

Resource Management Act 1991

Selwyn District Council

Selwyn District Plan

Plan Change 18: Protected Trees

**Proposal to amend tree protection provisions and add
new trees to the schedule of protected trees in the
Selwyn District Plan.**

Date of Notification: 28 April 2010

Introduction

The operative District Plan (the Plan) currently contains a limited number of provisions within both the Rural and Townships Volumes which deal with the protection of identified heritage trees. The purpose of these tree provisions is to ensure the protection of the trees from inappropriate use, development or destruction. It is intended that the amended tree provisions will assist to ensure that protected trees remain in good condition in the long term, by encouraging good tree management practices and preventing them being lost due to indiscriminate removal or damage.

Reasons for the Plan Change

The Council has acknowledged the need to deal with a number of the tree protection provisions which have been identified as needing to be improved. The intent of this plan change is to address the areas needing improvement with the particular intention of ensuring consistency between the tree protection provisions in the two volumes of the Plan. This process will assist in the interpretation of rules for the public and in the clear and consistent administration of the Plan by Council staff. Opportunity has also been provided through this process to include additional trees with significant values. A plan change is required to make the necessary amendments to the protected tree provisions.

What is a Plan Change?

A Plan Change is an amendment to a district plan, which is made by the Council under Clause 16 of the First Schedule to the Resource Management Act 1991 ("the Act").

Amendments to the Proposed District Plan

Amendments to the Proposed District Plan are contained in **Attachment 1** to this document, and associated annexures.

Amendments are shown with additions double underlined and deletions ~~struck-out~~.

Section 32 of the RMA

The Council's Section 32 Evaluation and the Summary of this evaluation in respect of these matters accompany this plan change document, in **Attachment 2**. A challenge to any objective, policy, rule or other method contained in the plan change on the ground that that Section 32 has not been complied with, can only be made through a submission on the plan change.

Making a Submission

Any person may make a submission on the plan change. The submission must follow the format of Form 5 of the Resource Management Act Regulations (Forms) 1991 – copies are available from the Council Services Centres at Leeston, Darfield, Rolleston and Lincoln or on the Council's website at www.selwyn.govt.nz.

A submission needs to include:

- Your name and contact details;
- The provisions which are being submitted on;
- Whether the person supports or opposes the variation;
- The reasons for the submission;
- The decision the person wants the Council to make; and
- Whether the submitter wishes to be heard in support of their submission.

The submission form needs to be signed and lodged with the Council by **5.00pm on Thursday 27th May**.

Process From Here

After submissions are closed, they will be summarised and advertised for further submissions.

The Council will then hold a hearing for all submitters who requested to be heard in support of their submissions. The Council will make a decision on each submission. Each submitter will receive a copy of the Council's written decision on their submission and has 30 working days from that date to appeal any decision to the Environment Court.

ATTACHMENT 1

Changes to the Selwyn District Plan

(Amendments are shown with additions double underlined and deletions ~~struck out~~.)

Townships Volume, Part B, 3 People's Health, Safety and Values, B3.3 CULTURE AND HERITAGE

1. Amend this section in accordance with Annexure 1.

Townships Volume, Part C, 3 Living Zone Rules - Heritage

2. Amend this chapter in accordance with Annexure 2.

Townships Volume, Part C, 6 Living Zone Rules - Utilities

3. Amend note 1 at the beginning of the chapter as follows:

Notes

1. The undergrounding or ducting of any utility is permitted subject to compliance with Rule 2 (Earthworks), except where the provisions of Rule 3 (Heritage) apply.
2. ...

Townships Volume, Part C, 12 Living Zone Rules – Subdivision

4. Amend clause 12.1.4.16 as follows:

12.1.4.16 If the land to be subdivided contains any place or item which is listed in Appendix 3 as a Heritage, Cultural or Ecological site, or in Appendix 2 as a Designation, or in Appendix 4 as a Protected Tree:...

Townships Volume, Part C, 12 Living Zone Rules – Subdivision

5. Amend clause 12.2.2.8 as follows:

12.2.2.8 If any allotment subject to the boundary adjustment contains or adjoins:

- (a) Any waterbody excluding aquifers; or
- (b) Any site listed in Appendix 3 or 4; or
- (c) A designation: ...

Townships Volume, Part C, 12 Living Zone Rules – Subdivision

6. Amend clause 12.3.2.5 as follows:

12.3.2.5 If the land to be subdivided contains any place or item which is listed in Appendix 2 or 3 or 4 as a Heritage site or ecological site or protected tree, or designation:

Townships Volume, Part C, 15 Business Zone Rules – Heritage

7. Amend this chapter in accordance with Annexure 3.

Townships Volume, Part C, 18 Business Zone Rules – Utilities

8. Amend note 1 at the beginning of the chapter as follows:

Notes

1. The undergrounding or ducting of any utility is permitted subject to compliance with Rule 14 (Earthworks), except where the provisions of Rule 15 (Heritage) apply.
2. ...

Townships Volume, Part C, 24 Business Zone Rules – Subdivision

9. Amend clause 24.1.4.15 as follows:

24.1.4.15 If the land to be subdivided contains any place or item which is listed in Appendix 3 as a Heritage, Cultural or Ecological site, or in Appendix 2 as a Designation, or in Appendix 4 as a Protected Tree:...

Townships Volume, Part C, 24 Business Zone Rules – Subdivision

10. Amend clause 24.2.2.7 as follows:

24.2.2.7 If any allotment subject to the boundary adjustment contains or adjoins:
(a) Any waterbody (excluding aquifers); or
(b) Any site listed in Appendices 2 or 3 or 4; or
(c) A designation: ...

Townships Volume, Part C, 24 Business Zone Rules – Subdivision

11. Amend clause 24.3.2.5 as follows:

24.3.2.5 If the land to be subdivided contains any place or item which is listed in Appendix 2 or 3 or 4 as a Heritage site or ecological site or protected tree, or designation: ...

Townships Volume, Part D Definitions

12. Add the following new definitions:

Tree: any woody perennial plant, typically with a distinct trunk (but sometimes multi-stemmed) from which branches arise well above ground level to form a crown, and includes other plants of a tree-like size and form such as palms.

Protected Tree: A tree, or group of trees, which are of significance to the District, and are listed in the protected tree schedule in Appendix 4.

These trees fall into two categories:

- Category A: trees that have particularly high levels of significance, particularly in relation to heritage values, and score the highest under the evaluation criteria.
- Category B: trees that have significance for a range of reasons (i.e. landscape importance) and have a moderate score under the evaluation criteria.

Townships Volume, Part E, Appendix 4 – Schedule of Heritage Trees

13. Delete the existing schedule and replace it with the new schedule contained in Annexure 4.
14. Insert the evaluation criteria at the end of Appendix 4, as contained in Annexure 5.

Rural Volume, Part B, 3 People's Health, Safety and Values, B3.3 CULTURE AND HERITAGE

15. Amend this chapter in accordance with Annexure 6.

Rural Volume, Part C, 1 Rural Rules - Earthworks

16. Amend this chapter in accordance with Annexure 7.

Rural Volume, Part C, 2 Rural Rules - Tree Planting and Removal of Heritage Trees

17. Amend this chapter in accordance with Annexure 8.

Rural Volume, Part C, 5 Rural Rules - Utilities

18. Amend note 1 at the beginning of the chapter as follows:

Notes

1. The undergrounding or ducting of any utility is permitted subject to compliance with Rule 1- Earthworks, except where the provisions of Rule 1.5 (Earthworks and Protected Trees) apply.
2. ...

Rural Volume, Part C, 10 Rural Rules - Subdivision

19. Amend clause 10.1.1.3 as follows:

10.1.1.3 Any allotment created does not contain any of the following features:

- (a) Any site listed as a heritage site in Appendix 3;
- (b) Any tree listed as a protected tree in Appendix 4;
- ~~(b)~~ (c) Any site listed in Appendix 5 and shown in the Planning Maps as a Silent File area, a Wāhi Taonga site, a Wāhi Taonga Management Area, or a Mahinga Kai site;

- (ed) Any site which meets the criteria in Appendix 12 as being a significant ecological site which is worthy of protection;

Rural Volume, Part C, 10 Rural Rules - Subdivision

20. Amend clause 10.4.2 as follows:

- 10.4.2 Under Rule 10.4.1, the Council shall restrict its discretion to consideration of:
- 10.4.2.1 All of the matters listed in Rule 10.1.2.
- 10.4.2.2 Any adverse effects of the proposed subdivision on:
- (a) Any heritage or archaeological site; or
 - (b) Any protected tree; or
 - (~~b~~c) Any Silent File area, Wāhi Taonga site, Wāhi Taonga Management Area or Mahinga Kai site, as advised by local Runanga; or
 - (ed) Any significant ecological site;

Rural Volume, Part D Definitions

21. Add the following new definitions:

Tree: any woody perennial plant, typically with a distinct trunk (but sometimes multi-stemmed) from which branches arise well above ground level to form a crown, and includes other plants of a tree-like size and form such as palms.

Protected Tree: A tree, or group of trees, which are of significance to the District, and are listed in the protected tree schedule in Appendix 4.

These trees fall into two categories:

- Category A: trees that have particularly high levels of significance, particularly in relation to heritage values, and score the highest under the evaluation criteria.
- Category B: trees that have significance for a range of reasons (i.e. landscape importance) and have a moderate score under the evaluation criteria.

Rural Volume, Part E, Appendix 4 – Schedule of Heritage Trees

22. Delete the existing schedule and replace it with the new schedule contained in Annexure 4.
23. Insert the evaluation criteria at the end of Appendix 4, as contained in Annexure 5.

Planning Maps

24. Amend the Planning Maps as shown in Annexure 9.

B3.3 CULTURE AND HERITAGE – ISSUE

- **Damage to, destruction of or inappropriate alteration of sites, places, trees and vegetation plants, buildings or other structures which have cultural or heritage values.**

What Are Heritage Values?

The term “heritage values” is not defined in the Act. Sites, areas or buildings may have heritage values if they are places or objects which people associate with their identity, history, events, customs or practices. Usually these values are shared by more than one person. Most often, people associate heritage values with old buildings, ruins or significant trees and vegetation. Many other things have heritage values. For example, plants used in customary practices, landforms, modern buildings that are part of a community’s identity, routes and trails, and traditional activities.

Heritage and Cultural Values in Selwyn District

Selwyn District is an area which has been affected by several waves of colonisation by Māori and Europeans. As a result there are sites, places and buildings which have cultural or heritage values to individuals, families, iwi, runanga and communities in the District.

Some of these sites, places and buildings have been identified and protected in past planning schemes. Many significant trees have been protected for many years and it is the intention of the Council to continue to provide recognition and protection for trees that display important values for the community or the environment.

...

CULTURE AND HERITAGE – STRATEGY

The Township Volume of the District Plan uses the following basic strategy to protect sites with cultural and heritage values:

General

- Foster a partnership for protecting sites and buildings with cultural or heritage values between owners; local communities; local runanga and the Council.

Māori Sites

- Systems to record any historical information about sites and buildings on property files to keep a public record.
- Assist local runanga to record information on their property files about sites of cultural significance, should local runanga require this.

- Encourage landowners and local runanga to develop voluntary protocols or agreements for the appropriate management of areas containing sites of cultural significance.
- Include provisions in the Plan for managing areas containing sites of cultural significance should local runanga wish to use this method. (A plan change would be needed to include each area into the District Plan. Consultation with both the affected landowner and local runanga is part of the plan change process.)
- Provisions to manage the modification or destruction of buildings or the modification of sites with the most significant heritage and cultural values in the District.

European Sites

- A system to record any historical information about sites and buildings on property files to keep a public record.
- Provisions to manage the modification or destruction of buildings or the modification of sites with the most significant heritage and cultural values in the District.
- The plan recognises ongoing use of sites and buildings as essential to their long-term preservation; and allows for modifications.
- The plan discourages demolition, but also recognises it may be the only practical option in some cases.

Protected Trees

- A system to identify and record protected trees and the reasons for their significance, according to established evaluation criteria.
- Provisions to avoid the removal of identified trees and to protect them from activities that could endanger their health.

Costs

- The consent authority will consider waiving the fee to process the resource consent, if the activity would not otherwise need a resource consent.
- The consent authority has established a discretionary fund to help applicants meet the processing costs for resource consent applications related to the maintenance or restoration of cultural or historic sites or buildings, and for projects involving the maintenance or restoration of cultural or historic sites or buildings.

CULTURE AND HERITAGE – OBJECTIVES

Objective B3.3.1

A partnership for heritage protection is fostered between landowners, tāngata whenua, community groups and the Council.

Objective B3.3.2

Sites of waahi tapu and other importance to tāngata whenua are protected.

Objective B3.3.3

Sites and buildings with heritage values are recognised and, if appropriate, their values protected.

Objective B3.3.4

To recognise and protect trees that contribute to character, ecological, or amenity values and/or are of significance to tangata whenua, and the quality of the rural and urban environments identified in the District Plan.

Explanation and Reasons

Part of promoting sustainable management of natural and physical resources under the Act involves protecting the cultural or heritage values of sites, areas, places and buildings. Part of promoting sustainable management also involves enabling people and communities to provide for their economic, social and cultural well-being.

Objective B3.3.1 develops a partnership approach to heritage protection as many sites and buildings that have cultural or heritage values in Selwyn District are privately owned and are still in use. The co-operation of owners is essential to the successful protection of the cultural or heritage values of these sites and buildings. In the past, the majority of heritage protection has been voluntary by landowners. These efforts should be acknowledged and encouraged.

The role of the Council, local runanga and community interest groups is to recognise, encourage and assist the work of landowners, not to take control out of their hands.

Objective B3.3.2 reflects the duty under section 6(e) of the Act to recognise and protect sites of waahi tapu and other cultural importance to Māori. It is achieved through policies and methods which encourage local runanga and landowners to develop protocols for activities in areas with such sites. This is the preferred approach indicated by local runanga. The District Plan also contains rules to manage earthworks, buildings and other activities in waahi taonga sites and management areas and in silent file areas.

Objective B3.3.3 reflects the duty under section 7(e) of the Act to have particular regard to the protection of the heritage values of sites, areas and buildings. The objective recognises that not all sites or buildings with heritage values in the District will warrant formal protection under the Act. The objective is achieved by policies and methods to: record the heritage values of any site or building and to protect those with significant heritage values. The places identified to have significant heritage values are listed in Appendix 3.

Objective B3.3.4 seeks to provide for the recognition and protection of trees that display values of significance to the community or environment. These trees contribute to character, ecological or amenity values and/or are of significance to tangata whenua, along with contributing to the quality of the rural and urban environments in the District. Significant trees are generally appreciated by the community and require protection from development and activities that may lead to damage or their destruction.

CULTURE AND HERITAGE – POLICIES AND METHODS

MĀORI SITES

...

OTHER SITES AND BUILDINGS

...

Policy B3.3.8

Allow modifications, alterations and additions to the sites and buildings listed in Appendix 3, to facilitate their continued use, provided that any alterations, modifications or additions do not adversely affect their heritage values, wherever practical, considering the heritage values of the site or building and the desirability, feasibility and costs of the proposed activity and alternatives.

Explanation and Reasons

The sites and buildings listed in Appendix 3, are those the Council considers worthy of protection for their heritage values. The values of these sites and buildings have been assessed using a process and set of criteria outlined in a report entitled: “A Review of Heritage Assessment Methods, January 2000”.

The Council is satisfied that one of the most efficient and effective ways to maintain the heritage values of sites and buildings is to ensure their ongoing use. This encourages interest in and funds maintenance of the site or building.

The Council can assist in the conservation of the community’s heritage buildings by considering utilising heritage buildings when planning for new community facilities.

Policy B3.3.7 recognises the importance of the continued use of heritage buildings and sites for the on-going conservation and retention of these sites.

Policy B3.3.8 recognises that the modification of heritage buildings and sites may be necessary to ensure the continued use of the places but that these changes should not adversely affect the heritage values of a place. The policy accepts that this may not always be practical. The consent authority should consider the cost and technical feasibility of the proposed alterations, the heritage values of the site or building and any alternatives.

Methods

District Plan Rules

- Heritage Sites, and Structures ~~and Trees~~
- Subdivision

Funding

- Discretionary fund to help people with the additional costs of resource consents for a heritage or cultural site or building.

...

PROTECTED TREES

Policy B3.3.12

To identify and evaluate trees of significance to the community and keep a record system for these trees.

Policy B3.3.13

To protect identified trees from destruction or alteration which will adversely affect their significance or health as it relates to:

- **the long term life of the tree;**
- **the heritage, ecological, biodiversity, botanical or amenity values of the tree;**
- **any cultural values of the tree or significance to Tangata Whenua.**

Policy B3.3.14

To enable, where appropriate, some physical works on and around identified protected trees for normal cultivation/maintenance, safety purposes or essential services.

Policy B3.3.15

To promote, educate and inform tree owners and the public about the significance of listed protected trees.

Explanation and Reasons

Many trees around the Selwyn District have values that are significant to the community or the environment. These trees may provide a functional value such as shade from the sun, screening and soil stabilisation. It may be that they are pleasing visually, enhance amenity, and create character for an area. They could also have some historic or cultural significance, or they could be significant in terms of their age, form or species.

The Council considers it has a role to protect those trees that can be identified as providing a benefit or have value to the community in a significant way, whether this is physically or historically, ecologically or of significance to tangata whenua, for future generations and the enhancement of the environment. These trees may be vulnerable to existing or future development and activities around them and thus merit protection to ensure their ongoing health.

Policy B3.3.12 seeks to ensure that significant trees are identified and evaluated according to an established system of criteria. The consistently applied evaluation

criteria are intended to ensure that the same system of evaluation is applied to each tree. From this, records of the District's significant trees are to be kept and can be accessed by interested people.

Policy B3.3.13 establishes a system to protect those trees that have been identified as having significance. These trees would be subject to rules within the Plan to ensure that development and activities close to the trees do not affect their health or the values for which they have been identified. Associated Policy B3.3.14 provides for some situations where urgent works may be necessary for public safety or essential services (including roading networks, power and telecommunications networks and infrastructure services such as water supply and wastewater disposal). This too will be incorporated into the rules.

Policy B3.3.15 supports non-statutory processes that the Council undertakes to promote, educate and inform the public and tree owners about the values of the protected trees for the community and the environment. This links to the Council's Heritage Fund which provides annual grants for work necessary to maintain and protect listed trees.

Methods

Information

- Provide an archive of information on the values of identified trees, to accompany property files and record information on the location of archaeological sites on GIS, property files and LIMs.

Advocacy

- Promotion, education and information on the significance of protected trees to the District.

District Plan Rules

- Protected Trees
- Earthworks

Funding

- Discretionary fund to encourage and assist owners with the work required to maintain and enhance the heritage of the District, with priority given to those sites, buildings and trees that are listed for protection in the Selwyn District Plan.

CULTURE AND HERITAGE – ANTICIPATED ENVIRONMENTAL RESULTS

The following outcomes should result from implementing Section B3.3:

- A growing database of the history of the Selwyn District.
- Development of agreements between landowners and local runanga for conducting activities in 'silent file' areas.
- Waahi tapu and waahi taonga sites are protected.
- Sites and buildings with significant heritage values are used and maintained.
- Recognition of and protection for trees of significant value to the community and environment.

3.1 HERITAGE STRUCTURES, TREES AND SITES

Permitted Activities – Heritage Structures, Trees and Sites

3.1.1 The following activities shall be permitted activities:

Maintenance of Heritage Structures and Sites

3.1.1.1 The maintenance of any building, structure or site listed in Appendix 3 for the purposes of this rule maintenance means:

- (a) Replacement of any materials which do not form part of the original heritage features of the building, structure, or site;
- (b) The replacement of any materials which form part of the original heritage values of the building, structure, or site, provided that these materials are of the same or similar appearance and character as the original materials;
- (c) Any repainting of existing painted surfaces;
- (d) Any cleaning or washing of external heritage features provided this does not involve the use of abrasive materials or techniques, such as sandblasting.

Maintenance of Heritage Trees

~~3.1.1.2 Any disturbance of any tree listed in Appendix 4 shall be a permitted activity if the following conditions are met:~~

- ~~(a) The activity is seasonal pruning of the tree(s), or removal or treatment of any diseased portion of such a tree(s); or~~
- ~~(b) Any earthworks are not within 5 metres of the drip line of the tree(s). Refer also to Rule 2.~~

Restricted Discretionary Activities – Heritage Structures, Trees and Sites

3.1.2 Any activity which does not comply with Rule 3.1.1 shall be a restricted discretionary activity.

3.1.3 Under Rule 3.1.2 the Council shall restrict its discretion to consideration of:

Heritage Values

3.1.3.1 The heritage value(s) of the listed item including the extent to which it may already have been modified by previous additions or alterations.

- 3.1.3.2 Any adverse effects of the proposed activity on the heritage values of the listed item.

Positive Effects (Buildings, Structures and Sites only)

- 3.1.3.3 Any positive effects of the activity on the heritage values of the site, structure or building. Positive effects may include any restoration or enhancement of heritage values, prolonging the use and thus continuing the maintenance of the site or building, or maintaining or improving public access to increase appreciation of the heritage item.

Existing Condition of Trees

- ~~3.1.3.4 For removal of a tree, the condition of the tree, including whether it poses a danger to people or property, or whether its condition is such that it is unable to be maintained.~~

Costs

- 3.1.3.5 The costs to the applicant of not allowing the proposed activity.

Alternatives (Buildings, Structures and Sites only)

- 3.1.3.6 Any alternative options which may better maintain the heritage values of the site, structure or building and the relative costs of alternatives.
- 3.1.3.7 Any other activity the applicant or owner has undertaken to maintain or enhance heritage values in the District and the appropriateness of any such activity as a mitigation measure.

Discretionary Activities – Heritage Structures, Trees and Sites

- 3.1.4 Any activity involving the removal or demolition of any building or structure (except those classified as “Category 1” under the HPT Category in Appendix 3) shall be a discretionary activity.

Non-Complying Activities – Heritage Structures, Trees and Sites

- 3.1.5 Any activity involving the removal or demolition of any building or structure classified as “Category 1” under the HPT Class in Appendix 3 shall be a non-complying activity.

Notes

1. The consent authority may request technical advice from the New Zealand Historic Places Trust Pouhere Taonga, in deciding on any resource consent application under Rule 3.1.2 where it affects a listed building, structure or site.
2. Earthworks affecting any archaeological site require the consent from the New Zealand Historic Places Trust Pouhere Taonga (refer to Part B Section 3.3, “Archaeological Sites”).

3.2 PROTECTED TREES

Permitted Activities – Protected Trees

3.2.1 In relation to trees listed in Appendix 4, the following activities shall be permitted activities:

3.2.1.1 Any examination, tissue sampling, and diagnostic work recommended by an approved Council arborist to determine the safety, health and general condition of the tree, and carried out by or under the supervision of that arborist.

3.2.1.2 Normal cultivation of the soil for recreational, horticultural or agricultural purposes or the growing of crops or ornamental vegetation within 10 metres of the base of the tree or within the crown periphery (drip-line), whichever is the greater.

3.2.1.3 Maintenance pruning of any listed tree is permitted where it meets the following:

- a) involves pruning branches in the bottom third of the tree only; and
- b) only branches 50mm in diameter or less may be pruned; and
- c) pruning is by the use of secateurs, loppers or handsaws (no chainsaws).

3.2.1.4 The use of the land immediately around the protected tree, within the distances defined below is permitted, provided that the health of the tree is not adversely affected and that:

Above ground level

- a) there is no installation of any overhead utility service within 10 metres of the base of the tree or within the crown periphery (drip-line), whichever is the greater.
- b) there is no construction, addition or replacement of any building within 10 metres from the base of the tree or within the crown periphery (drip-line), whichever is the greater.
- c) there is no new impervious surfacing, sealing, paving, soil compaction, or alteration of more than 75mm to the ground level (existing prior to works commencing) within 10 metres from the base of the tree or within the crown periphery (drip-line), whichever is the greater.
- d) there is no storage, application or deposition of any chemical or substance that could cause harm to the tree.

Below ground level

- e) there is no laying/installation of any underground utility service within 10 metres of the base of the tree or within the crown periphery (drip-line), whichever is the greater.

Controlled Activities – Protected Trees

3.2.2 In relation to trees listed in Appendix 4, the following activities shall be controlled activities:

3.2.2.1 Removal, remedial work or pruning of a hazardous or dangerous tree provided that a hazard assessment of the tree has been done by an approved Council arborist and the tree is deemed potentially hazardous or dangerous.

3.2.2.2 Pruning of any tree listed as a Category B tree in Appendix 4, by a Network utility operator where the tree or parts of the tree encroach within the regulatory line clearance distances defined in the Electricity (Hazards from Trees) Regulations 2003 or are subject to the Telecommunications Act 2001; provided that the work is carried out by qualified/competent arborists to approved arboricultural industry standards.

3.2.3 Under Rule 3.2.2 the Council shall restrict its discretion to consideration of:

3.2.3.1 The condition and future useful life expectancy of the tree including any potential hazard to persons or property.

3.2.3.2 The effect of any pruning, damage or disturbance to the crown or root system of the tree on its appearance and health.

3.2.3.3 Whether the tree is currently causing, or likely to cause, significant damage to buildings, services, property or heritage item/s, whether public or privately owned.

Restricted Discretionary Activities – Protected Trees

3.2.4 In relation to trees listed in Appendix 4, the following activities shall be restricted discretionary activities:

3.2.4.1 Any activity which does not comply with Rule 3.2.1.1, 3.2.1.2 or 3.2.1.3.

3.2.4.2 Any activity which does not comply with Rule 3.2.1.4 in relation to any tree listed as a Category B tree in Appendix 4.

3.2.4.3 Fixing of any structure or object to any part of a listed tree or any operation which could wound the bark or wood tissue of any part of the tree.

3.2.4.4 Pruning of any tree listed as a Category A tree in Appendix 4, by a Network utility operator where the tree or parts of the tree encroach within the regulatory line clearance distances defined in the in the Electricity (Hazards from Trees) Regulations 2003 or are subject to the Telecommunications Act 2001; provided that

the work is carried out by qualified/competent arborists to approved arboricultural industry standards.

3.2.4.5 Destruction or Removal of any tree listed as a Category B tree in Appendix 4.

3.2.5 Under Rule 3.2.4 the Council shall restrict its discretion to consideration of:

3.2.5.1 Any adverse effects of the proposed activity on the values of the listed tree.

3.2.5.2 For removal of a tree: the condition of the tree, including whether it poses a danger to people or property, or whether its condition is such that it is unable to be retained.

3.2.5.3 The costs to the applicant of not allowing the proposed activity.

3.2.5.4 Whether the applicant has the ability to undertake a complying development without the work detrimentally affecting the tree.

3.2.5.5 The effect of any pruning, damage or disturbance to the crown or root system of the tree on its appearance and health.

3.2.5.6 The effect of any building or structure on the visibility of the tree from a road or public place.

3.2.5.7 Whether the tree is currently causing, or likely to cause, significant damage to buildings, services, property or heritage item/s, whether public or privately owned.

3.2.5.8 Whether the tree or trees seriously restrict the development of the site for its zoned purposes.

3.2.5.9 Whether the tree or trees inhibits the growth of more desirable specimens nearby.

3.2.5.10 Whether the tree still retains the essential characteristics for which it was originally protected.

3.2.5.11 Whether a tree to be removed is capable of being successfully transplanted.

3.2.5.12 Any substitute or compensating tree planting proposed.

3.2.5.13 Whether the particular species of tree has been legally declared a noxious plant.

Non-Complying Activities – Protected Trees

3.2.6 In relation to trees listed in Appendix 4, the following activities shall be non-complying activities:

3.2.6.1 The use of the land immediately surrounding any tree listed as a Category A tree in Appendix 4, that does not meet the provisions of rule 3.2.1.4 above.

3.2.6.2 Destruction or Removal of any tree listed as a Category A tree in Appendix 4.

Notes

1. Refer to the listing of protected trees in Appendix 4 to obtain the category of each tree.
2. Where a listed protected tree has been removed (with the approval of the Council) or is in a dangerous or diseased condition such that its continued protection cannot be justified, it shall be deleted from the list without further formality.
3. The description of the location of each protected tree in Appendix 4 is at the date of this part of the Plan becoming operative. Any subsequent change to a street address or legal description shall not affect the application of the specific rules to that protected tree. Street addresses and legal descriptions will, from time to time, be updated without further formality.

Reasons for Rules

Heritage Structures or Sites

The buildings, structures and sites listed in Appendix 3 and the trees listed in Appendix 4 have been assessed as having important heritage or cultural values to Selwyn District. Rule 3 provides an opportunity to ensure that changes to those items maintain or enhance their heritage values whenever practical. A higher level of protection is given to buildings and structures classified as “Category I” under the HPT listing in Appendix 3.

The Plan’s policies recognise that an essential part of maintaining the heritage values of buildings is to encourage their ongoing economic use, and thus their maintenance. This often means buildings being modified to suit a new use. The emphasis is on ensuring modifications maintain or enhance the heritage values of the building where feasible and practical, rather than disallowing changes. Maintenance work is defined in the rule so that it can be undertaken without the need for a resource consent, but is limited to a scale which ensures heritage values are not compromised.

Costs to the owners of these sites, where they are required to go through a resource consent process, are mitigated. The consent authority has a commitment to lessen the cost to the owners of heritage items by not charging for the processing of resource consent applications for heritage items. The consent authority will also consider the costs incurred by the owners, including the “opportunity costs” if the activity is not allowed to proceed. (See Part B, Section 3.3 for a full explanation of heritage “issues” and protection).

Protected Trees

The trees listed in Appendix 4 have been assessed as having significant values to the Selwyn District. Rule 3.2 provides an opportunity to ensure that these listed trees are adequately protected.

The consent authority will also consider the costs incurred by the owners, including the “opportunity costs” if the activity is not allowed to proceed. (See Part B, Section 3.3 for a full explanation of heritage “issues” and protection).

15.1 HERITAGE PROTECTED TREES

~~Permitted Activities — Heritage Trees~~

~~15.1.1 Any disturbance of any tree listed in Appendix 4 shall be a permitted activity if the following conditions are met:~~

~~15.1.1.1 The activity is seasonal pruning of the tree(s), or removal or treatment of any diseased portion of such a tree(s); or~~

~~15.1.1.2 Any earthworks are not within 5 metres of the drip line of the tree(s). Refer also to Rule 14.~~

Permitted Activities — Protected Trees

15.1.1 In relation to trees listed in Appendix 4, the following activities shall be permitted activities:

15.1.1.1 Any examination, tissue sampling, and diagnostic work recommended by an approved Council arborist to determine the safety, health and general condition of the tree, and carried out by or under the supervision of that arborist.

15.1.1.2 Normal cultivation of the soil for recreational, horticultural or agricultural purposes or the growing of crops or ornamental vegetation within 10m of the base of the tree or within the crown periphery (drip-line), whichever is the greater.

15.1.1.3 Maintenance pruning of any listed tree is permitted where it meets the following:

a) involves pruning branches in the bottom third of the tree only; and

b) only branches 50mm in diameter or less may be pruned; and

c) pruning is by the use of secateurs, loppers or handsaws (no chainsaws).

15.1.1.4 The use of the land around the protected tree, within the distances defined below is permitted, provided that the health of the tree is not adversely affected and that:

Above ground level

- a) there is no installation of any overhead utility service within 10 metres of the base of the tree or within the crown periphery (drip-line), whichever is the greater.
- b) there is no construction, addition or replacement of any building within 10 metres from the base of the tree or within the crown periphery (drip-line), whichever is the greater.
- c) there is no new impervious surfacing, sealing, paving, soil compaction, or alteration of more than 75mm to the ground level (existing prior to works commencing) within 10 metres from the base of the tree or within the crown periphery (drip-line), whichever is the greater.
- d) there is no storage, application or deposition of any chemical or substance that could cause harm to the tree.

Below ground level

- e) there is no laying/installation of any underground utility service within 10 metres of the base of the tree or within the crown periphery (drip-line), whichever is the greater.

Controlled Activities – Protected Trees

15.1.2 In relation to trees listed in Appendix 4, the following activities shall be controlled activities:

15.1.2.1 Removal, remedial work or pruning of a hazardous or dangerous tree provided that a hazard assessment of the tree has been done by an approved Council arborist and the tree is deemed potentially hazardous or dangerous.

15.1.2.2 Pruning of any tree listed as a Category B tree in Appendix 4, by a Network utility operator where the tree or parts of the tree encroach within the regulatory line clearance distances defined in the Electricity (Hazards from Trees) Regulations 2003 or are subject to the Telecommunications Act 2001; provided that the work is carried out by qualified/competent arborists to approved arboricultural industry standards.

15.1.3 Under Rule 15.1.2 the Council shall restrict its discretion to consideration of:

15.1.2.1 The condition and future useful life expectancy of the tree including any potential hazard to persons or property.

15.1.2.2 The effect of any pruning, damage or disturbance to the crown or root system of the tree on its appearance and health.

15.1.2.3 Whether the tree is currently causing, or likely to cause, significant damage to buildings, services, property or heritage item/s, whether public or privately owned.

Restricted Discretionary Activities — Heritage Trees

~~15.1.2 Any activity which does not comply with Rule 15.1.1 shall be a restricted discretionary activity.~~

~~15.1.3 Under Rule 15.1.2 the Council shall restrict its discretion to consideration of:~~

~~15.1.3.1 Any adverse effects of the proposed activity on the heritage values of the listed tree.~~

~~15.1.3.2 For removal of a tree: the condition of the tree, including whether it poses a danger to people or property, or whether its condition is such that it is unable to be maintained.~~

~~15.1.3.3 The costs to the applicant of not allowing the proposed activity.~~

Restricted Discretionary Activities — Protected Trees

15.1.4 In relation to trees listed in Appendix 4, the following activities shall be restricted discretionary activities:

15.1.4.1 Any activity which does not comply with Rule 15.1.1.1, 15.1.1.2 or 15.1.1.3.

15.1.4.2 Any activity which does not comply with Rule 15.1.4 in relation to any tree listed as a Category B tree in Appendix 4.

