

Appendix A

Summary of Submissions and Staff Recommendations

Submitter	Specific provisions of the plan change that the submission relates to	Support/ Oppose	Details of Submission <i>Note:</i> all protected trees referred to submissions are identified by their existing numbers in Schedule 3 of the District Plan.	Decision that the Submitter wants Council to make	Further Submissions			Assessment and Recommendation	Accept/ Reject/ Accept in part
					Support/ Oppose	Reasons	Decision Requested		
1. Lynette Beer	Entire plan change	Oppose	<p>The submitter opposes the proposed reduction in the number of protected trees in Schedule 3 of the District Plan. The following reasons were detailed by the submitter:</p> <p>Concern that, in November 2007, a tree on her property was categorised as significant and worthy of protection, based on its current STEM assessment, yet in April 2008 it was denied protection as the STEM assessment score threshold was raised from 120 to 150. The tree has grown even more in the last seven years.</p> <p>Concern at the ongoing loss of trees on farmland around Waihou when there is increasing concern at climate change. Trees offer benefits relating to pollution, soil retention, for water conservation and as shelter for stock.</p> <p>The submitter believes that the criteria to protected significant trees has been 'dumbed down', which reflects poorly on Council, and that rules should be developed to prohibit the wholesale felling of trees, especially on farmland.</p>	Decline the plan change				<p>The tree located on the submitter's property has been reviewed and does not reach the proposed STEM threshold of 140 and therefore does not warrant inclusion as a protected tree.</p> <p>The STEM assessment methodology takes into consideration biodiversity matters in terms of Function and Rarity. Refer to the Hearings report, Section 4.5 (Biodiversity) for more information.</p>	Reject.
2. Lynn Beesley	Entire plan change	Oppose	<p>The submitter wishes to know who has decided that the plan change is necessary, and why. Submitter questions if it is to free up land for property developers.</p>	Decline the plan change				<p>Council are required to commence a review of the District Plan at least every 10 years in accordance with the RMA 1991. Some of the trees contained within Schedule 3 were proposed to be included in the Schedule in November 1996 and became operative in 2005.</p> <p>STEM assessments have been carried out by an independent arborist who has evaluated trees to check if they warrant inclusion as protected tree in the District Plan.</p>	Reject.
3. Gisela L. Faber	Entire plan change	Oppose	<p>The Submitter objects to the removal of over half the trees in Schedule 3 by the proposal to raise the STEM threshold to 140. She would like to maintain or lower current threshold to preserve more trees.</p> <p>Concerned that a tree's value as a habitat, food source or shelter, especially for native wildlife, is not recognised by STEM.</p> <p>Given that trees have a life-span much longer than humans, and take much longer to grow, effort should be made to ensure their protection, especially given their importance to human survival.</p>	<p>Decline the plan change</p> <p>Maintain or lower current threshold to preserve more trees.</p>				<p>A tree's value for habitat is categorised under 'Function' in the STEM methodology. Function takes into account habitat for endangered species.</p> <p>It is generally accepted that individual trees / small groups of trees do not form green corridors. For further information refer to the Section 4.5 in the Hearings report for more information on Biodiversity matters.</p>	Reject.
4. Tracey Franklin	Schedule 3	Support	<p>Submitter supports proposed removal of a row of Japanese cedar trees (part of protected tree #182) from Schedule 3, as per the plan change, so that the owner can physically remove the trees.</p> <p>The trees in question were not STEM</p>	<p>Accept the plan change with amendment</p> <p>1) That Council assists with the cost of the felling and removal of formerly protected trees when this is requested by landowners.</p>				<p>The trees in question are proposed to be removed from the Schedule as they do not meet the 140 STEM threshold.</p> <p>There is no funding proposed to assist landowners with removing</p>	Accept in part.

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			<p>assessed as the arborist didn't consider them sufficiently worthy: the submitter was told that trees historically have not been looked after and they are in poor condition.</p> <p>In winter, the trees block the sun completely resulting in dark, damp, cold conditions. They drop debris as a result of storms, requiring a clean-up of the submitter's pool and property.</p> <p>Submitter asks that the following amendment be made to the plan: that Council helps with the cost of the physical removal of formerly protected trees when requested by landowners as, in the past, landowners were not permitted to remove trees themselves when the tree was smaller.</p>					<p>trees that have been protected in the past.</p> <p>Council are proposing a fund of \$6,000 to assist landowners with undertaking an arborist's assessment in accordance with the proposed rules (refer to Appendix C and Section 4.8 in the Section Hearings report).</p>	
5. Ron Moles	Schedule 3	Support	<p>Submitter requests that two Turkish Red Pines (Pinus Brutia) near the RSA section of Matamata Cemetery be added to the Protected Trees schedule.</p> <p>The trees were grown from seed collected at Chunuk Bair, Gallipoli and approved by Council for planting in 2008. The trees are two of very few of the species in New Zealand - most Gallipoli pines in this country are actually other species which do not originate from the Gallipoli area.</p>	Accept the plan change with amendment	Support	<p>Pauline Raphael (F-3,4,5)</p> <p>The identified trees are rare in NZ and are true ANZAC memorials that should have international recognition.</p> <p>Single Gallipoli pines at Te Poi and Matamata Primary Schools and at Matamata College should also be included to the Protected Tree Schedule.</p>	Allow	<p>The two Turkish Red Pines do not meet the 140 STEM threshold.</p> <p>As the trees are on Council owned land there is some level of protection afforded to them and they could be protected in future through a Reserve Management Plan.</p>	Reject S-5. Reject F-3, 4, 5.
6. Sylvia Vercoe	Entire Plan Change	Oppose	<p>Submitter requests that the STEM threshold be lowered to 100 to ensure more trees are protected.</p> <p>Trees beautify and enhance communities and add value to homes. They should be considered an asset to our towns and there is no point in decreasing their numbers so dramatically. Once a tree loses District Plan protection, the tree itself is as good as gone.</p>	<p>If the plan change is not declined, make amendments</p> <p>1) That the STEM threshold be lowered to 100 to ensure more trees are protected.</p>				<p>The current Schedule 3 includes a lot of trees that do not meet the STEM threshold of 140 points. The reasons for this are explained further in the Hearings report.</p> <p>The proposed STEM threshold of 140 ensures significant trees are protected.</p>	Reject.
7. Gord Stewart	Schedule 3	Oppose	<p>Submitter expresses doubt at the age of trees supplied in STEM assessment. He notes the example of protected trees on his property that were listed in the age range as "40+", but the Notability section of the STEM assessment states that many of the trees form an avenue at the site of the original road;</p> <p>All of the trees in the group would be at least 100 years old. Had the age being calculated correctly, the STEM score would be 153, rather than 141. The submitter is concerned that other trees in district have also had their age miscalculated</p> <p>Approximately 150 trees of the 667 currently protected trees captured in the 2008 assessment are no longer standing. Concern that many of these trees which were shown to no longer exist may not have died from natural causes but have</p>	Decline the plan change and retain current schedule	Support	<p>Transition Matamata (F-6)</p> <p>The current schedule should be retained or even expanded to include more trees.</p> <p>Implementing the proposed plan change would mean that the reduced schedule of protected trees would be almost meaningless in terms of environmental protection.</p> <p>Aside from the aesthetic values that trees provide, Council has obligations to promote sustainability through legislation including the Local Government Act 2002. Retaining tree cover to promote biodiversity, wildlife habitat and stock shelter is in keeping with this. New Zealand has a very high rate of biodiversity loss and local</p>	Allow	<p>The trees identified in the submission (Tree #108A) are proposed to be protected (as a group) with a STEM score of 141. No additional information has been supplied to support the age of the trees.</p> <p>Council has the ability to take enforcement action should any works not permitted (including removal) be undertaken on a protected tree. Refer to Section 4.9 (Enforcement) of the Hearing report for Council's view on enforcement.</p> <p>Section 4.4 of the Hearings report outlines various reasons why there is a reduction in the number of protected trees. The plan change aims to protect significant trees in the District while also providing for</p>	Reject S-7. Reject F-6.

