>Metrosideros kermadecensis</i>) Possibly a hybrid	Planted in 1918. Large spreading canopy, displaying very good form and health.	126
21	12 Britannia Street Petone	PT SEC 5 SO 11031	Front of property.	Pohutukawa (<i>Metrosideros excelsa</i>)	Large tree in excellent condition. Dominant tree in the area. Around 100+ years old.	150
22	Buick Street Petone	Road Reserve	Central median at Buick Street, south of Elizabeth Street, next to public toilet building.	Pohutukawa (<i>Metrosideros excelsa</i>)	Mature tree with excellent form and health. Around 100 years old.	138
23	Buick Street Petone	Road Reserve	Central median north of Elizabeth Street, 3 rd tree from the north.	Pohutukawa (<i>Metrosideros excelsa</i>)	Mature tree with nine well developed stems and well balanced spreading canopy. Around 100 years old.	123
24	31 Connolly Street Boulcott	LOT 1 DP 49841	Front of property.	Pohutukawa (<i>Metrosideros excelsa</i>)	Mature tree showing excellent form and health. Well over 100 years old.	144

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25	Eastern Hutt Road Reserve 156 Eastern Hutt Road Taita	LOT 19 DP 17961 HCC Reserve	Northern aspect of property.	Totara (<i>Podocarpus totara</i>)	Solitary specimen in excellent form and health. Highly likely to be remnant. Estimated to be over 200 years old.	183
26	Fraser Street Hutt Central	Road Reserve	Western most and shortest tree. 1 st tree from pedestrian crossing on High Street	Phoenix Palm (<i>Phoenix canariensis</i>)	80-100 years old. Group of palm trees creates a local landmark.	129
27	Fraser Street Hutt Central	Road Reserve	2 nd tree from pedestrian crossing on High Street.	Phoenix Palm (<i>Phoenix canariensis</i>)	80-100 years old. Group of palm trees creates a local landmark.	147
28	Fraser Street Hutt Central	Road Reserve	3 rd tree from pedestrian crossing on High Street.	Phoenix Palm (<i>Phoenix canariensis</i>)	80-100 years old. Group of palm trees creates a local landmark.	147
29	Fraser Street Hutt Central	Road Reserve	Eastern most tree. 4 th tree from pedestrian crossing on High Street.	Phoenix Palm (<i>Phoenix canariensis</i>)	80-100 years old. Group of palm trees creates a local landmark.	141
30	130 Hair Street Wainuiomata	LOT 53 DP 16946	Front of property.	Black Beech (<i>Fuscospira [Nothofagus] solandri</i>)	Large mature tree with good health and vigour. At least 150+ years old. Remnant of bush area, surrounded by bush reserve.	120
31	14 Harbour View Road Harbour View	Road Reserve	Uphill specimen, closest to roadside.	Black Beech (<i>Fuscospira [Nothofagus] solandri</i>)	Mature specimen in overall healthy condition.	129
32	14 Harbour View Road Harbour View	Road Reserve	Downhill specimen, furthest away from roadside.	Black Beech (<i>Fuscospira [Nothofagus] solandri</i>)	More dominant specimen with good health and foliage cover.	135
33	Harbour View Road / State Highway 2 Melling	Road Reserve	Opposite Melling Railway Station, growing by the stream next to a large Pohutukawa tree.	Silver Fir (<i>Abies alba</i>)	Relatively rare specimen, healthy and reasonable form. Around 100 years old.	132
34	Harbour View Road / State Highway 2 Melling	Road Reserve	On the corner of Harbour View Road/ State Highway 2 opposite Melling Railway Station.	Pohutukawa (<i>Metrosideros excelsa</i>)	Mature spreading specimen, dominant tree cover in the area. Around 100+ years old.	129
35	18 Hautana Square Woburn	PT LOTS 9/10 & 11 DP 1547	Rear of property.	Ash (<i>Fraxinus excelsior</i>)	Mature tree with well-balanced canopy. Planted by H.T Hawthorn in 1906.	138
36	610 High Street Boulcott	Pt SEC 35 SO 10494	Northern most specimen of three trees in close lineal group along Kings Crescent frontage.	Nikau (<i>Rhopalostylis sapida</i>)	Over 100 years old, likely to be remnant growth.	120

