

DECISION ON PROPOSED PLAN CHANGE 36 TO THE AUCKLAND COUNCIL DISTRICT PLAN (NORTH SHORE SECTION)

COMMISSIONERS:	Mr Conway Stewart Ms Kathleen Ryan Mr Harry Bhana	Chairperson
COUNCIL OFFICERS:	Mr Peter Vari Ms Alison Pye Mr Gavin Donaldson Mr Tim Errington Mr Leon Saxon Mr Karl Burgissor Mr Richard Reid	Team Leader Reporting Planner Arborist Arborist Arborist Arborist Committee Secretary - Hearings

GLOSSARY

The Act, RMA	Resource Management Act 1991
PCNZ	Property Council of New Zealand Incorporated
PPC36	Proposed Plan Change 36
District Plan	Auckland Council District Plan (North Shore Section)
STEM	Standard Tree Evaluation Methodology

This decision report is not a unanimous report. There is a majority view of the decisions to be made with respect to PPC36 and a minority view. Consequently this report is in three parts. The first part sets out the discussion and findings of the majority, the second sets out the discussion and findings of the minority, while the third sets out the majority decision, followed by attachments.

PART ONE - DISCUSSION AND FINDINGS OF THE MAJORITY

INTRODUCTION

This decision report relates to PPC36 to the District Plan. The purpose of PPC36 is to add trees to the Schedule of Notable Trees, which is contained in the District Plan

The report contains a summary of PPC36, a description of the statutory process, including our appointment as commissioners to hear and decide on submissions, the officer's report prepared in terms of s.42A of the Resource Management Act 1991, comment about submissions and further submissions, and commentary about the hearing of submissions and the further information which was requested by us. The report then contains comment about a number of issues which are pertinent to the decisions and which help to provide a context for our decisions. Our findings on these issues are detailed and provide a context for the last part of the report which contains the generic decisions including the reasons for the decisions. These generic decisions are then applied to the individual submissions and the result is set out in Attachment 1.

THE PLAN CHANGE

PPC36 relates to Appendix 8C, Schedule of Notable Trees, in the District Plan. PPC36 seeks to update the Schedule to ensure that it continues to represent the most significant trees and groups of trees in the former North Shore City area. The changes proposed to the Schedule by way of PPC36 include:

- The deletion of trees no longer considered worthy of scheduling due to poor pruning and unlawful damage, disease and damage through such things as severe lightning strike
- The review and improvement of background data to the Schedule including the review and correction of legal descriptions of land that have changed due to subdivision.
- The addition of 39 suitable trees from a nomination process carried out in the summer of 2008.

The part of the District Plan which is affected by PPC36 is Appendix 8C, Schedule of Notable Trees in the Auckland Council District Plan (North Shore section). No other change to the District Plan is proposed by PPC36.

The trees that are the subject of the PPC36 (as notified) were evaluated using the Standard Tree Evaluation Method (STEM). The STEM method was considered by the Council staff to be an appropriate method of assessment of notable trees for the following reasons: STEM involves consideration of a wide range of criteria (such as size, form, age, visual contribution to the landscape, viewing audience, historical associations) and compares the relative merits of trees on a point system. STEM is used and endorsed by the Royal New Zealand Institute of Horticulture, and is widely accepted and used by arborists within New Zealand. The STEM assessment approach has been used by a number of Auckland's former councils to assess trees for scheduling and is also used by other Councils in New Zealand. The publication "STEM. A Standard Tree Evaluation Method", by Ron Flook, 1996 is the source document for the evaluation but it was modified for the North Shore area. A minimum threshold of 120 points was applied in PPC36. This is a threshold that the officers had decided would ensure that the trees added to the Schedule of Notable Trees are significant trees.

DETAILS OF PLAN CHANGE PROCESS

Relevant Regional or District Plan/s of the Auckland Council	Auckland Council District Plan (Rodney Section)
Number and name of Plan Change Variation	Plan Change 36 – Notable Trees in North Shore City
Type of Change	Council initiated
Date of notification of proposed Plan Change	15 April 2010
Date summary of submissions notified	16 September 2010
Legal effect at original notification (s 86B)	Retrospective legal effect has been granted by the Environment Court

	through order under section 86D of the Resource Management Act to give immediate legal effect to the Plan Change from 1 January 2012.
Submissions received (total numbers)	155 submissions. 319 further submissions.
Main issues or topics emerging from all submissions	<ul style="list-style-type: none"> • Support for the Plan Change • Seek additional trees/groups of trees to be considered to be added to Appendix 8C • Seek deletion of existing scheduled trees • Opposition to submissions that seek additional trees/groups of trees to be considered to be added to Appendix 8C

SUBMISSIONS

PPC36 was publicly notified by the former North Shore City Council on 15 April 2010 with submissions closing on 16 May 2010. A summary of these submissions was notified on 19 August 2010 and the period for accepting further submissions closed on 3 September 2010.

155 submissions and 319 further submissions were received to PPC36. The topics raised in the submissions range from full support for PPC36 to support /opposition to specific trees or groups of trees being identified in PPC36; requests to delete existing scheduled trees and requests for the inclusion of 360 additional trees/areas of trees.

The following persons attended the meeting in order to present evidence to the Hearings Panel:

Michale Newton
Michael Spooner
John Seakins
Geoff Rodwell
DW Jones
Michael Carter
Peter Fairclough
Ann Baron
Grant Galpin
Warwick and Jacqueline Thorley
Paul Mason and Plesance Sharpe
Eileen Rishworth
William Smedley (called Peter Baillie)
Alastair and Christine Clayton Green

Heather Pinter, Susan Rosletier
Mr Thompson
DB Herbert (called Danny Hancox)
Germaine Joblin
Raewyn Legge
Lois Black
NZ Forest and Bird (Richard Hursthouse)
Kevin Gillespie
Richard and Jaquie Anderson (Nick Smith)
Nick Orange
Tree Council (Heuline Massey)
Dinah Holman
Margaret Field
Peter Wright
Lyn Kingsbury
Jim Centre
Martin Hill
Lynette Malby
Valarie Barker
Dennis Trotman
Arthur Harris
Alison Palaralet
Cliff and Anne Evans
Judith Philpott
Malcolm Fischer
Steven Havill
Eileen Austin
Geniveve Beacroft
William Rayner
Kauri Point Centennial Park & Chatswood Reserve Management Committee (David Roberts)
Elizabeth Collins
Ross Parker
Coral Foster
Nick and Claire Sutton (Richard Brabant, Andrea Brabant)
Jeanette And Graham Dicky
Ronald Johnston
Lee Lee Fong
WG and JM Scovell
SF Johnson (Ken Devitt, Alex Finlayson)
Martin Williams
Glen and Tod Cabery

LATE SUBMISSIONS

Late submissions were received from 11 persons or organisations. The recommendation from the staff was that these should be accepted and we received no submissions opposing that recommendation. Pursuant to s.37 of the Act our decision is that these late submissions should be accepted for the reason that no person would be adversely affected by that decision.

OFFICER'S REPORT

A report prepared in terms of s.42A of the Resource Management Act 1991 was prepared by officers. This report sets out the statutory background to PPC36, categorises each submission under a number of headings and makes recommendations with respect to the submissions under each heading. It is a lengthy and detailed report which forms part of the public record.

THE COUNCIL'S CONSIDERATION OF THE PROPOSED PLAN CHANGE

The s.42A report contains a section which addresses the statutory framework applicable to the consideration of submissions. Included in this is consideration of the requirements of Part 2 of the RMA, s.32 of the RMA, and relevant case law. The Council's functions under s.31 of the RMA are addressed and reference is made to other relevant statutory instruments such as National Policy Statements, regional plans and policy statements, and the objectives and policies of the District Plan.

We consider that the s.42A report in this respect addresses the necessary matters and that the updating of the Schedule of Notable Trees is an appropriate and effective way of giving effect to the objectives and policies of the District Plan but comment is made later about the application of the statutory requirements of the Act to the specific identification of individual trees that were proposed to be included in the Schedule under this plan change.

THE HEARING AND FURTHER INFORMATION REQUESTS

The hearing was conducted over several days. Specifically, the hearing days were 8, 9, 12, 13, and 14 March 2012. At the completion of the hearing days the hearing was adjourned as we reserved the right to seek further information.

Having considered the s.42A report and having sat through four days of hearings of submissions and evidence we adjourned the hearing as we considered it likely that we would require further information to be provided about a number of matters. Consequently a minute (Minute No 1) signed by the chairperson was prepared and forwarded to the Council seeking that certain matters be clarified. Following the receipt of part of the information from the Council (which was a legal opinion from the Council's solicitor) we considered that further information about one of the matters raised by the legal opinion was necessary and Minute No 2 was prepared. Following receipt of the staff response to the matters raised by both Minute No1 and Minute No 2 both the Minutes and the Council response were forwarded to the submitters who had attended the hearing. These submitters were invited to forward any final comments and several took advantage of this opportunity.

The information that was supplied to us did not in all respects answer the questions we had asked. Having considered the matter carefully we came to the view that the officers had provided the information that was available and that any further request would not be fruitful. Nevertheless we considered that the further information that was supplied was sufficient for us to be able to make decisions on submissions and so the hearing was closed on 16 August 2012.

A copy of the Minutes is attached as Attachment 3

EVIDENCE

The written evidence presented to members of the Hearings Panel forms part of the official record, and is not appended to this decision due to the volume of evidence which was

presented. This evidence is available from the Records and Archives Manager, Democracy Services.

SITE VISITS

We indicated at the hearing that we had not carried out site visits. We initially considered that if the process leading up to the identification of trees in PPC36 was robust there may not be a need to carry out site visits. Having listened to the evidence we decided that we needed to gain a visual appreciation of the type of tree that scored over the STEM threshold and of the type of difficulties with PPC36 that had been identified by submitters at the hearing. In particular the STEM system was challenged by submitters, particularly Ms. D. Holman, on the basis that it did not accord with the criteria for assessing notable trees set out in Appendix 8D of the District Plan. We also considered that we needed to gain an appreciation of the relationship between the trees which had been nominated and/or recommended to be included on the Schedule and the s.32 and Part 2 RMA matters. Consequently we visited a range of trees identified in PPC36 or by submitters. The result of this was that on a number of sites we found that our subjective visual assessment and the officer's recommendation were not the same. We also formed the view that the STEM threshold may be too low in some cases. This helped to form our opinion as to the way in which the decision should be framed.

DECISION-MAKING

The purpose of this decision report is to consider submissions and further submissions to PPC36 and to make a decision on each submission.

We were delegated full responsibility by the Hearings Committee to determine the Council's decisions on submissions pursuant to Section 34 of the RMA with regard to PPC36. Therefore, we are not recommending a decision to the Auckland Council, but issuing the decision directly.

COMMISSIONERS' DETERMINATION ON PROCEDURAL MATTERS

In terms of s.113 of the Resource Management Act 1991 we are required to state the principal issues that were in contention in this Plan Change hearing. We have chosen to do this under the following headings. The main issues in this case comprise statutory considerations, legal issues, issues relating to the District Plan objectives and policies, the use of STEM and its relationship to the District Plan and the inclusion of pest species on the Schedule of Notable Trees.

STATUTORY CONSIDERATIONS

Introduction

In preparing this report to the Council, the submissions and the decisions requested in the submissions have been considered in the context of the relevant statutory matters. The following sections set out the relevant and applicable sections of the RMA in relation to this Plan Change.

The over-arching purpose and principles of the Resource Management Act 1991 are contained in Part 2 (Sections 5, 6, 7 and 8), while Sections 31, 32, 74 and 75 contain specific provisions relating to the preparation of district plans.

In relation to the Council's functions under S.31, PPC36 as revised by the decisions in this report, is considered to support the Council's function to achieve sustainable and integrated management under Section 31 particularly (1)(a).

Section 32 seeks to ensure that the costs and benefits of the proposed provisions are considered and that the proposed controls are justified. It requires any rules or other methods to be aimed at the achievement of the objectives and policies. To meet the requirements of section 32, a report is to have been prepared before the proposed plan change was notified, and this report must consider a number of matters, including whether there had been sufficient consideration of alternative methods of achieving the plan change objectives. For a Council promoted plan change this duty applies before a plan change is notified and must be addressed again before the Council makes its decision. The hearing itself forms part of the Section 32 process.

A Section 32 report was prepared and included with the documentation available to submitters. We will refer to this further below. The notified s32 analysis was not reviewed in the s42A report, however at paragraph 3.1.1 on page 23 of the agenda the writer recorded

"The RMA requires that the Council consider a number of matters for developing Proposed Plan Changes. A report has been prepared under Section 32 in support of the Plan Change and assessing the proposal in terms of that section of the RMA."

We note that in terms of s32(2)(a) we are required to carry out a further evaluation of the alternatives, costs and benefits of the proposed plan change before making a decision on it.

A framework for conducting a Section 32 analysis has been provided by the Environment Court in *Eldamos Investments Limited v Gisborne District Council W047/05* and *Long Bay-Okura Great Park Society Incorporated v North Shore City Council*. These decisions set out a comprehensive set of requirements for consideration of plan changes, including a detailed discussion of the requirements of Sections 72, 74, 75 as well as Section 32, and include:

1. The objectives of the Plan are to be evaluated by the extent to which they:
 - a. Are the most appropriate way to achieve the purpose of the RMA (s32 (3) (a)); and
 - b. Assist the council to carry out its functions in order to achieve the purpose of the RMA (s72); and
 - c. Are in accordance with the provisions of part 2 of the RMA (s74 (1)).

In this case no change to the existing objectives is proposed.

2. The policies, rules, or other methods in the Plan are to be evaluated by the extent to which they:
 - a. Are the most appropriate way to achieve the objectives of the Plan (s32 (3) (b)); and
 - b. Assist the council to carry out its functions in order to achieve the purpose of the RMA (s72); and
 - c. Are in accordance with the provisions of part 2 of the RMA (s74 (1)); and
 - d. (If a rule) achieve the objectives and policies of the Plan (s76 (1) (b)).

Section 75 describes the content of district plans, and states that the district plan must give effect to any regional policy statement (Section 75 (3)(c)).

Section 76 concerns district rules. 76(1)(b) states that "a territorial authority may, for the purpose ofachieving the objectives and policies of the plan, include rules in a district plan. Section 76(3) states that in making a rule, a council is to "...have regard to the actual or potential effect on the environment of activities including, in particular, any adverse effect..."

The requirements of s32 are further reinforced by s74(1) which requires that :

1) A territorial authority shall prepare and change its district plan in accordance with its functions under section 31, the provisions of Part 2, a direction given under section 25A(2), its duty under section 32, and any regulations

Discussion of s32 Considerations

Mr Williams reminded us that the Section 32 Analysis that accompanied the notified plan change was based on Option C. (See submission by Martin Williams at p 1440 of Volume 4 the Agenda.) The Analysis is attached to the s42A report/Agenda as Attachment B on pages 363 – 370 of Volume 1 of the Agenda.

The four options investigated were as follows:

- Option A – do nothing
- Option B - Amend the Schedule taking account of appropriate recent nominations
- Option C - Amend the Schedule and introduce additional non-regulatory methods to achieve the objective
- Option D - Disestablish the Schedule and introduce only non-regulatory methods to achieve the objective.

The s.42A report set out the reasons for adopting Option C and the means of implementing it as follows:

9. Plan Objective

Option C: Amend the Schedule, and introduce additional non-regulatory Initiatives

It is considered that Option C represents the most appropriate method for continuing to achieve the objectives present within the North Shore City District Plan. The Option maintains and enhances the statutory framework, and also provides additional incentives to owners of Scheduled trees. There is a statutory and non-statutory means of giving effect to this option.

The statutory pathway is to notify Proposed Plan Change 36: Review of Schedule of Notable Trees, and include appropriate nominated trees for addition to the Schedule. This proposed plan change has received approval from the Auckland Transition Agency and the documentation necessary to notify is presently being prepared. This report requests a delegation of Councillors to assist in finalising the wording of the new Schedule for notification.

The investigation of non-regulatory approaches to be considered in combination with the revised Schedule must be undertaken in parallel, being cognizant of Annual Plan deadlines and fiscal constraints. The preferred non-regulatory approaches are:

- 1. That Council assume responsibility for the arboricultural maintenance of the Scheduled items on both public and private land. This would entail a contract being established, administered by a Parks approved contractor to maintain al Scheduled listings on a regular basis. This would alleviate the maintenance costs for landowners, in recognition of the value of the items to the wider community.*
- 2. That rates relief is granted to property owners who own land with*

Scheduled trees on it. The rates relief would be calculated in recognition of the value of the vegetation and provide a financial incentive to retain and maintain the vegetation.

- 3. Council could provide free arboricultural advice to owners of Scheduled trees through an enhanced advice programme, already supported by existing District Plan provisions.*
- 4. That the establishment of a trust entity be progressed to provide a contestable fund for landowners of properties with Scheduled trees on them to apply to. The grants would be released to compensate for the cost, time and effort related to the maintenance of Scheduled trees, in recognition of their benefit to the wider community.*

It is important to note that the transition to one Auckland Council is likely to have an impact upon what additional measures can be implemented. The introduction of any new proposal will require the approval of the Auckland Transition Agency and would likely require consideration through the Annual Plan Process early in 2010. Officers will investigate the above options with the endorsement of the Committee, to determine a viable approach.

Summary

Having evaluated the array of Options within this Section 32 analysis, considering the effectiveness of each possible approach along with its appropriate costs and benefits; it is considered that Option C represents the most appropriate method for achieving the objectives within the District Plan. The statutory and non-statutory means to address this is discussed in Section 8 above. It is considered that the outcome of giving effect to this approach will be a robust means of protecting the city's most significant tree asset for the benefit of current and future generations by both ensuring statutory protection, and appropriately incentivising the retention and management of the trees

As we have noted, the s42A Report referred to this analysis at paragraph 3.1.1 and again under the heading 5.7.2 Comments - 6. Costs/Benefits (page 228 of the agenda) which contains this comment:

"Analysis of costs and benefits of updating the Schedule is discussed in the section 32 report accompanying the plan change. The plan change, involving the updating of the Appendix 8C Schedule of Notable Trees was considered to be the most practical and appropriate balance of economic, social, cultural and environmental values suited to protecting the significant trees. The cost to Council and the landowner of scheduling are considered to be justified to preserve the values described in the above discussion."

However under heading "5.4.2 Comments 8. Alternatives" (page 212 of the agenda) the officer makes the following comment:

The submitters general support for non-regulatory initiatives is acknowledged. Council recognises the importance of non-regulatory initiatives and on this basis provides free arborist advice and a Financial Assistance Scheme for Notable Trees.

The additional non-regulatory initiatives raised in the submission are however matters raised in the section 32 report accompanying the plan change and are not part of Plan Change 36 as notified. As such the support for additional non-regulatory measures must be rejected as it is outside the scope of the Plan Change.

We agree with the reporting planner that the non-regulatory measures proposed under Option C cannot be considered within the scope of the Plan Change. We understand the measures referred to in the first paragraph of the above quotation from the planners report are residual policies and arrangements set in place by the former North Shore City Council which may or may not continue for the life of the District Plan.

We note that the District Plan provides some broad indications of how the Council might assist landowners affected by the scheduling of a notable tree. Under 8.3.4 which sets out the objectives and policies for Tree Management the explanation contains the following:

"The amount of assistance the Council will give an owner of a protected tree will be dependent on the circumstances of the case. Possibilities include:

- Advisory service on maintenance and management of trees*
- Consider relaxing or waiving a Development Control specified in the Plan, where this will retain and enhance a protected tree and there will be no more than minor adverse effects.*

We acknowledge that staff indicated that in accordance with Rule 8.4.6.2 resource consent applications are free, apart from a \$500.00 fee, if the application is publicly notified, which is usual for proposed major pruning or removal of a notable tree. However we conclude that as it stands the Plan Change does not fully reflect the s32 justification advanced prior to its notification

Conclusion as to Commissioners Responsibility under Section 32

We concluded above that the generic s32 analysis accompanying PPC36 is no longer relevant. Due to the differing impacts on individual properties affected by the scheduling of a tree as "notable" we consider that at the very least we needed to carry out a separate s32 analysis for each tree to be included in the Schedule. In so doing we accept Ms Brabant's evidence that we need to have regard to the objectives and policies of the residential zones as well as the tree related ones (objective 8.3.4 and policies 8.3.4(2) and 8.3.4(6)).

We note this is in accordance with the legal advice we have received from Mr Sadlier in his memo to Mr Vari¹ where he states:

The Hearing committee's decision must in accordance with section 32 of the RMA, examine whether, having regard to its efficiency and effectiveness, the scheduling or not of any tree is the most appropriate way of achieving the objectives of the Auckland Council District Plan (North Shore Section). That assessment will necessarily involve a consideration of all relevant Part 2 matters and the making of an overall broad judgement as to whether Plan Change 36 achieves sustainable management (emphasis added).

Reference to "Reasonable Use of Site" in s42A Report

The reporting officer responded to the Minutes of the Commissioners through a further report dated 25 May 2012. In the report the writer acknowledges that:

Effects on personal safety, potential damage to property and shading effects and other matters of this nature can be taken into account when addressing the submissions. These matters are further discussed under the heading (i) Reasonable use below.

.... Matters of nuisance such as access to sunlight and nuisance from leaf fall in roof etc are inextricably intertwined with tree resources in urban areas..... Standard

¹ Daniel Sadlier memo to Peter Vari dated 17-4-2012 at paragraph 32

arboricultural solutions are generally implemented - pruning, limb removal, cable bracing, drains leaving our common examples..... These are standard measures and apply irrespective of whether a tree is scheduled or not. It is considered that a decision to not schedule a tree based on these matters would only be warranted if it could be established that a given situation is particularly extreme.

With respect to the matter of roots interfering with footings and concrete columns, root barriers are commonly prescribed arboricultural solutions.

..... It is the reporting planner's view that the evidence advanced.....have not established that (the scheduling of) the subject trees results in the "unreasonable use" of their respective sites nor have they identified an extreme circumstance which warrants not applying notable tree status".

We have considered this advice and conclude that the term "reasonable use" is not an appropriate measure for assessing the extent of effects on landowners arising from the scheduling of a tree. The "reasonable use" test arises under section 85 (3) and requires that the applicant demonstrate that the provision renders any land incapable of reasonable use and is indeed a test of extreme impacts on an owner's potential use of a property. We consider that such a narrow focus would not accord with the duty set out under s74(1)

We consider that it is more appropriate to apply the tests identified by Mr Sadlier (and endorsed by Mr Brabant) referenced above.

Conclusions on Statutory Provisions

Our conclusions on our statutory duty in regard to our decision making process on this Plan Change are as follows:

1. We are required to carry out a s32 analysis as a pre-requisite and/or framework to making a decision about any tree that is proposed to be added to the Schedule of Notable Trees.
2. In making that analysis we need to apply the provisions of Part 2 of the Act to the determination of whether any tree should be included in the Schedule. This entails a balancing of the relative advantages in terms of amenity for the wider community that might arise from the scheduling of that tree and the effects on the social, economic and cultural well-being and the health and safety of the owners and occupiers of the property affected by the scheduling.²
3. Our analysis must have regard to whether having regard to efficiency and effectiveness the inclusion of any tree will be the most appropriate means of achieving the objectives of the District Plan;³
4. The evaluation must take into account the benefits and costs of the inclusion of any tree in the Schedule, and the risk of acting or not acting if there is uncertain or insufficient information about the subject matter.⁴

LEGAL ISSUES

As indicated above, we sought legal advice from the Council on a number of matters given the issues raised in legal submissions, the evidence of submitters, and expert evidence, and in our deliberations. The information, including legal information, was made available to submitters, who had an opportunity to provide feedback on the material.

² S74(1)

³ S32(3)(b)

⁴ S32(4)(b)

Mr Sadlier⁵ set out four questions forwarded to him by Mr Vari, given the Chair's 20 March 2012 Minute, as follows:

- a) What is the status of the Environment Court declaration proceedings that were recently lodged by the PCNZ (Property Council of New Zealand Incorporated)?
- b) Are submissions seeking the inclusion of new trees on the Schedule of Notable Trees in scope or out of scope? More specifically, are these submissions "on the plan change"?
- c) Are submissions that include errors, or some arguable ambiguity, invalid? Or were planners entitled to take a flexible approach to interpreting these submissions?
- d) Is the Plan Change 36 process flawed as a result of its using the STEM system to identify trees for inclusion on the Schedule of Notable Trees?

In his second Memo, Mr Sadlier pointed to the Chair's 4 May 2012 Minute, and effectively to two further questions, as follows:

- e) Do further submitters have a right of appeal?
- f) Does the scale and degree of the effects of large numbers of trees sought by submissions to be included on the Schedule have any legal implications?

We now turn to each of these matters. We deal with b) and f) together, given they raised related concerns.

Declaratory proceedings

In early 2012 PCNZ lodged proceedings in the Environment Court seeking declarations under section 311 of the RMA, relating to section 152 of the Resource Management (Simplifying and Streamlining) Amendment Act 2009 which revoked general tree protection rules in urban environments effective from 1 January 2012.

The current proceedings relate to various general tree protection rules, including the rules in the Auckland Council District Plan North Shore Section considered by Judge Jackson in the Environment Court's decision [2011] NZEnvC 127.⁶ This decision makes clear that despite the amendments, the tree protection rules remain in effect in the Auckland District Plan North Shore Section, apart from some sites in the Residential 7 zone.⁷

Mr Sadlier noted that in the current proceedings the rules governing trees are "*up for grabs*", as are all the general tree protection rules in all sections of the Auckland Council District Plan. He did not know when the Declaration Proceedings will be resolved, and considered that:

...there is no necessary connection between Plan Change 36 and the Declaration Proceedings. The result of the Declaration Proceedings should have no bearing on the current Plan Change 36 process. Notwithstanding the above, the Hearing Committee should

⁵ Daniel Sadlier, Memo to Peter Vari, 17.4.2012, paragraph 1.

⁶ We note in his Legal Submission, 13.3.2012, Martin Williams indicates the decision is [2011] NZEnvC 129.

⁷ Alison Pye, Section 42 A Report (the Planner's Report), for example, 184 and 188.

*be extremely careful that it is not influenced in any way by the 2010 Decision to include or not include any particular tree in the schedule of notable trees.*⁸

In contrast Mr Williams considered the Plan Change to now be unnecessary, given the Court's 2011 decision, as there is no longer a need to rely on scheduling as a means of tree protection.⁹

We accept Mr Sadlier's advice. We also consider trees proposed for inclusion in the Schedule should be considered on their merits, and consistent with our responsibilities for assessing proposed plan change provisions, as set out in the Long Bay decision¹⁰ and updated by the 2009 RMA amendment.

Are submissions seeking the inclusion of new trees "on" the plan change?

During the hearing a number of submitters questioned our ability to include submissions which requested that a large number of additional trees be added to the publicly notified Schedule. We heard a legal submission challenging our ability to include such submissions given that submissions must be "on" the plan change. Mr Williams pointed to a decision of the High Court (*Clearwater Resort Limited v Christchurch City Council* (AP34/02), including to the tests in Clearwater at paragraph 66, set out below:

- (1) A submission can only fairly be regarded as "on" a Variation if it is addressed to the extent to which the Variation changes the pre-existing status quo.*
- (2) But if the effect of regarding a submission as "on" a Variation would be to permit a planning instrument to be appreciably amended without real opportunity for participation by those affected, this is a powerful consideration against any argument that the submission is truly "on" the Variation.*

On the first point, Mr Williams considered that as notified, Appendix 8C which contains the Schedule of Notable Trees, was to be amended by including an additional 68 trees and removing some 99 trees, but that following notification some 360 nominations, including over 40 trees affecting the properties owned by his client Tokoeka Properties Limited, were received. He considered that *"submissions that collectively seek the scheduling of an additional 360 trees are not "on" the plan change, within at least the first Clearwater test set out above, and with the notified Plan Change only adding some 68 additional trees to Appendix C."*¹¹

Mr Sadlier noted that the Plan Change is not complex, and that *"the amendments proposed by Plan Change 36 are intended to ensure that the schedule of notable tree "continues to reflect the most significant of North Shore City's tree asset."*¹²

As regards the second consideration in Clearwater, Mr Williams considered there was real potential for broader prejudice from the addition of such an extensive range of additional trees, when only persons affected greater than the public generally can now make a further submission. In contrast, Mr Sadlier considered *"Affected property owners and other persons*

⁸ Daniel Sadlier, Memo 17.4.2012, paragraph 5.

⁹ Martin Williams, 13.3.2012, paragraphs 11-21.

¹⁰ *The Long Bay-Okura Great Park Society Incorporated & Others v North Shore City Council* A078/08.

¹¹ Williams, 13.3.2012, paragraphs 25-34.

¹² Sadlier, Memo 17.4.2012, paragraph 10; he quotes from Plan Change 36, section 32 report at para 6.2 which describes the "regulatory" component of the option that was selected as most appropriate.

with an interest greater than the public generally have had, and have taken, the opportunity to lodge further submissions to ensure their views are taken into account”, and sees nothing to justify a departure from the norm.¹³

In the Minute of 4 May 2012, the Chair asked whether the scale and degree of the effects of large numbers of trees sought by submissions to be included on the Schedule have any legal relevant implications. Mr Sadlier indicated they did not, and that our key driver must be ensuring the Plan Change is the most appropriate way of achieving the purpose of the Act, and the relevant objectives.¹⁴ We accept this advice.

