

No.	Submitter Name and No.	Provision of Plan	Support/ Oppose	Reason	Decision Requested	Officer Comments Officer Recommendations	Panel Decision
1	Suzanne Wood S1/1	Notable Trees Schedule: Tree 8, Magnolia campbellii, Road Reserve, Waituna West	Doesn't state	Asks if the notable tree comes down onto submitter's property causing damage, who indemnifies this? Will hold Council accountable for all damages incurred. Notable tree is on reserve land (McLaren Street). It is Council's responsibility to take care of the Magnolia tree. There are noted threats to the tree, slope stability and disease, significant nuisance and negative factors such as damage to a structure if the tree was to fall, possibly endangering lives. Tree will need regular inspections by Council and pruning as needed to ensure the health and vitality of the tree. Council's responsibility to sort out land	Not specified, but requests that any damages resulting from the tree are covered by Council. The Magnolia tree will need annual inspections and pruning as needed to ensure health and vitality of the tree. Council's responsibility to sort out land discrepancies and boundary placements.	<p>Recommend to accept the submission in part where it is within the scope of the plan change.</p> <p>It has been established that the tree is located on road reserve land. Council is therefore responsible for tree maintenance where it is located on Council property.</p> <p>Mr Partridge states in his evidence that there have been no significant defects or risk factors identified with the tree to suggest that it would be likely to fail.</p> <p>Following his visit in September 2021, Mr Partridge recommended an annual inspection of the tree to determine if the tree was diseased, and to recommend any suitable mitigation based on that finding. Following his revisit of the tree on 31 March 2023, Mr Partridge has indicated that the tree has recovered and is healthy, and he is now recommending a 3-5 year inspection regime for this tree. As this tree is on Council road reserve the responsibility for regular inspections rests with Council.</p> <p>As a result of determining that the tree is legally located on the road reserve, an amendment is needed to update the</p>	Accept in part, as discussed in the decision.

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				<p>discrepancies. Holding Council responsible for failure to inform landowner of the designation before the land was purchased. Submission provides mapping and aerial photo information of the site.</p>		<p>location and legal description of Tree 8 Magnolia campbellii in the Notable Trees Schedule.</p> <p>Recommend to amend the Notable Trees Schedule for Tree 8 as follows:</p> <p><b>“Location</b></p> <p><del>1759 Cheltenham – Hunterville Road, Waituna West</del></p> <p><u>McLaren Street, Waituna West”</u></p> <p><b>“ Legal Description</b></p> <p>Road Reserve / <del>Pt Sec 20 West Waitapu Village”</del></p>	

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2	Clare and Adrian Hare, Garry Wood and Barbara Wiley, Max Bryant and Daniel Bryant, Andrew White and Julie White <b>S2/1</b>	Notable Trees Schedule: Tree 6 Sequoiaden dron giganteum; TREE-R2 Gardening within Root Protection Area; TREE-R3 Works within Root Protection Area; TREE-R4 Removal of a Notable Tree	Oppose	The assessment by the Arborist is different from what the submitters understood to be the Arborist's opinion at time of the site visit. Two issues: Health and safety of people/property; Incremental damage to the existing Pines Court accessway and future maintenance works triggering a resource consent. Considered by surrounding residents to be a health and safety hazard due to its size (provides information on extent of risk if tree falls); tree is damaging existing buildings; encroaching under Pines Court access leg (serves 6 other properties); ongoing maintenance burden for nearby residents; is an exotic species;	Removal of Tree 6 from the Notable Trees Schedule.	<p>Recommend to reject the submission, subject to hearing further evidence in support of the submission at the hearing.</p> <p>As outlined in the body of my evidence, the Giant Sequoia has scored a STEM score of 204, well above the threshold that has been proposed in Policy 1 of the Plan Change (130). Mr Partridge, as outlined in his evidence, has completed a safety assessment of the tree and is of the opinion that the tree is safe to include in the Notable Trees Schedule. He goes on to comment that he does not consider the tree is causing damage to structures around the tree, or that its roots will likely cause an ongoing maintenance burden to nearby residents.</p> <p>The proposed rules in PPCH(b) follow good planning practice and provide a more efficient and effective planning framework for managing notable trees compared with the operative District Plan. The provisions enable imminent safety issues to property or people to be managed without the need for a resource consent. This includes removal of the tree, if an imminent threat to safety is identified and cannot be remedied through pruning.</p>	Reject, for the reasons given in the decision.

