

10 January 2020

[REDACTED]

Dear [REDACTED]

**Local Government Official Information and Meetings Act 1987 (LGOIMA) request for information on Trees protected by District Plan.**

I refer to your e-mail of 2 December 2019 requesting information on Trees protected by the District Plan.

Please see answers to your questions below.

**1) Does your Council protect trees in its District Plan using Section 76 of the Resource Management Act?**

Yes, Section 7 (Scheduled Trees) of the Second Generation District Plan (2GP) contains rules relating to the protection of significant trees. Please note that not all trees protected through the 2GP meet the full requirements of Section 76 of the RMA.

**2) What term does Council use to describe trees protected within the District Plan? Councils use terms such as Notable, Heritage and Significant.**

Scheduled Tree

**3) What evaluation process or method does Council use to determine whether trees are of sufficient importance to be protected within the District Plan?**

STEM assessment. This system evaluates the condition, amenity and notable value of trees or groups of trees and includes allocation of points under various criteria. Please also refer to Policy 2.4.1.2, (<https://2gp.dunedin.govt.nz/plan/pages/plan/book.aspx?hid=41458>) which outlines how significant trees are identified within the 2GP.

**4) If your Council uses the Standard Tree Evaluation Methodology (STEM), does it differ at all from the original 1996 mode and if so how?**

The Dunedin City Council uses the original 1996 STEM assessment. In addition to the STEM assessment other criteria relating to the health and safety of people or property were considered. The additional criteria were introduced as a result of resource consents being granted for the removal of significant trees where because of the size, location and associated health of a tree, there was a risk to people or property including overhead powerlines, underground reticulated water

network or buildings. Shading of residential buildings was also a contributing factor in determining whether potential significant trees were included in the schedule  
The criteria determined to be important in this respect are:

- Health and Safety
  - To some extent this is covered by the “Condition” section of STEM, but where there is a likelihood of the tree falling over or dropping substantial limbs, this will obviously count against the overall STEM consideration.
- Infrastructure
  - Where powerlines and significant water pipes encroach closer than 1 metre from the tree, this needs to be recorded as a negative factor.
- Development Effects
  - This factor has a considerable subjective element, but where trees encroach closer than one metre from buildings, this should downgrade their chance of becoming listed or remaining on the scheduled list.

**5) If your Council uses STEM what is the threshold STEM score used to determine whether a tree should be protected in the District Plan? If your Council has no record of the STEM threshold last used, please supply the lowest STEM score for a District Plan protected tree.**

Trees are allocated points according to the value they possess and included in the schedule if they pass a STEM benchmark score of 145. An audit of approximately 1300 sites was undertaken by a landscape architect between December 2012 and December 2014, individual tree photographs were taken and information recorded to allow office-based follow-up. STEM assessments were undertaken on newly nominated trees by an arborist and a landscape architect, and site visits undertaken in late 2014.

A copy of a recent updated STEM assessment is attached for your information.

**6) If your Council uses another method or process to protect trees what is the threshold score for inclusion and/or any other requirement?**

N/A

**7) Is a landowner's consent required to protect a tree under any circumstances? If yes, please explain?**

For new scheduled trees, Council requires the consent of the owner prior to including them in a change to the district plan.

**8) Under which provisions of the District Plan are trees protected, Heritage, General, or something else?**

City-wide Activities

**9) Are District Plan protected trees categorised within a list, if so what terms are used and how?**

They are located within Appendix F, A1.3 Schedule of trees. The list details the tree number reference, tree location, tree species, tree common name and the tree Maori name.

**10) What year did the protected trees provisions of your District Plan become operative?**

The Scheduled Tree provisions are currently not yet operative due to appeals on some of the rules within the Scheduled tree section (refer to our website 'read the plan' – 2GP Appeals version: electronic plan). You can also view the operative District Plan (2006) on our website, (<https://www.dunedin.govt.nz/council/district-plan/district-plan-2006>) this contains a section on trees (Section 15).

**13) Please supply the position title, name and contact details for the person who deals with protected tree issues at Council?**

Below are the contact which can all be reached on our main line 03 477 4000

Liz Lightbourne – Policy Planner  
Luke McKinlay – Urban Designer  
Steve Rowlands – Parks Officer Trees

Regards



Natalie Savigny  
Governance Support Officer