

## Summary of Submissions – PC129 Notable and Public Trees

Sub No.	Sub Point	Surname/ Company	First Name/ On Behalf Of	Support/ Oppose	Submission Topic	Relief Sought	Reasons	Wished to be heard?	Joint Hearing?
PC129-001	a	McNab	Isabella Mary	Seek Amendment	Specific Tree(s)	That Council supports the possibility of the removal of the trees concerned, at 5 Pentland Road	The trees in question pose a public fire and safety risk. The plan change will enable the owners to remove the trees to reduce this risk. The subject trees do not meet the criteria of enhancing the environment. They are not native nor do they have any cultural value. They also have no social advantage.	N	Yes
PC129-001	b	McNab	Isabella Mary	Support	Chapter Title	Retain Chapter title	supports the change of title to Notable and Public Trees	N	Yes
PC129-002	a	Whimp	Marie Reta	Seek Amendment	Specific Tree(s)	That tree No. 349 be removed from the Schedule of Notable Trees.	Tree No. 349 no longer exists.	Y	
PC129-003	a	Bax	Jennifer Robin	Not Stated	Specific Tree(s)	That the Council confirm whether the subject tree exists or not.	Uncertainty as to whether the tree exists. Potentially invalid submission form.	Not Stated	
PC129-004	a	Froggatt	June Elizabeth	Not Stated	N/A	Not Stated	Not Stated. Invalid submission form.	Not Stated	
PC129-005	a	Allan	Jean	Support	Miscellaneous	That no heritage tree be removed provided that they are healthy and not depriving a neighbour of sun and light.	Submitter has 2 heritage trees on property. Too many trees in Whangarei have been cut down, some suburbs are very bare. Invalid submission form - Submitter has used pre-consultation comment form.	Not Stated	
PC129-005	b	Allan	Jean	Support	Miscellaneous	Suggests that deciduous trees be planted along the Hatea Loop Walkway and Mill Road, but with careful planning to avoid soggy leaves creating problems.	Planting deciduous trees will provide summer shade, autumn coverage and winter sun. Invalid submission form - Submitter has used pre-consultation comment for	Not Stated	
PC129-006	a	Tweedale	Glenis Lynette	Oppose	Specific Tree(s)	To leave the plan as is.	In relation to 47 Three Mile Bush Road, Kamo: Owner does not want the heritage status taken from the trees on her property. The submitter is planting more native trees in the area.	Not Stated	
PC129-007	a	Smith	Andrew Thomas	Oppose	Specific Tree(s)	That tree No. 355 retain its original status.	It is the only mature tree in the area. It poses no safety risk, gives privacy, and reduces noise.	N	
PC129-008	a	Wasson	Robyn May	Not Stated	Specific Tree(s)	In relation to 11 and 13 Whimp Avenue: To confirm that the tree exists.	Uncertainty as to whether the tree exists.	N	
PC129-009	a	Morgan & Ward	N/A	Not Stated	NPT.1.5 Discretionary Activities (Land Use)	To enable the property owners to have authority to remove or maintain the heritage tree without the cost of resource consent.	The tree is considered to be unsafe, particularly when subject to adverse weather conditions. Disappointed that Council imposes costs on property owner to maintain a tree that poses a safety risk to their home, people, and the road.	N	
PC129-010	a	O'Hara	Lyndon Robert	Not Stated	Specific Tree(s)	That trees No. 200 and 201 be significantly lowered or physically removed.	Submitter is concerned that these trees are hazardous. The tree is located in close proximity to the boundary with branches encroaching into the submitter's property. Concerned about the risk of damage to their home, particularly when the tree is subject to severe winds. Will Council accept full liability for the damage caused by trees?	Y	Yes
PC129-011	a	Wheeler	Laurel Mary	Not Stated	Specific Tree(s)	Trees removed or cut low so as not dangerous.	The trees pose a safety risk in adverse weather conditions.	N	
PC129-012	a	Te Whata	Robyn Lynne	Seek Amendment	Miscellaneous	The Council either sweep Ross Street on a weekly basis, cut the trees back to a more manageable size, or remove several of them.	This species should never have been planted due to their size and issues around leaf fall. The leaves are slippery when wet and I have witnessed several slips due to the leaves. The tree roots also pose a tripping risk and cause damage to the roads. Maintenance costs should not be the responsibility of the residents.	N	

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PC129-012	b	Te Whata	Robyn Lynne	Seek Amendment	Specific Tree(s)	That the tree outside 23 Ross Street be removed and a more suitable one planted, or not.	Concerned about the safety risk, cost of managing leaf litter, and the damage to infrastructure.	N	
PC129-013	a	Russell Mortimer	Whangarei Intermediate School	Oppose	Specific Tree(s)	That Tree 513 be removed from NPT.1.9.1 Schedule of Notable Trees.	<p>1. Believes that the tree is incorrectly identified as a Dawn Redwood (<i>Metasequoia gylptostroboides</i>), and that it is in fact a Swamp Cypress (<i>Taxodium distichum</i>) as the tree in question has alternate leaf and leaflets rather than directly opposite leaflets, the latter being a characteristic of a Dawn Redwood.</p> <p>2. The reason the Dawn Redwood was originally included within the Schedule of Trees Listed for Preservation was that it was of Scientific Significance.</p> <p>3. The Deputy Principal of Whangarei Intermediate has concerns with regards to Health and Safety should the tree remain.</p> <p>4. Concerned about the ongoing costs associated with maintenance and repair.</p> <p>5. It is noted that the tree is located near to a Critical Underground Electrical Line and concerns are raised that such a line could be compromised by the root system.</p> <p>6. The tree is located on a property which is identified in the District Plan as Designated Area DE 25, with the Minister of Education the Requiring Authority. The need for a Requiring Authority to obtain resource contradicts the rationale for holding a designation. Particularly so given that the undertaking of enabling works, such as vegetation removal, can reasonably be expected when giving effect to the majority of designations.</p>	Y	
PC129-014	a	Housing New Zealand	Charlotte Veikune	Support	Specific Tree(s)	That trees listed as No. 233 and No. 363 be removed from the Schedule of Notable Trees.	Following an assessment made by an Arborist in January 2016, both Notable Trees were removed as they were unstable and rotting leading to health and safety issues.	N	
PC129-015	c	Transpower NZ Limited	Pauline Whitney	Support	NPT.1.3 Objectives	That Objective 2 be retained.	Objective 2 is clear and specifically recognises the need to enable safe and efficient development, maintenance, operation and upgrading of network utilities while protecting trees in public spaces. The definition of network utilities includes the National Grid. The objective therefore gives appropriate effect to the NPSET, and in particular Policy 2 and Policy 5.	Y	
PC129-015	d	Transpower NZ Limited	Pauline Whitney	Support/Seek Amendment	NPT.1.4 Policies	<p>(i) That Policy 2 be amended as follows:</p> <p><i>2. To require the protection of public trees in road reserves, parks and reserves while providing for the safe and efficient development, operation, use, maintenance and upgrading of infrastructure, utilities and the road network by:</i></p> <p>.....</p> <p><i>d) Enabling appropriate works to public trees, including removal, to provide for the safe and efficient operation, use, maintenance and upgrading of, and access to, network utilities.</i></p> <p>(ii) And any consequential amendments that arise from the amendments proposed.</p>	Policy 2 is supported. However, Transpower seeks the amendment as they often require the development of access tracks (including vegetation removal) to carry out maintenance works which enable their infrastructure to function and operate. The proposed amendments would ensure PC 129 gives appropriate effect to the NPSET, Policy 2, and Policy 5.	Y	
PC129-015	a	Transpower NZ Limited	Pauline Whitney	Support	NPT.1.10 Protected Public Trees	That the definition of "Protected Public Tree" within provision NPT.1.10 be retained as notified.	The inclusion of a definition/provision clarifying what is meant by the term "public tree" is supported as it provides clarity and assists in plan interpretation.	Y	

