

# SOUTH WAIRARAPA DISTRICT COUNCIL

8 AUGUST 2018

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## AGENDA ITEM C3

### SUMMARY AND CONFIRMATION OF APPROACH ON UPDATING APPENDIX 1.4 NOTABLE TREES REGISTER OF THE DISTRICT PLAN

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#### **Purpose of Report**

To inform Councillors of progress on the review of protected notable trees in the district and seek confirmation of the approach on updating Appendix 1.4 Notable Trees register of the District Plan.

#### **Recommendations**

Officers recommend that the Council:

1. *Receive the information.*
2. *Confirms the approach proposed by arborist Mr R. Hill on updating Appendix 1.4 Notable Trees register of the District Plan, before finalising the proposed Plan change.*

## **1. Executive Summary**

Work has progressed to prepare a review of Appendix 1.4 Notable Trees register of the Wairarapa Combined District Plan. The overall approach to tree protection under the District Plan is not proposed to change. The purpose of the review and proposed plan change is to ensure that Appendix 1.4 is up to date and relevant, and that additional trees that have been suggested as being worthy of inclusion in the Appendix have been properly assessed. For the update on this work, refer to Appendix 1 of this report.

## **2. Background**

Following a Council decision in July 2017 work has continued to prepare a review of Appendix 1.4 Notable Trees register of the Wairarapa Combined District Plan. Council has engaged arborist Mr Richie Hill of the Paper Street Tree Company to assist in this specialised area of work.

The arborists work has involved applying the STEM method as a quantitative measure for the assessment of trees. In the case of trees on sites where there is no land owner approval, Mr Hill's advice is that the STEM score level for such trees should exceed 210 before District Plan protection is imposed.

As part of the review process the public were asked to nominate trees that were worthy of protection. In addition, following a meeting on 30 July 2017, the Greytown Tree Advisory Group were invited to suggest additional trees that could be included for protection.

### **3. Discussion**

Approximately 82 sites with 227 trees were proposed for inclusion in the District Plan appendix by the Tree Advisory Group. Of these, four sites were also suggested by the public. Mr Hill found that none of the trees suggested by Tree Advisory Group had any notability information. Several the trees proposed were incorrectly identified, already listed, and had incorrect addresses. On some suggested sites there were no trees of note.

Council staff and Mr Hill endeavoured to establish onsite landowner consultation. In respect of 23 cases this resulted in land owner approval for the tree to be included in the Appendix. Mr Hill recommends that in 17 cases the trees have a high enough STEM score to warrant inclusion. For the remaining 59 sites, landowner approval could not be obtained.

Mr Hill advises that the Mead oaks in Wood Street, Greytown, as referred to above be included in the appendix. He also suggests that the copper beech tree at 134 Main Street, Greytown be further considered. No land owner approval for both sites has been given.

The arborist has made nine suggestions as to the appropriate way forward for reviewing Appendix 1.4 Notable Trees register of the District Plan. For the summary update, refer to Appendix 1 of this report. The suggested approach, in consultation with Council staff, is a pragmatic, reasonable and financially prudent way to deal with the updating of the list of notable trees within the district.

### **4. Conclusion**

That the updated progress information on the review of Appendix 1.4 Notable Trees register be received. It is also recommended that Council confirms the approach proposed by arborist Mr R. Hill before finalising the proposed plan change on protected notable trees.

### **5. Appendices**

Appendix 1 – District Plan change, update of tree register Wairarapa Combined District Plan.

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Reviewed By: Russell O’Leary, Group Manager Planning and Environment.

**Appendix 1 – District Plan  
change, update of tree  
register Wairarapa  
Combined District Plan**

# District plan change, update of tree register Wairarapa Combined District Plan.

## 1. Background

Following a Council decision in July 2017, work has progressed to prepare a review of Appendix 1.4 of the Wairarapa Combined District Plan. The Appendix lists trees in the three Wairarapa districts that are worthy of protection. A listing of a tree in essence means that a resource consent is required before a tree can be felled, or before major tree work is undertaken.

Trees are important in terms of place making, amenity levels and recognition of heritage values. Notable trees deserve protection. This approach is common across the three Wairarapa councils.

The overall approach to tree protection under the District Plan in South Wairarapa is not proposed to change. The sole purpose of the change is to ensure that Appendix 1.4 identifying trees that are worthy of protection, is up to date and relevant, and that additional trees that have been suggested as being worthy of inclusion in the Appendix have been properly assessed.

## 2. Arborist review

The Council has engaged Mr Richie Hill of Paper Street Tree Company to assist in this specialised area of work. Mr Hill is an experienced arborist who has been advising a number of councils in New Zealand on its tree protection policies and District Plan statutory protection mechanisms under the Resource Management Act. Mr Hill's reports are attached.

It should be noted that Mr Hill's review of currently listed trees has proven to be a more complex and expensive task than previously budgeted because of scant or incorrect information on trees, incorrect mapping, or trees having been removed.

Because of budget considerations, Mr Hill has not reviewed listed trees on Council owned land, on the grounds that these trees already have a degree of protection. Where Council staff are aware that a listed tree is no longer present, it should, however, be removed.

The STEM method provides a quantitative measure for the assessment of trees. The STEM method lists a range of criteria on which to score trees and compares the relative merits of trees on a point system. The STEM method is widely accepted for the evaluation of heritage and notable trees for district plans around the country. It's currently used by more than 30 local authorities in New Zealand.

Mr Hill recommends that trees be listed if STEM scores exceed the values below where land owners agree with such a listing.