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			<p>actually been illegally felled.</p> <p>The proposed plan change would result in a reduction of protected trees from 667 to 93. With NZ's biodiversity losses, the number of protected trees in the district should increase, or at the very least remain the same.</p> <p>Submitter states that Council has a responsibility to safeguard the environment in the face of a lack of enlightenment in society about biodiversity conservation and Central Government policy to disregard the environment and future generations in favour of economic growth. If ever there was a time local government needed to guard against short term self-interests and take a strong stand for the environment, this is it.</p>			<p>government legislation to protect trees on private property is crucial.</p> <p>In terms of rules to govern the maintenance of protected trees, some exceptions should be permitted to allow pruning in cases of extreme shading or damage to property.</p>		<p>the management and maintenance of protected trees through a proposed set of simplified tree protection rules.</p> <p>The removal of a tree from the Schedule does not mean that a protected tree will be cut down. The biodiversity of a tree is taken into consideration under Function and Rarity of the STEM methodology. It is considered that the Plan Change is consistent with the purpose and principles of the RMA. Refer to the Section Hearings report, Section 4.5 for Council's view on biodiversity.</p>	
8. Peter Barker	Schedule 3	Amend	<ol style="list-style-type: none"> 1) Omitted Criteria 2) Late override criteria 3) 3 specific trees 	<p>Accept the plan change with amendments</p> <ol style="list-style-type: none"> 1) Ecosphere consideration 2) Recognition of commercial values 3) Formal recognition of highly significant trees 	Support	<p>Peter Barker (F-8)</p> <p>Chestnut trees, in particular the tree in the Morrinsville Rec Grounds, should be protected for their commercial value and to preserve genetic diversity.</p> <p>Requests formal Recognition of 3 individual trees:</p> <ol style="list-style-type: none"> 1) Te Tara O Te Marama located on the Waitoa property. Pa site with a stand of mainly Totara 2) Kahikatea Tree – Te Kawana, The Governor's Tree, a symbolic partnership of the races in Te Aroha. The tree represents a founding vision for Te Aroha. 3) The Onslow Oak in the Domain is associated with a former governor of New Zealand 4) Gingkoes beside the Museum. 		<p>Te Tara O Te Marama -There is a Significant Natural Feature (SNF) (#39) on this property.</p> <p>An SNF in conjunction with a heritage site may be appropriate however this is outside the scope of this Plan Change.</p> <p>The Kahikatea has a long history in Te Aroha, the landowner does not want the tree protected by this plan change, in particular the landowner is concerned with Health and Safety risks of people entering their property to view the tree. A STEM assessment was not able to be carried out.</p> <p>A STEM assessment was carried out on the Onslow Oak and it did not reach a value of 140. No further information was available on the history of this tree.</p> <p>An assessment of the group of Gingkoes beside the museum has been carried out and it did not reach a value of 140.</p>	Reject S-8. Reject F-8.
9. Neil Hastie	Not applicable	Support	<p>Submitter requests the removal of two Silver Birch trees in nearby Pohlen Park. Their debris and seeds enter neighbouring houses and cover driveways, yards and concreted areas. The tree debris blocks gutters and drains, including a council stormwater drain, which the submitter clears constantly to allow it to function. A lot of money has been spent by the submitter to install gutter guarding and purchase leaf blowers to try and prevent problems caused by the debris.</p> <p>The submitter would like both trees removed, and is happy to donate a replacement evergreen native which would</p>	<p>As neither tree is protected, this issue is separate from matters covered by Plan Change.</p>				<p>The trees identified in the submission are not currently protected or proposed to be protected in Schedule 3 of the District Plan.</p> <p>Submission is considered outside the scope of the Plan Change.</p>	Reject.

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			not cause such problems.						
10. M.J Koppenol	Section 3.1.2.2 - Natural Environment Policy 5, Special Policies 1-3	Oppose	<p>The submitter opposes the proposed STEM threshold of 140 and proposes that only terminally diseased trees should be excluded from Protected Trees Schedule.</p> <p>The Plan Change should protect an increasing number of trees to reflect Section 5(2) b of the Resource Management Act 1991 which promotes the safeguarding of the life supporting capacity of air, water, soil and ecosystems.</p> <p>Replace Policy 5 with one that removes the reference to financial impact on landowners with protected trees, and includes reference to providing an effective set of rules to protect trees that reach the STEM value for vigour and vitality.</p>	<p>If the plan change is not declined, make the following amendments:</p> <p>Adjust the proposed STEM threshold of 140. Only terminally diseased trees should be excluded from Protected Trees Schedule.</p> <p>The Plan Change should protect an increasing number of trees to reflect Section 5(2)b of the Resource Management Act</p> <p>Policy 5 Providing an effective set of rules to protect significant trees while also limiting the financial impact on landowners who have a scheduled tree on their property.</p> <p>Policy 5 Providing an effective set of rules to protect trees that reach the Standard Tree Evaluation Method (STEM) value for vigour and vitality.</p>				<p>The Plan Change aims to identify and protect significant trees in the District while at the same time providing for the management and maintenance of protected trees through a proposed set of simplified tree protection rules.</p> <p>The proposed rules recognise that avoiding the financial burden on landowners with protected trees is important. The financial costs of owning land with a protected tree on it have been raised by a number of parties through the plan change process.</p> <p>Change to Policy 5 Providing Provide an effective set of rules to protect trees while also managing limiting the financial impact on landowners who have a scheduled tree on their property.</p>	Accept in part.
11. Ross McIntyre	Schedule 3	Oppose	<p>The submitter states that there are more than 93 trees in the Matamata-Piako District that ought to be protected.</p> <p>The Standard Tree Evaluation Method is a flawed tree assessment method and it has yielded poor data. A more appropriate method should be used.</p>	Decline the plan change and assess trees using a more appropriate method when assessing their possible inclusion on the protected tree schedule.				Like all methodology, it is acknowledged that STEM has some flaws. However, STEM is widely used in New Zealand across many local authorities for the purpose of identifying trees for protection and is endorsed by the Royal New Zealand Institute of Horticulture.	Reject.
12. Ian Bruce	Schedule 3	Support	The submitter supports the removal of protected tree #229 from the proposed schedule of protected trees. There is a history of correspondence with Council since 2011 about this matter.	Accept the plan change as notified.				The tree in question is proposed to be removed from Schedule 3.	Accept.
13. Mike Arthur	Not stated	Oppose	<p>Matamata-Piako District is renowned for its green, park-like appearance and the removal of trees would be detrimental to tourism. However, some councillors appear to dislike trees due to their financial costs. Don't let "corporatisation" become more important than the health and aesthetic benefits offered by trees.</p> <p>Trees are assets that create oxygen and counter global warming over a long period of time. Trees also offer valuable benefits such as the provision of timber</p> <p>The current STEM threshold and 667 existing protected trees should remain.</p>	Decline the plan change, keep the existing STEM threshold and retain all existing trees on the protected tree schedule				The STEM assessment methodology takes into consideration biodiversity matters in terms of Function and Rarity. Refer to the Hearings report, Section 4.5 (Biodiversity) for more information.	Reject.
14. Robyn and Russell Phillips	Schedule 3	Support	<p>The submitters support the removal of protected tree #182 from the proposed Schedule of protected trees for the following reasons, which are just some of many:</p> <p>a) The tree is very large and has not</p>	Accept the plan change as notified.				The tree in question is proposed to be removed from Schedule 3.	Accept.

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			<p>been managed. It drops dead branches and the submitters are consequently unable to enjoy a portion of their own section, despite the tree being located on a neighbouring property.</p> <p>b) The dropping of dead branches is a safety issue for the submitters, and the residents of, and visitors to, the rest home where the tree is situated.</p> <p>c) The tree drops many acorns on surrounding properties, which are also a safety issue.</p>						
15. St David's Church, St Andrew's Presbyterian Church	Schedule 3	Oppose	<p>The submitters oppose the inclusion of protected tree #264 in the proposed schedule of protected trees for the following reasons:</p> <p>a) The tree poses a risk of falling, or dropping branches, on either or both of the church or the nearby roads.</p> <p>b) It causes a trip hazard from roots cracking the concrete footpath</p> <p>c) The cost and inconvenience of on-going maintenance due to clearing gutters of debris</p> <p>d) The tree regularly drops small branches</p> <p>e) It is responsible for shading which causes damp in the church and slippery patches to the path.</p>	Decline the plan change and remove tree #264 from the Schedule.				<p>Tree #264 is proposed to be protected as the STEM score is 141.</p> <p>Council are proposing to amend rules in relation to protected trees to make the rules more permissible while still providing for the necessary protection of protected trees.</p> <p>Council is also proposing a new rule where the removal of any protected tree is a permitted activity where there is an imminent threat to life or property. The works must be undertaken by an arborist on the Council list of qualified arborists.</p>	Reject.
16. Peter Volker	Section 3.1.2.2 Natural Environment Policy 5, Special Policies 1-3	Oppose	<p>Submitter states the importance of trees to environment and that the responsibility for their care falls upon every part of society. In addition, the submitter notes:</p> <p>a) The usefulness of special policies 1-5 in Section 3.1.2.2 and a desire that they should remain.</p> <p>b) Given the reduction in the number of trees proposed to be protected, the criteria to assess them appear to have been applied more stringently; this should be reversed.</p> <p>c) Trees which are not already protected and pass amended, 'tree-friendly' criteria should be considered for addition to the Schedule.</p> <p>d) The owner of any property with a protected tree that imposes a financial burden should not be liable for more than \$200 per annum for its care. Any reasonable costs incurred that exceed this should be able to be claimed for reimbursement by Council.</p>	<p>Decline the plan change and:</p> <ol style="list-style-type: none"> 1) Apply amended criteria to assess trees for potential protection 2) Trees which are not currently protected and pass amended, 'tree-friendly' criteria should be considered for addition to the Schedule. 3) If landowners spend more than \$200 per annum on costs reasonably related to the care of a protected tree on their property, Council should reimburse the balance. 				<p>The STEM assessment methodology takes into consideration biodiversity matters in terms of Function and Rarity. Refer to the Hearings report, Section 4.5 (Biodiversity) for more information.</p> <p>Section 4.4 of the Hearings report outlines various reasons why there is a reduction in the number of protected trees. The plan change aims to protect significant trees in the District while at the same time providing for the management and maintenance of protected trees through a proposed set of simplified tree protection rules.</p> <p>Council are proposing to set aside a fund of \$6,000 for people with protected trees that require a resource consent. The money is proposed to be set aside to assist with the costs of paying for an arborist to assess a tree/s when a resource consent needs to be applied for. The process for applying for funding needs to be determined by Council.</p>	Reject.
17. Vickie Freeman	Schedule 3 (not stated)	Oppose	The submitter is concerned that continuing protection of protected tree #63 (a group of oaks) on her farm would limit future development possibilities and impose	Decline the plan change and:				The trees referred to in the submitters comments (#63) is a group of oaks that were assessed as having a STEM Score of 156.	Reject.