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PC129-015	b	Transpower NZ Limited	Pauline Whitney	Support	NPT.1.2 Eligibility	That provision NPT.1.2 Eligibility, Clause 2, be retained.	While Transpower generally supports the provision of an explicit permitted activity rule, the approach in PC 129 of providing a default permitted rule is accepted.	Y	
PC129-015	e	Transpower NZ Limited	Pauline Whitney	Support/Seek Amendment	NPT.1.5 Discretionary Activities (Land Use)	That NPT.1.5 Rule 4 be amended as follows: Public Trees <i>4. Trimming or alteration of any public tree defined in NPT.1.10.1 which does not comply with the following:</i> <i>a. The trimming or alteration is required for the removal of <u>broken</u>, dead, dying or diseased wood.</i> .... <i>d. Tree works undertaken by a qualified arborist on behalf of a network utility operator, where branches are compromising the safe and efficient operation, maintenance and upgrade of overhead wires or network utilities and the trimming or alteration is required <del>in order</del> to maintain the security of an existing supply or to restore power or telecommunication infrastructure, or to maintain access to the network.</i> <i>e...</i>  That Rule 6 be amended as follows: <i>6. <del>Damage to or removal</del> of any public tree defined in NPT.1.10.1;</i> (iv) And any consequential amendments that arise from the amendments proposed.	It is important Transpower is able to trim or remove any vegetation that could affect the safe operation, maintenance or upgrade of its lines. Where tree branches are close to or in contact with a transmission line they can create a flashover from the conductor to the tree, which may cause a number of issues.	Y	
PC129-015	f	Transpower NZ Limited	Pauline Whitney	Support/Seek Amendment	NPT.1.5 Discretionary Activities (Land Use)	To remove the term 'damage' from the rule framework.	The lack of a definition as to what constitutes 'damage' could lead to plan interpretation and application issues as the term is open to a wide range of interpretations, and could fall within the ambit of trimming or alteration.	Y	
PC129-015	g	Transpower NZ Limited	Pauline Whitney	Support	NPT.1.7 Assessment Criteria for Discretionary Activities	That NPT.1.7 be retained.	In particular, clauses e) and h) acknowledge the issue of risk, and the functional and operational needs of infrastructure. The criteria also gives effect to the National Policy Statement for Electricity Transmission 2008 (NPSET).	Y	
PC129-015	h	Transpower NZ Limited	Pauline Whitney	Support	Definitions	Provide definitions for the terms 'trimming', 'alteration', and 'removal'	These terms are used in PC 129 but are not defined. Transpower has concerns that the lack of clarity could lead to plan interpretation and application issues.		
PC129-016	a	Hammer	Fay Jeanette	Oppose	NPT.1.5 Discretionary Activities (Land Use)	That private owners not be restricted from managing trees that restrict sunlight.	The trees should not be protected as they are not suitable for the area. Housing is affected in many ways including through the restriction of sunlight.	N	Yes
PC129-018	a	Cox	Patrick	Seek Amendment	Health and Safety	That trees on private land be assessed under the Health & Safety Act to enable the management of trees that pose a health and safety risk.	The tree on my property is threatening the structural integrity of the house as well as the water supply. The tree roots and the constant falling debris pose trip hazards. The tree is in close proximity to my lounge and I am concerned that a branch might fall through my window during high winds.	N	Yes
PC129-019	a	Yanko	Mauvin Joy	Seek Amendment	Miscellaneous	Not stated	Conflict between tree and private property.	N	
PC129-020	a	McDonald	Mary Roy Gowans	Not Stated	Specific Tree(s)	Requests full protection of Morton Bay Fig located in the Whangarei Hospital carpark.	Provides stability to the steep bank. It also beautifies the area and provides shelter.	N	

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PC129-021	a	Rogers	Stuart	Not Stated	Specific Tree(s)	Remove tree No. 404, 28B George Street, from the heritage schedule.	The tree is a Magnolia and is nearing the end of its life. The original heritage status was questionable. The state of the tree is impacting adjoining buildings. Safety issues exist.	Y	Yes
PC129-022	h	Rye	Heather	Oppose	Cost of Resource Consent	Any resource consent application in relation to works associated with a Notable Tree (including trimming or felling) shall be processed by the Council at no charge to the applicant. Furthermore, the costs incurred by the applicant in the preparation of any such application shall be reimbursed by Council to the applicant.	If a decision is made to protect a tree due to its public benefit/amenity value that situation should not create costs, risks and/or liabilities on the part of the landowner of the Notable Tree.	Y	
PC129-022	g	Rye	Heather	Oppose	Liability	The Council shall indemnify any landowner with a Notable Tree on their property in relation to any loss or liability that may occur as a result of the continued existence of the tree.	The retention of trees to provide public benefits in terms of amenity values should occur in appropriate locations and not be achieved at the cost of private individuals. Any such resource consent applications shall be processed by the Council at no charge to the applicant.	Y	
PC129-022	c	Rye	Heather	Oppose	NPT.1.5 Discretionary Activities (Land Use)	To amend PC129 to include a Permitted Activity rule to make it explicit as to what can be done in relation to a notable tree without the need for a resource consent.	The layout of PC129 is unclear as to what constitutes a Permitted Activity. This has the potential to create confusion and ultimately unintentional non-compliance with the rules.	Y	
PC129-022	d	Rye	Heather	Oppose	NPT.1.5 Discretionary Activities (Land Use)	To amend the rules to enable owners greater ability to undertake maintenance without the need for a resource consent (including crown lowering).	Private owners of notable trees should be able to have the same rights to undertake works on such trees as is afforded the Council and Network Utility Operators in relation to Public Trees.	Y	
PC129-022	e	Rye	Heather	Oppose	Other Regulations	Amend PC129 to enable to enable compliance with The Electricity (Hazards from Trees) Regulations 2003.	Compliance with the law should not be contingent upon securing a resource consent which as a Discretionary Activity may be declined. PC129 places landowners with Notable Trees in a no-win situation due their inability to comply with the law, particularly with regards to The Electricity (Hazards from Trees) Regulations 2003.	Y	
PC129-022	a	Rye	Heather	Oppose	Specific Tree(s)	To remove Notable Tree 433 from NPT.1.9 Schedule	First preference, is for the tree to be removed due to issues with the tree affecting private property.	Y	
PC129-022	f	Rye	Heather	Oppose	Specific Tree(s)	If Notable Tree 433 is retained, to correct the legal description to read Lot 1 DP 184341.	The legal description of the property remains incorrectly recorded, despite the submitter advising Council of this during pre-consultation.	Y	
PC129-022	b	Rye	Heather	Oppose	STEM Criteria	Amend PC129 provisions by applying a more appropriate and robust set of criteria to assess the notability of the tree and the appropriateness of its retention.	The criteria should take into account matters such as risk to public and private safety, damage to property and/or public infrastructure, personal liability, and costs associated with compliance. The STEM assessment also incorrectly identified the <i>Liquidambar styraciflua</i> as a native tree, when it is in fact an American Sweetgum.	Y	
PC129-023	a	Worthington	Bernard Duncan	Not Stated	Specific Tree(s)	To make trees bordering property more user-friendly	The trees overhang our property and are a danger to our house. The trees promote excessive weed growth under the canopy, which cover old fences, dangerous stumps and branches. They are not an asset that encourages future generations to appreciate the trees and reserves.	Not Stated	

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PC129-024	a	Northland Regional Council	Michael Day	Not Stated	NPT.1.5 Discretionary Activities (Land Use)	That NPT.1.5 provisions be amended as outlined below: 1.c AND 4.c Emergency tree works undertaken by the Whangarei District Council, <u>Northland Regional Council</u> or their authorised representative...  To insert new clause as outlined below: Tree works undertaken by the Northland Regional Council or their authorised representative where trees compromise the performance of flood schemes or cause or exacerbate flooding or streambank erosion.	The NRC team has the role of maintaining scheme assets which may sometimes require the urgent maintenance or removal of trees that may impede the performance of flood schemes.	Y	
PC129-025	a	Tomason	Heather Joyce	Seek Amendment	Specific Tree(s)	Manage with WDC support the impact on Living / Infrastructure caused by the tree #323 at 109 Hatea Drive OR have the tree removed from the Notable Tree List.	The tree has grown significantly over the last 3-4 of owning the property. Concerned about the danger of damage to the house. A power pole is located in close proximity to the tree and there is a risk of the tree affecting power and phone lines. The front boundary fence is collapsing under the weight of one of the limbs. The dropping of large fruit poses a risk to the users of the neighbouring property. The tree is a problem tree.	N	Yes
PC129-026	c	Kelbrook Holdings Limited	Frank Newman	Not Stated	Notification	That a new policy be added to the effect that where a tree was added to the register in 1976, applications by the current property owner for maintenance or removal of the tree from the Register be treated as a non-notified consent.	This is consistent with a comment made to a previous owner of a property that <i>"Council accepts that any tree...may become a problem, so you may be assured that at all times any justifiable request for consent to remove a registered tree will be considered favourably by Council"</i> .	Y	No
PC129-026	a	Kelbrook Holdings Limited	Frank Newman	Not Stated	Specific Tree(s)	That Tree No. 271 be removed from the Notable Trees List.	People are more important than trees. Why save a tree like that? Why not save the person? I think the system needs to be more ruthless when it comes to trees.	Y	No
PC129-026	b	Kelbrook Holdings Limited	Frank Newman	Not Stated	STEM Criteria	To modify the STEM method to take into account the negative effects as required by the RMA.	The STEM score fails to account for the negative impacts of the tree including its proximity to the dwelling and a busy road; safety risk; shading and dampness; leaf litter; and regulatory restrictions on building under the drip line of a tree.	Y	No
PC129-027	d	Landowners Coalition Incorporated	Frank Newman	Seek Amendment	Cost of Resource Consent	Council (on behalf of the public) contribute all or a significant portion of the costs associated with tree care and management, proportional to the assessed private vs public benefit of the tree.	The Council has either not addressed relevant matters relating to costs and risks at all, or not addressed them adequately. We note no attempt has been made by the Council in the S32 Analysis to quantify financial costs. We believe this omission materially diminishes the requirement to address matters relating to the negative effects a large tree(s) may have on residential amenity, with the consequence that too little regard has been given to mitigation. We believe it is inadequate for Council staff to merely say there is a financial cost to landowners, without attempting to quantify those costs.	Y	No
PC129-027	f	Landowners Coalition Incorporated	Frank Newman	Seek Amendment	Liability	Council undertake as a policy to accept liability for damages or claims that may arise from harm caused by a protected tree, with the right to claim damages from a third party where the third party has contributed to the loss.	None specifically given.	Y	No