15.1.4.3 Fixing of any structure or object to any part of a listed tree or any operation which could wound the bark or wood tissue of any part of the tree.

15.1.4.4 Pruning of any tree listed as a Category A tree in Appendix 4, by a Network utility operator where the tree or parts of the tree encroach within the regulatory line clearance distances defined in the in the Electricity (Hazards from Trees) Regulations 2003 or are subject to the Telecommunications Act 2001; provided that the work is carried out by qualified/competent arborists to approved arboricultural industry standards.

15.1.4.5 Destruction or Removal of any tree listed as a Category B tree in Appendix 4.

15.1.5 Under Rule 15.1.4 the Council shall restrict its discretion to consideration of:

15.1.5.1 Any adverse effects of the proposed activity on the values of the listed tree.

15.1.5.2 For removal of a tree: the condition of the tree, including whether it poses a danger to people or property, or whether its condition is such that it is unable to be retained.

15.1.5.3 The costs to the applicant of not allowing the proposed activity.

15.1.5.4 Whether the applicant has the ability to undertake a complying development without the work detrimentally affecting the tree.

- 15.1.5.5 The effect of any pruning, damage or disturbance to the crown or root system of the tree on its appearance and health.
- 15.1.5.6 The effect of any building or structure on the visibility of the tree from a road or public place.
- 15.1.5.7 Whether the tree is currently causing, or likely to cause, significant damage to buildings, services, property or heritage item/s, whether public or privately owned.
- 15.1.5.8 Whether the tree or trees seriously restrict the development of the site for its zoned purposes.
- 15.1.5.9 Whether the tree or trees inhibits the growth of more desirable specimens nearby.
- 15.1.5.10 Whether the tree still retains the essential characteristics for which it was originally protected.
- 15.1.5.11 Whether a tree to be removed is capable of being successfully transplanted.
- 15.1.5.12 Any substitute or compensating tree planting proposed.
- 15.1.5.13 Whether the particular species of tree has been legally declared a noxious plant.

Non-Complying Activities – Protected Trees

- 15.1.6 In relation to trees listed in Appendix 4, the following activities shall be non-complying activities:
 - 15.1.6.1 The use of the land immediately surrounding any tree listed as a Category A tree in Appendix 4, that does not meet the provisions of rule 3.2.1.4 above.
 - 15.1.6.2 Destruction or Removal of any tree listed as a Category A tree in Appendix 4.

Notes

- 1. Refer to the listing of protected trees in Appendix 4 to obtain the category of each tree.
- 2. Where a listed protected tree has been removed (with the approval of the Council) or is in a dangerous or diseased condition such that its continued protection cannot be justified, it shall be deleted from the list without further formality.
- 3. The description of the location of each protected tree in Appendix 4 is as at date of this part of the Plan becoming operative. Any subsequent change to a street address or legal description shall not affect the application of the specific rules to that protected tree. Street addresses and legal descriptions will, from time to time, be updated without further formality.

15.2 HERITAGE BUILDINGS, STRUCTURES OR SITES

Permitted Activities — Heritage Buildings, Structures or Sites

- 15.2.1 The maintenance of any building, structure or site which is listed in Appendix 3 shall be a permitted activity. For the purposes of this rule the term “maintenance” means:
- 15.2.1.1 The replacement of any materials which do not form part of the original heritage features of the building, structure, or site;
 - 15.2.1.2 The replacement of any materials which form part of the original heritage values of the buildings, structure, or site, provided that these materials are of the same or similar appearance and character as the original material;
 - 15.2.1.3 Any repainting of existing painted surfaces;
 - 15.2.1.4 Any cleaning or washing of external heritage features provided this does not involve the use of abrasive materials or techniques, such as sandblasting.

Restricted Discretionary Activities — Heritage Buildings, Structures or Sites

- 15.2.2 Any activity which does not comply with Rule 15.2.1 shall be a restricted discretionary activity, except for the demolition or removal of any building or structure in Appendix 3.
- 15.2.3 Under Rule 15.2.2, the Council shall restrict its discretion to consideration of:
- 15.2.3.1 The heritage value(s) of the listed item, including the extent to which it has already been modified by additions or alterations;
 - 15.2.3.2 Whether the proposed activity will adversely affect the heritage values of the listed item;
 - 15.2.3.3 Any positive effects of the proposed activity on the heritage values of the listed item, including (but not limited to): any restoration or enhancement of heritage features or values; works which improve the efficiency or desirability of the listed item for ongoing use; and any proposal to provide public access to the heritage item;
 - 15.2.3.4 The costs to the applicant or owner of not allowing the proposed activity;
 - 15.2.3.5 Any alternative options which may better maintain the heritage values of the listed item and the relative costs of the alternatives;

- 15.2.3.6 Any other activity the applicant or owner has undertaken to maintain or enhance heritage values of the listed item and the appropriateness of that activity as a mitigation measure.

Discretionary Activities – Heritage Buildings, Structures or Sites

- 15.2.4 Any demolition or removal of any building or structure (except those classified as “Category 1” under the Historic Places Trust Category in Appendix 3) shall be a discretionary activity.

Non-Complying Activities – Heritage Buildings, Structures or Sites

- 15.2.5 Any demolition or removal of any building or part of any building which is listed as “Category 1” under the Historic Places Trust Category in Appendix 3 shall be a non-complying activity.

Notes

1. The consent authority may request technical advice from the Historic Places Trust Pouhere Taonga in deciding on any resource consent application under Rule 15.2.5 where it affects a listed building, structure or site.
2. Earthworks affecting any archaeological site require the consent of the New Zealand Historic Places Trust Pouhere Taonga (refer to Part B Section 3.3, “Archaeological Sites”).

Reasons for Rules

Heritage Protected Trees

The trees listed in Appendix 4 have been assessed as having significant ~~important~~ ~~heritage or cultural~~ values to Selwyn District. Rule 15.1 provides an opportunity to ensure that these listed trees are adequately protected ~~changes to those items maintain or enhance their heritage values whenever practical.~~

~~Costs to the owners of these sites, where they are required to go through a resource consent process, are mitigated. The consent authority has a commitment to lessen the cost to the owners of heritage items by not charging for the processing of resource consent applications for heritage items. The consent authority will also consider the costs incurred by the owners, including the “opportunity costs” if the activity is not allowed to proceed. (See Part B, Section 3.3 for a full explanation of heritage “issues” and protection).~~

Heritage Buildings, Structures or Sites

The buildings, structures and sites listed in Appendix 3 have been assessed as having important heritage or cultural values to Selwyn District. Rule 15.2 provides an opportunity to ensure that changes to those items maintain or enhance their heritage values whenever practical. A higher level of protection is given to buildings and structures classified as “Category 1” under the HPT listing in Appendix 3.

The Plan's policies recognise that an essential part of maintaining the heritage values of buildings, is encouraging their ongoing economic use and thus maintenance. This often means buildings being modified to suit a new use. The emphasis is on ensuring modifications maintain or enhance the heritage values of the building, where feasible and practical, rather than disallowing changes. Maintenance work is defined in the rule so that it can be undertaken without the need for a resource consent, but is limited to a scale which ensures heritage values are not compromised.

Costs to the owners of these sites, where they are required to go through a resource consent process, are mitigated by the consent authority's commitment not to charge for processing these resource consents, and to consider costs incurred by the owners, including "opportunity costs" if the activity is not allowed to proceed. (See Part B, Section 3.3 for a full explanation of heritage "issues" and protection).

Annexure 4:**New schedule of protected trees****To be inserted in:**

- Townships Volume, Part E, Appendix 4 – Schedule of Heritage Trees
- Rural Volume, Part E, Appendix 4 – Schedule of Heritage Trees

SCHEDULE OF PROTECTED TREES

Tree No.	Name / Species	Location	Legal Description	Zone	Map No.	Evaluation Score	Tree Category
T01	Strawberry Tree /Arbutus unedo	Presbyterian Church, Lee Street, Southbridge	Lot 1 DP 74959	Liv 1	131	44	B
T02	Copper Beech /Fagus sylvatica purpurea	45 High Street, Southbridge	PT RS 5861	Liv 1	131	34	B
T03	English Oak /Quercus robur	45 High Street, Southbridge	PT RS 5861	Liv 1	131	38	B
T04	Wellingtonia / Sequoiadendron giganteum	67 High Street, Southbridge	LOT 1 DP 49280	Liv 1	131	52	B
T05	Pin Oak /Quercus palustris	St John Street, Southbridge	PT LOT 19 DP 712	Bus 2	132	34	B
T06	English Oak /Quercus robur	Broad Street, Southbridge	LOT 1 DP 373810	Liv 1	132	32	B
T07	Wellingtonia / Sequoiadendron giganteum	St John Street, Southbridge	PT RS 4477	Bus 2	4, 132	40	B
T08	Wellingtonia / Sequoiadendron giganteum	50 High Street, Southbridge	PT LOT 2 DP 7551	Liv 1	4, 131	60	A
T09	Common Lime /Tilia x vulgaris	Southbridge School, Hastings Street, Southbridge	LOT 1 DP 80498	Liv 1	4, 131	30	B
T10	Chinese Poplar /Populus yunnanensis	Southbridge School, Hastings Street, Southbridge	LOT 2 DP 18297	Liv 1	4, 131	34	B
T11	Walnut /Juglans regia	Children's playground, High Street, Southbridge	PT RS 3344,4041	Bus 1	4, 131	32	B

Tree No.	Name / Species	Location	Legal Description	Zone	Map No.	Evaluation Score	Tree Category
T12	Golden Ash /Fraxinus excelsior 'jaspidea'	Leeston Park, Leeston	LOT 4 DP 1221	Liv 1	4, 129	36	B
T13	Pin Oak /Quercus palustris	Leeston Park, Leeston	LOT 6 DP 1221	Liv 1	4, 129	46	B
T14	Common Lime /Tilia x vulgaris	Leeston Park, Leeston	PT LOT 2 DP 1221	Liv 1	4, 129	38	B
T15	Indian Cedar /Cedrus deodara	St David's Methodist Church, High Street, Leeston	LOT 1 DP 62985	Bus 1	4, 127	48	B
T16	Indian Cedar /Cedrus deodara	St David's Methodist Church, High Street, Leeston	LOT 1 DP 62985	Bus 1	4, 127	40	B
T17	Wellingtonia / Sequoiadendron giganteum	Springfield Church, SH 73, Springfield	PT RS 20516	Outer Plains	21, 52	58	B
T18	Monterey Pine /Pinus radiata	Porter's Pass, 500m from SH 73	RS 33889	High Country	25	48	B
T19	Red Oak /Quercus rubra	All Saints Garrison Church, Burnham	PT RES 1160	Outer Plains	13	48	B
T20	Red Oak /Quercus rubra	East Corner of Buckleys Rd, Queens Dr	PT RES 1160	Outer Plains	13	54	B
T21	Monterey Cypress / Cupressus macrocarpa	All Saints Churchyard, Springs Road, Prebbleton	PT LOT 2 DP 27568	Liv 1	14, 122	64	A
T22	English Oak /Quercus robur	All Saints Churchyard, Springs Road, Prebbleton	PT LOT 2 DP 27568	Liv 1	14, 122	48	B
T23	English Oak /Quercus robur	All Saints Churchyard, Springs Road, Prebbleton	PT LOT 2 DP 27568	Liv 1	14, 122	56	B
T24	English Oak /Quercus robur	All Saints Churchyard, Springs Road, Prebbleton	PT LOT 2 DP 27568	Liv 1	14, 122	56	B

Tree No.	Name / Species	Location	Legal Description	Zone	Map No.	Evaluation Score	Tree Category
T25	English Oak /Quercus robur	All Saints Churchyard, Springs Road, Prebbleton	PT LOT 2 DP 27568	Liv 1	14, 122	56	B
T26	English Oak /Quercus robur	All Saints Churchyard, Springs Road, Prebbleton	PT LOT 2 DP 27568	Liv 1	14, 122	56	B
T27	English Oak /Quercus robur	All Saints Churchyard, Springs Road, Prebbleton	PT LOT 2 DP 27568	Liv 1	14, 122	56	B
T28	English Oak /Quercus robur	All Saints Churchyard, Springs Road, Prebbleton	PT LOT 2 DP 27568	Liv 1	14, 122	56	B
T29	English Oak /Quercus robur	Kirwee Monument, Kirwee	PT Coal Tramway Reserve	Outer Plains	4, 84	30	B
T30	Common Ash /Fraxinus excelsior	Cnr Main South Road & Hororata Dunsandel Road, Dunsandel	Road Reserve	Outer Plains	7, 92	40	B
T31	Western Yellow Pine/Pinus ponderosa	Sheffield Domain, Sheffield	RS 42314	Outer Plains	36, 53	42	B
T32	Western Yellow Pine/Pinus ponderosa	Sheffield Domain, Sheffield	RS 42314	Outer Plains	36, 53	42	B
T33	English Oaks (58)/Quercus robur	Tai Tapu School, School Road,Tai Tapu	LOT 2 DP 301911	Liv 1A	9, 125	40	B
T34	Wellingtonia / Sequoiadendron giganteum	Darfield primary school, Ross Street, Darfield (Planted 1883)	PT RES 2551	Bus 1	17, 72	46	B
T35	Wellingtonia / Sequoiadendron giganteum	Darfield primary school, Ross Street, Darfield (Planted 1883)	PT RES 2551	Bus 1	17, 72	46	B
T36	English Oak /Quercus robur	Darfield War Memorial, Darfield	RS 40645	Bus 1	17, 68	34	B
T37	English Oak /Quercus robur	Beethams and Leeston Roads, Doyleston	LOT 1 DP 30700	Outer Plains	4, 130	48	B

Tree No.	Name / Species	Location	Legal Description	Zone	Map No.	Evaluation Score	Tree Category
T38	Tasmanian Blue Gum/ Eucalyptus globulus	Cnr Goulds & Lowes Roads, Rolleston	Road Reserve	Liv 1	13, 101	44	B
T39	Necklace Poplar /Populus x deltoides	Homebush Station, Homebush Road	PT Lot 1 DP 2898	Malvern Hills	16	64	A
T40	Wellingtonia / Sequoiadendron giganteum	Homebush Station, Homebush Road	PT Lot 1 DP 2898	Malvern Hills	16	70	A
T41	Douglas Fir/ Psuedotsuga menziesii	Homebush Station, Homebush Road	PT Lot 1 DP 2898	Malvern Hills	16	64	A
T42	Norway Spruce /Picea abies	Homebush Station, Homebush Road	PT Lot 1 DP 2898	Malvern Hills	16	64	A
T43	Caucasian Fir /Abies nordmanniana	Homebush Station, Homebush Road	PT Lot 1 DP 2898	Malvern Hills	16	48	B
T44	Western Hemlock Fir /Tsuga heterophylla	Homebush Station, Homebush Road	PT Lot 1 DP 2898	Malvern Hills	16	80	A
T45	Bhutan Pine /Pinus wallichiana	Homebush Station, Homebush Road	PT Lot 1 DP 2898	Malvern Hills	16	72	A
T46	Monterey Cypress /Cupressus macrocarpa	Homebush Station, Homebush Road	PT Lot 1 DP 2898	Malvern Hills	16	72	A
T47	Indian Cedar /Cedrus deodara	Homebush Station, Homebush Road	PT Lot 1 DP 2898	Malvern Hills	16	72	A
T48	Common Lime /Tilia x vulgaris	Homebush Station, Homebush Road	PT Lot 1 DP 2898	Malvern Hills	16	52	B
T49	Atlas cedar /Cedrus atlantica	Homebush Station, Homebush Road	PT Lot 1 DP 2898	Malvern Hills	16	64	A
T50	Monterey Cypress /Cupressus macrocarpa	Homebush Station, Homebush Road	PT Lot 1 DP 7925	Malvern Hills	16	104	A
T51	Monterey Pine /Pinus radiata	Homebush Station, Homebush Road	PT Lot 1 DP 2898	Malvern Hills	16	60	A

Tree No.	Name / Species	Location	Legal Description	Zone	Map No.	Evaluation Score	Tree Category
T52	Santa Lucia Fir/Abies bracteata	Adam's Estate, Adams Road, Greendale	PT RS 8795	Outer Plains	12	76	A
T53	Blue Atlas Cedar/ Cedrus atlantica glauca	Adam's Estate, Adams Road, Greendale	PT RS 8795	Outer Plains	12	36	B
T54	Wellingtonia/ Sequoiadendron giganteum	Cnr Fitz Place & Edward Street, Lincoln	PT RS 1532	Liv 1	14, 113	52	B
T55	English Oak /Quercus robur	Cnr Leister Terrace & Edward Street, Lincoln	LOT 1 DP 57207	Liv 1	14, 113	40	B
T56	English Oak /Quercus robur	On road reserve adjacent to the Liffey Reserve	Road Reserve	Liv 1	14, 113	48	B
T57	English Oak /Quercus robur	Liffey Reserve, Leinster Terrace	RES 3761	Liv 1	14, 113	48	B
T58	English Oak /Quercus robur	On road reserve adjacent to the Liffey Reserve	Road Reserve	Liv 1	14, 113	48	B
T59	English Oak /Quercus robur	On road reserve adjacent to the Liffey Reserve	Road Reserve	Liv 1	14, 113	48	B
T60	Tasmanian Blue Gum/Eucalyptus globulus	Liffey Reserve, Kildare Terrace	RS 39900	Liv 1	14, 113	36	B
T61	English Ash /Fraxinus excelsior	Union Church Grounds, James Street, Lincoln	LOT 2 DP 83459	Liv 1	14, 110	60	A
T62	Big Cone Pine /Pinus coulteri	Terrace Station	LOT 1 DP 400673	Outer Plains	11, 16	54	B
T63	Manna Gum /Eucalyptus viminalis	Terrace Station	LOT 1 DP 400673	Outer Plains	11, 16	64	A
T64	<i>Not allocated</i>						
T65	<i>Not allocated</i>						
T66	Algerian Oak/ Quercus canariensis	Terrace Station	LOT 2 DP 400673	Outer Plains	11, 16	76	A
T67	White Ash/ Eucalyptus fraxinoides	Homestead shelter belt, Point Farm, Windwhistle	PT LOT 11 DP 3317	Malvern Hills	15	38	B

Tree No.	Name / Species	Location	Legal Description	Zone	Map No.	Evaluation Score	Tree Category
T68	Wellingtonia/ Sequoiadendron giganteum	Homestead shelter belt, Point Farm, Windwhistle	PT LOT 11 DP 3317	Malvern Hills	15	39	B
T69	Field Maple /Acer campestre	Homestead shelter belt, Point Farm, Windwhistle	PT LOT 11 DP 3317	Malvern Hills	15	70	A
T70	Wellingtonia/ Sequoiadendron giganteum	Homestead shelter belt, Point Farm, Windwhistle	PT LOT 11 DP 3317	Malvern Hills	15	62	A
T71	Western Yellow Pine/ Pinus ponderosa	Homestead shelter belt, Point Farm, Windwhistle	PT LOT 11 DP 3317	Malvern Hills	15	70	A
T72	Manna Gum/ Eucalyptus viminalis	Rakaia Terrace Road, Te Pirita	PT LOT 1 DP 15130	Outer Plains	6	52	B
T73	English Oak /Quercus robur (five trees)	Waihora Park Reserve	SECT 1 SO 18388	Outer Plains	9	36	B
T74	See folder for tree descriptions	A. E. Hart Arboretum, Lake Coleridge. Upper site.	Lot 1 DP 78849	High Country	19, 51		A
T75	See folder for tree descriptions	A. E. Hart Arboretum, Lake Coleridge. Lower site.	Lot 1 DP 80128	High Country	19, 51		A
T76	Wellingtonia/ Sequoiadendron giganteum	Hororata Reserve, behind reflection lake	Res 1589	Outer Plains	16	58	B
T77	Tasmanian Blue Gum/Eucalyptus globulus	Cnr Halkett and Sandy Knolls Roads	Road Reserve	Outer Plains	18	52	B
T78	Walnut /Juglans regia	Nesslea, Greendale	Lot 1 DP 59582	Outer Plains	17	80	A
T79	English Oak /Quercus robur	Gerald Street, Lincoln. Old Bartle property.	PT RS 2724	Bus 1	14, 113	32	B
T80	English Oak /Quercus robur(21 trees)	River bank, Perrymans Rd, Tai Tapu	Road Reserve	Inner Plains	9, 125	42	B
T81	Tasmanian Blue Gum/Eucalyptus globulus	1197 Shands Road	Lot 1 DP 75442	Inner Plains	13	36	B

Tree No.	Name / Species	Location	Legal Description	Zone	Map No.	Evaluation Score	Tree Category
T82	Native Trees Various	Catholic Church, 1981 Telegraph Road, Darfield	PT RS 25014	Liv 1	17, 72	46	B
T83	Monterey Pine /Pinus radiata	High Peak Road, end of Whitecliffs Valley Road.	Road Reserve	High Country	16	58	B
T84	Blue Atlas Cedar / Cedrus atlantica	Beside Water race (opp Kirwee Tavern) Kirwee	PT Coal Tramway Reserve	Outer Plains	17, 84	36	B
T85	Tasmanian Blue Gum/Eucalyptus globulus (21 trees)	Old County Depot, St John St, Southbridge	RES 4918	Bus 2	4, 132	44	B
T86	Tasmanian Blue Gum/Eucalyptus globulus (multiple trees)	Hoskyns Road, between Courtenay and Ansons	RES 2358 SECT 2 SO 4514	Liv 1, Outer Plains	17, 82	44	B
T87	Monterey Cypress /Cupressus macrocarpa	Pearson Reserve, Bangor Road	PT RS 39126	Liv 2	17, 68	40	B
T88	Various trees – see file	782 Weedons Road	Lot 1 DP 22179	Inner Plains	13	62	A
T89	Tasmanian Blue Gum/Eucalyptus globulus	125 Lowes Road, Rolleston	Lot 6 DP 350314	Liv 1	13, 103	34	B
T90	Tasmanian Blue Gum/Eucalyptus globulus	1055 Newtons Road, Sandy Knolls	Lot 2 DP 415649	Inner Plains	13	44	B
T91	Monterey Cypress /Cupressus macrocarpa	1055 Newtons Road, Sandy Knolls	Lot 2 DP 415649	Inner Plains	13	44	B
T92	English Oak/ Quercus robur	188 Adams Road, Greendale	Lot 5 DP 705	Outer Plains	12	52	B
T93	English Oak /Quercus robur	188 Adams Road, Greendale	Lot 5 DP 705	Outer Plains	12	52	B
T94	Totara /Podocarpus totara	Old Bowling Green Reserve, Springfield	Lot 8 DP 500	Liv 1	26, 52	36	B
T95	English Oak /Quercus robur	Old Bowling Green Reserve, Springfield	Lot 8 DP 500	Liv 1	26, 52	38	B
T96	Kowhai /Sophora microphylla	10 Waimakariri Gorge Road, Waddington	Lot 42 DP 15	Liv 1	22, 54	42	B

Tree No.	Name / Species	Location	Legal Description	Zone	Map No.	Evaluation Score	Tree Category
T97	Spanish Fir /Abies pinsapo	10 Waimakariri Gorge Road, Waddington	Lot 42 DP 15	Liv 1	22, 54	62	A
T98	Douglas Fir /Pseudotsuga menziesii (2 trees)	Road reserve adjacent to Lot 1 DP 61202 925 Whitecliffs Road	Road Reserve (unformed)	Malvern Hills	16	42	B
T99	Wellingtonia/ Sequoiadendron giganteum (5 trees)	Adjacent to site of old Tawera County Council Office/Depot, Springfield Road	Road Reserve	Outer Plains	21	32	B
T100	Wellingtonia/ Sequoiadendron giganteum	Site of old Tawera County Council Office/Depot, Springfield Road	Lot 2 DP 23887	Outer Plains	21	32	B
T101	Monterey Cypress /Cupressus macrocarpa	Site of old Tawera County Council Office/Depot, Springfield Road	Lot 2 DP 23887	Outer Plains	21	32	B
T102	Cabbage Tree /Cordyline australis	77 East Belt, Lincoln	Lot 3 DP 74920	Liv 1	14, 113	38	B
T103	Common Lime /Tilia x vulgaris	Ladbrooks School, Barnes Road	Pt RS 2491	Inner Plains	21	40	B
T104	English Oak /Quercus robur	Ladbrooks School, Barnes Road	Pt RS 2491	Inner Plains	21	40	B
T105	Cabbage Tree /Cordyline australis	174 Ridge Road, Greenpark	Lot 2 DP 83716	Outer Plains	9	40	B
T106	Bhutan Cypress/ Cupressus torulosa	Trinity Church, McLaughlins Road	Pt RS 19215	Liv 1	68	34	B

Notes:

1. Where a listed protected tree has been removed (with the approval of the Council) or is in a dangerous or diseased condition such that its continued protection cannot be justified, it shall be deleted from the list without further formality.
2. The description of the location of each protected tree in this Appendix is as at date of this part of the Plan becoming operative. Any subsequent change to a street address or legal description shall not affect the application of the specific rules to that protected tree. Street addresses and legal descriptions will, from time to time, be updated without further formality.

Annexure 5:

New evaluation criteria

To be inserted in:

- Townships Volume, Part E, Appendix 4 – Schedule of Heritage Trees
- Rural Volume, Part E, Appendix 4 – Schedule of Heritage Trees

EVALUATION CRITERIA FOR PROTECTED TREES

The following evaluation criteria apply to all trees listed in the Schedule above. The individual scores in each of the evaluation factor categories are added together to give the total score. The score for each tree, as listed in the right hand column of the table, has been derived from the application of this evaluation criteria system.

Completed evaluation forms for each tree that is listed in this Appendix can be obtained on request from the Selwyn District Council.

Selwyn District Plan

Protected Tree Criteria and Evaluation Sheet

<u>Tree No.:</u>	<u>Location:</u>	<u>Legal Description:</u>	<u>Inspected by:</u>
<u>Species:</u>	<u>Map No.:</u>	<u>Area/Zone:</u>	<u>Date:</u>
<u>Height (m):</u>	<u>Diameter at breast height (mm):</u>	<u>Mean Crown diameter (m):</u>	<u>Tree Score:</u>

Factors	Points: 0	2	4	8	16	32
<u>Heritage/ Historic</u>				<u>Local area/community significance or planted by well known local identities or organisations</u>	<u>Early settler plantings or trees intrinsically associated with historic/heritage buildings or places or important historical events.</u>	<u>Trees commemorating important regional or national historic events or planted by historic identities.</u>
<u>Scientific/ botanical</u>	<u>No special scientific or botanical value.</u> <u>Classified as noxious or surveillance plant or unwanted wilding exotic tree species.</u> <u>Protection not valid except for any tree that qualifies for protection under a 16 point column.</u>	<u>Few good specimens of particular species in particular township or local community.</u>	<u>Rare throughout Selwyn District.</u>	<u>Rare in Canterbury region or significant tree group or ecological association or important seed or propagating material source.</u>	<u>Rare throughout New Zealand OR arboretum OR tree collection.</u>	<u>Only known specimen in New Zealand or last remnant of native trees or bush.</u>

Factors	Points: 0	2	4	8	16	32
<u>Importance of position in landscape</u>	<u>Totally obscured by trees, structures or not seen from a public place.</u>	<u>Small tree or tree more than 50% obscured by other trees, objects or landscape.</u>	<u>Roadside or park tree or tree/s in well frequented public place or private property.</u>	<u>Fine avenue or street plantings or tree/s growing in areas where other large trees are scarce.</u>	<u>Principal feature of important public place or landscape design. Well known district landmark or provides "gateway" effect to township or local community.</u>	<u>Landmark of national importance OR Tree/s are a vital component of a definitive landscape design.</u>
<u>Cultural, ethnical, social, or spiritual values or to commemorate a great personal sacrifice by an individual for mankind.</u>	<u>No special cultural, social, ethnical or spiritual values.</u>	<u>Planted by unknown cultural etc. person/s to commemorate minor cultural etc. event.</u>	<u>Planted by well known cultural etc. person/organisation or event of local importance.</u>	<u>Tree well known throughout district to be of cultural etc significance. Tree represented as emblem or symbol.</u>	<u>Tree well known throughout Canterbury region to be of cultural etc significance.</u>	<u>Tree well known nationally to be of cultural etc significance.</u>
<u>Size</u> (Crown diameter x total height) or <u>exceptional trunk diameter.</u>	<u>Very small – less than 10m².</u>	<u>Small – 10m² to 50m².</u>	<u>Medium - 50m² to 150m².</u>	<u>Large – 150m² to 250m² or largest tree in locality.</u>	<u>Very large 250m² or more. Very large specimen or trunk diameter exceptionally large for particular species or grove of trees.</u>	<u>Largest or one of largest of particular species in New Zealand.</u>
<u>Age</u>	<u>Recent planting.</u>	<u>5 – 50 years.</u>	<u>50 – 100 years.</u>	<u>100 – 150 years.</u>	<u>150 years plus.</u>	<u>Oldest on record in New Zealand.</u>
<u>Form and condition</u>	<u>Dying, dead, diseased, unbalanced, bad structural defects or dangerous and cannot be rectified. Protection not valid even if points are scored for other factors.</u>	<u>Poor condition or form, stable condition, no bad defects. Any hazardous and other conditions can be rectified.</u>	<u>Fair – reasonable form, stable condition, no bad defects.</u>	<u>Good form, healthy condition, making good growth or interesting character.</u>	<u>Exceptionally good, outstanding specimen for district and region.</u>	<u>One of best examples of species in New Zealand.</u>

Factors	Points: 0	2	4	8	16	32
<u>Suitability in relation to setting or site conditions</u>	<u>Totally obscures or is causing significant damage to heritage objects, buildings or any essential structure or utility.</u> <u>Protection not valid except for any tree that qualifies for protection under the 16 and 32 point columns.</u>	<u>Partially obscures a heritage object or is causing slight damage to: important structures, dwellings or commercial premises that can be rectified.</u>	<u>Tree not obscuring or injuriously affecting any buildings, objects, structures, services or utilities.</u> <u>No significant negative values.</u>	<u>Good juxtaposition and harmony with important buildings, objects, structures and essential services or utilities.</u>	<u>Tree species and position specifically chosen and designed to enhance whole site or neighbourhood.</u>	<u>Classic and nationally recognised example of excellent landscape design with trees.</u>
<u>Functional value</u> <u>e.g. soil stabilization, noise amelioration, shelter, screening, pollution control shade tree etc.</u>	<u>No functional value.</u>	<u>25% effective, state function:</u>	<u>50 % effective, state function:</u>	<u>75% effective, state function:</u>	<u>100% effective, state function:</u>	<u>Of vital public interest that function be maintained. State function:</u>

Notes:

B3.3 CULTURE AND HERITAGE – ISSUE

- **Damage to, destruction of or inappropriate alteration of sites, places, trees and vegetation plants, buildings or structures which have cultural or heritage values.**

What are Heritage Values?

The term heritage values is not defined in the Act. However, sites, areas or buildings may have heritage values if they are places or objects which people associate with their identity, history, events, customs or practices. Usually these values are shared by more than one person. Often people think of heritage sites as old buildings, or ruins. Many other things have heritage values including significant trees and vegetation. For example, plants used in customary practices, landforms, modern buildings that are part of a community's identity, routes and trails, traditional activities, and trees planted to commemorate special events.

Heritage and Cultural Values in Selwyn District

Selwyn District has been settled by Māori and Europeans. There are sites, places and buildings which have cultural or heritage values to individuals, families, iwi, rūnanga and communities in the District.

Some of these sites, places and buildings have been identified and protected in past planning schemes.

Part of promoting sustainable management is recognising and protecting:

- The relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga. (section 6 (e)).
- The protection of historic heritage from inappropriate subdivision, use and development (section 6(f)).

Many significant trees have been protected for many years and it is the intention of the Council to continue to provide recognition and protection for trees that display important values for the community or the environment.

...

CULTURE AND HERITAGE – STRATEGY

The Rural Volume of the District Plan uses the following basic strategy to protect sites with cultural and heritage values:

General

- Foster a partnership for protecting sites and buildings with cultural or heritage values between owners; local communities; local rūnanga; New Zealand Historic Places Trust Pouhere Taonga and the Council.

Māori Sites

- Record any historical information about sites and buildings on property files, if rūnanga agree.
- Encourage landholders and local rūnanga to develop voluntary protocols for the management of Silent File Areas, Wāhi Taonga Sites and Management Areas and Mahinga Kai Sites.
- Provisions in the Plan for managing the disturbance of Silent File Areas or damage or destruction of Wāhi Taonga Sites and Management Areas and Mahinga Kai Sites.
- Policies and methods to recognise the values associated with areas of Statutory Acknowledgement and Nohoanga Sites.

Heritage Sites

- A system to record any historical information about sites and buildings on property files to keep a public record.
- Provisions to manage the modification or destruction of buildings or sites with the most significant heritage values in the District.

Protected Trees

- A system to identify and record protected trees and the reasons for their significance, according to established evaluation criteria.
- Provisions to avoid the removal of identified trees and to protect them from activities that could endanger their health.

Costs

- The Council has established a discretionary fund to help applicants meet the processing costs for resource consent applications related to the maintenance or restoration of cultural or historic sites or buildings.

CULTURE AND HERITAGE – OBJECTIVES

Objective B3.3.1

Sites of wāhi tapu, wāhi taonga, mahinga kai and other importance to tāngata whenua are protected in partnership with local rūnanga and landholders.

Objective B3.3.2

Sites and buildings with heritage values are recognised and protected, where appropriate, in partnership with landholders.