We note that Mr Brabant indicated he had read the legal advice from Mr Sadlier and that “*I consider his legal advice is sound and I concur with it.*”¹⁵

We acknowledge that a considerable number of trees have been nominated for inclusion on the Schedule through the submissions process, but do not see that to be unusual in itself. We note that Mr Williams acknowledged, in terms of procedural fairness, that his client was advised directly as to the relevant submission affecting their properties, and was in a position to make a further submission.¹⁶ We understand that property owners were notified by the Council if a tree or trees on their property was proposed to be included in the Schedule.

We accept Mr Sadlier’s advice that submissions seeking to add trees to the Appendix 8C Schedule are on the Plan Change, and there is nothing to justify a departure from the norm in this case.

Are submissions with errors or ambiguity valid?

In our minute we requested legal advice about submissions seeking to add trees to the Schedule where the relevant property reference was absent or incorrect, or the wrong tree, or species of tree, was nominated. One submission, from the then Devonport Community Board, simply listed property addresses and photos of a tree or trees. Mr Sadlier acknowledged:

One key issue with these particular submissions is that the inaccuracies were not identified until site inspections were undertaken, which occurred after the preparation of the summary of submissions upon which members of the public would have relied when making their decision whether or not to lodge a further submission.

We accept that case law has established a flexible approach to interpreting submissions in certain circumstances, that unclear submissions are not automatically invalid, that the RMA encourages people’s participation in planning, and that the approach taken should be non-legalistic and realistically workable. Given this, Mr Sadlier considered it appropriate for submissions identifying a tree by using an incorrect species, or which are vague about where on a property the tree is located, to be accepted. We accept this advice. However, we consider that it is necessary to address each of the submissions where the address, tree species or other information identifying the subject of the submission was unclear and to make a decision on each as to whether they should be accepted as valid or not.

¹³ Sadlier, Memo 17.4.2012, paragraph 12.

¹⁴ Daniel Sadlier, Memo 28.5.2012, page 2

¹⁵ Richard Brabant, Legal Submission, 16.7.2012, paragraph 5.

¹⁶ Williams, 13.3.2012, paragraph 36.

We agree with Mr Sadlier's advice that it is not possible in the current circumstances to consider imprecise submissions where the correct property address was not supplied, given the timing of site inspections. We agree that the policy of public participation in RMA processes applies both to original submitters and further submitters, and the lack of an accurate summary of submissions could have disadvantaged parties where the appropriate address was not supplied.

Mr Sadlier considers we have two options available to us. The first is to disregard these submissions as being insufficiently certain. The second is to invite affected property owners to make further submissions in respect of these particular submissions, and then consider them on their merits. We are reliant on submissions being accurate and complete at least to the extent of correctly identifying the relevant properties. We have agreed to disregard these submissions as being insufficiently certain, and so as to simplify the process.

Implications of the use of the STEM system

Mr Sadlier also responded to the question raised in our first minute about whether the Plan Change 36 process was flawed as a result of the use of the STEM system to identify trees for inclusion on the Schedule of Notable Trees. Some submitters pointed out the District Plan at page 8-57 provides criteria for the assessment of notable trees, questioned the validity of the STEM method and submitted that the Plan's criteria were the most appropriate criteria to be applied.¹⁷ We accept that staff responded to our request for information confirming that the STEM assessment is consistent with the criteria for the assessment of notable trees set out in the District Plan, and we comment on that information elsewhere. Mr Sadlier's opinion is silent on the legal aspects of this matter.

However he does usefully, albeit indirectly, cover another matter that the Minute noted concerns about, namely the apparent deferral of consideration of Part 2 until resource consent applications are made, and our view that this is inconsistent with our responsibilities in assessing this proposed plan change. Mr Sadlier comments that:

I understand the complaint to be that the STEM system only assesses the quality of the tree and does not deal with other relevant Part 2 RMA issues including effects on personal safety, potential damage to property, shading effects. I agree that these other Part 2 issues are relevant, and the Hearing Committee should consider them in making its decision whether or not to include or delete any trees from the schedule of notable trees.

He considered that at times the negative impacts of scheduling a tree may outweigh the wider community benefits associated with requiring a resource consent process to trim, alter or remove a tree. On the other hand, he noted requiring consent for such action could be appropriate for other trees, and enable the relevant Part 2 matters to be appropriately addressed at the time a resource consent application is made.

We agree, and consider this approach helpful for our task of considering whether or not to include specific trees on the Schedule.

Whether further submitters have a right of appeal

The Resource Management (Simplifying and Streamlining) Amendment Act 2009 substituted a new definition of "submission" into section 2 of the Act. This refers to written or electronic submissions and no longer contains a cross reference to further submissions made under clause 8 of the First Schedule.

¹⁷ 20 March 2012 Minute, point 7.

We were concerned about the implications of this, particularly given that many property owners and others made further submissions in opposition to submissions seeking that trees, at times on their properties, be added to the Schedule. Our concern was to ensure, in the interests of natural justice, that if our decision that a tree was to be added to the Schedule, that the relevant further submitters are able to appeal that decision, if they so wished.

Mr Sadlier was of the opinion that Parliament did not intend to remove appeal rights of further submitters, and indicated that he had:

...reviewed the relevant background information including Hansard, the relevant Select Committee report and advice from the Ministry for the Environment... That material suggests that the intention was simply to clarify that electronic submissions are valid. The specific cross reference to clause 8 of the First Schedule was likely not included at that time because there was a proposal to delete further submissions altogether, after receiving many submissions opposing deletion of further submissions the further submission was reinstated in an amended form.¹⁸

Mr Sadlier considers that further submitters have a right of appeal, and that as usual for such submissions, any appeal is limited in scope by the Plan Change as notified and the original submission that the further submission either supported or opposed.

We accept Mr Sadlier's legal opinion. For the avoidance of doubt, we wish to make clear that without such assurance we would have needed to tread a more careful path in our decision making, to ensure that our decision avoided giving rise to issues of natural justice.

District Plan Objectives, policies and assessment criteria

The Plan Change did not introduce any new objectives and policies relating to the scheduling of notable trees but instead simply proposed additions to the list of notable trees in the existing Schedule. The Schedule is specifically identified in policies the District Plan has put in place for the achievement on the following objective.

Objectives

To promote amenity values in both the urban and rural areas by maintaining and enhancing the tree cover present in the city.

To retain trees that contribute to the amenity, landscape and ecological values in the urban area.

To raise community awareness and the level of education regarding trees.

To promote appropriate tree planting and maintenance.

The Schedule of Notable Trees is in effect a method but is specifically identified as one of the means of achieving the objective by Policy 2. The full list of policies is set out below.

Policies

1. By protecting areas of native bush which contribute significantly to the landscape and are important for their ecological values.

¹⁸ Sadlier, Memo 28.5.2012, page 1.

2. By assessing and listing in a Schedule of Notable Trees those individual trees which by virtue of their scientific, landscape, landmark, visual or historic interest merit particular identification and protection.

3. By protecting coastal native vegetation and pohutukawa trees in particular.

4. By encouraging the Council to plant and maintain trees on Council owned land.

5. By ensuring that tree planting does not give rise to the disruption of network utility operations.

6. By ensuring the retention of trees that contribute to amenity, landscape and ecological values of the area, including by general tree protection, a Schedule of Notable Trees and conditions of consent on subdivision and resource consents.

7. By providing advice to owners of trees on the Schedule of Notable Trees.

8. By providing assistance with the preparation of covenants to protect trees.

We comment below about the correlation between the methods used by the Council to evaluate trees recommended for inclusion in the Schedule and the objective and policies which the District Plan provides as a basis for the scheduling of notable trees.

We also record that we agree with Ms Brabant that the objectives and policies for the residential zones (where most if not all of the nominated trees are located) should also be considered in evaluating the justification for inclusion.

STEM Versus District Plan Criteria

The trees that are the subject of the PPC36, both as notified, and trees nominated for inclusion through the submissions process were evaluated using the Standard Tree Evaluation Method (STEM).

The STEM method was considered by the Council staff to be an appropriate method of assessment of potentially notable trees for a number of reasons. STEM involves consideration of a wide range of criteria (such as size, form, age, visual contribution to the landscape, viewing audience, historical associations) and compares the relative merits of trees on a point system. STEM is widely accepted and used by arborists within New Zealand, including by a number of Auckland's former councils to assess trees for scheduling, as well as by other Councils. Mr Ron Flook's 1996 publication "*STEM. A Standard Tree Evaluation Method*", was the source document for the evaluation, that this was modified for the North Shore area, and staff were trained in the use of the modified STEM. A minimum threshold of 120 points was applied in PPC36 by officers to ensure that the trees added to the Schedule of Notable Trees are significant trees.

The choice of 120 as the threshold was challenged by a number of people and we were told that other councils have used different thresholds. We do not consider that we received any convincing evidence that 120 is the correct or optimum score for trees on the North Shore but neither were we persuaded by any evidence we received at the hearing that a higher (or any other) figure is more appropriate. Nevertheless we were able to see the effect of the threshold during our site visit and we are left with the distinct impression that the threshold may be too low for the purpose of scheduling a notable tree.

We noted that the numerical scoring system involved both qualitative and quantitative factors and there was some conflict and confusion apparent at the hearing around how different arborists applied the STEM, and how landowners saw it. This was not helped by the STEM

score sheets not explicitly considering the matters set out in the District Plan objectives and policies, so that people could clearly see that these were covered.

This concern was raised in the Chair's first Minute at point 7 as follows:

Some submitters pointed out that the District Plan at page 8-57 provides the criteria for the assessment of notable trees. They questioned the validity of the STEM method and submitted that the criteria contained in the District Plan were the most appropriate criteria to be applied. It would be helpful to receive information confirming that the STEM assessment is consistent with the criteria for the assessment of notable trees set out in the District Plan. That is a matter which we must consider further but we observe that the District Plan criteria include assessment of the useful life expectancy of the tree. Many submitters raised the question of the hazards that the trees may pose to people and property, including neighbouring properties. Relevant information required is not solely whether trees currently pose hazards but also whether the inevitable growth will either create or exacerbate hazards to property or people. Such information is relevant to a planning assessment of Plan Change 36 and is properly a matter which should be addressed by arborists.

The District Plan's criteria for consideration of which trees are assessed to be notable trees is included as Attachment 3. There are four categories of trees identified as particularly worthy of recognition and protection, namely the most significant trees, historic trees, rare or unusual trees, and trees of local significance. As regards the latter, there are seven factors set out, including for example, the tree's size; its visibility, that is, its amenity value and accessibility to the public; its useful life expectancy, based on expected life-span and any actual or potential threats or compromises to the tree's environment; and form and condition, including health.

Ms Pye responded to the Chair's Minutes, indicating that:

Appendix 8C of the District Plan sets out criteria for the assessment of notable trees. These criteria are basic and require formalisation to be of a standard that provides the basis of a Plan Change. The Standard Tree Evaluation method (STEM) assessment has been adopted for PC36 as it provides a thorough and comprehensive assessment of the matters outlined at Appendix 8C, and is a formal evaluation method that is recognised by NZ arborists and by the New Zealand Horticultural Institute (NZHI).¹⁹

Her response included a table setting out and comparing the specific District Plan and STEM criteria. This noted that the condition evaluation of the tree includes the tree's age and form. As regards local trees she noted that: *"The criterion 'Useful life expectancy', is covered off by the STEM criterion evaluating the condition of a tree. The criterion 'form', 'vigour and vitality' and 'age' are of direct relevance. If form, vigour and vitality scored lowly and age scored highly it is anticipated that the reporting arborist would make comments concerning useful life expectancy, particularly if this was considered to be a matter of concern."*²⁰

Ms Pye noted that hazard evaluation is covered off by the STEM criterion evaluating the condition of a tree, and that the structural stability of a tree would be reflected in the scoring of 'form' and 'vigour and vitality', and that if the hazard potential of a tree was considered to be a matter of concern either currently or in the future, it would not be recommended for inclusion in the Schedule.

Ms Holman focused her further comments on this issue and stated:

¹⁹ Alison Pye, Response from reporting planner, 25.5.2012, page 9.

²⁰ Pye, *ibid*, 25.5.2012, page 11.

Central to my argument is the fact that criteria in the District Plan must be used in any relevant statutory process and not replaced by other (external) criteria.²¹

She noted that the District Plan follow a different format to the STEM, with the latter including headings, but not clearly setting out what was being evaluated, and that the *"evaluation process required by the DP criteria is qualitative, whereas the STEM-based evaluation form used by staff relies upon a numerical scoring system."*²² Ms Holman also had issues with specific criteria and how these were applied by the STEM.

We have considered Ms Holman's criticism and believe that she is partly correct in her reference to the importance of District Plan provisions in determining whether a plan change is in accordance with the RMA. However it is the objectives and policies of the plan which must be the focus of attention and not the assessment criteria which might be described as "helpful guidelines". In terms of section 76 (1) a rule (and the Schedule has the effect of a rule) may be included in the district plan if it has the purpose of achieving the objectives and policies of the plan.

We are particularly concerned that the assessment criteria introduce a category of "Trees of Local Significance" which does not appear to be a subset of the categories defined under 8.3.4 Policy 2.

We believe that the emphasis on the STEM process as an arboricultural focused exercise is misplaced given that with the exception of the identification of "scientific interest" as a basis of meriting selection, the other criteria of "landscape", "landmark", and "visual" interest may have been better assessed by a landscape architect (together with a planner providing a brief Part 2 analysis).

We find that the basis for the recommendation in the s42A report that specific trees should be included in the Schedule (essentially trees that achieved a STEM score of 120 or more) lacked explicit evaluation against the District Plan objectives and policies as well as explicit evaluation against Part 2 matters. Accordingly we have decided that we need to proceed with care in placing any reliance on that recommendation.

SUBMISSIONS NOMINATING GROUPS OF TREES

A number of submissions nominated groups of trees for inclusion in the schedule. The s42A report recommended that a large number of these be rejected because they referred to large areas of vegetation as distinct from identifiable groups of trees which were able to be individually assessed to see whether they qualified as notable trees by applying the STEM assessment process. In other cases the groups of trees selected were already protected by existing provisions of the District Plan and further protection was not deemed necessary.

We accepted and agreed with the reporting planner's assessment that these submissions nominating groups of trees which were either too extensive for individual assessment or which were already protected by other provisions of the District Plan should be rejected and our decision reflects this.

Of the remaining submissions nominating groups of trees, our decision to accept or reject those submissions is based on the approach taken for submissions regarding individual trees, that is to say where the trees were assessed in the s42A report as achieving a STEM score of 120 points or more, the submission was accepted unless there were further submissions opposing that nomination (in which case the submission was rejected).

²¹ Dinah Holman, Further Comment, 7.2012, A3.

²² Dinah Holman, *ibid*, 7.2012, A11.

reasons for that approach are set out in the section of this decision headed "Basis of Decision".

SUBMISSIONS SEEKING WIDE RANGING RELIEF

Plan Change Process

We agree with the analysis and discussion on pages 207-208 of the s.42A report.

Outside the scope of the Plan Change

The s.42A report at section 5.4, addressed a number of submissions which sought wide ranging relief. We need to address these matters. The first point we make is that the sole purpose of PPC36 is to propose additional trees to be included in the existing schedule of notable trees in the District Plan. Thus, any submissions which address matters which are not directly related to the inclusion or otherwise of extra trees to the Schedule of Notable Trees are not relevant to the purpose of the PPC36 and are rejected. To this extent we agree with the recommendations of the s.42A report. However we note that some of the submissions that supported the process of scheduling notable trees for protection are accepted in part to the extent that this decision has confirmed the inclusion of further trees in the existing Schedule. We have determined that other submissions that sought changes to the process or the objectives of the tree protection provisions or more stringent assessment of proposed nominations of trees were outside the scope of our authority to make changes to the District Plan.

Power of Veto

We were told that when PPC36 was prepared the process for including trees in PPC36 was subject to a "veto" provision. This provided that landowners who had a tree on their property which had been nominated for inclusion on the Schedule by a public process, could refuse consent to having the tree included. We were advised that there had been significant coverage of the "veto" provision in local newspapers. This was not a formal part of the RMA process. It was a policy decision by the Council to give landowners that right prior to notification of PPC36. The policy direction could have been included in the Plan Change as an amendment to the objectives and policies and justified by the need to minimize the adverse effects on property owners. It would not have prevented submissions but they would have been required to address the policy and consider the effects on landowners affected by their submissions. That way the plan change would have retained some credibility that it followed the publicized Council policies. Unfortunately that did not happen and accordingly as part of the statutory RMA process of seeking submissions on PPC36 there was an opportunity for people to ask that trees which had been "vetoed" be reinstated.

We were told that this caused a negative reaction from some landowners who, having considered that their veto meant that trees would not be scheduled, subsequently found that the tree/s in question had come back to be considered for the proposed Schedule by way of a submission. Some landowners told us that they had not looked at the submissions because they thought that their veto would stand, notwithstanding the fact that the Council had informed them that their tree/s was subject to a submission. In other cases they lodged further submissions opposing submissions seeking to reinstate trees. In either case there was dissatisfaction with the process from landowners who did not want their trees to be scheduled.

We understand that the staff questioned the use of the veto provision. While there are differing opinions about the appropriateness of the veto provision it was not a formal part of the Plan Change process and is not something that this decision can address. We simply note our opinion that the process whereby a veto was offered without making it clear that the the Plan Change would not prevent vetoed trees being re-nominated resulted in some unnecessary confusion.

In respect of this matter we agree with the analysis set out on page 226 of the officer's report.

Historic Trees

We agree that the STEM methodology incorporates an assessment of the historic value of trees and therefore we agree with the recommendations of the s.42A report to reject submission 77-1 seeking re-assessment STEM scores to ensure historic values are taken into account

Street Trees

Submission 79-3 sought that the Council place further emphasis on planting and protecting street trees. We agree with the s.42A report that this is outside the scope of the Plan Change.

Consents Process

A number of submissions sought changes to the consents process for dealing with protected trees. These submissions are outside the scope of the Plan Change and are accordingly rejected.

Pest species

We heard evidence on the question of whether pest species should be included on the Schedule of Notable Trees. We also asked whether as a result of this evidence the officers had changed their recommendation. The answer to the question was that the officers consider that the pest species which are included on the present Schedule should remain but that no new pest species should be included. The officers pointed out that the pest species on the existing Schedule have historic or social reasons for being included which offset their pest status.

In making a decision on this matter the Commissioners are aware that rule 8.4.6.1.1 of the District Plan takes a permissive stand with regard to the removal of pest species. They are also aware of the Auckland Regional Pest Management Strategy and the National Plant Pest Accord identify a number of pest species, which should not be allowed or encouraged. The reason for this is that they cause effects which are undesirable, such as having a very invasive habit or characteristics which are a danger to humans.

On balance we consider that pest species should not be encouraged. Having some but not all notable pest tree species on a Schedule is somewhat confusing and sends a mixed message about the value of the species. Removing the pest species from the Schedule will not mean that they will automatically be felled but it does mean that there is a clear message that pest species in general are not considered to be notable and therefore not worthy of protection. To the extent that we have rejected any nominations of additional trees to the Schedule where they are listed as pest species, the submissions regarding pest species are accepted in part.

Alternatives

Submission 5-1 registered support for the non-regulatory initiatives for the non-regulatory methods for supporting landowners affected by scheduling of a notable tree with particular reference to the those measures referred to in the s32 report accompanying Plan Change 36. Submissions 44-1 and 131 express support for similar measures to assist the owners of protected trees. Under the heading of "Discussion of Section 32 Considerations" set out above we have recorded our views regarding the s32 process and to that extent these submissions are accepted in part. The s.42A report concludes that the remaining submissions proposing additional or alternative measures are outside the scope of PPC36 and should be rejected. We agree with those recommendations and reasons.

Status Quo

We agree with the recommendations of the s.42A report that the part of submission 59 seeking retention of the status quo in respect of tree protection should be rejected.

Site Specific

Submissions under this heading relate to a number of trees and note that our decision is to allow all submissions seeking removal of trees from the Schedule and to allow all nominations of trees to be added to the schedule where the STEM score of the tree is 120 or more and where there are no submissions or further submissions in opposition. The reasoning for this is set out in "Basis of Decision, which is described below.

RM Amendment Act

PPC36 is a response to the requirements of the Act. Therefore we agree with the analysis and conclusions in the s.42A report in this respect.

Water Quality

We agree that the submissions on this matter are outside the scope of PPC36.

Mapping of Notable Trees

Submission 77-17 sought amendments to the mapping of groups of trees at Kauri Glen Park, Tuff Crater and Smiths Bush. The submission was opposed by 16 further submissions. For the reasons discussed below under Basis of Decision we have decided to reject submission 77-17

TREES NOT ABLE TO BE FOUND

Table 5.5.1 of the s42A Report listed a number of submissions whether trees the subject of the submission could not be found. In some cases it is apparent that the trees had been removed in accordance with a resource consent subsequent to the submissions being lodged. In other cases the trees that were proposed were inadequately identified and could not be located. For obvious reasons all of those submissions have been rejected.

FINDINGS

Having regard to the above discussion and analysis the following is a summary of the main findings of the majority of us.

1. PPC36 is an appropriate way in which to support the Council's requirement under Part 2 and its function under s.31 of the RMA to achieve sustainable management of physical resources and in this case notable trees.
2. A relatively wide interpretation of whether the submissions are "on" the Plan Change is accepted. Thus we do not consider there is any reason to discount any of the submissions on these grounds and we understand that further submitters retain rights of appeal.
3. There was an apparent inconsistency in the scoring of trees in different areas and by different staff under the STEM method.

4. Some of the information (an unknown amount) on the location and species of trees proposed to be included on the Schedule presented to us was incorrect and/or contradictory.
5. The use of a STEM threshold of 120 appeared to be too low but there was no evidence to either support or oppose the threshold level.
6. There is a mismatch between the objectives and policies of the District Plan and the criteria in Appendix 8C of the District Plan in respect of trees of local significance. We find that more weight should be given to the objectives and policies. We also find that the objectives and policies are more determinative than assessment criteria or STEM in deciding what trees should be included on the Schedule of Notable Trees.
7. The preferred option identified in the s.32 analysis, which included arboricultural advice from the Council staff, and a contestable fund for landowners to apply for compensation is not included in the PPC36. PPC36 does not therefore reflect the preferred option and thus the value of the s.32 analysis and the justification for PPC36 is in question.
8. An assessment of Part 2 RMA and s.32 matters is needed in respect of every tree on the Schedule but was not made available. Consequently our decisions need to be made on the basis of the evidence before us.
9. In this case the risk of not acting (s.32(4) of the RMA) by not adding trees to the Schedule is considered to be relatively low as the District Plan has tree protection rules.
10. Pest species by definition do not warrant protection.

BASIS OF THE MAJORITY DECISION

As we have noted above we concluded that we are required to carry out a section 32 analysis on every tree that is to be included in the Schedule. We have also concluded that in order to make that assessment having regard to the provisions of Part 2 of the Act we need to balance the relative advantages in terms of amenity for the wider community that might arise from the scheduling of that tree against the effects that might arise on the social, economic and cultural well-being and health and safety of owners and occupiers of the property, or properties affected by the scheduling.

The difficulty that we faced in terms of carrying out our responsibilities is that the STEM process was the only recorded basis that the Council had applied to the assessment of individual trees to be included in the Schedule either as a result of PPC36 or as a result of submissions that had been made recommending additional trees for inclusion. We were not provided with evidence of any wider assessment of Part 2 matters and as we have noted above the essential elements of the section 32 analysis that was notified as part of PPC36 were not implemented in terms of the associated policy changes whereby the Council assumed much greater responsibility for the costs and responsibilities associated with the protection of scheduled trees. Nevertheless in the absence of any evidence to the contrary we accept that the STEM analysis is an appropriate tool to use in establishing an arboricultural threshold for including trees in the schedule. While we are not absolutely

convinced that the threshold score of 120 is the most appropriate we have no evidence before us to justify any alternative threshold and consequently adopt that threshold for our decision strategy.

In an endeavour to secure the necessary Part 2 assessments to provide a basis for our decision, our first minute specifically requested *"a brief planning analysis of each tree ...including consideration of the relevant statutory and district plan provisions to a sufficient extent to enable Commissioners to adequately consider whether the inclusion of that tree within a schedule of notable trees is consistent with the purpose and principles of the Act."*

The officer's response, (except for five trees that were assessed individually) was an overall assessment of all submissions/further submissions which had opposed inclusion on various grounds, against the test of "whether the scheduling of trees would result in an unreasonable limitation on the use" of the affected site. The officer concluded that assessment by indicating that an extreme circumstance of unreasonable limitation would be required in order to conclude that notable tree status should not be applied.

As we have noted above we do not accept that the application of this "test" would meet our statutory responsibilities.

Accordingly we are in the situation where the only Part 2 assessments available to us were in relation to those that a few submitters had provided with only three providing planning evaluations. We considered the possibility of visiting and assessing each nominated tree ourselves, but were reminded that it is not our place to gather evidence and we agree with that contention. (We record that if even a limited Part 2 assessment had been provided for each nominated tree we would have been able to carry out some sort of grouping and sampling process to enable us to confirm by targeted site visits whether we found those assessments acceptable and of course we may have been further assisted by other parties who would have had the opportunity to comment on those assessments.)

We are accordingly in a position where we do not have adequate information to make an informed assessment under Part 2, section 32 and Section 76 for almost all of the trees listed in the Schedule either as a result of initial public notification or as a result of nomination by way of submissions.

We have accordingly considered the implications of section 32(4)(b). We believe that in terms of this provision, it is necessary to consider whether the risk of acting or not acting might significantly prevent achievement of the purpose of the objective and associated policies. Or put another way whether that risk is sufficient to justify including trees in the schedule despite the lack of adequate information to assess the justification for that inclusion.

We note that the General Tree Protection Rules still apply to most if not all of the trees that were proposed to be scheduled and acknowledge the legal advice from both Mr Sadler and Mr Williams that we cannot have regard to the current legal challenge to those rules.

This means that all of the trees scheduled remain protected whether included on the Schedule or not. While some pruning might take place under the existing rules we do not consider that creates a significant risk to the achievement of the objective and policies.

In our view therefore there is no basis for us to proceed to schedule any trees for protection where there is doubt that they would meet the standard of evaluation required by the Act and we believe that such doubt exists in respect of all trees nominated for inclusion where submissions in opposition have been received.

We have however decided that we will allow the proposed scheduling to stand in those cases where there are no submissions or further submissions in opposition to the inclusion of a nominated tree. We accept that in those cases the individuals affected by the scheduling have made their own assessment that the impact of the scheduling on their amenity values and on their economic and cultural and social well-being was not sufficient to justify lodging a submission or further submission in opposition.

While this may have the appearance of being inconsistent with our general finding regarding section 32 we have made these exceptions for the following reasons:

- (a) In relation to trees that were nominated by way of a submission to the plan change we accept the evidence both from the Council and from submitters/further submitters that the individual property owners affected by those nominations were advised in writing by the Council and given the opportunity to make a further submission in opposition;
- (b) We understand that trees included in the Schedule as publicly notified were subject to a right of veto prior to the notification.

In the appendices which follow we have addressed each submission and have made decisions. It is implicit that a decision to accept a submission means that any further submission which opposes that submission is disallowed, and vice versa.

We considered how to deal with submissions which could be described as "generic" or "global". We decided that since we agree with the principle of scheduling notable trees as an appropriate RMA technique, we should not accept global or generic submissions. However we need to refer to one such submission in particular which appeared to be a generic submission. This is the submission by Graham and Deanna Barton (further submission opposing submission 79 by the Devonport Community Board (DCB)).

This further submission opposed the DCB submission on the grounds that it did not address what we determine to be Part 2 RMA matters. While the further submission is wide ranging in the sense that it addresses all the trees nominated by the DCB it is related to one submission and not generally to the whole of the North Shore. Consequently we have decided that the Barton submission is not a generic submission and that the decision strategy described in this section of the report is applicable. We agree with the position taken by the Barton submission with respect to Part 2 RMA matters. The consequence of this decision is that all of the trees nominated by the DCB submission are rejected.

PART TWO - DISCUSSION AND FINDINGS OF THE MINORITY

THE MINORITY VIEW: DISCUSSION AND FINDINGS

INTRODUCTION

I rely on the background information and factual description of PPC 36 in this decision report, except where I add further information. I share the majority view in some areas, and focus on the areas where I have a different view.

I accept the issues in contention generally as those listed by the majority, and specifically discuss the following:

- Process matters, including the use of the veto, and site visits
- Statutory responsibilities, including Part 2 matters and section 32 matters
- District Plan objectives, policies and assessment criteria
- Difficulties with the STEM [or Standard Tree Evaluation Method]
- Section 32: Further evaluation

Process Matters

The Use of the Veto

When PPC36 was being prepared the process for including trees included public nominations but these were subject to a "veto" by affected landowners. The Section 32 Report refers to the consultation period giving rise to 79 nominations for trees or groups of trees, but does not comment on the veto.²³ I agree that the use of the veto by the then North Shore City Council, and against the recommendation of staff, was not good resource management practice. Not making clear that vetoed trees could be re-introduced through the statutory process, and having trees they had vetoed re-introduced was clearly concerning to same landowners.

