

21 February 2022

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Request for Official Information responded to under the Local Government and Official Information and Meetings Act 1987 (LGOIMA) – reference: OIR 2122-184

I refer to your information request we received on 29 January 2022 for the following:

I am requesting information on the status of the bluegum trees in Bluegum Reserve and your assurance that no bluegum trees in the Reserve are to be scheduled for destruction as a result of this misbegotten project. It will be possible to create a semi circular drive from the carpark to the "canopy" so vehicles can access the Hall and extension without a drive through to Bluegum rd.

Council response regarding your request

Regarding the status of the bluegum trees, please be advised that the trees (4 Southern Mahogany, *Eucalyptus botryoides*) are listed as notable trees (T50) in Schedule 8 of the Operative Kapiti Coast District Plan 2021 and are afforded protection under that provision.

There are permitted and controlled activities outlined in detail in the Notable trees section of the District Plan: https://www.kapiticoast.govt.nz/media/39838/notabletrees_189_29-jun-2021.pdf

Although protected, there are instances where the trees would require management or removal especially where there is a clear and present risk to life or property as happened with the emergency removal of one of the trees in June of 2016 under section 330A of the Resource Management Act (1991).

The building is a private building on public (Conservation) land. A non-notified Resource consent was issued for the extension of the building.

It is Council's intent to keep the trees in the best condition possible and as such would need to consider that any removal of large limbs may unbalance the tree requiring further counter balancing pruning.

Yours sincerely



Mike Mendonca
Acting Group Manager Place and Space
Te Kaihautū Takiwā, Waahi hoki

TREE - Notable Trees

This chapter sets out the policies and rules which manage *notable trees*. *Notable trees* are *historic heritage features*, and as such, this chapter should be read in conjunction with the *historic heritage* chapter.

Strategic Context

The Primary Objectives that this chapter implements are:

- DO-O1 - Tāngata Whenua;
- DO-O3 - Development Management; and
- DO-O7 - Historic Heritage.

DO-O1 Tāngata Whenua

To work in partnership with the *tāngata whenua* of the District in order to maintain *kaitiakitanga* of the District's resources and ensure that decisions affecting the natural *environment* in the District are made in accordance with the principles of Te Tiriti o Waitangi (Treaty of Waitangi).

DO-O3 Development Management

To maintain a consolidated urban form within existing urban areas and a limited number of identified growth areas which can be efficiently serviced and integrated with existing townships, delivering:

1. urban areas which maximise the efficient end use of energy and integration with infrastructure;
2. a variety of living and working areas in a manner which reinforces the function and vitality of centres;
3. resilient communities where development does not result in an increase in risk to life or severity of damage to property from natural hazard events;
4. higher residential densities in locations that are close to centres and public open spaces, with good access to public transport;
5. management of development in areas of special character or amenity so as to maintain, and where practicable, enhance those special values;
6. sustainable natural processes including freshwater systems, areas characterised by the productive potential of the land, ecological integrity, identified landscapes and features, and other places of significant natural amenity;
7. an adequate supply of housing and areas for business/employment to meet the needs of the District's anticipated population which is provided at a rate and in a manner that can be sustained within the finite carrying capacity of the District; and
8. management of the location and effects of potentially incompatible land uses including any interface between such uses.

DO-O7 Historic Heritage

To protect *historic heritage* in the District for the social, cultural and economic wellbeing of the Kapiti Coast community and future generations, including:

1. supporting the contribution of *historic heritage features* and their values to the identity, character and amenity of places and landscapes;
2. recognising and protecting *tangata whenua historic heritage*, including *waahi tapu and other places and areas significant to Māori*; and
3. providing for appropriate use and *development* of natural and physical resources with *historic heritage* values, while ensuring any adverse environmental *effects* are avoided, remedied or mitigated.

The rules in this chapter apply to all land and activities in all *zones* unless otherwise specified. Provisions in other chapters of the Plan may also be relevant.