Objective B3.3.3

To recognise and protect trees that contribute to character, ecological, or amenity values and/or are of significance to tangata whenua, and the quality of the rural and urban environments identified in the District Plan.

Explanation and Reasons

Objective B3.3.1 reflects the duty under section 6(e) of the Act to recognise and protect sites of wāhi tapu and other cultural importance to Māori. The policies encourage local rūnanga and landholders to develop protocols for activities in Silent File areas. The co-operation of landholders is important for on-going protection of these sites and access to them. The District Plan also contains a policy and rules to manage earthworks, buildings and other activities in Silent File areas. Silent File areas, are areas which contain sites of immense cultural or spiritual importance to tāngata whenua. The exact location of the site is not indicated, to protect it from intentional disturbance. Any Silent File areas protected by the District Plan are shown on the Planning Maps and listed in Appendix 5. The Appendix should be regularly reviewed and sites may be added or removed by a plan change as required.

Objective B3.3.2 reflects the duty under section 6(f) of the Act to have particular regard to the protection of the heritage values of sites, areas and buildings. The objective recognises that not all sites or buildings with heritage values in the District will warrant formal protection under the Act. The objective is achieved by policies and methods to: record the heritage values of any site or building and to protect those with significant heritage values. The places identified to have significant heritage values are listed in Appendix 3. Wherever possible, the Council works with landholders to protect heritage sites in partnership. A partnership is:

- Necessary to ensure sites and buildings in private ownership, are maintained; and
- Desirable to encourage people to protect the District's heritage, in the future.

Objective B3.3.2 fosters partnerships to protect heritage sites. The process of assessing the heritage values of sites was carried out in consultation with landholders. The provisions to protect heritage sites and buildings recognise the “costs” and “benefits” of owning heritage sites.

The policies and rules for protecting heritage sites and buildings:

- Allow modifications and alterations, maintain or enhance the heritage values of the site or building.
- Discourage demolition of sites or buildings, but recognise that in some cases there may be no practical alternative.

Objective B3.3.3 seeks to provide for the recognition and protection of trees that display values of significance to the community or environment. These trees contribute to character, ecological or amenity values and/or are of significance to tangata whenua, along with contributing to the quality of the rural and urban environments in the District. Significant trees are generally appreciated by the community and require protection from development and activities that may lead to damage or their destruction.

CULTURE AND HERITAGE – POLICIES AND METHODS

MĀORI SITES

...

HERITAGE SITES AND BUILDINGS

...

Policy B3.3.8

Discourage the demolition or destruction of heritage sites or buildings listed in Appendix 3, ~~or the removal of heritage trees as listed in Appendix 4,~~ except where necessary to:

- **Avoid danger to people or property; or**
- **Allow reasonable use of the site; and**
- **There are no appropriate options to retain the site, or building, ~~or tree.~~**

Explanation and Reasons

The District Plan discourages the demolition of sites and buildings listed in Appendix 3. Policy B3.3.8 recognises that, in some cases, demolition may be the only option. The policy requires the consent authority to consider the appropriateness of other options. This should be done having regard to the feasibility and cost of these options, the heritage values of the building or site, as described in Policy B3.3.8; and any ongoing danger, cost or liability to the landholder if the building or site is not demolished.

Method

District Plan Rules

- Heritage Sites

...

PROTECTED TREES

Policy B3.3.11

To identify and evaluate trees of significance to the community and keep a record system for these trees.

Policy B3.3.12

To protect identified trees from destruction or alteration which will adversely affect their significance or health as it relates to:

- the long term life of the tree;
- the heritage, ecological, biodiversity, botanical or amenity values of the tree;
- any cultural values of the tree or significance to Tangata Whenua.

Policy B3.3.13

To enable, where appropriate, some physical works on and around identified protected trees for normal cultivation/maintenance, safety purposes or essential services.

Policy B3.3.14

To promote, educate and inform tree owners and the public about the significance of listed protected trees.

Explanation and Reasons

Many trees around the Selwyn District have values that are significant to the community or the environment. These trees may provide a functional value such as shade from the sun, screening and soil stabilisation. It may be that they are pleasing visually, enhance amenity, and create character for an area. They could also have some historic or cultural significance, or they could be significant in terms of their age, form or species.

The Council considers it has a role to protect those trees that can be identified as providing a benefit or have value to the community in a significant way, whether this is physically or historically, ecologically or of significance to tangata whenua, for future generations and the enhancement of the environment. These trees may be vulnerable to existing or future development and activities around them and thus merit protection to ensure their ongoing health.

Policy B3.3.11 seeks to ensure that significant trees are identified and evaluated according to an established system of criteria. The consistently applied evaluation criteria are intended to ensure that the same system of evaluation is applied to each tree. From this, records of the District's significant trees are to be kept and can be accessed by interested people.

Policy B3.3.12 establishes a system to protect those trees that have been identified as having significance. These trees would be subject to rules within the Plan to ensure that development and activities close to the trees do not affect their health or the values for which they have been identified. Associated Policy B3.3.13 provides for some situations where urgent works may be necessary for public safety or essential services (including roading networks, power and telecommunications networks and infrastructure services such as water supply and wastewater disposal). This too will be incorporated into the rules.

Policy B3.3.14 supports non-statutory processes that the Council undertakes to promote, educate and inform the public and tree owners about the values of the protected trees for the community and the environment. This links to the Council's Heritage Fund which provides annual grants for work necessary to maintain and protect listed trees.

Methods

Information

- Provide an archive of information on the values of identified trees, to accompany property files and record information on the location of archaeological sites on GIS, property files and LIMs.

Advocacy

- Promotion, education and information on the significance of protected trees to the District.

District Plan Rules

- Protected Trees
- Earthworks

Funding

- Discretionary fund to encourage and assist owners with the work required to maintain and enhance the heritage of the District, with priority given to those sites, buildings and trees that are listed for protection in the Selwyn District Plan.

CULTURE AND HERITAGE — ANTICIPATED ENVIRONMENTAL RESULTS

The following results should occur from implementing Section B3.3:

- A growing database of the history of the Selwyn District.
- Development of agreements between landholders and local rūnanga for conducting activities in Silent File areas.
- Wāhi tapu and wāhi taonga sites are protected.
- Sites and buildings with significant heritage values are used and maintained.
- Nohoanga sites are used for mahinga kai and temporary structures may be erected on them.
- Recognition of and protection for trees of significant value to the community and environment.

CULTURE AND HERITAGE — MONITORING

Please refer to Part E, Appendix 1.

Annexure 7: Amendments to Rural Volume, Part C, 1 Rural Rules - Earthworks

Notes

1. Rule 1 –Earthworks, does not apply to any of the following activities:
Any earthworks associated with digging post-holes, cultivation, tending or landscaping gardens, planting trees or removing dead or diseased trees, providing ducting for fibre optic cables, or drilling bores, except where the provisions of Rule 1.5 (Earthworks and Protected Trees) apply.
2. Rule 1 – Earthworks does apply to earthworks associated with harvesting forests or tracks into areas to harvest forests.
3. Rules 9.16. and 9.17 apply to blasting and vibration. Rule 8 Waste Generation, Storage and Disposal applies to offal pits and landfills.
4. Earthworks affecting any archaeological site require the consent of the New Zealand Historic Places Trust (refer to Part B, Section 3.3 Archaeological Sites).
5. PERMITTED ACTIVITIES do not require a resource consent. OTHER ACTIVITIES do require a resource consent.
6. Where a listed protected tree has been removed (with the approval of the Council) or is in a dangerous or diseased condition such that its continued protection cannot be justified, it shall be deleted from the list without further formality.
7. The description of the location of each protected tree in Appendix 4 is as at date of this part of the Plan becoming operative. Any subsequent change to a street address or legal description shall not affect the application of the specific rules to that protected tree. Street addresses and legal descriptions will, from time to time, be updated without further formality.

1.1 EARTHWORKS AND CONTAMINATED LAND

...

1.5 EARTHWORKS AND HERITAGE PROTECTED TREES

Permitted Activities – Earthworks and Heritage Protected Trees

- 1.5.1 Any earthworks which meet the following conditions in relation to any protected tree listed in Appendix 4 shall be a permitted activity:
 - 1.5.1.1 ~~The earthworks are set back 5 metres from the dripline of any heritage tree listed in Appendix 4;~~ Normal cultivation of the soil for recreational, horticultural or agricultural purposes or the growing of crops or ornamental vegetation within 10 metres of the base of the tree or within the crown periphery (drip-line), whichever is the greater.

1.5.1.2 there is no laying/installation of any underground utility service within 10 metres of the base of the tree or within the crown periphery (drip-line), whichever is the greater.

1.5.1.3 there is no new impervious surfacing, sealing, paving, soil compaction, or alteration of more than 75mm to the ground level (existing prior to works commencing) within 10 metres from the base of the tree or within the crown periphery (drip-line), whichever is the greater.

Note: Rule 1.5.1 applies to earthworks undertaken in proximity to a heritage protected tree, but not related to the heritage protected tree.

Restricted Discretionary Activities – Earthworks and Heritage Protected Trees

1.5.2 Any earthworks undertaken within 5m of the dripline of any heritage tree listed in Appendix 4 affecting any tree listed as a Category B tree in Appendix 4 that do not meet the conditions set out in Rule 1.5.1 shall be a restricted discretionary activity.

1.5.3 Under Rule 1.5.2, the Council shall restrict its discretion to consideration of:

1.5.3.1 Any potential effects of the earthworks on the tree and its root structure, and the stability of the ground and the depth of the water table around the tree, and

1.5.3.2 Any positive effects which may offset any adverse effects.

Non-Complying Activities – Earthworks and Protected Trees

1.5.4 Any earthworks affecting any tree listed as a Category A tree in Appendix 4 that do not meet the conditions set out in Rule 1.5.1 shall be a non-complying activity.

1.6 EARTHWORKS AND SETBACKS, VOLUME AND SITE REHABILITATION

...

Cross-Reference

The table below cross-references the rules in this section with objectives and policies in the Plan. The cross-referencing is to assist plan users by indicating the objectives and policies which are likely to relate to each rule. There may be other objectives or policies in the Plan (which are not listed in the cross-reference table) which will apply in some cases. The cross-reference table does not limit the application of any objective and policy in the Plan to the rules with which it is cross-referenced; and it does not preclude the consent authority from considering any other relevant objective or policy in the Plan, when making a decision on a resource consent application. Any person making a resource consent application is advised to read all the objectives and policies in Part B of the Plan.

Rule Numbers	Topic	Part B, Section	Objectives	Policies
1.1	Contaminated Land	1.1	1.1.1 and 1.1.2	1.1.1 to 1.1.3
1.2	Cultural Sites (Silent File Areas, Wahi Taonga Management Areas, Mahinga Kai Sites)	3.3	3.3.1	3.3.1 to 3.3.5, 3.3.9 and 3.3.10
1.3	Natural Hazards– Flood Areas	3.1	3.1.1, 3.1.2	3.1.1 to 3.1.5 and 3.1.8 to 3.1.10
1.4	Outstanding Landscape Areas	1.4	1.4.1	1.4.1 to 1.4.32
1.5	<u>Heritage Protected Trees</u>	3.3	3.3.2 <u>3.3.3</u>	3.3.8 and 3.3.9 <u>3.3.11 to 3.3.14</u>
1.6	Setbacks, Volume and Site Rehabilitation	1.1, 1.2, 1.3, 1.4, 4.2	1.1.1 to 1.1.3 1.2.1, 1.3.1, 1.4.1 4.2.1 and 4.2.2	1.1.4 to 1.1.7, 1.2.2, 1.3.2 to 1.3.4., 1.4.3 to 1.4.7.

Reasons for Rules

Rule 1 Earthworks, manages potential effects from earthworks on the environment. Rules are needed to manage these effects because they often have effects on other people or other parts of the environment, rather than having a direct cost to the person undertaking the earthworks. The rules are included in the District Plan because: regional rules only apply to the Port Hills at present; and building consents are only required for earthworks related to dams over 20 000m³ in size. Even when a building consent is required, it will only address matters relating to the stability of the excavation.

The rules allow earthworks which are small-scale and minor in effect as permitted activities (no resource consent needed). Other earthworks are restricted discretionary activities or discretionary activities (requires a resource consent). The consent will focus on ensuring that any effects are adequately remedied or mitigated, rather than trying to prevent large-scale earthworks per se.

Day to day activities should comply with the rules for permitted activities. To avoid any doubt, the rules do not apply to: cultivation; gardening; digging post-holes; tracks which are less than 10m wide (outside of areas of Outstanding Landscape); and the maintenance of existing tracks in areas of Outstanding Landscape.

Resource consents are needed for earthworks which involve: shifting contaminated soil; steep vertical cuts (soil erosion and visual effects); raising the level of land which floods; land near waterbodies and special cultural sites; and shifting large volumes of material. The volume control is to ensure that large excavation works are properly filled and the site rehabilitated, and to protect 'significant ecological sites' from damage or destruction (see Part B, Section 1.2).

Rule 1.2 manages earthworks in areas which contain sites of special significance to tāngata whenua. Protecting these sites is part of the duty under section 6(e) of the Act

“to provide for the relationship of Māori and their customs and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga.”

Tāngata whenua have identified three types of sites in the Plan (see Part B, Section 3.3). Silent File areas may contain sites which are of immense cultural importance to tāngata whenua. The exact location of the site is not disclosed. Any disturbance of these sites may be inappropriate. The rule allows earthworks to occur on soil which has already been disturbed, but requires a resource consent for earthworks which will disturb soil in areas which have not been previously worked, or if the earthworks involve excavating soil to depths where it has not been disturbed by other activities. The Council restricts its discretion to whether the earthworks will disturb the special site within the Silent File area and whether that disturbance is inappropriate (as advised by local runanga).

Wāhi Taonga Sites and Management Areas contain sites of past settlement or occupation by tāngata whenua. Most of these sites have been uncovered by archaeologists and their location and what they contain is recorded. Earthworks in and around these sites are appropriate, provided that the artefacts and remnants which are contained within the sites are not removed, damaged or destroyed. Appendix 5 lists the artefacts, remnants or objects discovered so far within each site, though there may be more material located around the area. Wāhi Taonga Management Areas are areas which contain many Wāhi Taonga sites. The Council is encouraging land owners or managers and local runanga to develop joint protocols for activities within these areas (see Part B, Section 3.3).

Mahinga Kai Sites are sites used for traditional food gathering by tāngata whenua. The sites identified within this plan are valued for their vegetation. Rule 1.2 requires a resource consent for this vegetation to be damaged or removed, except for mahinga kai purposes.

The trees listed in Appendix 4 have been assessed as having significant values to Selwyn District. Rule 1.5 provides an opportunity to ensure that these listed trees are adequately protected.

2 RURAL RULES — TREE PLANTING AND REMOVAL OF HERITAGE PROTECTED TREES

Notes

1. Any earthworks associated with tree planting or harvesting must comply with Rule 1 – Earthworks.
2. Plantations on the Plains must comply with Rule 9.13 – Vehicle Movements.
3. Removal of indigenous vegetation must comply with Rule 9.21 – Clearance of Indigenous Vegetation and Indigenous Plant Species.
4. The burning of vegetation is managed through regional rules. Therefore, Environment Canterbury should be contacted.
5. PERMITTED ACTIVITIES do not require a resource consent. OTHER ACTIVITIES do require a resource consent.

2.1 SHELTERBELTS AND AMENITY PLANTING

...

2.3 HERITAGE PROTECTED TREES

Permitted Activities — Heritage Protected Trees

~~2.3.1 The removal of any part of any heritage tree listed in Appendix 4 shall be a permitted activity if one of the following conditions is met:~~

~~2.3.1.1 The activity is annual pruning; or~~

~~2.3.1.2 The activity is removal of a dead, diseased or damaged tree or part of a tree that is dead, diseased or damaged.~~

2.3.1 In relation to trees listed in Appendix 4, the following activities shall be permitted activities:

2.3.1.1 Any examination, tissue sampling, and diagnostic work recommended by an approved Council arborist to determine the safety, health and general condition of the tree, and carried out by or under the supervision of that arborist.

2.3.1.2 Normal cultivation of the soil for recreational, horticultural or agricultural purposes or the growing of crops or ornamental vegetation within 10 metres of the base of the tree or within the crown periphery (drip-line), whichever is the greater.

2.3.1.3 Maintenance pruning of any listed tree is permitted where it meets the following:

- a) involves pruning branches in the bottom third of the tree only; and
- b) only branches 50mm in diameter or less may be pruned; and
- c) pruning is by the use of secateurs, loppers or handsaws (no chainsaws).

2.3.1.4 The use of the land immediately surrounding the listed tree is permitted, provided that the health of the tree is not adversely affected and that:

Above ground level

- a) there is no installation of any overhead utility service within 10 metres of the base of the tree or within the crown periphery (drip-line), whichever is the greater.
- b) there is no construction, addition or replacement of any building within 10 metres from the base of the tree or within the crown periphery (drip-line), whichever is the greater.
- c) there is no new impervious surfacing, sealing, paving, soil compaction, or alteration of more than 75mm to the ground level (existing prior to works commencing) within 10m from the base of the tree or within the crown periphery (drip-line), whichever is the greater.
- d) there is no storage, application or deposition of any chemical or substance that could cause harm to the tree.

Below ground level

- e) there is no laying/installation of any underground utility service within 10 metres of the base of the tree or within the crown periphery (drip-line), whichever is the greater.

Controlled Activities – Protected Trees

2.3.2 In relation to trees listed in Appendix 4, the following activities shall be controlled activities:

2.3.2.1 Removal, remedial work or pruning of a hazardous or dangerous tree provided that a hazard assessment of the tree has been

done by an approved Council arborist and the tree is deemed potentially hazardous or dangerous.

2.3.2.2 Pruning of any tree listed as a Category B tree in Appendix 4, by a Network utility operator where the tree or parts of the tree encroach within the regulatory line clearance distances defined in the Electricity (Hazards from Trees) Regulations 2003 or are subject to the Telecommunications Act 2001; provided that the work is carried out by qualified/competent arborists to approved arboricultural industry standards.

2.3.3 Under Rule 2.3.2 the Council shall restrict its discretion to consideration of:

2.3.2.1 The condition and future useful life expectancy of the tree including any potential hazard to persons or property.

2.3.2.2 The effect of any pruning, damage or disturbance to the crown or root system of the tree on its appearance and health.

2.3.2.3 Whether the tree is currently causing, or likely to cause, significant damage to buildings, services, property or heritage item/s, whether public or privately owned.

Restricted Discretionary Activities – Heritage Protected Trees

~~2.3.2 The removal any heritage tree which does not comply with Rule 2.3.1 shall be a restricted discretionary activity.~~

~~2.3.3 Under Rule 2.3.2, the Council shall restrict its discretion to consideration of:~~

~~2.3.3.1 The reason why the tree has heritage value, the uniqueness of those values and whether those values can be retained if the tree is replaced;~~

~~2.3.3.2 The condition of the tree;~~

~~2.3.3.3 Whether the tree poses any danger to people or property or is causing shading of a dwelling or road;~~

~~2.3.3.4 Any alternative options to removing the tree and the cost and practicality of any alternatives; and~~

~~2.3.3.5 Any positive effects which may offset any adverse effects.~~

2.3.4 In relation to trees listed in Appendix 4, the following activities shall be restricted discretionary activities:

2.3.4.1 Any activity which does not comply with Rule 2.3.1.1, 2.3.1.2 or 2.3.1.3.

2.3.4.2 Any activity which does not comply with Rule 2.3.1.4 in relation to any tree listed as a Category B tree in Appendix 4.

2.3.4.3 Fixing of any structure or object to any part of a listed tree or any operation which could wound the bark or wood tissue of any part of the tree.

2.3.4.4 Pruning of any tree listed as a Category A tree in Appendix 4, by a Network utility operator where the tree or parts of the tree encroach within the regulatory line clearance distances defined in the in the Electricity (Hazards from Trees) Regulations 2003 or are subject to the Telecommunications Act 2001; provided that the work is carried out by qualified/competent arborists to approved arboricultural industry standards.

2.3.4.5 Destruction or Removal of any tree listed as a Category B tree in Appendix 4.

2.3.5 Under Rule 2.3.4 the Council shall restrict its discretion to consideration of:

2.3.5.1 Any adverse effects of the proposed activity on the values of the listed tree.

2.3.5.2 For removal of a tree: the condition of the tree, including whether it poses a danger to people or property, or whether its condition is such that it is unable to be retained.

2.3.5.3 The costs to the applicant of not allowing the proposed activity.

2.3.5.4 Whether the applicant has the ability to undertake a complying development without the work detrimentally affecting the tree.

2.3.5.5 The effect of any pruning, damage or disturbance to the crown or root system of the tree on its appearance and health.

2.3.5.6 The effect of any building or structure on the visibility of the tree from a road or public place.

2.3.5.7 Whether the tree is currently causing, or likely to cause, significant damage to buildings, services, property or heritage item/s, whether public or privately owned.

2.3.5.8 Whether the tree or trees seriously restrict the development of the site for its zoned purposes.

2.3.5.9 Whether the tree or trees inhibits the growth of more desirable specimens nearby.

2.3.5.10 Whether the tree still retains the essential characteristics for which it was originally protected.

2.3.5.11 Whether a tree to be removed is capable of being successfully transplanted.

2.3.5.12 Any substitute or compensating tree planting proposed.

2.3.5.13 Whether the particular species of tree has been legally declared a noxious plant.

Non-Complying Activities – Protected Trees

2.3.6 In relation to trees listed in Appendix 4, the following activities shall be non-complying activities:

2.3.6.1 The use of the land immediately surrounding any tree listed as a Category A tree in Appendix 4, that does not meet the provisions of rule 3.2.1.4 above.

2.3.6.2 Destruction or Removal of any tree listed as a Category A tree in Appendix 4.

Notes

1. Refer to the listing of protected trees in Appendix 4 to obtain the category of each tree.

2. Where a listed protected tree has been removed (with the approval of the Council) or is in a dangerous or diseased condition such that its continued protection cannot be justified, it shall be deleted from the list without further formality.

3. The description of the location of each protected tree in Appendix 4 is as at date of this part of the Plan becoming operative. Any subsequent change to a street address or legal description shall not affect the application of the specific rules to that protected tree. Street addresses and legal descriptions will, from time to time, be updated without further formality.

2.4 MAHINGA KAI

...

Cross-References

The table below cross-references the rules in this section with objectives and policies in the Plan. The cross-referencing is to assist plan users by indicating the objectives and policies which are likely to relate to each rule. There may be other objectives or policies in the Plan (which are not listed in the cross-reference table) which will apply in some cases. The cross-reference table does not limit the application of any objective and policy in the Plan to the rules with which it is cross-referenced; and it does not preclude the consent authority from considering any other relevant objective or policy in the Plan, when making a decision on a resource consent application. Any person making a resource consent application is advised to read all the objectives and policies in Part B of the Plan.

Rule Numbers	Topic	Part B, Section	Objectives	Policies
---------------------	--------------	------------------------	-------------------	-----------------

2.2	Plantations	1.1, 1.2, 1.4, 1.5, 2.1, 4.2	1.1.2, 1.2.1 and 1.2.2, 1.4.1, 4.2.1,	1.1.4, 1.2.2 and 1.2.3 1.4.1 to 1.4.3, 1.4.6, 1.4.10, 1.4.13, 1.4.15, 1.4.18, 1.4.19, 1.4.21, 1.4.22, 1.4.25 to 1.4.28, 1.4.30 to 1.4.32. 4.2.1
2.3	<u>Heritage Protected Trees</u>	3.3	3.3.2 <u>3.3.3</u>	3.3.8 and 3.3.9 <u>3.3.11 to 3.3.14</u>
2.4	Mahinga Kai	3.3	3.3.1	3.3.2, 3.3.3(b) and 3.3.5

Reasons for Rules

Rule 2 manages potential effects from amenity tree planting, shelterbelts, plantations and removal of heritage protected trees. The District Plan has rules to manage these effects because they have effects which occur on other property or on other parts of the environment. They are not usually direct costs to the person planting the trees.

The rules allow amenity tree planting, shelterbelts and visual screening as permitted activities (no resource consent needed) in most parts of the Rural Zone, subject to conditions. The conditions relate to: shading on roads and adjoining properties; ensuring that planting positions protect the natural character of the edge of waterbodies protecting Wāhi Tapu and Mahinga Kai Sites, and Wāhi Tapu Management and Silent File Areas; avoiding wilding tree spread, and protecting landscape values in the High Country. Council will waive the resource consent processing fees for applications for amenity planting or shelterbelts under rules 2.1.10 or 2.1.11. The waiver includes the deposit and all additional costs up until the release of the Council's decision.

The rules allow plantations as a permitted activity (no resource consent needed) on the Plains, subject to similar conditions as those for shelterbelts, amenity planting and visual screening. On hill and high country (including the Port Hills) plantations require a resource consent. The consent is non-notified and does not need the written approval of affected parties, provided the plantation complies with standards and terms, designed to avoid effects on other people's property such as shading and wilding spread. In those cases, there is no need for the resource consent to be notified because there are no effects on other people. The effects which are permissible on other parts of the environment (such as landscape values and waterbodies) are already specified in the Plan policies, which have been through a public process. The Council and the resource consent applicant work together to address the effects which are listed as matters of discretion in Rule 2.2.3. These matters are specific to the individual sites, so are managed through a resource consent process, rather than as conditions by which activities are permitted.

With respect to the Summit Road Protection Area of the Port Hills, the rules do not encourage any tree planting, for amenity, shelter-belt or plantation purposes. This Protection Area is recognised for its high scenic values and views which may be lost through the planting of trees.^{PC6}

Resource consent is also required for plantations on Wāhi Tapu and Mahinga Kai sites, and in Wāhi Taonga Management and Silent File areas. The local runanga will be considered an affected party to allow for their input on how the runanga may be affected.

Where a plantation does not comply with the standards and terms for a restricted discretionary activity, it is either a discretionary activity or a non-complying activity. In these cases, the Council may notify the resource consent application or seek written approval from affected parties, because the plantation may affect other people's property or be contrary to the policies in the Plan.

The one area in the District where plantations are not encouraged is in the area of Outstanding Landscape in the High Country. This area is valued as a tussock landscape with limited pasture improvement. The Plan policies are to manage this area as a pastoral landscape. The rules do provide for plantations in this area as a discretionary activity if they comprise indigenous species planted for landscape enhancement; or are plantations planted for soil conservation or to manage the spread of wilding trees or other exotic plant pests.

Rule 2.3 manages ~~the removal of activities that could affect~~ trees which are listed in Appendix 4 as having ~~special heritage significant~~ values. The rule allows these trees to be limited pruning ~~pruned or removed if they are dead or diseased~~ as a permitted activity (no resource consent needed) and some limited works to occur close to listed trees. Removing the tree or activities that could adversely impact the tree for any other reason requires a resource consent ~~for a restricted discretionary activity~~. In this instance, the Plan policies recognise that trees may need to be removed in some cases, for example where they pose a danger to people or property, ~~or cause excessive shading~~.

An explanation of the tāngata whenua sites and areas is given in the reasons for the Earthworks Rules.

**Annexure 9:
Amendments to Planning Maps**

Ashburton District

OP

T72






























MITCHELLS RD

BARROGHS RD

BURNS RD

N RAKATA RD

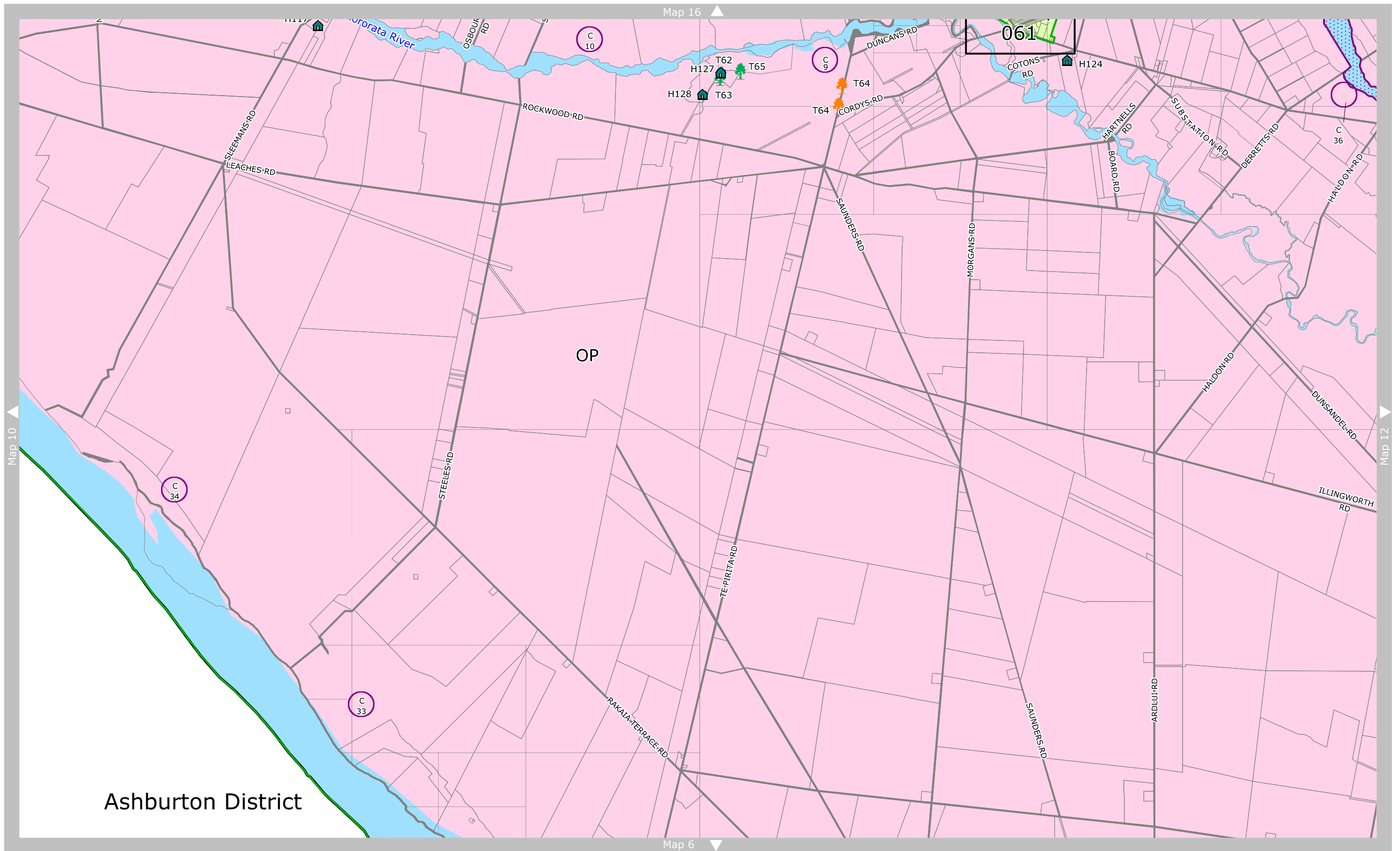
KEY

- | | | | | | | | | | |
|---|--|--|---|--|---|--|---|---|--|
| Protected Tree
 | Heritage Building
 | Scheduled Site
 | Statutory Acknowledgement Site
 | State Highways
 | Railway
 | Road Parcel
 | Land Parcel
 | Water Body
 | Archaeological Site
 |
| Protected Tree (Removed)
 | Cultural Site

 Silent File Area | Waahi Taonga Area
 | Contours Above Sea Level
 160m
 2.74m | Zones
 High Country
 Port Hills
 Existing Development Area |  Living 1
 Living 2
 Living X
 Deferred Living |  Business 1
 Business 2
 Business 3 |  Inner Plains
 Outer Plains
 Malvern Hills | | |



MAP
006
SHEET 2

Draft
15 Jan 2010
PC 18



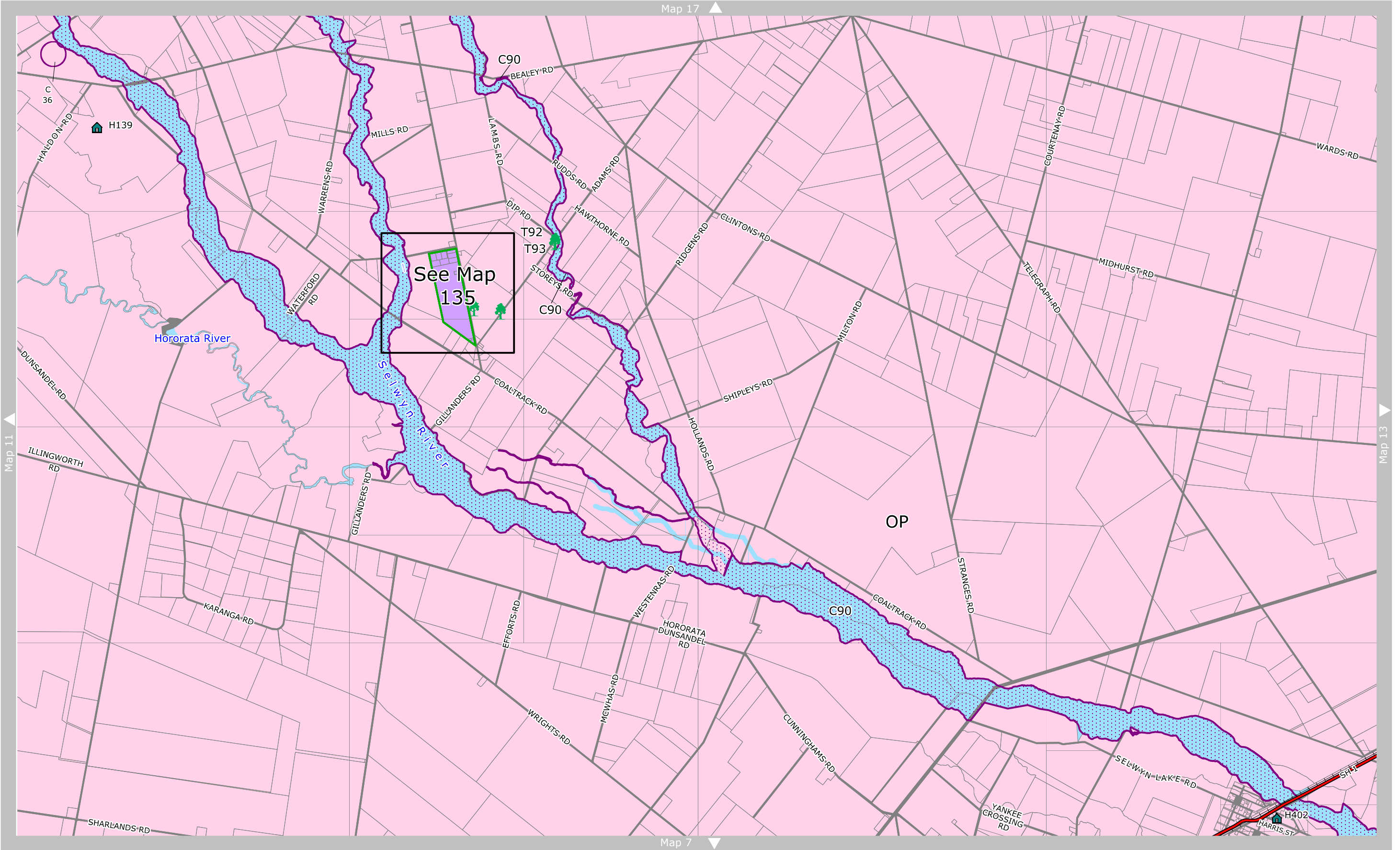
Ashburton District

KEY



























Protected Tree 	Heritage Building 	Scheduled Site 	Statutory Acknowledgement Site 	State Highways 	Railway 	Road Parcel 	Land Parcel 	Water Body 	Archaeological Site
Protected Tree (Removed) 	Cultural Site 	Waahi Taonga Area 	Contours Above Sea Level 160m 2.74m	Zones High Country Port Hills Existing Development Area	Living 1 Living 2 Living X Deferred Living	Business 1 Business 2 Business 3	Inner Plains Outer Plains Malvern Hills		



