



CRAIG WEBB
Consultant Arborist

PLAN CHANGE 2
AN ARBORICULTURAL REVIEW

WAIPA DISTRICT COUNCIL

REPORT PREPARED BY: CRAIG WEBB

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EXECUTIVE SUMMARY

An analysis of the proposed WDC Plan Change has found much of the Council's new approach to tree protection to be sensible and suitable to address the protection of Waipa District's important trees. Coupled with a strong District Tree Policy, the new District Plan can improve the District's protection of significant trees, while simplifying the processes around tree pruning and removal, where this is required.

Protection of significant trees on Council land is applied by different means by Councils across New Zealand. There is no mandatory requirement for trees on roads and local reserves to be protected under the RMA, except where matters of national importance may be triggered by protection of riparian margins, outstanding natural features and landscapes, indigenous vegetation and habitats, cultural sites and historic heritage. Consideration of these matters should be addressed in the plan change.

STEM is used by the majority of Councils that evaluate trees in New Zealand. This method can be considered a 'standard' method and there is significant potential benefit in WDC adopting STEM and dispensing with the outdated RNZIH method.

Consideration of the proposal for raising of the threshold for points to meet the standard for inclusion in the protected tree list has found this to be unnecessary, in light of changes to the rules that make tree management and removal easier. A change to STEM and setting of an appropriate threshold is recommended.

Addition of new trees to the list of protected trees must occur for the list to be maintained, as natural attrition will diminish the list of trees over time. Trees on future greenfields subdivision land may be important to the protected trees list and a process for identifying and evaluating trees is recommended to be developed for inclusion in new District Plan rules.

It is recommended that in general, the proposed changes to the WDC District Plan should be adopted, with some exceptions and clarifications.



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1 INTRODUCTION

- 1.1 I, Craig Webb Consultant Arborist (CWCA Limited), have been commissioned by Waipa District Council (WDC) to provide a review of the proposed Plan Change 2 – Protected Trees.
- 1.2 The purpose of this report is to provide analysis and commentary, particularly relating to the four topics in the original brief I received by email from Chris Brockelbank, WDC Arborist. The four topics are:
 - Exploring the possibility of moving from RNZIH to STEM for tree assessments (or another system?)
 - Commenting on what other Council's use for their tree assessments
 - Protecting trees on Council land (WDC currently only protect trees on private land)
 - Reviewing the proposed new District Plan rules etc around tree protection
- 1.3 The brief extended to attendance of a discussion with Cambridge Tree Trust (CTT) representatives and consideration of topics raised at the meeting held in Cambridge on 23 May 2018.

BACKGROUND/PLANS PROVIDED

- 1.4 This report has been compiled with reference to the following documents that were provided to me for the purpose of the plan change review:
 - 'Waipa District Plan: Plan Change 2 – Protected Trees' by Waipa District Council, file reference:17096820
 - 'Waipa District Council – Protected Trees, Section 32 Evaluation Report', dated April 2018.
- 1.5 On 23 May 2018, I met with WDC and CTT representatives to discuss the proposed plan change. Following this meeting a document was received from CTT, titled 'Cambridge Tree Trust Submission Paper for Waipa District Council', dated June 2018.

SCOPE OF REPORT/ METHODOLOGY

- 1.6 The scope of this report principally addresses the brief provided by Chris Brockelbank, WDC Arborist. I have provided additional comments on the CTT meeting and other matters that have relevance to the overall context of the plan change documents, process and the proposal in general.
- 1.7 The assessment of the proposed plan change has been divided into four headings that address the topics from Chris Brockelbank, as are listed in 1.2 above. The headings are:
 - RNZIH vs STEM vs other?
 - Other Councils
 - Trees on Council land



Proposed rules review

- 1.8 In formulating this report, I have canvassed the tree protection methods of a number of Council's throughout New Zealand by talking to Council Arborists and arboricultural consultants nationwide. Questions were asked relating to the tree evaluation method used, other tree protection mechanisms of District Plans and whether tree protection applied to private or public trees.
- 1.9 Additional research included reviewing the STEM manual and accessing relevant internet sites for information on various District Plans and tree evaluation methods.

LIMITATIONS

- 1.10 This report provides opinions that are based on my professional experience and research conducted in order to meet the brief. I have relied on anecdote in parts, where the specifics of matters do not require hard facts, or where personal comments have been provided in confidence. This report principally addresses the brief, but I have taken license to explore closely aligned and relevant topics to expand on matters where appropriate to fulfil the brief, and more.