At the same time I note that the remedy proposed by the majority to retain credibility, namely to amend the objectives and policies to enable the veto to be used during the statutory process, would have undermined the current objectives and policies, and the outcomes these envisage.

I find Council staff followed good practice by notifying each landowner in writing where a submission recommended the inclusion in the Schedule of a tree or trees on their property. This enabled landowners who chose to do so to further submit in opposition, and Mr Williams acknowledged this procedural fairness.²⁴

Site Visits

In response to a progress report to the Council, indicating that the commissioners had spent part of a day visiting a number of trees, and the intention for a commissioner to visit every tree nominated to be included in the Schedule, the Council provided further written legal and other advice on 26 September 2012.

This indicated previous advice had not intended to be interpreted as requiring commissioners to undertake site visits to gather information for a section 32 analysis, and stated that to be the officers' role. It acknowledged that as hearing commissioners we must look beyond the strict bounds of the STEM assessments where there is other information available in support of submissions in opposition or support of certain trees, to determine in our overall broad judgment whether the scheduling or not-scheduling of one or more trees was appropriate in the context of s32.

The advice indicated that the information in front of the commissioners in terms of the existing STEM assessments, or in support of submissions, must be sufficient to justify whatever decision we as commissioners came to. If as the Hearings Committee we did not think there was sufficient information to justify inclusion of a particular tree, then the advice given was that we should either decline to include it or request further information from the officers. We were also reminded that it should also be kept in mind that the same non-STEM criteria can and would be taken into account at the resource consent stage (ie, through an application for removal or trimming) if there was no submission from a tree-owner raising these issues in the context of the plan change.

²³ Section 32 Report, section 3.

²⁴ Williams, 13.3.2012, paragraph 36; see Legal Issues subsection on whether submissions seeking the inclusion of new trees "on" the plan change.

The advice concluded that staff did not believe it to be a feasible or necessary option having a commissioner visiting each tree as the Chair had indicated, and that we should either make a decision based on the information we had or ask officers for further information.

I accept that the initial section 32 analysis for a public plan change is generally written by officers. However section 32 (2) requires the commissioners as the Council's decision makers to undertake a further section 32 evaluation, and as such, officers cannot undertake this. Section 32 (4) then sets out what this should cover.

The Council's advice fails to indicate in what circumstances site visits are appropriate, and how these might be distinguished from inappropriate site visits.

The majority considered that every tree proposed for inclusion on the Schedule needed to be visited to meet the Act's statutory requirements, including Part 2 and section 32. While I was willing to do this, I considered it unnecessary. For example, I question the need to visit trees notified and proposed to be scheduled, but for which there were no submissions in opposition. I consider our evaluation needs to be appropriate to the circumstances, rather than specifically considering the impact of including each and every tree proposed to be included on the Schedule by visiting every tree.

I consider site visits to a range of the trees proposed for inclusion in the Schedule to be appropriate and good practice. My preference was for at least one commissioner to visit all trees that submitters addressed in the course of the hearing, and sufficient other trees to ensure we saw a representative range of trees proposed for inclusion in the Schedule, and particularly those that raised Part 2 issues, including substantial nuisance or other matters. Such an approach is consistent with the Part 2 and section 32 requirements applied to the many rules in district plans that manage what individual property owners can do on their land, for example, what they can build, how large it can be, its height, setbacks etc. The site visits confirm our understanding of context, whether the Schedule as proposed can work in practice, and support the information available to us through the process. The site visits undertaken helped clarify which trees should or should not be included in the Schedule, and where we had different views.

Unfortunately, on the basis of the above advice, the majority stopped site visits before completion, as they considered these to be evidence gathering. I agree with the majority that in our role as commissioners we should not be gathering evidence, but do not see site visits in this light.

My experience is that field trip/s or site visits are a necessary part of our role as independent commissioner decision makers for most plan changes, and including for PPC36.²⁵ I have not been involved with a plan change where field trips/site visits have not been involved. Site visits are useful for familiarisation, for gaining context for contentious matters, and/or understanding and consideration of environmental outcomes in a plan change, and of key factors that need to be weighed up in coming to a judgment. At times, for particularly significant and/or contentious issues such visits are extensive, and/or repeated so as to ensure a clear impression of key issues is gained, and to support commissioners to carry out our statutory responsibilities, including for Part 2 and section 32 matters, and in the forming of a judgment/s about the competing viewpoints, including from Council information, submissions, further submissions and evidence matters.

²⁵ I note in some specific cases site visits may not be required, for example, when there is nothing relevant to see, as might be the case with a plan change about the use of bores.

I find that a representative range of site visits, along with the other information available, would have been sufficient to support us in coming to a judgment about the Part 2 matters and to meet the section 32 requirements for all trees.

Further Information Requests

I agree with what the majority has indicated, regarding, our information requests after the hearing was adjourned. I note that staff answered the question we posed regarding consistency between the STEM and the District Plan criteria, and comment further on this below. I was also interested in gaining a legal perspective on the use of the STEM in the PPC 36 process as distinct from explicit consideration of the assessment criteria for notable trees in the District Plan, but this question was not put to Mr Sadler.

Reference to the historic importance of pest species already scheduled was made at the hearing, but only general comment was provided, rather than specific evidence for individual trees. While I agree with the majority in omitting pest species from the Schedule, I was open to providing staff with the opportunity to access material we were told was archived. This would have enabled us to learn if any such trees had such historic or cultural significance that they should remain scheduled.

Statutory Considerations and Legal Issues

I generally agree with the majority viewpoint on statutory considerations and legal issues, except where I indicate otherwise.

The Section 32 Report

There are four options in the Section 32 Report as notified. The then Council chose Option C - Amend the Schedule and introduce additional non-regulatory methods to achieve the objective, but PPC 36 notified on 15 April 2010 only included changes to the Schedule and not any additional non-regulatory methods. The Section 32 Report refers to the "investigation of non-regulatory approaches" and notes:

It is important to note that the transition to one Auckland Council is likely to have an impact upon what additional measures can be implemented. The introduction of any new proposal will require the approval of the Auckland Transition Agency and would likely require consideration through the Annual Plan Process early in 2010. Officers will investigate the above options with the endorsement of the Committee, to determine a viable approach.²⁶

I accept the difficulty, and that councils are often unwilling to commit to ongoing costs through their district plans, but note the gap between PPC 36 and the Section 32. Indeed it is unclear why option B - Amend the Schedule, taking into account appropriate nominations, was not used, as it more closely aligns with what was notified.

The then Council was unusual in that the explanation to the District Plan objectives and policies at 8.3.4 pointed to:

The amount of assistance the Council will give an owner of a protected tree will be dependent on the circumstances of the case. Possibilities include:

- Advisory service on maintenance and management of trees*
- Consider relaxing or waiving a Development Control specified in the Plan, where this will retain and enhance a protected tree and there will be no more than minor adverse effects.*

²⁶ Section 32 Report, Section 9.

The first bulleted point above is the focus of policy 8.3.4.1, while the third and fourth objectives are also relevant and are referred to below. We were told by an arborist giving evidence for a client, that the process for getting consent for notable trees to do minor necessary pruning was easy, took about 24 hours, and was free. Staff indicated that applications for major pruning or for removal of a notable tree were free, apart from the costs of public notification which we were also told is likely for such applications.

As such the District Plan already goes some way to support landowners, and there is discretion through the Plan for the Council to take into account the circumstances of the case.

I find the Section 32, the current Plan, and material presented at the hearing, if coupled with site visits, would have provided a sufficient basis to make decisions on the trees nominated for inclusion, and for us to undertake the further section 32 evaluation required of us.

The requirements of that further evaluation are considered later in this report.

Part 2 and Planning Matters

Unfortunately three pages of the agenda papers, including a discussion on Part 2 matters, were omitted. This was remedied in the Response from the reporting planner, when the pages were included, with further brief discussion on Part 2 matters. This stated:

In terms of Part 2 matters it is clear (and confirmed by legal advice) that these can and should be considered as part of the decision making phase of Plan Change 36. Effects on personal safety, potential damage to property and shading effects and other matters of this nature can be taken into account when addressing the submissions. These matters are further discussed under the heading (i) Reasonable use below...²⁷

In that discussion, Ms Pye pointed to matters such as access to sunlight, nuisance from leaf fall, roots interfering with drains and built structures and potential hazard issues; she noted that the District Plan addresses these matters by way of the consent process, and that a decision to not schedule a tree based on these matters would only be warranted if it could be established that a given situation is “*particularly extreme*”. Ms Pye referred to a range of standard arboricultural solutions from pruning to support daylight access, cable bracing to enhance limb support, drain sleeving to remedy poor performance of drains, and root barriers.

I agree with Ms Pye, that having heard the evidence presented at the hearing we as commissioners are in the position of weighing the STEM score against the Part 2 matters that have been raised.²⁸ However I question whether a given situation needs to be particularly extreme, and consider the extent to which arboricultural solutions are required is also relevant to consideration of Part 2 matters.

During the hearing Mr Vari indicated that Part 2 matters would be considered during the resource consent application process, if landowners chose to apply to trim, alter or remove a notable tree, and we could take this into account in our consideration of Part 2 matters and in our decision.

I accept the legal advice, indicating that while at times Part 2 matters may be dealt with in this way, at other times the negative impacts of scheduling a tree may outweigh the wider community benefits associated with requiring resource consent to trim, alter or remove a

²⁷ Allison Pye, Response from the reporting planner, dated 25.5.12, p 14.

²⁸ Pye, Response, p 15.

tree. For example, site visits we undertook for some trees addressed by submitters at the hearing were useful for confirming whether Part 2 matters raised by submitters came into play to such an extent that inclusion on the Schedule was inappropriate.

Where such matters were not raised in submissions and evidence, the resource consent application process provides a further opportunity to test whether these are relevant. This is because applications for notable trees require discretionary rather than restricted discretionary applications, though the latter are required for generally protected trees. I wish to make clear that the scheduling of a tree does not prohibit works in the vicinity of a tree, or its pruning or removal but requires resource consent to be obtained so the merits of the application can be properly evaluated.

We had also asked for a planning response, including information on relevant zone objectives and policies, and in the Response quotations of Section 16 relevant objectives and policies for the residential zones overall as well as for different residential zones were provided.²⁹ I accept the reporting planner's statement that:

*It is concluded from the above listed objectives and policies that the activities and development opportunities in the various residential zones are required to take into account district plan provisions for tree protection and the retention of mature trees...*³⁰

I find that the Section 16 objectives and policies provide the general planning context, and explicitly support the retention of trees, particularly mature native and exotic trees.

District Plan Section 8 Objectives, Policies and Assessment Criteria

PPC36 simply proposed additions to the list of notable trees in the existing Schedule attached as Appendix 8C to Section 8: Natural Environment. This section has two specific objectives directly relevant to notable trees. These are:

To promote amenity values in both the urban and rural areas by maintaining and enhancing the tree cover present in the city.

To retain trees that contribute to the amenity, landscape and ecological values in the urban area.

The other two objectives are about raising community awareness and the level of education regarding trees, and promoting appropriate tree planting and maintenance. The policies explicitly relevant to the Schedule of notable trees are as follows:

2. By assessing and listing in a Schedule of Notable Trees those individual trees which by virtue of their scientific, landscape, landmark, visual or historic interest merit particular identification and protection.

6. By ensuring the retention of trees that contribute to amenity, landscape and ecological values of the area, including by general tree protection, a Schedule of Notable Trees and conditions of consent on subdivision and resource consents.

7. By providing advice to owners of trees on the Schedule of Notable Trees.

Policies 1 and 3 can also be seen as supportive of the Schedule, for example, of pohutukawa trees in the coastal conservation area.

²⁹ Pye, Response, p 16, 18-21.

³⁰ Pye, Response, p 21.

The assessment criteria are set out at the beginning of Appendix 8C. The four categories of notable trees are set out, with bullet points under the first three. Under the fourth, "*D Trees of Local Significance*" there are no bullet points, but an indented statement, indicating "*In determining whether trees are worthy of protection, the following factors are considered*"... In the Response Ms Pye considered the criteria to apply to all four categories of notable trees.³¹ In contrast, the majority see the criteria as only applying to Category D. I find that the assessment criteria apply to all four categories of trees, given the lack of bullet points, but accept that it is somewhat unclear.

The majority question the District Plan's assessment criteria, and the inclusion of a category of "*Trees of Local Significance*", and given 8.3.4 Policy 2. They consider the focus should be the objectives and policies, given section 76 (1), where a rule may be included if it has the purpose of achieving the objectives and policies of the plan.

Section 75 (1) indicates that a district plan must state the objectives for the district; the policies to implement the objectives; and any rules to implement the policies. The wording in sections 75 and 76 is slightly different to that in section 32 (3). The latter indicates an evaluation must 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.

Be that as it may, I find that the combination of 8.3.4 objectives and policies 2 and 6 mean that the fourth category of notable trees, that is, "*Trees of Local Significance*", and the assessment criteria are consistent with the objectives and policies and appropriate and relevant to PPC 36.

STEM and District Plan Assessment Criteria

The reporting planner confirmed that the STEM assessment is consistent with the criteria for the assessment of notable trees set out in the District Plan, and explains how this conclusion was reached.³² The explanatory material is helpful. At the same time I note the STEM's numerical scores do not explicitly consider the matters set out in the District Plan criteria, so that people can clearly see that these were indeed covered.

One criterion is unclear about the value to be placed on solitary trees versus trees in groups, and I consider the latter should not be included if they do not by themselves reach the 120 threshold for inclusion (ie, there should be no averaging of scores). I thus agree with the majority regarding trees in groups.

I acknowledge my strong preference that the criteria set out in the District Plan be the criteria explicitly used in the evaluation of trees for inclusion on the Schedule for notable trees, either as an explicit part of the STEM, or as the focus of the assessment, and consistent with the relevant objectives and policies. I also acknowledge that the way the District Plan criteria are applied should be in accordance with good practice, and understand that the use of the STEM was for that reason.

I find the STEM is consistent with the assessment criteria, except where I indicate otherwise above.

The majority considers that the STEM threshold of 120 may be too low in some cases. A number of professional arborists presented or tabled evidence at the hearing, but did not

³¹ Pye, Response, p 9-11.

³² Pye, Response, p 9-11.

challenge the STEM threshold of 120, but rather at times, the methodology, the STEM's scores in particular cases, and/or raised Part 2 matters.³³

The threshold of 120 is consistent with the practice of a number of other councils which use 120 points, namely the Auckland Council Waitakere and Auckland [City] sections of the District Plan, and plans for Nelson and New Plymouth; while Papakura and Franklin sections of the Auckland District Plan are understood to set the STEM at 126.

I am reluctant to substitute my own judgment on the STEM threshold and scores, except where there was more than one arborist providing evidence. This is because of the Council's policy decision on a threshold of 120 and given the complexity of the technical inputs into the scores. Where there were competing STEM scores provided, site visits would have enabled further consideration of the competing expert opinions and assisted us in making a judgment as to our preferred STEM scores.

I find, on the basis of the information and evidence, and good practice, that the STEM threshold of 120 is appropriate.

I find that the staff confirmation that the STEM assessment is consistent with the criteria for the assessment of notable trees, the reviews of some specific STEM scores and the updated scores for a number of trees in the Response, we are able to proceed with decision making, after having made the necessary site visits.

I also note that Mr Flook's guidance indicates that under function (or usefulness) there is the option for a recommendation to be attached to the evaluation form describing the adverse effects that a particular tree is having on the community.³⁴ Unfortunately, this option was not used, as it would have been helpful in decision making. I note that a planner accompanied the arborist to provide input into relevant matters, for example, amenity.

The Section 32 Evaluation and Part 2

This section considers the further section 32 (4) evaluation. The first matter to consider is the benefits and costs of inclusion of trees on the Schedule. The second is the risk of acting or not acting if there is uncertain or insufficient information.

The Schedule was reviewed during the preparation of PPC 36. This resulted in a number of trees being removed from the Schedule in PPC 36, given they no longer met the requirements, as well as 39 new trees from a 2008 nomination process and which met the requirements being included. Other trees were proposed for inclusion through the submissions process.

The benefits of including trees on the Schedule, are benefits to the wider community, in terms of maintaining and enhancing the North Shore's tree cover, as well as to the landowner/s, where they agree with inclusion on the Schedule. The costs are generally to the landowner, in terms of potentially some nuisance, maintenance of a property with a notable tree on it, and the costs in terms of time associated with any applications, as well as a public notification fee, unless this is waived. The Council also faces some costs, through the provision of its arborist advisory service and only charges for notification of applications to prune or remove a tree, while covering the balance of these costs.

³³ For example, John Blundell, for Paul and Germaine Joblin, 23 Norwood Road; Richard Peers and Graham Rennie, for Dinah Holman, 32 Belle Vue Ave; Craig Webb, in support of Lynette Maltby, 48 Deuxberry Ave; Gerald Collett, for Nick and Claire Sutton, 36 Ngataranga Road; Ken Devitt, for Allan and Sonja Johnson, 4A Ellangowan Road; Marin Gohns, for Tokoeka Properties Ltd, for 16 properties in Stanley Point Road.

³⁴ Ron Flook, STEM: A Standard Tree Evaluation Method, p 19.

I find the benefits of including trees on the Schedule outweigh the costs where the costs to the landowner, and any relevant neighbouring properties, are reasonable, in terms of shade, leaf drop, etc, and do not require significant investment in arboricultural remedies, such as the cabling of branches. If living with a scheduled tree becomes onerous, the landowner or neighbour can apply to prune or remove the tree, with Part 2 matters being relevant considerations, which provides a safeguard for owners.

The second matter to consider is the risk of acting or not acting if there is uncertain or insufficient information. It is therefore useful to consider the information we had. This was substantial and included the section 42A report, with appendices, and Response to the Chair's minutes, the initial and updated STEM reports, aerial photographs showing the locations of trees on properties, submissions and further submissions, and evidence and legal submissions, include copies of relevant court decisions.

I find that the combination of the information available to us, and completing visits to a representative range of the trees proposed for inclusion in the Schedule, would have been sufficient to enable a judgment to be made about the effects of inclusion of trees in the Schedule, and for informed decisions on all the trees proposed to be made.

I comment below as if there is uncertain or insufficient information, given the findings of the majority. The majority notes given the Auckland Council's declaratory judgment on the 2009 amendments to the Act, the General Tree Protection Rules still apply to most if not all of the trees proposed to be scheduled. I accept we cannot have regard to the current legal challenge to these rules.

However the tree provisions of the 2009 Amendment Act received wide publicity in Auckland after it was enacted, and many people would have been aware that they could prune or remove most trees in urban Auckland from the beginning of 2012. The Council's declaratory judgment did not receive the same publicity, and many landowners may be unaware of it. The difference between the two is likely to have created some confusion in the community, with some landowners acting consistent with the provisions of the 2009 Amendment Act, and against the existing rules. The Council has advertised that landowners should check with it before pruning or removing trees, but it is unlikely that this has happened in all cases.

There are risks facing both generally protected trees, and even scheduled trees, for example, poor pruning and unlawful damage were reasons a limited number of scheduled trees were removed from the Schedule.³⁵ Landowners are less likely to know about their tree being a generally protected tree, than they are to know that a tree on their property is a notable tree.

Council staff at the hearing acknowledged that on the North Shore, the average stay in a house is seven years, and that new owners often have a different attitude to trees on their properties and either remove them, or apply to have them removed. A number of landowners at the hearing stated they did not want to prune or remove the tree at that time, but considered they may want to do so in the future, and opposed scheduling, as they considered it easier to gain resource consent for a non notable tree, which has limited discretionary rather than the discretionary status of notable trees. For the latter, where significant Part 2 matters arise these must be considered in the decision making, and the consent category may be helpful.

I find that if there was uncertain or insufficient information there are risks associated with not including trees in the Schedule. There are sound reasons to schedule trees, where they

³⁵ Alison Pye, Section 42A Report, and arborist comments made at the hearing, with one arborist, stating that some scheduled trees "had simply disappeared."

meet the STEM threshold (and so the District Plan criteria), where Part 2 matters are satisfied, and scheduling better supports achieving the relevant District Plan objectives.

Conclusion and Findings

The findings and conclusion follow from the above discussion. Areas where I agree with the majority are generally not included. I find that:

- 1 Council staff followed good practice by notifying each landowner in writing where a submission recommended the inclusion in the Schedule of a tree or trees on their property. This ensured procedural fairness, particularly for landowners who had relied on the pre-statutory veto of the previous Council.
- 2 As independent commissioner decision makers for PPC36 we have a responsibility to undertake such site visits or field trips as are reasonably necessary to satisfy ourselves of the context of the plan change, for familiarisation and to gain insight into the competing cases put and that need to be weighed up in coming to a judgment, and for supporting commissioners to carry out our statutory responsibilities.
- 3 A representative range of site visits to trees nominated for inclusion in the Schedule, along with the other information available, would have been sufficient to support us in coming to a judgment about the Part 2 matters, to meet the section 32 requirements, and to make informed decisions on all the trees, based on the merits of the cases presented. This did not occur as given legal advice the site visits were stopped.
- 4 PPC36 falls short in terms of the financial assistance mechanisms that were to be investigated and possibly included in it, however, given the existing Council's advisory and financial support which represents good practice, the initial Section 32 is adequate and provides a sufficient basis for us to undertake the further section 32 evaluation required and to make decisions on the trees nominated for inclusion.
- 5 The Section 8 Natural Environment objectives and policies of the District Plan support the assessment criteria set out in Appendix 8C of the District Plan in terms of the four categories of notable trees, including trees of local significance, and the criteria are consistent with these relevant objectives and policies, and appropriate and relevant to PPC 36. Section 16 Residential Environment relevant objectives and policies provide the general planning context and also support the retention of mature native and exotic trees and residential amenity, amongst other things.
- 6 On the basis of the information, including evidence, and good practice across a number of councils, that the STEM threshold of 120 is appropriate.
- 7 The staff confirmation that the STEM assessment is consistent with the criteria for the assessment of notable trees, the reviews of some specific STEM scores and the updated scores for a number of trees in the Response, is appropriate. The way the District Plan criteria are applied should be in accordance with good practice, and accept the use of the STEM was for that reason.
- 8 The benefits of including trees on the Schedule outweigh the costs where the costs to the landowner, and any relevant neighbouring properties, are reasonable. If living with a scheduled tree becomes onerous, the landowner or neighbour can apply to prune or remove the tree which provides a safeguard.

- 9 If there had been uncertain or insufficient information there are risks associated with not including trees in the Schedule, and there are sound reasons to schedule trees, where they meet the STEM threshold (and so the District Plan criteria), Part 2 matters are satisfied and to better support achieving the relevant District Plan objectives.

I also note my interest in two further information requests of staff. The first was to gain a legal perspective on the use of the STEM in the PPC 36 process as distinct from explicit consideration of the assessment criteria for notable trees. The second was to take staff up on the offer to access archived material to learn if any scheduled trees of a pest species had such historic or cultural significance that they should remain scheduled. Pest species by definition do not warrant protection, except where a strong case is made.

On the basis of the above findings and comments, I conclude as follows:

- a. Those trees proposed to be scheduled and for which there are no submissions or further submissions in opposition should be scheduled, as proposed by the majority.
- b. Where a proposed notable tree is a pest species with no significant historic or cultural values it should not be scheduled, and where there is evidence to demonstrate that a proposed notable tree is a pest species with significant historic or cultural values it should be scheduled. We were unable to make this distinction as the relevant information was archived and not accessed.
- c. Completion of site visits to a representative range of the trees proposed for inclusion in the Schedule would have enabled decisions to include some other trees on the Schedule, as well as decisions to exclude some other trees from the Schedule, based on the merits associated with the different cases, rather than simply the presence of submissions or further submissions in opposition to scheduling.
- d. There are sufficient risks facing generally protected trees, that where trees meet both the STEM threshold and the Act's requirements, inclusion of the trees on the Schedule would enable better resource management outcomes and better achieve the Section 8 and 16 objectives in the District Plan.
- e. Such an approach outlined in c and d above would better promote sustainable management of natural and physical resources.

PART THREE – THE MAJORITY DECISION

On the basis of the discussion above the decision of the majority is that the Schedule of Notable Trees is to be amended by the inclusion of all trees, (other than those identified as pest species in the "Auckland Regional Pest Management Strategy 2007-2012"), which were nominated either in the Schedule as publicly notified or by way of submission to PPC36, and which scored 120 or more in the STEM analysis and in respect of which there were no submissions in opposition and which were sufficiently clearly identified in the submission which proposed their inclusion.

All other trees, including all pest species, which were nominated for inclusion either in PPC36 as notified or by way of submission will not be included in the Schedule.

All the submissions and further submissions to PPC36 will be accepted or rejected in accordance with the above decision.

We record, as part of our decision, and as noted elsewhere, that Mr Bhana advised a conflict of interest with respect to submission 126 and took no part in the discussion. However the decision on this submission is addressed through our generic decision strategy.

REASONS FOR MAJORITY DECISION

The reasons for the majority decision are largely contained in the discussion above and can be summarised as follows:

- a) The inclusion of a Schedule of Notable Trees in the District Plan is an appropriate policy response to the issue of protecting trees which contribute to the wellbeing of people on the North shore and which are intrinsically valuable in their own right.
- b) With regard to PPC36 the requirements of Part 2 and s.32 of the Act have not been satisfied with respect to the identification of trees to be placed on a Schedule of Notable Trees. Therefore we are not confident that, with the information that is available to us, a properly informed decision as to whether a tree should be included on the Schedule of Notable Trees can be made in respect of every tree recommended by the officers for scheduling. Thus a conservative approach to scheduling trees has been adopted.
- c) Section 32(4) of the Act refers to 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 regard we consider that there is insufficient information but that there is very little risk arising from not acting. A Schedule of Notable Trees will continue to exist and trees not on the Schedule but included in the tree protection rules of the District Plan will not be able to be removed without a resource consent.
- d) The principles of natural justice will apply as people will not be adversely affected by decisions made without an adequate assessment in terms of the statutory requirements. In this regard also the decision does not disenfranchise those who relied on the veto procedure adopted by the Council prior to the notification of PPC36 and who subsequently found the tree/s on their property the subject of submissions.
- e) The decision is not contrary to the objectives and policies of the District Plan.