Policies

TREE-P1	Identification of Notable Trees
<p>In addition to the criteria set out in HH-P2, trees will be considered for inclusion as a '<i>notable tree</i>' in the Schedule of Notable Trees (SCHED8) if they:</p> <ol style="list-style-type: none"> 1. achieve a Standard Tree Evaluation Method (STEM) score of 140 or greater (see TREE-Table 1); or 2. are listed on the New Zealand Notable Trees Trust's New Zealand Tree Register. 	
TREE-P2	Notable Trees Assessment Criteria
<ol style="list-style-type: none"> 1. The following criteria will be considered when assessing the <i>effects of trimming, modification or removal of notable trees</i>: <ol style="list-style-type: none"> a. the necessity for carrying out the works; b. whether the tree is dead, or has a serious contagious disease or damage which has caused a decline in its health; c. whether the tree has become a danger to the public or interferes with public utilities or drainage systems, watercourses or streams; d. compliance with any statutory or legal obligation; e. whether the tree can be successfully relocated (and is likely to survive) within the surroundings; f. whether the proposal can be altered to preserve the <i>tree</i> while still meeting the stated aims of the applicant; and g. whether the proposed activity is likely to damage the tree or endanger its health. 2. Consideration will also be given to: <ol style="list-style-type: none"> a. the outcome of consultation with the relevant <i>iwi authority</i> and affected parties; b. the outcome of consultation with the Department of Conservation, QEII National Trust, and the New Zealand Notable Trees Trust where appropriate; c. any evidence of a recognised and qualified arborist where appropriate; and d. any evidence and recommendations made by Heritage New Zealand and any other professionally recognised party in heritage conservation issues. 	

Rules

Notes: Works in close proximity to any electricity *line* can be dangerous and should be undertaken in accordance with appropriate guidelines. To discuss any tree trimming works near any electricity *line*, especially works within the *National Grid Subdivision Corridor*, contact the relevant *network utility operator*.

TREE-R1	Any activity on a <i>site</i> with a <i>notable tree</i> not specified as a <i>controlled, restricted discretionary, discretionary</i> or <i>non-complying activity</i> in the rules in this Chapter.	
Permitted Activity	Standards 1. The activity complies with all <i>permitted activity</i> standards in this Chapter.	
TREE-R2	<i>Trimming of notable trees</i> identified in Schedule 8.	
Permitted Activity	Standards 1. Any <i>trimming</i> must be undertaken only: a. to achieve compliance with the requirements of the Electricity (Hazards from Trees) Regulations 2003 or its successor; or b. if it is compromising the safety and integrity of or obstructing an existing access leg, right of way or driveway; and c. by an arborist who has attained the New Zealand Qualifications Authority National Certificate in Arboriculture Level 4 or equivalent qualification. 2. All <i>trimming</i> must be undertaken in accordance with the New Zealand Arboricultural Association Incorporated Best Practice Guideline 'Amenity Tree Pruning' Version 3 dated April 2011.	
TREE-R3	The <i>modification</i> of any <i>notable tree(s)</i> that is not a <i>permitted activity</i> under TREE-R2.	
Controlled Activity	Standards 1. The <i>modification</i> of a <i>notable tree</i> must be limited to: a. <i>modification</i> of vegetation that is damaged, dead or dying or has sustained storm damage or is fatally diseased such that: i. the vegetation is no longer independently viable or presents a risk of serious harm to people or property or risks damaging surrounding protected vegetation; and ii. an arborist who has attained the New Zealand Qualifications Authority National Certificate in Arboriculture Level 4 or	Matters of Control 1. The extent and method of vegetation removal. 2. The location and timing of planting of any plant species to compensate for the loss of vegetation. 3. Any remedial work necessary to restore the site after the <i>modification</i> activity is complete. 4. Public safety. 5. Measures to avoid, remedy or mitigate effects on <i>tāngata whenua</i> values.