QUALIFICATIONS/EXPERIENCE

- 1.11 I confirm that I am a consultant arborist with experience and qualifications suitable to provide specialist assessment and advice in relation to arboricultural matters. I hold the New Zealand Diploma in Arboriculture (with distinction) from WINTEC and I have 17 years' experience as an arborist in the regulatory and commercial sectors. I have extensive experience with, and understanding of, with various District Plans and the fundamentals of the Resource Management Act (RMA), as they apply to tree and vegetation protection. My experience is principally in the Auckland Region.

2 CONSULTATION

- 2.1 The meeting with CTT occurred in WDC offices on 23 May 2018. Shortly after, notes from the meeting were circulated to provide a summary of the discussion. A detailed submission from Lesley MacDonald and Jane Moodie on behalf of CTT, was subsequently provided to outline the opinions of this tree advocacy group.
- 2.2 Much of the discussion with CTT was around matters that are outside the scope of a proposed plan change. This is not to dismiss the validity of the CTT representatives' expressed opinions, particularly in relation to the broader context of the 'urban forest', the many benefits of trees and the increasing threats to them. It is clear that as an advocacy group, the CTT supports strengthening of the rules relating to tree protection in Waipa District. CTT promotes a focus on maintaining and growing the urban forest in Cambridge.
- 2.3 Most of the CTT discussion points related to a wider strategy for the urban forest, such as:



- recognizing and measuring the benefits of trees,
- educating the public,
- aligning tree policy with open space, climate change and other Council policies,
- ecological considerations,
- standards for tree planting and establishment,
- strengthening compliance and enforcement, and
- the importance of long-term vision and the next generation of trees.

2.4 Many of the opportunities for stronger focus on the preservation and promotion of trees by WDC are outside of the realm of a District Plan rule change. However, Plan Change 2 provides an opportunity to address deficiencies and provide improvements in the functionality of current tree protection rules, as well as to introduce new rules. Implementation of District Plan rules is constrained to the RMA and Council's policies, particularly when it comes to enforcement, penalties and the processing of consents, so many of the CTT discussion points are able to be addressed through Council procedure, but not specifically District Plan rules. A focus specifically on definitions that align with appropriate arboricultural standards and the protection and planting of trees on development sites within new tree rules will go some way towards addressing the matters raised by CTT, however, these may equally be addressed through implementation of a strong tree policy.

3 ANALYSIS

RNZIH VS STEM VS OTHER?

- 3.1 The RNZIH (1988) tree evaluation system was published by the Royal New Zealand Institute of Horticulture in 1988. It was principally developed in response to a need for a method for the assessment of trees that are being considered for inclusion in District Plans. The RNZIH organization subsequently adopted the Standard Tree Evaluation Method (STEM) as the standard for tree evaluation in New Zealand. This implies that the RNZIH method is outdated and has been superseded by STEM. However, both systems are still valid and are being used by District Councils across New Zealand. The copyright holder of STEM is now the New Zealand Notable Tree Trust (NZNTT).
- 3.2 As with all tree evaluation methods, both RNZIH and STEM have limitations and problems in their application. By their very nature, tree evaluation systems are subjective, and it is not uncommon for two evaluators with similar qualifications and backgrounds to arrive at different scores when undertaking evaluation of the same tree. This is due to differences in interpretation of many of the criteria that are assessed under both systems.
- 3.3 Succinctly, both systems for tree evaluation consider similar criteria to determine the relative merits of trees. Criteria such as tree size, rarity, condition, role and function are evaluated and awarded a score from a range of values. The main difference in the methods is that RNZIH