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			<p>additional costs.</p> <p>The age of the trees and their susceptibility to wind damage could lead to on-going costs such as tree removal. The submitter would like clarification as to who is responsible for these costs.</p> <p>Submitter finds current rules complex and contradictory. Instead, flexible and uncomplicated rules which do not impose additional costs on land owners are favoured. Suggests council could contribute to the costs incurred by landowners with protected trees.</p>	<p>impose additional costs on land owners.</p> <p>2) Council could contribute to the costs incurred by landowners with protected trees.</p>				<p>Trees that score 140 or above are considered significant and therefore warrant protected by the District Plan.</p> <p>Council are proposing to set aside a fund of \$6,000 for people with protected trees that require a resource consent. The money is proposed to be set aside to assist with the costs of paying for an arborist to assess a tree/s when a resource consent needs to be applied for. The process for applying for funding needs to be determined by Council.</p> <p>The provisions have been developed to ensure landowners are able to carry out routine maintenance on trees on their properties that are protected by the District Plan through Schedule 3. There are a range of permitted activities that aim to provide a balance between protecting significant trees and reducing the impact on landowners with Protected Trees. Council aims to minimise Council resource consent requirements through the permitted activity criteria.</p>	
18. Michael Barker, Peter Barker, Mary Hansen	Schedule 3 STEM Assessment criteria	Support with amendments	The submitters support the plan change with amendments provided that the changes refer to trees only, and that "outstanding or significant natural features and trees and other protected items" will be part of a future plan change.	<p>Accept the plan change with amendments (below)</p> <p>1) Identified individual native trees as well as other native flora constituting 'remnants' of former complete ecosystems be fully protected.</p> <p>2) Schedule 3 should be considered a 'dynamic' document which allows individual trees and "outstanding or significant natural features and trees and other protected items" to be added (without having to undergo a plan change).</p> <p>3) 'Notable' attributes of STEM assessments should be strongly considered, especially in terms of the association of particular trees with public spaces such as schools or former schools.</p> <p>4) Council engages with targeted interest groups such as iwi, QE II National Trust and local history groups to develop a greater understanding of the 'heritage' value of both individual trees and outstanding natural features.</p>	Support	<p>Peter Barker (F-8)</p> <p>Chestnut trees, in particular the tree in the Morrinsville Rec Grounds, should be protected for their commercial value and to preserve genetic diversity.</p> <p>Requests formal Recognition of 3 individual trees:</p> <p>1) Te Tara O Te Marama located on the Waitoa property. Pa site with a stand of mainly Totara</p> <p>2) Kahikatea Tree – Te Kawana, The Governor's Tree, a symbolic partnership of the races in Te Aroha. The tree represents a founding vision for Te Aroha.</p> <p>3) The Onslow Oak in the Domain is associated with a former governor of New Zealand</p> <p>4) Gingkoes beside the Museum.</p>		<p>The STEM assessment methodology takes into consideration biodiversity matters in terms of Function and Rarity. Refer to the Hearings report, Section 4.5 (Biodiversity) for more information.</p> <p>The Council is proposing to use the District Plan as a process for protecting trees. The process has to be one which enables consultation to be carried out, a more dynamic method whereby Council may add or remove trees from the Schedule would not enable community consultation.</p> <p>In 2009 changes to the RMA removed a blanket tree protection rule and as a result Councils have to specifically identify all trees protected in a District Plan.</p> <p>The STEM assessment methodology takes into account a number of criteria including 'Condition' and 'Amenity' values as well as 'Notability'. Notability only applies to trees with certain, particularly notable characteristics which cover a tree's Stature (through Feature and Form), it's Historic value (Age 100+, Association, Commemoration,</p>	Reject S-18. Reject F-8.

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							<p>Remnant, Relict), and Scientific criteria (Source, Rarity, Endangered).</p> <p>Trees are awarded points for notability based on Local, District, Regional, National and International Significance. For example, when considering 'Association', trees that may be associated with a school would most often score points for Local significance (3 points) or possibly District significance (9 points) rather than Regional or National significance, resulting in an evaluated score.</p> <p>Council have engaged with local historical societies for input into the proposed Plan Change. A letter was also sent to the Te Mana Whenua Forum advising them of the forthcoming notification and seeking any feedback. No feedback has been received from the Te Mana Whenua Forum.</p> <p>Refer to Submission 8 (Peter Barker) for comments on Peter Barkers Further Submission – Further Submission 8.</p>		
19. Robin Reid	Schedule 3	Oppose	<p>The submitter states that while Council claims many of the currently protected trees are no longer as healthy, or in the same condition, as when first protected, many other trees must have matured over this period and could be protected instead. The identification and protection of such potentially significant trees should be encouraged.</p> <p>As the urban boundary extends, the number of protected trees should increase proportionally to maintain the equilibrium.</p> <p>Protected trees should be considered an enhancement to the environment and are part of the heritage of the area. Local authorities were recently challenged to identify and protected significant trees and the Significant Trees Accord; this appears to be in conflict with the current approach by Council.</p>	<p>Decline the plan change and:</p> <ol style="list-style-type: none"> 1) Identify and protect Potentially significant trees; 2) The number of potentially significant trees should increase in proportion to urban expansion. 			<p>As part of the plan change process, Council invited the public to nominate trees that may be worth protecting. Furthermore, Arbor Care, while undertaking all of the assessment work across the District looked for other potential trees that may be worth protecting.</p> <p>The proposed STEM score of 140 will ensure that significant trees are protected under the District Plan.</p> <p>Consideration of urban boundary expansion is outside the scope of Plan Change 48.</p>	Reject.	
20. Martin Wallace	1) General	1)Support	<p>1) Supports the plan change intention to make a distinction in Schedule 3 between trees and other significant natural features. Also supports drafting of rules to reduce instances of minor pruning being subject to costly resource consent processes, resulting in a subsequent loss of public confidence in the process. Supports retaining the plan change with the exception of amendments below.</p>	<p>1) Accept plan change as notified apart from those amendments sought below:</p>			<p>See individual topics below.</p>	Accept in part.	