MAP
011
SHEET 2
Draft
15 Jan 2010
PC 18



KEY

Protected Tree	Heritage Building	Scheduled Site	Statutory Acknowledgement Site	State Highways	Railway	Road Parcel	Land Parcel	Water Body	Archaeological Site
									
Protected Tree (Removed)	Cultural Site	Waahi Taonga Area	Contours Above Sea Level	Zones		Living 1		Business 1	Inner Plains
			 160m	 High Country		 Living 2	 Business 2	 Outer Plains	
	 Silent File Area		 2.74m	 Port Hills		 Living X	 Business 3	 Malvern Hills	
				 Existing Development Area		 Deferred Living			



MAP
012
SHEET 2

Draft
15 Jan 2010
PC 18

Ashburton District

Terrace Downs
See Map 135


Windwhistle

KEY

Protected Tree


Heritage Building


Scheduled Site


Statutory Acknowledgement Site



State Highways



Railway




Road Parcel


Land Parcel


Water Body


Archaeological Site


Protected Tree (Removed)


Cultural Site

Silent File Area


Waahi Taonga Area


Contours Above Sea Level
160m
2.74m

Zones
High Country
Port Hills
Existing Development Area

Living 1
Living 2
Living X
Deferred Living

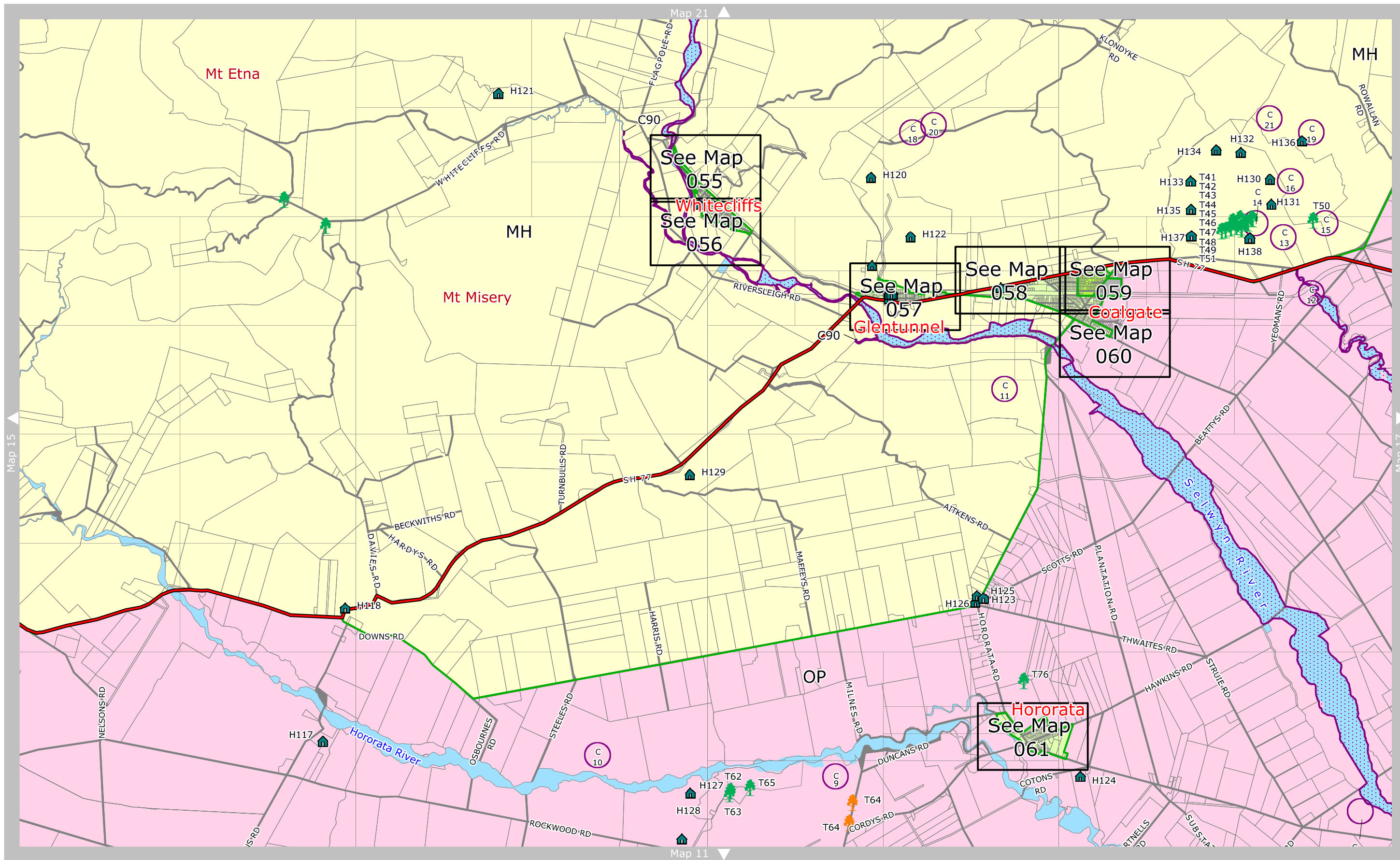
Business 1
Business 2
Business 3

Inner Plains
Outer Plains
Malvern Hills



MAP
015
SHEET 2

Draft
15 Jan 2010
PC 18



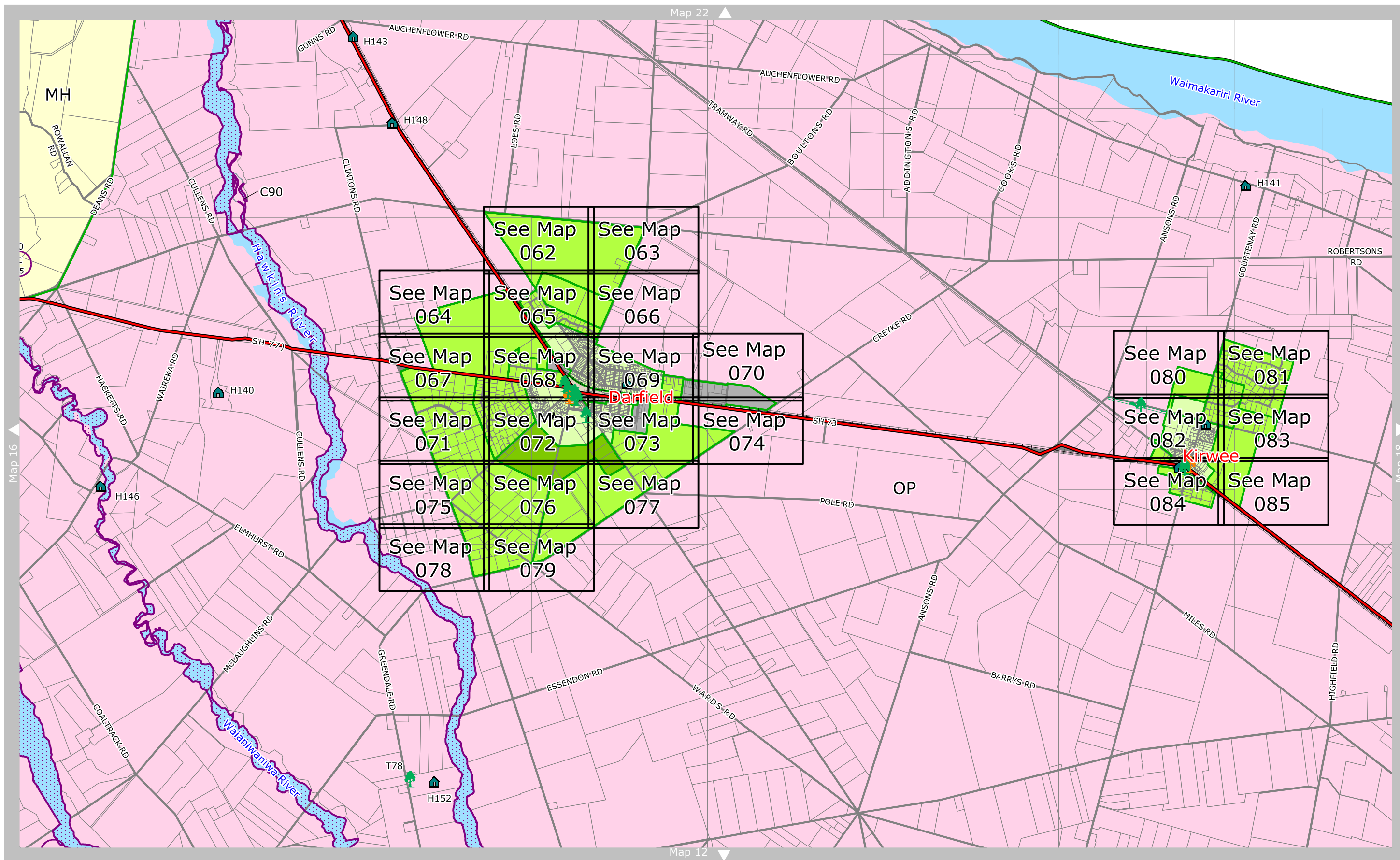
KEY

Protected Tree	Heritage Building	Scheduled Site	Statutory Acknowledgement Site	State Highways	Railway	Road Parcel	Land Parcel	Water Body	Archaeological Site
Protected Tree (Removed)	Cultural Site	Waahi Taonga Area	Contours Above Sea Level	Zones					
			160m	High Country		Living 1	Business 1	Inner Plains	
	Silent File Area		2.74m	Port Hills		Living 2	Business 2	Outer Plains	
				Existing Development Area		Living X	Business 3	Malvern Hills	
						Deferred Living			



MAP
016
SHEET 2

Draft
15 Jan 2010
PC 18



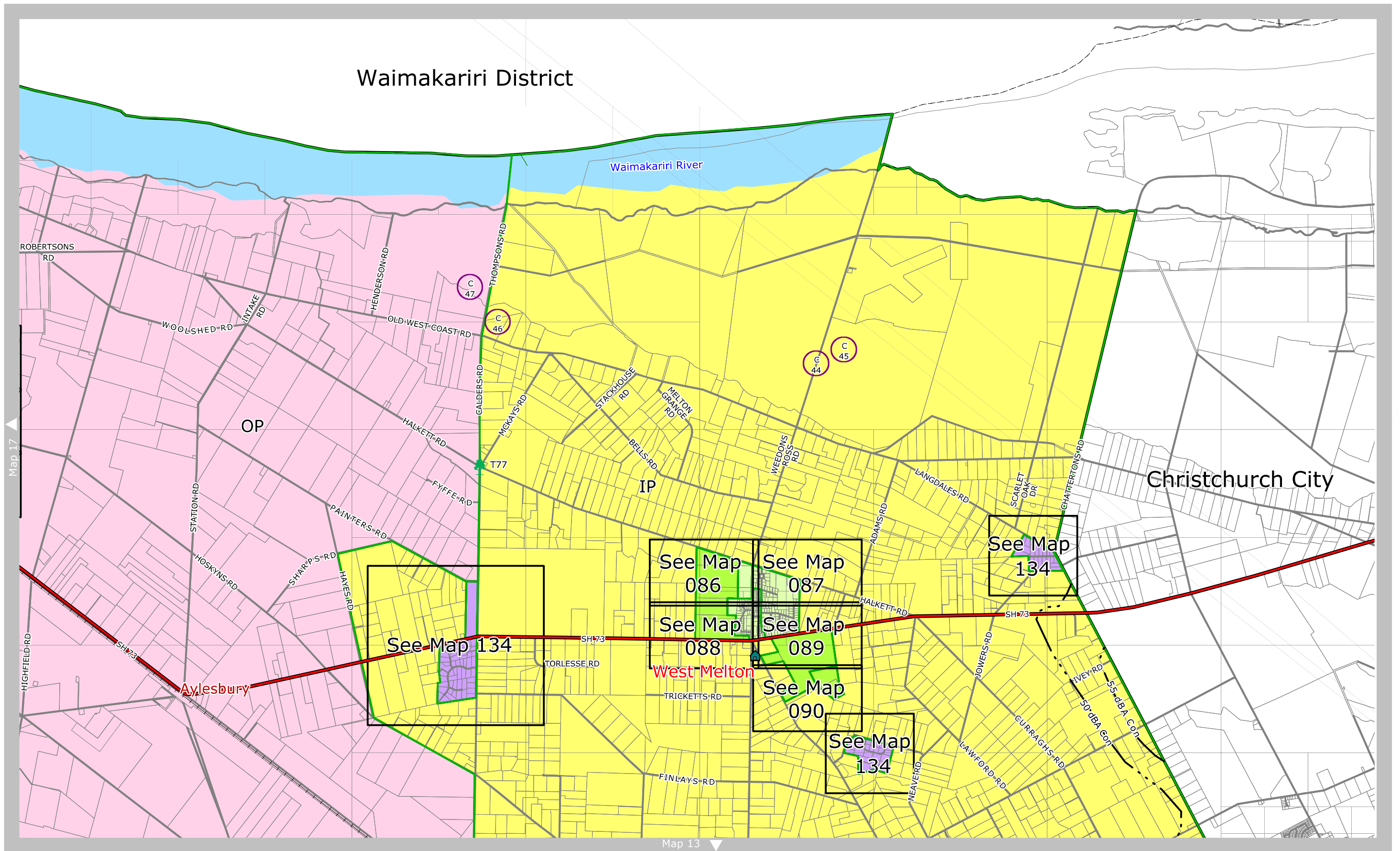
KEY

- | | | | | | | | | | |
|--------------------------|-------------------|-------------------|--------------------------------|---------------------------|---------|-----------------|-------------|---------------|---------------------|
| Protected Tree | Heritage Building | Scheduled Site | Statutory Acknowledgement Site | State Highways | Railway | Road Parcel | Land Parcel | Water Body | Archaeological Site |
| Protected Tree (Removed) | Cultural Site | Waahi Taonga Area | Contours Above Sea Level | Zones | | | | | |
| | Silent File Area | | 160m | High Country | | Living 1 | Business 1 | Inner Plains | |
| | | | 2.74m | Port Hills | | Living 2 | Business 2 | Outer Plains | |
| | | | | Existing Development Area | | Living X | Business 3 | Malvern Hills | |
| | | | | | | Deferred Living | | | |



MAP
017
SHEET 2

Draft
15 Jan 2010
PC 18



KEY

Protected Tree



Protected Tree (Removed)



Heritage Building



Cultural Site



Silent File Area

Scheduled Site



Waahi Taonga Area



Statutory Acknowledgement Site



Contours Above Sea Level

160m

2.74m

State Highways



Railway



Zones

High Country

Port Hills

Existing Development Area

Road Parcel



Living 1

Living 2

Living X

Deferred Living

Land Parcel



Water Body



Business 1

Business 2

Business 3

Archaeological Site



Inner Plains

Outer Plains

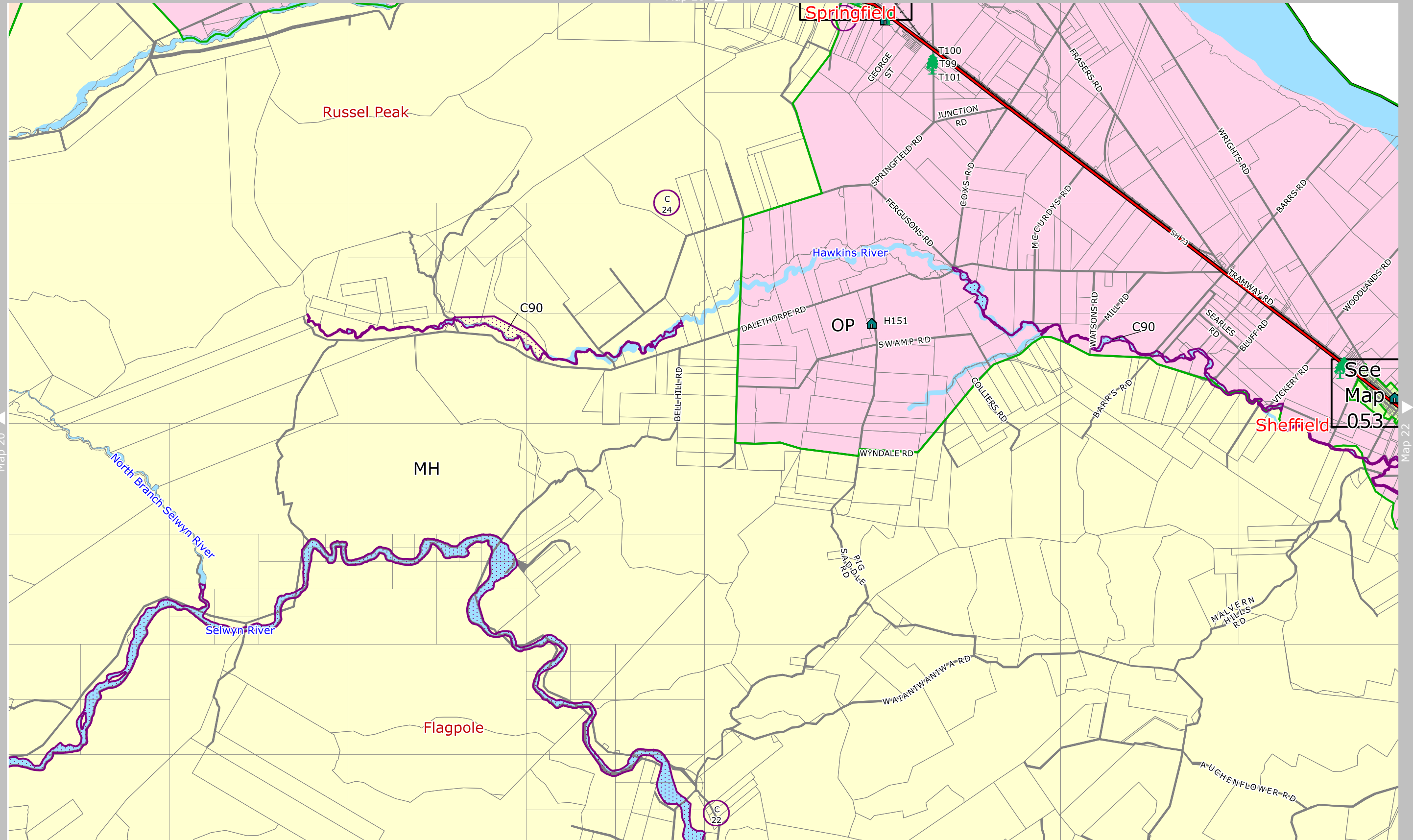
Malvern Hills



MAP 018

SHEET 2

Draft
15 Jan 2010
PC 18



KEY

Protected Tree
Protected Tree (Removed)

Heritage Building
Cultural Site
Silent File Area

Scheduled Site
Waahi Taonga Area

Statutory Acknowledgement Site

Contours Above Sea Level
160m
2.74m

State Highways
Railway
Zones
High Country
Port Hills
Existing Development Area

Road Parcel
Land Parcel
Living 1
Living 2
Living X
Deferred Living

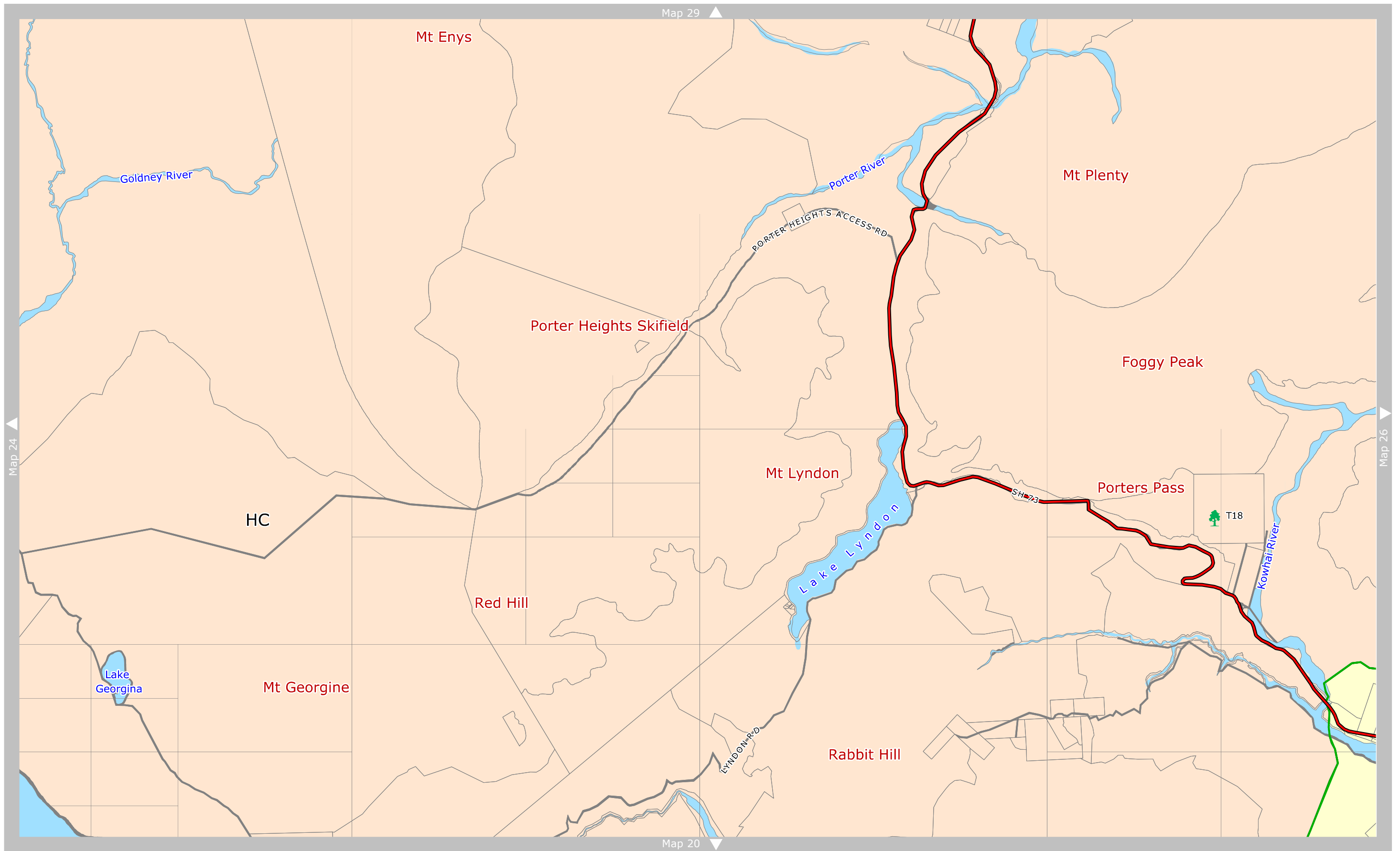
Water Body
Business 1
Business 2
Business 3

Archaeological Site
Inner Plains
Outer Plains
Malvern Hills



MAP
021
SHEET 2


Draft
15 Jan 2010
PC 18





KEY

Protected Tree


Heritage Building


Scheduled Site


Statutory Acknowledgement Site



State Highways


Railway


Road Parcel


Land Parcel



Water Body


Archaeological Site


Protected Tree (Removed)


Cultural Site

Silent File Area


Waahi Taonga Area


Contours Above Sea Level
160m
2.74m

Zones
High Country
Port Hills
Existing Development Area

Living 1
Living 2
Living X
Deferred Living

Business 1
Business 2
Business 3

Inner Plains
Outer Plains
Malvern Hills



MAP
025
SHEET 2


Draft
15 Jan 2010
PC 18




KEY


Protected Tree


Heritage Building


Scheduled Site


Statutory Acknowledgement Site



State Highways


Railway




Road Parcel


Land Parcel


Water Body




Archaeological Site





Protected Tree (Removed)


Cultural Site

 Silent File Area



Waahi Taonga Area


Contours Above Sea Level
 160m
 2.74m

Zones
 High Country
 Port Hills
 Existing Development Area

Living 1
 Living 2
 Living X
 Deferred Living

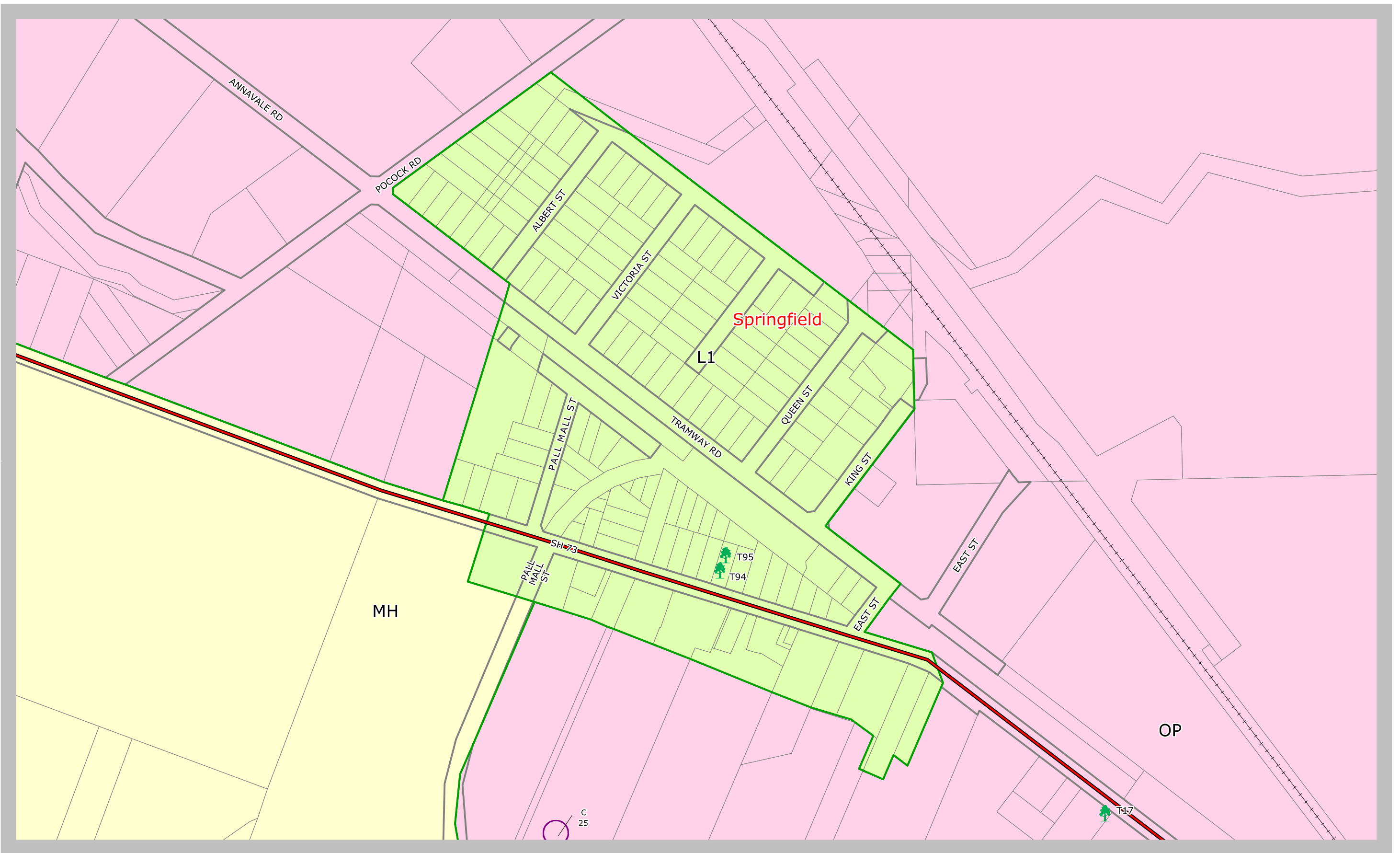
Business 1
 Business 2
 Business 3

Inner Plains
 Outer Plains
 Malvern Hills



MAP
051
 SHEET 2

Draft
15 Jan 2010
PC 18



KEY

Protected Tree



Heritage Building



Scheduled Site



Statutory Acknowledgement Site



State Highways



Railway



Road Parcel



Land Parcel



Water Body



Archaeological Site



Protected Tree (Removed)



Cultural Site



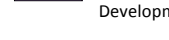
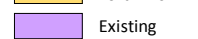
Waahi Taonga Area



Contours Above Sea Level



Zones



Living 1



Living 2



Living X

Deferred Living



Business 1



Business 2



Business 3

Inner Plains



Outer Plains

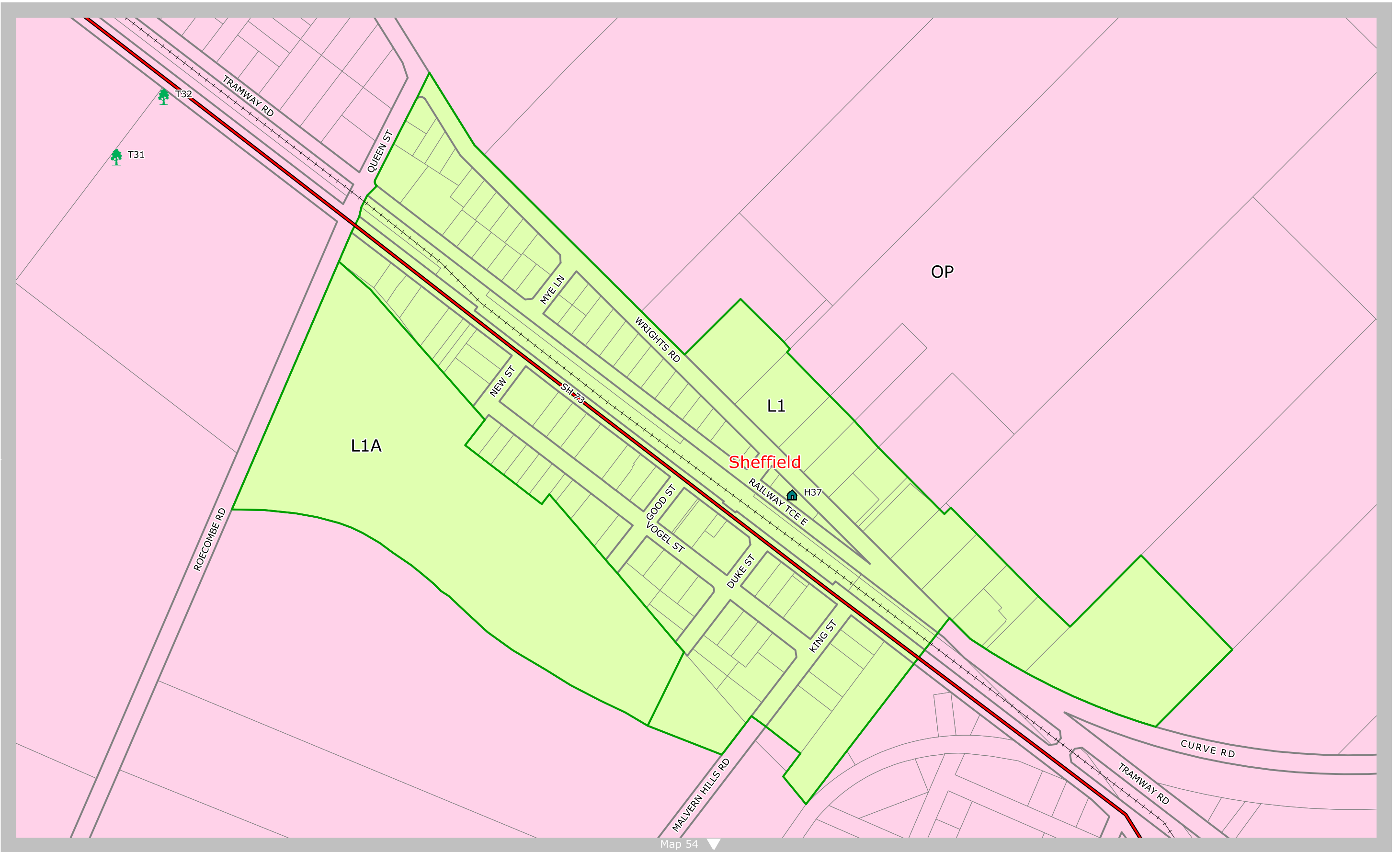


Malvern Hills




MAP
052
SHEET 2

Draft
15 Jan 2010
PC 18




KEY


Protected Tree




Heritage Building




Scheduled Site




Statutory Acknowledgement Site




State Highways




Railway




Road Parcel




Land Parcel




Water Body




Archaeological Site




Protected Tree (Removed)