	<p>equivalent qualification has certified in writing that Condition (i) above is met; or</p> <p>2. Felling or removal of any <i>tree</i>, in relation to an existing <i>network utility</i>, that is necessary to reduce risk to that existing <i>network utility</i>.</p>	
TREE-R4	<i>Trimming of notable trees</i> which do not comply with TREE-R2 or the standards in TREE-R3, or <i>modification of notable trees</i> by any <i>network utility operator</i> to ensure the safety and integrity of any <i>network utility</i> or to maintain access to the <i>network utility</i> .	
Restricted Discretionary Activity	Standards	Matters of Discretion <ol style="list-style-type: none"> 1. <i>Effects</i> on <i>historic heritage</i> values. 2. <i>Effects</i> on landscape and amenity. 3. The matters listed in TREE-P2. 4. <i>Effects</i> on context and surroundings.
TREE-R5	Any activity affecting a <i>historic heritage</i> feature, which does not comply with one or more of the <i>permitted</i> or <i>controlled activity</i> standards, unless otherwise specified.	
Restricted Discretionary Activity	Standards	Matters of Discretion <ol style="list-style-type: none"> 1. Consideration of the <i>effects</i> of the standard not met. 2. <i>Effects</i> on <i>historic heritage</i> values. 3. Measures to avoid, remedy or mitigate adverse <i>effects</i>. 4. Cumulative <i>effects</i>.

TREE-Table 1 Standard Tree Evaluation Method	Standard Tree Evaluation Method	
	The Standard Tree Evaluation Method is used for the evaluation of individual tree specimens.	
	Factors: The method employs a multi-criteria approach to the evaluation of trees. The following factors are assessed using the Standard Tree Evaluation Method:	
	Condition (Health)	<ul style="list-style-type: none"> • Form (botanical assessment) • Occurrence of the species (within the local District boundary) • Vigour and Vitality (assessment of the health of the tree) • Function (usefulness, e.g. bears fruit, wind / noise break etc.) • Age
Amenity (Community Benefit)	<ul style="list-style-type: none"> • Stature (<i>height</i> or width) • Visibility of the tree (the furthest distance from which a tree can be seen) • Proximity of other trees (solitary or part of a group) 	

		<ul style="list-style-type: none"> • Role in setting ('How would a scene look without the tree?') • Climatic influence (<i>effect</i> of the tree on the surrounding microclimate) 				
Notability (Distinction)		<ul style="list-style-type: none"> • Stature • Feature (exceptionally large proportions or special visual interest) • Form (outstanding example of species) 				
Historic		<ul style="list-style-type: none"> • Age (authoritative and well documented age of over 50 years) • Association (with a major event, person or revered for cultural significance) • Commemoration (planted to commemorate an occasion) • Remnant (of native forest or exotic tree plantations, flora and fauna) • Relict (existing in an <i>environment</i> which has changed from that which is typical) 				
Scientific		<ul style="list-style-type: none"> • Source (exceptional species qualities or generic derivation) • Rarity (authenticated scientific documentary evidence of their rarity) • Endangered (threatened under criteria developed by the IUCN International Union of the Conservation of Nature) 				
Evaluation:						
Points scored under each of the factors are recorded on the form in the right hand column and totalled at the bottom. Only the point option scores set out may be used. For example, the condition evaluation is shown below:						
Points	3	9	15	21	27	Score
Occurrence	predominant	Common	Infrequent	Rare	Very Rare Specimen	
Form	Poor	Moderate	Good	Very good	Very rare	
Vigour & Vitality	Poor	Some	Good	Very good	Excellent	
Function	Minor	Useful	Important	Significant	Major	
Age	10yrs +	20yrs +	40yrs +	80yrs +	100yrs +	
This system uses a starting figure of 3 points minimum increasing to a 30 point maximum. Perfection in an organic object, such as a tree would be unnatural, therefore the maximum point awarded would be 27, or 90%						
Points	3	9	15	21	27	30
As fractions	3/30	9/30	15/30	21/30	27/30	30/30
As	10%	30%	50%	70%	90%	100%

	percentage						
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