

TREE - Notable Trees

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
TREE - Notable Trees /TREE - Notable Trees - Rules Table /Activity Status: Discretionary	Tom Anderson	151.46	Oppose	Opposes as Network utility operators often work in tree driplines, and generally follow the process outlined in TREE-R1. As the trimming and pruning occurs as per TREE-R1, a blanket requirement for network utility operators to require resource consent in the dripline of notable tree's is unnecessary. A permitted rule should be provided in the NU chapter.	Delete TREE-R5 and rely on the other rules which apply to works within the dripline of notable trees, with the rules being located in the NU chapter.	Open Submission
TREE - Notable Trees /TREE - Notable Trees - Rules Table /TREE-R6: Any earthworks within the dripline of a notable tree	Tom Anderson	151.47	Amend	Considers that there are known and accepted methods for earthworks in the dripline of notable trees, and these should be included as permitted activities in the rule. The rule should be located in the NU Chapter.	Add permitted provision for earthworks in the dripline of notable trees into a new rule in the NU Chapter, with the permitted thresholds being the following: <u>earthworks for the purpose of installing underground network utilities, including customer connections, provided these are:</u> i. no shallower than 1m below ground level; ii. installed by hand-digging or trenchless means (such as air spade, hydro vac or directional drilling methods); and iii. have an entry point either outside of the root protection area or that has an area of less than 1m2;	Open Submission
TREE - Notable Trees /TREE - Notable Trees - Rules Table /TREE-R1: Trimming, pruning, and treatment of a notable tree/TREE-R1A	Sheena McGuire	168.62	Support	Notes that there is a grouping of notable trees within the rail corridor along Awatoto Road in the Operative Plan. These trees are identified as notable trees within the Proposed Plan (ref. 4). Supports trimming, pruning, and treatment of a notable tree as a Permitted Activity subject to conditions. Also supports the matters of discretion which include serious hazard/damage and nuisances.	Retain as proposed.	Open Submission
TREE - Notable Trees /TREE - Notable Trees - Rules Table /TREE-R2: Removal or destruction of a notable tree/TREE-R2A	Sheena McGuire	168.63	Amend	Seeks amendment to this provision to provide for the removal of a notable tree if it has the potential to create severe adverse effects on the safe and efficient operation of a network utility. This would allow submitter to remove a notable tree if it was likely to create a hazard threatening the safe operation of the rail network.	Amend as follows: TREE-R2A Activity Status: Permitted Where: 1. The tree is either dead, has a fatal disease, or has the potential to create severe adverse effects on the health and safety of people; 2. <u>The tree has the potential to create severe adverse effects on the safe and efficient operation of a network utility;</u> 3. It is undertaken by the Council and approved by the Chief Executive Officer, and 4. It is consistent with section 5.6 of the City Wide Reserve Management Plan.	Open Submission
TREE - Notable Trees /TREE - Notable Trees - Rules Table /TREE-R5: Any network utility operations within the dripline of a notable tree/Activity Status: Discretionary	Powerco Limited - Gary Scholfield	172.47	Oppose	There may be instances where existing network utilities are located within the dripline of notable trees. The ability to access these utilities for maintenance or repairs is critical. It is considered that subject to appropriate conditions, such works can occur as a permitted activity.	Amend as follows: TREE-R5: Any <u>underground</u> network utility operations within the dripline of a notable tree Activity Status: Discretionary Permitted Where: <u>1. Any soil disturbance is undertaken via the use of an airspade, hydrovac or handtools.</u> <u>2. New works are installed using trenchless installation methods.</u> <u>3. The works are undertaken or supervised by the Council or a qualified arborist.</u> NA Activity Status where activity conditions are not met: Discretionary Notification: Any application under this rule is precluded from being publicly notified.	Open Submission
TREE - Notable Trees /TREE - Notable Trees - Rules Table /TREE-R2: Removal or destruction of a notable tree/TREE-R2A	Fleur Lincoln Napier City Council	196.38	Amend	The City Wide Reserve Management Plan is going to be replaced by a new proposed plan in 2024 therefore this reference will be out of date by the time the PDP is made operative.	Delete reference to the City Wide Reserve Management Plan.	Open Submission
TREE - Notable Trees /Policies /TREE-P1: Identification of notable trees	Heritage New Zealand Pouhere Taonga - Dean Raymond	273.58	Support	Supports Policy TREE-P1: Identification of notable trees as HNZPT supports the inclusion of historical importance as one aspect of determining the significance of trees.	Retain Policy TREE-P1: Identification of notable trees as notified.	Open Submission