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	2) 3.1.2. Natural Environment Policy 5	2)Oppose	2) Include STEM value threshold in Policy 5, rather than in "Explanation and Reasons for objectives and policies" as it is a policy. Reduce the STEM threshold from 140 to 120 unless the STEM assessment survey has been subject to error. Given the threshold of 140 is lower than the threshold of 150 used in the previous plan change for assessing protected trees, yet the number of trees proposed for protection has dropped from 667 to 93, it would seem there is an anomaly in the use of STEM, especially given the increase in number of trees that were formerly part of groups now listed individually.	2) Remove STEM value threshold from 3.1.2.2 'Explanation and reasons for objectives and policies' and include in Policy 5. Lower STEM threshold to 120.	Support	Pauline Raphael (F-3,4,5) Agree with comments about STEM assessment discrepancy and anomaly. Also, that changing the assessment so that protected trees that were formerly part of groups have been assessed individually, resulting in an even greater reduction of protected trees. STEM threshold should be lowered to prevent the loss of so many currently protected trees, particularly groups.	Allow	It is not necessary to add the STEM value threshold into Policy 5 as it is covered in the explanation part of Section 3.1.2 of the District Plan. Of the trees that are currently protected, some of them have never been formally assessed. As well as this the Schedule of trees has not been reviewed comprehensively for some time. As a result there are many trees currently on Schedule 3 which do not warrant protection. Refer to the Hearings report, Section 4.4 for further information on the reduction in number of trees in Schedule 3. Council rejects the request to lower the STEM threshold.	Reject S-20 Reject F-3,4,5
	3) 3.1.2.2 Natural Environment: Explanations	3)Oppose	3) Amend 'Explanation and reasons for objectives and policies' to refer to "Protected Trees" in the specific "Protected trees" section of Schedule 3 to avoid confusion that the reference relates to trees in bush areas of the Kaitaiki Zone in the "Significant Natural Features and Other Protected Items" section of Schedule 3.	3) Amend references to 'trees' in 3.1.2.2 'Explanation and reasons for objectives and policies' to "protected trees".	Both Support and Oppose in part	Powerco (F-7) Powerco supports the intent of the submission to clarify how the rules relate to trees located in the 'Outstanding or Significant Natural Features' listed in Schedule 3. Schedule 3 currently contains two lists, one titled 'protected trees' and the other 'outstanding or significant features and other protected items'. Both contain references to trees or groups of trees and it is uncertain whether the provisions in Rule 10.2.2 are intended to apply to trees in both areas or just to the trees in the list of 'protected trees'. Rule 10.2.4 applies to 'Identified Sites in Schedules 1 (Heritage Buildings and 2 (Waahi Tapu) and 3 (Outstanding or Significant Natural Features and Trees and Other Protected Items) except Scheduled Buildings and the under storey and regrowth of vegetation in a plantation forest.' However, it does not contain any rules relating to vegetation trimming, pruning or clearance, which suggests there may be an intent for the rules in 10.2.2 to apply in those areas. However, this is not clear. Powerco considers it would be appropriate to provide a rule framework around works to vegetation in 'outstanding or significant natural features'. However, the submission appears to seek a blanket non-complying activity status for all works to trees in 'outstanding or significant natural features' (with	Accept the submission point in part and make changes to clarify the scope of the rules in 10.2.2. and whether they apply trees in 'outstanding or significant natural features'.	Changes to rules in relation to Outstanding Natural Features are outside the scope of Plan Change 48. Rules in 10.2.4 and 10.2.5 relate to SNF's. Commentary has been added to the explanation section of 3.1.2 (Natural environment and heritage) to provide clarification on the difference between the rules for protected trees and SNF's.	Accept in part S-20 Accept in part F-7

Submitter	Specific provisions of the plan change that the submission relates to	Support/ Oppose	Details of Submission <i>Note:</i> all protected trees referred to submissions are identified by their existing numbers in Schedule 3 of the District Plan.	Decision that the Submitter wants Council to make	Further Submissions			Assessment and Recommendation	Accept/ Reject/ Accept in part
					Support/ Oppose	Reasons	Decision Requested		
						the exception of emergency works where there is an imminent threat to life), and this is not supported, as it does not make adequate provision for works required to ensure the ongoing operation, maintenance and upgrade of electricity infrastructure. If there is scope as part of this current plan change process to address works to trees in 'outstanding or significant natural features', Powerco would support a similar approach to that set out for 'protected trees', subject to the relief sought in its own submission, which seeks to ensure that appropriate provision is made for the trimming, pruning or clearance of vegetation in order to ensure compliance with the Electricity (Hazards from Trees) Regulations is maintained and to enable emergency works to trees to maintain or restore electricity connections.			
	4) 10.2.2 Natural Environment and heritage – “Scheduled Trees or Any Protected trees within Schedule 3 excluding understorey and regrowth of vegetation in a plantation forest”	4) Oppose	4) Reword the rule so that it clearly refers only to trees listed in the “protected trees’ section of Schedule 3.	4) Scheduled Trees Or Any Protected Trees Within Schedule 3 excluding understorey and regrowth of vegetation in a plantation forest.				Reword heading in 10.2.2 so that it is clear that it only relates to protected trees, not SNF’s, in Schedule 3. Protected Trees Within Schedule 3 excluding: Significant Natural Features, understorey and regrowth of vegetation in a plantation forest.	Accept in part.
	5) 10.2.2 Scheduled Trees or Any Protected trees within Schedule 3 excluding understorey and regrowth of vegetation in a plantation forest (a) – (h)	5) Oppose	5) Replace the words “protected tree listed in Schedule 3” with “tree”. The use reference is superfluous given that it is referred to in the preamble to Rule 10.2.2	5) Remove the reference to protected tree listed in Schedule 3.				The words ‘Protected Tree’ are used to provide clarity.	Reject.
	6) 10.2.3 Natural Environment and heritage – “General Tree Protection Provisions”	6) Oppose	6) Amend to “General Tree Protection Provisions not covered by rule 10.2.2” so that the rule distinguishes between “Protected Trees” and those other trees which are in Schedule 3, but are not subject to this plan change.	6) Amend to “General Tree Protection Provisions not covered by rule 10.2.2”.				Amend 3. General Tree Protection Provisions to: General Tree Protection Provisions <u>not covered by rule 10.2.2</u>	Accept in part.
	7) 10.2.3 Natural Environment and heritage – “General Tree Protection	7) Oppose	6) As a consequence of 3) above, which would only apply to trees assessed as part of this plan change, provision 10.2.2(h) “Removal of any protected tree listed in Schedule 3 (excluding those trees that meet the provisions of 2(c) and 2(e)” needs	7) Insert a rule to control removal of trees in the “Outstanding or Significant Natural Features and Other Protected Items” section of Schedule 3.				10.2.4 Provides for Significant Natural Features. Clarification on what the Plan Change does and doesn’t take into account in terms of SNF’s is	Reject.

Submitter	Specific provisions of the plan change that the submission relates to	Support/ Oppose	Details of Submission <i>Note:</i> all protected trees referred to submissions are identified by their existing numbers in Schedule 3 of the District Plan.	Decision that the Submitter wants Council to make	Further Submissions			Assessment and Recommendation	Accept/ Reject/ Accept in part
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	Provisions" (New)		to be inserted into 10.2.3 with the exclusion only for emergency removal where life is threatened.					provided in the explanation section.	
	8) 10.2.4 Identified Sites in Schedules 1 (Heritage Buildings and Objects), 2 (Waahi Tapu) and 3 (Outstanding or Significant Natural Features and Other Protected Items) except Scheduled Buildings and the understorey and regrowth of vegetation in a plantation forest".	8) Oppose	8) The reference to Schedule 3 in the title of 10.2.4 should be amended to refer to parts A and B or to the full amended title of Schedule 3 (Outstanding or significant natural features and trees and other protected items).	8) Change title to 10.2.4 to refer to parts A and B, or to "Identified Sites in Schedules 1 (Heritage Buildings and Objects), 2 (Waahi Tapu) and 3 (Outstanding or significant natural features and trees and other protected items".				Add Subheadings to the Schedule. Section A – Protected Trees. Section B – Outstanding Natural Features (SNF's).	Accept.
	9) Schedule 3	9) Oppose	9) Amend Schedule 3 subheading "Protected Trees" to distinguish Protected Trees from "Outstanding or significant natural features and trees and other protected items"	9) Amend Schedule 3 subheading "Protected Trees" to "Part A – Protected Trees".				Add Subheadings to the Schedule. Section A – Protected Trees. Section B – Outstanding Natural Features (SNF's).	Accept.
	10) Schedule 3	10)Oppose	10) Amend Schedule 3 subheading "Outstanding or significant natural features and trees and other protected items" to distinguish them from "Protected Trees".	10) Amend Schedule 3 subheading "Outstanding or significant natural features and trees and other protected items" to "Part B – Outstanding or significant natural features and trees and other protected items".				Add Subheadings to the Schedule. Section A – Protected Trees. Section B – Outstanding Natural Features (SNF's).	Accept.
	11) Schedule 3 (Protected Trees #196 and #200)	11)Oppose	11) Remove both tree numbers from "Protected Trees" Part of Schedule 3 and transfer to "Outstanding or significant natural features and trees and other protected items" as they are groups of indigenous trees more properly protected by the second part of the schedule.	11) Remove protected trees #196 and #200 from "Protected Trees" Part of Schedule 3 and transfer to "Outstanding or significant natural features and trees and other protected items".				The Trees reach a STEM value of 140. Although it can be a fine line between differentiating tree / groups of trees from SNF's. Due to the trees (#196 and 200) reaching the value of 140 they are proposed to be protected as "Trees". Schedule 3 – SNF's are proposed to be reviewed as part of a separate plan change process.	Reject.