C.Stewart
Chairman of the hearing panel

Date: 20 November 2012

ATTACHMENT 1

DECISION ON SUBMISSIONS

- LIST OF SUBMITTERS IN NUMERICAL SUBMISSION NUMBER SEQUENCE
 - LIST OF SUBMITTERS IN ALPHABETICAL SEQUENCE
 - APPPENDIX 8C DECISIONS VERSION
-

List of Submitters in Numerical Sequence of Submission Numbers

Surname or organisation	First names	Submission no	Accepted, Rejected or Accepted in part	Reasons for decision where no specific tree was nominated or Identified
Smith	Ken	1	Rejected	
Cornwell	Judith	2	Rejected	
Barber	Cherry	3	Rejected	Inadequate identification
Pitts	Graham	4	Accepted	
Hill	Martin	5	Accepted in part	
Heap	David	6	Accepted	
Hawkins	Janet E	7	Rejected	
Coakley	Patrick	8	Rejected	
Salmon	Paul	9	Rejected	
Shepherd Park Management Committee		10	Rejected	
Girvan	M & J	11	Accepted in part	
Cozens	Malcolm R	12	Rejected	
Barber	Alan	13	Rejected	Inadequate identification
Chidlow	Hilary	14	Rejected	Inadequate identification
Grant & Beckley	Barbara & Todd	15	Rejected	
Wallwork	Derek	16	Accepted	
Stout	Rosemary	17	Accepted in part	
Rishworth	Eileen	18	Rejected	Outside scope
Morris	BN & RP	19	Accepted in part	
Ronald	Angela	20	Rejected	Inadequate identification
Hay	J.C.	21	Accepted	
Findlay agent for S.F.				
Johnston	Alex	22	Accepted	
Oxenham	Michelle	23	Accepted	
Thomson	Sarah	24	Rejected	
Edmonds	Christopher	25	Accepted	
White	B & R	26	Accepted	
Hood	L.	27	Rejected	Inadequate identification
Richards	Stanley	28	Accepted	
Panko	Dr Mary	29	Rejected	Already protected
Trotman	Denis	30	Accepted	
Purliant	Robin	31	Rejected	Inadequate identification
Scott	Jarred	32	Accepted in part	
Thorburn	G.D	33	Accepted	
Greenslade	Susan M	34	Rejected	
Woodley	G.I	35	Accepted in part	
Keenan	Jan	36	Accepted	
Seaview Trust		37	Rejected	

Surname or organisation	First names	Submission no	Accepted, Rejected or Accepted in part	Reasons for decision where no specific tree was nominated or identified
Pierce	Dave	38	Rejected	
Salmon	Keith	39	Accepted	
Waiariki	Sharon	40	Accepted	
Purliant	Helen	41	Rejected	Inadequate identification
Shaw	Anne	42	Accepted in part	
Cholmondeley	Dr.	43	Accepted in part	
Yates	Phil	44	Accepted in part	Outside scope
Mutu	Anne M	45	Accepted in part	

Southon	Dorothy	46	Rejected	Inadequate identification
Mackley	June	47	Accepted	
Steen	Glen	48	Accepted in part	
Shepherd Park Management Committee		49	Rejected	Already protected, inadequate identification
Easterday	Virginia	50	Rejected	
Chapple	John	51	Rejected	
Fond	Robyn	52	Rejected	
Marshall	W	53	Accepted in part	Require owners consent
Marshall	R	54	Accepted in part	Require owners consent
Sharrock	T.C.	55	Accepted in part	Require owners consent
Faiers	Pauline	56	Accepted in part	Require owners consent
Teesdale	A.A.	57	Rejected	
Martin	Mike	58	Accepted	
Wakefield	Victor & Kay	59	Accepted in part	
Williams	Lyle	60	Accepted in part	Require owners consent
Guoduin	Sue & Jason	61	Rejected	Outside scope
Hendriksen	Peter & Josette	62	Rejected	Already protected
Rodwell	Geoffrey	63	Rejected	
Money	Samuel	64	Accepted in part	
Ensor	Justin & Kerry	65	Accepted in part	
Lee	Verne	66	Accepted in part	
Clark	Nicky	67	Rejected	
SFH Consultants		68	Accepted in part	Require owners consent
Gamer	Sally	69	Accepted	
Costello	M	70	Accepted in part	Require owners consent

Surname or organisation	First names	Submission no	Accepted, Rejected or Accepted in part	Reasons for decision where no specific tree was nominated or identified
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Kauri Point Centennial Park & Chatswood Reserve Management Committee		71	Accepted in part	
Kauri Point Centennial Park & Chatswood Reserve Management Committee		72	Rejected	Already protected and/or inadequate identification
Paine	Margaret	73	Accepted in part	
Creed	Michael & Elizabeth	74	Rejected	Inadequate identification
Mason	Andrew	75	Accepted	
Neads	Jennifer	76	Accepted in part	
Auckland Regional Council		77	Rejected	
McIndoe	Dr Kushla	78	Rejected	Outside scope
Devonport Community Board		79	Rejected	
Goodenough	Richard	80	Rejected	Already protected
Scovell	WG & JM	81	Rejected	Outside scope
Glenfield Community Board		82	Rejected	Already protected
Birkenhead Northcote Community Board		83	Rejected	Already protected
Saxon	Rebekah	84	Accepted in part	
Harris	Jeff	85	Accepted in part	Inadequate identification
Keereweer	Anna	86	Accepted in part	
Slater	Rod & Lesley	87	Rejected	Already protected
Graham	Esther	88	Rejected	Deuxberry Avenue 48
Parsons	Helen	89	Accepted	
Parsons	Roger	90	Accepted	
Dunkley	Zenia	91	Accepted in part	
Grant	Ian	92	Accepted in part	Already protected
Meys	Adrian	93	Accepted in part	Already protected, inadequate identification, outside scope
Scott	Clyde	94	Rejected	
Shayer	Sigrid	95	Accepted in part	
Sumner	Michael	96	Accepted	
Surname or organisation	First names	Submission no	Accepted, Rejected or Accepted in part	Reasons for decision where no specific tree was nominated or identified
Lane	Dr F.D.	97	Accepted	

Bronlund	Leone	98	Accepted	
McKay	Patricia	99	Accepted	
McGrath	Judy	100	Accepted	
Stenberg	Carolyn & Ron	101	Accepted in part	Require owners consent Already protected, inadequate identification
Healy	Jenny	102	Accepted in part	
Fairburn	Janis	103	Accepted in part	Require owners consent
Musgrove	Marjorie	104	Accepted in part	Require owners consent
Pyle	J& R.S.W.	105	Accepted	
Gillon	Paula	106	Rejected	Already protected
Fry	Wayne & Jane	107	Rejected	Inadequate identification
Cook	Steve	108	Accepted	
Becroft	Genevieve	109	Accepted	
Evans	John	110	Accepted	
Lobb	Justin	111	Accepted in part	Require owners consent
Lobb	Glenis	112	Accepted in part	Require owners consent
Dowle	Janice	113	Rejected	Inadequate identification
Baron	Patrick	114	Rejected	
Barker	Valerie	115	Accepted	
Stanley	B.G.	116	Rejected	Inadequate identification
Hubbard	Brent	117	Rejected	
Hugill	Annette	118	Accepted in part	Require owners consent
Drummond	Andrew	119	Rejected	
Nickhols	Keith	120	Accepted	
Smedley	Richard & Karen	121	Rejected	Inadequate identification, Already protected
Collins & Durham	Elizabeth & Gladstone	122	Accepted	
Collins	E J	123	Accepted in part	
Salter	Dr. Joshua	124	Accepted	
Aspden	M	125	Accepted	
Mason	James & Valerie	126	Accepted	
Eagles	Christine	127	Accepted	
Mason	Katherine	128	Accepted	
Grace	Adrienne	129	Accepted in part	
Scott	M. Carol	130	Rejected	
Miller	J.E.R.& L.J.	131	Accepted	
Bowman	Ian & Robin	132	Accepted	
North Shore Forest & Bird		133	Rejected	Inadequate identification
Surname or organisation	First names	Submission no	Accepted, Rejected or Accepted in part	Reasons for decision where no specific tree was nominated or identified
Southern Cross Hospital		134	Rejected	Outside scope

Young	Anne & James	135	Rejected	
Gray	David T	136	Rejected	Already protected
Apperley	Jo	137	Accepted in part	
Femglen Management Committee		138	Rejected	Inadequate identification
Fischer	Malcolm	139	Rejected	Inadequate identification
Gillon	Joan A	140	Accepted in part	
Prendergrast	James & Elizabeth	141	Rejected	
Harris	Geoffrey Colin	142	Accepted	
Simpson	Kay	143	Rejected	Already protected
Wilson	Margaret A	144	Rejected	
Stevenson	Diane & John	145	Rejected	
Center	Jim	146	Accepted	
Struthers	Shelley	147	Rejected	
Luke	Joyce E	148	Rejected	
Mannlon	Christine	149	Accepted	
Borwick	Alastair	150	Accepted	
Wilson	Tiana	151	Rejected	Already protected
Small	Therese	152	Rejected	Inadequate identification
Brannigan	Julia	153	Rejected	Inadequate identification
Arkensteyn	Paula	154	Accepted in part	
Sheddan	Mary	155	Rejected	

List of submitters in alphabetical sequence

Surname or organisation	First names	Submission no	Accepted, Rejected or Accepted in part	Reasons for decision where no specific tree was nominated or identified
Apperley	Jo	137	Accepted in part	
Arkensteyn	Paula	154	Accepted in part	
Aspden	M	125	Accepted	
Auckland Regional Council		77	Rejected	
Barber	Cherry	3	Rejected	Inadequate identification
Barber	Alan	13	Rejected	Inadequate identification
Barker	Valerie	115	Accepted	
Baron	Patrick	114	Rejected	
Becroft	Genevieve	109	Accepted	
Birkenhead Northcote Community Board		83	Rejected	Already protected
Borwick	Alastair	150	Accepted	
Bowman	Ian & Robin	132	Accepted	
Brannigan	Julia	153	Rejected	Inadequate identification
Bronlund	Leone	98	Accepted	
Center	Jim	146	Accepted	
Chapple	John	51	Rejected	
Chidlow	Hilary	14	Rejected	Inadequate identification
Cholmondeley	Dr.	43	Accepted in part	
Clark	Nicky	67	Rejected	
Coakley	Patrick	8	Rejected	
Collins	E J	123	Accepted in part	
Collins & Durham	Elizabeth & Gladstone	122	Accepted	
Cook	Steve	108	Accepted	
Cornwell	Judith	2	Rejected	
Costello	M	70	Accepted in part	Require owners consent

Cozens	Malcolm R	12	Rejected	
Surname or organisation	First names	Submission no	Accepted, Rejected or Accepted in part	Reasons for decision where no specific tree was nominated or identified
Creed	Michael & Elizabeth	74	Rejected	Inadequate identification
Devonport Community Board		79	Rejected	
Dowle	Janice	113	Rejected	Inadequate identification
Drummond	Andrew	119	Rejected	
Dunkley	Zenia	91	Accepted in part	
Eagles	Christine	127	Accepted	
Easterday	Virginia	50	Rejected	
Edmonds	Christopher	25	Accepted	
Ensor	Justin & Kerry	65	Accepted in part	
Evans	John	110	Accepted	
Faiers	Pauline	56	Accepted in part	Require owners consent
Fairburn	Janis	103	Accepted in part	Require owners consent
Femglen Management Committee		138	Rejected	Inadequate identification
Findlay agent for S.F. Johnston	Alex	22	Accepted	
Fischer	Malcolm	139	Rejected	Inadequate identification
Fond	Robyn	52	Rejected	
Fry	Wayne & Jane	107	Rejected	Inadequate identification
Gamer	Sally	69	Accepted	
Gillon	Paula	106	Rejected	Already protected
Gillon	Joan A	140	Accepted in part	
Girvan	M & J	11	Accepted in part	
Glenfield Community Board		82	Rejected	Already protected
Goodenough	Richard	80	Rejected	Already protected
Grace	Adrienne	129	Accepted in part	

Alphabetical List of Submitters recording whether submission was accepted, accepted in part or rejected.

Graham	Esther		Rejected	Deuxberry Avenue 48
Surname or organisation	First names	Submission no	Accepted, Rejected or Accepted in part	Reasons for decision where no specific tree was nominated or identified
Grant	Ian	92	Accepted in part	Already protected
Grant & Beckley	Barbara & Todd	15	Rejected	
Gray	David T	136	Rejected	Already protected
Greenslade	Susan M	34	Rejected	
Guoduin	Sue & Jason	61	Rejected	Outside scope
Harris	Jeff	85	Accepted in part	Inadequate identification
Harris	Geoffrey Colin	142	Accepted	
Hawkins	Janet E	7	Rejected	
Hay	J.C.	21	Accepted	
Healy	Jenny	102	Accepted in part	Already protected, inadequate identification
Heap	David	6	Accepted	
Hendriksen	Peter & Josette	62	Rejected	Already protected
Hill	Martin	5	Accepted in part	
Hood	L.	27	Rejected	Inadequate identification
Hubbard	Brent	117	Rejected	
Hugill	Annette	118	Accepted in part	Require owners consent
Kauri Point Centennial Park & Chatswood Reserve Management Committee		71	Accepted in part	
Kauri Point Centennial Park & Chatswood Reserve Management Committee		72	Rejected	Already protected and/or inadequate identification
Keenan	Jan	36	Accepted	
Keereweer	Anna	86	Accepted in part	
Lane	Dr F.D.	97	Accepted	
Lee	Verne	66	Accepted in part	
Lobb	Glenis	112	Accepted in part	Require owners consent

Lobb	Justin	111	Accepted in part	Require owners consent
Luke	Joyce E	148	Rejected	
Surname or organisation	First names	Submission no	Accepted, Rejected or Accepted in part	Reasons for decision where no specific tree was nominated or identified
Mackley	June	47	Accepted	
Mannion	Christine	149	Accepted	
Marshall	W	53	Accepted in part	Require owners consent
Marshall	R	54	Accepted in part	Require owners consent
Martin	Mike	58	Accepted	
Mason	Andrew	75	Accepted	
Mason	James & Valerie	126	Accepted	
Mason	Katherine	128	Accepted	
McGrath	Judy	100	Accepted	
McKay	Patricia	99	Accepted	
McIndoe	Dr Kushla	78	Rejected	Outside scope
Meys	Adrian	93	Accepted in part	Already protected, inadequate identification, outside scope
Miller	J.E.R.& L.J.	131	Accepted	
Money	Samuel	64	Accepted in part	
Morris	BN & RP	19	Accepted in part	
Musgrove	Marjorie	104	Accepted in part	Require owners consent
Mutu	Anne M	45	Accepted in part	
Neads	Jennifer	76	Accepted in part	
Nickhols	Keith	120	Accepted	
North Shore Forest & Bird		133	Rejected	Inadequate identification
Oxenham	Michelle	23	Accepted	
Paine	Margaret	73	Accepted in part	
Panko	Dr Mary	29	Rejected	Already protected
Parsons	Helen	89	Accepted	
Parsons	Roger	90	Accepted	
Pierce	Dave	38	Rejected	
Pitts	Graham	4	Accepted	
Prendergrast	James & Elizabeth	141	Rejected	
Purliant	Robin	31	Rejected	Inadequate identification
Purliant	Helen	41	Rejected	Inadequate identification

Alphabetical List of Submitters recording whether submission was accepted, accepted in part or rejected.

Surname or organisation	First names	Submission no	Accepted, Rejected or Accepted in part	Reasons for decision where no specific tree was nominated or identified
Pyle	J& R.S.W.	105	Accepted	
Richards	Stanley	28	Accepted	
Rishworth	Eileen	18	Rejected	Outside scope
Rodwell	Geoffrey	63	Rejected	
Ronald	Angela	20	Rejected	Inadequate identification
Salmon	Paul	9	Rejected	
Salmon	Keith	39	Accepted in part	
Salter	Dr. Joshua	124	Accepted in part	
Saxon	Rebekah	84	Accepted in part	
Scott	Clyde	94	Rejected	
Scott	Jarred	32	Accepted in part	
Scott	M. Carol	130	Rejected	
Scovell	WG & JM	81	Rejected	Outside scope
Seaview Trust		37	Rejected	
SFH Consultants		68	Accepted in part	Require owners consent
Sharrock	T.C.	55	Accepted in part	Require owners consent
Shaw	Anne	42	Accepted in part	
Shayer	Sigrid	95	Accepted in part	
Sheddán	Mary	155	Rejected	
Shepherd Park Management Committee		10	Rejected	
Shepherd Park Management Committee		49	Rejected	Already protected, inadequate identification
Simpson	Kay	143	Rejected	Already protected
Slater	Rod & Lesley	87	Rejected	Already protected
Small	Therese	152	Rejected	Inadequate identification
Smedley	Richard & Karen	121	Rejected	Inadequate identification, Already protected
Smith	Ken	1	Rejected	
Southern Cross Hospital		134	Rejected	Outside scope

Alphabetical List of Submitters recording whether submission was accepted, accepted in part or rejected.

Surname or organisation	First names	Submission no	Accepted, Rejected or Accepted in part	Reasons for decision where no specific tree was nominated or identified
Southon	Dorothy	46	Rejected	Inadequate identification
Stanley	B.G.	116	Rejected	Inadequate identification
Steen	Glen	48	Accepted in part	
Stenberg	Carolyn & Ron	101	Accepted in part	Require owners consent
Stevenson	Diane & John	145	Rejected	
Stout	Rosemary	17	Accepted in part	
Struthers	Shelley	147	Rejected	
Sumner	Michael	96	Accepted	
Teesdale	A.A.	57	Rejected	
Thomson	Sarah	24	Rejected	
Thorburn	G.D	33	Accepted	
Trotman	Denis	30	Accepted	
Waiariki	Sharon	40	Accepted in part	
Wakefield	Victor & Kay	59	Accepted in part	
Wallwork	Derek	16	Accepted	
White	B & R	26	Accepted	
Williams	Lyle	60	Accepted in part	Require owners consent
Wilson	Margaret A	144	Rejected	
Wilson	Tiana	151	Rejected	Already protected
Woodley	G.I	35	Accepted in part	
Yates	Phil	44	Accepted in part	Outside scope
Young	Anne & James	135	Rejected	

Appendix 8C

Amended by Decision

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
<u>Abbotsford Terrace</u>				
(-)	<u>5 Queensland Brush Box</u> <u>(<i>Fristania confertus</i>)</u> <u>Street Trees</u>	<u>D</u>	<u>769</u>	<u>Map 32A</u>
(45)	<u>Norfolk Island Pine</u> <u>(<i>Araucaria heterophylla</i>)</u> <u>Lot 119 DP 195</u>	<u>D</u>	<u>770</u>	<u>Map 32A</u>
<u>Acacia Road</u>				
(-)	<u>Blue Gum</u> <u>(<i>Eucalyptus sp.</i>)</u> <u>Legal Road Reserve</u> <u>adjacent to 46 Acacia Road</u>	<u>D</u>	<u>613</u>	<u>Map 8</u>
<u>Aberdeen Road</u>				
(17)	<u>Norfolk Island Pine</u> <u>(<i>Araucaria heterophylla</i>)</u> <u>Lot 2 DP 45319</u>	<u>D</u>	<u>88</u>	<u>Map 20</u>
(46)	<u>1 Taraire</u> <u>(<i>Beilschmiedia taraire</i>)</u> <u>Lot 1 DP 37419</u> <u>Tree at rear of the</u> <u>property on border with</u> <u>Centennial Park</u>	<u>D</u>	<u>558</u>	<u>Map 20</u>
<u>Akoranga Drive</u>				
(58)	<u>7 Monterey Cypress</u> <u>(<i>Cupressus macrocarpa</i>)</u> <u>2 English Oak</u> <u>(<i>Quercus robur</i>)</u> <u>North Shore Marae Site</u> <u>Lot 698 Takapuna</u> <u>Parish</u>	<u>D</u>	<u>89</u>	<u>Map 25</u>

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
<u>Alamein Avenue</u>				
<u>(5)</u>	<u>Swamp Cypress</u> <u>(<i>Taxodium distichum</i>)</u> <u>Lot 111 DP 43811</u>	<u>D</u>	<u>754</u>	<u>Map 27</u>
<u>(18)</u>	<u>English Oak</u> <u>(<i>Quercus robur</i>)</u> <u>DL/AK NAVY 421 - Lot</u> <u>11 DP 43549</u>	<u>D</u>	<u>752</u>	<u>Map 27</u>
<u>(34)</u>	<u>Moreton Bay Fig</u> <u>(<i>Ficus macrophylla</i>)</u> <u>Lot 19 DP 43549</u>	<u>D</u>	<u>753</u>	<u>Map 27</u>
<u>Albany Highway</u>				
(-)	Golden Totara (<i>Podocarpus totara aurea</i>) South east of tennis courts Oteha Escarpment, Albany Lot 2 DP 132667 Original Golden Totara variant	C	53	Map 12
(-)	English Oak (<i>Quercus robur</i>) Albany Domain Part Allotment 690 Paremoremo Parish on SO 57127	D	92	Map 12
(-)	6 English Oak (<i>Quercus robur</i>) Road reserve of Albany Highway adjacent to 15 and 17 Oak Manor Drive Lots 24 and 25 DP 189308	A	76	Map 12
(-)	Norfolk Island Pine (<i>Araucaria heterophylla</i>) Road reserve adjacent to 437B Albany Highway Lot 1 DP 187889	A	77	Map 12

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
(360)	Magnolia (<i>Magnolia grandiflora</i>) English Oak (<i>Quercus robur</i>) American Tulip (<i>Liriodendron tulipifera</i>) White Sapote (<i>Casimiroa edulis</i>) Pecan Nut (<i>Carya illinoensis</i>) Silky Oak (<i>Grevillea robusta</i>) Idesia (<i>Idesia polycarpa</i>) Kristin School Lot 2 DP 102425	D	93	Map 12
(536)	Kauri (<i>Agathis australis</i>) Rimu (<i>Dacrydium cupressinum</i>) Totara (<i>Podocarpus totara</i>) Albany Outdoor Education Centre Part Allotment 94 Parish of Paremoremo	D	94	Map 12
Albert Road				
(2)	3 Pohutukawa (<i>Metrosideros excelsa</i>) Lot 1 DP 169101	D	773	Map 32A
(49)	Magnolia (<i>Magnolia grandiflora</i>) Flat 1 Lot 23 DP 189 C.T 75/282	D	96	Map 32A
Alfred Street				
(-)	7 Aemena (<i>Aemena smithii</i>) 4 Totara	D	97	Map 30

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
	(<i>Podocarpus totara</i>) 6 Pohutukawa (<i>Metrosideros excelsa</i>) Legal Road Reserve Adjacent to 4-24 Alfred Street and 5 Milton Road			
	Alma Street			
(-)	17 London Plane (<i>Platanus x acerifolia</i>) Legal Road Reserve Avenue of trees	D	98	Map 30
	Aotearoa Terrace			
(-)	<u>Pohutukawa</u> (<i>Metrosideros excelsa</i>) <u>Legal Road Reserve</u> <u>adjacent to 10-24</u> <u>Aotearoa Terrace</u>	<u>D</u>	<u>793</u>	<u>Map 14</u>
	Alton Avenue			
(19)	English Oak (<i>Quercus robur</i>) Lot 23 DP 47979	D	83	Map 25
	Anzac Street			
(-)	English Oak (<i>Quercus robur</i>) Takapuna Primary School Main Gates Part Allotment 79 Takapuna Parish Planted on 9th August 1902 to commemorate the coronation of King Edward VII	B	43	Map 26A
(-)	English Oak (<i>Quercus robur</i>) Takapuna Primary School Main Gates Part Allotment 79 Takapuna Parish Planted on 6th May	B	44	Map 26A

Subs 137 & 65 Note
address should be
10-14

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
	1910 to commemorate the coronation of King George V			
(-)	1 Monterey Cypress (<i>Cupressus macrocarpa</i>) Potters Park Takapuna Rose Gardens Lot 7 Block 10 Deeds Plan T17	D	100	Map 26A
(31)	English Oak (<i>Quercus robur</i>) Lot 1 DP 156720	D	102	Map 26A
Aramoana Avenue				
(27)	Camphor Laurel (<i>Cinnamomum camphora</i>) Pohutukawa (<i>Metrosideros excelsa</i>) Lot 28 DP 21368 C.T 633/233	D	103	Map 32
(28)	Pohutukawa (<i>Metrosideros excelsa</i>) Lot 1 DP 181504	D	691	Map 32
(62)	6 Pohutukawa (<i>Metrosideros excelsa</i>) Lot 6 DP 21369	D	615	Map 31
Submission 150				
(72)	Norfolk Island Pine (<i>Araucaria heterophylla</i>) Pt Lot 1 DP 43941	D	687	Map 31
(74)	Norfolk Island Pine (<i>Araucaria heterophylla</i>) Lot 1 DP 181597	D	688	Map 31
Arawa Avenue				
(-)	7 Pohutukawa (<i>Metrosideros excelsa</i>) Street trees	D	858	Map 32
(12)	Pohutukawa (<i>Metrosideros excelsa</i>)	D	104	Map 32

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
	Part Lots 6 & 7 DP 3244 C.T 278/175			
(14)	2 Pohutukawa (<i>Metrosideros excelsa</i>) Part Lot 7 DP 3244 C.T 988/283	D	105	Map 32
	Arcadia Crescent			
(12)	Hard Beech (<i>Nothofagus truncata</i>) Lot 15 DP 53708	D	106	Map 24
	Ascot Avenue			
(8)	Liquidambar (<i>Liquidambar styraciflua</i>) Lot 17 DP 6830 C.T 51B/1369	D	108	Map 32
	Auburn Street			
(26)	Pohutukawa (<i>Metrosideros excelsa</i>) Lots 49 & 50 DP 12248	D	109	Map 26A
	Audrey Road			
(9)	Norfolk Island Pine (<i>Araucaria heterophylla</i>) Lot 20 Part Lot 21 DP 13179 – Part subject to R/W on Lot 27	D	110	Map 21
(18)	Pohutukawa (<i>Metrosideros excelsa</i>) Lot 12 & 1/5 interest in Lot 32 DP 16529	D	111	Map 21
(24)	Pohutukawa (<i>Metrosideros excelsa</i>) Lot 15 & 1/5 interest in Lot 32 DP 16529	D	112	Map 21
	Awanui Street			
(4)	<u>Australian Red Cedar</u> (<u><i>Toona ciliata</i></u>)	<u>D</u>	<u>797</u>	<u>Map 30</u>

sub 64

Schedule of Notable Trees

Street Number	Category	Tree No	Map Ref
<u>Pohutukawa</u> <u>(<i>Metrosideros excelsa</i>)</u> <u>Pt Lot 2 DP 3444</u>			
(7)	<u>D</u>	629	Map 30
<u>(<i>Metrosideros excelsa</i>)</u> <u>Lot 1 DP 15768</u>			
sub 39			
(8-12)	B	40	Map 30
<u>Waiata Tropical Gardens</u> <u>Pt Lot 4 DP 3444 and Lot 1 DP 192659</u> Those remaining of 40 Palm species planted as a palm garden by Clement Wragge from 1910			
(10-12)	D	814	Map 30
<u>Coastal Pohutukawa</u> <u>(<i>Metrosideros excelsa</i>)</u> <u>Fronting to coast</u>			
sub 130 -F.S. Opposed 2990			
<u>2 Magnolia</u> <u>(<i>Magnolia grandiflora</i>)</u> <u>Lot 1 DP 192659</u>			
sub 125			
(15-17)	<u>D</u>	605	Map 30
<u>Coastal Pohutukawa</u> <u>(<i>Metrosideros excelsa</i>)</u> <u>Lot 5 DP 15768, Lot 6 DP 15768</u>			
Awaruku Road			
(-)	A	4	Map 8
<u>Kahikatea</u> <u>(<i>Dacrycarpus dacrydioides</i>)</u> R17 Awaruku Bush, Torbay Part Lot 2 DP 65561 Pre-european forest remnant			
(-)	<u>D</u>	568	Map 8
<u>Eucalyptus</u> <u>(<i>Eucalyptus cinerea</i>)</u> <u>Legal Road Reserve outside #77</u>			

Schedule of Notable Trees

Street Number	Category	Tree No	Map Ref
<u>Bayswater Avenue</u>			
(11)	<u>Pohutukawa</u> <u>(<i>Metrosideros excelsa</i>)</u> <u>Lot 79 DP 4787</u>	<u>D</u> <u>739</u>	<u>Map 31</u>
(27)	<u>Pohutukawa</u> <u>(<i>Metrosideros excelsa</i>)</u> <u>Lot 1 DP 196497</u>	<u>D</u> <u>740</u>	<u>Map 31</u>
(35)	<u>Pohutukawa</u> <u>(<i>Metrosideros excelsa</i>)</u> <u>Lot 52 DP 4787</u>	<u>D</u> <u>610</u> sub 140	<u>Map 31</u>
(54)	<u>English Oak</u> <u>(<i>Quercus robur</i>)</u> <u>Lot 102 DP 4787</u>	<u>D</u> <u>728</u>	<u>Map 31</u>
(65)	<u>Liquidambar</u> <u>(<i>Liquidambar styraciflua</i>)</u> <u>Lot 3 DP 8781</u>	<u>D</u> <u>729</u>	<u>Map 31</u>
(67)	<u>2 Liquidambar</u> <u>(<i>Liquidambar styraciflua</i>)</u> <u>Lot 4 DP 8781</u>	<u>D</u> <u>730</u>	<u>Map 31</u>
(69)	<u>Liquidambar</u> <u>(<i>Liquidambar styraciflua</i>)</u> <u>Lot 5 DP 8781</u>	<u>D</u> <u>731</u>	<u>Map 31</u>
(81)	<u>Pohutukawa</u> <u>(<i>Metrosideros excelsa</i>)</u> <u>English Oak</u> <u>(<i>Quercus robur</i>)</u> <u>Lot 1 Deeds</u>	<u>D</u> <u>741</u>	<u>Map 31</u>
(181)	<u>Monterey Cypress</u> <u>(<i>Cypressus macrocarpa</i>)</u> <u>Bayswater School grounds (row along Roberts Ave boundary)</u> <u>Lot 4 DP 290, Lot 5 DP 290, Lot 6 DP 290, Lot 7 DP 290, Lot 8 DP 290, Lot 9 DP 290, Pt Lot 16 DP 290, Lot 17 DP 290, Lot 18 DP 290, Lot 19 DP 290</u>	<u>D</u> <u>718</u>	<u>Map 27</u>

Schedule of Notable Trees

Street Number	Category	Tree No	Map Ref
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Beach Road
(Campbells Bay)

(-)	English Oak (<i>Quercus robur</i>) Road reserve outside #254 Beach Road	D	557	Map 20
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Beach Road
(Campbells Bay)

(246A)	All native species more than 3.5 metres in height or more than 0.5 metres in circumference measured at 0.5 metres above ground level within the defined area. The defined area is the grove of ancient trees to the north of the dwelling house excluding the puriri and kahikatea within the concreted driveway area.	D	567	Map 21
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Lot 2 DP 81287

(264)	6 Kahikatea (<i>Dacrycarpus dacrydioides</i>)	D	616	Map 21
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Pohutukawa

sub 154

~~(*Metrosideros excelsa*)~~

~~Lot 4 DP 62151~~

Beach Road (Castor Bay)

(6)	Pohutukawa (<i>Metrosideros excelsa</i>)	D	113	Map 21
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Lot 2 DP 61602

(30A)	Norfolk Island Pine (<i>Araucaria heterophylla</i>)	D	114	Map 21
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Deletion Sub 33 & 11