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37	610 High Street Boulcott	Pt SEC 35 SO 10494	Central specimen of three trees in close lineal group along Kings Crescent frontage.	Nikau (<i>Rhopalostylis sapida</i>)	Over 100 years old, likely to be remnant growth.	126
38	610 High Street Boulcott	Pt SEC 35 SO 10494	Southern most specimen of three trees in close lineal group along Kings Crescent frontage.	Nikau (<i>Rhopalostylis sapida</i>)	Over 100 years old, likely to be remnant growth.	120
39	615 High Street Boulcott	LOT 1 DP 7741	Front of property.	Totara (<i>Podocarpus totara</i>)	Around 150-200 years old, likely to be a remnant tree. Good form.	126
40	638 High Street Hutt Hospital Boulcott	LOT 3 DP 11717	South of Labyrinth, adjacent to Norfolk Pine.	Pohutukawa (<i>Metrosideros excelsa</i>)	Large spreading mature tree. Around 150 years old.	141
41	638 High Street Hutt Hospital Boulcott	LOT 3 DP 11717	North of Labyrinth, between Oak tree to East and Redwood to West.	Pohutukawa (<i>Metrosideros excelsa</i>)	Mature tree with very good form, part of a large canopy cover formed by other similar sized surrounding trees. Around 150 years old.	135
42	638 High Street Hutt Hospital Boulcott	LOT 3 DP 11717	North of Labyrinth, adjacent to notable Pohutukawa.	Californian Redwood (<i>Sequoia sempervirens</i>)	Mature specimen displaying good vigour. Well over 100 years old.	129
43	638 High Street Hutt Hospital Boulcott	LOT 3 DP 11717	South of Labyrinth, adjacent to notable Pohutukawa.	Californian Redwood (<i>Sequoia sempervirens</i>)	Mature tree showing very good vigour and vitality. Estimated to be over 100 years old.	123
44	638 High Street Hutt Hospital Boulcott	LOT 3 DP 11717	North of Labyrinth at the end of walkway, adjacent to Pohutukawa.	English Oak (<i>Quercus robur</i>)	Large spreading specimen. Around 150 years old.	144
45	638 High Street Hutt Hospital Boulcott	LOT 3 DP 11717	Adjacent to Labyrinth.	English Oak (<i>Quercus robur</i>)	Large stable tree. Around 150 years old.	138
46	819 High Street Boulcott	LOT 2 DP 303206	Northern aspect of property by neighbouring driveway.	Nikau (<i>Rhopalostylis sapida</i>)	Over 100 years old, likely to be remnant growth.	138
47	32 Hine Road Wainuiomata	Road Reserve	On Council berm.	Wellingtonia / Giant Redwood (<i>Sequoiadendron giganteum</i>)	Mature tree with a good form and health. Around 100 years old.	129
48	65 Hutt Road Petone	LOT 1 DP335616	Close to street frontage.	Mexican Palm / Fan Palm (<i>Washingtonia robusta</i>)	Tall mature specimen, at least 100 years old. Landmark in the area, very visible.	138
49	274A Jackson Street Petone	PT SEC 6 HUTT DIST SO 36856	Adjacent to Police station driveway.	Kermadec Pohutukawa (<i>Metrosideros kermadecensis</i>)	Reasonable form and health. 80+ years old.	126
50	274B Jackson Street Petone	LOT 1 DP 79272	Outside 274B Jackson Street historic jail/police station.	Kermadec Pohutukawa (<i>Metrosideros kermadecensis</i>)	Reasonable form and health. 80+ years old.	126

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51	274C Jackson Street Petone	LOT 2 DP 79272	Outside 274C Jackson Street, western most specimen.	Kermadec Pohutukawa (<i>Metrosideros kermadecensis</i>)	Large, healthy tree showing good form. 80+ years old.	138
52	Kereru Road Days Bay	Road Reserve	Adjacent to tennis courts, 50m from intersection.	Macrocarpa (<i>Cupressus macrocarpa</i>)	Good vigour and vitality. Well over 100 years old.	135
53	Kereru Road / Marine Drive Days Bay	Road Reserve	Centre of Kereru road at the intersection with Marine Drive.	Macrocarpa (<i>Cupressus macrocarpa</i>)	Good vigour and vitality. Well over 100 years old. Creates a focal point and landmark.	159