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	12) Schedule 3 Trees proposed to be removed from Schedule 3	12)Oppose	<p>12) Reinstate protection for all currently protected trees until a sample of 10% of these trees has their STEM values validated by an alternative arborist.</p> <p>Given the proposed STEM threshold of 140 is lower than the threshold of 150 used in the previous plan change (Plan Change 11) for assessing protected trees, yet the number of trees proposed for protection has dropped from 667 to 93, it would seem there is an discrepancy in the STEM values attributed to protected trees. One would expect some trees to have lost points over this time due to age and decay, but that others would have increased values. If the overall STEM threshold is lower, it can be expected that more trees would warrant protection.</p> <p>In addition, in the recent STEM assessments, an increased number of trees were assessed individually rather than as groups as was done previously. To restore faith in the process, it is suggested that an alternative arborist validate the STEM assessment figures of a sample of 10% of the currently protected trees.</p>	12) Reinstate protection for all currently protected trees until the STEM values for a 10% sample of these trees are validated by an alternative arborist.	Support	Pauline Raphael (F-3,4,5) Alternative qualified arborist should be engaged to validate Arborcare STEM assessment figures.		<p>Arbor Care were engaged by Matamata-Piako District Council as independent tree experts. They have also undertaken all of the STEM assessments for Tauranga City Council. The STEM methodology is widely used by Local Government in New Zealand and is endorsed by the Royal New Zealand Institute of Horticulture.</p> <p>In 2009 changes to the RMA removed a blanket tree protection rule and as a result Councils have to specifically identify all trees protected in a District Plan.</p> <p>Of the trees that are currently protected in Schedule 3, some have never been formally assessed. As well as this, the Schedule of trees has not been reviewed comprehensively for some time. As a result there are many trees currently in Schedule 3 which do not warrant protection. Refer to the Hearings report, Section 4.4 for further information on the reduction in number of trees in Schedule 3.</p>	Reject S-20. Reject F-3,4,5.
21. Te Aroha Club (co-signed by 24 members)	Schedule 3	Not Stated	<p>The submitters oppose the inclusion of protected tree #193 (proposed number #69) in the proposed schedule of protected trees for the following reasons:</p> <ol style="list-style-type: none"> The tree has a history of dropping large branches which have caused considerable damage. Previously, a car struck by a falling branch was written off. In early December 2015, another branch fell unexpectedly, which was large enough to block the neighbouring driveway. The tree's roots have caused on-going damage to the neighbouring property's driveway and drainage system. While the present neighbours have not taken legal action against the club for compensation, the property is for sale and future owners may not be so patient. <p>The submitters believe it unfair that they pay for replacement of the neighbouring property's driveway and drainage system due to damage caused by the protected tree, when they are happy for the tree to be removed.</p> <p>The submitters believe that Council should meet the cost of the tree's removal as they were prevented from doing this in the past when it was smaller. If the plan change is not declined, the submitters wish the tree</p>	<p>If the plan change is not declined, make the following amendments:</p> <p>The submitters wish the tree to become the responsibility of Council, who would be liable for all future damage it causes.</p>				<p>The tree was in good condition when the STEM assessment was carried out by Arbor Care.</p> <p>Council are proposing to set aside a fund of \$6,000 for people with protected trees that require a resource consent. The money is proposed to be set aside to assist with the costs of paying for an arborist to assess a tree/s when a resource consent needs to be applied for. The process for applying for funding needs to be determined by Council.</p>	Reject.

Submitter	Specific provisions of the plan change that the submission relates to	Support/ Oppose	Details of Submission <i>Note:</i> all protected trees referred to submissions are identified by their existing numbers in Schedule 3 of the District Plan.	Decision that the Submitter wants Council to make	Further Submissions			Assessment and Recommendation	Accept/ Reject/ Accept in part
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			to become the responsibility of Council, who would be liable for all future damage it causes.						
22. D & R Cole	General purpose of the plan change	Support	The submitters are in favour of fewer trees being protected by the District Plan due to the problems posed by large protected trees in urban areas. Protected tree #244 is on their boundary and creates problems such as roots breaking up concrete; shading, blocked gutters and falling debris create a nuisance.	Accept the plan change as notified.				Tree #244 is proposed to be removed from Schedule 3.	Accept.
23. Dorothy Tuffey	Schedule 3; Section 10	Oppose	<p>The submitter opposes the proposed reduction in the number of protected trees and states the following points:</p> <ul style="list-style-type: none"> a) The submitter doubts that a proposed reduction in the number of protected trees from 667 trees to 93 is due to the ill-health of those trees, or that they don't meet the criteria to remain protected. b) Trees offer shade, and environmental benefits and the attractiveness of Matamata would be drastically altered by the reduction in the number of protected trees. c) Rules should not be so flexible as to allow landowners to remove protected trees without sufficient reason. <p>The submitter requests that the STEM threshold is raised so that only unsafe trees can be removed from the Protected Tree schedule.</p>	<p>If the plan change is not declined, make the following amendment:</p> <p>The STEM threshold is altered so that only unsafe trees can be removed from the Protected Tree schedule.</p>				<p>Of the trees that are currently protected, some have never been formally assessed. As well as this, this, the Schedule of trees has not been reviewed comprehensively for some time. As a result there are many trees currently in Schedule 3 which do not warrant protection. Refer to the Hearings report, Section 4.4 for further information on the reduction in number of trees in Schedule 3.</p> <p>The STEM methodology takes into account shade (Climate) as well as the visual appearance of the tree (Condition and Amenity).</p> <p>Removal of any protected trees is currently and is proposed to be a Non-Complying Activity, consequently landowners who wish to remove a protected tree would have to apply for a resource consent and have an arborist's report to confirm that it is appropriate for a tree to be removed.</p>	Reject.
24. Pauline Raphael	Schedule 3	Oppose	<p>The submitter opposes the proposed reduction in the number of protected trees from 667 to 93 and makes the following points:</p> <ul style="list-style-type: none"> a) Large, old trees are a particularly attractive feature of Matamata, yet under the proposed plan change, only 28 trees would remain protected in the Matamata/Waharoa area. 	<p>If the plan change is not declined, make the following amendments:</p> <p>The STEM threshold is lowered to increase the range of protected trees and/or engage a more independent arbiter who has horticultural interests and is from the Matamata-Piako community to make the STEM assessments.</p>	Support	<p>Greypower Matamata (F-2) Grey power supports S.24</p> <p>Grey power is concerned that historical and memorial values of trees in Matamata area are not recognised by the plan change.</p> <p>Recently planted trees can have historical significance, yet not reach the proposed STEM threshold.</p> <p>Trees are important to the character of the district and over time many Grey power members have contributed to their planting.</p> <p>A memorial tree register should be created.</p> <p>Pauline Raphael (F-3,4,5) Includes list of trees that should either be retained, or newly included in Schedule 3</p>	Allow	<p>We are proposing to protect trees of high significance. For the trees that are on Council owned land, Council has control over these and recognises the importance of trees as an important part of the overall amenity of the district</p> <p>Of the trees that are currently protected, some of them have never been formally assessed. As well as this the Schedule of trees has not been reviewed comprehensively for some time. As a result there are many trees currently on Schedule 3 which do not warrant protection. Refer to the Hearings report, Section 4.4 for further information on the reduction in number of trees in Schedule 3.</p> <p>The STEM assessment methodology takes into consideration biodiversity matters in</p>	Reject S-24. Reject F-2. Reject F-3,4,5.

Submitter	Specific provisions of the plan change that the submission relates to	Support/ Oppose	Details of Submission <i>Note:</i> all protected trees referred to submissions are identified by their existing numbers in Schedule 3 of the District Plan.	Decision that the Submitter wants Council to make	Further Submissions			Assessment and Recommendation	Accept/ Reject/ Accept in part
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						<p>#197 - Memorial oaks to Gallipoli soldiers</p> <p>#6 – 4 oaks planted in 1919 as memorial for WW1 servicemen lost</p> <p>#184 – Totara planted 1916 for first Anzac Day.</p> <p>#No number – 4 trees planted to commemorate 4 WWII soldiers</p>		<p>terms of Function and Rarity. Refer to the Hearings report, Section 4.5 (Biodiversity) for more information.</p> <p>#197 - Memorial oaks to Gallipoli soldiers Trees do not reach 140 STEM threshold.</p> <p>#6 – 4 oaks planted in 1919 as memorial for WW1 servicemen lost. There are now only 3 oaks on site, 1 red oak and two English oaks. The red oak and one English oak were not assessed due to their poor condition. The remaining English oak was assessed but did not achieve the 140 STEM threshold.</p> <p>#184 – Totara planted 1916 for first Anzac Day. Assessed but did not achieve STEM 140 threshold.</p> <p>#No number – 4 trees planted to commemorate 4 WWII soldiers. No further information was provided in terms of validating the age of these trees.</p> <p>The submitter, through F-3,4,5 highlighted a number of trees that could be reviewed for potential inclusion in Schedule 3. Some of the trees identified are protected and are in Schedule 3. A number of the trees identified were not considered worthy of protection and were either assessed and did not reach the STEM threshold or were not worthy of being assessed.</p>	
			b) Trees offer environmental benefits such as helping reduce pollution and the effects of stormwater runoff. They also act as corridors for birdlife and pollinators to move between food sources and habitats. Birdlife originating from Maungatautari has relocated to Matamata due to the efforts of gardeners and bird enthusiasts.					The STEM assessment methodology takes into consideration biodiversity matters in terms of Function and Rarity. Refer to the Hearings report, Section 4.5 (Biodiversity) for more information.	Reject.
			c) The oak trees at Hetana St, Matamata are noted as having a very high STEM assessment of 156; it is difficult to believe that so many of the trees proposed to be removed from the schedule did not also attain this high assessment.					Of the trees that are currently protected, some have never been formally assessed. As well as this the Schedule of trees has not been reviewed comprehensively for some time. As a result there are many trees currently on Schedule 3 which do not warrant protection. Refer to the Hearings report, Section 4.4 for further information on the reduction	Reject.