- Trees of National interest exceeding a value of 110
- Trees of historic value exceeding a value of 120
- Trees of landscape value exceeding a value of 130
- Trees of general value exceeding a value of 140

If there is no land owner approval, Mr Hill's view is that the STEM score level should exceed 210 before statutory District Plan protection is imposed. This is because at this very high level the Council can be almost certain that if the listing of such a tree is challenged at a Council hearing or the Environment Court the public interest values of listing the tree or group of trees will outweigh the private interest values of the land owner not wanting to list it.

### **3. Review of current list contained in district plan Appendix.**

Each of the trees protected through the existing District Plan Appendix has been evaluated by Mr Hill.

Mr Hill recommends:

- (1) That 26 trees or groups of trees are removed from the Appendix because the trees are no longer on site, or no longer alive.
- (2) That 21 trees or groups of trees are removed from the Appendix because these are not worthy of protection.
- (3) To change several species which are incorrectly identified and add information for tree groups. This includes correcting species names and the quantity of species protected.
- (4) To change tree reference identification as highlighted in the spreadsheet, the report and the STEM explanatory notes provided.
- (5) To correct incorrect addresses as highlighted in the spreadsheet provided.
- (6) To retain all trees listed in the Appendix which are on Council owned land.

### **4. Review of trees suggested by the public**

Following the July 2017 Council meeting, the public were also asked to nominate trees that they felt may be significant and worthy of inclusion.

Meetings were held in July 2017 with the Martinborough, Greytown and Featherston Community Boards, and the Council's Maori Board, where members were asked to nominate any trees that they thought were worthy of inclusion in the Appendix. Public notices were also placed in local media, and press releases distributed inviting people to suggest notable trees that would be worthy of District Plan protection.

As a result, a further 53 trees have been proposed by members of the public throughout the South Wairarapa District. Almost all these trees were suggested by land owners.

Mr Hill has reviewed these trees, and he suggests that 52 proposed listings (trees and tree groups) be included for protection in District Plan Appendix 1.4.

He also suggests that listings include one set of trees where the land owner objects to inclusion. This is a group of heritage oaks (the Mead oaks), at Wood Street in central Greytown.

He suggests that another tree for which there is no land owner consent for inclusion should be considered further. This is the copper beech located on 134 Main St Greytown. Mr Hill believes that protection may well be appropriate due to its location, it is a landscape tree of local interest.

### **5. Review of trees suggested by the Tree Advisor Group in Greytown.**

A meeting was held with the Greytown Tree Advisory Group on 30 July 2017, inviting that group to suggest additional trees that could be included.

Approximately 82 sites with 227 trees have been proposed for inclusion in the District Plan appendix by the Tree Advisory Group. Of these, four sites were also suggested by the public.

Mr Hill found that none of the trees suggested by Tree Advisory Group had any notability information. Several the trees proposed were incorrectly identified, already listed, and had incorrect addresses. On some suggested sites there were no trees of note.

The above has hindered the assessment process. In all cases there was no clarity on land owner approval/consultation. Council staff and Mr Hill endeavoured to establish onsite landowner consultation. In respect of 23 cases this resulted in land owner approval for the tree to be included in the Appendix. Mr Hill recommends that in 17 cases the trees have a high enough STEM score to warrant inclusion. For the remaining 59 sites, landowner approval could not be obtained.

In consultation with the previous Group Manager Murray Buchanan and because of budget constraints, STEM assessing all the proposed trees on those sites was not considered possible. It was decided that a STEM assessment would only be carried out where a tree or group of trees was estimated to meet a threshold of 210 points. These assessments were carried out from the roadside.

Mr Hill advises that the Mead oaks in Wood Street, Greytown, as referred to above be included in the appendix. He also suggests that the copper beech tree at 134 Main Street, Greytown be further considered. No land owner approval for both sites has been given.

## **6. Way forward**

It is suggested:

- (1) That 26 trees or groups of trees are removed from the Appendix because the trees are no longer on site, or no longer alive.
- (2) That 21 trees or groups of trees are removed from the Appendix because these are not worthy of protection.
- (3) That no changes are made to listed trees located on Council land, other than removing those trees of which Council is aware that these are no longer present.
- (4) That 45 trees or groups of trees be added to the Appendix based on suggestions from the public.
- (5) That 17 trees or groups of trees be added to the Appendix based on suggestions from the Tree Advisory Group.
- (6) That tree addresses, tree reference identifications, species, and quantity of species for tree group listings are changed as per the provided reports by Mr Hill.
- (7) That the Mead oaks in Wood Street, Greytown, as referred to above be included in the Appendix.
- (8) That the copper beech tree at 134 Main Street, Greytown be further assessed for inclusion.
- (9) That no other trees be added to the Appendix.

## **7. Evaluation and risk assessment**

This above approach will be a pragmatic, practical, reasonable and financially prudent way to deal with the task of updating and correcting Appendix 1.4 Notable Trees register of the District Plan.

It will avoid submissions from landowners who have trees on their land that may otherwise be worthy of protection not where they have concern or are opposed. Such a process could potentially be very costly to Council.

There is however, a potential issue where the members of the Tree Advisory Group may view that the Council should use a lower STEM threshold to include trees in the Appendix where there is no land owner approval.

However, Council may view that this approach properly reflects property rights and recognises that land owners do have certain rights about what may be done on their land, and that only if the public interest values of trees are very high, should the Council have the right or duty to protect such trees.

#### **8. Recommendation**

It is recommended that Council confirms that the approach proposed by Mr Hill is sound before it finalises the proposed plan change.

Hans van Kregten  
Consultant Planner  
27 July 2018