54	46 Laings Rd Hutt Central	LOT 2 DP 1519	Front of property, near street frontage.	Nikau (<i>Rhopalostylis sapida</i>)	Well over 100 years old. Oldest and tallest specimen in the garden.	126
55	47 Laings Road Hutt Central	LOT 3 DP 51721	Front of property.	Norfolk Island Pine (<i>Araucaria heterophylla</i>)	Planted by Laing family. Well over 100 years ago. Healthy specimen which provides a focal point in the vicinity.	147
56	61 Laings Road Hutt Central	LOT 3 DP 480039	Corner of Laings Road and Bloomfield Terrace.	Norfolk Island Pine (<i>Araucaria heterophylla</i>)	Planted by Laing family. Well over 100 years ago. Healthy specimen which is readily visible and provides a focal point in the vicinity.	174
57	18 Lincoln Avenue Epuni	Road Reserve	On Council berm.	Maidenhair tree (<i>Ginkgo biloba</i>)	Healthy tree showing good vigour. 80+ years old.	120
58	81 Ludlam Crescent Woburn	LOT 2 DP 48214		Pohutukawa (<i>Metrosideros excelsa</i>)	<i>This tree has not been assessed but is currently protected and estimated to score over 120.</i>	est. >120
59	71 Manuka Street Stokes Valley	LOT 66 DP 597	Front of property.	Wellingtonia/ Giant Redwood (<i>Sequoiadendron giganteum</i>)	Well balanced and healthy specimen. Around 80 years old.	138
60	Marine Drive Days Bay	Road Reserve	Northern most tree growing along the beach frontage.	Norfolk Island Pine (<i>Araucaria heterophylla</i>)	Planted between 1911 and 1918. Excellent specimen, healthiest and best specimen in this avenue of trees.	144
61	Marine Drive Days Bay	Road Reserve	Second northern most tree growing along the beach frontage.	Norfolk Island Pine (<i>Araucaria heterophylla</i>)	Planted between 1911 and 1918. Displays healthy foliage cover.	132
62	Marine Drive Days Bay	Road Reserve	Growing by wharf entrance, beside bus stop and boat shed.	Norfolk Island Pine (<i>Araucaria heterophylla</i>)	Planted between 1911 and 1918. Large wide spreading tree.	126
63	Marine Drive Days Bay	Road Reserve	On north side of changing room facilities. Growing directly into the sandy beach.	Norfolk Island Pine (<i>Araucaria heterophylla</i>)	Planted between 1911 and 1918. Healthy, wide spreading canopy.	126
64	Marine Drive Days Bay	Road Reserve	On south side of changing shed. Growing directly into the sandy beach.	Norfolk Island Pine (<i>Araucaria heterophylla</i>)	Planted between 1911 and 1918. Good growth form with healthy foliage.	126
65	Marine Drive Days Bay	Road Reserve	Second tree to the south of the changing shed.	Norfolk Island Pine (<i>Araucaria heterophylla</i>)	Planted between 1911 and 1918. Compact growth form with healthy foliage.	126

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66	153 Muritai Road Eastbourne	Road Reserve	On Council berm, outside the School.	Norfolk Island Pine (<i>Araucaria heterophylla</i>)	Planted between 1911 and 1918. Mature tree.	120
67	233A Muritai Road Eastbourne	Road Reserve	On Council berm.	Norfolk Island Pine (<i>Araucaria heterophylla</i>)	Planted between 1911 and 1918. Mature tree with good foliage cover.	120
68	2 Ngaio Street Eastbourne	Road Reserve	On Council berm.	Norfolk Island Pine (<i>Araucaria heterophylla</i>)	Planted between 1911 and 1918. Mature tree in healthy condition.	120
69	3 Ngaio Street Eastbourne	Road Reserve	On Council berm.	Norfolk Island Pine (<i>Araucaria heterophylla</i>)	Planted between 1911 and 1918. Mature tree in healthy condition.	120
70	2 Nikau Grove Woburn	LOT 49 DP 1155	Front of property.	Nikau (<i>Rhopalostylis sapida</i>)	Semi mature tree planted as a seed in the early 50's.	120
71	Nikau Street / 420 Muritai Road Eastbourne	Road Reserve	On Nikau Street (outside 420 Muritai Road), close to Muritai Road.	Norfolk Island Pine (<i>Araucaria heterophylla</i>)	Planted between 1911 and 1918. Mature tree with very dense canopy, good health and form.	138