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				<p>planted by Colonel Halcombe or family; would've been appropriate when Feilding was smaller, now considered inappropriate for the location. Appears that STEM result does not consider health and safety of people. Without a secondary opinion from a Level 6 Arborist at the owners cost, unsure which consent category tree removal might be. Bestows additional cost upon the owner. Will need consent for any future maintenance of the damage from the root system which has cracked the concrete and for tree to be removed. Submission is not objecting to the proposed rules but objects to Tree 6</p>		<p>The proposed rules in relation to the Root Protection Area provide greater clarity for plan users as well. Noting that some works (such as root pruning or hard stand areas within the Root Protection Area) now require a discretionary activity rather than non-complying under the operative District Plan. This ensures that any works which have the potential to impact on the root system of the tree are considered through a resource consent process.</p>	

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				<p>being listed in the schedule.</p> <p><i>Opposed by Further Submission FS01/01 (Mr Bruce Bruton and The Bruton Trust)</i></p>			

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3	Mrs H L Perry / Judith Perry <b>S3/1</b>	Inclusion of Tree 1 (Giant Redwood) in the Notable Trees Schedule	Oppose	The tree is now a very ugly specimen of no aesthetic value to the area since the stripping of three quarters of the limbs off the south-west side in a storm. It no longer fulfils the requirement for a notable tree as it is very lopsided and lean of tree is even more pronounced, and looks ugly viewed from submitter's house. The tree sheds a lot of sizeable old dead branches, twigs and foliage onto submitter's property and footpath, being dirty and dangerous for foot traffic using path, many of who stop and remark on how ugly the tree is.	Removal of Coast Redwood, 11 South Street from the Notable Trees Schedule (Tree 1)	<p>Recommend to reject the submission, subject to hearing further evidence in support of the submission at the hearing.</p> <p>Mr Partridge assessed STEM score of the tree at 204, which is well over the recommended threshold of 130 in proposed Policy 1. Mr Partridge has also undertaken a safety and condition assessment of the tree and does not consider the tree to be unsafe. He has recommended work is undertaken on the tree to remove a branch over the footpath and to reduce the length of some branches to reduce weight on that side of the tree. Mr Partridge also recommends that this tree be monitored annually for three years to determine if under any wind stress. This information has been passed to the owner who has responsibility for following through on these recommendations.</p> <p>The rules enable pruning or the removal of the tree where there is an imminent threat to the safety of people or property, without the need for a resource consent. The provisions provided in PPCH(b) provide a much improved rule framework for the appropriate management of notable trees than what is currently provided.</p>	Reject for the reasons given in the decision.

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						Mr Partridge is of the opinion that the tree is safe to include in the Notable Trees Schedule and the recommended works to the tree will assist in addressing the branch issues over the footpath, and would provide a more balanced structure.	
4	Horizons Regional Council <b>S4/1</b>	PPCH(b)	Support	The relevant provisions from the RPS is Policy 6-1(b)(i) which requires Territorial Authorities to retain schedules of notable trees and amenity trees in their District Plans. The proposal to update Appendix D based on the STEM threshold and add a new Notable Trees Chapter appears to align with the requirements of the One Plan RPS.	Not stated.	Recommend to accept the submission. Support for PPCH(b) noted.	Accept for the reasons given by the officer.