Cultural Site




Silent File Area




Waahi Taonga Area





Contours Above Sea Level


 160m

 2.74m


Zones

 High Country


 Port Hills

 Existing Development Area


Living 1




Living 2




Living X




Deferred Living




Business 1




Business 2




Business 3




Inner Plains



Outer Plains



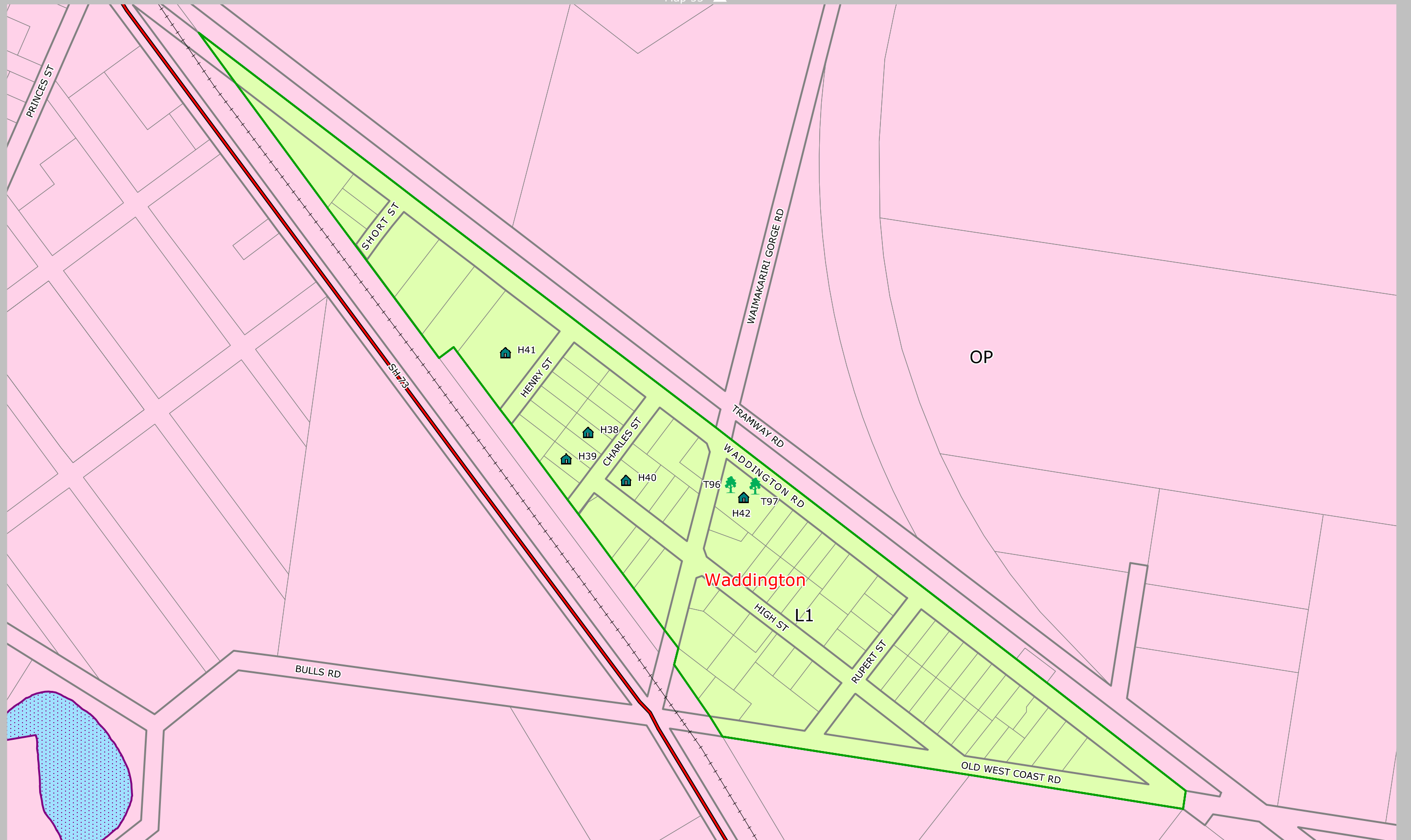
Malvern Hills





MAP
053
SHEET 2

Draft
15 Jan 2010
PC 18



KEY

Protected Tree



Protected Tree (Removed)



Heritage Building



Cultural Site



Silent File Area

Scheduled Site



Waahi Taonga Area



Statutory Acknowledgement Site



Contours Above Sea Level

160m
2.74m

State Highways



Railway



Road Parcel



Land Parcel



Water Body



Archaeological Site



Zones

High Country
Port Hills
Existing Development Area

Living 1
Living 2
Living X
Deferred Living

Business 1
Business 2
Business 3

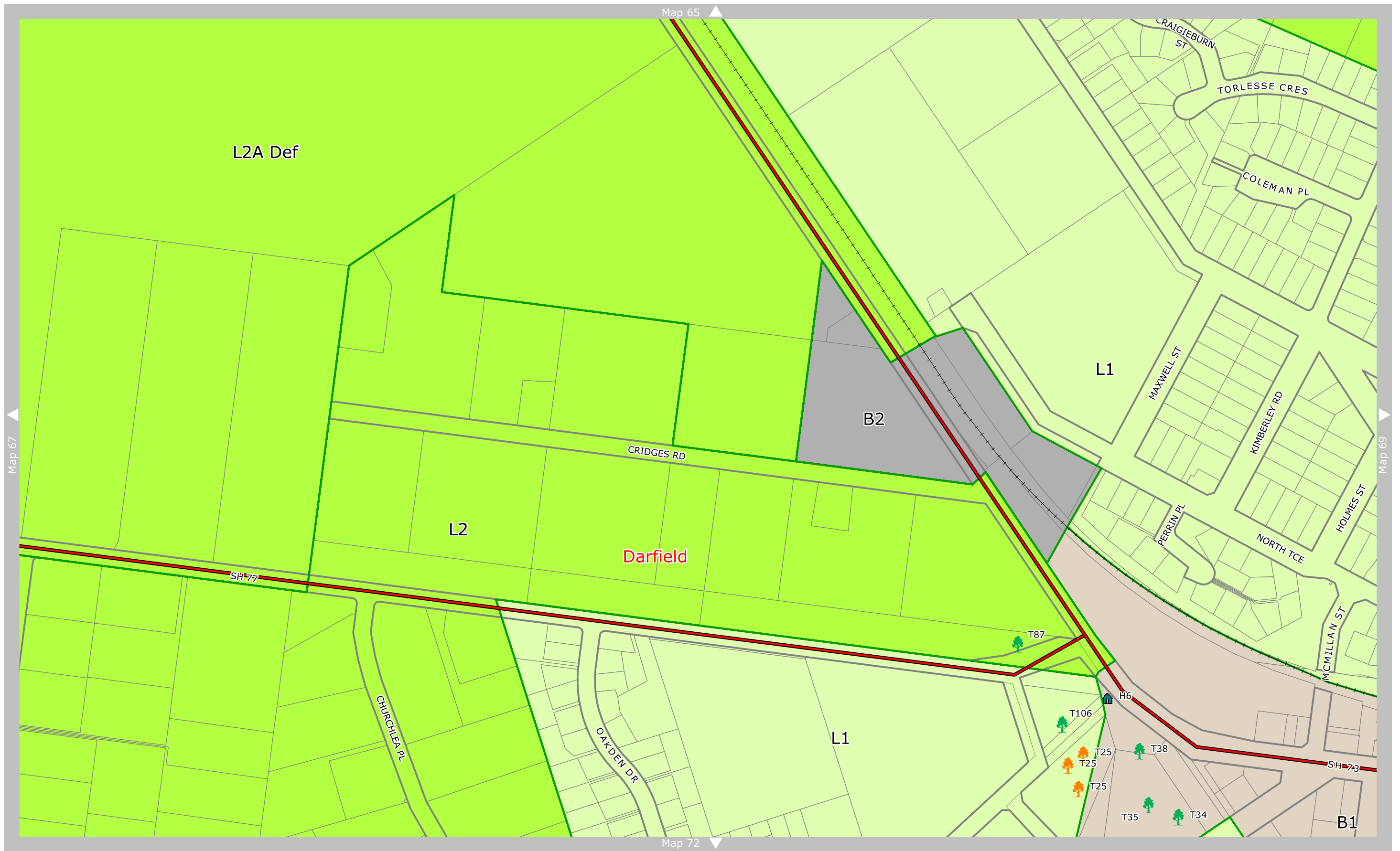
Inner Plains
Outer Plains
Malvern Hills



MAP
054

SHEET 2

Draft
15 Jan 2010
PC 18



KEY

Protected Tree



Heritage Building



Scheduled Site



Statutory Acknowledgement Site



State Highways



Railway



Road Parcel



Land Parcel



Water Body



Archaeological Site



Protected Tree (Removed)



Cultural Site



Silent File Area

Waahi Taonga Area



Contours Above Sea Level



160m

Zones

High Country

Port Hills

Existing Development Area

Living 1

Living 2

Living X

Deferred Living

Business 1

Business 2

Business 3

Inner Plains

Outer Plains

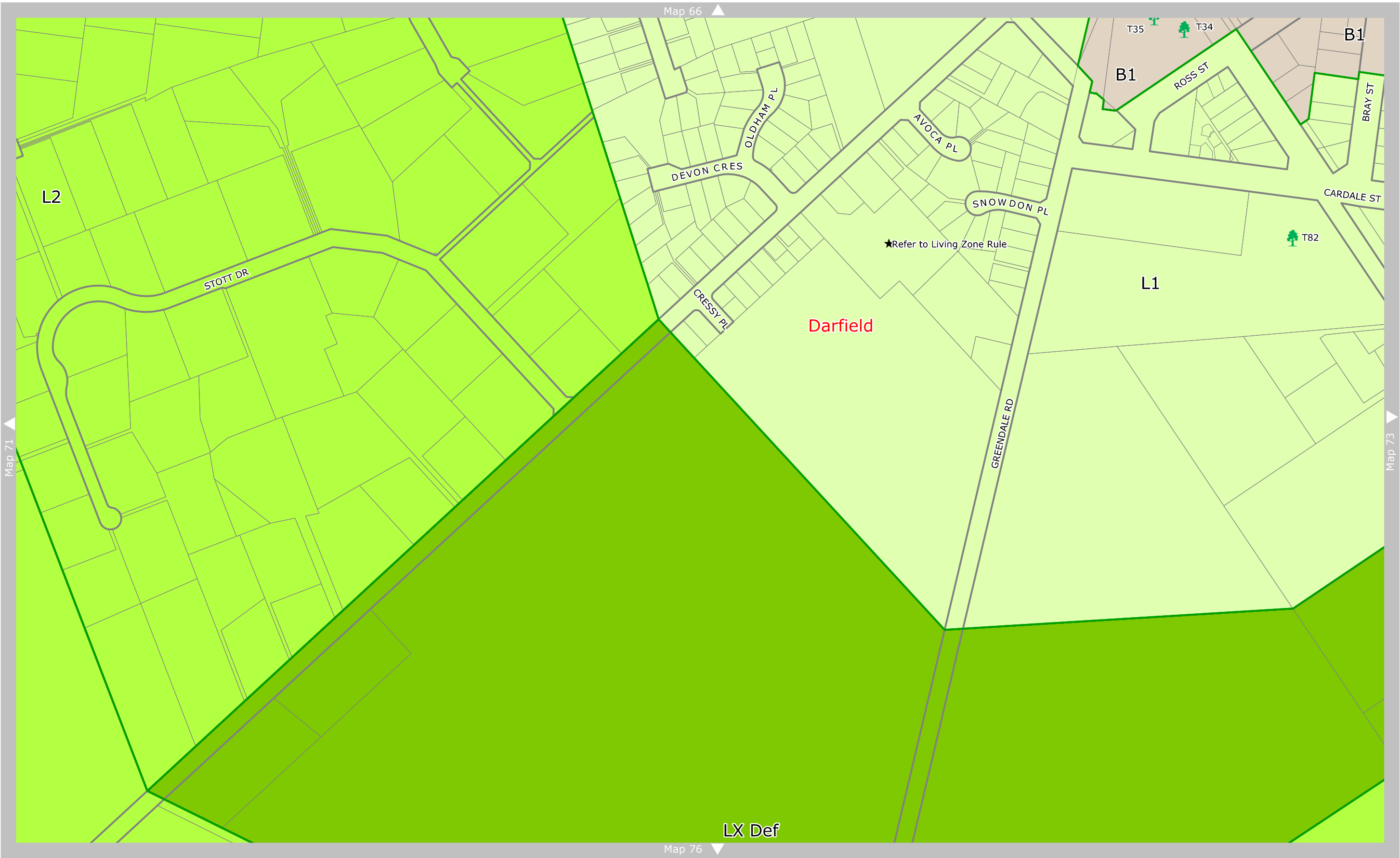
Malvern Hills



MAP
068

SHEET 2

Draft
15 Jan 2010
PC 18



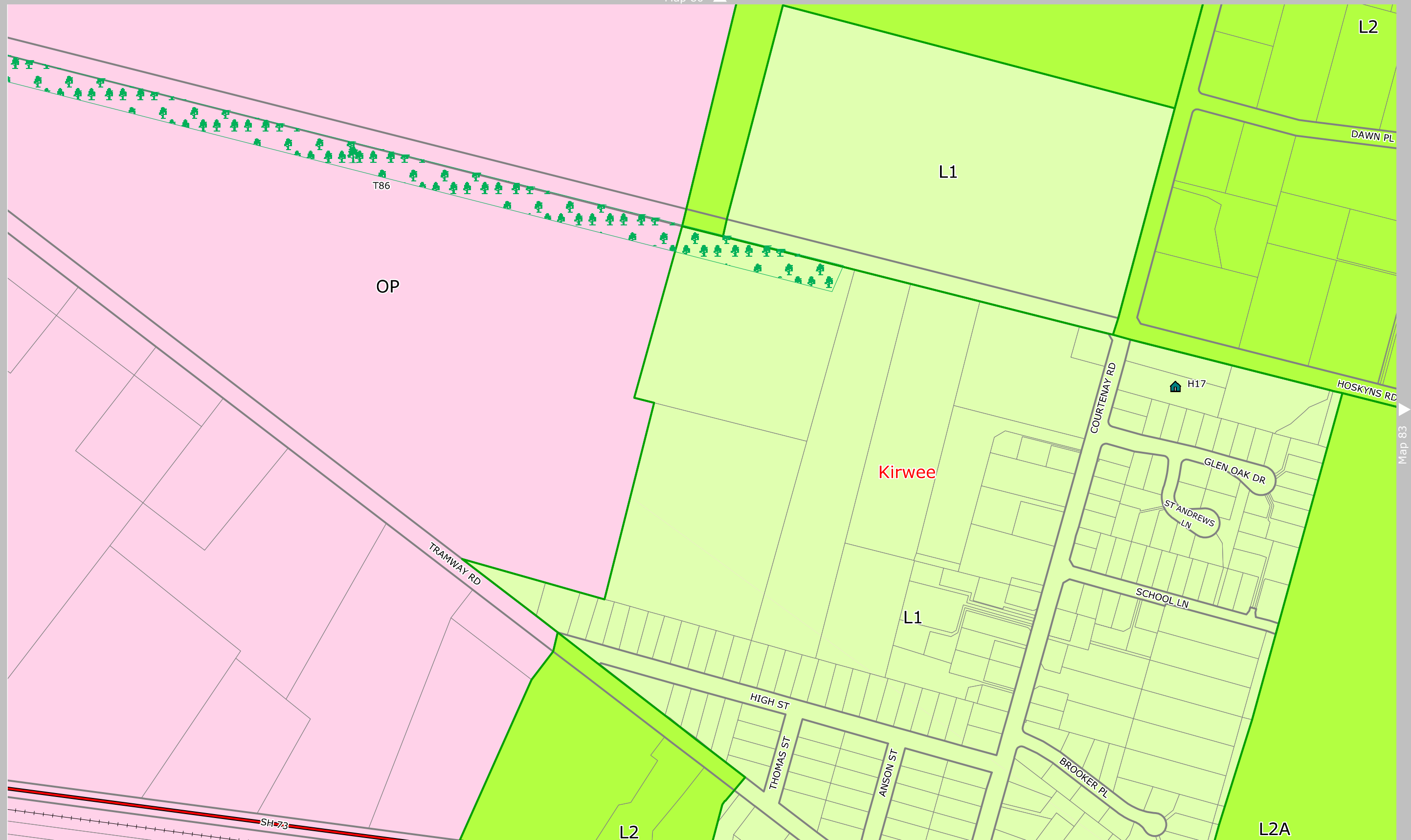
KEY

Protected Tree	Heritage Building	Scheduled Site	Statutory Acknowledgement Site	State Highways	Railway	Road Parcel	Land Parcel	Water Body	Archaeological Site
Protected Tree (Removed)	Cultural Site	Waahi Taonga Area	Silent File Area	Contours Above Sea Level	Zones	Living 1	Living 2	Living X	Deferred Living
				160m	High Country		Business 1	Business 2	Business 3
				2.74m	Port Hills				
					Existing Development Area				
								Inner Plains	Outer Plains
									Malvern Hills

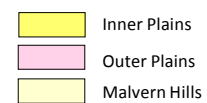
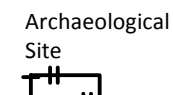
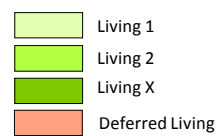
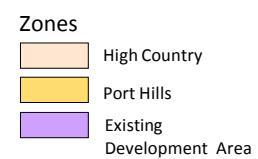
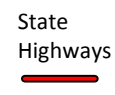
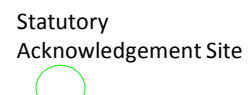
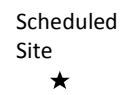
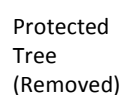


MAP
072
SHEET 2

Draft
15 Jan 2010
PC 18



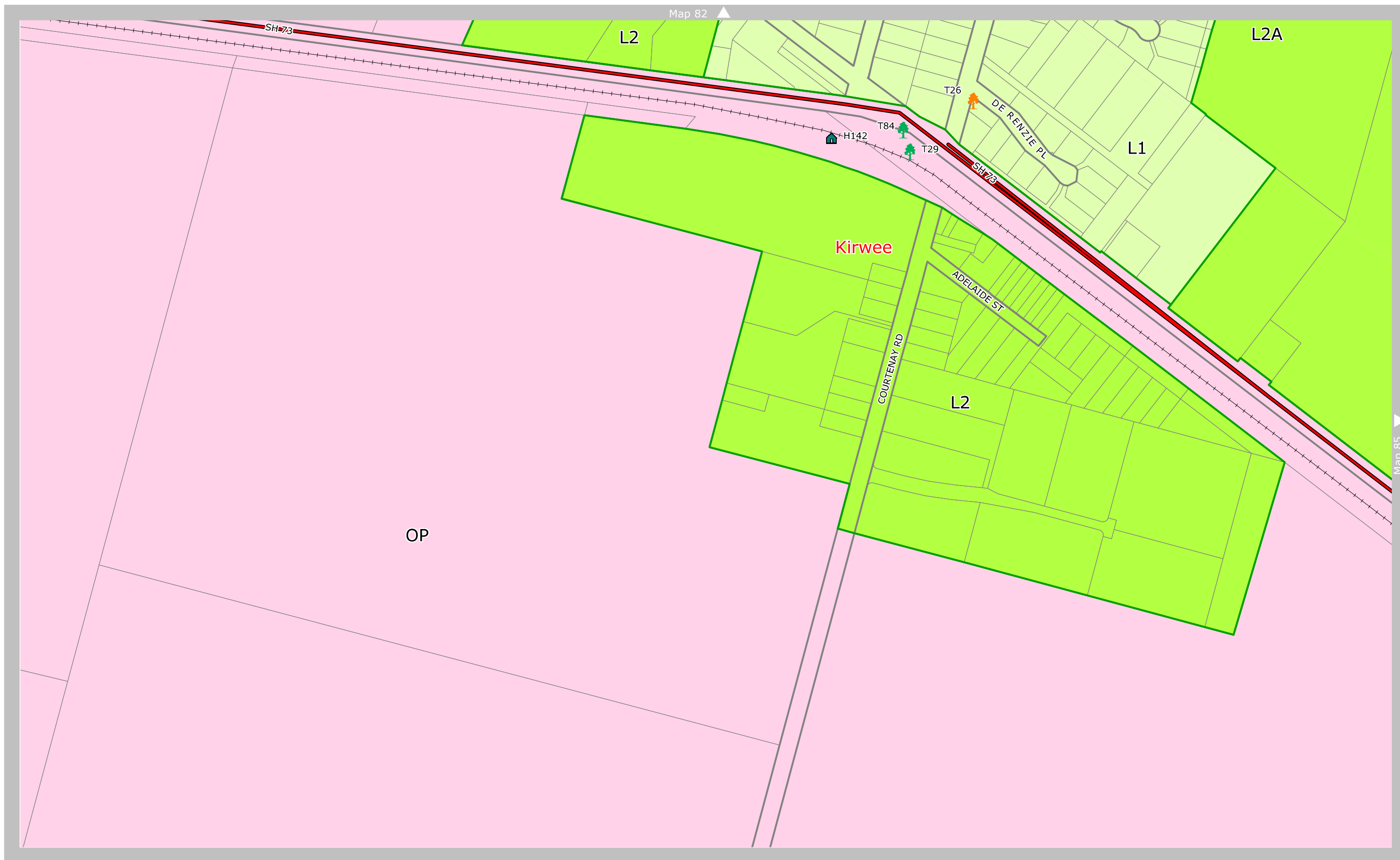
KEY



MAP
082

SHEET 2

Draft
15 Jan 2010
PC 18



KEY

Protected Tree



Protected Tree (Removed)



Heritage Building



Cultural Site



Silent File Area

Scheduled Site



Waahi Taonga Area



Statutory Acknowledgement Site



Contours Above Sea Level



State Highways



Railway



Road Parcel



Land Parcel



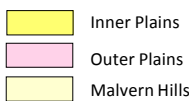
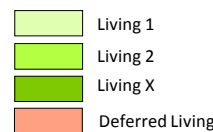
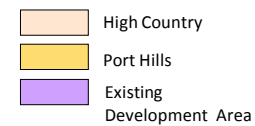
Water Body



Archaeological Site

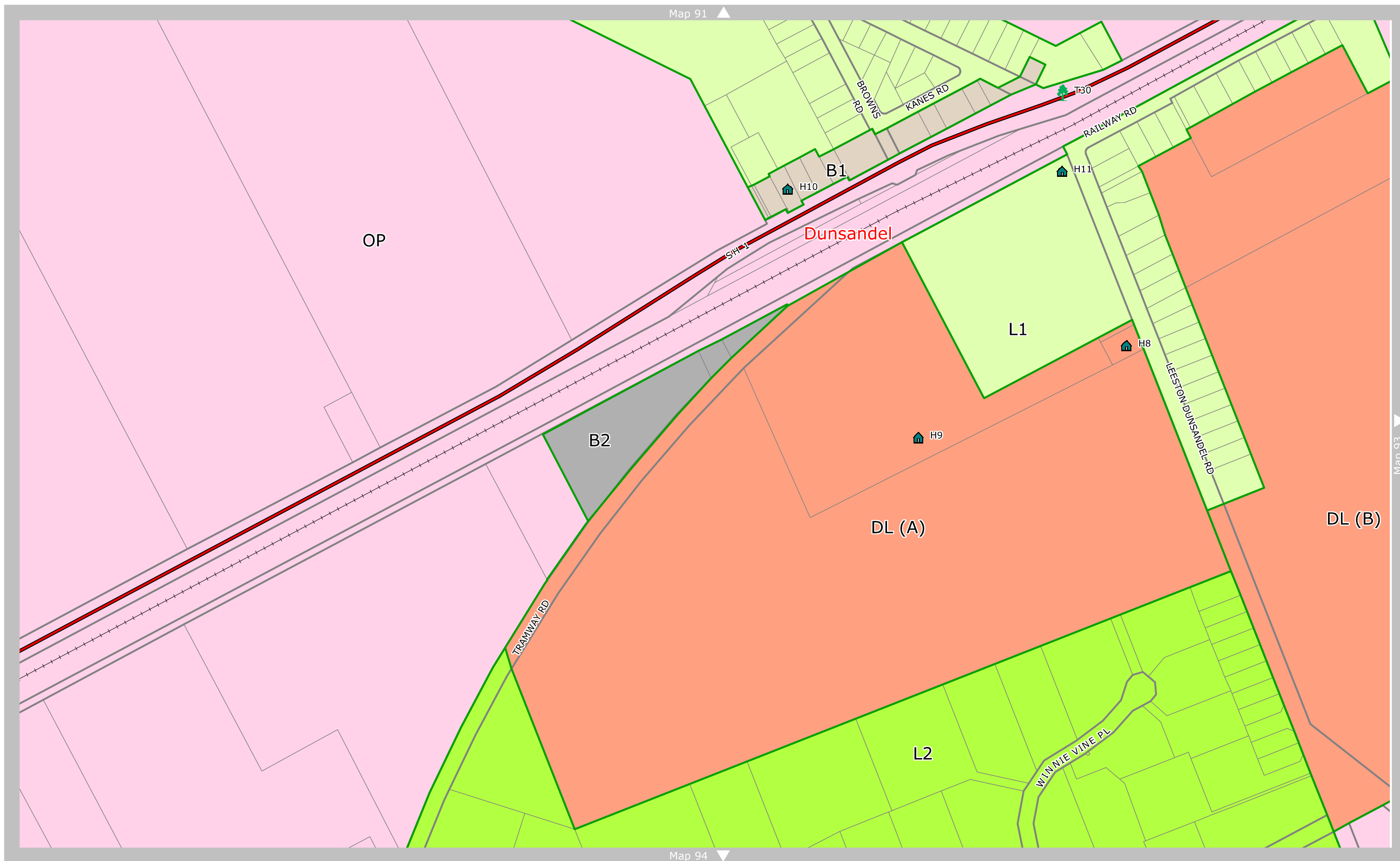


Zones



MAP
084
SHEET 2

Draft
15 Jan 2010
PC 18



KEY

Protected Tree

Heritage Building

Scheduled Site

Statutory Acknowledgement Site

State Highways

Railway

Road Parcel

Land Parcel

Water Body

Archaeological Site

Protected Tree (Removed)

Cultural Site

Waahi Taonga Area

Contours Above Sea Level
 160m
 2.74m

Zones
 High Country
 Port Hills
 Existing Development Area

Living 1
 Living 2
 Living X
 Deferred Living

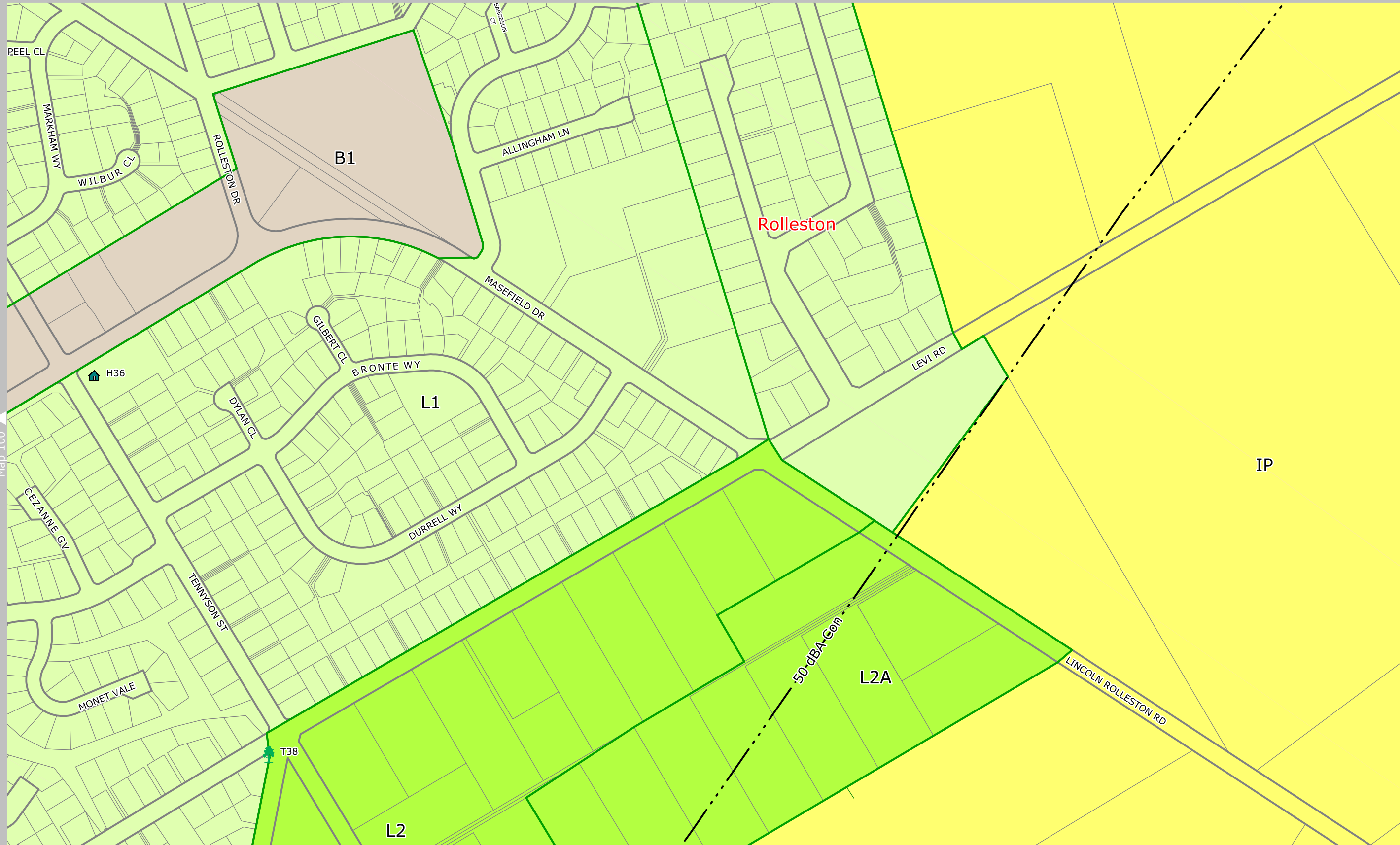
Business 1
 Business 2
 Business 3

Inner Plains
 Outer Plains
 Malvern Hills
















MAP
092
 SHEET 2

Draft
15 Jan 2010
PC 18



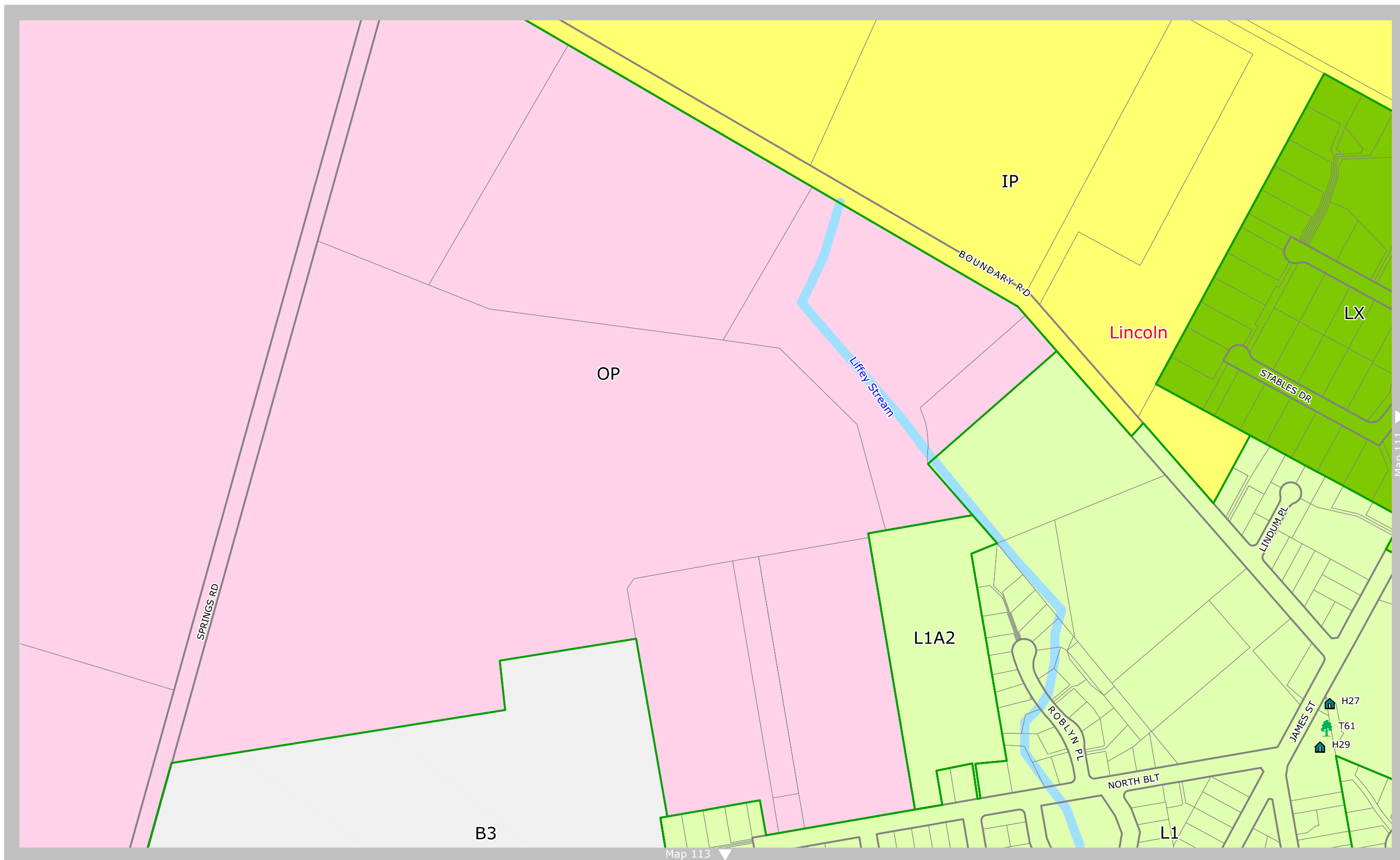
KEY

Protected Tree 	Heritage Building 	Scheduled Site 	Statutory Acknowledgement Site 	State Highways 	Railway 	Road Parcel 	Land Parcel 	Water Body 	Archaeological Site 
Protected Tree (Removed) 	Cultural Site 	Waahi Taonga Area 	Contours Above Sea Level 160m 2.74m	Zones High Country Port Hills Existing Development Area		Living 1 Living 2 Living X Deferred Living	Business 1 Business 2 Business 3	Inner Plains Outer Plains Malvern Hills	