Lot 108 DP 12307

Beach Road (Castor Bay)

(71B)	2 Pohutukawa (<i>Metrosideros excelsa</i>)	D	640	Map 21
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sub 48

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
	<u>Totara</u> <u>(Podocarpus totara)</u> Flat 2 DP 164224 on Pt Lot 73 DP 11099 1/2sh 857m2 on Pt Lot 78 DP 11099 1/2sh 678m2			
(77-79)	4 Pohutukawa <u>(Metrosideros excelsa)</u> Flat 1 DP 114353 & Flat 2 DP 126 534 both on Lot 1 DP 114708	D	115	Map 21
	<u>Beach Road (Murrays Bay)</u>			
(-)	10 Pohutukawa <u>(Metrosideros excelsa)</u> In front of boat club and one closer to Gulf View Road	D	609	Map 14
			sub 137	
	<u>Beach Road (Torbay)</u>			
(1/994)	Kowhai <u>(Sophora tetraptera)</u> Flat 1 DP 15310 on Lot 37 DP 15757 having ½ interest in 1143m²	D	116	Map 8
	<u>Beach Road (Waiake)</u>			
(-)	9 Norfolk Island Pine <u>(Araucaria heterophylla)</u> Beach Reserve	D	786	Map 8
			sub 86	
	<u>Beach Haven Road</u>			
(20-22)	Norfolk Island Pine <u>(Araucaria heterophylla)</u> Lots 58 & 59 DP 20048	D	117	Map 23
(85)	Rimu <u>(Dacrydium cupressinum)</u> Lot 42 DP 20048	D	635	Map 23
			sub 45	
(93)	Rimu <u>(Dacrydium cupressinum)</u>	D	637	Map 23
			sub 45	

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
	<u>Pohutukawa</u> <u>(<i>Metrosideros excelsa</i>)</u> <u>Lot 46 DP 20048</u>			
(101)	Pohutukawa <u>(<i>Metrosideros excelsa</i>)</u> <u>Puriri</u> <u>(<i>Vitex lucens</i>)</u> <u>Oriental Red Leaf</u> <u>(<i>Photinia</i> sp)</u> <u>Lot 1 DP 17517</u>	D	85	Map 23
			sub 45	
<u>Beaconsfield Street</u>				
(3)	<u>Totara</u> <u>(<i>Podocarpus totara</i>)</u> <u>Lot 96 Deeds T1</u>	D	699	Map 32
<u>Beechwood Road</u>				
(-)	<u>Pine</u> <u>(<i>Pinus</i> sp)</u> <u>Lot 30 DP 20351,</u> <u>Crown LAND</u>	D	787	Map 14
			sub 86-9	
<u>Belle Vue Avenue</u>				
(7)	Pohutukawa <u>(<i>Metrosideros excelsa</i>)</u> <u>Coral tree</u> <u>(<i>Erythrina</i> x <i>sykesii</i>)</u> <u>Lot 2 DP 4470</u>	D	119	Map 30
(2/15)	3 Pohutukawa <u>(<i>Metrosideros excelsa</i>)</u> <u>Unit B AU2 AU3 UP</u> <u>82140 Lot 6 DP 4470</u>	D	120	Map 30
(19)	8 English Oak <u>(<i>Quercus robur</i>)</u> <u>Karaka</u> <u>(<i>Corynocarpus</i></u> <u><i>laevigatus</i>)</u> <u>Lot 2 DP 18019</u>	D	121	Map 30
		-D	124	Map 30
(27)	Eucalyptus <u>(<i>Eucalyptus</i> sp.)</u> <u>Lot 5 DP 18019</u>	D	122	Map 30

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
Belmont Terrace				
(22)	<u>Mexican cypress</u> (<u>Cupressus lusitanica</u>) <u>Lot 5 DP 37662</u>	<u>D</u> sub 21	<u>577</u>	<u>Map 20</u>
(30)	<u>Himalayan Cedar</u> (<u>Cedrus deodora</u>) <u>Lot 3 DP 39029</u>	<u>D</u>	<u>123</u>	<u>Map 20</u>
Bentley Avenue				
(42A)	<u>Tasmanian Blue Gum</u> (<u>Eucalyptus globulus</u>) <u>Lot 505 DP 57284</u>	<u>D</u> sub 120	<u>591</u>	<u>Map 24</u>
Beresford Street				
(1A)	<u>Norfolk Island Pine</u> (<u>Araucaria heterophylla</u>) <u>Lot 1 DP 39061</u>	<u>D</u>	<u>712</u>	<u>Map 31</u>
(10)	<u>6 Pohutukawa</u> (<u>Metrosideros excelsa</u>) <u>Lot 130 DP 4787</u>	<u>D</u>	<u>713</u>	<u>Map 31</u>
(16)	<u>Eucalyptus</u> (<u>Eucalyptus sp.</u>) <u>Lot 133 DP 4787</u>	<u>D</u>	<u>717</u>	<u>Map 31</u>
(17)	<u>Norfolk Island Hibiscus</u> (<u>Lagunaria patersonii</u>) <u>Pt Lot 177 DP 4787,</u> <u>Lot 2 & Lot 3 DP</u> <u>29690.</u>	<u>D</u>	<u>714</u>	<u>Map 31</u>
(21)	<u>Deodar Cedar</u> (<u>Cedrus deodara</u>) <u>Lot 1 DP 54773</u>	<u>D</u>	<u>716</u>	<u>Map 31</u>
(55-57)	<u>Pohutukawa</u> (<u>Metrosideros excelsa</u>) <u>Lot 1 DP 147392 and</u> <u>Lot 1 DP 89476</u>	<u>D</u>	<u>723</u>	<u>Map 31</u>
(59)	<u>Eucalyptus</u> (<u>Eucalyptus sp.</u>) <u>Lot 1 DP 409067</u>	<u>D</u>	<u>724</u>	<u>Map 31</u>
(65)	<u>English Oak</u> (<u>Quercus robur</u>)	<u>D</u>	<u>725</u>	<u>Map 31</u>

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
	Lot 4 DP 209251			
	Birchwood Grove			
(12)	Pecan Nut (<i>Carya illinoensis</i>) Lot 4 DP 139446 Site of an old orchard established by Thompson and Hills in 1880's (pruned in September 1990) Others in vicinity	B	35	Map 17
	Birkdale Road			
(127)	Puriri (<i>Vitex lucens</i>) Lot 1 DP 61545	D	602	Map 23
(254)	2 English Oak (<i>Quercus robur</i>) Lot 4 DP 44493	D	125	Map 23
	Blenheim Street			
<u>20 (A-C)</u>	<u>Rimu</u> (<i>Dacrydium cupressinum</i>) 2 Japanese Cedar (<i>Cryptomeria</i>) Dawn Redwood (<i>Metasequoia</i>) Lot 48 DP 53246 Trees on common driveway	<u>D</u>	<u>545</u>	<u>Map 24</u>
(20C)	Kahikatea (<i>Dacrycarpus dacrydioides</i>) Puriri (<i>Vitex lucens</i>) Flat 3 DP 132121 on Lot 48 DP 53246 Having 1/3 share in 1743m ²	D	126	Map 24

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
Blomfield Spa				
(-)	Pohutukawa (<i>Metrosideros excelsa</i>) Legal Road Reserve at the eastern end adjacent to Nos 28 & 30	D	127	Map 26A
(7)	Holm Oak (<i>Quercus ilex</i>) Lot 1 DP 87074	D	128	Map 26A
(11)	Pohutukawa (<i>Metrosideros excelsa</i>) Flat 2 DP 104561 Having ½ interest in 812m² being Lot 1 DP 100843	D	129	Map 26A
(26)	Pohutukawa (<i>Metrosideros excelsa</i>) Lot 18 DP 21013	D	130	Map 26A
(27)	2 Pohutukawa (<i>Metrosideros excelsa</i>) Lot 21 DP 21013	D	131	Map 26A
Blomfield Spa				
(28)	Pohutukawa (<i>Metrosideros excelsa</i>) Part Lot 19 DP 21013	D	132	Map 26
(29)	Pohutukawa (<i>Metrosideros excelsa</i>) Part Lot 20 DP 21013	D	133	Map 26A
<u>Bracken Avenue</u>				
<u>(47)</u>	<u>3 Pohutukawa</u> <u>(<i>Metrosideros excelsa</i>)</u> <u>Lot 69 DP 6879</u>	<u>D</u>	<u>794</u>	<u>Map 26</u>
			sub 36	
Brett Avenue				
(10)	Pohutukawa (<i>Metrosideros excelsa</i>) Lot 1 DP 124426	D	135	Map 26A

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
Bridge View Road				
(12)	Norfolk Island Pine (<i>Araucaria heterophylla</i>) 2 Pohutukawa (<i>Metrosideros excelsa</i>) Part Lots 7 & 8 DP 211	D	136	Map 30
(17)	Puriri (<i>Vitex lucens</i>) Flat 1 DP 145402 on Lot 2 DP 126984	D	137	Map 30
Bruce Street				
(-)	Pohutukawa (<i>Metrosideros excelsa</i>) Legal Road Reserve adjacent to 1 Bruce Street and 6 Belle View Avenue	D	138	Map 30
(-)	Pohutukawa (<i>Metrosideros excelsa</i>) Legal Road Reserve adjacent to 7 Bruce Street	D	139	Map 30
Buchanan Street				
(5&7)	Pohutukawa (<i>Metrosideros excelsa</i>) Lots 2 & 3 DP 152818 <u>Lots 1 & 2 DP 314815</u>	D	140	Map 32A
(6)	Puriri (<i>Vitex lucens</i>) Allotment 62 of Section 2 Takapuna Parish C.T 567/240	D	141	Map 32A
(8)	Jacaranda (<i>Jacaranda mimosaeifolia</i>) 2 Pepper Tree (<i>Schinus molle</i>) Walnut Tree (<i>Juglans sp.</i>) Lot 1 DP 151246	D	142	Map 32A

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
	interest in subject to R/W C.T 50C/1431			
(18)	English Oak (<i>Quercus robur</i>) GROUP Lot 3 DP 30704	D	708	Map 32A
Buchanan Street				
(22)	Kauri (<i>Agathis australis</i>) Lot 4 Deeds Plan 159 Black C.T 567/ 59	D	143	Map 32A
Burgess Road				
(19)	Spanish Oak (<i>Quercus hispanica</i>) Allotment 53 of Section 2 Takapuna Parish C.T 1011/217	D	144	Map 32
Bush Road				
(92)	Balsam Poplar (<i>Populus trichocarpa</i>) Spruce (<i>Picea sp.</i>) Lot 1 DP 195842	D	3B	Map 13
Byron Avenue				
(9)	Pohutukawa (<i>Metrosideros excelsa</i>) Lot 132 DP 6879	D	145	Map 26A
(1/26)	English Oak (<i>Quercus robur</i>) Flat 1 DP 180026 on Lot 106 DP 6879 1/2sh 828m2	D	627	Map 26A
			sub 35	
Calliope Road				
(-)	Puriri (<i>Vitex lucens</i>) Eucalyptus (<i>Eucalyptus sp.</i>) Legal Road Reserve	D	761	Map 31

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
	adjacent to 140 Calliope Road			
(142)	Pohutukawa (<i>Metrosideros excelsa</i>) Lot 1 DP 313362	D	146	Map 31
(154)	Pohutukawa (<i>Metrosideros excelsa</i>) Pt Lot 158 DP 2312	D	775	Map 31
	Cambria Road			
(4)	Jacaranda (<i>Jacaranda mimosaeifolia</i>) Pt Lot 3 Allot 5 Sec 2 Parish of Takapuna	D	706	Map 32
(14)	Pohutukawa (<i>Metrosideros excelsa</i>) Lot 1 DP 131497	D	704	Map 32
(20)	Totara (<i>Podocarpus totara</i>) Lot 1 DP 54048	D	700	Map 32
	Camelot Place			
(10)	Norfolk Island Pine (<i>Araucaria heterophylla</i>) Lot 42 DP 54407	D	147	Map 24
(38)	5 Pin Oak (<i>Quercus palustris</i>) Camelot Place Reserve	D	657	Map 24
	Cassino Street			
(12B)	44 2 English Oak (<i>Quercus robur</i>) Flat 2 DP 152905 on Lot 15 DP 8488 See listings at 2/97 and 101 Lake Road)	D	148	Map 32
	Castor Bay Road			
(31)	2 Pohutukawa (<i>Metrosideros excelsa</i>)	D	149	Map 21

sub 6

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
(31A)	Lot 16 DP 11904 5 Pohutukawa (<i>Metrosideros excelsa</i>) Lot 2 DP 64806	D	150	Map 21
<u>Catalina Crescent</u>				
(3)	<u>Puriri</u> (<i>Vitex lucens</i>) Lot 47 DP 50968	<u>D</u>	<u>563</u>	<u>Map 20</u>
<u>Cautley Street</u>				
(-)	<u>15 Washingtonia Palm</u> (<i>Washingtonia robusta</i>) <u>Legal Road Reserve</u> <u>adjacent to 7 Cautley</u> <u>Street</u>	<u>D</u>	<u>765</u>	<u>Map 32</u>
<u>Chedworth Drive</u>				
(-)	English Oak (<i>Quercus robur</i>) Recreation Reserve, end of Chedworth Drive and Kaipatiki Road Lot 42 DP 134502 Marks the site of the home built by James and Ellen Freem in 1880	B	37	Map 24
<u>Chelsea View Drive</u>				
(-)	<u>4 Kauri</u> (<i>Agathis australis</i>) <u>Chatswood reserve.</u>	<u>D</u>	<u>842</u>	<u>Map 29</u>
<u>Cheltenham Road</u>				
(33)	2 Pohutukawa (<i>Metrosideros excelsa</i>) Part Lot 4 DP 4168 C.T 1117/74	D	151	Map 32
(36)	Algerian Oak (<i>Quercus canariensis</i>) Largest Oak at the end of entrance strip	A	66	Map 32

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Schedule of Notable Trees

Street Number	Category	Tree No	Map Ref
Lot 1 DP 79242			
Church Street (Devonport)			
(20)	<u>D</u>	<u>152</u>	<u>Map 32</u>
<u>Norfolk Island Hibiscus</u> <u>(Lagunaria pattersonii)</u>			
<u>Holy Trinity Church</u>			
<u>Pohutukawa</u> <u>(Metrosideros excelsa)</u>			
<u>Holm Oak</u> <u>(Quercus ilex)</u>			
<u>Jacaranda</u> <u>(Jacaranda mimosaeifolia)</u>			
<u>Flowering Gum</u> <u>(Corymbia ficifolia)</u>			
<u>Lot 2 DP 57880</u>			
(41)	D	153	Map 32
<u>Jacaranda</u> <u>(Jacaranda mimosaeifolia)</u>			
Lot 1 DP 39709			
(55)	D	154	Map 32A
<u>Bay Tree</u> <u>(Laurus nobilis)</u>			
Part Allotment 17 Section 2 Parish of Takapuna			
(58)	<u>B</u>	<u>624</u>	<u>Map 32A</u>
<u>Jacaranda</u> <u>(Jacaranda mimosaeifolia)</u>			
<u>Pepper Tree</u> <u>(Schinus molle)</u>			
Lot 1 DP 36930			
(63A)	D	155	Map 32A
<u>Walnut Tree</u> <u>(Juglans sp.)</u>			
Lot 2 DP 35548 C.T 917/246			
Church Street (Northcote Point)			
(1/5)	D	156	Map 30
<u>Pohutukawa</u> <u>(Metrosideros excelsa)</u>			
<u>Canary Island Date Palm</u> <u>(Phoenix canariensis)</u>			

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
	Flat 1 DP 117377 on Lot 1 DP 126718 Having 1/3 interest in 1700m ²			
(3/5)	Puriri (<i>Vitex lucens</i>)	D	158	Map 30
	Flat 3 DP 126718 on Lot 1 DP 126718 Having 1/3 interest in 1700m ²			
(22A)	Puriri (<i>Vitex lucens</i>)	D	159	Map 30
	Lot 1 DP 64562			
(28)	Pohutukawa (<i>Metrosideros excelsa</i>)	D	160	Map 30
	Part Allotment 51 Takapuna Parish			
(1/39)	Pohutukawa (<i>Metrosideros excelsa</i>)	D	161	Map 30
	Flat 1 DP 164662 on Lot 1 DP 158822			
	One of a pair of Pohutukawa			
(2/39)	Pohutukawa (<i>Metrosideros excelsa</i>)	D	162	Map 30
	Flat 2 DP 164662 on Lot 1 DP 158822			
	One of a pair of pohutukawa			
(3/39)	Pohutukawa (<i>Metrosideros excelsa</i>)	D	163	Map 30
	Flat 3 DP 164662 on Lot 1 DP 158822			
(- 49)	English Oak (<i>Quercus robur</i>)	A	12	Map 25
	St John the Baptist Church			
	Part Lot 51 DP 24788			
	<u>Lot 51 allot 31 Sec 2</u> <u>Parish of Takapuna</u>			
	Association with the church			

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
Churchill Road				
(39)	Norfolk Island Pine (<i>Araucaria heterophylla</i>) Lot 28 DP 36101	D	164	Map 14
Clarence Road				
(-)	All pohutukawa trees on the defined land which have a height of more than 3.5 metres, or a trunk which is more than 0.5 metres in circumference measured 0.5 metres above ground level. The defined land is generally the land between dwellings and the shoreline of the properties adjoining the shoreline of foreshore reserves, on the west side of Clarence Road and Queen Street between Little Shoal Bay and Fishermans Wharf	D	166	Map 30
(9)	Pohutukawa (<i>Metrosideros excelsa</i>) Lot 8 DP 4187 Located at rear of property	D	167	Map 30
(11)	4 English Oak (<i>Quercus robur</i>) Lot 9 DP 4187	D	168	Map 30
(13)	1 3 English Oaks (<i>Quercus robur</i>) <u>Lot 2 DP 334840</u> <u>Lot 10 DP 4187 Flat DP 430418 (Rear)</u>	D	169	Map 30
<u>(13A)</u>	<u>2 English Oak</u> (<i>Quercus robur</i>) <u>Lot 1 DP 334840</u> <u>Street boundary</u>	<u>D</u>	<u>537</u>	<u>Map 30</u>
(17)	Pin Oak (<i>Quercus palustris</i>)	D	170	Map 30

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
(19)	Lot 1 DP 24635 English Oak (<i>Quercus robur</i>) Pohutukawa (<i>Metrosideros excelsa</i>) Part Lots 32/3 Deeds Plan T19	D	171	Map 30
(24)	Norfolk Island Pine (<i>Araucaria heterophylla</i>) Pohutukawa (<i>Metrosideros excelsa</i>) Part Lot 4 DP 1159	D	172	Map 30
(30)	4 Pohutukawa (<i>Metrosideros excelsa</i>) Puriri (<i>Vitex lucens</i>) Lot 1 DP 154999 & Lot 4 DP 153440	D	173	Map 30

Clarence Street

(-)	<u>Pohutukawa</u> (<i>Metrosideros excelsa</i>) <u>Row of trees adjacent</u> <u>to 20-22 Clarence</u> <u>Street</u>	<u>D</u>	<u>772</u>	<u>Map 30</u>
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Clifton Road (Hauraki)

(7C)	<u>Pine</u> (<i>Pinus sp</i>) <u>Lot 3A DP 3060</u>	<u>D</u>	<u>782</u>	<u>Map 26</u>
(41)	2 Norfolk Island Pine (<i>Araucaria heterophylla</i>) Lot 2 DP 44136	D	174	Map 26
(43)	6 Pohutukawa (<i>Metrosideros excelsa</i>) Lot 3 DP 84187	D	175	Map 26
(48 -)	Norfolk Island Pine (<i>Araucaria heterophylla</i>) Part Lot 4 DP 10542 <u>Legal road reserve</u>	D	176	Map 26

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
	<u>adjacent to #48 Clifton Road</u>			
	Cobblestone Lane			
(-)	All native species more than 3.5 metres in height or more than 0.5 metres in circumference measured 0.5 metres above ground level within the defined area. The defined area is generally the groupings of properties in the vicinity of Hillcrest Avenue, Cobblestone Lane, Evelyn Place and Northgrove Avenue.	D	177	Map 25
	College Road			
(-)	Row of road frontage Eucalyptus (<i>Eucalyptus sp.</i>) Row of road frontage Poplars. (<i>Populus sp.</i>) North-western site of Hato Petera College on frontage to College Road Lot 60 DP 21894	D	178	Map 25
(-)	3 Eucalyptus (<i>Eucalyptus sp.</i>) South-eastern site of Hato Petera College on frontage to College Road Lot 2 DP 134763	D	179	Map 25
(4/2/2B)	Monterey Cypress (<i>Cupressus macrocarpa</i>) ¼ share Part Lot 8 DP 39737 Flat 4 DP 72646 On site's boundary with College Road	A	11	Map 25
(4/2/2B)	English Oak (<i>Quercus robur</i>)	D	181	Map 25

Schedule of Notable Trees

Street Number	Category	Tree No	Map Ref
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2 Lombardy Poplar

*(Populus nigra var italica)*¼ share Part Lot 8 DP
39737 Flat 4 DP 72646Trees are located at
rear of property**Collins Street**

(-)

Pin Oak

B

45

Map 26A

*(Quercus palustris)*Takapuna Primary
School Part Allotment
79 Takapuna ParishPlanted on 2nd June
1953 to commemorate
the coronation of
Queen Elizabeth II**Colonial Road**

(-)

Redwood

D

837

Map 29

(Sequoia sp)

2 Pin Oak

838

(Quercus palustris)

3 English Oak

(Quercus robur)

839

Coroglen Avenue

(4/10 -)

Tulip Tree

D

182

Map 24A

*(Liriodendron tulipifera)*1/3 share Lot 28 DP
47912 Flat 1 DP 75523Legal road reserve
outside #10 Coroglen**Coronation Road
(Hillcrest)**

(15)

Pohutukawa

D

183

Map 24

(Metrosideros excelsa)

Lot 2 DP 402131

Corunna Road

(38)

English Oak

D

184

Map 20

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
	(<i>Quercus robur</i>) Lot 89 DP 8886			
(40)	English Oak (<i>Quercus robur</i>) Lot 90 DP 8886	D	185	Map 20
(42A)	2 English Oak (<i>Quercus robur</i>) <u>Lot 2 DP 208123</u> Part Lots 91 & 92 DP 8886	D	186	Map 20
<hr/>				
<u>Creamer Avenue</u>				
(1)	<u>Puriri</u> (<i>Vitex lucens</i>) Lot 1 DP 43808	D	734	Map 26
(22)	Norfolk Island Pine (<i>Araucaria heterophylla</i>) Lot 14 DP 38751	D	733	Map 26
<hr/>				
<u>Cresta Avenue</u>				
(-)	Row of Eucalyptus (<i>Eucalyptus grandis</i>) Northern boundary of access lane to Shepherds Park Lot 155 DP 20048 Deeds 682	D	187	Map 23
		Deletion Sub 92		
<hr/>				
<u>Dakota Avenue</u>				
(39)	<u>Rimu</u> (<i>Dacrydium cupressinum</i>) 2 Totara (<i>Podocarpus totara</i>) Lot 32 DP 19223	D	595	Map 23
		sub 123		
<hr/>				
<u>David Street</u>				
(-)	<u>Pohutukawa</u> (<i>Metrosideros excelsa</i>) Legal Road Reserve outside 3 David Street	D	726	Map 26

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
(16)	<p><u>Norfolk Island Pine</u> <u>(<i>Araucaria heterophylla</i>)</u> <u>Lot 31 DP 8488</u></p> <p><u>Deuxberry Avenue</u></p>	<u>D</u>	<u>732</u>	<u>Map 31</u>
(48)	<p><u>2 Walnut</u> <u>(<i>Juglans regia</i>)</u> <u>Arizona Cypress</u> <u>(<i>Cupressus arizonica</i>)</u> <u>Box Elder</u> <u>(<i>Acer negundo</i>)</u> <u>Dawn Redwood</u> <u>(<i>Metasequoia glyptostroboides</i>)</u> <u>Liquidambar</u> <u>(<i>Liquidambar styraciflua</i>)</u> <u>Eucalyptus</u> <u>(<i>Eucalyptus sp.</i>)</u> <u>Titoki</u> <u>(<i>Alectryon excelsus</i>)</u> <u>3 Nikau</u> <u>(<i>Rhopalostylis sapida</i>)</u> <u>Magnolia</u> <u>(<i>Magnolia grandiflora</i>)</u></p> <p><u>Duders Avenue</u></p>		<u>649</u>	<u>Map 25</u>
(14)	<p><u>3 Pohutukawa</u> <u>(<i>Metrosideros excelsa</i>)</u> <u>Lot 9 DP 19618</u></p>	<u>D</u>	<u>742</u>	<u>Map 32</u>
<u>East Coast Road</u>				
(-)	<p><u>2 Pohutukawa</u> <u>(<i>Metrosideros excelsa</i>)</u> Legal Road Reserve at intersection with Marsh Avenue. Adjacent to 110 East Coast Road</p>	<u>D</u>	<u>188</u>	<u>Map 20</u>
(116) (-)	<p><u>2 Pohutukawa</u> <u>(<i>Metrosideros excelsa</i>)</u></p>	<u>D</u>	<u>190</u>	<u>Map 20</u>

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
	<u>Lot 5 DP 38848</u>			
	<u>Road reserve outside</u>			
	<u>#116 East Coast Road</u>			
(37)	3 Pohutukawa (<i>Metrosideros excelsa</i>)	D	189	Map 21
	<u>Lot 3 DP 55571</u>			
(131)	3 Pohutukawa (<i>Metrosideros excelsa</i>)	D	191	Map 20
	<u>Lot 7 DP 42254</u>			
(203)	Pohutukawa (<i>Metrosideros excelsa</i>)	D	192	Map 20
	<u>Flat 1 DP 135703 on</u>			
	<u>Lot 165 DP 9328</u>			
(231)	Pohutukawa (<i>Metrosideros excelsa</i>)	B	36	Map 21
	<u>Memorial Avenue,</u>			
	<u>Centennial Park Lot 1</u>			
	<u>DP 194867</u>			
	Avenue planted by service men and women returning from World War II in thanksgiving for their safe return			
(289A)	<u>Cabbage Tree</u> (<i>Cordyline australis</i>)	<u>D</u>	<u>548</u>	<u>Map 20</u>
	<u>Lot 2 DP 374605</u>			
	<u>Eton Avenue</u>			
(18)	<u>Magnolia</u> (<i>Magnolia grandiflora</i>)	<u>D</u>	<u>789</u>	<u>Map 32</u>
	<u>Mixed natives</u>	sub 91		
	<u>Lot 1 DP 27309</u>			
	<u>Eban Avenue</u>			
(-)	4-3 Silky Oak (<i>Grevillea robusta</i>)	D	493	Map 25
	Legal Road Reserve adjacent Numbers 1-16			
	<u>Eldon Street</u>			
(8)	<u>Copper Beech</u> (<i>Fagus sylvatica</i>)	<u>D</u>	<u>811</u>	<u>Map 26</u>

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
<u>Pt Lot 82 Deeds 1166</u>				
<u>Ellangowan Road</u>				
(4B)	<u>Oak Tree</u> (<i>Quercus sp</i>) <u>Lot 1 DP 152164</u>	D	<u>648</u>	<u>Map 8</u>
<u>Empire Road</u>				
(2)	<u>Puriri</u> (<i>Vitex lucens</i>) <u>Pohutukawa</u> (<i>Metrosideros excelsa</i>) <u>Totara</u> (<i>Podocarpus totara</i>) <u>Karaka</u> (<i>Corynocarpus laevigatus</i>) <u>Lot 17 DP 26091 C.T</u> <u>709/31</u> <u>Small stand of native trees at front of property</u>	D	<u>194</u>	<u>Map 32</u>
(7)	<u>Norfolk Island Pine</u> (<i>Araucaria heterophylla</i>) <u>Lot 61 DP 9275</u>	D	<u>705</u>	<u>Map 32</u>
(21)	<u>Puriri</u> (<i>Vitex lucens</i>) <u>Lot 68 DP 9275, Pt Lot 69 DP 9275</u>	B	<u>701</u>	<u>Map 32</u>
(34-43A))	<u>Totara</u> (<i>Podocarpus totara</i>) <u>Lot 1 DP 26091</u>	D	<u>747</u>	<u>Map 32</u>
<u>Eskdale Road</u>				
(-)	<u>English Oak</u> (<i>Quercus robur</i>) <u>Corner Eskdale & Salisbury Roads</u>	D	<u>552</u>	<u>Map 24</u>
(19)	<u>Willow</u> (<i>Salix sp.</i>) <u>Tree at rear of property</u>	D	<u>556</u>	<u>Map 23</u>

Schedule of Notable Trees

Street Number	Category	Tree No	Map Ref
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Lot 7 DP 45615

Evelyn Place

(-)	All native species more than 3.5 metres in height or more than 0.5 metres in circumference measured 0.5 metres above ground level within the defined area. The defined area is generally the groupings of properties in the vicinity of Hillcrest Avenue, Cobblstone Lane, Evelyn Place and Northgrove Avenue.	D	177	Map 25
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Eversleigh Road