72	Nikau Street / 421 Muritai Road Eastbourne	Road Reserve	On Nikau Street, (outside 421 Muritai Road), close to Muritai Road.	Norfolk Island Pine (<i>Araucaria heterophylla</i>)	Planted between 1911 and 1918. Mature tree with good foliage cover.	132
73	Nikau Street / 424 Muritai Road Eastbourne	Road Reserve	On Nikau Street, (outside 424 Muritai Road), tree closer to Muritai Road.	Norfolk Island Pine (<i>Araucaria heterophylla</i>)	Planted between 1911 and 1918. Mature tree with very good dense formed canopy showing good health.	138
74	Nikau Street / 424 Muritai Road Eastbourne	Road Reserve	On Nikau Street (outside 424 Muritai Road), tree further from Muritai Road.	Norfolk Island Pine (<i>Araucaria heterophylla</i>)	Planted between 1911 and 1918. Mature and tall tree with good form and dense foliage cover.	144
75	9 Nikau Street Eastbourne	Road Reserve	On Council berm.	Norfolk Island Pine (<i>Araucaria heterophylla</i>)	Planted between 1911 and 1918. Mature, very healthy tree.	132
76	10 Nikau Street Eastbourne	Road Reserve	On Council berm.	Norfolk Island Pine (<i>Araucaria heterophylla</i>)	Planted between 1911 and 1918. Mature tree, very healthy and dense foliage cover.	138
77	19/19A Nikau Street Eastbourne	LOT 30 DP 981	Rear of property.	Kauri (<i>Agathis australis</i>)	Commemorative tree. 'Planted by JH Heenan in 1920 as a memorial to Hugh Girdlestone, who was killed in action at Passchendaele.'	123
78	23 Nikau Street Eastbourne	LOT 34 DP 981	Front of property.	Kauri (<i>Agathis australis</i>)	Commemorative tree. 'Planted by Sir Joseph H. Heenan of Wellington in August 1919 as a memorial to H. Marsden who was killed at Passchendaele.'	123
79	7 Norfolk Street Belmont	LOT 23 DP 40161	Front of property.	Copper Beech (<i>Fagus sylvatica</i> 'Purpurea')	Mature specimen displaying well balanced and spreading canopy. Well over 100 years old.	123

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80	301 Normandale Road Normandale	LOT 16 DP 53631	Below Old Coach Road, on southern boundary adjacent to residential driveway.	Macrocarpa (<i>Cupressus macrocarpa</i>)	Large specimen with spreading dominant canopy. Remnant tree from group that was planted between 1890 and 1900 as part of farm landscaping for shelter purposes.	132
81	301 Normandale Road Normandale	LOT 16 DP 53631	Closest to the Old Coach Road boundary fence line, above gully on northern aspect.	Macrocarpa (<i>Cupressus macrocarpa</i>)	Large specimen with spreading dominant canopy.	132
82	301 Normandale Road Normandale	LOT 16 DP 53631	Northern most specimen, growing directly below Old Coach Road location.	Macrocarpa (<i>Cupressus macrocarpa</i>)	Largest specimen on site with wide spreading canopy.	138
83	1 North Street Petone	Road Reserve	On Council berm.	Holm Oak / Evergreen Oak (<i>Quercus ilex</i>)	Healthy specimen of uncommon evergreen species which has an excellent form and wide spread canopy. Planted in 1928.	141
84	39A Oroua Street Eastbourne	Road Reserve	On Council berm.	Norfolk Island Pine (<i>Araucaria heterophylla</i>)	Planted between 1911 and 1918. Mature tree, very good form and vigour.	135
85	3 Pharazyn Street Melling	Road Reserve	Northern most specimen, 5m south of Normandale Overbridge.	Wellingtonia / Giant Redwood (<i>Sequoiadendron giganteum</i>)	Mature specimen, local landmark due to height. Over 100 years old.	141
86	3 Pharazyn Street Melling	LOT 1 DP 50967	Growing in lawn gardens, 30m south of Normandale Overbridge.	Wellingtonia / Giant Redwood (<i>Sequoiadendron giganteum</i>)	Mature specimen, local landmark due to height. Over 100 years old.	135