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PC129-027	c	Landowner's Coalition Incorporated	Frank Newman	Seek Amendment	Notification	Where a tree was added onto the register at the invitation of the Council, that applications for maintenance or removal from the register be treated as a non-notified consent.	None specifically given.	Y	No
PC129-027	i	Landowner's Coalition Incorporated	Frank Newman	Seek Amendment	NPT.1.5 Discretionary Activities (Land Use)	Amend NPT.1.5.1.b.i to increase the maximum branch diameter from 100mm to 200mm.	Increasing the maximum branch diameter will foster a more positive attitude towards the scheduled trees on their properties. This would benefit in a less onerous regime.	Y	No
PC129-027	j	Landowner's Coalition Incorporated	Frank Newman	Support	NPT.1.5 Discretionary Activities (Land Use)	Retain the increase the maximum crown removal from 10% to 20% in NPT.1.5.1.b.ii	We support this change. It is consistent with the expert report commissioned by Peers Brown Miller Limited (5.12 page 5).	Y	No
PC129-027	k	Landowner's Coalition Incorporated	Frank Newman	Seek Amendment	NPT.1.5 Discretionary Activities (Land Use)	To add reference to "private landowner" or a "representative" to rule NPT.1.5.c	This gives the landowner the right to undertake emergency works in order to safeguard life or property, or to restore power or telecommunications.	Y	No
PC129-027	l	Landowner's Coalition Incorporated	Frank Newman	Seek Amendment	NPT.1.5 Discretionary Activities (Land Use)	Clarification requested for Council to justify why five days notice is necessary with regard to NPT.1.5.1.e	Clarification is sought as to when the notice must be given to Council, as the wording in PC129 is unclear.	Y	No
PC129-027	m	Landowner's Coalition Incorporated	Frank Newman	Seek Amendment	NPT.1.5 Discretionary Activities (Land Use)	Add new clause: Tree works undertaken by a landowner or their designated agent required to maintain vehicle sight lines for traffic safety or to maintain clearance height and width above a private vehicle access way.	It is our view that traffic safety and access is more important than the potential effect on a tree's health.	Y	No
PC129-027	n	Landowner's Coalition Incorporated	Frank Newman	Seek Amendment	NPT.1.6 Discretionary Activities (Subdivision)	To increase the 100m2 building platform to 200m2.	We do not accept the response from Council that it should remain at 100m2 as it is consistent with the District Plan. Other provisions in the District Plan are irrelevant in the context of this plan change.	Y	No
PC129-027	o	Landowner's Coalition Incorporated	Frank Newman	Seek Amendment	NPT.1.7 Assessment Criteria for Discretionary Activities	To limit all references to "cultural values" in PC129 to indigenous trees.	It is illogical that tangata whenua could be considered an affected party for exotic tree species. Limiting tangata whenua consultation to indigenous trees would reduce compliance costs.	Y	No
PC129-027	p	Landowner's Coalition Incorporated	Frank Newman	Support	NPT.1.7 Assessment Criteria for Discretionary Activities	To retain reference to mitigation as compensation.	The mitigation be in the form of tree planting, not financial compensation.	Y	No
PC129-027	a	Landowner's Coalition Incorporated	Frank Newman	Seek Amendment	STEM Criteria	Require each notable tree to be reassessed at least bi-annually	To ensure it's Tree Evaluation Score (TES) remains current, and large trees more frequently.	Y	No
PC129-027	b	Landowner's Coalition Incorporated	Frank Newman	Seek Amendment	STEM Criteria	Trees should only be entered onto the Notable Trees Register with the consent of the private landowner and subsequent landowners, who should have the absolute right to remove the tree from the register every five years.	This avoids the situation where a landowner consents to a tree being entered on the register on the understanding that it could be removed should it become a nuisance, only to find the WDC changes its position and refuses to remove that tree (as has been the case in Whangarei) and accommodates the reality that trees grow - they get bigger and can create	Y	No

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							new negative effects. The Council seems blind to this obvious reality as it is not mentioned in the S32 analysis.		
PC129-027	e	Landowners Coalition Incorporated	Frank Newman	Seek Amendment	STEM Criteria	Council prepare and have available for public inspection a tree management plan for each tree listed on the Schedule of Notable Trees.	None specifically given.	Y	No
PC129-027	g	Landowners Coalition Incorporated	Frank Newman	Seek Amendment	STEM Criteria	Delete reference to STEM (and consequential changes to other sections of the Plan). Replace with Trees Evaluation System (being a modified STEM approach that takes into account the adverse effects).	It is our view that the STEM system of tree evaluation adopted by the Council does not accurately reflect the net community benefit (community including the occupants affected by trees on private land). STEM ignores the detrimental effects of having a protected tree on private property. It is our view that those effects should be recognised by a negative score factor adjustment to a tree rating.	Y	No
PC129-027	h	Landowners Coalition Incorporated	Frank Newman	Seek Amendment	STEM Criteria	The threshold for inclusion in the register should be higher than 100.	Refers to the report Arboricultural Assessment Report, Papakura STEM Evaluation, dated September 2011, which uses 126 as the threshold. In the absence of including negative aspects believes 126 is a more appropriate threshold. If the negative aspects were to be included in the evaluation, they are satisfied with the Council's threshold of 100.	Y	No
PC129-027	q	Landowners Coalition Incorporated	Frank Newman	Seek Amendment	STEM Criteria	Landowners should have the right to commission their own Tree Evaluation, and there should be an objection and appeal process to contest a STEM evaluation undertaken by Council.	Council staff make the comment in the S32 report that, "STEM is widely used by other councils throughout New Zealand for scoring and scheduling notable trees. It provides a consistent measurement and comparison of trees that has been identified as best practice." Thirty-four local authorities use STEM - approximately half of the local authorities in New Zealand. Therefore half of the council's have favoured another approach as "best practice", including the largest local authority (Auckland). By population, more local authorities do not use STEM than do. There can be no doubt that STEM is subjective. While an individual assessor may apply a methodology consistently, the Council has not provided any evidence to demonstrate the methodology is consistent between assessors nor have they demonstrated that an assessment is consistent over time.	Y	No
PC129-027	r	Landowners Coalition Incorporated	Frank Newman	Seek Amendment	Section 32	Council should have obtained a peer review of the arborists report	Believes that the council has not addressed the relevant costs and risks of notable trees. The Section 32 relies solely on the opinion of one arborist. Tree assessments are highly subjective and a second opinion should have been obtained.	Y	No
PC129-028	b	Percy	Elizabeth	Not Stated	Infrastructure	For Council to maintain the tree and its roots and to enable Northpower more authority.	Provisions in PC129 prevent Northpower from adequately protecting the power lines. Storm damage costs millions of dollars. The tree overhangs Council property, my house, and the neighbour's property posing a health and safety risk.	N	
PC129-028	a	Percy	Elizabeth	Not Stated	Specific Tree(s)	In relation to 41 Puriri Park Road: For Council to maintain the tree and its roots using protected tree funds.	The roots are damaging footpaths, driveways, and my house foundations.	N	
PC129-028	c	Percy	Elizabeth	Seek Amendment	Whole Plan Change	That PC129 provisions be more relaxed.	To enable greater flexibility to maintain trees that pose a safety risk and cause damage to infrastructure.	N	
PC129-029	a	Jones	Bryce	Seek Amendment	Specific Tree(s)	That Tree No. 342 be excluded from the list of Notable and Public Trees.	The Tree Evaluation score sheet is not true and correct. The report does not take into account the true effects this tree has on our home on 170 Maunu	Y	