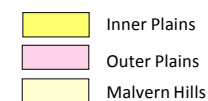
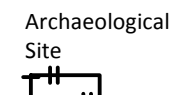
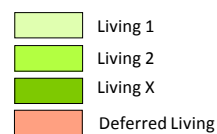
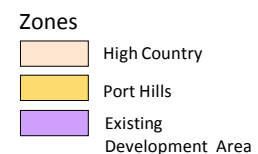
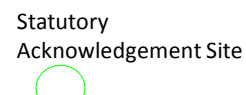


MAP
101
SHEET 2

Draft
15 Jan 2010
PC 18

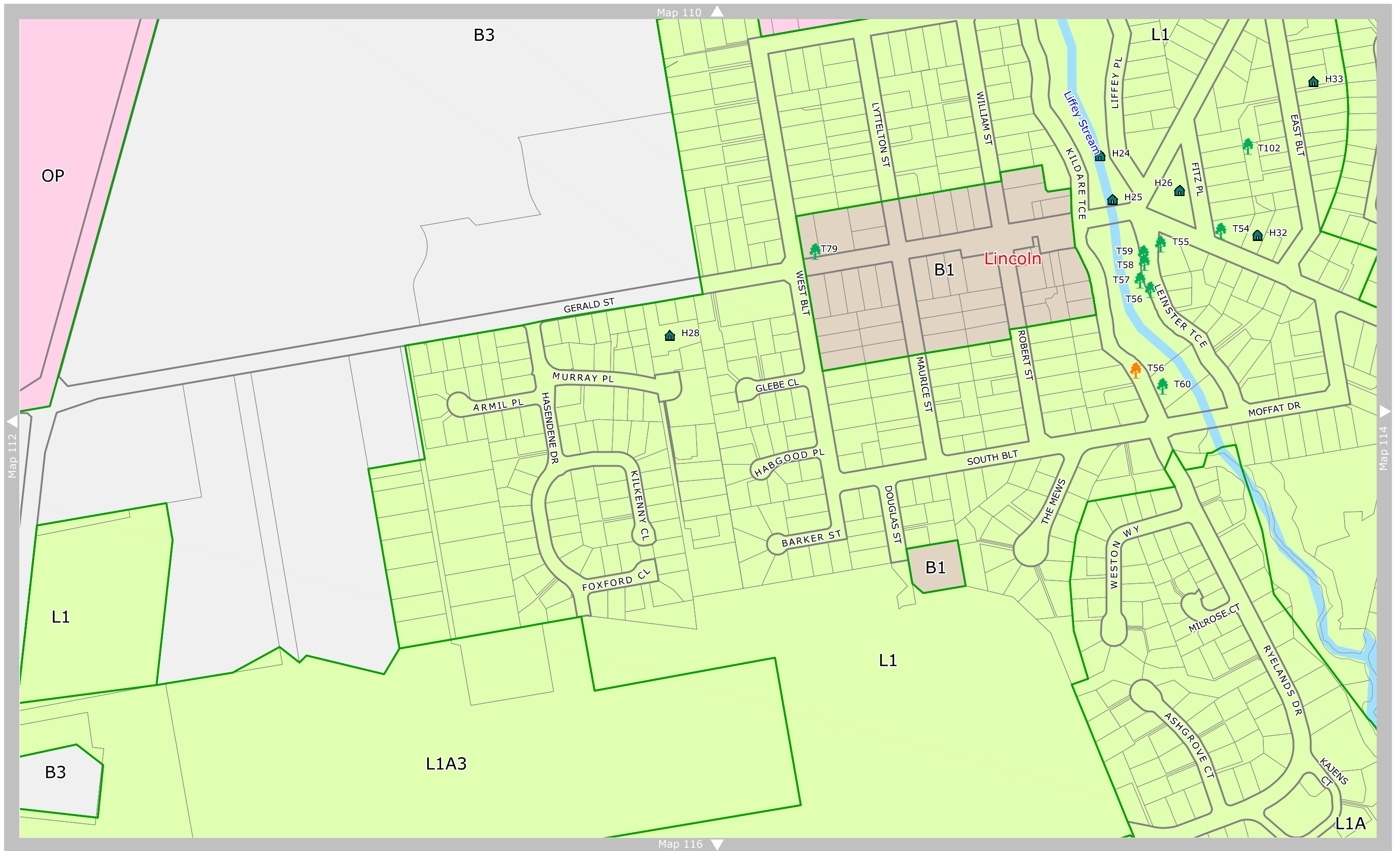


KEY



MAP
110
SHEET 2

Draft
15 Jan 2010
PC 18



KEY

Protected Tree



Protected Tree (Removed)



Heritage Building



Cultural Site



Silent File Area



Scheduled Site



Waahi Taonga Area



Statutory Acknowledgement Site



Contours Above Sea Level



160m

2.74m

State Highways



Railway



Road Parcel



Land Parcel



Water Body



Archaeological Site



Zones

High Country

Port Hills

Existing Development Area

Living 1

Living 2

Living X

Deferred Living

Business 1

Business 2

Business 3

Inner Plains

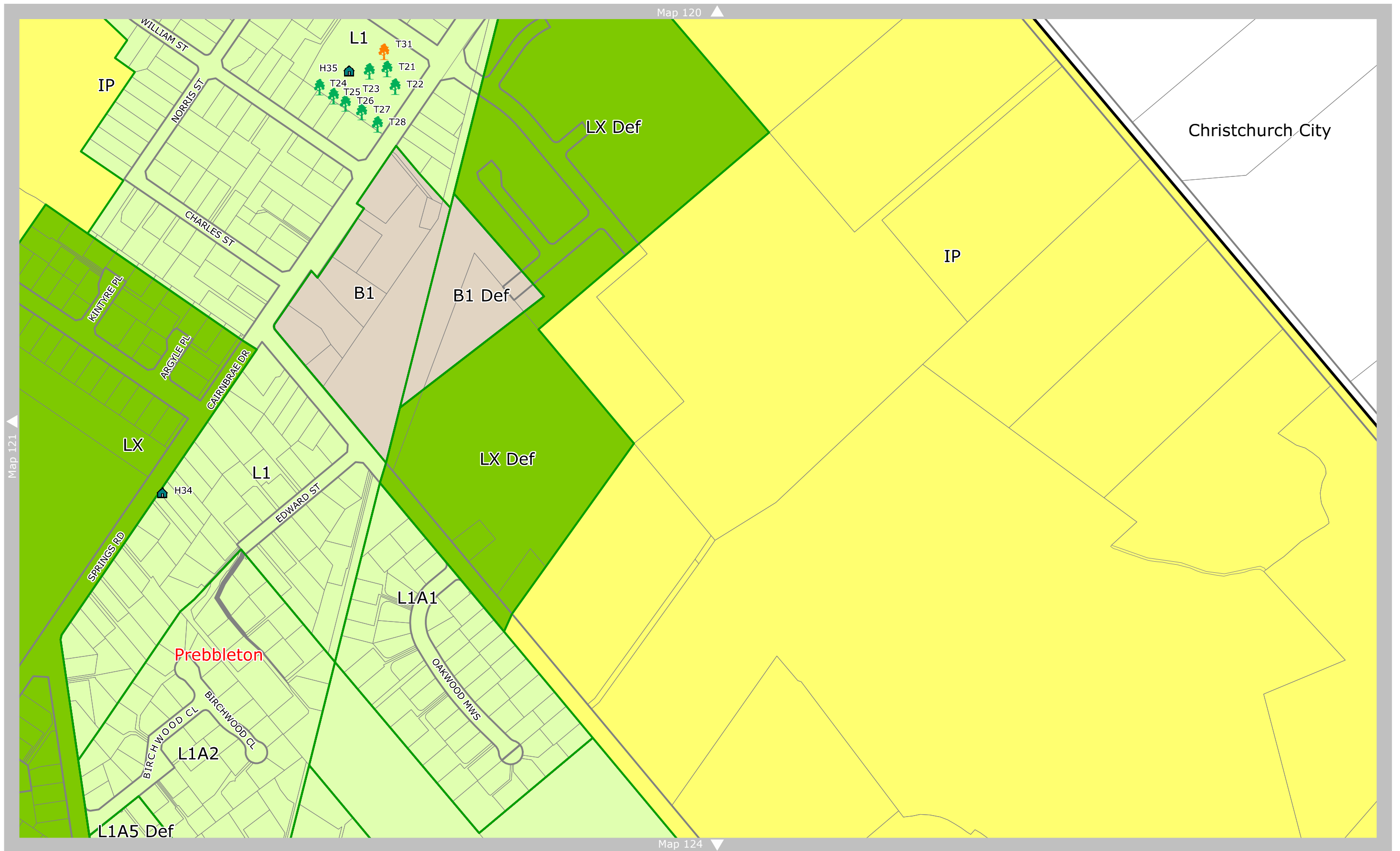
Outer Plains

Malvern Hills



MAP
113
SHEET 2

Draft
15 Jan 2010
PC 18



KEY

Protected Tree



Protected Tree (Removed)



Heritage Building



Cultural Site



Silent File Area



Scheduled Site



Waahi Taonga Area



Statutory Acknowledgement Site



Contours Above Sea Level

160m

2.74m



State Highways



Railway



Road Parcel



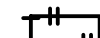
Land Parcel



Water Body



Archaeological Site



Zones

High Country

Port Hills

Existing Development Area

Living 1

Living 2

Living X

Deferred Living

Business 1

Business 2

Business 3

Inner Plains

Outer Plains

Malvern Hills



MAP
122
SHEET 2

Draft
15 Jan 2010
PC 18



KEY

Protected Tree



Protected Tree (Removed)



Heritage Building



Cultural Site



Silent File Area

Scheduled Site



Waahi Taonga Area



Statutory Acknowledgement Site



Contours Above Sea Level

160m

2.74m

State Highways



Railway



Road Parcel



Land Parcel



Water Body



Archaeological Site



Zones

High Country

Port Hills

Existing Development Area

Living 1

Living 2

Living X

Deferred Living

Business 1

Business 2

Business 3

Inner Plains

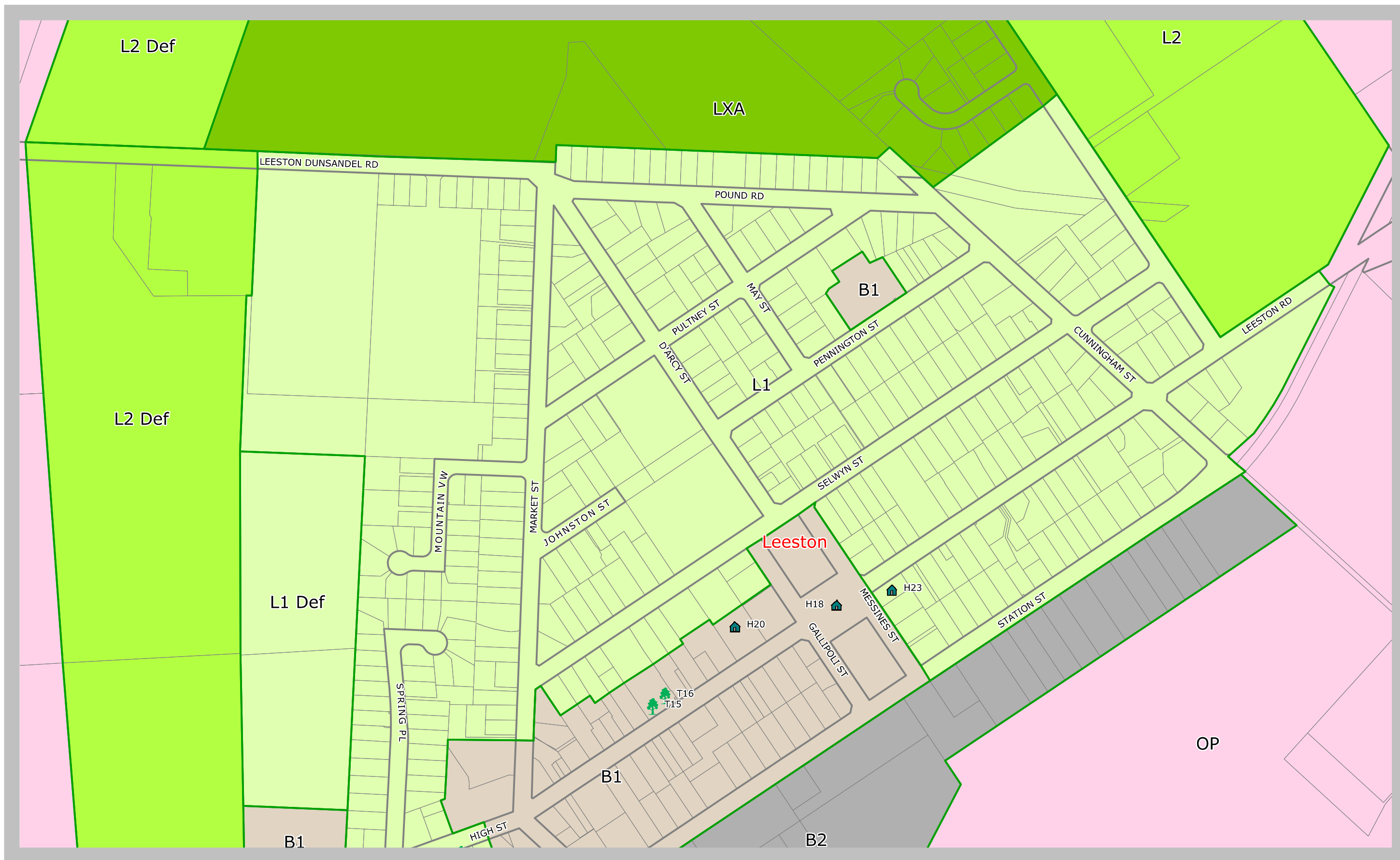
Outer Plains

Malvern Hills

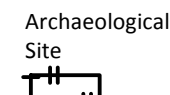
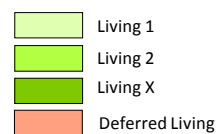
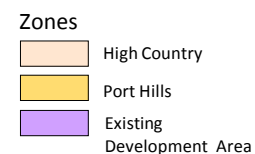
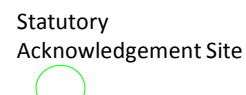
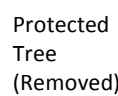


MAP
125
SHEET 2

Draft
15 Jan 2010
PC 18

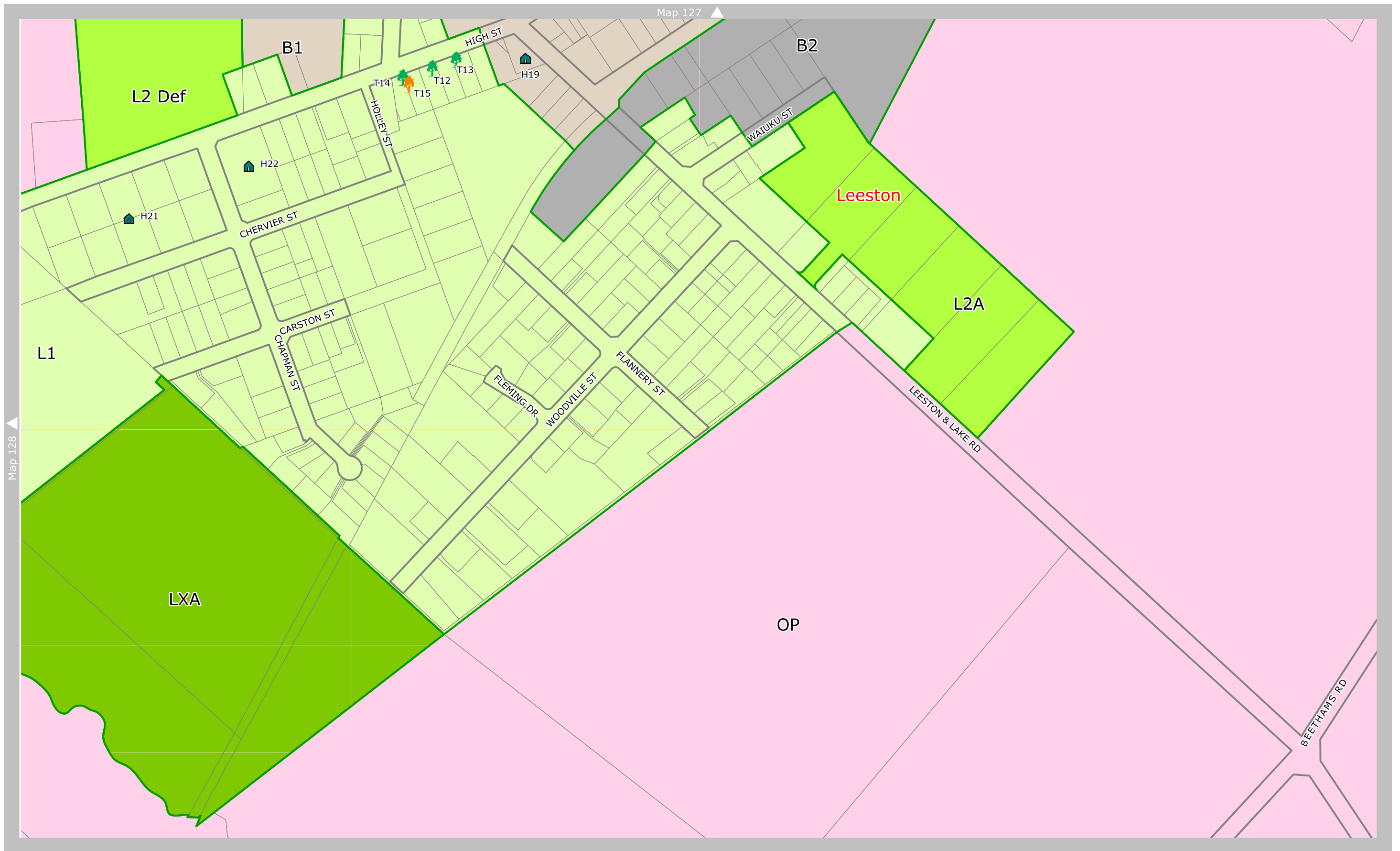


KEY



MAP
127
SHEET 2

Draft
15 Jan 2010
PC 18



KEY

Protected Tree



Protected Tree (Removed)



Heritage Building



Cultural Site



Silent File Area



Scheduled Site



Waahi Taonga Area



Statutory Acknowledgement Site



Contours Above Sea Level



State Highways



Railway



Road Parcel



Land Parcel



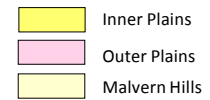
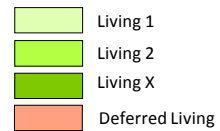
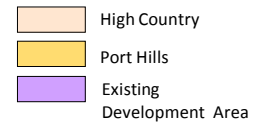
Water Body



Archaeological Site

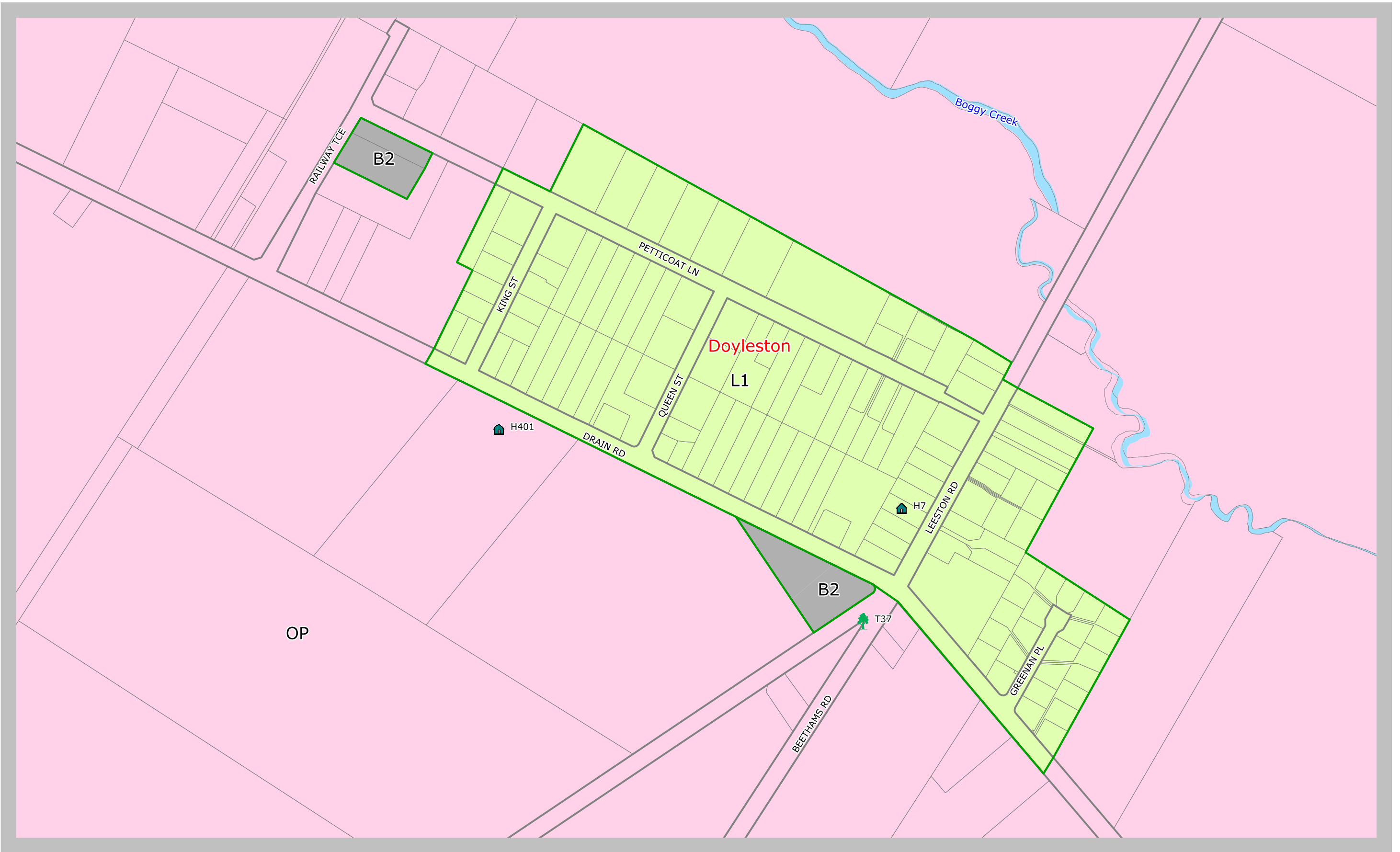


Zones



MAP
129
SHEET 2

Draft
15 Jan 2010
PC 18



KEY

Protected Tree



Protected Tree (Removed)



Heritage Building



Cultural Site



Silent File Area



Scheduled Site



Waahi Taonga Area



Statutory Acknowledgement Site



Contours Above Sea Level

160m
2.74m



State Highways



Railway



Road Parcel



Land Parcel



Water Body

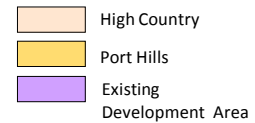


Archaeological Site

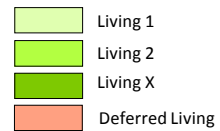


Zones

High Country
Port Hills
Existing Development Area



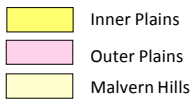
Living 1
Living 2
Living X
Deferred Living



Business 1
Business 2
Business 3

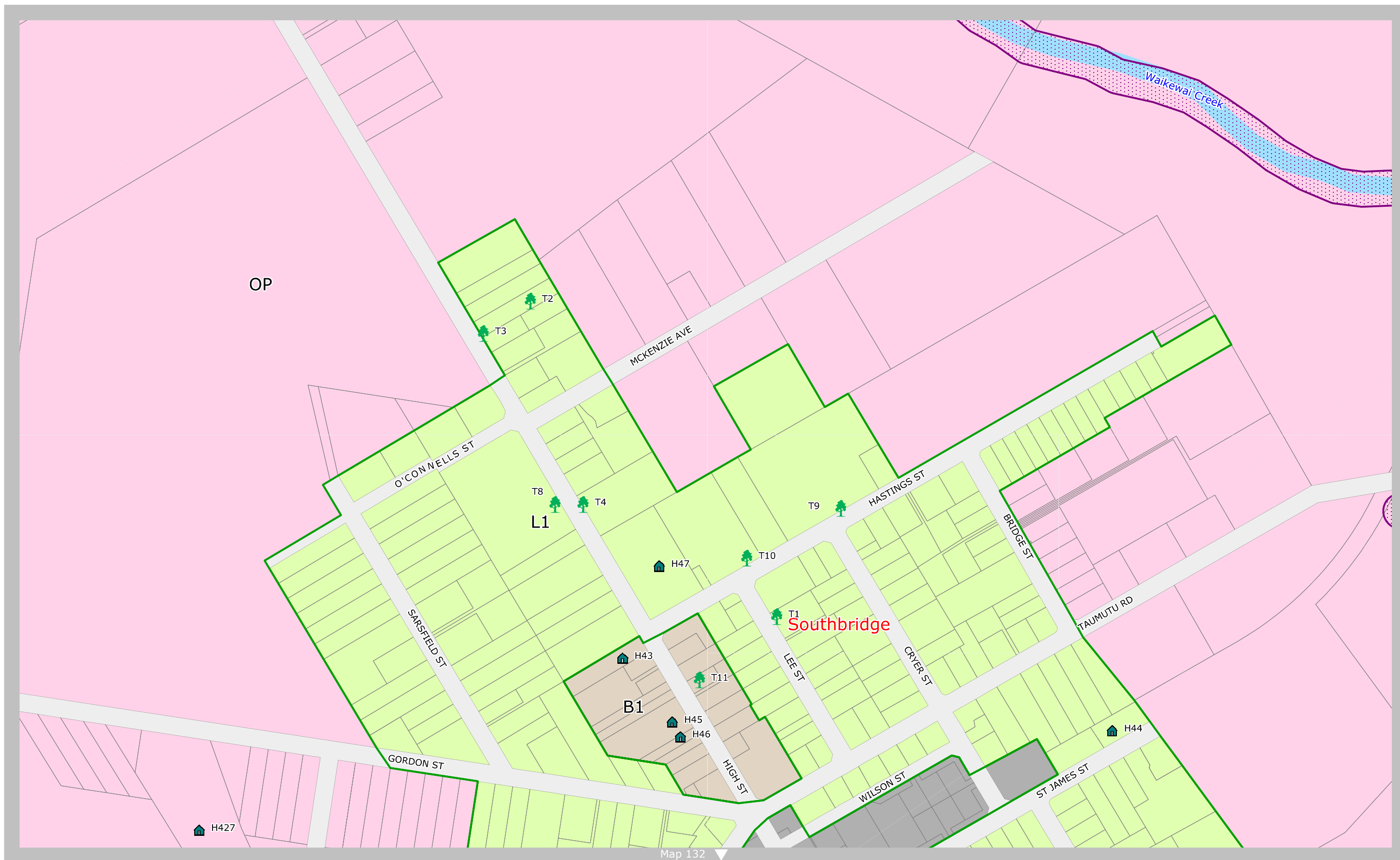


Inner Plains
Outer Plains
Malvern Hills



MAP
130
SHEET 2

Draft
15 Jan 2010
PC 18



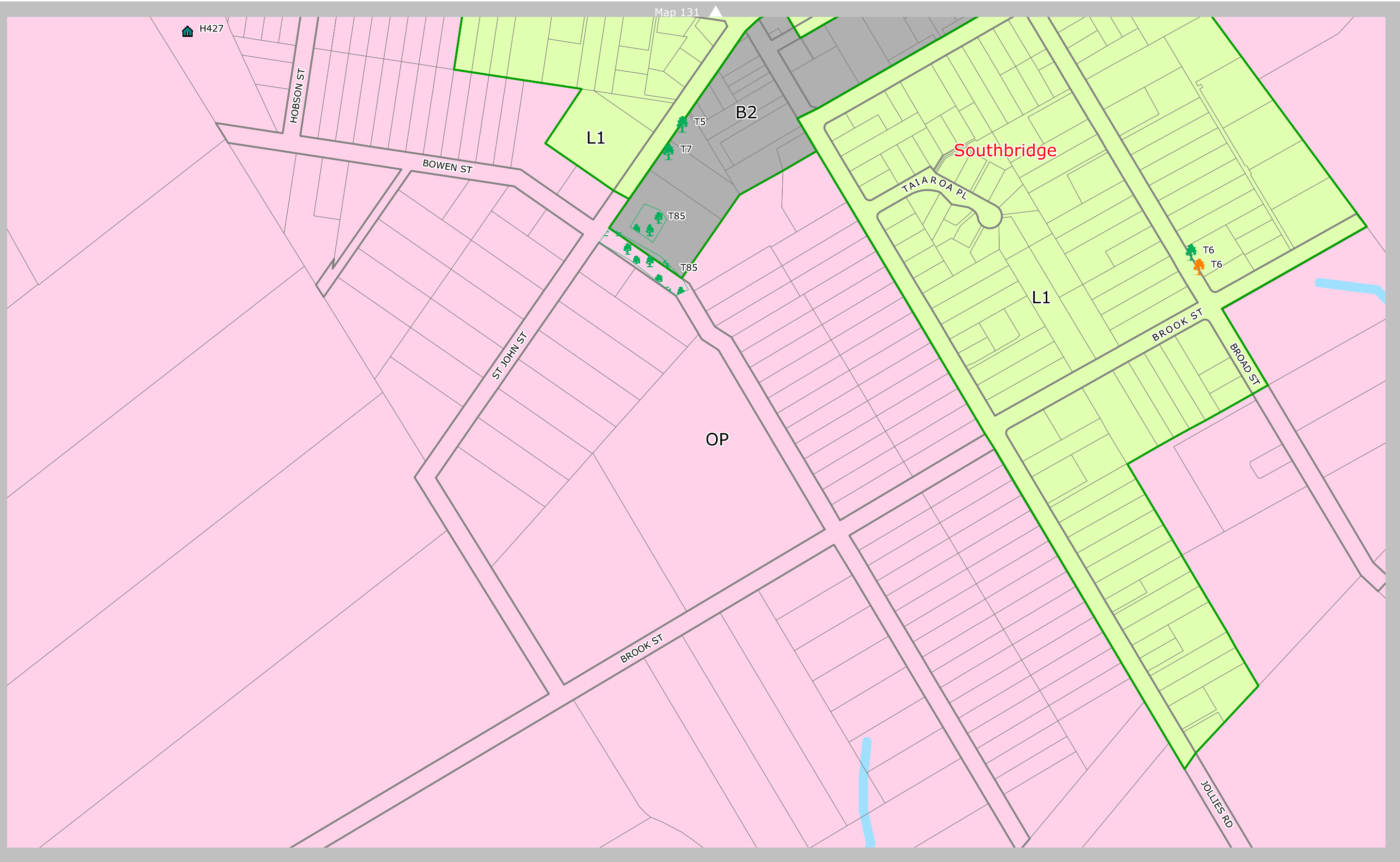
KEY

Protected Tree	Heritage Building	Scheduled Site	Statutory Acknowledgement Site	State Highways	Railway	Road Parcel	Land Parcel	Water Body	Archaeological Site
Protected Tree (Removed)	Cultural Site	Waahi Taonga Area	Contours Above Sea Level	Zones					
			160m	High Country		Living 1	Business 1	Inner Plains	
	Silent File Area		2.74m	Port Hills		Living 2	Business 2	Outer Plains	
				Existing Development Area		Living X	Business 3	Malvern Hills	
						Deferred Living			



MAP
131
SHEET 2

Draft
15 Jan 2010
PC 18

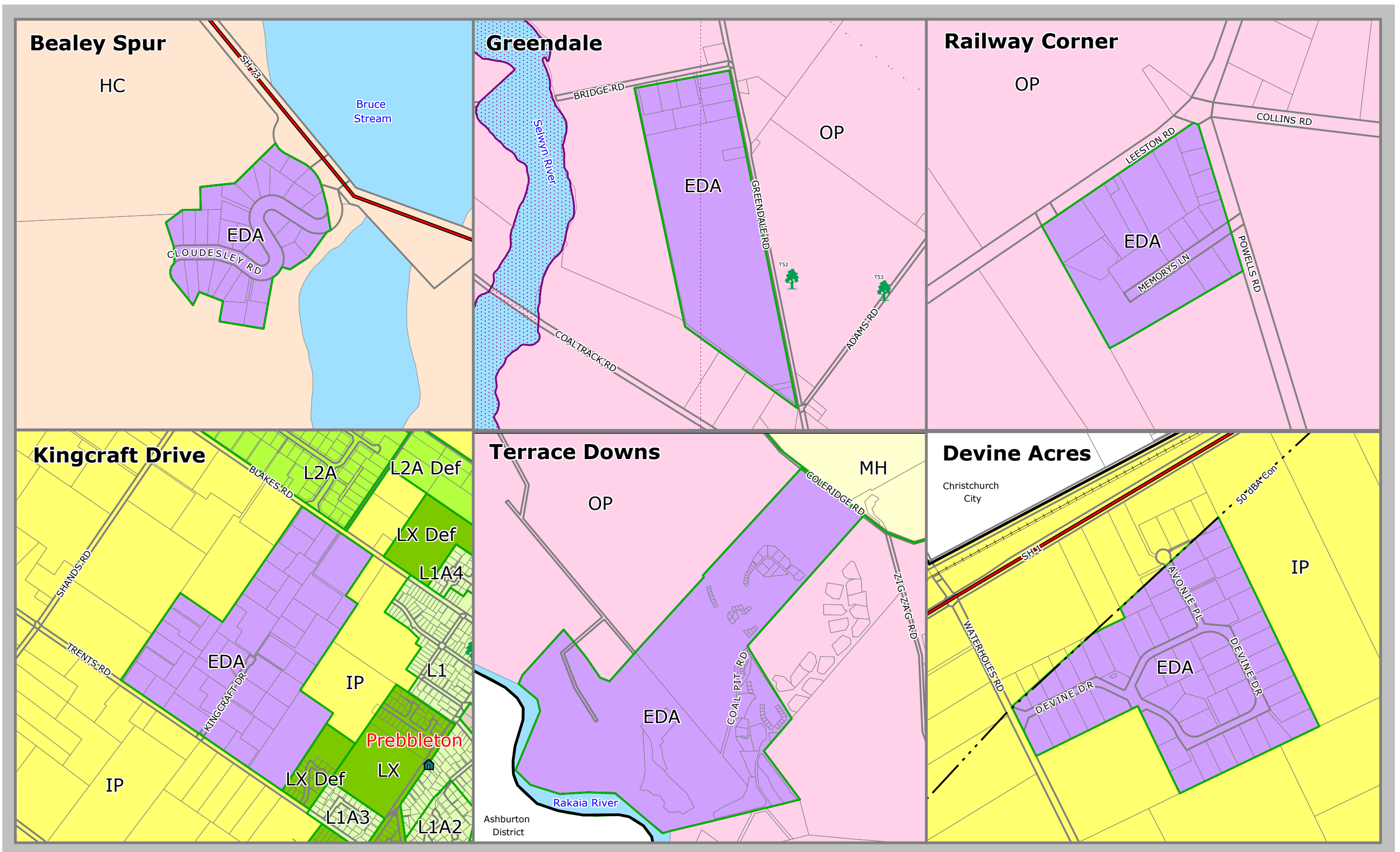


KEY

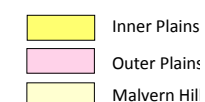
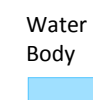
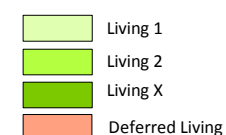
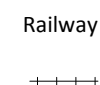
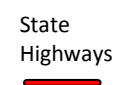
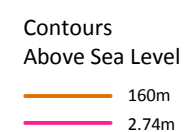
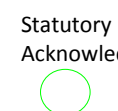
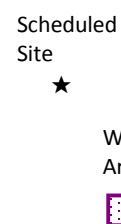
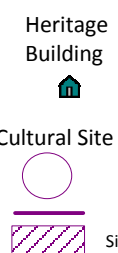
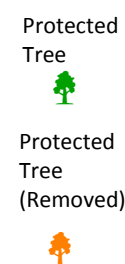
Protected Tree 	Heritage Building 	Scheduled Site 	Statutory Acknowledgement Site 	State Highways 	Railway 	Road Parcel 	Land Parcel 	Water Body 	Archaeological Site
Protected Tree (Removed) 	Cultural Site 	Waahi Taonga Area 	Contours Above Sea Level 160m 2.74m	Zones High Country Port Hills Existing Development Area		Living 1 Living 2 Living X Deferred Living	Business 1 Business 2 Business 3	Inner Plains Outer Plains Malvern Hills	



MAP
132
SHEET 2
Draft
15 Jan 2010
PC 18



KEY



MAP
135

SHEET 2

Draft
15 Jan 2010
PC 18

ATTACHMENT 2

Section 32 Evaluation

Protected Trees, Plan Change 18 – Section 32 Evaluation

1. INTRODUCTION

1.1 Background

The Selwyn District Plan currently includes provisions for the protection of significant or notable trees, known in the Plan as Heritage trees. When the Proposed District Plan was being compiled (1998-99) nominations for heritage trees were asked for and these were consequently listed in the Proposed District Plan when it was notified (2000-01).