87	16 Pharazyn Street Melling	PT LOT 39 DP 2153	Rear of property.	Northern Rata (<i>Metrosideros robusta</i>)	Large mature tree. At least 120 years old, remnant specimen of valley floor. Excellent form and health.	159
88	5 Pilcher Crescent Naenae	Road Reserve	On Council berm.	Chinese Elm (<i>Ulmus parvifolia</i>)	Planted in 1948. Very healthy, spreading specimen.	120
89	6 Railway Avenue Hutt Central School Hutt Central	LOTS 20-21 DP 1792	Main entrance off Railway Avenue, western most specimen.	Pohutukawa (<i>Metrosideros excelsa</i>)	Planted in the 1920's. Very healthy tree with dense foliage cover.	120
90	6 Railway Avenue Hutt Central School Hutt Central	LOTS 20-21 DP 1792	Main entrance off Railway Avenue, centre tree.	Pohutukawa (<i>Metrosideros excelsa</i>)	Planted in the 1920's. Very healthy tree with upright growth form.	120
91	6 Railway Avenue Hutt Central School Hutt Central	LOTS 20-21 DP 1792	Main entrance off Railway Avenue, eastern most specimen.	Pohutukawa (<i>Metrosideros excelsa</i>)	Planted in the 1920's. Very healthy specimen with dense canopy and good form.	126
92	3 Raroa Road Hutt Central	Road Reserve	On Council berm. In front of 3 Raroa Road. First tree from intersection of High Street and Raroa Road.	Pohutukawa (<i>Metrosideros excelsa</i>)	Mature tree with dense healthy canopy cover, good spread and balance. Around 80 years old.	126

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93	3 Raroa Road Hutt Central	Road Reserve	On Council berm. In front of 3 Raroa Road. 2 nd tree from intersection of High Street and Raroa Road.	Pohutukawa (<i>Metrosideros excelsa</i>)	Mature tree showing very good vigour and vitality. Around 80 years old.	126
94	7 Raroa Road Hutt Central	Road Reserve	On Council berm. In front of 7 Raroa Road.	Pohutukawa (<i>Metrosideros excelsa</i>)	Mature, well balanced and healthy tree with very good form. Around 80 years old.	120
95	11 Raroa Road Hutt Central	Road Reserve	On Council berm. In front of 11 Raroa Road.	Pohutukawa (<i>Metrosideros excelsa</i>)	Mature healthy tree with very good form. Around 80 years old.	120
96	15 Raroa Road Hutt Central	Road Reserve	On Council berm. In front of 15 Raroa Road.	Pohutukawa (<i>Metrosideros excelsa</i>)	Mature tree with very good form, balance and vigour. Around 80 years old.	126
97	Raroa Road / 338 High Street Hutt Central	Road Reserve	On Council berm. In front of Raroa Road frontage of 338 High Street. Corner tree on High Street and Raroa Road on southern side.	Pohutukawa (<i>Metrosideros excelsa</i>)	Mature tree with good form. Around 80 years old.	120
98	Raroa Road / 338 High Street Hutt Central	Road Reserve	On Council berm. In front of Raroa Road frontage of 338 High Street. 2 nd tree from corner of High Street and Raroa Road on southern side.	Pohutukawa (<i>Metrosideros excelsa</i>)	Mature tree displaying very good form and balance with good foliage cover and health. Around 80 years old.	126
99	6 Raroa Road Hutt Central	Road Reserve	On Council berm. In front of 6 Raroa Road.	Pohutukawa (<i>Metrosideros excelsa</i>)	Mature tree with spreading canopy. Very healthy with good density of foliage. Around 80 years old.	126
100	12 Raroa Road Hutt Central	Road Reserve	On Council berm. In front of 12 Raroa Road.	Pohutukawa (<i>Metrosideros excelsa</i>)	Mature smaller tree with very good form and compact dense canopy. Around 80 years old.	126
101	16 Raroa Road Hutt Central	Road Reserve	On Council berm. In front of 16 Raroa Road.	Pohutukawa (<i>Metrosideros excelsa</i>)	Mature tree, well balanced, healthy canopy. Around 80 years old.	132
102	20 Raroa Road Hutt Central	Road Reserve	On Council berm. In front of 20 Raroa Road.	Pohutukawa (<i>Metrosideros excelsa</i>)	Mature tree with good form and canopy cover with healthy foliage. Around 80 years old.	126