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							Road. The tree does not have good form, is rotten in parts, the edge of the canopy is far closer than the 10m stated in the report.		
PC129-030	a	DC Empires Ltd	Stuart Barton	Not Stated	Specific Tree(s)	That the two rimu trees, No. 378 be removed from the Notable Tree Schedule.	They do not have significant amenity, historical, ecological or cultural values.	Y	No
PC129-031	a	Griffiths	Trevor	Support	Specific Tree(s)	For Council to maintain the trees on 23 Rurumoki Street	At least two trees overhang our property which . We are continually having to clear debris and bear the costs. They pose a risk to our house. We don't think it is fair that we need a resource consent and are liable for associated costs to maintain the tree, with no certainty of approval.	N	Yes
PC129-032	a	GEK Property Nominees Limited	Vicki Toan	Seek Amendment	NPT.1.3 Objectives	To amend objective NPT.1.3.3 as follows: (a) Future subdivision, use and development <u>appropriately</u> provides for existing and new trees that contribute to amenity, historical, ecological or cultural values.	The objectives and policies relating to notable trees do not provide an appropriate balance between tree protection, and the use and development of natural and physical resources.	Y	
PC129-032	b	GEK Property Nominees Limited	Vicki Toan	Seek Amendment	NPT.1.4 Policies	To amend rule NPT.1.4.1 as follows: (b) Ensuring that subdivision, use or development does not result in the <u>inappropriate</u> removal of notable trees or notable groups of trees, or have adverse effects on the life of the tree or identified significant amenity, historical, ecological or cultural values <u>that are not appropriately remedied or mitigated.</u>	The objectives and policies relating to notable trees are not consistent with the purpose of sustainable management of the RMA 1991.	Y	
PC129-032	c	GEK Property Nominees Limited	Vicki Toan	Seek Amendment	NPT.1.4 Policies	To amend rule NPT.1.4.1(e) as follows: Requiring future subdivision, use or development to respond to, accommodate and protect notable groups of trees <u>from inappropriate use or development.</u>	The proposed activity statuses for trimming, altering notable trees is not commensurate with the level of assessment required to determine whether the Council should grant consent or not.	Y	
PC129-032	d	GEK Property Nominees Limited	Vicki Toan	Seek Amendment	NPT.1.5 Discretionary Activities (Land Use)	Amend rule NPT.1.5 so that the activities described in rules NPT.1.5.1, NPT.1.5.2, and NPT.1.5.3 (trimming or alteration of notable trees, works within dripline of a notable tree, and damage to or removal of a notable tree respectively) are restricted discretionary activities.	The actual and potential effects of these activities can be anticipated with such certainty that the Council does not require an unfettered discretion to determine such applications.	Y	
PC129-032	e	GEK Property Nominees Limited	Vicki Toan	Seek Amendment	NPT.1.7 Assessment Criteria for Discretionary Activities	To amend rule NPT.1.7 so that the assessment criteria set out in rule NPT.1.7.1(a)-(j) apply to the relief sought in the above submission point.	The discretionary activity status will result in unreasonably high costs to the applicants.	Y	
PC129-032	f	GEK Property Nominees Limited	Vicki Toan	Seek Amendment	Specific Tree(s)	To remove Tree No. 389 from the Notable Tree Schedule.	The two jacaranda trees on this property do not have such significant, amenity, historical, ecological or cultural values that they should be required to be retained and protected under PC 129.	Y	
PC129-033	b	Wolland	Dave	Seek Amendment	Cost of Resource Consent	That maintenance costs be shared between Council and owners of neighbouring properties with trees of high "public value".	Heritage trees should be assessed based on the level of combined public and private value. An experienced arborist should be used in conjunction with landowners/occupiers without the cost of resource consent.	Y	No
PC129-033	a	Wolland	Dave	Seek Amendment	Whole Plan Change	That the rules protecting existing heritage trees be re-examined and a more common sense approach be taken.	Concerned that the current rules allow for only minimal pruning.	Y	No
PC129-034	a	Department of Conservation	Maggie Burns	Oppose	NPT.1.3 Objectives	To add a new objective with reference to avoiding the risk of the spread of plant pathogens with the management of notable and public trees.	Kauri dieback disease is easily spread through soil movements. An additional objective is necessary to ensure the avoidance of the spread of plant pathogens including kauri dieback.	Y	



Sub No.	Sub Point	Surname/ Company	First Name/ On Behalf Of	Support/ Oppose	Submission Topic	Relief Sought	Reasons	Wished to be heard?	Joint Hearing?
PC129-034	b	Department of Conservation	Maggie Burns	Oppose	NPT.1.4 Policies	To add a new policy avoiding the spread of plant pathogens, including by controlling pruning, earthworks and other works around Kauri classified as notable or public trees to avoid the spread of Phytophthora Agathidicida (kauri dieback disease).	Kauri dieback disease is easily spread through soil movements. An additional policy is necessary to ensure the avoidance of the spread of plant pathogens including kauri dieback.	Y	
PC129-034	c	Department of Conservation	Maggie Burns	Oppose	NPT.1.5 Discretionary Activities (Land Use)	To include new Discretionary Activity rules for any works undertaken within three times the radius of the canopy dripline of kauri trees which classify as notable or public: <i>3. Any works undertaken within three times of the radius of the canopy dripline ("the kauri hygiene zone") of a New Zealand Kauri tree listed in NPT 1.9.1.</i> <i>7. Any works undertaken within three times of the radius of the canopy dripline ("the kauri hygiene zone") of a New Zealand Kauri tree defined as a public tree in NPT.1.10.1.</i>	A Discretionary status for any works in the kauri hygiene zone for any kauri classified as 'notable' or 'public' allows for proper consideration for the management and containment of the disease.	Y	
PC129-034	d	Department of Conservation	Maggie Burns	Support subject to amendment	NPT.1.6 Discretionary Activities (Subdivision)	To amend rule NPT.1.6 as follows: Subdivision of land that results in the rootzone of a notable tree listed in NPT.1.9.1 being located on more than one site.	This rule is supported subject to an amendment to only include the rootzone and not the dripline of the tree.	Y	
PC129-034	e	Department of Conservation	Maggie Burns	Support	NPT.1.7 Assessment Criteria for Discretionary Activities	To retain proposed rule NPT.1.7(f) as notified.	The intent of this rule is supported as it allows for consideration of kauri dieback in the assessment criteria.	Y	
PC129-035	a	Davies-Lawson	Natalie	Seek Amendment	Specific Tree(s)	To remove the tree at 97 George Street from the Notable Tree Schedule; physically remove it; or at the very least, prune it.	The shade affects my home, causing dampness and health issues. The tree also poses a safety risk as it would damage my property if it fell in a storm. The tree is unappealing and doesn't have any amenity value. The location of the tree, being at the rear of my home, means that the public do not benefit from it.	Not Stated	
PC129-036	a	WDC Infrastructure Department	Simon Weston	Seek Amendment	NPT.1.1 Description and Expectations	Amend final paragraph of NPT.1.1: "Future subdivision and development needs to consider how to accommodate existing and new trees and vegetation that contribute to ecological, cultural and amenity values, especially in new road reserves parks and reserves. <b><u>This may require careful consideration of where significant trees are planted, in relation to existing and planned infrastructure and network utilities.</u></b> Council encourages the use of indigenous trees and vegetation in road reserves, parks and reserves and private land. "	Where trees are inappropriately located, or are of a certain size, they can have significant adverse effects on road safety, and the safe and efficient operation of network utilities, including: - Root damage to footpaths and roads, creating uneven surfaces that are unsafe for some members of the community to negotiate, including the elderly and disabled. - Larger trees blocking community lighting, reducing night-time visibility and public safety. This is inconsistent with providing community facilities and footpaths that are consistent with CPTED (Crime Prevention Through Environmental Design) principles. - Trees blocking design sight-lines for intersections, roundabouts, traffic lights and other safety signage in the road reserve. - Trees infringing within a safe envelope for using the road carriageway, resulting in an unsafe road. - The potential for trees to cause damage to overhead network utilities within the road reserve.	Y	Yes