- multiplies the values awarded to the tree under each criterion, whereas STEM adds the values. One major result of this difference is that RNZIH can produce a much wider band of total scores and the range for STEM is generally narrower. This factor also means that relatively small differences in opinion when awarding scores under RNZIH can generate significantly different outcomes. For example, the difference in awarding a tree 1 point (multiply by 1) in any category makes no difference to the total score, but a score of 2 doubles the total score.
- 3.4 While both RNZIH and STEM methods contain similar criteria, STEM is separated into three sections: Condition Evaluation, Amenity Evaluation and Notable Evaluation. In many cases the evaluations under these three criteria is undertaken by an arborist, however the Amenity and Notable evaluations may require input from other professionals to be validated, such as by landscape architects, planners or historians.
- 3.5 One criticism of these tree evaluation methods is that the scoring takes no account of the negative factors associated with trees. While a tree may score lowly for 'suitability' and 'role' factors under these methods, the scores are a mandatory minimum of 1 (RNZIH) or 3 (STEM), i.e. there is no ability to reduce scores for trees that are inappropriately positioned, undesirable species or trees that contribute nuisance. It should be noted that 'nuisance' in itself is a highly subjective topic. Under the RNZIH method, a score of 1 can be awarded in the 'role of tree in setting' criterion to reflect a nuisance or problematic tree position. With STEM, a score of 3 points (mandatory minimum) acknowledges that all trees have some positive role, even when there is perceived nuisance or unsuitability. It should be pointed out that tree evaluation should only be applied to trees that are worthy of being considered for inclusion in a District Plan, so a mandatory exclusion policy should apply to trees that have obvious problems in terms of suitability for long-term retention and formal protection.
- 3.6 Other methods, such as the *Revised Burnley Method* developed by the University of Melbourne allow for integers of less than 1, so that, for example, a tree that contributes minor problems such as pavement lifting, scores 0.8 under the Location Modifier. It should be noted that the *Burnley Method* is a system of tree valuation not evaluation, where the outputs are in monetary terms. This is largely used to work out the replacement cost of any given tree, rather than its value in terms of contribution to the locality.
- 3.7 Other methods for tree valuation have been produced around the world, such as *itree*, which provides a value of the ecological services that trees provide, rather than replacement cost or relative amenity value. The ecological services that trees provide can to some extent be considered using the STEM system, under the criteria of 'Function' and 'Climate'.
- 3.8 In my opinion systems that provide a value on the cost of tree replacement and the ecological services that trees provide are not suitable for the task of tree evaluation for suitability as notable trees. These methods certainly have a place in wider tree policy and should be developed and used by Council's as part of strategic planning documents.



OTHER COUNCILS

- 3.9 According to the NZNTT website, STEM is used for tree evaluation by 36 territorial authorities across New Zealand (which has a total of 67 TAs). The RNZIH method is known to be used by 4 territorial authorities, including Waipa District Council and Hamilton City Council. Several other territorial authorities use other methods that have been developed independently, but these are based on either STEM, RNZIH or their precursor methods.
- 3.10 Several Councils have developed their own method for tree evaluation, such as Christchurch City Council and the former Auckland City Council (now part of Auckland Council). Auckland City Council for many years utilised a modified RNZIH method. In recent times a new method has been written for the Auckland Unitary Plan, although this is widely criticized and is yet to be formally tested. The method developed by Christchurch City Council came under intense scrutiny during the District Plan hearing process and was highly modified as a result. In my opinion the development of an entirely new method is fraught with difficulty and may result in protracted challenges during the process of a plan change.
- 3.11 With the above comments in mind, it is not unheard of for Council's to modify STEM or RNZIH to suit their purposes. The Far North District Council, for example, use STEM to align scores from legacy RNZIH scores (I am not sure how they do this).
- 3.12 Marlborough District Council (a STEM user) has policies that include listing notable trees based on their meeting a STEM threshold score. However, this is not the only means of adding a tree to the schedule of notable trees under the Marlborough District Plan. Trees that: commemorate an important local event in Marlborough's history, are regarded as an important landmark, have historic association with a well-known public figure, have a strong public association, or are a rare or important species may qualify for addition to the schedule, without the need to meet the evaluation threshold under STEM.
- 3.13 Given that the majority of territorial authorities that use tree evaluation methods across New Zealand use STEM, there is significant merit in adopting this system. The value of consistency and moderation in a standard method provides an opportunity to adopt a system that is more robust than many other methods when under scrutiny during the plan change hearing process.

TREES ON COUNCIL LAND

- 3.14 The Waipa District Plan currently does not protect trees on Council land, i.e. roads and parks. From my research, this is not uncommon amongst territorial authorities in New Zealand. I understand that Dunedin City Council also has 100% of their listed trees on private property. With regards to notable trees, many Councils' schedules contain around 80% privately owned trees.
- 3.15 Several Councils (e.g. Far North District, Christchurch City and Auckland) have District Plan rules that apply 'blanket' protection to trees on roads and reserves (often with a minimum size threshold, e.g. 4m in height and 400mm in girth). Changes to the RMA c.2012 removed the



ability of Councils to apply 'blanket' protection to trees on 'urban land', as defined in section 76(4C) of the RMA. By definition, this excludes roads and reserves.