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5	Horizons Regional Council S4/2	Rule TREE-1: Standards: TREE-S1 and TREE-S2	Support with amendments	Rule TREE-R1: support standards TREE-S1 and TREE-S2, however this could be strengthened by requiring confirmation of the arborist to be used and their qualification level to be supplied at the time notification of the works is given to Council.	To strengthen standards TREE-S1 and TREE-S2 by requiring confirmation of the arborist to be used and their qualification level to be supplied at the time notification of the works is given to Council. OR seeks any further alternative or consequential relief that achieves the outcomes sought.	<p>Recommend to accept the submission.</p> <p>Adding reference into the provisions for which arborist will be used provides certainty to the Council that the Arborist who will be undertaking the work is suitably qualified. Adding this reference allows the Council to contact the Arborist if there are any questions.</p> <p>Recommend to amend TREE-S1 as follows:</p> <p style="padding-left: 40px;">TREE-S1</p> <p style="padding-left: 40px;">...</p> <p style="padding-left: 40px;">iii) <del>Work to be undertaken by a Level 4 qualified Arborist. Confirmation of the Arborist and their qualification level is to be provided to the Council at the time of notification of the works.</del></p> <p>Recommend to amend TREE-S2 as follows:</p> <p style="padding-left: 40px;">TREE-S2</p> <p style="padding-left: 40px;">...</p> <p style="padding-left: 40px;">iii) <del>Work to be undertaken by a Level 4 qualified Arborist. Confirmation</del></p>	Accept for the reasons given by the officer.



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						of the Arborist and their qualification level is to be provided to the Council at the time of notification of the works.	
6	Horizons Regional Council <b>S4/3</b>	Standards: TREE-S1, TREE-S2, TREE-S3	Support with amendments	Standards TREE-S1, TREE-S2 and TREE-S3 require two different timeframes for notifying council. TREE-S1(ii) states council be "advised 10 working days prior to works taking place", whereas TREE-S2(i) and TREE-S3(i) requests notification "as soon as reasonably practicable". In HRC's view, this creates inconsistency, particularly in relation to TREE-R1 which references both TREE-S1 and TREE-S2. Suggest the 10 working day timeframe be applied	Standards TREE-S1, TREE-S2 and TREE-S3: suggest the 10 working day timeframe be applied to all three standards. OR seeks any further alternative or consequential relief that achieves the outcomes sought.	Recommend to accept the submission.  The suggested changes by the submitter would make the standards more consistent in terms of the timeframe required to notify the Council of works required to a notable tree. This change should also provide more certainty to Arborists who are undertaking the work.  Recommend to amend TREE-S2 as follows:  TREE-S2  i) Manawatū District Council is advised as <del>soon as reasonably practicable prior to work commencing</del> <u>at least 10 working days prior to the proposed works taking place.</u>  Recommend to amend TREE-S3 as follows:	Accept for the reasons given by the officer.

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				to all three standards.		<p>TREE-S3</p> <p>i) Manawatū District Council is advised as <del>soon as reasonably practicable prior to work commencing</del> <u>at least 10 working days prior to the proposed works taking place.</u></p> <p>In their submission, Horizons Regional Council have raised the importance of consistency in the rule drafting. Clause i) in TREE-S1 and clause ii) in TREE-S2 requires the 'Work to be undertaken by a Level 4 qualified Arborist'. TREE-S3 clause ii) as notified states that 'Work to be undertaken by a Level 4 qualified Arborist as a minimum.' Amendments to TREE-S1 and TREE-S2 to include 'as a minimum' at the end of the clause would enhance consistency with the standards and reflect the intent of the standards, which is already included in TREE-S3 as notified. Consequential changes are recommended to TREE-S1 and TREE-S2 as follows:</p> <p>TREE-S1</p> <p>i) Works to be undertaken by a Level 4 qualified Arborist <del>as a minimum</del>.</p>	

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						<p>TREE-S2</p> <p>ii) Works to be undertaken by a Level 4 qualified Arborist <u>as a minimum.</u></p>	
7	Horizons Regional Council <b>S4/4</b>	Rule TREE-R4 (Standard TREE-S3)	Support with amendments	Comments in relation to Rule TREE-R1 also apply. Suggest confirmation of the Level 6 arborist to be used be supplied at the time council is notified of the works.	Rule TREE-R4 (Standard TREE-S3): Suggest confirmation of the Level 6 arborist to be used be supplied at the time council is notified of the works. OR seeks any further alternative or consequential relief that achieves the outcomes sought.	<p>Recommend to accept the submission.</p> <p>Recommend to add a new clause to TREE-S3 as follows (also refer to discussion under S4/2 above):</p> <p>TREE-S3</p> <p>...</p> <p>iv) <u>Confirmation of the Arborist and their qualification level is to be provided to the Council at the time of notification of the works.</u></p>	Accept for the reasons given by the officer.