The District Plan currently states that we want to protect our heritage from damage and deterioration. The Council incorporated protection of trees into the provisions in the Plan that protect "heritage", saying that they would protect trees as a heritage or amenity feature.

1.2 Why protect trees?

Trees are generally considered by most people to have value or significance for different reasons. They may provide a functional value such as shade from the sun, screening and soil stabilisation. It may be that they are pleasing visually and create character for an area. They could also have some historic or cultural significance. Or they could be significant in terms of their age, form or species.

It is the Council's role to protect those trees that can be identified as providing a benefit or have value to the community in a substantial way, whether this is physically or historically, for future generations and the enhancement of the environment.

1.3 Why a Plan Change?

The Council identified some time ago that the provisions contained within the District Plan in relation to the protection of identified trees need to be improved. Some of the flaws identified in the operative District Plan are:

- There are some errors in the descriptions of trees currently listed in the Plan.
- There is no information in the Plan to indicate the reasons why listed trees have value eg special association with a person, age, size, or species, nor are there sufficient records held by Council to determine this information.
- The trees currently listed were not identified against any set evaluation criteria and there is no information available to show the value attributed to each tree.
- The current provisions for protection of identified trees are not sufficient or robust enough to ensure adequate protection if challenged.
- There is a need to allow for additional trees to come under the protection of the Plan.

The Council has also received many enquiries over the years for information on the way in which trees are listed and the ability to include additional trees within the District Plan. There appears to be a community demand for including additional trees within the protection of the Plan.

The Council decided in 2008 to pursue a Plan Change to update and amend the provisions and process surrounding this issue, to provide appropriate levels of protection.

It should be noted that the term “Heritage Tree” is currently used in the District Plan but the values identified do not necessarily relate solely to heritage values. The reasons for protecting a tree may be wide and varied.

1.4 Scope

It is intended that the scope of this Plan Change be limited to consideration of trees with sufficient value or significance to be listed in the Selwyn District Plan and protected through the Plan provisions. This Plan Change seeks primarily to set in place a robust policy framework and evaluation process, but does provide for the consideration of additional trees within the Plan.

1.5 Existing situation

Currently the District Plan includes:

- Brief mention of the value of trees in Part B3.3 Culture and Heritage within the Townships and Rural Volumes.
- Rules in Part C3 Living Zone Rules - Heritage, and Part C15 Business Zone Rules – Heritage within the Townships Volume.
- Rules in Part C1 Rural Rules - Earthworks, and Part C2 Rural Rules - Tree Planting and Removal of Heritage Trees within the Rural Volume.
- A schedule of listed trees in Part E4 within the Townships and Rural Volumes.

1.6 Plan Change objective

The overall objective for this Plan Change therefore is to enable accurate recording of all significant trees, according to established evaluation criteria, and protection of these within a robust planning framework.

2. STATUTORY CONTEXT

2.1 Part II of the Act

Part II of the Act sets out a range of matters fundamental to the purpose of the RMA and the functions of District Councils. Of particular relevance to this Plan Change are aspects of sections 6 and 7 which include:

6(c) The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna

6(f) The protection of historic heritage from inappropriate subdivision, use and development.

7(c) The maintenance and enhancement of amenity values.

7(f) Maintenance and enhancement of the quality of the environment.

2.2 Section 32 of the Act

Under Section 32 of the Act, before the Council publicly notifies the changes promoted in this variation, it must carry out an evaluation to examine:

- the extent to which each objective is the most appropriate way to achieve the purpose of the Act; and

- whether, having regard to their efficiency and effectiveness, the policies, rules, or other methods are the most appropriate for achieving the objectives.

The evaluation is required to take into account:

- The benefits and costs of policies, rules, or other methods; and
- The risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods.

The key terms used in section 32 have particular meaning that has developed out of guidance and caselaw:

Appropriateness – means the suitability of the plan provision to its proposed purpose. It has two related meanings:

- a. In the context of s32(3)(a) (evaluation of appropriateness of objectives) its meaning may (depending on the circumstances) include relevancy, usefulness, achievability, or reasonableness.
- b. In the context of s32(3)(b) (appropriateness of policies, rules or other methods) it includes the extent to which the provisions will be efficient and/or effective.

Efficiency – means where the benefits will outweigh the costs, either immediately or over time. The most efficient policy or method will achieve the stated objective with the greatest benefit and at the least cost (costs and benefits may be quantitative, semi-quantitative and/or qualitative).

Effectiveness – means how successful a particular option is/will be in achieving the stated objective. How successful an option is can be measured in terms of not just whether an objective will be achieved outright; but it may alternatively relate to the extent to which progress will be made even if the objective won't be met in full. The speed at which progress is made may also be a relevant consideration.

2.3 Objectives of the District Plan

The District Plan does not currently contain any objective that relates specifically to the identification or protection of significant trees.

PART B3.3 CULTURE AND HERITAGE in both the Townships and Rural volumes contains the only references to significant trees at a policy level. In these sections, trees are mentioned as having heritage value or cultural value. It is also mentioned that the District Plan will contain rules in relation to trees.

The objectives in these sections are listed as:

Township volume:

Objective B3.3.1

A partnership for heritage protection is fostered between landowners, tāngata whenua, community groups and the Council.

Objective B3.3.2

Sites of waahi tapu and other importance to tāngata whenua are protected.

Objective B3.3.3

Sites and buildings with heritage values are recognised and, if appropriate, their values protected.

Rural Volume:

Objective B3.3.1

Sites of wāhi tapu, wāhi taonga, mahinga kai and other importance to tāngata whenua are protected in partnership with local rūnanga and landholders.

Objective B3.3.2

Sites and buildings with heritage values are recognised and protected, where appropriate, in partnership with landholders.

There are no policies within the Townships volume that specifically mention trees, but in the Rural volume there is one policy:

Policy B3.3.8

Discourage the demolition or destruction of heritage sites or buildings listed in Appendix 3, or the removal of heritage trees as listed in Appendix 4, except where necessary to:

- *Avoid danger to people or property; or*
- *Allow reasonable use of the site; and*
- *There are no appropriate options to retain the site, building, or tree.*

3. OPTIONS

There are a range of options which could be pursued in relation to Protected Trees. These include:

1. Status Quo: retain current Plan provisions
2. Review and update the current provisions (existing tree listing, the planning framework (objectives and policies), and rules)
3. Review and update the current provisions and consider additional trees (revised tree listing, the planning framework (objectives and policies), and rules)
4. Comprehensive review including incorporation of an evaluation criteria system

3.1 Status Quo: retain current Plan provisions

This would involve leaving the District Plan as it currently stands. The identified errors within the Plan (schedule of listed trees and planning maps) would continue in place with incorrect information being provided. The limited provisions for protection of identified trees would remain giving inadequate protection for trees.

3.2 Review and update the current provisions

This option would involve simply reviewing the current tree listing and updating this to correct errors. Also updated would be the policy framework and rules. Whilst this would provide correct information and additional protection for listed trees, it would not fulfil public expectations for additional trees.

3.3 Review and update the current provisions and consider additional trees

This option would involve the same process as option 2 above, but would also extend to include consideration of additional trees. There are a range of ways in which consideration could be given to adding trees to the list contained in the District Plan. The two key methods are to call for nominations from the public or to carry out a comprehensive survey of the District.

Calling for nominations allows for public involvement and is relatively cost effective for the Council. A comprehensive survey would be a costly exercise and would not provide for significant public involvement.

This option would provide correct information and additional protection for listed trees, and would also fulfil public expectations for additional trees.

3.4 Comprehensive review including incorporation of an evaluation criteria system

This final option would involve the same process as option 3 above, with the additional enhancement of the development and incorporation of an evaluation criteria system to assess the trees. This option would provide correct information and additional protection for listed trees, would fulfil public expectations for additional trees, and would provide a more robust process to support the listing of trees. This is the preferred option for the Council to pursue.

4. ANALYSIS OF THE OPTIONS

The Act requires an analysis of the benefits and costs¹ associated with a Plan Change, along with consideration of efficiency and effectiveness. The following table sets out this evaluation for the four options identified above:

¹ The Act defines "benefits and costs" as including benefits and costs of any kind, whether monetary or non-monetary.

Option	Benefits/Advantages	Costs/Disadvantages	Efficiency (benefits vs costs)	Effectiveness (achievement of the Plan Change objective)	Recommendation
1. Status Quo: retain current Plan provisions	No costs to Council in terms of plan change or consultation.	Continuation of inadequate protection for significant trees – the Plan does not currently provide adequate policy framework or rules. Continuation of errors in the District Plan eg incorrect schedule and planning maps. Council will not fulfil its functions under the RMA. Potential loss of significant trees that are not listed. With no new trees listed, public expectations would not be met.	This would not be an efficient option as the costs would outweigh the benefits.	This would not be an effective option as it would not achieve the objective of adequate recording and protection of significant trees.	This option is not preferred.
2. Review and update the current provisions	Errors in the District Plan would be corrected eg incorrect schedule and planning maps. An adequate level of protection would be provided for significant trees. Council will adequately fulfil its functions under the RMA.	Cost to Council in undertaking the Plan Change process. Potential loss of significant trees that are not listed. With no new trees listed, public expectations would not be met.	This would not be an efficient option as the costs would be equal to or outweigh the benefits.	This would not be an effective option as it would not achieve the objective of adequate recording and protection of significant trees.	This option is not preferred.

Option	Benefits/Advantages	Costs/Disadvantages	Efficiency (benefits vs costs)	Effectiveness (achievement of the Plan Change objective)	Recommendation
3. Review and update the current provisions and consider additional trees	<p>Errors in the District Plan would be corrected eg incorrect schedule and planning maps.</p> <p>An adequate level of protection would be provided for significant trees.</p> <p>Council will adequately fulfil its functions under the RMA.</p> <p>Additional trees listed would assist to avoid their loss through future development.</p> <p>Public expectations for the addition of trees to the list would be met.</p> <p>Public engagement through the nomination process.</p>	<p>Cost to Council in undertaking the Plan Change process and associated consultation.</p>	<p>This would be an efficient option as the benefits would outweigh the costs.</p>	<p>This would be an effective option as it would achieve the objective of adequate recording and protection of significant trees.</p>	<p>This option is not preferred.</p>
4. Comprehensive review including incorporation of an evaluation criteria system	<p>Errors in the District Plan would be corrected eg incorrect schedule and planning maps.</p> <p>An adequate level of protection would be provided for significant trees.</p>	<p>Cost to Council in undertaking the Plan Change process and associated consultation.</p> <p>Additional investigative work necessary to develop the evaluation criteria system and apply this to existing and</p>	<p>This would be an efficient option as the benefits would outweigh the costs.</p>	<p>This would be an effective option as it would achieve the objective of adequate recording and protection of significant trees.</p>	<p>This option is preferred.</p>

Option	Benefits/Advantages	Costs/Disadvantages	Efficiency (benefits vs costs)	Effectiveness (achievement of the Plan Change objective)	Recommendation
	<p>Council will adequately fulfil its functions under the RMA.</p> <p>Additional trees listed would assist to avoid their loss through future development.</p> <p>Public expectations for the addition of trees to the list would be met.</p> <p>Public engagement through the nomination process.</p> <p>A robust evaluation criteria system is used to assess all existing and nominated trees, leading to clear understanding of their value and significance.</p> <p>All in one process with all related issues resolved in one Plan Change.</p>	nominated trees.			

5. PROCESS FOR PREFERRED OPTION

5.1 Process undertaken

The process undertaken for pursuing the preferred option has involved:

1. Develop evaluation criteria and process for evaluation.
2. Apply evaluation criteria to trees currently listed in District Plan – confirm that they have sufficient value or significance to continue to be listed, confirm level of value (protected or heritage). In undertaking evaluation of trees, ensure accurate recording of tree location.
3. Apply evaluation criteria to trees nominated to be in the District Plan – confirm that they have sufficient value or significance to be listed, confirm level of value (protected or heritage). In undertaking evaluation of trees, ensure accurate recording of tree location.
4. Assess objectives and policies – amend as necessary to update provisions and recognise evaluation criteria and new process.
5. Assess rules – amend as necessary to provide a more robust protection regime.
6. Update schedule of heritage trees to include accurate details, and to include each tree's score.
7. Prepare amendments to planning maps to accurately locate trees.

5.2 Evaluation criteria system

An evaluation criteria system and process for evaluation has been developed. The evaluation criteria were developed by Arborist Walter Fielding-Cotterell, based on a range of systems used by other Councils and updated to suit the Selwyn District.

This system evaluates each tree against a range of factors and assigns points according to the level of value or significance that tree displays. This system seeks to ensure that only trees with sufficient significance become listed in the District Plan rather than the ability for any tree considered interesting by someone to be included. The factors considered include:

- Heritage/historic significance to the community
- Scientific or botanical significance
- Importance of the position of the tree in the landscape
- Cultural, ethical, social or spiritual significance, or commemoration of a great personal sacrifice by an individual for mankind
- Size of the tree
- Age of the tree
- Form and condition of the tree
- Suitability in relation to the setting or site conditions
- Functional value of the tree eg soil stabilisation

The points range from a score of 0 (eg a very small tree) to 32 (eg the only known specimen or remnant).

Whilst the evaluation criteria system has also been developed primarily to consider individual trees, it has been designed to enable consideration of a group or collection of trees. In some situations there are groups of trees that

individually may not merit protection but as a group provide a significant benefit to the community or environment.

A copy of the evaluation criteria form is attached as **Appendix One**.

It is proposed that trees with a score of 30 or more points be included within the District Plan and that a two tier tree status be included with trees scoring 60 or more points being subject to a higher level of protection. It was anticipated that around 10-20% of trees would score 60 or more points.

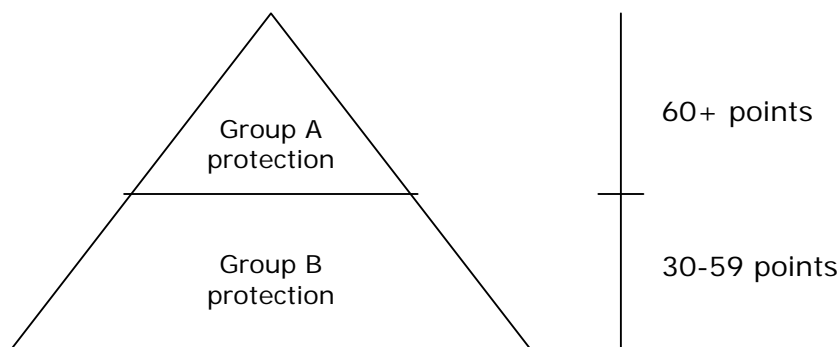


Figure 1: Two Tier Heritage Tree status

Trees that score above 60 points could potentially be worthy of a Heritage Protection Order under the S.189 of the RMA, if it were desired, which reinforces the higher level of protection afforded to such trees.

The scores allow the value of trees to be well understood. For example a tree may score 58 points and this would indicate that its value is high in the Category B area but not sufficient for the level of protection afforded by the Category A rules.

Importantly the evaluation criteria system does not put a monetary value on any trees. This would be a difficult addition to the system as it is very subjective and could also risk indication of trees as having a price that may not necessarily represent their value to the community.

5.3 Evaluation of existing trees

The existing trees or groups of trees listed in the District Plan (90+ trees over 78 sites) have been evaluated against the draft criteria discussed above. The results of this process showed that:

- 14 trees score less than 30 (lowest score 22)²
- 51 trees score 30-59
- 22 trees score greater than 60

The results of this evaluation process are included in the tree summary table attached as **Appendix Two**. (Copies of the completed evaluation forms are available from the Council on request.)

These results indicate that the split is slightly greater than expected with 25% of the existing trees having a significance that scores over 60 points. These trees include an English Ash (*Fraxinus excelsior*) that is over 100 years old and is

² Note: this includes seven trees that were not scored at all because the tree was not able to be found on the site where it was originally recorded.

located beside the historic Liffey Cottage (a listed heritage building) in Lincoln, and a very large Monterey Cypress (*Cupressus macrocarpa*) at Homebush Station, noted by S.W Burstall (formerly Forest Research Institute) as one of the most outstanding exotics tree in New Zealand and possibly one of the best in the world. This tree is approximately 52.4 metres tall and over 150 years old.

The reasons for 7 of the currently listed trees scoring less than 30 points is because of either poor structural form and disease or that after testing them against the protected tree criteria they have only gained a low score overall. It is possible that some of these trees may merit re-evaluation in the future as they may reach a greater score with increasing age/size or vigour.

5.4 Evaluation of nominated trees

The Council has called for nominations of trees (see section 7 below) and these trees have been evaluated against the draft criteria discussed above. The results of this process showed that:

- 4 trees score less than 30 (lowest score 14)
- 28 trees score 30-59
- 3 trees score greater than 60

Again, the results of this evaluation process are included in the tree summary table attached as **Appendix Two**. (Copies of the completed evaluation forms are available from the Council on request or can be viewed on the Council's website.)

These results also support but have a slightly lower than expected split with only 9% of the nominated trees having a significance level that scores over 60 points. These trees include a Walnut (*Juglans regia*) located at Nesslea, Greendale (a listed heritage building). This tree is over 100 years old and has been used as a propagating material source. Also scoring over 60 points is a Spanish Fir (*Abies pinsapo*) located at Waddington which is associated with the early settlement of the area. This tree is in the grounds of the historic Pine House (a listed heritage building).

The reason that four of the nominated trees scored less than 30 points is because they gained low scores when considered against the evaluation criteria. These trees have not been included in the Plan Change.

It is expected that the Council will undertake a review of the listed trees again in around 5-10 years time to enable additional trees to be added and any existing trees to be removed should they have lost their value eg become diseased.

5.5 Objectives and policies

As identified above, the District Plan does not currently have any objective specifically targeted at the identification and protection of significant trees. This is considered to be an area that would benefit from amendment to include an objective to specifically provide for significant trees.

It is considered appropriate to continue to deal with the issue of protected trees under the sections of the Plan dealing with Culture and Heritage. This is because there is a strong link between heritage buildings and protected trees, and also because culture and amenity are influence by significant trees.

It is proposed that one new objective be added to each volume, within PART B3.3 CULTURE AND HERITAGE. This new objective would read:

To recognise and protect trees that contribute to character, ecological, or amenity values and/or are of significance to tangata whenua, and the quality of the rural and urban environments identified in the District Plan.

The policies are also proposed to be amended to specifically provide for identification, evaluation and protection of significant trees. These policies would include:

- *To identify and evaluate trees of significance to the community and keep a record system for these trees.*
- *To protect identified trees from destruction or alteration which will adversely affect their significance or health as it relates to:*
 - *the long term life of the tree;*
 - *the heritage, ecological, biodiversity, botanical or amenity values of the tree;*
 - *any cultural values of the tree of significance to Tangata Whenua.*
- *To enable, where appropriate, some physical works on and around identified protected trees for normal cultivation/maintenance, safety purposes or essential services.*
- *To promote, educate and inform tree owners and the public about the significance of listed protected trees.*

There would also be a need to amend the existing policy in the Rural volume (B3.3.8) to remove reference to heritage trees as this would be covered by the new policies, and to include associated explanations and reasons for the new objective and policies.

5.6 Rules

The current rules are limited and thus do not provide an adequate degree of protection for significant trees. The current rules only mention earthworks and tree pruning with all other potential activities that could affect a tree lumped together as a restricted discretionary activity. This means that the range of activities that could affect a tree are not easily understood or considered.

It is proposed that a new set of rules be applied to listed trees. For some activities, these rules would be applied differently depending on whether the tree is a Category A tree (score of 60+ points) or Category B tree (score of 30-59 points). This allows some flexibility in the types of activity that can occur and recognition of the need for greater protection for the trees with higher values.

The proposed rules can be summarised as follows:

	Category A Tree	Category B Tree
<i>Any examination, tissue sampling, and diagnostic work recommended by an approved Council arborist to determine the safety, health and general condition of the tree, and carried out by or under the supervision of that arborist.</i>	<i>Permitted</i>	<i>Permitted</i>
<i>Normal cultivation of the soil for recreational, horticultural or agricultural purposes or the growing of crops or ornamental vegetation within 10m of the base of the tree or within the crown periphery (drip-line), whichever is</i>	<i>Permitted</i>	<i>Permitted</i>

<i>the greater.</i>		
<i>Hazardous or Dangerous Trees Removal, remedial work or pruning of a hazardous or dangerous tree provided that a hazard assessment of the tree has been done by an approved Council arborist and the tree is deemed potentially hazardous or dangerous.</i>	<i>Controlled</i>	<i>Controlled</i>
<i>Utility Operators Pruning of trees by Network utility operators where the tree or parts of the tree interfere with existing utility networks and the security of supply.</i>	<i>Restricted discretionary</i>	<i>Controlled</i>
<i>Tree Pruning Maintenance pruning of any listed tree is permitted where it meets the following: a) involves pruning branches in the bottom third of the tree only; and b) only branches 50mm in diameter or less may be pruned; and c) pruning is by the use of secateurs, loppers or handsaws (no chainsaws).</i>	<i>Permitted</i>	<i>Permitted</i>
<i>Tree Pruning Maintenance pruning of any listed tree that does not meet the provisions of rule above.</i>	<i>Restricted discretionary</i>	<i>Restricted discretionary</i>
<i>Fixing to Trees Fixing of any structure or object to any part of a listed tree or any operation which could wound the bark or wood tissue of any part of the tree.</i>	<i>Restricted discretionary</i>	<i>Restricted discretionary</i>
<i>Land use The use of the land around the protected tree, within the distances defined below is permitted, provided that the health of the tree is not adversely affected and that: Above ground level a) there is no installation of any overhead utility service within 10m of the base of the tree or within the crown periphery (drip-line), whichever is the greater. b) there is no construction, addition or replacement of any building within 10 metres from the base of the tree or within the crown periphery (drip-line), whichever is the greater. c) there is no new impervious surfacing, sealing, paving, soil compaction, or alteration of more than 75mm to the ground level (existing prior to works commencing) within 10m from the base of the tree or within the crown periphery (drip-line), whichever is the greater. d) there is no storage, application or deposition of any chemical or substance that could cause harm to the tree. Below ground level e) there is no laying/installation of any underground utility service within 10m of the base of the tree or within the crown periphery</i>	<i>Permitted</i>	<i>Permitted</i>

<i>(drip-line), whichever is the greater. f) there are no earthworks within 10m of the base of the tree or within the crown periphery (drip-line), whichever is the greater.</i>		
<i>Land use The use of the land immediately surrounding the listed tree that does not meet the provisions of rule above.</i>	<i>Non-complying</i>	<i>Restricted discretionary</i>
<i>Destruction or Removal Destruction or Removal of a listed tree requires resource consent.</i>	<i>Non-complying</i>	<i>Restricted discretionary</i>

In addition to these rules, it is also proposed to provide a series of matters that Council's discretion would be limited to when considering controlled or restricted discretionary activities. These are proposed to include:

- *The condition and future useful life expectancy of the tree including any potential hazard to persons or property.*
- *The effect of any pruning, damage or disturbance to the crown or root system of the tree on its appearance and health.*
- *Whether the tree is currently causing, or likely to cause, significant damage to buildings, services, property or heritage item/s, whether public or privately owned.*
- *Any adverse effects of the proposed activity on the values of the listed tree.*
- *For removal of a tree: the condition of the tree, including whether it poses a danger to people or property, or whether its condition is such that it is unable to be retained.*
- *The costs to the applicant of not allowing the proposed activity.*
- *Whether the applicant has the ability to undertake a complying development without the work detrimentally affecting the tree.*
- *The effect of any building or structure on the visibility of the tree from a road or public place.*
- *Whether the tree or trees seriously restrict the development of the site for its zoned purposes.*
- *Whether the tree or trees inhibits the growth of more desirable specimens nearby.*
- *Whether the tree still retains the essential characteristics for which it was originally protected.*
- *Whether a tree to be removed is capable of being successfully transplanted.*
- *Any substitute or compensating tree planting proposed.*
- *Whether the particular species of tree has been legally declared a noxious plant.*

These assessment matters are intended to guide Council's consideration of applications for activities that affect protected trees. They also provide some guidance to applicants on the matters which are relevant to consents and therefore the areas that need to be addressed in a resource consent application.

5.7 Schedule of listed trees, evaluation criteria, and planning maps

Appendix 4 to each of the Volumes of the District Plan contains a schedule of listed trees. This schedule sets out the tree's species, site location, site legal description, zone, and the planning map on which the tree is shown. All listed trees also have a unique identification number.

There are errors in the current schedule, particularly in relation to locations of sites. It is proposed to replace the current schedule with a new schedule that corrects existing errors and add in additional trees. The new schedule will also show the evaluation score gained by the tree and the category allocated (A or B).

In addition to the amended schedule, it is also proposed to incorporate the evaluation criteria into Appendix 4 for each Volume of the District Plan. This will clearly set out the criteria by which each tree is evaluated so that all users of the District Plan can be aware of the system used to list trees.

It is proposed to add to the Definitions section in each of the volumes, a definition for Protected Tree. This definition would read:

Protected Tree: *A tree, or group of trees, which are of significance to the District, and are listed in the protected tree schedule in Appendix 4.*

These trees fall into two categories:

- *Category A: trees that have particularly high levels of significance, particularly in relation to heritage values, and score the highest under the evaluation criteria.*
- *Category B: trees that have significance for a range of reasons (i.e. landscape importance) and have a moderate score under the evaluation criteria.*

It is also noted that the intention is to include the same information in both the Townships and Rural volumes of the Plan. Whilst some trees may contribute differently to the character or amenity of the area in which they are located according to whether it is rural or urban, generally the attributes that make a tree significant are similar. For this reason, and for ease of use, it is proposed that the protected tree information be replicated in each volume. This is particularly important where a tree may be located close to the boundary between zones and thus users of the Plan may want information on that tree in both volumes.

6. EVALUATION OF PREFERRED OPTION

6.1 Planning Provisions

The Canterbury Regional Policy Statement (RPS) provides an overview of the resource management issues of the region. It sets out how natural and physical resources are to be managed in an integrated way to promote sustainable management.

The RPS does not specifically discuss the identification and protection of trees that are of significance. However the section on Landscape, Ecology and Heritage (Section 8) discusses the need to avoid adverse effects on aspects of the environment including natural character, natural features, vegetation, historical and cultural heritage. This includes mention of "*Protection or enhancement of the historical and cultural heritage sites, buildings, places and areas, including their cultural, recreational and amenity values, that contribute to Canterbury's distinctive character and sense of identity*"³.

Significant trees contribute to both Canterbury generally and particularly within each district. The identification and protection of such significant trees is consistent with the general intent of the RPS to provide for such natural resources and recognize the role they play in the regional sense of identity.

As discussed above, the current District Plan does not contain any objective relating specifically to the identification or protection of significant trees, and only

³ RPS, Landscape, Ecology and Heritage, Objective 4.

one policy is included in the Rural volume. However the current plan does identify some trees and provide some protection of these trees through rules.

Despite the lack of a policy framework, the approach of identification and protection is not new to the Plan and is generally covered by the heritage provisions. Whilst there is some connection, this is not explicit and does not well support the intention of the Council to provide for these trees. Overall however, it is considered that the identification and protection of significant trees is consistent with the intent of the Plan to protect ecosystems and vegetation, protect items of heritage and cultural value, and protect the quality of the environment and amenity values.

6.2 Appropriateness

The addition of a new objective into each Volume of the District Plan, specifically dealing with protected trees, is the most appropriate way to achieve the purposes of the Act in relation to protection of significant trees. The Council has a responsibility under the RMA and under their own internal policies to protect and enhance the amenity and quality of the environment in the Selwyn District, and the Council considers that the recognition and protection of significant trees is essential to achieving this. Continuing the current situation of not having any objective in the District Plan that deals specifically with trees would be inappropriate as it would not provide the level of recognition or protection necessary.

It is relevant to include a specific objective on protected trees rather than continuing to rely on trees being understood to be part of general heritage provisions. This is most useful in the understanding of the reasons for protecting trees and will assist users of the Plan.

The addition of new policies into each Volume of the District Plan, specifically dealing with protected trees, is the most appropriate way to achieve the objectives for tree protection that are proposed to be inserted into the Plan. Even without these objectives, the new policies would be appropriate in achieving the overall amenity goals of the District Plan. The specificity of the policies assists to set a strong policy framework that is clear in its aim for recognition and protection of identified trees. Continuing the current situation of no policy in the Townships volume and only one partial policy in the Rural volume would be inappropriate as it would not provide the necessary framework to support the objectives of the Plan.

The updating and expanding of the rules relating to protected trees in each Volume of the District Plan is the most appropriate way to achieve the objectives and policies. Without this updating and expansion, the policies would be ineffectual in the way that listed trees are treated. The lack of specificity in the current rules undermines the Council's desire to provide for the protection of identified trees and this is proposed to be improved.