Sub No.	Sub Point	Surname/ Company	First Name/ On Behalf Of	Support/ Oppose	Submission Topic	Relief Sought	Reasons	Wished to be heard?	Joint Hearing?
PC129-036	b	WDC Infrastructure Department	Simon Weston	Seek Amendment	NPT.1.3 Objectives	<p>Retain Objective 1 in its current form and amend Objectives 2 and 3 to read:</p> <p>2. Public trees in road reserves, parks and reserves are protected and maintained where they positively contribute to amenity, historical, ecological or cultural values, while enabling the safe and efficient <u>use</u>, development, maintenance, operation and upgrading of the roading network and network utilities.</p> <p>3. Future subdivision, use and development provides for existing and new trees that contribute to amenity, historical, ecological or cultural values, <b><u>ensuring that any design can accommodate such trees, whilst recognising the need to avoid future conflicts with roading and network utility infrastructure.</u></b></p>	<p>Where trees are inappropriately located, or are of a certain size, they can have significant adverse effects on road safety, and the safe and efficient operation of network utilities, including:</p> <ul style="list-style-type: none"> <li>- Root damage to footpaths and roads, creating uneven surfaces that are unsafe for some members of the community to negotiate, including the elderly and disabled.</li> <li>- Larger trees blocking community lighting, reducing night-time visibility and public safety. This is inconsistent with providing community facilities and footpaths that are consistent with CPTED (Crime Prevention Through Environmental Design) principles.</li> <li>- Trees blocking design sight-lines for intersections, roundabouts, traffic lights and other safety signage in the road reserve.</li> <li>- Trees infringing within a safe envelope for using the road carriageway, resulting in an unsafe road.</li> <li>- The potential for trees to cause damage to overhead network utilities within the road reserve.</li> </ul>	Y	Yes
PC129-036	c	WDC Infrastructure Department	Simon Weston	Support subject to amendment	NPT.1.4 Policies	<p>Retain Policies 1a, 1b, 1d, 1e, 2a, 2b, 2c, 2d, 3a, 3b and 3c in their current form, amend Policy 1 c and provide an additional policy 3d to read:</p> <p>1c - Enabling trimming and alteration of notable trees and notable groups of trees in accordance with arboricultural best practice where works are required to safeguard life or property or where the works are necessary to <b><u>provide for the safe and efficient use and operation accommodate the efficient operation</u></b> of the reading network or <u>and</u> network utilities.</p> <p><b><u>3d - Recognising the potential for conflict between future and existing trees and existing and planned roading and network utility infrastructure by designing to ensure they can accommodate one another.</u></b></p>	<p>Enabling the safe use of the road network and the operation of network utilities is paramount and at present is not appropriately recognised by the policies. The Policies as worded are not consistent with the Rules in the Proposed Plan Change 129 and therefore cannot provide adequate support for the provisions.</p>	Y	Yes

Sub No.	Sub Point	Surname/ Company	First Name/ On Behalf Of	Support/ Oppose	Submission Topic	Relief Sought	Reasons	Wished to be heard?	Joint Hearing?
PC129-036	d	WDC Infrastructure Department	Simon Weston	Support subject to amendment	Permitted Activity Rule	<p>Insert a permitted activity section to the chapter to read:</p> <p><b><u>Notable Trees</u></b>  <b><u>1. Trimming or alteration of any Notable Tree listed in NPT.1.9.1 which is:</u></b>  <b><u>a. Required for the removal of dead, dying or diseased wood; and</u></b>  <b><u>and</u></b>  <b><u>b. Undertaken in accordance with arboricultural best practice where:</u></b>  <b><u>i. The maximum branch diameter does not exceed 100mm at severance; and</u></b>  <b><u>ii. No more than 20% of live growth of the tree is removed in any 12-month period; and</u></b>  <b><u>iii. The natural shape form and branch habit of the tree is retained; and</u></b>  <b><u>c. Undertaken by a qualified arborist on behalf of a network utility operator where branches are interfering with overhead wires or network utilities and the trimming is required in order to maintain the security of an existing supply or to restore power or telecommunication infrastructure; and</u></b>  <b><u>d. Notified in writing to Council at least five working days prior to the trimming and/or alteration being undertaken; or</u></b>  <b><u>e. Emergency tree works undertaken by the Whangarei District Council or their authorised representative in order to safeguard life or property, or to restore power or telecommunication infrastructure.</u></b></p>	The rule is confusing and hard to interpret. The framing of the provisions as permitted activity standards will create clarity and provide better consistency with the requested permitted activity standards for public trees. No changes to the general requirements for discretionary activities will apply as Roding support the protection of listed notable trees from trimming, alteration, damage and removal.	Y	Yes

Sub No.	Sub Point	Surname/ Company	First Name/ On Behalf Of	Support/ Oppose	Submission Topic	Relief Sought	Reasons	Wished to be heard?	Joint Hearing?
PC129-036	e	WDC Infrastructure Department	Simon Weston	Support subject to amendment	Permitted Activity Rule	<p>Insert a permitted activity section to the chapter to read:</p> <p><b>Public Trees</b></p> <p><b>2. Trimming or alteration of any public tree defined in NPT.1.10.1 which is:</b></p> <p><b>a. Required for the removal of dead, dying or diseased wood; and</b></p> <p><b>b. Undertaken in accordance with arboricultural best practice where:</b></p> <p><b>i. The maximum branch diameter does not exceed 100mm at severance; and</b></p> <p><b>ii. No more than one third of the foliage of the tree is removed in any 12-month period; and</b></p> <p><b>iii. The natural shape form and branch habit of the tree is retained; or</b></p> <p><b>c. Undertaken, or authorised, by a network utility operator, where branches are compromising the safe and efficient operation, maintenance or upgrade of overhead or underground network utilities, including road lighting; or</b></p> <p><b>d. Undertaken, or authorised, by a road controlling authority where it is required to maintain the visibility of road-safety signage, maintain vehicle sight lines for traffic safety or to maintain legal clearance height and width above the road carriageway; or</b></p> <p><b>e. Emergency tree works undertaken by the Whangarei District Council or their authorised representative in order to safeguard life or property, or to restore power or telecommunication infrastructure.</b></p> <p><b>3. Works within the dripline of any public tree defined in NPT.1.10.1 which is:</b></p> <p><b>a. Undertaken, or authorised by a network utility operator or road controlling authority, where it is required for maintenance, minor upgrading or renewal of existing infrastructure and utilities that complies with the following:</b></p> <p><b>i. Where ground disturbance activities less than 650mm in depth are proposed within the dripline of the tree(s), a suitably qualified and experienced arborist is to carry out an inspection two months after the completion of works; and</b></p> <p><b>ii. If the arborist finds any evidence of decline or damage, the arborist shall prepare a report identifying any mitigation measures and/or further monitoring required, which the party having undertaken or authorising the works shall ensure is complied with; or</b></p> <p><b>b. Thrusting to a depth greater than 650mm for the installation of network utilities undertaken, or supervised, by a suitably qualified and experienced arborist.</b></p> <p><b>4. Removal of any public tree defined in NPT.1.10.1 which is:</b></p> <p><b>a. A dead tree: or</b></p> <p><b>b. Emergency works undertaken by the Whangarei District</b></p>	<p><u>Where there is a blanket classification for trees within the road reserve, reserves or parks as public trees, there needs to be some acknowledgement of the widespread effects of the protection on network utility operators to balance the requirements with an equally, if not greater, need to provide for essential infrastructure. The request is considered necessary to ensure that the rules align to the relevant objectives and policies proposed in this chapter, including Objective 2 and Policies 1 c and 2d.</u></p> <p><u>Network Utility Operators, including the Road Controlling Authority need to trim or remove trees specifically in order to protect critical infrastructure or ensure the safe use or operation of that network. To enable a tree to remain in its location, and achieve the purpose of a safe road, or to ensure that separation distances from electrical lines are achieved, trimming may result in a tree being trimmed to an un-natural state. In these circumstances, ensuring a natural shape would result in unacceptable damage to the tree, or require the removal of the tree.</u></p> <p><u>The maintenance of safe sight lines and distances within the road reserve is critical to ensuring the safety of road users. The trimming of public trees, within the Road Reserve to achieve and maintain these clearances should be permitted.</u></p> <p><u>The primary purpose of the road reserve is the conveyance of people and goods to maintain the social, cultural, economic, health and safety of the community.</u></p> <p><u>Enabling the trimming of trees to ensure that road users are provided a safe environment is a critical aspect of operating the road network. Ensuring that this can be done efficiently as a permitted activity is considered essential.</u></p> <p><u>Council has a range of assets, including footpaths, and in some cases, roads that are located beneath the dripline of Public Trees. These community assets require ongoing maintenance, renewal and occasional minor upgrades.</u></p> <p><u>The currently proposed rule requires a Discretionary Consent for common, maintenance work on Council owned assets such as footpaths. Consent would not normally be with-held for this work, and conditions would relate to work being undertaken in accordance with normal arboriculture practices. It is considered onerous to Council and the ratepayer to require a consent for these types of works, that generally have a certain level of existing use right. Therefore, a specific permitted activity rule for these types of works would be more appropriate.</u></p> <p><u>This request is also considered appropriate to ensure that the rules align to the relevant objectives and policies proposed in this chapter, including Objective 2 and Policies 1c and 2d.</u></p> <p><u>Where a new structure is being installed (eg: a new footpath), it is appropriate to consider whether there are alternatives to that location. It is accepted that consent is therefore more appropriate in that scenario, but this should not be required for routine maintenance, renewals or minor upgrades where there is a level of existing use rights that apply. Providing for these activities creates clarity that the works are anticipated by the Plan in these specific situations only.</u></p> <p><u>There a number of conditions proposed for when these types of works should be allowed as a permitted activity, including an arborists assessment</u></p>	Y	Yes