- 3.16 The approach taken by many Council's, in line with WDC, is to have a district tree policy that implies a level to protection to trees that are on land administered by the territorial authority. Other Councils make reference to the Reserves Act 1977 for protection of trees on public reserve land.
- 3.17 Other mechanisms for protection of trees (on Council and/or private land) include the application of overlays. For example: significant ecological areas, riparian and coastal margins, outstanding natural features, heritage character zones; can provide a level of protection to trees.
- 3.18 When considering a Council's roles and responsibilities under the RMA, protection of outstanding natural features and landscapes, protection of significant indigenous vegetation and significant habitats of indigenous fauna and protection of historic heritage (amongst others) must be considered as matters of national importance. This applies to all land within a territorial authorities' jurisdiction, so the protection of trees on Council land should be considered as part of the Council's responsibilities under Part 2 of the RMA.

PROPOSED RULES REVIEW

- 3.19 In this section I have broken down my analysis into subheadings to discuss elements of the proposed plan change.

DEFINITIONS

- 3.20 Root Protection Zone, as defined in footnote 1 of page 2 of the 'Waipa District Plan: Plan Change 2 – Protected Trees' document, should be in the definitions section. Many District Plans have a diagram to assist with the definition of root zone.

SECTION 15 REVIEW

- 3.21 I consider that the proposed objective that seeks to protect trees by avoiding development and subdivision patterns that avoid inappropriate siting of building and lot boundaries in the root protection zone, is a very sensible approach to tree protection. This may avoid repetition of poor decisions made in the past that have compromised the amenity value, health and safe retention of trees in the past.
- 3.22 The proposed new rules for lot design, which ensure that root protection zones are appropriately avoided by being accommodated within lot design layouts, allows control over subdivision that will avoid cramming development close to protected trees, while giving Council full discretion when assessing subdivision applications.
- 3.23 Part A: All development and subdivision, provides proposed rules for planting of trees on roads as part of subdivision proposals. This must make reference to infrastructure design standards, which should include the standards for street tree planting and establishment maintenance. Critical to the establishment of quality street trees is providing for their growth to maturity. This



requires careful attention to the above and below-ground space provided to the trees, and should also consider items like soil enhancement, construction of tree pits, protection of underground services and structures and the maintenance period before hand-over to Council. Reference should be made to the infrastructure design manual, development engineering standards and/or tree policy when specifying standards for tree planting. Tree planting should also reference a form of approval from, or 'to the satisfaction of' Council's arborist, or representative. While assessment of the WDC Tree Policy is outside of my brief, it is important that this is up-to-date to align with any District Plan changes that require street tree planting as part of District Plan compliance.

SECTION 21 REVIEW

- 3.24 I have reviewed the assessment criteria that are proposed to be added to Section 21 – Assessment Criteria and Information Requirements, and I find these to be suitable and consistent with other District Plans that I am familiar with. These allow for an assessment of the effects on protected trees from activities associated with development and subdivision, or works to protected trees, while also considering the reasonable enjoyment of the land by residents.
- 3.25 Section 21.2.23 details information that is required to be provided to Council in support of applications for work to protected trees. I consider that the text in 21.2.23.1(a) should specify when an arborist report is required. Previously, the rule required a report with any application involving work on a protected tree, which may be an onerous requirement in relation to straightforward requests for tree work. It should be acknowledged however that the scale of an arborist report should reflect the scale and complexity of the work proposed. There is no guidance provided as to when an arborist report is required (the text starts with 'Where a report is required...'). I suggest that this section include reference to potential adverse effects on the tree, with comments along the lines of 'an arborist report is required where the effects on the tree have the potential, in the opinion of Council, to alter the form or amenity value of the tree or have a detrimental impact on its health or longevity'.
- 3.26 An arborist report in support of a development proposal that seeks to alter the environment around a tree should provide specific measures for the protection of trees. Words to this effect could be added as point (v) under 21.2.23.1.

SECTION 23 REVIEW

- 3.27 I am in agreement with the proposed changes to Introduction, Resource Management Issues and Objectives and Policies in Section 23. One point to note is that the term 'significant hardship' (ref: 23.3.1.4) may require definition, or perhaps a legal opinion as to the interpretation of this term. Case law should give some guidance on what constitutes the 'reasonable enjoyment' of land. Hardship and nuisance are highly subjective and difficult to quantify (except perhaps in financial terms) and must be balanced against the benefits and values that the tree contributes (which may also be highly subjective and hard to quantify).