The way in which the rules have been developed is appropriate as it provides for a range of activities that could occur and sets an activity status depending on the degree of potential harm that such an activity could cause to the listed tree. It also applies different activity status for some activities affecting Category B or A trees. This is an appropriate approach to flexibility in the treatment of the different trees and recognises the difference in values or in effects of activities that may occur.

The provision of a new schedule of listed trees and evaluation criteria into Appendix 4 of each Volume of the District Plan is the most appropriate method to support the other amendments to the Plan. Without corrections in the schedule of listed trees, this would not adequately support the policy framework and rules.

Likewise the addition of trees to this list is appropriate in recognising and providing for the community demand to protect trees.

The incorporation of the evaluation criteria into the appendix is appropriate as it will assist users of the Plan in understanding why listed trees have been protected. It will identify the criteria applied to all trees and enable better understanding of the range of reasons why a tree may have value to the community or the environment.

Likewise the provision of updated planning maps to accurately reflect the locations of the protected trees is the most appropriate method to identify the trees graphically within the District Plan. This is consistent with the current system and the manner in which trees are displayed in most other District Plans. It is also the method most likely to be understood by users of the District Plan making it easy for both staff and the public.

6.3 Efficiency and Effectiveness

In considering efficiency, the aspects of the plan change have been compared to the status quo of the existing District Plan provisions relating to trees.

In relation to the new policies, it is considered that the benefits outweigh the costs, as follows:

Benefits	Costs
<p>Policies are specific to protection of trees rather than assumed to be part of heritage generally.</p> <p>An adequate level of protection would be provided for significant trees through a strong policy framework.</p> <p>Council will adequately fulfil its functions under the RMA.</p> <p>Public expectations for the protection of trees would be met.</p>	<p>Amendments are necessary to the existing sections that relate to heritage items and incorporate trees.</p>

In relation to the amendments to the rules, it is considered that the benefits outweigh the costs, as follows:

Benefits	Costs
<p>Rules are enhanced to give a more robust approach to the protection of trees.</p> <p>Rule as tailored to the differences in activities and the differences between Category A and B trees.</p> <p>An adequate level of protection would be provided for significant trees through a strong rule system.</p>	<p>Amendments are necessary to the existing sections that relate to rules for trees.</p> <p>Some additional consents may be required for future activities that would not be required under the existing rules.</p>

In relation to the amendments to the other methods (schedule of trees, evaluation criteria, and planning maps), it is considered that the benefits outweigh the costs, as follows:

Benefits	Costs
Errors in the District Plan would be	Amendments are necessary to the existing

<p>corrected eg incorrect schedule and planning maps.</p> <p>Additional trees listed would be protected to avoid their loss through future development.</p> <p>Public expectations for the addition of trees to the list would be met.</p> <p>A robust evaluation criteria system is used to assess all existing and nominated trees, leading to clear understanding of their value and significance.</p>	<p>appendices and planning maps.</p>
---	--------------------------------------

In relation to effectiveness, each aspect of the proposed changes has been considered as they were developed, to ensure that they are understandable, applicable, and enforceable. They are considered to be effective in recognising and protecting trees within the District Plan.

Overall, the proposed provisions are considered to be both efficient and effective in achieving protection of identified trees.

6.4 Risk of acting or not acting

The Act requires consideration of the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods. In this situation there is sufficient information regarding the subject of protected trees. The errors within the current Plan have been clearly identified as needing correction. The public and political demand for greater protection of significant trees has also been established.

The content of the proposed policies, rules and other methods is clear and specific to the intent of protecting identified trees. There is no uncertainty in the way in which these changes to the Plan would be applied.

There are a number of potential risks from not proceeding with the Plan Change, these include:

- Errors in the current Plan descriptions and on the planning maps continue and allow protected trees to be lost as the intended provisions of the Plan may not be able to be enforced.
- There is insufficient information available about listed trees to support their protection through the resource consent process.
- There is insufficient strength in the District Plan provisions to adequately protect listed trees in the consenting process.
- Additional trees of significance are not protected in the Plan and are lost or damaged through development.

Overall therefore, there is not considered to be any risk from proceeding with this Plan Change.

7. CONSULTATION

During preparation of the Plan Change documentation, the Council contacted the owners of the sites on which the currently listed trees are located. Council provided details of the trees as contained in Council records and asked for confirmation of those details and any additional information about the tree that the landowner may hold. The Council also mentioned that it would be calling for nominations for additional trees (see below).

Replies from 12 landowners were received which generally agreed with the details supplied, some with a few minor corrections. None of these replies included any additional trees for nomination.

A copy of a sample letter is contained in **Appendix Three**.

During preparation of the Plan Change documentation, the Council carried out a process of calling for public nominations of additional trees to be added to the District Plan. This process included:

- Notices in the Council pages of the local newspapers and on the Council's website
- A letter was sent out to community/hall committees asking them for nominations.
- Provision of forms for nominators to complete
- Review of nominated trees against the draft evaluation criteria
- Correspondence with nominators over the outcomes of the evaluation process.

Copies of a public notice, blank nomination form and nomination FAQ's are contained in **Appendix Three**. (Copies of the completed evaluation forms are available from the Council on request or can be viewed on the Council's website.)

Prior to notification of the Plan Change, the Council consulted with some key stakeholders. These included:

- The Ministry for the Environment,
- The New Zealand Transport Agency,
- Christchurch City Council,
- Environment Canterbury,
- Mahaanui Kurataiao Ltd,
- Orion, and
- Telecom.

These stakeholders were contacted as there is the potential for the proposed changes to impact on their operations or for them to have particular interest in this Plan Change, and their feedback on the Plan Change was considered important.

Responses were received from Telecom, the New Zealand Transport Agency and Mahaanui Kurataiao Ltd. These provided a range of feedback on the proposed plan change and sought a range of outcomes. This feedback was considered and a variety of text changes were made to policies, explanations and rules.

Some matters raised in the feedback (those relating to changes in activity status) were considered by the Council to not be appropriately addressed prior to notification but to become the subject of submissions and be determined through hearings and decisions.

APPENDIX ONE:

EVALUATION CRITERIA FORM

**Selwyn District Council - District Plan
Heritage Tree Criteria/Evaluation System**

Tree No.:	Location:	Legal Description:	Inspected by:
Species:	Map No.:	Area/Zone:	Date:
Height (m):	Diameter at breast height (mm):	Mean Crown diameter (m):	Tree Score:

Factors	Points: 0	2	4	8	16	32
Heritage/ historic				Local area/community significance or planted by well known local identities or organisations	Early settler plantings or trees intrinsically associated with historic/heritage buildings or places or important historical events.	Trees commemorating important regional or national historic events or planted by historic identities.
Scientific/ botanical	No special scientific or botanical value. Classified as noxious or surveillance plant or unwanted wilding exotic tree species. Protection not valid except for	Few good specimens of particular species in particular township or local community	Rare throughout Selwyn District.	Rare in Canterbury region or significant tree group or ecological association or important seed or propagating material source..	Rare throughout New Zealand OR arboretum OR tree collection.	Only known specimen in New Zealand or last remnant of native trees or bush.

Factors	Points: 0	2	4	8	16	32
	any tree that qualifies for protection under a 32 point column.					
Importance of position in landscape	Totally obscured by trees, structures or not seen from a public place.	Small tree or tree more than 50% obscured by other trees, objects or landscape.	Roadside or park tree or tree/s in well frequented public place or private property.	Fine avenue or street plantings or tree/s growing in areas where other large trees are scarce.	Principal feature of important public place or landscape design. Well known district landmark or provides "gateway" effect to township or local community.	Landmark of national importance OR Tree/s are a vital component of a definitive landscape design.
Cultural, ethnical, social, or spiritual values or to commemorate a great personal sacrifice by an individual for mankind.	No special cultural, social, ethnical or spiritual values.	Planted by unknown cultural etc. person/s to commemorate minor cultural etc. event.	Planted by well known cultural etc. person/organisation or event of local importance.	Tree well known throughout district to be of cultural etc significance. Tree represented as emblem or symbol.	Tree well known throughout Canterbury region to be of cultural etc significance.	Tree well known nationally to be of cultural etc significance.
Size (Crown diameter x total height) or exceptional trunk diameter.	Very small – less than 10m ² .	Small – 10m ² to 50m ² .	Medium - 50m ² to 150m ² .	Large – 150m ² to 250m ² or largest tree in locality.	Very large 250m ² or more. Very large specimen or trunk diameter exceptionally large for particular species or grove of trees.	Largest or one of largest of particular species in New Zealand.
Age	Recent planting.	5 – 50 years.	50 – 100 years.	100 – 150 years.	150 years plus.	Oldest on record in New Zealand.
Form and condition	Dying, dead, diseased, unbalanced, bad structural defects or dangerous and cannot be rectified. Protection not	Poor condition or form, stable condition, no bad defects. Any hazardous and other conditions can be rectified.	Fair – reasonable form, stable condition, no bad defects.	Good form, healthy condition, making good growth or interesting character.	Exceptionally good, outstanding specimen for district and region.	One of best examples of species in New Zealand.

Factors	Points: 0	2	4	8	16	32
	valid even if points are scored for other factors.					
Suitability in relation to setting or site conditions	Totally obscures or is causing significant damage to heritage objects, buildings or any essential structure or utility. Protection not valid except for any tree that qualifies for protection under the 16 and 32 point columns.	Partially obscures a heritage object or is causing slight damage to: important structures, dwellings or commercial premises that can be rectified.	Tree not obscuring or injuriously affecting any buildings, objects, structures, services or utilities. No significant negative values.	Good juxtaposition and harmony with important buildings, objects, structures and essential services or utilities.	Tree species and position specifically chosen and designed to enhance whole site or neighbourhood.	Classic and nationally recognised example of excellent landscape design with trees.
Functional value e.g. soil stabilization, noise amelioration, shelter, screening, pollution control shade tree etc.	No functional value.	25% effective, state function:	50 % effective, state function:	75% effective, state function:	100% effective, state function:	Of vital public interest that function be maintained. State function:

Notes:

APPENDIX TWO:
TREE SUMMARY TABLE

Trees recommended for inclusion in the District Plan:

New Tree No.	No. (from current District Plan)	Name / Species	Location	Legal Description	Zone	Map No.	Evaluation Score	Tree Category
T01	T1	Strawberry Tree /Arbutus unedo	Presbyterian Church, Lee Street, Southbridge	Lot 1 DP 74959	Liv 1	131	44	B
T02	T3	Copper Beech /Fagus sylvatica purpurea	45 High Street, Southbridge	PT RS 5861	Liv 1	131	34	B
T03	T3	English Oak /Quercus robur	45 High Street, Southbridge	PT RS 5861	Liv 1	131	38	B
T04	T4	Wellingtonia /Sequoiadendron giganteum	67 High Street, Southbridge	LOT 1 DP 49280	Liv 1	131	52	B
T05	T5	Pin Oak /Quercus palustris	St John Street, Southbridge	PT LOT 19 DP 712	Bus 2	132	34	B
T06	T6	English Oak /Quercus robur	Broad Street, Southbridge	LOT 1 DP 373810	Liv 1	132	32	B
T07	T7	Wellingtonia /Sequoiadendron giganteum	St John Street, Southbridge	PT RS 4477	Bus 2	4, 132	40	B
T08	T9	Wellingtonia /Sequoiadendron giganteum	50 High Street, Southbridge	PT LOT 2 DP 7551	Liv 1	4, 131	60	A
T09	T11	Common Lime /Tilia x vulgaris	Southbridge School, Hastings Street, Southbridge	LOT 1 DP 80498	Liv 1	4, 131	30	B
T10	T11	Chinese Poplar /Populus yunnanensis	Southbridge School, Hastings Street, Southbridge	LOT 2 DP 18297	Liv 1	4, 131	34	B
T11	T13	Walnut /Juglans regia	Children's playground, High Street, Southbridge	PT RS 3344,4041	Bus 1	4, 131	32	B
T12	T15	Golden Ash /Fraxinus excelsior 'jaspidea'	Leeston Park, Leeston	LOT 4 DP 1221	Liv 1	4, 129	36	B

New Tree No.	No. (from current District Plan)	Name / Species	Location	Legal Description	Zone	Map No.	Evaluation Score	Tree Category
T13	T15	Pin Oak /Quercus palustris	Leeston Park, Leeston	LOT 6 DP 1221	Liv 1	4, 129	46	B
T14	T15	Common Lime /Tilia x vulgaris	Leeston Park, Leeston	PT LOT 2 DP 1221	Liv 1	4, 129	38	B
T15	T17	Indian Cedar /Cedrus deodara	St David's Methodist Church, High Street, Leeston	LOT 1 DP 62985	Bus 1	4, 127	48	B
T16	T17	Indian Cedar /Cedrus deodara	St David's Methodist Church, High Street, Leeston	LOT 1 DP 62985	Bus 1	4, 127	40	B
T17	T22	Wellingtonia /Sequoiadendron giganteum	Springfield Church, SH 73, Springfield	PT RS 20516	Outer Plains	21, 52	58	B
T18	T24	Monterey Pine /Pinus radiata	Porter's Pass, 500m from SH 73	RS 33889	High Country	25	48	B
T19	T30	Red Oak /Quercus rubra	All Saints Garrison Church, Burnham	PT RES 1160	Outer Plains	13	48	B
T20	T30	Red Oak /Quercus rubra	East Corner of Buckleys Rd, Queens Dr	PT RES 1160	Outer Plains	13	54	B
T21	T31	Monterey Cypress / Cupressus macrocarpa	All Saints Churchyard, Springs Road, Prebbleton	PT LOT 2 DP 27568	Liv 1	14, 122	64	A
T22	T31	English Oak /Quercus robur	All Saints Churchyard, Springs Road, Prebbleton	PT LOT 2 DP 27568	Liv 1	14, 122	48	B
T23	T31	English Oak /Quercus robur	All Saints Churchyard, Springs Road, Prebbleton	PT LOT 2 DP 27568	Liv 1	14, 122	56	B
T24	T31	English Oak /Quercus robur	All Saints Churchyard, Springs Road, Prebbleton	PT LOT 2 DP 27568	Liv 1	14, 122	56	B
T25	T31	English Oak /Quercus robur	All Saints Churchyard, Springs Road, Prebbleton	PT LOT 2 DP 27568	Liv 1	14, 122	56	B

New Tree No.	No. (from current District Plan)	Name / Species	Location	Legal Description	Zone	Map No.	Evaluation Score	Tree Category
T26	T31	English Oak /Quercus robur	All Saints Churchyard, Springs Road, Prebbleton	PT LOT 2 DP 27568	Liv 1	14, 122	56	B
T27	T31	English Oak /Quercus robur	All Saints Churchyard, Springs Road, Prebbleton	PT LOT 2 DP 27568	Liv 1	14, 122	56	B
T28	T31	English Oak /Quercus robur	All Saints Churchyard, Springs Road, Prebbleton	PT LOT 2 DP 27568	Liv 1	14, 122	56	B
T29	T32	English Oak /Quercus robur	Kirwee Monument, Kirwee	PT Coal Tramway Reserve	Outer Plains	4, 84	30	B
T30	T33	Common Ash /Fraxinus excelsior	Cnr Main South Road & Hororata Dunsandel Road, Dunsandel	Road Reserve	Outer Plains	7, 92	40	B
T31	T34	Western Yellow Pine/Pinus ponderosa	Sheffield Domain, Sheffield	RS 42314	Outer Plains	36, 53	42	B
T32	T34	Western Yellow Pine/Pinus ponderosa	Sheffield Domain, Sheffield	RS 42314	Outer Plains	36, 53	42	B
T33	T35	English Oaks (58)/Quercus robur	Tai Tapu School, School Road, Tai Tapu	LOT 2 DP 301911	Liv 1A	9, 125	40	B
T34	T37	Wellingtonia /Sequoiadendron giganteum	Darfield primary school, Ross Street, Darfield (Planted 1883)	PT RES 2551	Bus 1	17, 72	46	B
T35	T37	Wellingtonia /Sequoiadendron giganteum	Darfield primary school, Ross Street, Darfield (Planted 1883)	PT RES 2551	Bus 1	17, 72	46	B
T36	T38	English Oak /Quercus robur	Darfield War Memorial, Darfield	RS 40645	Bus 1	17, 68	34	B
T37	T39	English Oak /Quercus robur	Beethams and Leeston Roads, Doyleston	LOT 1 DP 30700	Outer Plains	4, 130	48	B
T38	T40	Tasmanian Blue Gum/ Eucalyptus globulus	Cnr Goulds & Lowes Roads, Rolleston	Road Reserve	Liv 1	13, 101	44	B

New Tree No.	No. (from current District Plan)	Name / Species	Location	Legal Description	Zone	Map No.	Evaluation Score	Tree Category
T39	T41	Necklace Poplar /Populus x deltoides	Homebush Station, Homebush Road	PT Lot 1 DP 2898	Malvern Hills	16	64	A
T40	T42	Wellingtonia /Sequoiadendron giganteum	Homebush Station, Homebush Road	PT Lot 1 DP 2898	Malvern Hills	16	70	A
T41	T43	Douglas Fir/ Psuedotsuga menziesii	Homebush Station, Homebush Road	PT Lot 1 DP 2898	Malvern Hills	16	64	A
T42	T44	Norway Spruce /Picea abies	Homebush Station, Homebush Road	PT Lot 1 DP 2898	Malvern Hills	16	64	A
T43	T45	Caucasian Fir /Abies nordmanniana	Homebush Station, Homebush Road	PT Lot 1 DP 2898	Malvern Hills	16	48	B
T44	T49	Western Hemlock Fir/Tsuga heterophylla	Homebush Station, Homebush Road	PT Lot 1 DP 2898	Malvern Hills	16	80	A
T45	T50	Bhutan Pine /Pinus wallichiana	Homebush Station, Homebush Road	PT Lot 1 DP 2898	Malvern Hills	16	72	A
T46	T51	Monterey Cypress /Cupressus macrocarpa	Homebush Station, Homebush Road	PT Lot 1 DP 2898	Malvern Hills	16	72	A
T47	T52	Indian Cedar /Cedrus deodara	Homebush Station, Homebush Road	PT Lot 1 DP 2898	Malvern Hills	16	72	A
T48	T53	Common Lime /Tilia x vulgaris	Homebush Station, Homebush Road	PT Lot 1 DP 2898	Malvern Hills	16	52	B
T49	T60	Atlas cedar /Cedrus atlantica	Homebush Station, Homebush Road	PT Lot 1 DP 2898	Malvern Hills	16	64	A
T50	T61	Monterey Cypress /Cupressus macrocarpa	Homebush Station, Homebush Road	PT Lot 1 DP 7925	Malvern Hills	16	104	A
T51	T48	Monterey Pine /Pinus radiata	Homebush Station, Homebush Road	PT Lot 1 DP 2898	Malvern Hills	16	60	A
T52	T46	Santa Lucia Fir/Abies bracteata	Adam's Estate, Adams Road, Greendale	PT RS 8795	Outer Plains	12	76	A

New Tree No.	No. (from current District Plan)	Name / Species	Location	Legal Description	Zone	Map No.	Evaluation Score	Tree Category
T53	T47	Blue Atlas Cedar/ <i>Cedrus atlantica glauca</i>	Adam's Estate, Adams Road, Greendale	PT RS 8795	Outer Plains	12	36	B
T54	T54	Wellingtonia/ <i>Sequoiadendron giganteum</i>	Cnr Fitz Place & Edward Street, Lincoln	PT RS 1532	Liv 1	14, 113	52	B
T55	T55	English Oak / <i>Quercus robur</i>	Cnr Leister Terrace & Edward Street, Lincoln	LOT 1 DP 57207	Liv 1	14, 113	40	B
T56	T56	English Oak / <i>Quercus robur</i>	On road reserve adjacent to the Liffey Reserve	Road Reserve	Liv 1	14, 113	48	B
T57	T56	English Oak / <i>Quercus robur</i>	Liffey Reserve, Leinster Terrace	RES 3761	Liv 1	14, 113	48	B
T58	T56	English Oak / <i>Quercus robur</i>	On road reserve adjacent to the Liffey Reserve	Road Reserve	Liv 1	14, 113	48	B
T59	T56	English Oak / <i>Quercus robur</i>	On road reserve adjacent to the Liffey Reserve	Road Reserve	Liv 1	14, 113	48	B
T60	T57	Tasmanian Blue Gum/ <i>Eucalyptus globulus</i>	Liffey Reserve, Kildare Terrace	RS 39900	Liv 1	14, 113	36	B
T61	T58	English Ash / <i>Fraxinus excelsior</i>	Union Church Grounds, James Street, Lincoln	LOT 2 DP 83459	Liv 1	14, 110	60	A
T62	T62	Big Cone Pine / <i>Pinus coulteri</i>	Terrace Station	LOT 1 DP 400673	Outer Plains	11, 16	54	B
T63	T63	Manna Gum / <i>Eucalyptus viminalis</i>	Terrace Station	LOT 1 DP 400673	Outer Plains	11, 16	64	A
T64		<i>Not allocated</i>						
T65		<i>Not allocated</i>						
T66	T65	Algerian Oak/ <i>Quercus canariensis</i>	Terrace Station	LOT 2 DP 400673	Outer Plains	11, 16	76	A
T67	T66	White Ash/ <i>Eucalyptus fraxinoides</i>	Homestead shelter belt, Point Farm, Windwhistle	PT LOT 11 DP 3317	Malvern Hills	15	38	B
T68	T67	Wellingtonia/ <i>Sequoiadendron giganteum</i>	Homestead shelter belt, Point Farm, Windwhistle	PT LOT 11 DP 3317	Malvern Hills	15	39	B

New Tree No.	No. (from current District Plan)	Name / Species	Location	Legal Description	Zone	Map No.	Evaluation Score	Tree Category
T69	T69	Field Maple /Acer campestre	Homestead shelter belt, Point Farm, Windwhistle	PT LOT 11 DP 3317	Malvern Hills	15	70	A
T70	T70	Wellingtonia/ Sequoiadendron giganteum	Homestead shelter belt, Point Farm, Windwhistle	PT LOT 11 DP 3317	Malvern Hills	15	62	A
T71	T71	Western Yellow Pine/ Pinus ponderosa	Homestead shelter belt, Point Farm, Windwhistle	PT LOT 11 DP 3317	Malvern Hills	15	70	A
T72	T72	Manna Gum/ Eucalyptus viminalis	Rakaia Terrace Road, Te Pirita	PT LOT 1 DP 15130	Outer Plains	6	52	B
T73	T73-77	English Oak /Quercus robur (five trees)	Waihora Park Reserve	SECT 1 SO 18388	Outer Plains	9	36	B
T74	T78	See folder for tree descriptions	A. E. Hart Arboretum, Lake Coleridge. Upper site.	Lot 1 DP 78849	High Country	19, 51		A
T75	T78	See folder for tree descriptions	A. E. Hart Arboretum, Lake Coleridge. Lower site.	Lot 1 DP 80128	High Country	19, 51		A
T76	-	Wellingtonia/ Sequoiadendron giganteum	Hororata Reserve, behind reflection lake	Res 1589	Outer Plains	16	58	B
T77	-	Tasmanian Blue Gum/Eucalyptus globulus	Cnr Halkett and Sandy Knolls Roads	Road Reserve	Outer Plains	18	52	B
T78	-	Walnut/Juglans regia	Nesslea, Greendale	Lot 1 DP 59582	Outer Plains	17	80	A
T79	-	English Oak /Quercus robur	Gerald Street, Lincoln. Old Bartle property.	PT RS 2724	Bus 1	14, 113	32	B
T80	-	English Oak /Quercus robur(21 trees)	River bank, Perrymans Rd, Tai Tapu	Road Reserve	Inner Plains	9, 125	42	B
T81	-	Tasmanian Blue Gum/Eucalyptus globulus	1197 Shands Road	Lot 1 DP 75442	Inner Plains	13	36	B

New Tree No.	No. (from current District Plan)	Name / Species	Location	Legal Description	Zone	Map No.	Evaluation Score	Tree Category
T82	-	Native Trees Various	Catholic Church, 1981 Telegraph Road, Darfield	PT RS 25014	Liv 1	17, 72	46	B
T83	-	Monterey Pine /Pinus radiata	High Peak Road, end of Whitecliffs Valley Road.	Road Reserve	High Country	16	58	B
T84	-	Blue Atlas Cedar/ Cedrus atlantica	Beside Water race (opp Kirwee Tavern) Kirwee	PT Coal Tramway Reserve	Outer Plains	17, 84	36	B
T85	-	Tasmanian Blue Gum/Eucalyptus globulus (21 trees)	Old County Depot, St John St, Southbridge	RES 4918	Bus 2	4, 132	44	B
T86	-	Tasmanian Blue Gum/Eucalyptus globulus (multiple trees)	Hoskyns Road, between Courtenay and Ansons	RES 2358 SECT 2 SO 4514	Liv 1, Outer Plains	17, 82	44	B
T87	-	Monterey Cypress /Cupressus macrocarpa	Pearson Reserve, Bangor Road	PT RS 39126	Liv 2	17, 68	40	B
T88	-	Various trees – see file	782 Weedons Road	Lot 1 DP 22179	Inner Plains	13	62	A
T89	-	Tasmanian Blue Gum/Eucalyptus globulus	125 Lowes Road, Rolleston	Lot 6 DP 350314	Liv 1	13, 103	34	B
T90	-	Tasmanian Blue Gum/Eucalyptus globulus	1055 Newtons Road, Sandy Knolls	Lot 2 DP 415649	Inner Plains	13	44	B
T91	-	Monterey Cypress Cupressus macrocarpa	1055 Newtons Road, Sandy Knolls	Lot 2 DP 415649	Inner Plains	13	44	B
T92	-	English Oak /Quercus robur	188 Adams Road, Greendale	Lot 5 DP 705	Outer Plains	12	52	B
T93	-	English Oak /Quercus robur	188 Adams Road, Greendale	Lot 5 DP 705	Outer Plains	12	52	B
T94	-	Totara /Podocarpus totara	Old Bowling Green Reserve, Springfield	Lot 8 DP 500	Liv 1	26, 52	36	B
T95	-	English Oak /Quercus robur	Old Bowling Green Reserve, Springfield	Lot 8 DP 500	Liv 1	26, 52	38	B
T96	-	Kowhai /Sophora microphylla	10 Waimakariri Gorge Road, Waddington	Lot 42 DP 15	Liv 1	22, 54	42	B

New Tree No.	No. (from current District Plan)	Name / Species	Location	Legal Description	Zone	Map No.	Evaluation Score	Tree Category
T97	-	Spanish Fir/Abies pinsapo	10 Waimakariri Gorge Road, Waddington	Lot 42 DP 15	Liv 1	22, 54	62	A
T98	-	Douglas Fir /Pseudotsuga menziesii (2 trees)	Road reserve adjacent to Lot 1 DP 61202 925 Whitecliffs Road	Road Reserve (unformed)	Malvern Hills	16	42	B
T99	-	Wellingtonia/ Sequoiadendron giganteum (5 trees)	Adjacent to site of old Tawera County Council Office/Depot, Springfield Road	Road Reserve	Outer Plains	21	32	B
T100	-	Wellingtonia/ Sequoiadendron giganteum	Site of old Tawera County Council Office/Depot, Springfield Road	Lot 2 DP 23887	Outer Plains	21	32	B
T101	-	Monterey Cypress /Cupressus macrocarpa	Site of old Tawera County Council Office/Depot, Springfield Road	Lot 2 DP 23887	Outer Plains	21	32	B
T102	-	Cabbage Tree /Cordyline australis	77 East Belt, Lincoln	Lot 3 DP 74920	Liv 1	14, 113	38	B
T103	-	Common Lime /Tilia x vulgaris	Ladbrooks School, Barnes Road	Pt RS 2491	Inner Plains	21	40	B
T104	-	English Oak /Quercus robur	Ladbrooks School, Barnes Road	Pt RS 2491	Inner Plains	21	40	B
T105	-	Cabbage Tree /Cordyline australis	174 Ridge Road, Greenpark	Lot 2 DP 83716	Outer Plains	9	40	B
T106	-	Bhutan Cypress/ Cupressus torulosa	Trinity Church, McLaughlins Road	Pt RS 19215	Liv 1	68	34	B

Trees recommended for removal from the District Plan:

No. (from current District Plan)	Name / Species	Location	Legal Description	Zone	Map No.	Evaluation Score	Reason/ Comment
T06	English Oak /Quercus robur	Broad Street, Southbridge	Lot 1 DP 373810	Liv 1	132	24	One oak has butt rot fungus; Ganoderma australis is present in fork of co- dominant stem and likelihood of a break occurring in the fork as fungal decay progresses and weakens the stem.
T14	English Oak /Quercus robur	Memorial Hall, Days Road	PT RS 10071	Outer Plains			Not found on site
T15	Totara /Podocarpus totara	Leeston Park	Lot 1 DP 101 RS 5482 & 5483	Liv 1	129	24	Poor condition and form
T16	Chestnut Tree	Catholic Church, Feredays Road, Leeston	PT Paddock 1 Lot 7 DP 101	Liv 1			Not found. Legal description incorrect.
T25	Monterey Cypress Indian Cedar Atlas Cedar	Trinity Church, Darfield	RS40643, Pt RS19215	Liv 1	68		These trees have been incorrectly classified as Heritage Trees. They are not on the correct property.
T26	Flowering Cherry /Prunus sp.	Post Office Grounds, Kirwee	Pt RS 4576	Liv 1	84	22	Low scoring overall
T28	Walnut/Juglans regia	Old Tai Tapu Rd, near Forbes Rd	Road Res	Liv 1A			Not found
T29	Monkey Puzzle	Lake Coleridge Township	Pt RS 29261	High Country			Not found
T30	Norfolk Pine	All Saints Garrison Church, Burnham	Pt Res 1160	Outer Plains	13		Not found
T31	English Oak /Quercus robur	All Saints Churchyard, Springs Road, Prebbleton	Pt Lot 2 DP 27568	Liv 1	122	28	One oak tree scores below 30
T36	Walnut /Juglans regia	Perrymans Rd, Tai Tapu	Road Reserve adjacent to Pt RS 3863	Inner Plains	125	24	Low scoring overall

No. (from current District Plan)	Name / Species	Location	Legal Description	Zone	Map No.	Evaluation Score	Reason/ Comment
T56	Crack Willow /Salix fragilis	Bank of L1 Stream, Kildare Terrace side, Lincoln	Road reserve	Liv 1	14, 113	28	Bad structural defects
T64	Monterey Pine /Pinus radiata	Terrace Station	Lot 4 DP 18078	Outer Plains	11	-	Not found as legal description does not mach property.
T68	Monterey Pine /Pinus radiata	Homestead shelter belt, The Point Station, Windwhistle	RS 38126	Malvern Hills	15	24	Bad structural defects

APPENDIX THREE:
PRE-PLAN CHANGE CONSULTATION DOCUMENTS

Copy of Public notice from Council Call:
3/2/2009

Calling for Nominations Protected Heritage Trees

Do you know of a tree which should be protected? Does it have some special value or story behind its existence? If so, tell us about it!

We are reviewing our list of protected heritage trees in the Selwyn District Plan, and you can nominate any 'new' trees which you think should be added to the list.

Get a nomination form from our service centres and libraries or from our website. (www.selwyn.govt.nz). Your nomination(s) must be in by **Friday 6 March**.

For more information please see the website or phone **Emma Bishop** on 347 2800 or 318 8338.

Copy of Nomination Form:
Nominate a Notable Tree Form

Tree Type:

Tree location/address:

Approx Age (if known):

Importance / Value of the tree:
(please provide a brief
explanation)

Your name:

Your address:

Your phone number:

Your email:

Owners Name (if different):

Owners Contact details (if
different):

Please sketch using the space below, the location of the tree (or attach a map).

Copy of Nomination FAQ's (website version):

NOMINATE A NOTABLE TREE

The Selwyn District Council is currently undertaking a review of all its notable trees in the Selwyn District. This review means reassessing the trees currently in the Selwyn District Plan schedule and calling for nominations to have additional trees included in the Plan.

Here are some FAQ's to help you in the nomination process.

What if I have a protected tree already?

These trees have already been assessed and the assessment sheet can be requested (these will be sent to all known tree/land owners for comment). If you have any information about a currently listed tree please contact Emma Bishop on 342 7955.

Who can nominate a tree and how?

Anyone can nominate a tree for inclusion into the District Plan. We need to be able to contact you so that we can send our tree expert to evaluate and assess the tree. We expect that the nominee will have consulted with the landowner and will provide a statement of why the tree should be included (history or reason for significance).

Please use the form provided on this page or you can email/post your nomination in.

Why is it important to consult with the landowner?

It is important to have the landowner's permission to nominate their tree as this will mean applying special conditions to manage and protect the tree, if it becomes included in the Plan.

What are the implications on you as a landowner?

If you own a protected tree there are best management practices that are required by the District Plan and depending on what you would like to do with your tree(s), including maintenance, you may need to apply for a Resource Consent.

What will a site visit entail and who will do it?

Once the nomination is received by the Council, we will contact you to arrange our tree expert to make a site visit to the tree. Onsite the tree will be evaluated against a set of criteria, measurements made and photos taken, to recommend (or not) its protection and inclusion into the Plan.

What happens once an assessment is made?

If the nominated tree reaches the threshold for inclusion into the Plan, it will be listed with our currently listed trees and be open for public comment (by way of submission) at a later date before being placed into the Plan. If the tree does not meet the threshold it will not be included.

When do nominations close?

Friday 27th February

If you wish to nominate a tree please fill in the form below:

Tree Type/Species:

Tree Address/Location:

Importance/Significance of the tree (brief explanation):

Nominee Name:

Owners Name (if different):

Nominee Contact details:

Nominee Email:

Owners Contact details:

Please send/attach a map of the location of the tree, if possible.

You may also post or email your nomination to:

Selwyn District Council

P O Box 90

Rolleston 7643

Email: emma.bishop@selwyn.govt.nz