(118)	<u>Pohutukawa</u> (<i>Metrosideros excelsa</i>) <u>Liquidambar</u> (<i>Liquidambar styraciflua</i>) <u>Lot 5 DP 58210</u>	D	799	Map 26
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Ewen Street

(-)	5 Pohutukawa (<i>Metrosideros excelsa</i>) Legal Road Reserve adjacent to Nos 24, 26, 28, 33 & 39	D	196	Map 26
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Ewen Alison Avenue

(43A)	<u>Norfolk Island Pine</u> (<i>Araucaria heterophylla</i>) <u>Lot 2 DP 175666</u>	D	767	Map 32A
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Exmouth Road

(-)	4 Pin Oak (<i>Quercus palustris</i>) Legal Road Reserve adjacent to #82 <u>Exmouth Road Nos 60-62</u>	D	197	Map 25
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Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
(77)	Pohutukawa (<i>Metrosideros excelsa</i>) Lot 46 DP 38481 interest in R/W over Part Lot 51	D	200	Map 25
Fairfax Avenue				
(-)	All trees on the defined land with a height of more than 3.5 metres or a trunk circumference of more than 0.5 metres measured at 0.5 metres above the ground level. The defined land is generally the land on the slopes rising from Little Shoal Bay.	D	201	Map25/30
(4)	Magnolia (<i>Magnolia grandiflora</i>) Lot 1 DP 350615	D	202	Map 25
Faulkner Road				
(8)	3 Lombardy Poplar (<i>Populus nigra italica</i>) Part Land on Deeds Plan T42 Part Allotment 51 Parish of Takapuna	D	204	Map 30
First Avenue				
(-)	6 Pohutukawa (<i>Metrosideros excelsa</i>) Puriri (<i>Vitex lucens</i>) Legal Road Reserve	D	776	Map 31
Forrest Hill Road				
(48)	Elm (<i>Ulmus sp.</i>) Forrest Hill Primary School Lot 12 DP 40525	D	205	Map 20
(58)	1 Elm (<i>Ulmus sp.</i>)	D	206	Map 20

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
(60)	Lot 2 DP 32648 Elm (<i>Ulmus sp.</i>) Lot 1 DP 32648	D	207	Map 20
Frieston Road				
(11A)	Pohutukawa (<i>Metrosideros excelsa</i>) Puriri (<i>Vitex lucens</i>) Flat 1 DP 105410 Having ½ interest in 670m ² being Lot 22 DP 9178	D	208	Map 21
Gazelle Avenue				
(6)	<u>Norfolk Island Pine</u> <u>(<i>Araucaria heterophylla</i>)</u> <u>Lot 83 DP 20048</u>	<u>D</u> <div>sub 23</div>	<u>578</u>	<u>Map 23</u>
(37-41)	<u>English Oak</u> <u>(<i>Quercus robur</i>)</u> <u>Row of trees</u> <u>Lot 3 DP 52502 and Lot</u> <u>1 DP 52502</u>	<u>D</u>	<u>585</u>	<u>Map 23</u>
Gibbons Road				
(-)	English Oak (<i>Quercus robur</i>) Car Park Lot 3 DP 134486	D	209	Map 26A
(2A)	2 Pohutukawa (<i>Metrosideros excelsa</i>) Lot 2 DP 38417	D	210	Map 26A
(10)	6 Pohutukawa (<i>Metrosideros excelsa</i>) Lot 5 DP 20485	D	211	Map 26A
(12)	11 Pohutukawa (<i>Metrosideros excelsa</i>) Lot 2 DP 91668	D	212	Map 26A

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
	<u>Gills Road</u>			
(-)	<u>Walnut</u> (<i>Juglans regia</i>) <u>Gills Road Reserve</u>	D	831	Map 12
		sub 86		
	<u>Glade Place</u>			
(-)	<u>Liquidambar</u> (<i>Liquidambar styraciflua</i>) Street Tree outside #10	D	841	Map 29
		sub 89		
(6)	London Plane (<i>Platanus x acerifolia</i>) Horizontal Elm (<i>Ulmus pendula</i>) Cedar of Lebanon (<i>Cedrus libani</i>) Camphor Laurel (<i>Cinnamomum camphora</i>) Lot 1 Part Lot 2 & interest in Lot 15 R/W DP 20732	B D D D	81	Map 29,30
(8)	<u>London Plane Tree</u> (<i>Platanus x acerifolia</i>) <u>Algerian Oak</u> (<i>Quercus canariensis</i>) <u>Lot 1 DP 147626, Lot 15 DP 20732 1/13sh 900m²</u>	D sub 90	788 604	Map 29
		sub 124		
(10)	2 London Plane (<i>Platanus x acerifolia</i>) Swamp Cypress (<i>Taxodium distichum</i>) English Oak (<i>Quercus robur</i>) Lot 3 & interest in Lot 15 R/W DP 20732	B D D	81	Map 29,30
(12)	London Plane (<i>Platanus x acerifolia</i>) Lot 4 & interest in Lot 15 R/W DP 20732	B	81	Map 29,30

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
(14A)	London Plane (<i>Platanus x acerifolia</i>) Flat 1 Lot 5 DP 20732 & interest in Lot 15 R/W DP 20732	B	81	Map 29,30
Gladstone Road				
(-)	Row of English Oak (<i>Quercus robur</i>) Entrance to Kauri Glen Scenic Reserve Part Allotment 8 Parish of Takapuna and Allotment 345 Parish of Takapuna	D	87	Map 25
(23)	Monterey Cypress (<i>Cupressus macrocarpa</i>) Flat 1 DP 329085 on Lot 1 DP 53414	D	213	Map 25
(46)	English Oak (<i>Quercus robur</i>) Flat 1 Lot 1 DP 48219	D	214	Map 25
(62)	English Oak (<i>Quercus robur</i>) Near front boundary of site Lot 1 DP 122993	D	215	Map 25
Glen Road (Stanley Point)				
(-)	Pohutukawa (<i>Metrosideros excelsa</i>) Totara (<i>Podocarpus totara</i>) Stanley Bay School	D	777	Map 31
(14)	2 Puriri (<i>Vitex lucens</i>) 3 Pohutukawa (<i>Metrosideros excelsa</i>) Lots 117 and Part 118 of Allotments 30-31 Section 2 Parish of Takapuna C.T 566/77	D	216	Map 31
(17)	Pohutukawa (<i>Metrosideros excelsa</i>)	D	217	Map 31

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
Lot 6 DP 11628 C.T 269/145				
(19)	<u>Pohutukawa</u> (<i>Metrosideros excelsa</i>) <u>Lot 1 DP 11628</u> <u>Rear of property</u>	<u>D</u>	<u>778</u>	<u>Map 31</u>
Glenfield Road				
(140)	Grove of native trees Lot 2 DP 152033	D	218	Map 24
(143)	2 Puriri (<i>Vitex lucens</i>) 2 Karaka (<i>Corynocarpus laevigatus</i>) Lot 2 DP 70990	D	219	Map 24
Grove Road				
(5)	2 English Oak (<i>Quercus robur</i>) Lot 2 DP 4725 C.T 165/122	D	220	Map 32
(6A)	<u>Washingtonia Palm</u> (<i>Washingtonia robusta</i>) <u>Flat 2 DP 122149 on</u> <u>Lot 21 DP 224 1/2sh</u> <u>835m2</u>	<u>D</u>	<u>800</u>	<u>Map 32</u>
(7)	1 English Oak (<i>Quercus robur</i>) Lot 3 DP 4725 C.T 1065/179	D	221	Map 32
Hall Street				
(-)	All pohutukawa trees on the defined land which have a height of more than 3.5 metres, or a trunk which is more than 0.5 metres in circumference measured at 0.5 metres above the ground level. The defined land is generally the land between existing dwellings and the shorelines of the properties adjoining the	D	166	Map 30

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
	shoreline or foreshore reserves, on the west side of Clarence Road and Queen Street between Little Shoal Bay and Fishermans Wharf.			
(-)	Pohutukawa (<i>Metrosideros excelsa</i>) Legal Road Reserve, Hall's Beach DP 121166C	A	13	Map 30
(-)	4 Pohutukawa (<i>Metrosideros excelsa</i>) 4 Canary Island Date Palm (<i>Phoenix canariensis</i>) 6 Cabbage Trees (<i>Cordyline australis</i>) Hall Street Road Reserve	D	223	Map 30
(2)	Pohutukawa (<i>Metrosideros excelsa</i>) Lot 2 DP 7006	A	15	Map 30
(3)	Pohutukawa (<i>Metrosideros excelsa</i>) Lot 7 DP 123599	D	224	Map 30
<u>Hamana Road</u>				
(22)	Pohutukawa (<i>Metrosideros excelsa</i>) Lot 15 DP 7449	D	755	Map 27
<u>Handley Avenue</u>				
(-)	Pohutukawa (<i>Metrosideros excelsa</i>) Street trees	D	757	Map 32
(4)	2 Norfolk Island Pine (<i>Araucaria heterophylla</i>) Lot 23 DP 38125 C.T 8A/1356	D	225	Map 32
(14)	Pohutukawa (<i>Metrosideros excelsa</i>)	D	226	Map 32

Schedule of Notable Trees

Street Number	Category	Tree No	Map Ref
<p>Kauri (<i>Agathis australis</i>) Lot 49 DP 19255 C.T 621/91</p> <p>Hanlon Crescent</p>			
(5A)	Pohutukawa (<i>Metrosideros excelsa</i>) Lot 2 DP 71891	D 227	Map 32
(57)	Norfolk Island Pine (<i>Araucaria heterophylla</i>) Lot 1 DP 69722	D 759	Map 32
Harley Close			
(42)	Maple (<i>Acer sp</i>) Lot 3 DP 426552	D 651	Map 26
Hastings Parade			
(19)	Camphor Laurel (<i>Cinnamomum camphora</i>) Lot 88 DP 333	D 766	Map 32A
Hauraki Road			
(-)	Pohutukawa (<i>Metrosideros excelsa</i>) Northern end within legal road reserve adjacent to No. 50	D 228	Map 26
(50)	4 Pohutukawa (<i>Metrosideros excelsa</i>) Flat 2 DP 131651 on Lot 1 DP 118997 having ½ interest in 1650m ² Lot 2 DP 208175	D 229	Map 26
Heath Avenue			
(-)	All pohutukawa trees on the defined land which have a height of more than 3.5 metres	D 230	Map 25

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
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or a trunk which is more than 0.5 metres in circumference measured 0.5 metres above ground level. The defined land is generally the land between the motorway and the properties on the east side of Sylvan Avenue and Heath Avenue between the Onewa Road interchange and the inlet to Tuff Crater.

(-)	Pohutukawa (<i>Metrosideros excelsa</i>) Legal Road Reserve at the north end of Heath Avenue. Adjacent to No 25 Lot 13 DP 40320	D	231	Map 25
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Hebron Road

(101)	<u>English Oak</u> (<i>Quercus robur</i>) Lot 1 DP 162397	<u>D</u>	<u>565</u>	<u>Map 8</u>
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Hellyers Street

(10)	Canary Island Date Palm (<i>Phoenix canariensis</i>) Lot 16 DP 62314	D	232	Map 23
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Hillcrest Avenue

(-)	All native species more than 3.5 metres in height or more than 0.5 metres in circumference measured at 0.5 metres above ground level within the defined area. The defined area is generally the groupings of properties in the vicinity Hillcrest Avenue, Cobblstone Lane, Evelyn Place and Northgrove Avenue.	D	177	Map 25
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deletion sub 132

(53A)	5 Kahikatea	D	843	Map 25
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Schedule of Notable Trees

Street Number	Category	Tree No	Map Ref
<p><u>(Dacrycarpus dacrydioides)</u></p> <p><u>Totara</u></p> <p><u>(Podocarpus totara)</u></p> <p><u>Lot 2 DP 62274</u></p>			
Hinemoa Street			
(-)	Puriri <u>(Vitex lucens)</u> Tree forms a distinctive arch over track at bottom of steep drop-off from Hinemoa entrance to LeRoy's Bush	D 553	Map 29
(-)	All Pohutukawa <u>(Metrosideros excelsa)</u> Hinemoa Park	D 849	Map 29
(-)	Pohutukawa <u>(Metrosideros excelsa)</u> Legal Road Reserve outside 2-14 Hinemoa Street Tree Fern (Dicksonia squarrosa)	D 630	Map 29
(24)	Flame Coral Tree <u>(Erythrina sp)</u> Pt Lot 1 DP 31690, Pt Lot 2 DP 31690, Pt Lot 4 DP 17454	861	Map 30
(32)	1 Palm <u>(Phoenix rupicola)</u> Pohutukawa grove <u>(Metrosideros excelsa)</u> Lot 2 DP 361174	D 235	Map 30
(34A)	Pohutukawa grove <u>(Metrosideros excelsa)</u> Lot 1 DP 361174	D 569	Map 30
(45)	Swamp Cypress <u>(Taxodium distichum)</u> Lot 2 DP 55334	D 796	Map 30
(88)	Puriri	D 237	Map 29

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
	(<i>Vitex lucens</i>) Lot 1 DP 155677 -PUA- PUZ AU1-AU17 UP 179505			
(105)	Puriri	D	238	Map 29
	(<i>Vitex lucens</i>) Lot 3 DP 17435			
(160-162)	Pohutukawa	D	848	Map 29
	(<i>Metrosideros excelsa</i>) Lot 10 DP 2922			
(181)	Puriri	D	239	Map 24A 29
	(<i>Vitex lucens</i>) Pohutukawa (<i>Metrosideros excelsa</i>) Lot 2 DP 15597 <u>All Saints Church</u>			
Hiwihau Place				
(10)	Rimu	D	240	Map 24
	(<i>Dacrydium cupressinum</i>) Lot 38 DP 80160			
Hogans Road				
(60)	Pohutukawa	D	587	Map 19
	(<i>Metrosideros excelsa</i>) <i>Tea tree manuka</i> (<i>Leptospermum scoparium</i>) Lot 14 DP 43901			
			sub 105	
Holdaway Avenue				
(-)	Native Bush	D	241	Map 25
	Eadys Bush and Eadys Bush Protection Line as defined in Appendix 16C			
(-)	Native Bush	D	242	Map 25
	<u>Northern part of Kauri Glen Reserve</u> <u>Previously listed as Turner Reserve</u> <u>Turner Reserve Part</u>			

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
	Lot 10 DP 36204 & Lot 23 DP58999 & Lot 4 DP 75756			
	Holyoake Place			
(-)	8 Algerian Oak (<i>Quercus canariensis</i>) Legal Road Reserve in Holyoake Place Reserve Lot 1 DP 73331 Planted as an avenue lining a carriageway probably between 1887 and 1889.	B	38	Map 24A
	Howard Road			
(24)	Pohutukawa (<i>Metrosideros excelsa</i>) Lot 2 DP 40777	A	10	Map 25
	Hula Street			
(14)	2 Pohutukawa (<i>Metrosideros excelsa</i>) Lot 14 DP 249 and Lot 16 DP 249	D	243	Map 32A
	Huntly Road			
(-)	Nikau (<i>Rhopalostylis sapida</i>) Huntly Road Reserve	B	844	Map 21
	Hurstmere Road			
(-)	Spanish Chestnut (<i>Castanea sativa</i>) Hurstmere Green, Takapuna Allotment 609 Takapuna Parish	A	21	Map 26A
(-)	Floss Silk Tree (<i>Chorisia speciosa</i>) Road reserve outside 55 Hurstmere Road. Largest of three.	D	566	Map 26A
(67-73)	English Oak	A	74	Map 26A

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Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
	(<i>Quercus robur</i>) Lot 1 DP 68876			
(128)	Coastal Maire (<i>Nestegis apelata</i>) Lot 2 DP 38156	D	531	Map 26A
(130-134)	Holm Oak (<i>Quercus ilex</i>) Pohutukawa (<i>Metrosideros excelsa</i>) Lot 1 DP 94124	A	73	Map 26A
(175A)	Bunya Bunya (<i>Araucaria bidwillii</i>) Corner of Hurstmere Road/The Promenade Lot 1 DP 7673	A	20	Map 26A
(194L) (198)	Pohutukawa (<i>Metrosideros excelsa</i>) Lot 2 DP 52995 Lot 1 DP 202353	D	244	Map 26A
(270)	4 Pohutukawa (<i>Metrosideros excelsa</i>) 455 Square Metres	D	573 sub 270	Map 26A
(286)	6 5 Coral Tree (<i>Erythrina x sykesii</i>) Lots 1 & 2 DP 91735	D	245 Deletion sub 30	Map 26A
(310)	Totara (<i>Podocarpus totara</i>) Liquidambar (<i>Liquidambar styraciflua</i>) Lot 1 DP 13466	D	639 sub 47	Map 21
Inga Road				
(-)	All native species more than 3.5 metres in height or more than 0.5 metres in circumference measured at 0.5 metres above ground level within the defined area. The defined area is the parts of Wairau Estuary Reserve on the western side of Wairau Creek,	D	554	Map 21

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
	<u>between Rangitoto Terrace & Inga Road</u>			
(-)	Pohutukawa (<i>Metrosideros excelsa</i>) Inga Road parking area Within Legal Road Reserve	D	246	Map 21
(5)	Pohutukawa (<i>Metrosideros excelsa</i>) Lot 1 DP 66187	D	247	Map 21
(67)	2 Pohutukawa (<i>Metrosideros excelsa</i>) ½ share Part Lot 15 DP 7578 Flat 2 DP92413	D	248	Map 21
(7)	Pohutukawa (<i>Metrosideros excelsa</i>) ½ share Pt Lot 15 DP 7578 Flat 1 DP92413	D	249	Map 21
	Inkster Street			
(-)	18 Kauri (<i>Agathis australis</i>) Eucalyptus (<i>Eucalyptus sp.</i>) Area between Inkster/Pullum Streets Lot 1 & 2 DP 67734 & DP PT 56 R358 & Lot 1 DP 101041	D	250	Map 24A
	Jacaranda Avenue			
(-)	Eucalyptus Centre of road in median strip Adjacent to No. 27	D	251	Map 23
	James Evans Road			
(-)	2 Pohutukawa (<i>Metrosideros excelsa</i>) Legal Road Reserve outside Nos 27 & 29	A	9	Map 25
(-)	Native Bush Eadys Bush and Eadys Bush Protection Line as defined in Appendix	D	241	Map 25

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
	16C			
	Jubilee Avenue			
(30)	Canary Island Date Palm (<i>Phoenix canariensis</i>) Part Lot 4 DP 18776 C.T 639/199	D	253	Map 32
(38)	Moreton Bay Chestnut (<i>Castanospermum australe</i>) Part 14 DP 12834	C	64	Map 32
	Jutland Road			
(45)	Rimu (<i>Dacrydium cupressinum</i>) <u>Pohutukawa</u> (<i>Metrosideros excelsa</i>) Lot 12 DP 32625	D	255	Map 26
	Kaipatiki Road			
(-)	English Oak (<i>Quercus robur</i>) Recreation Reserve, end of Kaipatiki Road and Chedworth Drive Lot 42 DP 134502 Marks the site of the home built by James and Ellen Freem in 1880	B	37	Map 24
	Kauri Road			
(-)	Kauri (<i>Agathis australis</i>) Legal Road Reserve on a berm at the end of the road outside #25	D	256	Map 24
(14)	Kauri (<i>Agathis australis</i>) Adjacent to Flat 11 DP 145876 on Lot 1 DP 130143 having 1/15 share 1.0417ha.	D	257	Map 24

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
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Kauri Glen Road

(-)	<u>Kauri</u>	D	<u>852</u>	<u>Map 25</u>
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(*Agathis australis*)

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Kauri Glen Reserve

(-)	<u>Poplar</u>	D	<u>614</u>	<u>Map 25</u>
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(*Populus* sp)

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Legal Road Reserve
outside 31 Kauri Glen
Road

(1)	6 Pohutukawa	D	258	Map 25
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(*Metrosideros excelsa*)

1 Puriri

(*Vitex lucens*)

Northcote College -

Kauri Glen Road

frontage Part Lot 1 DP

70475 & Part Lot 1 DP

53360 as shown on SO

52398

Also refer to Onewa

Road listing for

additional trees

Kerr Street

(-)	Oak	D	261	Map 32A
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(*Quercus robur*)

Coral Tree

(*Erythrina x sykesi*)Kerr Street frontage

Devonport Primary

School SO Plan 47342

C.T 555/281 Part Lot

17 Section 2, Parish of

Takapuna

(17)	<u>5 Holm Oak</u>	D	<u>710</u>	<u>Map 32A</u>
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(*Quercus ilex*)Lot 1 DP 669**Killarney Street**

(-)	2 Date Palm	C	59	Map 26A
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(*Phoenix rupicola*)

Legal Road Reserve

adjacent to No. 2

Matched pair

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
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(-)	3 Camphor Laurel (<i>Cinnamomum camphora</i>) Moreton Bay Fig (<i>Ficus macrophylla</i>) Killarney Park Lot 1 DP 61455 & Lot 1 DP 78790	D	262	Map 26
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(22)	Pohutukawa (<i>Metrosideros excelsa</i>) Lot 1 DP 153565	D	263	Map 26A
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King Edward Parade

(-)	3 Pohutukawa (<i>Metrosideros excelsa</i>) Section 37 Block VI Rangitoto Survey District	D	267	Map 32A
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(6A)	Pohutukawa (<i>Metrosideros excelsa</i>) Lot 1 DP 77570 C.T 555/67	D	265	Map 32
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The outcome of submissions 75, 97, 98, 99, 100, 126, 127 & 128 to be determined by Conway Stewart and Kathleen Ryan

(40)	Pohutukawa (<i>Metrosideros excelsa</i>) <u>Pt Lot 13, Lot 23, and</u> <u>Pt Lot 25 on DP 287</u>	D	266	Map 32
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(42)	Dragon Tree (<i>Dracaena draco</i>) Lot 1 DP 19618	C	63	Map 32
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(52)	<u>Puka</u> (<i>Griselinia lucida</i>) <u>3 Pohutukawa</u> (<i>Metrosideros excelsa</i>) <u>Fronting to road</u> <u>Sec 36 Blk VI Parish of</u> <u>Rangitoto, Sec 37 Blk</u> <u>VI SD Rangitoto</u>	<u>D</u>	<u>822</u>	<u>Map 32</u>
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	<u>3 Pohutukawa</u> (<i>Metrosideros excelsa</i>) <u>Fronting to road</u> <u>Sec 36 Blk VI Parish of</u> <u>Rangitoto, Sec 37 Blk</u> <u>VI SD Rangitoto</u>	<u>D</u>	<u>821</u>	
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(60)	<u>Pohutukawa</u> (<i>Metrosideros excelsa</i>) <u>Lot 1 DP 49902</u>	<u>D</u>	<u>743</u>	<u>Map 32</u>
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(63)	Norfolk Island Pine (<i>Araucaria heterophylla</i>)	D	268	Map 32
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Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
	Lot 1 DP 12834 C.T 377/99			
	Kitchener Road			
(90)	Norfolk Island Pine (<i>Araucaria heterophylla</i>) The Circle, 90 Kitchener Road Lot 31 DP 49199 One remaining of two which flanked the summer house of the Goldie family, built 1900	B	49	Map 21
(143)	4 Pohutukawa (<i>Metrosideros excelsa</i>) Norfolk Island Hibiscus (<i>Lagunaria patersonii</i>) Milford Shopping Centre Lot 1 DP 180874	D	312	Map 21
<u>Knightsbridge Drive</u>				
(-)	<u>Eucalyptus</u> (<i>Eucalyptus</i> sp.) <u>Knightsbridge Reserve</u> <u>northern boundary</u>	<u>D</u>	<u>845</u>	<u>Map 26</u>
<u>Kowhai Street</u>				
(-)	<u>Kowhai</u> (<i>Sophora tetraptera</i>) 3 Kohekohe (<i>Dysoxylum spectabile</i>) <u>Legal Road Reserve</u> <u>adjacent to 5 Kowhai</u> <u>Street</u>	<u>D</u> <div>sub 109</div>	<u>830</u>	<u>Map 26</u>
(4)	Pohutukawa (<i>Metrosideros excelsa</i>) Part Lot 6 DP 15463	D	269	Map 26
(10)	Pohutukawa (<i>Metrosideros excelsa</i>) Lot 2 DP 95116 R/W	D	270	Map 26

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
	over Part Lot 2 DP 40747			
(12)	Pohutukawa (<i>Metrosideros excelsa</i>) Lot 1 DP 95116	D	271	Map 26
<hr/>				
	<u>Kyle Road</u>			
(162)	<u>Redwood (row)</u> (<i>Sequoia sp</i>) <u>Eucalyptus (row)</u> (<i>Eucalyptus sp.</i>) <u>Fronting to Kyle Road</u> <u>Pt Lot 8 DP 62383</u>	<u>D</u>	<u>801</u>	<u>Map 18</u>
<hr/>				
	Lake Road (Northcote)			
(-)	8 Pin Oak (<i>Quercus palustris</i>) Legal Road Reserve between Nos 27- 41	D	272	Map 25
(-)	9 Pin Oak (<i>Quercus palustris</i>) Legal Road Reserve between Nos 61- 75	D	273	Map 25
(2)	2 Canary Island Date Palm (<i>Phoenix canariensis</i>) Northcote Primary School Corner of Lake/Onewa Roads Part Allotment 2 Takapuna Parish Complements war memorial structure	A	7	Map 25
(2)	16 Pohutukawa (<i>Metrosideros excelsa</i>) 3 Lawson Cypress (<i>Chamaecyparis lawsoniana</i>) Puriri (<i>Vitex lucens</i>) 3 Karaka (<i>Corynocarpus laevigatus</i>)	D	274	Map 25

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
	2 Oak (<i>Quercus sp.</i>) Acmena (<i>Eugenia Acmena smithii</i>) Northcote Primary School Part Allotment 2 Takapuna Parish			
(188)	2 English Oak (<i>Quercus robur</i>) (Previously Listed in Lenihan Reserve) Lot 51 DP 50592	D	275	Map 25
	Lake Road (Narrow Neck)			
(-)	Norfolk Island Pine (<i>Araucaria heterophylla</i>) Pohutukawa (<i>Metrosideros excelsa</i>) Memorial Drive, Lake Road Legal Road Reserve adjacent to Lot 2 DP 77578 Avenue of trees planted in memory of those who lost their lives in World War II	B	50	Map 32
	Lake Road (Takapuna)			
(-)	4 Monterey Cypress (<i>Cupressus macrocarpa</i>) Potters Park Lake Road/Anzac Street Lot 7 Block 10 Deeds Plan T17	D	400	Map 26
(415 & 417)	5 Pohutukawa (<i>Metrosideros excelsa</i>) Lot 1 DP 147270 Potential gateway into Takapuna	A	25	Map 26
(419)	Norfolk Island Pine (<i>Araucaria heterophylla</i>)	A	26	Map 26

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
	Lot 1 DP 195359			
(423)	2 Pohutukawa (<i>Metrosideros excelsa</i>)	D	288	Map 26
	Lot 2 DP 6879			
(429)	Canary Island Date Palm (<i>Phoenix canariensis</i>)	A	27	Map 26
	Puriri (<i>Vitex lucens</i>)	A	28	Map 26
	Takapuna Methodist Church Lot 44 DP 6879 The palm complements the architectural style of the sunday school building			
Lake Road (Devonport)				
(-)	4 Pohutukawa (<i>Metrosideros excelsa</i>) Legal Road Reserve adjoining Mary Barret Glade trees front to road	D	779	Map 32
(-)	Pohutukawa (<i>Metrosideros excelsa</i>) Legal Road Reserve adjacent to 44 Lake Road	D	760	Map 32
(31)	Norfolk Island Pine (<i>Araucaria heterophylla</i>) Lot 3 DP 20927	D	680	Map 32
(53)	Pohutukawa (<i>Metrosideros excelsa</i>) Flat 1 DP 66286 on Lot 10 DP 1170	D	277	Map 32
Lake Road (Hauraki)				
(212)	Pohutukawa (<i>Metrosideros excelsa</i>) 2 Norfolk Island Pine (<i>Araucaria heterophylla</i>) Wilson Home	D	441	Map 26