Sub No.	Sub Point	Surname/ Company	First Name/ On Behalf Of	Support/ Oppose	Submission Topic	Relief Sought	Reasons	Wished to be heard?	Joint Hearing?
						<p>Council or their authorised representative in order to safeguard life or property, or to restore power or telecommunication infrastructure: or</p> <p>c. Located within a road reserve with a road speed environment greater than 50kmph and is undertaken, or authorised, by a road controlling authority, or network utility operator, where:</p> <p>i. It is required to provide for the safe use and operation of the road network: or</p> <p>ii. It is required for the safe and efficient operation, maintenance or upgrade of overhead or underground network utilities: or</p> <p>d. Located within a road reserve with a road speed environment less than 50kmph and is undertaken. or authorised, by a road controlling authority, or network utility operator. where:</p> <p>i. It is required for the safe and efficient operation. maintenance or upgrade of overhead or underground network utilities.</p>	<p><u>after any ground disturbance activities are undertaken to ensure any necessary mitigation works are carried out, to ensure the continued health and viability of the tree.</u></p> <p><u>Rule 6</u></p> <p><u>Trees within the Road Reserve have the potential to adversely affect the safe use of the road, as well as the safe operation and maintenance of network utilities within the road network.</u></p> <p><u>Although, in most cases, the trimming of these trees will be adequate to maintain road safety, there will be situations where the removal of the tree is required. Such scenarios include where the tree is dead and is necessary to remove to allow for new planting or to create a safe surrounding environment.</u></p> <p><u>The proposal to limit the removal of public trees to road reserves, where there is a high road speed environment, is intended to provide some parameters around the scenarios where it is appropriate and necessary to allow for these works as of right. It is proposed to further limit the ability to remove in areas where there is a road speed environment of less than 50kmph to where it is required for underground and overhead network utility infrastructure only. In most scenarios, it is anticipated that these removals will be undertaken on the advice of an arborist where trimming and alteration is not seen as a reasonable course of action.</u></p> <p><u>The request is made as the current situation for network utility operators, including WDC Roding, requires a moderate number of trees to be removed on a regular basis. These trees are generally within rural areas and have grown in ad hoc locations through natural processes. They have little to no amenity, cultural or heritage value and can significantly impact on existing infrastructure.</u></p> <p><u>Where there is no alternative, or the required trimming will have a long-term adverse effect on the tree, it is considered appropriate that the Plan enables Council to undertake this work as a permitted activity where there is a direct issue relating to road safety, for example sight lines to traffic signals and intersections, or intrusion into the carriageway envelope, or for network utilities.</u></p>		

Sub No.	Sub Point	Surname/ Company	First Name/ On Behalf Of	Support/ Oppose	Submission Topic	Relief Sought	Reasons	Wished to be heard?	Joint Hearing?
PC129-036	f	WDC Infrastructure Department	Simon Weston	Support subject to amendment	NPT.1.5 Discretionary Activities (Land Use)	<p>Retain a discretionary activity section that reads:</p> <p><b>Notable Trees</b></p> <p><b>1. Trimming or alteration of any Notable Tree listed in NPT.1.9.1 which does not comply with (Insert appropriate permitted activity rule reference).</b></p> <p><b>2. Construction or alteration of any structure, excavation of land, compaction of soil or formation of any new impervious surfaces within the dripline of a Notable Tree listed in NPT.1.9.1.</b></p> <p><b>3. Damage to or removal of any Notable Tree listed in NPT.1.9.1.</b></p> <p><b>Public Trees</b></p> <p><b>4. Trimming or alteration of any Notable Tree defined in NPT.1.10.1 which does not comply with (Insert appropriate permitted activity rule reference).</b></p> <p><b>5. Construction or alteration of any structure, excavation of land, compaction of soil or formation of any new Impervious surfaces within the dripline of any public tree defined in NPT.1.10.1 and not complying with (Insert appropriate permitted activity rule reference)</b></p> <p><b>6. Damage or removal of any public tree defined in NPT .1.10.1 which does not comply with (Insert appropriate permitted activity rule reference).</b></p>	To clarify that any activity that does not comply with the criteria for	Y	Yes
PC129-037	n	Northpower	Jaimee Semmens	Not Stated	Definitions	<p>Insert definition of 'dripline' as follows (or similar):</p> <p><b><i>Dripline means the area (whichever is greater) of:</i></b></p> <p><b><i>a. The line formed when a vertical line from the outermost extent of the spread of a tree's branches or canopy meets the ground; or</i></b></p> <p><b><i>b. The line formed at a radius of half the height of the tree measured from the baseline of the trunk.</i></b></p> <p><b><i>Note: The "dripline" for "Public Trees" only applies to land within road reserve, park or reserve land administered by Whangarei District Council.</i></b></p> <p>Insert definition of 'trimming' as follows (or similar):</p> <p><b><i>Trimming (relevant to notable or public trees), means the trimming necessary to maintain the health of the tree, or the removal of branches interfering with or anticipated to interfere with buildings, structures, overhead wires or network utilities, or likely to compromise the effective operation of those overhead wires or network utilities.</i></b></p> <p>Insert definition of 'alteration' (relevant to notable or public trees).</p>	<p>With regards to the definition of 'dripline':</p> <p>A definition would provide certainty to plan users on a definitive area that the rules relating to works "within the dripline" apply to.</p> <p>With regards to the definitions of 'trimming' and 'alteration':</p> <p>To address the issue and lack of clarity which could lead to plan interpretation and application issues.</p>	Y	Yes