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								in number of trees in Schedule 3.	
			d) Is Council seeking to encourage growth in Matamata by making it easier to remove trees that may present a nuisance to developers?	Unknown	Support	Pauline Raphael (F-3,4,5) A number of groups of common varieties of currently protected trees (#79, #231, #232, #233, #235) are proposed to have their protection removed, despite the benefits that they offer (shelter, environmental, aesthetic, as corridors for birdlife). Questions if they have been removed from the protected tree schedule to allow development at Precinct F.	Unknown.	Council are proposing to protect trees of value to the community by formally protecting trees which score at least 140 points in STEM assessment. Any development requests to Council go through a resource consent process.	Reject S-24. Reject F-3,4,5.
			e) The proposed STEM assessment threshold of 140 appears to be too high if it means 574 trees proposed to be removed from the protected tree schedule are no longer as healthy or in the same condition as when first protected. An independent arbiter should assess the trees instead.	The STEM threshold is lowered to increase the range of protected trees	Support	Greypower Matamata (F-2) Concern at reduction in number of protected trees from 667 to 93. STEM threshold should be lowered from 140 to 120 to protect a wider range of trees. Concern at the number of groups of trees removed from protection rather than being assessed individually Assessment should be carried out by independent assessor. Pauline Raphael (F-3,4,5) STEM threshold should be lowered from 140 to 120.	Allow	Of the trees that are currently protected, some have never been formally assessed. As well as this the Schedule of trees has not been reviewed comprehensively for some time. As a result there are many trees currently on Schedule 3 which do not warrant protection. Refer to the Hearings report, Section 4.4 for further information on the reduction in number of trees in Schedule 3. Arbor Care were engaged by Council as independent tree experts who have experience in using the STEM methodology which is widely used in Local Government in New Zealand and is endorsed by the Royal New Zealand Institute of Horticulture.	Reject S-24. Reject F-2. Reject F-3,4,5.
			f) Questions the need for the proposed change and suggests that resource consent can be sought for the removal of currently protected trees which pose a danger.					The Plan Change aims to find a balance between protecting significant trees and providing flexibility to landowners with protected trees on their properties by making the rules as permissible as possible while still providing for the necessary protection of trees.	Reject.
25. Mike Gribble	General	Both Support and Oppose	The submitter is generally supportive of the proposed plan change as it recognises that trees are living organisms/beings with a life cycle and it has reduced the number of poor quality protected trees. However, the changes do not reduce the draconian and prescriptive method of maintaining protected trees. In addition, the plan is ineffective at preventing the illegal removal of protected trees and council does not prosecute those responsible for their removal. There is a need for council to supply more resources for the maintenance on private land. Council should ensure continuity in the process of protecting trees. For example, a lot of money was spent on constructing a wooden walkway to protecting the roots of		Support	Pauline Raphael (F-3,4,5) Supports S.25 There has been little historic (society) follow up with the proposed list of Protected Trees. Supports the idea of a historic trees register. Supports request that 5 Oaks #225 and 3 Oaks #212 be reinstated to the protected tree list. Supports the deletion of tree #121	Allow	Tree #68 The tree will have a reduced STEM assessment score based on a recalculation of notability. Tree remains protected as reaches 140 STEM threshold. Wooden walkway Tree #126 Tree #126 does not warrant protection as it does not meet the STEM threshold of 140. Historical Information Council staff consulted with historical societies in Matamata, Te Aroha and Morrinsville. Council staff called the Morrinsville Society twice and information was sent through to the Morrinsville Society (along with Te Aroha and Matamata Historical Societies). The Morrinsville Historical Society did not indicate	Accept in part S-25. Reject F-3,4,5.

Submitter	Specific provisions of the plan change that the submission relates to	Support/ Oppose	Details of Submission <i>Note:</i> all protected trees referred to submissions are identified by their existing numbers in Schedule 3 of the District Plan.	Decision that the Submitter wants Council to make	Further Submissions			Assessment and Recommendation	Accept/ Reject/ Accept in part
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			<p>a magnolia (protected tree #126), yet this tree is now proposed to be removed from the schedule.</p> <p>Memorial trees need to be protected as they were planted by the community with the understanding that such trees would be protected for their lifetime. They hold deep emotional and historic value for our district.</p> <p>There is a need for more historical information. The supplied documentation accompanying the plan change information states "there were few identified species that have historical significance in the district". However, quite a few have been disregarded, or are not known about. Greater efforts should have been made to consult with local historical societies, as in Morrinsville's case consultation was very limited.</p> <p>A method of recording verified historical facts and information for each protected tree is needed to ensure the accuracy of the data. For example: a system similar to the requirements of Heritage New Zealand for historical sites. This would prove their authenticity and historic merit and avoid the recording of inaccurate information.</p>					<p>they wanted to meet with Council staff to discuss historically significant trees.</p> <p>We appreciate that there may be an information gap on historical information in the District. Council have relied upon people to come forward with factual evidence on the history of trees in their submissions and further submissions.</p> <p>Council are proposing a fund of \$6,000 to assist landowners with undertaking an arborist's assessment in accordance with the proposed rules (refer to Appendix C and Section 4.8 in the Section Hearings report).</p>	
	1) Schedule 3	Oppose	<p>1) The submitter requests the following changes to Schedule 3:</p> <p>a) Reinstate the five currently protected oak trees (#225) at Morrinsville College. The trees were planted as a memorial to 28 former pupils who were killed in the Second World War. A recalculation of the STEM assessment to reflect this historical significance would see them reach the 140 threshold.</p> <p>b) Reinstate the three currently protected oak trees (#212) at 171 Scott Road, Morrinsville. They are the remnants of the trees that surrounded the original Lockerbie manager's house which is included as heritage site 84 in Schedule 1 of the District Plan. A recalculation of the STEM assessment to reflect this historical significance would see them reach the 140 threshold.</p> <p>c) The two cedar trees (#121) do not deserve their STEM assessment rating and</p>	<p>a) Reinstate the five currently protected oak trees (protected tree #225) at Morrinsville College to Schedule 3 of the District Plan.</p> <p>b) Reinstate the three currently protected oak trees (protected tree #212) at 171 Scott Road, Morrinsville to Schedule 3 of the District Plan.</p> <p>c) Remove protected tree #121 from Schedule 3 of the District Plan.</p>				<p>Tree #225 (S.25) 5 Morrinsville College memorial oak trees. The Morrinsville College 50th Jubilee magazine notes that these trees were planted in 1943 to beautify the school grounds, but following the war a plaque was erected stating the oaks were a memorial for former pupils who lost their lives. A STEM assessment has been carried out, which takes into account notability, the trees do not reach 140 threshold.</p> <p>Tree #212 (S.25) These three trees have had their STEM scores recalculated based on information supplied by the submitter. Each of the three trees now meets the 140 STEM threshold.</p> <p>Tree #121 (S.25) Two cedar trees at 72 Coronation Road. No evidence supplied to justify the removal of these trees from Schedule 3.</p>	Accept in part.