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
(212)	Lot 1 DP 164021 Road frontage Pohutukawa (<i>Metrosideros excelsa</i>) Wilson Home	D	279	Map 26
(228)	Lot 1 DP 164021 Totara (<i>Podocarpus totara</i>)	D	280	Map 26
(242A)	Lot 6 DP 21175 Pohutukawa (<i>Metrosideros excelsa</i>)	D	281	Map 26
(270)	Lot 1 DP 180300 2 English Oak (<i>Quercus robur</i>) Puriri (<i>Vitex lucens</i>)	D	282	Map 26
(302)	Lot 1 DP 62764 4 Pohutukawa (<i>Metrosideros excelsa</i>) Part Lot 1 DP 62451 Lake Road (Belmont)	D	283	Map 26
<u>(2/97)</u>	<u>7 English Oak</u> (<i>Quercus robur</i>) <u>Flat 2 DP 118083 on</u> <u>Lot 3 DP 36418</u>	<u>D</u>	<u>539</u>	<u>Map 27</u>
<u>101</u>	<u>2 English Oak</u> (<i>Quercus robur</i>) <u>Flat 1 DP 160470 on</u> <u>Lot 2 DP 51900</u>	<u>D</u>	<u>538</u>	<u>Map 27</u>
(210)	Road frontage Pohutukawa (<i>Metrosideros excelsa</i>) Takapuna Grammar School Lots 1 & 2 DP 18718	D	278	Map 26
	<u>5 Monterey Cypress</u> (<i>Cyprinus</i> <i>macropoda</i>) <u>Pt Lots 1,2 DP 18718 &</u> <u>Lot 1 DP 35668 & Pt</u> <u>Allots 16,21 Parish of</u> <u>Takapuna</u>	<u>D</u>	<u>737</u>	

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
Lake View Road				
(7-9)	<u>Bush Area:</u> <u>3 Kauri</u> <u>(<i>Agathis australis</i>)</u> <u>Pohutukawa</u> <u>(<i>Metrosideros excelsa</i>)</u> <u>Puriri</u> <u>(<i>Vitex lucens</i>)</u> <u>Boundary between 7</u> <u>and 9 Lakeview Road</u> <u>3 Kowhai</u> <u>(<i>Sophora tetraptera</i>)</u> <u>Kauri</u> <u>(<i>Agathis australis</i>)</u> <u>Lakeside edge</u> <u>Pohutukawa</u> <u>(<i>Metrosideros excelsa</i>)</u> <u>Kauri</u> <u>(<i>Agathis australis</i>)</u> <u>Holm Oak</u> <u>(<i>Quercus ilex</i>)</u> <u>Lot 9 DP 48472, Lot 10</u> <u>48472</u>	<u>D</u>	<u>589</u>	<u>Map 26</u>
Sub 109 Query are all trees In this submission included In the list here.				
(22)	<u>Fijian Hoop Pine</u> <u>(<i>Araucaria</i></u> <u><i>cunninghamii</i>)</u> <u>Lot 2 DP 98565</u>	<u>C</u>	<u>58</u>	<u>Map 26</u>
Lansdowne Street				
(-)	<u>3 Pohutukawa</u> <u>(<i>Metrosideros excelsa</i>)</u> <u>Local Reserve</u>	<u>D</u>	<u>721</u>	<u>Map 31</u>
(3)	<u>Puriri</u> <u>(<i>Vitex lucens</i>)</u> <u>Lot 175 DP 4787</u>	<u>D</u>	<u>715</u>	<u>Map 31</u>
(12)	<u>Coral Tree</u> <u>(<i>Erythrina x sykesii</i>)</u> <u>Lot 171 DP 4787</u>	<u>D</u>	<u>290</u>	<u>Map 31</u>
(15)	<u>Poplar</u> <u>(<i>Populus sp</i>)</u> <u>Part Lot 2 DP 9564</u>	<u>D</u>	<u>722</u>	<u>Map 31</u>
(17)	<u>Pohutukawa</u> <u>(<i>Metrosideros excelsa</i>)</u> <u>Lot 1 DP 9564</u>	<u>D</u>	<u>291</u>	<u>Map 31</u>
(22)	<u>English Oak</u> <u>(<i>Quercus robur</i>)</u> <u>Lot 5 DP 60030</u>	<u>D</u>	<u>720</u>	<u>Map 32</u>

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
(24)	2 Pohutukawa (<i>Metrosideros excelsa</i>) Norfolk Island Pine (<i>Araucaria heterophylla</i>) Lot 7 DP 60030	D	719	Map 31
Langstone Place				
(11)	4 Kauri (<i>Agathis australis</i>) Lot 319 DP 68526	D	292	Map 29
Law Street				
(28)	Pohutukawa (<i>Metrosideros excelsa</i>) Lot 34 DP 9855 Rear of section	D	633	Map 8
Lenihan Street				
(-)	7 English Oak (<i>Quercus robur</i>) Lenihan Reserve Lot 22 DP 50592 – Recreational Residential	D	293	Map 25
Library Lane				
(-)	English Oak (<i>Quercus robur</i>) Albany War Memorial Library Part Lot 14 DP 17618	D	294	Map 12
(21)	Totara (<i>Podocarpus totara</i>) Kowhai (<i>Sophora tetraptera</i>) Pt Allot 690 Parish of Paremoremo	B	824	Map 12
Linley Place				
(-)	English Oak (<i>Quercus robur</i>)	D	835	Map 25

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
	<u>Totara</u> <u>(Podocarpus totara)</u> <u>Linley Reserve</u>	<u>B</u>	<u>836</u>	
	<u>Lowe Street</u>			
(-)	<u>14 Eucalyptus</u> <u>(Eucalyptus sp.)</u> <u>Northboro Reserve</u>		<u>829</u>	<u>Map 26</u>
	<u>Lydia Avenue</u>			
(22)	<u>Norfolk Island Pine</u> <u>(Araucaria heterophylla)</u> <u>Atlantic Cedar</u> <u>(Cedrus atlantica)</u> <u>Banksia</u> <u>(Banksia sp)</u> <u>Lot 31 DP 50330</u>	<u>D</u> <div>sub 59</div>	<u>647</u>	<u>Map 25</u>
	<u>Lyons Avenue</u>			
(21)	<u>2 Canary Island Date Palm</u> <u>(Phoenix canariensis)</u> <u>Front boundary</u> <u>Lot 1 43-DP 43312</u> <u>374794</u>	<u>D</u>	<u>295</u>	<u>Map 14</u>
	<u>Macky Avenue</u>			
(-)	<u>9 Pohutukawa</u> <u>(Metrosideros excelsa)</u> <u>3 Puriri</u> <u>(Vitex lucens)</u> <u>All street Trees</u>	<u>D</u>	<u>698</u>	<u>Map 32</u>
	<u>Mahuta Grove</u>			
(-)	<u>Monterey Cypress</u> <u>(Cupressus macrocarpa)</u> <u>Recreation Reserve Lot</u> <u>11 DP 73890</u>	<u>A</u>	<u>8</u>	<u>Map 25</u>

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
<u>Manly Esplanade</u>				
(-)	Monterey Cypress (<i>Cupressus macrocarpa</i>) Manly Esplanade Reserve	D	544	Map 14
(-)	6 Norfolk Island Pine (<i>Araucaria heterophylla</i>) Manly Esplanade Reserve	D	784	Map 14
		sub 86		
Manuka Road				
(148)	Kauri (<i>Agathis australis</i>) Flat 2 DP 134244 on Lot 1 DP 86763	D	296	Map 24
Manurere Avenue				
(-)	Pohutukawa (<i>Metrosideros excelsa</i>) Legal Road Reserve adjacent to No. 31	D	297	Map 26A
(22)	3 Pohutukawa (<i>Metrosideros excelsa</i>) Lot 10 DP 60824	D	298	Map 26A
(24)	2 Pohutukawa (<i>Metrosideros excelsa</i>) Lot 11 DP 60824	D	299	Map 26A
(28)	Pohutukawa (<i>Metrosideros excelsa</i>) Lot 1 DP 75073	D	300	Map 26A
(31)	Pohutukawa (<i>Metrosideros excelsa</i>) Lot 4 DP 73754	D	301	Map 26A
Marine Terrace				
(7)	English Oak (<i>Quercus robur</i>) Lot 8 DP 4787	D	302	Map 31

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
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Maritime Terrace

(11)	2 Pohutukawa (<i>Metrosideros excelsa</i>) Lot 1 DP 64936	D	303	Map 30
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(21)	Tawapou (<i>Planchonella costata</i>) Lot 1 DP 68852 Coastal species at its southern limit	C	54	Map 30
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Matai Road

(-)	<u>Holm Oak</u> (<i>Quercus ilex</i>) <u>Legal Road Reserve adjacent to 7 Matai Road</u> <u>Pohutukawa</u> (<i>Metrosideros excelsa</i>)	<u>D</u>	<u>860</u>	<u>Map32</u>
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(-)	<u>Moreton Bay Fig</u> (<i>Ficus macrophylla</i>) <u>Legal Road Reserve adjacent to 15 Matai Road</u>	<u>D</u>	<u>617</u>	<u>Map 32</u>
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sub 32

(-)	<u>Pohutukawa</u> (<i>Metrosideros excelsa</i>) <u>Legal Road Reserve corner Matai & Oxford roads</u>	<u>D</u>	<u>828</u>	<u>Map 32</u>
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(5)	Pohutukawa (<i>Metrosideros excelsa</i>) Lot 9 DP 1791 C.T 98/107	D	304	Map 32
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(15)	2 Pohutukawa (<i>Metrosideros excelsa</i>) Lot 5 DP 1791 C.T 109/152	D	306	Map 32
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Maunganui Road

(10)	<u>Puriri</u> (<i>Vitex lucens</i>) <u>Lot 1 DP 61731</u>	<u>D</u>	<u>547</u>	<u>Map 29</u>
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Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
Mayall Avenue				
(43-45)	Pohutukawa (<i>Metrosideros excelsa</i>) Shared ROW entrance Lot 22 & 23 DP 80209, Lot 37 DP 80211 1/4sh 371m2	D	586	Map 23
(46)	Pohutukawa (<i>Metrosideros excelsa</i>) Norfolk Island Pine (<i>Araucaria heterophylla</i>) Lot 1 DP 117570, Lot 37 DP 80211 1/4sh 371m2	D	597 576	Map 23
Mayfield Road				
(9)	3 Puriri (<i>Vitex lucens</i>) 6 Pohutukawa (<i>Metrosideros excelsa</i>) Rewarewa (<i>Knightia excelsa</i>) Totara (<i>Podocarpus totara</i>) Kauri (<i>Agathis australis</i>) Part Allotment 465 Parish of Takapuna	D	307	Map 19
Mays Street				
(1A)	Pohutukawa (<i>Metrosideros excelsa</i>) Lot 3 Deeds Plan 788 Black C.T 910/31	D	308	Map 32A
(9)	Walnut Tree (<i>Juglans sp.</i>) Jacaranda (<i>Jacaranda mimosaeifolia</i>) Lots 6 & Part 7 DP 198 Lot 4 DP 49550 C.T 454/240	D	309	Map 32A

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
McBreen Avenue				
(-)	<p>All <u>native vegetation on the defined land.</u></p> <p><u>The defined land is the esplanade reserve and rear parts of Lots 36-41 DP 50230</u></p> <p>Trees native and exotic Headland that is south tip of outlet Tuff Crater</p>	D	310	Map 25
Minnehaha Avenue				
(-)	<p>2 Algerian Oak (<i>Quercus canariensis</i>)</p> <p>Legal Road Reserve adjacent to Nos. 1 & 2</p> <p>Planted by W. Hurst before 1887</p>	B	48	Map 26
(1)	<p>English Oak (<i>Quercus robur</i>)</p> <p><u>Residue AREA on Lot 1 DP 149812</u></p> <p>Part of a grove of oaks between Minnehaha/O'Neills Avenue</p>	A	72	Map 26
(7A)	<p>2 English Oak (<i>Quercus robur</i>)</p> <p>Lot 3 DP 110913 Part of a grove of oaks between Minnehaha/O'Neills Avenue</p>	A	72	Map 26
(8)	<p>5 Pohutukawa (<i>Metrosideros excelsa</i>)</p> <p>Part Lots 19 20 DP 7523 Part Lot 19 subject to R/W</p>	D	313	Map 26A
(11)	<p>English Oak (<i>Quercus robur</i>)</p> <p>Part Lot 36 DP 7523 Part of a grove of oaks between Minnehaha/O'Neills Avenue</p>	A	72	Map 26A
(13)	<p>2 English Oak (<i>Quercus robur</i>)</p>	A	72	Map 26A

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
	Lot 35 DP 7523 Part of a grove of oaks between Minnehaha/O'Neills Avenue			
(18)	Pohutukawa (<i>Metrosideros excelsa</i>) Lot 1 DP 30110	D	314	Map 26A
	Montrose Terrace			
(19)	2 Canary Island Date Palm (<i>Phoenix canariensis</i>) Lot 155 DP 13311 & Lot 1 DP 107996	D	315	Map 14
	Moore Street			
(1A)	2 Puriri (<i>Vitex lucens</i>) 2 Karaka (<i>Corynocarpus laevigatus</i>) Lot 1 DP 332493	D	219	Map 24
(21)	2 Pear Tree (<i>Pyrus sp</i>) Lot 7 DP 51126	B sub 73	575	Map 24
(23)	Pear Tree (<i>Pyrus sp</i>)	B sub 73	653	Map 24
(40)	3 Monterey Cypress (<i>Cyressus macrocarpa</i>) Lot 38 DP 52455	D sub 69	652	Map 24
	Mozeley Avenue			
(1)	English Oak (<i>Quercus robur</i>) Pohutukawa (<i>Metrosideros excelsa</i>) Part Allotment 9 of Section 2 Takapuna Parish C.T 565/256	D	316	Map 32A
(3)	Pohutukawa (<i>Metrosideros excelsa</i>) Lot 1 DP 203087	D	317	Map 32A

2 pohutuakwa should be added here
sub 17

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
(34)	Pohutukawa (<i>Metrosideros excelsa</i>) Lot 2 DP 93112		771	Map 32A
Napier Avenue				
(20)	Copper Beech (<i>Fagus sylvatica</i> "purpurea") Flat 1 Lot 1 DP 105137	C	61	Map 26
Napoleon Avenue				
(-)	English Oak (<i>Quercus robur</i>) Holm Oak (<i>Quercus ilex</i>) Lady Allum Home Part Lot 5 DP 2448 + Lot 5 & Part Lot 4 DP 41955 + Part Lots 1 & 2 DP 63431	D	318	Map 25
Nelson Avenue				
(-)	2 Pohutukawa (<i>Metrosideros excelsa</i>) Legal Road Reserve outside No.14	D	319	Map 30
Neptune Avenue				
(13)	2 Pohutukawa (<i>Metrosideros excelsa</i>) Lot 63 DP 19223 At front of property	D	601	Map 23
(42)	Pohutukawa (<i>Metrosideros excelsa</i>) Lot 98 DP 19223, Lot 1 DP 58358 group	D	582	Map 23
Ngataringa Road				
(36)	Pohutukawa (<i>Metrosideros excelsa</i>) Pt Lot 80 Deeds 1010	D	863	Map 32

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
(39)	Pohutukawa (<i>Metrosideros excelsa</i>) Part Lot 28 Block B Deeds Plan 1010 C.T 1686/1	D	320	Map 32
(68A)	1 Pohutukawa (<i>Metrosideros excelsa</i>) Lot 1 DP 188836	D	321	Map 31
(69)	English Oak (<i>Quercus robur</i>) Lot 1 DP 132755		774	Map 31
(83A)	Pohutukawa (<i>Metrosideros excelsa</i>) Lot 55 DP 21369	D	682	Map 31
(92B)	3 Totara (<i>Podocarpus totara</i>) Lot 2 DP 348740 4-DP 88065	D	536	Map 31
(92C)	Horse Chestnut (<i>Aesculus hippocastanum</i>) Lot 2 DP 88065	D	323	Map 31
(94)	Pohutukawa (<i>Metrosideros excelsa</i>) Pt Lot 2 DP 50354	D	658	Map 31
(-)	Niagara Place Native Trees	D	851	Map 30
Niccol Avenue				
(-)	<i>Syzygium</i> (<i>Syzygium malaccense</i>) Legal Road Reserve adjacent to 3 Niccol Avenue	D	758	Map 32
(-)	<i>Syzygium</i> (<i>Syzygium malaccense</i>) Legal Road Reserve adjacent to 5 Niccol Avenue	D	593	Map 32
(-)	(<i>Syzygium</i>)	D	594	Map 32

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
	<i>malaccense</i> Legal Road Reserve adjacent to 7 Niccol Avenue			
(-)	<i>(Syzygium malaccense)</i> Legal Road Reserve adjacent to 9 Niccol Avenue	D	600	Map 32
(-)	Puriri <i>(Vitex lucens)</i> Legal Road Reserve adjacent to 15 Niccol Avenue	D	620	Map 32
(-)	Pohutukawa <i>(Metrosideros excelsa)</i> Legal Road Reserve adjacent to 21 Niccol Avenue	D	621	Map 32
(-)	Puriri <i>(Vitex lucens)</i> Queensland Brush Box <i>(Tristania confertus)</i> Legal Road Reserve adjacent to 25 Niccol Avenue	D	622	Map 32
(-)	Pohutukawa <i>(Metrosideros excelsa)</i> Legal Road Reserve adjacent to 27 Niccol Avenue	D	623	Map 32
(17BA)	Norfolk Island Pine <i>(Araucaria heterophylla)</i> Lot 32 DP 162955 C.T 98B/298 Nicholson Place	D	324	Map 32
(8)	All native species over 3 metres in height Lot 25 DP 51770	D	325	Map 25
(12)	All native species over 3 metres in height Lot 23 DP 51770	D	326	Map 25

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
Northboro Road				
(8)	Bead Tree (<i>Melia azederach</i>) Part Lot 13 DP 9466	D	327	Map 26
Northcote Road				
(-)	Kahikatea (<i>Dacrycarpus dacrydioides</i>) Puriri (<i>Vitex lucens</i>) Smith's Bush Pt 1 DP 31225 Both are Pre-European forest remnants with the puriri being of an infrequent type remaining	A	22	Map 25
	<u>Regenerating bush includes Puriri</u>	B	626 sub 32	Map 25
Northgrove Avenue				
(-)	Pohutukawa (<i>Metrosideros excelsa</i>) Legal Road SO 473441 Corner of Sunnybrae and Northcote Roads	A	84	Map 25
(-)	All native species more than 3.5 metres in height or more than 0.5 metres in circumference measured at 0.5 metres above ground level within the defined area The defined area is generally the groupings of properties in the vicinity Hillcrest Avenue, Cobblestone Lane, Evelyn Place and Northgrove Avenue.	D	177	Map 25
Norwood Road				
(23)	Bunya Bunya (<i>Araucaria bidwillii</i>) Lot 19 DP 4787	C	62	Map 31
Deletion further submission 79-28 x 1557				

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
(26)	English Oak (<i>Quercus robur</i>) Lot 55 DP 4787	D	749	Map 31
(43 & 45-47)	Grove of native trees Part Lots 28 & 28A DP 4787 & Lots 29 & 30 DP 4787	D	330	Map 31
(74)	Norfolk Island Pine (<i>Araucaria heterophylla</i>) Lot 4 DP 38162	D	859	Map 31
(80)	Rimu (<i>Dacrydium cupressinum</i>) Lot 6 DP 8780	D	744	Map
(81)	Pohutukawa (<i>Metrosideros excelsa</i>) Lot 6 Deeds T69		748	Map 31
(99)	Pohutukawa (<i>Metrosideros excelsa</i>) Lot 1 DP 162442	D	736	Map 31
(115)	2 Pohutukawa (<i>Metrosideros excelsa</i>) Lot 9 DP 20173, Lot 2 DP 204112	D	571	Map 31
		sub 4		
O'Neills Avenue				
(-)	Magnolia (<i>Magnolia grandiflora</i>) Legal Road Reserve adjacent to Numbers 13 and 11	D	331	Map 26A
(2)	Maidenhair Tree (<i>Ginkgo biloba</i>) Lot 2 DP 83305	D	322 332	Map 26A
(8)	Copper Beech (<i>Fagus sylvatica</i>) Lot 2 DP 211722	D	618	Map 26A
		sub 32		
(14)	English Oak (<i>Quercus robur</i>) Lot 9 DP 15066 Part of a grove of oaks between	A	72	Map 26

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
	Minnehaha/O'Neills Avenue			
(15)	<u>Pohutukawa</u> <i>(Metrosideros excelsa)</i>	<u>D</u>	<u>579</u>	<u>Map 26A</u>
	<u>Lot 1 DP 19920</u>	sub 25		
(16A)	<u>Pohutukawa</u> <i>(Metrosideros excelsa)</i> <u>Lot 2 DP 98301</u>	D	333	Map 26A
	Ocean View Road (Milford)			
(32A)	<u>Pohutukawa</u> <i>(Metrosideros excelsa)</i> <u>½ share Lot 15 DP 6859 Flat 1 DP 94419</u>	D	338	Map 21
	Ocean View Road (Hillcrest)			
(-)	<u>All trees</u> <u>Holdaways Bush & Stanich Reserve Pt 95 DP 66258 Ocean View Road & Stanich Reserve Lot 27 DP 96735 & Lot 29 DP 18327 & Lots 42 & 46 DP 49631 & Lot 3 DP 66258 & Lot 26 DP 96735</u>	D	334	Map 25
(55)	<u>Aemona</u> <i>(Eugenia smithii)</i>	D	336	Map 25
	Old Lake Road			
(2)	<u>Pohutukawa</u> <i>(Metrosideros excelsa)</i> <u>London Plane Tree</u> <i>(Platanus x acerifolia)</i> <u>Swamp Cypress</u> <i>(Taxodium distichum)</i> <u>Pt Allot 3 Sec 2 Parish of Takapuna, Pt Allot 559 Sec 2 Parish of Takapuna, Lot 2 DP 79499, Lot 1 DP 79499, Pt Lot 2 DP 19288</u> <u>Woodall Park</u>	<u>D</u>	<u>756</u>	<u>Map 32</u>

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
(11A)	2 Norfolk Island Pine (<i>Araucaria heterophylla</i>) Lot 2 DP 330256	D	339	Map 32
(11B)	2 Norfolk Island Pine (<i>Araucaria heterophylla</i>) Lot 3 DP 42384 C.T 43B/755	D	340	Map 32
(75)	Pohutukawa (<i>Metrosideros excelsa</i>) Part Allotment 2 of Section 1 of Takapuna Parish C.T 881/9	D	341	Map 32

Onepoto Road

(2A)	2 Puriri (<i>Vitex lucens</i>) Lot 1 DP 174922 – Subject to and interest in drainage easements	D	285	Map 26
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Onewa Road

(23)	<u>Totara</u> (<i>Podocarpus totara</i>) <u>Kauri</u> (<i>Agathis australis</i>) <u>English Oak</u> (<i>Quercus robur</i>) <u>Rimu</u> (<i>Dacrydium cupressinum</i>) <u>Puriri</u> (<i>Vitex lucens</i>) <u>Pohutukawa</u> (<i>Metrosideros excelsa</i>) Lot 2 DP 42145	<u>D</u>	<u>853</u>	<u>Map 25</u>
(46)	<u>Pohutukawa</u> (<i>Metrosideros excelsa</i>) Lot 1 DP 195383	D	344	Map 25
(48)	Canary Island Date Palm (<i>Phoenix canariensis</i>)	D	345	Map 25

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
	Lot 7 DP 13751			
(69)	2 Canary Island Date Palm (<i>Phoenix canariensis</i>)	A	7	Map 25
	Northcote Primary School Corner of Onewa/Lake Roads Part Allotment 2 Takapuna Parish Complements War Memorial structure			
(69)	3 Pohutukawa (<i>Metrosideros excelsa</i>)	D	346	Map 25
	Northcote Primary School Part Allotment 2 Takapuna Parish			
(95-97)	Puriri (<i>Vitex lucens</i>)	D	343	Map 25
	Acmena (<i>Eugenia Acmena smithii</i>)			
	St Aidans Presbyterian Church			
	Lot 1 & Part Lot 2 DP 156500			
(103)	Canary Island Date Palm (<i>Phoenix canariensis</i>)	D	348	Map 25
	Lot 1 DP 50099			
(109)	Pohutukawa (<i>Metrosideros excelsa</i>)	D	349	Map 25
	Near eastern boundary Part Lot 4 Deeds Plan T16			
(117A)	Canary Island Date Palm (<i>Phoenix canariensis</i>)	D	535	Map 25
	Roman Catholic Church Part Allotment 10 DP 4048			
(133)	2 Pohutukawa (<i>Metrosideros excelsa</i>)	D	351	Map 25
	Lot 1 DP 207720			
(143)	18 Pohutukawa (<i>Metrosideros excelsa</i>)	D	352	Map 25

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
	2 Puriri (<i>Vitex lucens</i>) Atlantic Cedar (<i>Cedrus atlantica</i>) Northcote College Onewa Road frontages Part Lot 1 DP 70475 & Part Lot 1 DP 53360 as shown on SO 52398 Also refer to Kauri Glen Road for additional trees			
	<u>Orion Place</u>			
(19)	6 Totara (<i>Podocarpus totara</i>) Lot 137 DP 55720	B sub 142	611	Map 24
	<u>Oruamo Place</u>			
(20)	Kowhai (<i>Sophora tetraptera</i>) Pohutukawa (<i>Metrosideros excelsa</i>) Lot 23 DP 57885	D sub 123	599	Map 23
	<u>Oxford Terrace</u>			
(-)	Monterey Cypress (<i>Cupressus macrocarpa</i>) Balmain Reserve, Devonport. Lot 3 DP 89409	A	31	Map 32
(-)	English Oak (<i>Quercus robur</i>) Legal Road Reserve Cnr with Cheltenham St	D	696	Map 32
(-)	Eucalyptus (<i>Eucalyptus</i> sp.) Legal Road Reserve adjacent to 2 Oxford Terrace	D	695	Map 32
(-)	Pohutukawa (<i>Metrosideros excelsa</i>)	D	703	Map 32

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
	Legal Road Reserve adjacent to 3 Oxford Terrace			
(6)	4 Pohutukawa (<i>Metrosideros excelsa</i>) Part Lot 3 DP 1767 C.T 727/285	D	353	Map 32
(-)	2 Eucalyptus (<i>Eucalyptus</i> sp.) Legal Road Reserve adjacent to 13 Oxford Terrace	D	694	Map 32
(-)	2 Eucalyptus (<i>Eucalyptus</i> sp.) Legal Road Reserve adjacent to 15 Oxford Terrace	D	693	Map 32
(-)	Holm Oak (<i>Quercus ilex</i>) Legal Road Reserve adjacent to 25 Oxford Terrace	D	692	Map 32
Palmerston Road				
(69)	Puriri (<i>Vitex lucens</i>) 2 Kauri (<i>Agathis australis</i>) Lot 23 DP 804	D	354	Map 24A
Paramu Avenue				
(22)	Pin Oak (<i>Quercus palustris</i>) Lot 4 DP 53541	D	785	Map 23
		sub 86		
Park Avenue (Takapuna)				
(17)	Norfolk Island Pine (<i>Araucaria heterophylla</i>) Lot 1 DP 31988	D	355	Map 26
(25)	Pohutukawa (<i>Metrosideros excelsa</i>) Pt Lot 1 DP 30254	D	356	Map 26A

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
(26)	2 Pohutukawa (<i>Metrosideros excelsa</i>) Lot 1 DP 28584	D	357	Map 26A
(27)	5 Pohutukawa (<i>Metrosideros excelsa</i>) Lot 8 DP 24352	D	358	Map 26A
(30)	3 Pohutukawa (<i>Metrosideros excelsa</i>) Lot 2 DP 28584	D	359	Map 26A
(32)	6 Pohutukawa (<i>Metrosideros excelsa</i>) Lot 4 DP 28584	D	360	Map 26A
Parr Terrace				
(18)	Kahikatea (<i>Dacrycarpus dacrydioides</i>) Rimu (<i>Dacrydium cupressinum</i>) Rewarewa (<i>Knightia excelsa</i>) Lot 2 DP 66649	D	361	Map 21
<u>Pearn Place</u>				
(-)	<u>Smooth Elm</u> (<i>Ulmus U minor</i>)	<u>D</u> sub 86	<u>840</u>	<u>Map 25</u>
Pemberton Avenue				
(-)	Kauri (<i>Agathis australis</i>) Legal Road Reserve adjacent to No. 114	D	534	Map 23
(37)	Kauri (<i>Agathis australis</i>) Lot 66 DP 82101	D	363	Map 23
(100)	Kahikatea (<i>Dacrycarpus dacrydioides</i>) Pemberton Avenue Extension Lot 13 DP 177010	D	362	Map 23

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
<u>Peter Terrace</u>				
(54)	Rimu (<i>Dacrydium cupressinum</i>) Totara (<i>Podocarpus totara</i>) Pohutukawa (<i>Metrosideros excelsa</i>) English Oak (<i>Quercus robur</i>) Ginkgo (<i>Ginkgo biloba</i>) Lot 5 DP 50583	D <div>sub 26</div>	580	Map 20
<u>Pluto Place (Beach Haven)</u>				
(17)	Kauri (<i>Agathis australis</i>) Tree at rear of the property Lot 32 DP 69267	D	555	Map 23
<u>Princes Street</u>				
(-)	Lombardy Poplar (<i>Populus nigra italica</i>) Legal Road Reserve adjacent No. 47	D	264	Map 30
(-)	All pohutukawa trees and other native species which are more than 3.5 metres in height, or have a trunk more than 0.5 metres in circumference measured above ground level. The land defined generally as the eastern portion of all properties adjoining the existing or previous shoreline on the east side of Princes Street between Stokes Point and Beach Road and extending north to 79 Princes Street.	D	366	
(-)	Totara	D	367	Map 30