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- 3.28 The proposed section 23.2.1 states: *The significant pruning of protected trees by inexperienced people can adversely affect the health and amenity of trees.* I contend that the significant pruning of trees can affect the health and amenity of a tree, regardless of the experience and training of the person that undertakes the work.
- 3.29 In 23.4.1.1(c)(iii), consideration should be given to defining minimum clearance distances from existing buildings or pedestrian and vehicle access ways. For example: 1m from any building, 4.5m above roads and 2.5m above pedestrian accessways.
- 3.30 In 23.4.1 Activity Status Table, 23.4.1.1(c)(iv) sets out a list of structural faults in branches that could be removed as a permitted activity. I consider that this extensive list allows for significant alteration of trees, far beyond that which should be considered a permitted activity. Trees, as living and dying organisms, are never faultless. The presence of minor faults should not be considered reason for removal of branches, except where the work is necessary for appropriate tree management reasons. I consider that the other permitted activity standards provide sufficient scope for general tree maintenance of protected trees and that the structural faults consideration allows potential for major alteration of protected trees.
- 3.31 I consider that proposed clauses (d) and (e) in 23.4.1.1 provide a sensible level of permitted activity pruning. When referring to the percentage of foliage removed in clause (e), it would help to clarify whether this applies to the whole tree, or to the top two thirds only. For example, if work was carried out on the tree according to clause (d), would this factor as part of the overall percentage of foliage removed? My advice is that it should.
- 3.32 In my opinion the proposed shifting of activity status from Discretionary to Restricted Discretionary and from Non-complying to Discretionary for pruning and removal, respectively, is sensible and it aligns with the activity status standards of many other District Plans.

APPENDIX N4 REVIEW

- 3.33 The proposed change in the minimum threshold for determining if trees will be classed as protected trees in the District Plan will result in the removal of 51 out of 125 (40%) of the trees from Appendix N4 – Protected Trees. I do not consider that this is appropriate, given that the current list contains the most significant trees in Waipa District.
- 3.34 Given a combination of the difficulty in adding new trees to the list and the natural attrition that occurs, the list of protected trees will naturally diminish over time unless new trees are regularly added to the schedule. An increased threshold will make the addition of new trees to the schedule more unlikely.
- 3.35 In light of the vast majority of trees protected under the Waipa District Plan being in the town of Cambridge (118/125), any significant loss in the quality of tree protection may impact on the image of Cambridge (which is widely known and promoted as ‘tree town’).
- 3.36 It is my opinion that the proposed measures for adjustment in the activity status of tree pruning and tree removal in section 23.4 of the WDC District Plan are sufficient to address the issues raised in the S32 report, through making it easier for tree owners to maintain protected trees on their property or to make an application for removal of a ‘nuisance’ tree. Raising the



threshold is unnecessary in my opinion, as the processing of consent applications for removal of trees on a case-by-case basis provides a rigorous, transparent and appropriate process for addressing the issues.

- 3.37 Furthermore, because the RNZIH evaluation method does not account for negative or nuisance factors, raising the threshold may not specifically ‘weed out’ the trees that are the root of the perceived problem. Raising the threshold may result in smaller trees, more common species, older trees and less prominent trees being removed from the list, but these are not necessarily the problem trees, in terms of nuisance and unsuitability. It should be left to the individual tree owner to decide whether to pursue the removal of a protected tree, rather than arbitrarily increasing the threshold to reduce the number of protected trees. An application for consent to remove any given tree will allow the community to decide on a case-by-case basis whether the merits of the individual tree warrant its mandatory protection and retention, or whether negative values outweigh the benefits the tree provides.