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					Support/ Oppose	Reasons	Decision Requested		
			should not be protected.						
	2) 10.2.2(a) Scheduled Trees or Any Protected trees within Schedule 3 excluding understorey and regrowth of vegetation in a plantation forest	2) Oppose	2) Remove reference to hand-operated clippers (of a 20mm maximum blade length) from the rule	2) Scheduled Trees Or Any Protected Trees Within Schedule 3 excluding understorey and regrowth of vegetation in a plantation forest. (a) Minor trimming, pruning or maintenance of any tree listed in Schedule 3 undertaken by hand operated clippers (of a 20mm maximum blade length) in accordance with accepted arboricultural practice and limited to: • Pruning and removal of branches with a maximum diameter of 40mm; • No more than 10% canopy removal per calendar year.	Support	Pauline Raphael (F-3,4,5) Agrees with Mr Gribble's submission in full, particularly regarding the protection of memorial and historic trees and the importance of trees to community who planted them. Agrees with the suggestion of a register of information about each protected tree.		The proposed rules no longer refer to hand operated clippers.	Accept in part. Accept in part F-3,4,5.
	3) 10.2.2(b)	3) Oppose	3) Remove from the rule the reference requiring notification to council, and the need for a council approved arborist to remove dead, damaged or diseased limbs from protected trees. This endorses the need to issue a report for the removal of a protected tree only and eliminates the need for a qualified arborist to conduct day-to-day maintenance and the updating of a council file which lists branches and limbs that have been removed from protected trees.	3) (b) The removal of dead, damaged or diseased limbs of any protected tree listed in Schedule 3 when undertaken by an arborist arborist on the Council list of qualified arborists arborists. Notification to Council is required prior to the commencement of works.				A council approved arborist is required to remove dead, damaged or diseased limbs so that the tree is not damaged during the process of removing dead, damaged or diseased limbs.	Reject.
	4) 10.2.2(d)	4) Oppose	4) Remove from the rule the reference requiring notification to council, and the need for a council approved arborist to remove limbs from any protected tree to provide for pedestrian and traffic safety. This endorses the need to issue a report for the removal of a protected tree only and eliminates the need for a qualified arborist to conduct day-to-day maintenance and the updating of a council file which lists branches and limbs that have been removed from protected trees.	4) (d) The removal of limbs from any protected tree listed in Schedule 3 to provide for pedestrian and traffic safety when undertaken by an arborist on the Council list of qualified arborists. Notification to Council is required prior to the commencement of works.	Support	Pauline Raphael (F-3,4,5) Agrees with less prescriptive method of maintaining trees on Schedule 3, including allow minor trimming of trees on the Schedule.	Allow	A council approved arborist is required to remove dead, damaged or diseased limbs so that the tree is not damaged during the process of removing dead, damaged or diseased limbs.	Reject S-25. Reject F-3,4,5.
	5)10.2.2(e)	5) Oppose	5) This eliminates the need for a qualified arborist to conduct day-to-day maintenance and the updating of a council file which lists branches and limbs that have been removed from protected trees.	5) (e) The emergency removal of any protected tree listed in Schedule 3 where there is an imminent threat to life or property. The works must be undertaken by an arborist on the Council list of qualified arborists.	Support	Pauline Raphael (F-3,4,5) Agrees with less prescriptive method of maintaining trees on Schedule 3, including allow minor trimming of trees on the Schedule.	Allow	A council approved arborist is required to remove dead, damaged or diseased limbs so that the tree is not damaged during the process of removing dead, damaged or diseased limbs.	Reject S-25. Reject F-3, 4, 5.
	6)10.2.2(f)	6) Oppose	6) Delete this rule which includes use of complicated terms, for example, "soil ecotoxicity" with its involved scientific definition which may not be understood by the general public.	6) (f) Works within the drip line of any protected tree listed in Schedule 3 including: compaction, sealing, soil raising or soil disturbance, except for sealing of an existing footpath; and construction of structures; and parking or storage of materials, vehicles or machinery; and discharge of an ecotoxic substance.	Oppose	Powerco (F-7) Powerco supports the Council's approach to provide for works within the dripline of a protected tree as a Restricted Discretionary Activity.	Reject the submission point and do not make the changes sought.	Use of phrase eco toxic doesn't make the rule excessively complex. The wording of the rule helps to clarify that discharging of toxic substances near the surface of a Protected tree would be harmful.	Reject S-25. Accept F-7.
	7) 10.2.2(g)	7) Oppose	7) Delete the rule	7) (g) Any trimming, pruning or maintenance (including to the roots) of a Scheduled tree any protected tree listed in Schedule 3 that is not otherwise permitted.	Support Oppose	Pauline Raphael (F-3) Agrees with removal of protected tree if it is a threat to life. Powerco (F-7) Powerco opposes the relief sought by the submitter insofar as the	Pauline Raphael (F-3) Reject the submission point and do not make the changes sought.	The intention of this rule is to capture work that is not otherwise specifically permitted.	Reject S-25. Accept F-3. Accept F-7.

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						default activity status would be unclear as a result of the changes.	Powerco (F-7) Reject the submission point and do not make the changes sought.		
	8) Add new entry into the 'advice' section of the plan	8) n/a	8) Add modified version of 10.2.2(f) and (g) into 'advice' section	8) Care must be taken when working within the drip line of any protected tree listed in Schedule 3 This includes: - compaction, sealing, soil raising or soil disturbance, - parking or storage of materials, vehicles or machinery; and -the discharge of an ecotoxic substance. - Any works or activity which is proposed within the dripline of any scheduled tree, or which may impact on the root system of the tree	Oppose	Powerco (F-7) Powerco opposes the relief sought by the submitter. It is considered that Rule 10.2.2(f) provides appropriate guidance for works within the dripline of a protected tree listed in Schedule 3.	Reject the submission point and do not make the changes sought.	The rule (10.2.2.2(f) provides for guidance on works within the dripline of a protected tree in Schedule 3.	Reject S-25. Accept F-7.
	9) Add new clause to Appendix B of the plan	9) n/a	9) Add a new clause to Appendix B.	9) If a protected tree listed in Schedule 3 is removed under the 10.2.2(c) provision, it will be deleted from Schedule 3 of the District Plan when that tree is physically removed from the site.				Schedule 3 and the contents of the District Plan must be updated through a plan change process. New information on the removal of protected trees will be noted by Council and the information will be used to inform future plan changes.	Reject S-25.
26. Powerco Limited	1) General	1) n/a	1) Powerco wants to ensure that the Plan Change takes into account and recognises the following: i) The sustainable management of Powerco's assets. ii) Relevant legislation relating to Powerco's assets such as the National Policy Statement for Electricity Transmission and Regional Policy Statement. iii) The ongoing operation and maintenance of the Powerco network iv) Maintenance of public safety around electricity lines. v) That no unnecessary constraints result on vegetation clearing, public safety and Powerco assets	1) None					Accept in part.
	2) 3.1.2.2 Natural Environment - Objective 2	2) Oppose	2) Objective 2 is drafted more like a policy than an objective. It should be amended to identify what the objective of the provisions is.	2) To protect Trees that have significant value to the community in terms of amenity, ecological and historical values <u>are recognised and protected.</u>				Amend Objective 2: To protect Trees that have significant value to the community in terms of amenity, ecological and historical values <u>are recognised and protected.</u>	Accept.
	3) 3.1.2.2 Natural Environment – Policy 5	3) Oppose	3) Replace Policy 5 with a policy that provides clear policy guidance on how the council intends to achieve the protection of significant trees. If it is considered necessary, include a new, non-regulatory method in Section 13:	3) Providing an effective set of rules to protect significant trees while also limiting the financial impact on landowners who have a scheduled tree on their property				The STEM methodology takes into account multiple values. It is considered that Policy 5 takes into account the adverse effects on people and property. Protected trees are considered the	Reject.

Submitter	Specific provisions of the plan change that the submission relates to	Support/ Oppose	Details of Submission <i>Note:</i> all protected trees referred to submissions are identified by their existing numbers in Schedule 3 of the District Plan.	Decision that the Submitter wants Council to make	Further Submissions			Assessment and Recommendation	Accept/ Reject/ Accept in part
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			Other Methods, of limiting the financial impact on landowners of the protection of significant trees.	<p><u>Protect significant trees from inappropriate subdivision, use and development by considering where applicable:</u></p> <p>a) <u>The specific values of the tree for which it has been identified as a protected tree;</u> b) <u>The likelihood of significant adverse effects to people and property from the tree;</u> c) <u>The extent to which any trimming, pruning or removal of a protected tree is necessary to accommodate efficient operation of the road network, network utilities or permitted development on the site;</u> d) <u>The extent to which any trimming, pruning, maintenance or works within the drip line of a protected tree will adversely affect the health of the tree and the surrounding landscape character of the area in which the tree is located;</u> e) <u>Whether the values that are lost if a protected tree is removed can be adequately mitigated.</u></p> <p><u>New Method:</u></p> <p><u>Limit the financial impact on landowners, of the protection of significant trees.</u></p>				<p>most significant in the District. It is considered that the rules sufficiently take into consideration the need to, in some occasions, carry out maintenance on Protected Trees.</p> <p>Change to Policy 5:</p> <p>Providing <u>Provide</u> an effective set of rules to protect trees while also managing <u>limiting</u> the financial impact on landowners who have a scheduled tree on their property.</p>	
	4) 10.2.2 Scheduled Trees or Any Protected trees within Schedule 3 excluding understorey and regrowth of vegetation in a plantation forest	4) Oppose	4) Suggest amendment to rules 10.2.2(a) and (e) to specifically permit the trimming, pruning, maintenance or removal of protected trees to avoid causing public safety hazards, downed wires, interruption of electrical service, or power outage. While this is generally provided for by Electricity (Hazards from Trees) Regulations 2003, Powerco requests specific provision for such activities to avoid unnecessary delays and regulation of such works.	<p>4) Amend Rules 10.2.2(a) and (e) to specifically permit the trimming, pruning, maintenance or removal of protected trees where such works are required to ensure compliance with the Electricity (Hazards from Trees) Regulations or to maintain or restore electricity or telecommunication connections. This could be achieved by making the following changes:</p> <p>Permitted Activity</p> <p>a) Minor trimming, pruning or maintenance of any tree listed in Schedule 3 undertaken in accordance with accepted arboriculture practice and limited to <u>either:</u> Pruning and removal of branches with a maximum diameter of 40mm; <u>and</u></p> <p>No more than 10% canopy removal per calendar year; <u>or</u></p> <p><u>Trimming, pruning or maintenance undertaken in accordance with the Electricity (Hazards from Trees) Regulations 2003.</u></p>				<p>Rule 10.2.2(a) and (e)</p> <p>It is considered that the Electricity (Hazards From Trees) Regulations 2003 provide for the trimming, pruning, and maintenance of protected trees to avoid causing public safety hazards.</p> <p>An advice note has been added to the Rules Section to ensure that people undertaking works are aware of the Electricity (Hazards From Trees) Regulations 2003.</p>	Reject.