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TREE - Notable Trees /Assessment criteria /TREE-AC2: Removal or destruction (TREE-R2)Tree condition	Heritage New Zealand Pouhere Taonga - Dean Raymond	273.59	Support	Supports TREE-AC2: Removal or destruction (TREE-R2) as the assessment criteria are appropriate for significant notable trees, in particular it is appropriate to include the reference to archaeology in clause h.	Retain TREE-AC2: Removal or destruction (TREE-R2) as notified.	Open Submission
TREE - Notable Trees /Introduction /	Dr. Chantal Pagel Natasha Sitarz	289.72	Amend	Considers that notable trees, whether indigenous or exotic, may be significant habitat for native species. This should be mentioned in the introduction.The identification and protection of notable trees should not be limited to those in public ownership. While the plan provisions cannot create a positive obligation on private landowners to maintain their trees, the plan can at least ensure that notable trees are not adversely affected by inappropriate trimming and removal.	Seeks to amend as follows: “The purpose of the Notable Trees chapter is to provide for the identification and protection of trees within Napier that are of significance for their historical, social, cultural, botanical, amenity, and/or landmark values. <u>Some notable trees or groups of trees with significant values may also provide habitat for significant indigenous fauna.</u> Trees of outstanding...” Delete the paragraph commencing: “The identification of...”.	Open Submission
TREE - Notable Trees /Introduction /	Dr. Chantal Pagel Natasha Sitarz	289.72	Amend	Considers that notable trees, whether indigenous or exotic, may be significant habitat for native species. This should be mentioned in the introduction.The identification and protection of notable trees should not be limited to those in public ownership. While the plan provisions cannot create a positive obligation on private landowners to maintain their trees, the plan can at least ensure that notable trees are not adversely affected by inappropriate trimming and removal.	Seeks to amend as follows: “The purpose of the Notable Trees chapter is to provide for the identification and protection of trees within Napier that are of significance for their historical, social, cultural, botanical, amenity, and/or landmark values. <u>Some notable trees or groups of trees with significant values may also provide habitat for significant indigenous fauna.</u> Trees of outstanding...” Delete the paragraph commencing: “The identification of...”.	Open Submission
TREE - Notable Trees /Issues /TREE-I1: Identification and protection of notable trees	Dr. Chantal Pagel Natasha Sitarz	289.73	Amend	Considers that the issue should not be restricted to trees on Council- owned land. Trees in private ownership can be as important as those on public land.	Amend as follows: There is a risk or removal or damage to notable tree on council-owned land with people.... Delete the paragraph commencing “Due to the sheer scale” and replace with a paragraph recognising the importance of maintaining and protecting notable trees on Council-owned land, and ensuring that adverse effects on privately owned trees are avoided, remedied or mitigated.	Open Submission
TREE - Notable Trees /Objectives /TREE-O1: Identification and protection of notable trees	Dr. Chantal Pagel Natasha Sitarz	289.74	Amend	Considers that the objective should also capture the importance of trees to foster local biodiversity, habitat and connectivity.The identification and protection of notable trees should not be limited to those in public ownership.	Amend as follows: Trees (individual or groups) in public <u>or private</u> ownership that significantly contribute to the city’s character, history, amenity, and identity or are of botanical significance <u>or of importance to indigenous biodiversity</u> are identified and protected.	Open Submission
TREE - Notable Trees /Policies /TREE-P1: Identification of notable trees	Dr. Chantal Pagel Natasha Sitarz	289.75	Amend	Considers that some notable trees and groups of trees with significant value may provide habitat for significant indigenous fauna. This policy should recognise that.It should also apply to trees in private ownership.	Amend as follows: “Identify, map, and schedule notable trees in public <u>and private</u> ownership that significantly contribute to the city’s character, history, amenity, and identity or are of botanical significance <u>or of importance to indigenous biodiversity</u> . Trees will be evaluated using Standard Tree Evaluation Method (STEM), with those achieving the following benchmarks being scheduled as notable:- a minimum STEM value of 180;- a minimum of 50 years old, and be significant for at least one of the following reasons: historical importance, botanical rarity, importance as a significant landscape feature, size, age, form, and condition or function value <u>(e.g. key habitat for indigenous fauna)</u> ”	Open Submission

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TREE - Notable Trees /General /General	Dr. Chantal Pagel Natasha Sitarz	289.76	Oppose	Opposes the whole chapter, including Introduction, Objectives, Policies and Rules Arising from late notification of ECO-chapter	Seeks to add: <u>"The Ecosystems and Indigenous Biodiversity chapter includes provisions which relate to notable trees. Where there is a conflict between the Notable Trees chapter and the Ecosystems and Indigenous Biodiversity chapter, the provisions that place greater or additional restrictions on activities with adverse effects on natural environments will apply"</u> .	Open Submission
TREE - Notable Trees /TREE - Notable Trees - Rules Table /TREE-R1: Trimming, pruning, and treatment of a notable tree	Dr. Chantal Pagel Natasha Sitarz	289.77	Oppose	Considers that the Rule needs to be amended to provide for work to be undertaken by a suitably qualified and/or experienced arborist, where not on Council land.	Seeks to amend 3 to provide for work to be undertaken by a suitably qualified and/or experienced arborist, where not on Council land.	Open Submission
TREE - Notable Trees /TREE - Notable Trees - Rules Table /TREE-R2: Removal or destruction of a notable tree	Dr. Chantal Pagel Natasha Sitarz	289.78	Oppose	Considers that the Rule needs to consider bird breeding season and ensure removal or destruction to be conducted outside of those periods.	Seeks to amend the permitted activity standard so that activities won't be conducted during roosting periods. Amend 3. for work to be undertaken by a suitably qualified and/or experienced arborist, where not on Council land.	Open Submission