4 DISCUSSION

- 4.1 Given that the majority of territorial authorities use a standardised method for tree evaluation, there is significant benefit to WDC in adopting STEM. Many arborists and landscape professionals have familiarity with the method, meaning that the assessment, review and moderation process for trees evaluated using STEM is relatively straightforward. Thresholds for protection of trees using STEM are already well established and ‘proven’ through environment court hearings, so these may be considered to be beyond challenge. As the ‘standard’ for tree evaluation in New Zealand, STEM procedures and practices may be re-evaluated, updated, supported by additional guidance and improved over time, making tree evaluation simpler and less subjective.
- 4.2 Trees that are significant for their contribution to historic heritage, cultural values or a significant landscape should immediately qualify for protection under the District Plan, regardless of their score using a tree evaluation system. Conversely, trees that are obviously problematic, undesirable and create significant risk or hardship should routinely be discarded from a list of potential candidates for evaluation.
- 4.3 The addition of new trees to a schedule of protected trees must occur in order to allow for the next generation of significant trees to be protected. This could be conducted through a review of ‘greenfields’ development areas, so that good quality trees that will be notable features of future subdivision areas are identified and considered during all development works. This could be achieved through having a two-tier list of notable trees, where a different category of protected tree applies to ‘greenfields’ development sites identified in strategic planning documents.
- 4.4 Protection of trees on rural land should also be considered, given that the majority of Waipa District is in rural zoning. A mechanism for protection of significant natural forest areas, riparian margins and ecologically important trees and bush areas is required to meet Council’s responsibilities under Part 2 of the Resource Management Act. Evaluation of individual and



groups of trees for addition to the protected tree list should occur across the whole district, including urban, rural and Council administered land.

- 4.5 The plan change sets out that key drivers of the District Plan review were related to urban intensification, a changing environment and the negative impacts of large trees on small sections. In my view, the response to such challenges should be to strengthen tree protection rules, not water them down. Overall, the proposed changes to Sections 15, 21 and 23, for the most part, provide a more balanced standard to tree protection in Waipa District. A large part of this is achieved by recognizing the protected rootzone of trees during subdivision proposals, which may serve to prevent repetition of mistakes of the past that have led to development situations that compromised protected trees. This is balanced by the 'loosening' of the rules relating to the pruning and removal of protected trees, where proposed changes align with the approach taken by many other Councils in New Zealand.
- 4.6 Coupled with the District Plan rules, WDC has a strong District Tree Policy, which although is outside of the scope of this report, is an important component of the overall picture. As the administrators of policy in Cambridge – Town of Trees and a wider district with many significant trees, the custodial role of Waipa District Council, in terms of community education and promotion of the many benefits of trees, should be given greater importance. Changes to the District Plan that undermine the protection of trees could result in significant harm to the community's tree asset.

5 RECOMMENDATIONS

5.1 My recommendations are as follows:

- The proposed Plan Change should not proceed in isolation and should be adopted in conjunction with wider policies, such as Climate Change Policy, the WDC Tree Policy, development of an Urban Forest Plan, Regional Infrastructure Technical Specification, Development Manuals, open space planning documents and community education/advocacy initiatives.
- WDC should change to STEM for evaluation of trees that exist on the protected tree list and for the addition of new trees to the protected tree list. A threshold for protection could be adopted from other Council District Plans using STEM in the region.
- If STEM is not adopted, the threshold for RNZIH scores for adding trees to the tree protection list should not be raised, as the proposed plan change allows for tree removal, where appropriate, to be carried out on a case-by-case basis pursuant to obtaining a resource consent.
- Significant trees on Council land should be included on the list of protected trees, where they meet the evaluation thresholds.
- Rules for protection of trees that meet the definition of 'national importance' in Chapter 6 of the RMA should be developed, to protect trees that are significant to riparian margins, outstanding natural features and landscapes, indigenous vegetation and



habitats, cultural sites and historic heritage. This could allow for automatic inclusion in the protected tree list without the need for evaluation and meeting a minimum threshold.

- Root Protection Zone should be included in the Definitions section.
- The proposed changes to Section 15 – Infrastructure, Hazards, Development and Subdivision should be adopted.
- Consideration should be given to introduction of a two-tier protected tree list to identify lower-tier trees on future greenfields subdivision land for addition to the protected trees list.
- The proposed changes to the Assessment Criteria in Section 21 – Assessment Criteria and Information Requirements in tables 21.1.15 and 21.1.23 should be adopted.
- The proposed changes to the rules in Section 23 – Protected Trees should:
 - be adopted in part;
 - define clearance distances for permitted activity pruning in 23.4.1.1(c)(iii);
 - exclude the list of structural faults in 23.4.1.1(c)(iv);
 - be altered to clarify that the percentages of foliage removal permitted under 23.4.1.1(e) relates to the total pruning of the whole tree in any given three-year or one-year period.
- Any arborist report requested in support of a development proposal that seeks to alter the environment around a tree should be required to provide specific measures for the protection of trees. Words to this effect could be added as point (v) under 21.2.23.1.