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				<p>Permitted Activity</p> <p>e) The emergency removal of any protected tree listed in Schedule 3 where there is an imminent threat to life or property <u>or the removal of any protected tree listed in Schedule 3 where required to maintain or restore electricity or telecommunication connections.</u> The works must be undertaken by an arborist on the Council list of Qualified Arborists.</p>					
	5) Council List of qualified arborists.	5) Oppose	5) Powerco supports Council's list of qualified arborists. However, it is noted that the list sits outside the District Plan and therefore can be amended at any time. Powerco may or may not be satisfied that arborists subsequently added to this list will be similarly suitably experienced in tree work near electricity lines. Powerco seeks that the list of qualified arborists specifically identifies those with suitable experience to carry out such activities in compliance with Electricity (Hazards from Trees) Regulations, and who are authorised by a utility provider to undertake works on a protected tree within 4 metres of the utility asset.	<p>5) Amend Rule 10.2.2 clauses (b) and (d) to require that any works undertaken on a protected tree located within 4 meters of electricity lines is to be carried out by an arborist on the Council list of qualified arborists that is also authorised by a network utility provider. This could be achieved by making the following changes:</p> <p>Permitted Activity</p> <p>b) <i>The removal of dead, damaged or diseased limbs of any protected tree listed in Schedule 3 when undertaken by an arborist on the list of qualified arborists, <u>and, when, undertaken within 4 metres of electricity lines, that is also authorised by a network utility provider.</u> Notification to Council is required prior to the commencement of works.</i></p> <p>Permitted Activity</p> <p>d) The removal of limbs from any protected tree listed in Schedule 3 to provide for pedestrian and traffic safety when undertaken by an arborist on the Council list of qualified arborists, <u>and, when, undertaken within 4 metres of electricity lines, that is also authorised by a network utility provider.</u> Notification to Council is required prior to the commencement of works.</p>				<p>Reject proposed amendment to 10.2.2(e). It is not considered appropriate to allow for the removal of a protected tree to restore electricity or telecommunications. It is considered that this is covered though the emergency works Rule 10.2.2(e).</p> <p>Advice note added to rules</p>	Reject.
	6) Performance standard 10.3.1	6) Oppose	6) Amend performance standard 10.3.1 to reflect changes sought to Rule 10.2.2	6) Amend performance standard 10.3.1 to reflect changes sought to Rule 10.2.2(e) as follows: <i>10.3.1 Approved Arborists For the permitted activity rules</i>					

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				<p>which rely on the Council list of qualified arborists, a report from a qualified arborist shall be submitted to Council and the report shall be acknowledged and accepted by Council prior to any works commencing, with the exception of Rule 10.2.2(e) in which case the report can be submitted within 5 working days of any works being undertaken.</p> <p>The report shall document the rationale for why the works are required and assess the impact of the works on the long term health and vitality of the tree (where the tree is to be retained). Photographic records of before and after works shall be submitted.</p>					
	7) 10.2.2(e) Emergency removal of protected trees	7) Oppose	<p>7) Rule 10.2.2(e) requires emergency removal works to be undertaken by an arborist on the Council list of qualified arborists. This is more restrictive than that which is provided for in the RMA, where section 330 allows emergency works to be undertaken in certain circumstances without being constrained by additional restrictions.</p> <p>It is unclear why an arborist would be required to remove the tree and it is noted that an arborist isn't required for tree removals under Rule 10.2.2(c)</p>	<p>7) Amend rule 10.2.2(e) to remove the requirement for emergency works to be undertaken by an arborist on the Council list of qualified arborists. This could be achieved by making the following changes:</p> <p>Permitted Activity</p> <p>b) e) The emergency removal of any protected tree listed in Schedule 3 where there is an imminent threat to life or property or the removal of any protected tree listed in Schedule 3 where required to maintain or restore electricity or telecommunication connections. The works must be undertaken by an arborist on the Council list of qualified arborists.</p>			<p>Reject proposed amendment to 10.2.2(e). It is not considered appropriate to allow for the removal of a protected tree to restore electricity or telecommunications. It is considered that where there is an immediate threat to life or property as described in Rule 10.2.2(e).</p> <p>Advice note added to rules.</p> <p>The person undertaking the assessment needs to be an arborist on the Council list of qualified arborist however the works can be undertaken by anybody.</p>	Reject.	
	8) 10.2.2 Scheduled Trees or Any Protected trees within Schedule 3 excluding understorey and regrowth of vegetation in a plantation forest	8) Oppose	<p>8) Remove "scheduled trees" from title of rule to ensure consistency in the drafting of rules, as only "protected trees" are referred to elsewhere.</p>	<p>8) Ensure the consistent use of terminology in referring to the 'protected trees' listed in Schedule 3 as follows: 2 Scheduled Trees or Any Protected Trees Within Schedule 3 excluding understorey and regrowth of vegetation in a plantation forest.</p>			<p>Rule 10.2.2 (b) and (d) Accept amendments to b and d.</p> <p>Remove "scheduled trees" from title of rule to ensure consistency in the drafting of rules, as only "protected trees" are referred to elsewhere.</p>	Accept.	
	9) 10.2.2(c)	9) Oppose	<p>9) Correct typographical error in this rule so that reference to 'arborists' is amended to "arborist".</p>	<p>9) Correct a typographical error in clause c) by amending the</p>			Amend.	Accept.	

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				reference to 'arborists' to 'arborist': The removal of any protected tree listed in Schedule 3 that is dead, dying or terminally damaged by disease or natural causes. A report undertaken by an arborist s on the Council list of qualified arborists confirming that the scheduled tree is dead, dying or terminally damaged has to be lodged with and accepted by council prior to removal of the tree.					
27. Matamata-Piako District Council (late submission)	General purpose of the plan change	Not stated	<p>The submitter's comments are provided on behalf of the Assets, Strategy and Policy Department of Council in its role as manager of protected trees located on Council-owned land.</p> <p>The submission notes the legislation relating to the protection of trees on gazetted reserves via the Reserves Act 1977. Furthermore, it notes that Council administers a diverse range of properties including land which are not gazetted reserves, and thus do not offer protection to trees.</p> <p>The submission recommends that Council formulates a management policy to align with its District Tree Strategy. The intention of such a policy would be to regulate the maintenance and/or removal of trees on Council owned land, and ensure that Council is meeting its Reserve Act obligations to give assurance that trees on Council land are being managed in a responsible and transparent manner.</p>	Council formulate a management policy to align with its District Tree Strategy.	Oppose	<p>Mike Gribble (F-1)</p> <p>All trees protected, or proposed to be protected by the District Plan be subject to the same rules and requirements, regardless of them being sites on council-owned or privately owned land.</p> <p>Powerco (F-7)</p> <p>Powerco supports the intent to formulate a management policy that provides a level of assurance to the community that Council is managing trees on Council land in a responsible and transparent manner. Powerco's expectation is that such a document would address the interface between managing trees on council land and the need to enable, the development, operation, maintenance and upgrade of infrastructure networks. In this respect, Powerco considers itself to be a key stakeholder and would welcome the opportunity to participate in the development of such a document.</p>	<p>Mike Gribble (F-1)</p> <p>All trees protected, or proposed to be protected by the District Plan be subject to the same rules and requirements, regardless of their location.</p> <p>That the Council's District Tree strategy is subservient to the District Plan.</p> <p>Powerco (F-7)</p> <p>Accept the submission and investigate the formulation of a Management Policy for the protection of trees on Council land in consultation with key stakeholders.</p>	<p>Intent of submission was to illustrate that the Reserves Act offers only partial protection to trees located on council owned land.</p> <p>Trees on Council land are subject to the same rules as any other tree.</p> <p>Formulation of a Management Policy under the Reserves Act is outside of scope.</p>	<p>Accept in part S-27.</p> <p>Accept in Part F-7.</p> <p>Accept F-1.</p>