103	Raroa Road / 19 Cornwall Street Hutt Central	Road Reserve	In front of Raroa Road frontage of 19 Cornwall Street. 2 nd tree from corner of Cornwall Street and Raroa Road on southern side.	Pohutukawa (<i>Metrosideros excelsa</i>)	Mature tree, small and compact specimen. Around 80 years old.	120
104	4 Rata Street Eastbourne	Road Reserve	On Council berm.	Pohutukawa (<i>Metrosideros excelsa</i>)	Mature tree with a good balance and form. Planted around 1915.	126
105	Rata Street / Oroua Streets Eastbourne	Road Reserve	On Council berm.	Pohutukawa (<i>Metrosideros excelsa</i>)	First ANZAC memorial tree in NZ. Planted in memorial of the landing of NZ troops at Gallipoli.	132

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106	Riddiford Gardens Laings Road Hutt Central	PT LOT 4 DP 664 HCC Reserve	Between halls and carpark, north of Opahu Stream	Common Lime (<i>Tilia x europea</i>) <i>To be confirmed when in leaf.</i>	Mature and healthy tree. Likely to be an original Riddiford Garden planting and of over 100 years.	132
107	Riddiford Gardens Queens Drive Hutt Central	PT SEC 25 HUTT DISTRICT (SO 10492) HCC Reserve	Outside War Memorial Library western foyer.	Totara (<i>Podocarpus totara</i>)	Remnant tree that has survived for around 150 years. Very good form and excellent health.	159
108	1 Rimu Street Eastbourne	Road Reserve	On Council berm. Near the corner with Muritai Rd.	Norfolk Island Pine (<i>Araucaria heterophylla</i>)	Planted between 1911 and 1918. Mature high profile tree. Displays very good health and vitality.	156
109	3-9 Rimu Street Eastbourne	Road Reserve	On Council berm.	Norfolk Island Pine (<i>Araucaria heterophylla</i>)	Planted between 1911 and 1918. Mature high profile tree with very healthy foliage cover.	156
110	11 Rimu Street Eastbourne	Road Reserve	On Council berm.	Norfolk Island Pine (<i>Araucaria heterophylla</i>)	Planted between 1911 and 1918. Mature tall tree displaying good health and vigour.	150
111	235 Riverside Drive Waterloo	LOT 1 DP 22681	Rear of property.	English Oak (<i>Quercus robur</i>)	Healthy spreading tree, not impacted by presence of other trees. Over 100 years old.	129
112	73 Rutherford Street Hutt Central	Road Reserve / LOT 2 DP 50907	Partly on Council berm / partly on private property.	English Elm (<i>Ulmus procera</i>)	Local landmark due to its height. Well over 100 years old.	138
113	1 Scanlan Street Avalon	Road Reserve	On Council berm.	Northern Rata (<i>Metrosideros robusta</i>)	Over 80 years old tree with good overall health.	120
114	Speldhurst Park 222 Stokes Valley Road Stokes Valley	LOT 1 DP 40223 HCC Reserve	Closest to Stokes Valley Road on the northern boundary of the park.	English Oak (<i>Quercus robur</i>)	120 years old very healthy and large spreading tree dominates the northern side of the park.	168
115	Speldhurst Park 222 Stokes Valley Road Stokes Valley	LOT 1 DP 40223 HCC Reserve	In the centre of the park.	English Oak (<i>Quercus robur</i>)	120 years old healthy specimen with wide spreading canopy.	147
116	Speldhurst Park 222 Stokes Valley Road Stokes Valley	LOT 1 DP 40223 HCC Reserve	One of two closely growing trees found close to the southern fence- line, it is the eastern most specimen.	English Oak (<i>Quercus robur</i>)	100 years old mature tree with a healthy crown and associated foliage.	138
117	Speldhurst Park 222 Stokes Valley Road Stokes Valley	LOT 1 DP 40223 HCC Reserve	One of two closely growing trees found close to the southern fence- line, it is the western most specimen.	English Oak (<i>Quercus robur</i>)	100 years old mature tree.	132
118	Speldhurst Park 222 Stokes Valley Road Stokes Valley	LOT 1 DP 40223 HCC Reserve	Directly to the east of the largest Oak tree.	Red Oak (<i>Quercus rubra</i>)	100 years old healthy and mature tree.	120

