Review of Recommendation

I would like to take this opportunity to thank Mr Waymouth and Ms Ryan for providing a comprehensive report with valid reasoning for the trees' removal.

Overview of the main points covered in the Hearing:

- The experts appear to accept my assessment that Council records indicate there are nine protected trees onsite. If that is the case, the nine eucalyptus trees alongside Hawksbury Lagoon are not protected and as such can be removed as of right. I acknowledge the Committee is still to determine this aspect.

- Experts were unanimous that all of the protected trees could be removed with minor adverse effects, subject to replanting, and the retention and protection of the nine trees alongside Hawksbury Lagoon. These nine trees are the most important in regards to amenity and biodiversity.

- The significance of the health and safety risk of the vehicle access trees was in contention. Mr Waymouth considers them to be of significant risk, if surrounding trees were to be removed, given exposure to a new wind strength and direction, whereas Mr Roberts did not consider the risk to be significant.

- Mr Waymouth considers that if trees are to kept listed at the property owner's expense, then these trees should be worthy of the costly maintenance. Only trees that significantly contribute to the amenity and biodiversity of the city should be protected. Mr Waymouth argued that the trees by the vehicle crossing do not contribute to a significant extent. Mr Roberts also acknowledged that these trees did not have form or condition that he would consider significant. I agree with Mr Waymouth and Mr Roberts.

- Mr Waymouth argued that removing the trees would allow better utilisation of the site. Gardening is currently impractical due to the shallow root plates of the numerous eucalyptus trees.

- The Hearing was adjourned for the planner to provide an assessment of the objectives and policies of the Strategic Directions Section of the plan, and the Manawhenua and Natural Environment Sections of the Proposed 2GP.

- I have assessed these sections and determine that the proposal is consistent with the strategic directions of the Plan, consistent with the Natural Environment Section, and neutral to the Manawhenua Section. In a general sense they support the retention of the lagoon trees and conservation planting initiatives and as such the proposal can be considered to be in line with these sections and strategic direction. Given the general nature of these objectives and policies I consider more emphasis on the specific tree section objectives and policies is appropriate.

Effects Assessment:

The proposal has been a difficult balancing exercise. There are negative effects to the proposal, being the removal of protected trees that positively contribute to the amenity and biodiversity of the area. However, the proposal to remove the trees is also an opportunity to protect the trees that really matter via a condition of consent. Other positive effects of the proposal include removing the health and safety concern, enabling better use of the site, and promoting indigenous vegetation cover in the long term. Increased indigenous vegetation cover is seen as a strong positive given the site's

location within an 'at risk' land environment and that it adjoins Hawksbury Lagoon reserve.

Objectives and Policies assessment:

I have found the proposal to be inconsistent with the objectives and policies of the Trees Section based on a broad consideration of what encompasses a 'significant' health and safety risk and this influenced my original recommendation to retain tress that are not a significant risk . I have incorporated the positive medium to long term mitigation effects of replanting, and the retention and protected of the nine most important trees when assessing the objectives and policies, which has lent support to the proposal. The proposal has been found to be consistent with the Natural Environment Section, and neutral to the Strategic Directions and Manawhenua objectives and policies. I acknowledge that if the risk of the protected trees to be removed is found not to be significant, then the proposal could be considered contrary to the 2GP policy framework.

True exception:

Despite the possibility that the proposal could be considered contrary to the objectives and policies of the Plan, I would consider approval of the application to potentially be a true exception, due to the uncertain protection of the trees on the site, the nature of the site, expert advice that the protected tree group may not meet the protection threshold and the opportunity to protect the most important trees that are agreed by experts to be significant.

Conclusion:

This application presents as an opportunity to protect the nine, important lagoon-side trees for future generations and to be a first step in remedying the current uncertainty in relation to protection of significant trees on the site. A Plan change to remove the protection on the existing trees and to clearly protect the nine most significant trees on the site would be the next step. I accept the expert evidence that the roadside trees are not significant and the effects of their removal will be minor. On that basis I amend my original recommendation to recommend the granting of resource consent to the removal of nine significant eucalyptus trees, subject to the recommended conditions of consent.

L Burrows

Lily Burrows
Planner