Sub No.	Sub Point	Surname/ Company	First Name/ On Behalf Of	Support/ Oppose	Submission Topic	Relief Sought	Reasons	Wished to be heard?	Joint Hearing?
PC129-037	a	Northpower	Jaimee Semmens	Support in part	NPT.1.10 Protected Public Trees	To retain definition of "public tree" as notified, provided that bamboo ( <i>Bambuseae</i> ) is added to the list of species that are not subject to protection in the road reserve.	The inclusion of a definition of "public tree" will assist with plan interpretation and provide clarification as to which trees are subject, and not subject, to blanket protection in the road reserve. Bamboo is a species that poses a risk to Northpower's networks, and therefore should be added to the list. The amended definition will then capture bamboo if it exceeds 6 metres in height.	Y	Yes
PC129-037	b	Northpower	Jaimee Semmens	Support	NPT.1.2 Eligibility	To retain NPT.1.2 clause 2 as notified.	Although an explicit permitted activity rule is usually preferred by Northpower, the approach in PC129 of providing a default permitted activity rule is generally accepted.	Y	Yes
PC129-037	c	Northpower	Jaimee Semmens	Support in part, subject to amendments	NPT.1.3 Objectives	Amend NPT.1.3.1 as follows: " <i>Notable trees and notable groups of trees with significant amenity, historical, ecological or cultural values are <b>maintained</b>, retained and protected from inappropriate subdivision, use and development.</i> "	Maintenance, trimming and alteration of notable trees is important to support their ongoing viability and to limit interference with critical network utilities, especially following a storm event.	Y	Yes
PC129-037	d	Northpower	Jaimee Semmens	Support	NPT.1.3 Objectives	Retain Objective NPT.1.3.2 as notified.	The objective appropriately balances the protection and maintenance of public trees that positively contribute to amenity, historical, ecological or cultural values, with the safe and efficient development, maintenance, operation and upgrading of network utilities.	Y	Yes
PC129-037	e	Northpower	Jaimee Semmens	Support in part, subject to amendments	NPT.1.4 Policies	Amend Policy NPT.1.3.1 as follows: 1. <i>To require that notable trees and notable groups of trees are <b>maintained</b>, retained and protected from inappropriate subdivision, use and development by:</i> ... <i>c. Enabling trimming, <b>maintenance</b> and alteration of notable trees and notable groups of trees in accordance with arboricultural best practice where works are <b>required to safeguard life or property or where the works are necessary for to accommodate the safe and efficient development, maintenance, operation and upgrading of the roading network or network utilities.</b></i> <i><b>d. Recognising that in exceptional circumstances, emergency tree works, including removal, may be necessary to safeguard life, property or network utilities from immediate danger or to restore power or telecommunications infrastructure.</b></i> ....	With regards to Policy 1: Inserting the term 'maintained' will provide consistency with the above submission point, which recognises that maintenance of notable trees is important to support their ongoing viability and to limit interference with critical network utilities.  With regards to clause c): Supported as the proposed policy specifically recognises that trimming and alteration of notable trees and notable groups of trees should be enabled where it is necessary to safeguard life or property, or the works are necessary to accommodate the efficient operation of the roading network or network utilities.  With regards to suggested clause d): Policy 1 should recognise that in exceptional circumstances, the full or partial removal of Notable Trees may be necessary. The requested amendments achieve an appropriate balance between protection a of notable trees with the provision of critical network utilities.	Y	Yes

Sub No.	Sub Point	Surname/ Company	First Name/ On Behalf Of	Support/ Oppose	Submission Topic	Relief Sought	Reasons	Wished to be heard?	Joint Hearing?
PC129-037	f	Northpower	Jaimee Semmens	Support	NPT.1.4 Policies	<p>Amend NPT.1.4.2 as follows:</p> <p>2. <i>To require the protection of public trees in road reserves, parks and reserves while providing for the safe and efficient development, operation, use, maintenance and upgrading of infrastructure, network utilities and the road network by:</i></p> <p>a. ...</p> <p><b><i>c. Ensure that tree selection and location recognise current and reasonably foreseeable infrastructure and network utility requirements, as well as existing uses and adjoining landowners.</i></b></p> <p>d. ...</p> <p>e. <i>Enabling appropriate works, including trimming or alteration, to public trees to provide for the safe and efficient development, operation, use, maintenance and upgrading of network utilities.</i></p> <p><b><i>f. Enabling emergency tree works including removal where necessary to safeguard life, property or network utilities from immediate danger or to restore power or telecommunications infrastructure.</i></b></p>	<p>Provides for safe and efficient development, operation, use, maintenance and upgrading of infrastructure, and enables appropriate works to public trees to provide for network utilities.</p> <p>Tree selection should recognise infrastructure and utility requirements. The term 'appropriate works' should be clarified to avoid interpretation issues.</p> <p>Consistent reference to 'network utilities' throughout the plan is also suggested to assist with plan interpretation.</p>	Y	Yes
PC129-037	g	Northpower	Jaimee Semmens	Support in part, subject to amendments	NPT.1.5 Discretionary Activities (Land Use)	<p>To amend rule NPT.1.5.1 as follows:</p> <p><b><i>Notable Trees</i></b></p> <p>1. <i>Trimming or alteration of Notable Trees listed in NPT.1.9.1 which does not comply with the following:</i></p> <p>a. <i>The trimming or alteration is required for the removal of <b><u>broken</u></b>, dead, dying or diseased wood, <b><u>or</u></b></i></p> <p>b. <i>Tree works undertaken in accordance with arboriculture best practice where:</i></p> <p>i. ...</p> <p>ii. ...</p> <p>c. <i>Any works must retain the natural shape, form and branch habit of the tree, <b><u>or</u></b></i></p> <p>d. <i>Emergency tree works undertake by the Whangarei District Council, <b><u>network utility operator</u></b> or their authorised representative in order to safeguard life or property, or to restore power or telecommunications infrastructure, <b><u>or</u></b></i></p> <p>e. <i>Tree works undertaken by a qualified arborist on behalf of a network utility operator where branches <b><u>or tree roots</u></b> are interfering with overhead wires or <b><u>other</u></b> network utilities and the trimming or <b><u>alteration</u></b> is required to maintain the security of an existing supply or to restore power or telecommunications infrastructure, <b><u>and</u></b></i></p> <p><b><i>f. Except for tree work under clause (c) and (d), Council are notified in writing at least five working days prior to the tree works being undertaken.</i></b></p>	<p>It is important that Northpower is able to trim or alter any vegetation that could affect the safe operation, maintenance or upgrade of its telecommunications. The wording of the rule could more clearly articulate the works that are necessary to provide for the ongoing operation of network utilities. It is unreasonable to expect that network utility operators provide 5 days written notice for undertaking minor tree works and emergency tree works to restore power or telecommunications networks.</p>	Y	Yes



Sub No.	Sub Point	Surname/ Company	First Name/ On Behalf Of	Support/ Oppose	Submission Topic	Relief Sought	Reasons	Wished to be heard?	Joint Hearing?
PC129-037	h	Northpower	Jaimee Semmens	Oppose	NPT.1.5 Discretionary Activities (Land Use)	Amend rule NPT.1.5.2 as follows: 2. <i>Construction or alteration of any structure, excavation of land, compaction of soil or formation of any new impervious surfaces within the dripline of a Notable Tree listed NPT.1.9.1</i> <b><u>except where:</u></b> <b><u>a. The works are thrusting to a depth of greater than 650mm for the installation of network utilities supervised by a qualified arborist, or</u></b> <b><u>b. The works are for the installation, maintenance or repair of network utilities where:</u></b> <b><u>i. Any excavation works are undertaken or supervised by a qualified arborist, are limited to hand digging or hydro excavation, and limited to the minimum area of disturbance required to carry out the works, and</u></b> <b><u>ii. The works do not involve the creation of new impervious areas other than the replacement of existing impervious areas,</u></b> <b><u>or</u></b> <b><u>c. The works are for the mounting of telecommunications cable or pipes to existing structures or to the ground.</u></b>	If rule 2 was retained as drafted it would inhibit the ability for Northpower to effectively and efficiently install, maintain or repair its networks. Essentially any work within the dripline would require resource consent even if it is unlikely to disturb tree roots.	Y	Yes
PC129-037	i	Northpower	Jaimee Semmens	Oppose in part	NPT.1.5 Discretionary Activities (Land Use)	Amend rule NPT.1.5.3 as follows: 3. <del>Damage to or removal of a Notable Tree listed in NPT.1.9.1,</del> <b><u>except where:</u></b> <b><u>i. The removal or partial removal is confirmed by a qualified arborist or Council offer as emergency tree works necessary to safeguard life, property or network utilities from immediate danger or to restore power or telecommunications infrastructure, and the works are undertaken by a network utility operator or their authorised representative.</u></b>	The lack of a definition as to what constitutes 'damage' could lead to plan interpretation and application issues as the term is open to a wide range of interpretations, and could fall within the ambit of trimming or alteration.	Y	Yes
PC129-037	j	Northpower	Jaimee Semmens	Support in part, subject to amendment	NPT.1.5 Discretionary Activities (Land Use)	Amend rule NPT.1.5.4 as follows: 4. <i>Trimming or alteration of any public tree defined in NPT.1.10.1 which does not comply with the following:</i> <b><u>a. The trimming or alteration is required for the removal of broken, dead, dying or diseased wood, or</u></b> <b><u>b. ...</u></b> <b><u>d. Emergency tree works undertaken by the Whangarei District Council, network utility operator or their authorised representative, including but not limited to where works are required to safeguard life or property, or to restore power or telecommunications infrastructure, or</u></b> <b><u>e. Tree works undertaken by a qualified arborist on behalf of a network utility operator, where branches or tree roots are compromising the safe and efficient operation, maintenance and upgrade of overhead wires or other network utilities and the trimming or alteration is required to maintain the security of an existing supply or to restore power or telecommunication infrastructure, or</u></b> <b><u>f. ...</u></b>	It is noted that rule 4 permits 'Emergency tree works' but does not include the qualifier "to safeguard life or property, or to restore power or telecommunications infrastructure" as it does in rule 1 in relation to Notable Trees.	Y	Yes