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119	188 Eastern Hutt Road Taita College Taita	PT SEC 61 SO 20010	Southern end of group of trees on playing field at road frontage.	European Beech (<i>Fagus sylvatica</i>) <i>To be confirmed when in leaf</i>	Large mature tree showing very good vigour and vitality. Over 100 years old.	147
120	Tennyson Street Petone	Road Reserve	Central median, northern most tree.	Pohutukawa (<i>Metrosideros excelsa</i>)	Smaller tree with very good form and health. Planted in 1928.	120
121	Tennyson Street Petone	Road Reserve	Central median, 2 nd tree from north.	Pohutukawa (<i>Metrosideros excelsa</i>)	Tall and healthy tree. Planted in 1928.	120
122	Tennyson Street Petone	Road Reserve	Central median, 4 th tree from north.	Pohutukawa (<i>Metrosideros excelsa</i>)	Shorter but more spreading tree. Healthy showing good vigour and vitality. Planted in 1928.	120
123	Tennyson Street Petone	Road Reserve	Central median, 2 nd tree from south.	Pohutukawa (<i>Metrosideros excelsa</i>)	Large dominating tree with healthy spreading canopy. Planted in 1928.	120
124	Tennyson Street Petone	Road Reserve	Central median, southern most tree.	Pohutukawa (<i>Metrosideros excelsa</i>)	Very healthy tree displaying good form. Planted in 1928.	126
125	Victoria Street Reserve Victoria Street / Cuba Street Petone	PT LOT 115 & 116 DP 50 HCC Reserve	One of nine trees creating a single common canopy, on western side of group of trees.	Pohutukawa (<i>Metrosideros excelsa</i>)	Large spreading dominant tree with large girth producing 8 main trunks. Very healthy specimen with good form. Around 80 years old.	120
126	Victoria Street Reserve Victoria Street / Cuba Street Petone	PT LOT 115 & 116 DP 50 HCC Reserve	One of nine trees creating a single common canopy, on eastern side, close to Victoria Waste Water Pumping Station.	Pohutukawa (<i>Metrosideros excelsa</i>)	Tree with large spreading canopy and 7 main trunks. Healthy tree with good form. Around 80 years old.	120
127	19 Udy Street Petone	LOT 7 DP 4820	Rear of property.	Southern Rata (<i>Metrosideros umbellata</i>)	Relatively rare species. Very healthy with good form and vigour, dominant canopy. Over 100 years old.	132
128	Waddington Drive Reserve Waddington Drive Naenae	LOT 1 DP 47527 HCC Reserve	Larger of two specimens.	European Beech (<i>Fagus sylvatica</i>)	Original planting from the Balgownie Estate built in 1900.	153
129	33/53 Wai-iti Crescent Woburn	LOT 2 DP 73265		English Oak (<i>Quercus robur</i>)	<i>This tree has not been assessed but is currently protected and estimated to score over 120.</i>	est. >120
130	76 Waiwhetu Road / 28 Guthrie Street, Waterloo	LOT 2 DP 22915	Street frontage of Waiwhetu Road.	Northern Rata (<i>Metrosideros robusta</i>)	Large mature specimen. Multi-stemmed and highly visible. Over 100 years old.	138
131	232 Waiwhetu Road Waterloo	LOT 1 DP 14986	Tallest specimen on property, near the driveway, 12m from entrance.	Nikau (<i>Rhopalostylis sapida</i>)	Over 100 years old, likely to be remnant growth.	126
132	232 Waiwhetu Road Waterloo	LOT 1 DP 14986	Second tallest specimen, 5m from road frontage and 3m from driveway.	Nikau (<i>Rhopalostylis sapida</i>)	Over 100 years old, likely to be remnant growth.	123

NO	ADDRESS	LEGAL DISCRIPTION	LOCATION	COMMON NAME (SPECIES)	STATEMENT OF SIGNIFICANCE	STEM SCORE
133	10 Walter Road Point Howard	LOT 2 DP 61016	One of four mature Oak trees forming a single common canopy effect. Tree growing next to driveway.	English Oak (<i>Quercus robur</i>)	Mature healthy tree. Integral part of this grouping. Over 100 years old.	135
134	14 Walter Road Point Howard	LOT 2 DP 29259	One of four mature Oak trees forming a single common canopy effect. Growing on the fence line with 18/20 Walter Rd.	English Oak (<i>Quercus robur</i>)	Largest tree in the group in terms of canopy spread and girth of trunk. Over 100 years old.	123
135	18/20 Walter Road Point Howard	Road reserve	One of four mature Oak trees forming a single common canopy effect. On Council berm.	English Oak (<i>Quercus robur</i>)	Displaying good health and vigour. Over 100 years old.	129
136	207/1 Waterloo Road Hutt Central	LOT 4 DP 7907	Front of property.	Nikau (<i>Rhopalostylis sapida</i>)	Healthy tree growing in reasonably exposed location. Over 100 years old.	120
137	61 Whites Line East Waiwhetu	LOT 1 DP 322484	Rear of property, close to dwelling.	Northern Rata (<i>Metrosideros robusta</i>)	Mature tree with distinct canopy formation. Good form, health and vigour.	129
138	Williams Park 611B Marine Drive Days Bay	PT SEC 33 SO 17210 HCC Reserve	At the back of duck pond. Northern most specimen closest to the cafe building.	Macrocarpa (<i>Cupressus macrocarpa</i>)	Large mature specimen with spreading canopy. Over 100 years old.	123
139	Williams Park 611B Marine Drive Days Bay	PT SEC 33 SO 17210 HCC Reserve	At the back of duck pond. Dominant central specimen.	Macrocarpa (<i>Cupressus macrocarpa</i>)	Healthy specimen, good vigour and vitality. Largest specimen of the group. Over 100 years old.	147
140	Williams Park 611B Marine Drive Days Bay	PT SEC 33 SO 17210 HCC Reserve	At the back of duck pond. Southern most specimen.	Macrocarpa (<i>Cupressus macrocarpa</i>)	Healthy specimen, good vigour and vitality. Smallest specimen of the group. Over 100+ years old.	141
141	Williams Park 611B Marine Drive Days Bay.	PT SEC 33 SO 17210 HCC Reserve	Rear of "Menzshed" adjacent to Kereru Road.	Macrocarpa (<i>Cupressus macrocarpa</i>)	Multi-stemmed healthy specimen. Planted around the turn of the century.	129
142	150 Woburn Road Woburn	LOT 1 DP 6028	Front of property.	Pohutukawa (<i>Metrosideros excelsa</i>)	Excellent specimen. Planted in the 1840's by A Ludlam. One of the oldest and largest Pohutukawa trees in the Hutt environs. Hugh girth, wide spreading canopy, excellent health. Local landmark.	162
143	154 Woburn Road Woburn	LOT 3 DP 5877	American Embassy grounds. On western boundary.	Tulip Tree (<i>Liriodendron tulipifera</i>)	One of the original plantings of Ludlam Estate / Bellevue Gardens. Spreading tree with large girthed trunk. Around 150 years old.	126

NO	ADDRESS	LEGAL DISCRIPTION	LOCATION	COMMON NAME (SPECIES)	STATEMENT OF SIGNIFICANCE	STEM SCORE
144	160 Woburn Road Woburn	Pt LOT 4 DP 5877	American Embassy grounds. Central feature in main lawn.	Tulip Tree (<i>Liriodendron tulipifera</i>)	One of the original plantings of Ludlam Estate / Bellevue Gardens. Large spreading form with excellent branch structure. Aged around 150 years old.	159
145	160 Woburn Road Hutt Central	PT LOT 5 DP 5877	American Embassy grounds. Close to street frontage.	Norfolk Island Pine (<i>Araucaria heterophylla</i>)	Healthy specimen with good form and vigour. Height creates a local focal point. Planted by Alfred Ludlam. Between 100 and 150 years old.	153
146	160 Woburn Road Woburn	Pt LOT 4 DP 5877	American Embassy grounds.	Pohutukawa (<i>Metrosideros excelsa</i>)	Excellent large spreading specimen displaying excellent health.	147
147	1 York Avenue Manor Park	Road reserve	On Council berm.	Red Oak (<i>Quercus rubra</i>)	Large rounded specimen showing excellent symmetry and balance. Around 80-90 years old.	126

Correction 1: Correct Definition for Indigenous Vegetation as follows:

Indigenous Vegetation: means vegetation or trees that occur naturally in New Zealand or arrived in New Zealand without human assistance (refer also to the definition of indigenous exotic vegetation).