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PC129-037	k	Northpower	Jaimee Semmens	Oppose in part	NPT.1.5 Discretionary Activities (Land Use)	Amend rule NPT.1.5.5 as follows: 5. <i>Construction or alteration of any structure, excavation of land, compaction of soil or formation of any new impervious surfaces within the dripline of any public tree identified in NPT.1.10.1 except where:</i> <i>a. The works are thrusting to a depth of greater than 650mm for the installation of network utilities supervised by a qualified arborist, <u>or</u></i> <i><b>b. The works are for the installation, maintenance or repair of network utilities where:</b></i> <i><b>i. Any excavation works are undertaken or supervised by a qualified arborist, are limited to hand digging or hydro excavation, and limited to the minimum area of disturbance required to carry out the works, and</b></i> <i><b>ii. The works do not involve the creation of new impervious areas other than the replacement of existing impervious areas, <u>or</u></b></i> <i><b>c. The works are for the mounting of telecommunications cables or pipes to existing structures or to the ground.</b></i>	For the same reasons as [the above submission point], this amendment will enable Northpower to efficiently and effectively install and maintain or repair its networks using a variety of methods to install fibre in the road reserve and for property connections.	Y	Yes
PC129-037	l	Northpower	Jaimee Semmens	Oppose in part	NPT.1.5 Discretionary Activities (Land Use)	Amend rule NPT.1.5.6 as follows: 6. <del>Damage to or</del> Removal of any public tree defined in NPT.1.10.1, <u>except where:</u> <i><b>i. The removal or partial removal is confirmed by a qualified arborist or Council officer as emergency tree works necessary to safeguard life, property or network utilities from immediate danger or to restore power or telecommunications infrastructure, and the works are undertaken by a network utility operator or their authorised representative.</b></i>	As stated above, the lack of definition as to what constitutes 'damage' could lead to plan interpretation and application issues as the term is not defined, is open to a wide range of interpretation, and could fall within the realm of trimming or alteration. The term 'damage' would usually refer to accidental harm, in which case, a resource consent could not be applied for.	Y	Yes
PC129-037	m	Northpower	Jaimee Semmens	Support, subject to amendment	NPT.1.7 Assessment Criteria for Discretionary Activities	Amend assessment criteria NPT.1.7(h) as follows: <i>h. The functional and operational needs of <u>network utilities, infrastructure.</u></i>	Northpower supports the assessment criteria for discretionary activities as they provide an appropriate framework for considering proposals for works to trees. However, it is requested that assessment criteria (h) is amended to refer to 'network utilities' as well as infrastructure, for consistency.	Y	Yes
PC129-038	a	Storey	Sherry Lee	Not Stated	Specific Tree(s)	To physically remove the tree at 52 Mill Road.	Causes rash and hay fever, it is not a native tree. The roots have caused plumbing problems at the neighbouring property. The tree is unsightly.	N	
PC129-039	c	New Zealand Transport Agency	Sarah Ho	Opposed	NPT.1.10 Protected Public Trees	To exclude trees within road reserves from this rule OR to add an additional criteria to Rule NPT.1.10 to the effect of: "e. areas of road reserve adjoining the State Highway network" OR any other relied to address this issue.	While the rule relates only to trees located within the road reserve administered by WDC, should WDC determine for this rule to apply to trees within the road reserve, the Agency seeks further clarification that this excludes areas of road reserve adjoining the State Highway Network.	Y	Yes
PC129-039	a	New Zealand Transport Agency	Sarah Ho	Opposed	NPT.1.4 Policies	To exclude trees within road reserves from this policy.	This proposed policy does not adequately provide for the operation and maintenance of infrastructure which can be affected by trees within the road reserve area.	Y	Yes
PC129-039	b	New Zealand Transport Agency	Sarah Ho	Opposed	NPT.1.5 Discretionary Activities (Land Use)	To revise this rule to make it a permitted activity or in some circumstances restricted or controlled to remove trees which meet certain criteria.	This rule is overly onerous and unnecessary. Trees may need to be removed as per Rule 4c, d and e (not just trimmed or altered), and in other circumstances such as their effect on underground services, damage to property, biosecurity and the health of the tree.	Y	Yes

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PC129-040	a	Walker	Rhys	Not Stated	Specific Tree(s)	To enable the owner to alter the tree at 67 Hatea Drive if it becomes nuisance i.e. damages my property.	Supports the heritage status of the jacaranda tree on property provided that it does not become a nuisance. If the tree branches overhang the roof of my house I should be able to remove said branches without challenge from Council.	N	
PC129-041	a	Callaghan	Sharon	Support subject to amendment	NPT.1.5 Discretionary Activities (Land Use)	That notable tree works should still only be carried out by a registered arborist.	Not using a registered arborist could lead to health and safety risks and litigation over non-compliant tree works performed.	N	No
PC129-041	b	Callaghan	Sharon	Not Stated	Specific Tree(s)	To change the provisions to allow for the trimming of Tree No. 401, 73 George Street Hikurangi, and other trees like it without the need for a resource consent.	The tree is unsafe, particularly during a storm, being 20 metres high and towering over the house.	N	No
PC129-042	c	Hicks	Margaret Barbara	Not Stated	Miscellaneous	To levy targeted rates upon residents living in the Ruakaka area where protected trees have been vandalised.	The residents should take a much more proactive stand and take responsibility for any damage done to notable trees in their area.	Y	
PC129-042	a	Hicks	Margaret Barbara	Not Stated	NPT.1.9 Notable Tree Schedule	To retain all trees identified as notable and re-assess all trees that have been condemned to be removed.	The trees provide vital environmental benefits e.g. the ability to absorb carbon dioxide and offset climate change and protection from coastal erosion.	Y	
PC129-042	b	Hicks	Margaret Barbara	Not Stated	Specific Tree(s)	To add significant pohutukawa trees on the west bank of the Ruakaka Estuary to the schedule.	The trees provide vital environmental benefits e.g. the ability to absorb carbon dioxide and offset climate change and protection from coastal erosion.	Y	
PC129-043	a	Jelavich	Rolfe	Not Stated	Whole Plan Change	To enable landowners or occupiers to cut trees down regardless of its diameter.	Trees should not have precedence over people. There should be no restrictions on cutting trees which cause damage to property or pose a safety risk.	Y	Yes
PC129-045	a	Turner	Lance	Oppose	Specific Tree(s)	For Council to honour their pruning commitment for tree #202 at 47 Bush Road.	Opposes continued protection of trees on property as they create too much shade at the rear of section.	Not stated	Yes
PC129-047	a	Northland District Masonic Trust	Malcolm McKerrow	Not Stated	Specific Tree(s)	Remove Tree No. 508, at 5 Waiatawa Road, from the notable tree schedule.	Tree No. 508 is a nuisance tree to the occupants and neighbours. The plan change does not take into account the social, economic and cultural well-being of local people and communities who are adversely affected by trees of an inappropriate size in an urban environment.	Y	
PC129-048	b	Bray	Marilyn and Owen	Not Stated	Specific Tree(s)	Not Stated.	The heritage tree at 1/127 Kamo Road is on a cross lease section.	N	
PC129-048	a	Bray	Marilyn and Owen	Not Stated	Whole Plan Change	That the benefit associated with enabling trees on roads reserves, parks or reserves should also apply to trees on private land.	The individual landowner will typically have proportionately fewer resources to manage large heritage trees that the Council possess.	N	
PC129-049	a	MacGregor	Veronica and Bruce	Support	Specific Tree(s)	For Council to physically remove the tree at 36B Tapper Crescent.	The tree is damaging our driveway and could potentially interfere with drainage, water mains and fibre cables.	N	Yes
PC129-050	a	Kirk	Alan	Not Stated	Specific Tree(s)	To remove two pohutukawa trees at 46 Kamo Road from the tree schedule. To seek advice as to whether a remnant pohutukawa tree on the property should be added to the schedule.	The two pohutukawa trees which are listed on the tree schedule no longer exist. Also seeking advice as to whether a remnant pohutukawa tree on the property should be protected.	N	