Schedule of Notable Trees

Street Number	Category	Tree No	Map Ref
(-)	D	368	Map 30
(5A)	D	370	Map 30
(7)	D	371	Map 30
(18)	D	372	Map 30
(25)	D	373	Map 30
(27)	D	374	Map 30
(35)	D	375	Map 30
(47)	D	376	Map 30

**Street
Number**

Prospect Terrace

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
(6)	Puriri (<i>Vitex lucens</i>) Lot 2 DP 61494	D	380	Map 21
(11)	Pohutukawa (<i>Metrosideros excelsa</i>) Lot 1 DP 43990	D	381	Map 21
(13)	6 Pohutukawa (<i>Metrosideros excelsa</i>) Lot 1 DP 153269 & Lot 1 DP 85537	D	382	Map 21
Pullum Street				
(-)	18 Kauri (<i>Agathis australis</i>) Eucalyptus (<i>Eucalyptus sp.</i>) Area between Pullum/Inkster Streets Lots 1 & 2 DP 67734 & DP Part 56 R358 & Lot 1 DP 101041	D	250	Map 29
Pupuke Road (Hillcrest)				
(62 <u>4</u> A)	English Oak (<i>Quercus robur</i>) Lot <u>2</u> <u>4</u> DP 50800	D	384	Map 24
Pupuke Road (Takapuna)				
(37)	Queensland Nut (<i>Macadamia integrifolia</i>) Lot 3 DP 98565 Planted by Sir Frederick Whittaker in 1875	B	42	Map 26
(37)	Rimu (<i>Dacrydium cupressinum</i>) Totara (<i>Podocarpus totara</i>) Lot 3 DP 98565	D	289	Map 26

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
Quebec Road				
(18)	Norfolk Island Pine (<i>Araucaria heterophylla</i>) Lot 120 DP 8886	D	386	Map 20
Queen Street				
(-)	All pohutukawa trees on the defined land which have a height of more than 3.5 metres, or a trunk which is more than 0.5 metres in circumference measured at 0.5 metres above ground level. The defined land is generally the land between existing dwellings and the shorelines of the properties adjoining the shoreline or foreshore reserves, on the west side of Clarence Road and Queen Street between Little Shoal Bay and Fishermans Wharf.	D	166	Map 30
(37)	Port Jackson Fig (<i>Ficus rubiginosa</i>) Northcote Tavern corner of King Street And Princes Street Lots 3, 4, 5, 6 & Part 7 DP 23966	A	82	Map 30
(-)	3 Moreton Bay Figs (<i>Ficus macrophylla</i>) Grove of Pohutukawa (<i>Metrosideros excelsa</i>) Oleander (<i>Nerium oleander</i>) Legal Road Reserve adjacent No. 1 Legal Road Reserve between Numbers 1-17 on divided carriageway	D	388	Map 30
(-)	13 Pohutukawa (<i>Metrosideros excelsa</i>)	D	389	Map 30

Schedule of Notable Trees

Street Number	Category	Tree No	Map Ref
(-)	D	390	Map 30
(-)	D	391	Map 30
(4)	D	392	Map 30
(5)	D	393	Map 30
(44)	D	394	Map 30
(59)	D	395	Map 30

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
	property Part Allotment 30 Takapuna Parish			
(80)	Pohutukawa (<i>Metrosideros excelsa</i>)	D	396	Map 30
	Lot 2 DP 66252			
(97)	2 Canary Island Date Palm (<i>Phoenix canariensis</i>)	D	397	Map 30
	Puriri (<i>Vitex lucens</i>)			
	Lots 2 & 3 DP 45718			
(99)	Coral Tree (<i>Erythrina x sykesi</i>)	D	398	Map 30
	Near rear of site Lot 1 DP 181913			
(113)	Kentia Palm (<i>Howea forsteriana</i>)	D	399	Map 30
	Lot 2 DP 1151			
(118)	Norfolk Island Pine (<i>Araucaria heterophylla</i>)	D	400	Map 30
	Pohutukawa (<i>Metrosideros excelsa</i>)			
	Part Lot 1 DP 2133			
(119)	Pohutukawa (<i>Metrosideros excelsa</i>)	D	401	Map 30
	Magnolia (<i>Magnolia grandiflora</i>)			
	Lot 1 DP 51072			
(152)	Puriri (<i>Vitex lucens</i>)	D	402	Map 30
	Lot 1 Deeds Plan T19 Tree is located on the site's boundary with Vincent Road			
(160)	English Oak (<i>Quercus robur</i>)	D	403	Map 30
	Located at rear of site Part Lot 6 Deeds Plan T19			
(168)	3 London Plane (<i>Platanus x acerifolia</i>)	D	404	Map 30
	Lot 2 DP 74718			

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
(181)	Pohutukawa (<i>Metrosideros excelsa</i>) Lot 1 DP 35147	D	405	Map 30
(196)	3 Lombardy Poplar (<i>Populus nigra var italica</i>) Lot 1 DP 47663	D	204	Map 30
<u>Rae Road</u>				
(-)	Kahikatea (<i>Dacrycarpus dacrydioides</i>) Tree #13 on the Kohekohe Track of the Centennial Park Nature Trail	D	551	Map 21
<u>Raleigh Road</u>				
(-)	English Oak (<i>Quercus robur</i>) Canary Island Date Palm (<i>Phoenix canariensis</i>) 2 Puriri (<i>Vitex lucens</i>) Pohutukawa (<i>Metrosideros excelsa</i>) Raleigh Road Reserve Lot 23 DP 72397 – Recreational Residential	D	406	Map 25
(18)	3 Norfolk Island Pine (<i>Araucaria heterophylla</i>) Lot 8 DP 46419	D	407	Map 25
(20)	2 Norfolk Island Pine (<i>Araucaria heterophylla</i>) Lot 7 DP 46419	D	408	Map 25
(54)	Pohutukawa (<i>Metrosideros excelsa</i>) Lot 3 DP 48661	D	409	Map 25
(58)	Pohutukawa (<i>Metrosideros excelsa</i>)	D	410	Map 25

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
	Lot 2 DP 48661			
(60)	2 Pohutukawa (<i>Metrosideros excelsa</i>) Puriri (<i>Vitex lucens</i>)	D	411	Map 25
	Lot 1 DP 48661			
(92)	Pohutukawa (<i>Metrosideros excelsa</i>) Part Lots 1 & 2 DP 36204	D	413	Map 25
	Rame Road			
(22)	5 English Oak (<i>Quercus robur</i>) "Grey Oaks" Lot 9 DP 157230	D	414	Map 17
	Ranch Avenue			
(-)	2 English Oak (<i>Quercus robur</i>) Legal Road Reserve Site of former Ranch House. Adjacent to 46 and 31-33 Ranch Avenue	B	80	Map 23
	Rangatira Road			
(-)	Kauri (<i>Agathis australis</i>)	A	5	Map 23
	Kahikatea (<i>Dacrycarpus dacrydioides</i>)	A	6	Map 23
	Kauri Park, Rangatira Road Lot 2 DP 14492 Pre-European forest remnant			
(28A)	Norfolk Island Pine (<i>Araucaria heterophylla</i>) Lot 1 DP 81082-400608	A	69	Map 23
(142)	2 Pohutukawa (<i>Metrosideros excelsa</i>) Kauri	D	631	Map 23

Deletion sub 110

sub 40

Schedule of Notable Trees

Street Number	Category	Tree No	Map Ref
<u>(Agathis australis)</u>			
<u>Pt Lot 1 DP 21747, Pt Lot 2 DP 21747</u>			
Rangitoto Terrace			
(27)	2 Norfolk Island Pine (<i>Araucaria heterophylla</i>) Lot 4 DP 7578	D 416	Map 21
(29)	2 Norfolk Island Pine (<i>Araucaria heterophylla</i>) Lot 3 DP 7578	D 417	Map 21
Rangitira Avenue			
(-)	<u>Kowhai</u> (<i>Sophora tetraptera</i>) 12 Pohutukawa (<i>Metrosideros excelsa</i>) Legal Road Reserve adjacent to 2-8 Rangitira Avenue	<u>D</u> 825	Map 25
Rarere Road			
(10)	5 Pohutukawa (<i>Metrosideros excelsa</i>) Lot 2 DP 37560	D 419	Map 26
Rata Road			
(-)	<u>Holm Oak</u> (<i>Quercus ilex</i>)	<u>B</u> sub 86	656 Map 32
(8)	2 Pohutukawa (<i>Metrosideros excelsa</i>) Lot 2 Part 1 DP 1791 C.T 98/229	D 420	Map 32
(12)	2 Pohutukawa (<i>Metrosideros excelsa</i>) Lot 4 DP 3244 C.T 47A/1027	D 421	Map 32
(14)	2 Pohutukawa (<i>Metrosideros excelsa</i>) Lots 5 & Part 6 DP 3244 C.T 125/45 At	D 422	Map 32

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
	north-east corner of property			
	Rattray Street			
(3)	Pepper Tree (<i>Schinus molle</i>) Pt Lot 20A Deeds T12	D	707	Map 32A
	Rawene Road			
(-)	Hinau (<i>Elaeocarpus dentatus</i>) Esplanade Reserve, Chelsea Bay Lot 1 DP 120844	C	55	Map 29
(4-6)	2 Canary Island Date Palm (<i>Phoenix canariensis</i>) Lot 1 DP 91962	A	68	Map 24A
(58)	English Oak (<i>Quercus robur</i>) Lots 43 & 44 Deeds Planted as an acorn by British troops occupying historic cottage dated 1845	B	39	Map 29
	Rewiti Avenue			
(2)	Coral Tree (<i>Erythrina x sykesii</i>) Lots 18, 19 & 20 DP 10853	A	70	Map 26
	Richmond Avenue			
(-)	Pohutukawa (<i>Metrosideros excelsa</i>) Legal Road Reserve adjacent No. 38	D	423	Map 30
(5)	Puriri (<i>Vitex lucens</i>) Titoki (<i>Alectryon excelsus</i>) Part Lot 87 DP 712	D	424	Map 30
(7)	Puriri	D	425	Map 30

Schedule of Notable Trees

Street Number	Category	Tree No	Map Ref
(8)	D	426	Map 30
(10)	D	427	Map 30
(20A)	D	429	Map 30
(21)	D	430	Map 30
(31)	D	431	Map 30
(38)	D	432	Map 30
(58, 60, 61 & 62)	D	433	Map 30

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
Ridge Road (Albany)				
(-)	Kahikatea (<i>Dacrycarpus dacrydioides</i>) Paremoremo Scenic Reserve Allot 447 Parish of Paremoremo	A	1	Map 16
Rodney Road				
(3)	English Oak (<i>Quercus robur</i>) Pt Lot 6 and Lot 8 of Allot 52 Parish of TAKAPUNA	D	403	Map 30
(15/15A)	Puriri (<i>Vitex lucens</i>) Lot 1 DP 129168 & Lot 2 DP 54458	D	434	Map 30
(19)	1 English Oak (<i>Quercus robur</i>) Lot 1 DP 123059	D	435	Map 30
Roseberry Avenue,				
(8)	Pohutukawa (<i>Metrosideros excelsa</i>) Puriri (<i>Vitex lucens</i>) Lot 1 DP 62798 Tree on street boundary of property	D	559	Map 24
Russell Street				
(-)	Pohutukawa (<i>Metrosideros excelsa</i>) Legal Road Reserve adjacent to 15 Russell Street, Stanley Bay School	D	762	Map 31
(24)	Pohutukawa (<i>Metrosideros excelsa</i>) Lot 1 DP 87752 C.T 45C/32	D	437	Map 31

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
Rutland Road				
(18)	Silky Oak (<i>Grevillea robusta</i>) Lot 16 of Allotment 30/31 of Section 2 Takapuna Parish C.T 566/25	D	438	Map 31
(27A)	3 Pohutukawa (<i>Metrosideros excelsa</i>) Lot 2 DP 327968	D	439	Map 31
St Aubyn Street				
(3)	Pohutukawa (<i>Metrosideros excelsa</i>) Lot 2 DP 30684 C.T 783/282	D	440	Map 32A
St Peters Street (Northcote)				
(20/2)	Puriri (<i>Vitex lucens</i>) Dawson property	D	560	Map 25
(38)	2 Poplar (<i>Populus sp</i>) Tuff Crater Reserve	D	650	Map 25
		sub 66		
Salamanca Road				
(42)	Mexican Pine (<i>Pinus ayachuite</i>) HOU-8000207 - Lot 130 DP 74219	D	826	Map 20
		sub 86		
Saltburn Road				
(18 -)	English Oak (<i>Quercus robur</i>) Legal road reserve adjacent to No. 18 Lot 1 DP 23400	A	442	Map 21
(-)	Pohutukawa (<i>Metrosideros excelsa</i>) Legal Road Reserve adjacent to No. 20 Pt Lot 5 DP 3640	D	18	Map 21

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
<u>Salisbury Road</u>				
<u>(10)</u>	<u>Totara</u> <i>(Podocarpus totara)</i> 2 London Plane Tree <i>(Platanus x acerifolia)</i> Near corner Salisbury and Birkdale Roads 6 English Oak <i>(Quercus robur)</i> Pt Lot 129 DP 1375, Pt Lot 45 DP 1675, Pt Lot 22 DP 1675	<u>D</u>	<u>592</u>	<u>Map 23</u>
			sub 122	
<u>Sampson Lane</u>				
<u>(4)</u>	<u>8 5 Pohutukawa</u> <i>(Metrosideros excelsa)</i> Lot 34 DP 38484 3 DP 372284	<u>D</u>	<u>443</u>	<u>Map 25</u>
<u>(5)</u>	<u>Pohutukawa</u> <i>(Metrosideros excelsa)</i> Lot 1 DP 372284	<u>D</u>	<u>543</u>	<u>Map 25</u>
<u>(5A)</u>	<u>5 Pohutukawa</u> <i>(Metrosideros excelsa)</i> Lot 3 DP 372284	<u>D</u>	<u>542</u>	<u>Map 25</u>
<u>Sanders Avenue</u>				
<u>(-)</u>	<u>2 Pohutukawa</u> <i>(Metrosideros excelsa)</i> Legal Road Reserve adjacent to No. 35	<u>D</u>	<u>444</u>	<u>Map 26A</u>
<u>(-)</u>	<u>Pohutukawa</u> <i>(Metrosideros excelsa)</i> Legal Road Reserve adjacent to No. 34	<u>D</u>	<u>444</u>	<u>Map 26A</u>
<u>Sanders Avenue</u>				
<u>(12A)</u>	<u>Pohutukawa</u> <i>(Metrosideros excelsa)</i> Lot 2 DP 47884 Rear of Flat 5	<u>D</u>	<u>576</u>	<u>Map 26A</u>
			sub 19	
<u>(29)</u>	<u>Pohutukawa</u> <i>(Metrosideros excelsa)</i>	<u>D</u>	<u>445</u>	<u>Map 26A</u>

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
	Lot 15 DP 4406			
(30)	2 Pohutukawa (<i>Metrosideros excelsa</i>)	D	446	Map 26A
	Lot 35 DP 4406			
(31)	Pohutukawa (<i>Metrosideros excelsa</i>)	D	447	Map 26A
	Lot 16 DP 4406			
(33)	Pohutukawa (<i>Metrosideros excelsa</i>)	D	448	Map 26A
	Lot 17 DP 4406			
<u>Sanders Road</u>				
(-)	Kowhai (<i>Sophora tetraptera</i>)	D	833	Map 16
	Sanders Reserve	sub 86		
	Coastal remanant			
<u>Sandy Bay Road</u>				
(-)	Norfolk Island Pine (<i>Araucaria heterophylla</i>)	D	818	Map 31
	Legal Road Reserve adjacent to 4A Sandy Bay Road			
<u>Seacliffe Avenue</u>				
(16)	6 Pohutukawa (<i>Metrosideros excelsa</i>)	D	628	Map 27
	Lot 2 DP 208152 (cliff trees)			
<u>Seaview Avenue</u>				
(-)	All trees on the defined land with a height of more than 3.5 metres or a trunk with a circumference of more than 0.5 metres measured at 0.5 metres above ground level. The land is generally the land on the slopes rising from Little Shoal Bay.	D	201	Map 30

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
(-)	6 Pohutukawa (<i>Metrosideros excelsa</i>) Legal Road Reserve at south-west side	D	450	Map 30
(2)	Coral Tree (<i>Erythrina x sykesi</i>) Totara (<i>Podocarpus totara</i>) Lot 2 DP 103303	D	451	Map 25
(9)	Pohutukawa (<i>Metrosideros excelsa</i>) Near front of site Lot 1 Deeds Plan P46	D	453	Map 25
(24)	2 Rimu (<i>Dacrydium cupressinum</i>) 2 Queen Palm (<i>Arecastrum romanzoffianum</i>) Chinese Magnolia (<i>Magnolia soulangeana</i>) Lot 1 DP 191332	D	454	Map 30
(31)	Pohutukawa (<i>Metrosideros excelsa</i>) Totara (<i>Podocarpus totara</i>) Lot 25 DP T57	D	455	Map 30
Second Avenue				
(3)	Pohutukawa (<i>Metrosideros excelsa</i>) Pt Lot 9 DP 3651	D	780	Map 31
(9)	Pohutukawa (<i>Metrosideros excelsa</i>) Lot 1 DP 54804	D	802	Map 31
(13-15)	4 Pohutukawa (<i>Metrosideros excelsa</i>) Lot 12 DP 3651 Row of trees along driveway (North boundary)	D	781	Map 31

deletion sub 96

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
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Selwyn Crescent

(11)	Eucalyptus (<i>Eucalyptus</i> sp.) Lot 2 DP 51864	D	456	Map 20
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Shakespeare Road

(76)	English Oak (<i>Quercus robur</i>) Lot 1 DP 184292	A	71	Map 20
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(132)	English Oak (<i>Quercus robur</i>) Lot 1 DP 201215 Oak near Taharoto Road frontage adjacent to 142 Shakespeare Road	D	561	Map 20
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(145)	2 Totara (<i>Podocarpus totara</i>) Lot 2 DP 31337	D	457	Map 20
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(173)	English Oak (<i>Quercus robur</i>) Cork Oak (<i>Quercus suber</i>) Lot 2 DP 49678	D	86	Map 25
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(175)	English Oak (<i>Quercus robur</i>) Lot 1 DP 49678	D	540	Map 25
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Sharon Road

(-)	Pohutukawa (<i>Metrosideros excelsa</i>) Road Reserve at 2-6, 22-29, 32-34, 52, 56 and 89	D	632	Map 8
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Sub 43

Sispara Place

(37B)	3 Nikau (<i>Rhopalostylis sapida</i>) On boundary of private property and Sispara Place Reserve	D	550	Map 23
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Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
Sovereign Place				
(1)	Kahikatea (<i>Dacrycarpus dacrydioides</i>) Lot 206 DP 57285	D	458	Map 24
Stafford Road				
(-)	Line of 26 Pohutukawa (<i>Metrosideros excelsa</i>) Eastern end of Stafford Park Lots 5 & 6 DP 39967 & Lots 72A, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82 & 82A DP 712	D	459	Map 30
(16)	Puriri (<i>Vitex lucens</i>) Part Lots 70 & 71 DP 712	D	460	Map 30
(17)	Totara (<i>Podocarpus totara</i>) Lot 1 DP 46339	D	430 <u>570</u>	Map 30
Stanaway Street				
(-)	Totara (<i>Podocarpus totara</i>) Legal Road Reserve adjacent No. 13	D	462	Map 25
(-)	Puriri (<i>Vitex lucens</i>) 2 Totara (<i>Podocarpus totara</i>) Legal Road Reserve adjacent No. 15 Also see Totara Grove listing	D	461	Map 26
(20)	<u>English Oak</u> (<i>Quercus robur</i>) <u>Lot 12 DP 52228</u>	<u>D</u>	<u>482</u>	<u>Map 25</u>
Stanley Point Road				
(-)	<u>3 Pohutukawa</u> (<i>Metrosideros excelsa</i>)	<u>D</u>	<u>690</u>	<u>Map 31</u>

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
	Legal Road Reserve one adjacent to 140 Stanley Point Road and 2 adjacent to 88 Stanley Point Road			
(6)	Norfolk Island Pine (<i>Araucaria heterophylla</i>) Nikau (<i>Rhopalostylis sapida</i>)	D	463	Map 31
	Lot 3 DP 17483 C.T 393/229			
(7)	Norfolk Island Pine (<i>Araucaria heterophylla</i>) Lot 2 DP 13724 C.T 350/57	D	464	Map 31
(9)	Pohutukawa (<i>Metrosideros excelsa</i>) Lot 1 DP 13724, Lot 2 DP 41835	D	663	Map 31
(18)	Pohutukawa (<i>Metrosideros excelsa</i>) Lot 1 DP 138109	D	664	Map 31
(21)	Pohutukawa (<i>Metrosideros excelsa</i>) Lot 1 DP 3968	D	665	Map 31
(25)	Camphor Laurel (<i>Cinnamomum camphora</i>) 3 Pohutukawa (<i>Metrosideros excelsa</i>) Lots 1 & 2 DP 47579 & DP 61560	D	465	Map 31
(27)	Pohutukawa (<i>Metrosideros excelsa</i>) Pt Lot 7 DP 545	D	666	Map 31
(29A)	Pohutukawa (<i>Metrosideros excelsa</i>) Lot 1 DP 164918	D	667	Map 31
(37)	Puriri (<i>Vitex lucens</i>) Lot 1 DP 58460 C.T 132/35	D	466	Map 31

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
(37A)	Kauri (<i>Agathis australis</i>) Lot 1 DP 55250 C.T 7A/59	D	467	Map 31
(38)	3 Pohutukawa (<i>Metrosideros excelsa</i>) Pt Lot 2 Lot 3 & Lot 13 DP 2185	D	668	Map 31
(50)	Pohutukawa (<i>Metrosideros excelsa</i>) Lot 1 DP 17580	D	669	Map 31
(54)	Pohutukawa (<i>Metrosideros excelsa</i>) Lot 1 DP 45422	D	715	Map 31
(54A)	Pohutukawa (<i>Metrosideros excelsa</i>) Lot 1 DP 45422	D	670	Map 31
(56)	Puriri (<i>Vitex lucens</i>) Lot 1 DP 2348	D	671	Map 31
(60)	Pohutukawa (<i>Metrosideros excelsa</i>) Lot 1 DP 28466	D	672	Map 31
(62)	2 Pohutukawa (<i>Metrosideros excelsa</i>) English Oak (<i>Quercus robur</i>) Lot 2 DP 28466	D	673	Map 31
(67)	Totara (<i>Podocarpus totara</i>) Magnolia (<i>Magnolia grandiflora</i>) Pohutukawa (<i>Metrosideros excelsa</i>) Part Lot 3 DP 3651 C.T 137/195	D	468	Map 31
(70)	Camphor Laurel (<i>Cinnamomum camphora</i>) Totara (<i>Podocarpus totara</i>)	D	685	Map 31

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Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
	<u>Lot 10 DP 16607</u>			
(89)	<u>Norfolk Island Pine</u> <u>(<i>Araucaria heterophylla</i>)</u>	D	683	Map 31
	<u>Lot 5 DP 26846</u>			
(92)	<u>Camphor Laurel</u> <u>(<i>Cinnamomum camphora</i>)</u>	D	679	Map 31
	<u>Lot 6 DP 25872</u>			
(94)	<u>Pohutukawa</u> <u>(<i>Metrosideros excelsa</i>)</u>	D	689	Map 31
	<u>Lot 5 DP 25872</u>			
(96)	<u>Cork Oak</u> <u>(<i>Quercus suber</i>)</u>	D	819	Map 31
	<u>Lot 4 DP 25872</u>	sub 86		
	<u>Blair Park Reserve</u>			
(102)	<u>Norfolk Island Pine</u> <u>(<i>Araucaria heterophylla</i>)</u>	D	470	Map 31
	<u>Lot 1 DP 25872 C.T</u> <u>D9999/176P</u>			
	State Highway Seventeen			
(-)	<u>Kauri</u> <u>(<i>Agathis australis</i>)</u>	A	2	Map 12
	<u>State Highway Seventeen, North of Albany Legal Road reserve adjacent to Lots 1 & 3 DP 193077</u>			
(-)	<u>Bunya Bunya</u> <u>(<i>Araucaria bidwillii</i>)</u>	D	472	Map 12
	<u>Northern part of Reserve Part Crown Land Paremoremo Parish on SO 1488</u>			
(-)	<u>3 California Redwood</u> <u>(<i>Sequoia sempervirens</i>)</u>	D	473	Map 12
	<u>Southern part of Reserve Part Crown Land Paremoremo Parish on SO 1488</u>			
(-)	<u>12 Totara</u>	D	474	Map 12

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
	(<i>Podocarpus totara</i>) State Highway Seventeen/The Avenue within legal road reserve Adjacent to Lot 1 DP 134288			
(350)	6 5 English Oak (<i>Quercus robur</i>) Lot 1 DP 149838	D	471	Map 12
	Sunnybrae Road			
(36A)	Totara (<i>Podocarpus totara</i>) Kahikatea (<i>Dacrycarpus dacrydioides</i>) Puriri (<i>Vitex lucens</i>) Sunnybrae Primary School, Hillcrest Pt Lot 6 DP 72555 Remnant forest - Predominantly totara with kahikatea and puriri in association	A	16	Map 25
(-)	Pohutukawa (<i>Metrosideros excelsa</i>) Legal Road SO 473441 Corner of Sunnybrae and Northcote Roads on traffic island, opposite No. 2	A	84	Map 25
	Sunnyfield Crescent			
(4)	3 London Plane Tree (<i>Platanus x acerifolia</i>) Lot 39 DP 46114	D	475	Map 24
	Sunnyhaven Avenue			
(28)	Pohutukawa (<i>Metrosideros excelsa</i>) Pt Lot 14 DP 42517	D	598	Map 23
		sub 123		

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
	Onewa Road Interchange and the inlet to Tuff crater.			
(51)	2 Pohutukawa (<i>Metrosideros excelsa</i>) Lots 16 & 17 DP 21248	D	478	Map 25
(55)	Pohutukawa (<i>Metrosideros excelsa</i>) Located at front of site Lot 15 DP 21248	D	479	Map 25
(59)	Pohutukawa (<i>Metrosideros excelsa</i>) Lot 13 DP 21248	D	480	Map 25
Sylvan Park Avenue				
(-)	Karaka (grove) (<i>Corynocarpus laevigatus</i>) Sylvan Park & Kitchener Park Part 3 & 4 DP 1381 Remnant broadleaf forest	A	19	Map 21
(-)	Hinau (<i>Elaeocarpus dentatus</i>) Sylvan Park, Milford Part Lot 3 DP 1381	C	57	Map 21
Sylvia Road				
(57)	English Oak (<i>Quercus robur</i>) Near front boundary Lot 26 DP 49634	D	481	Map 25
(60)	English Oak (<i>Quercus robur</i>) At rear of property Lot 40 DP 49634	D	482	Map 25
Taharoto Road				
(6-8)	Pin Oak (<i>Quercus palustris</i>) Located on front boundary in front of St Josephs	D	783	Map 26
			sub 84	

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
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Tainui Road

(27)	Fine Leaf Italian Cypress	D	483	Map 32
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(*Cupressus sempervirens gracilis*)

Puriri

(*Vitex lucens*)

Lot 75 Deeds Plan T1
C.T D9999/136K

(32)	Pohutukawa	D	709	Map 32
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(*Metrosideros excelsa*)

Lot 72 Deeds T1, Pt Lot
73 Deeds T1

NE Corner (fronts to
Matai Road)

(34)	Puriri	D	702	Map 32
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(*Vitex lucens*)

Lot 12 DP 1791

(35)	Liquidambar	D	484	Map 32
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(*Liquidambar styraciflua*)

Part Lot 1 Deeds Plan
T41

(37)	Tulip Tree	A	65	Map 32
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(*Liriodendron tulipifera*)

Lot 1 DP 388394

(47)	2 Pohutukawa	A	29	Map 32
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(*Metrosideros excelsa*)

Maidenhair Tree

(*Ginkgo biloba*)

Lot 9 DP 6646

(49)	Pohutukawa	A	29	Map 32
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(*Metrosideros excelsa*)

Lot 8 DP 6646

(53)	Maidenhair Tree	A	30	Map 32
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(*Ginkgo biloba*)

2 Pohutukawa

(*Metrosideros excelsa*)

Part Lot 6 DP 6646

Telephone Road

(- 23)	Grove of English Oaks	D	485	Map 29
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Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
	(<i>Quercus robur</i>) <u>Lot 13 DP 89170</u>			
(29)	<u>English Oak</u> (<i>Quercus robur</i>) <u>Lot 2 DP 73425</u>	<u>D</u>	<u>541</u>	<u>Map 29</u>
The Avenue				
(3)	California Redwood (<i>Sequoia sempervirens</i>) Lot 2 DP 183474	A	78	Map 12
(9)	2 English Oaks (<i>Quercus robur</i>) Access Lot 18 DP 327326	D	486	Map 12
(41)	Norfolk Island Pine (<i>Araucaria heterophylla</i>) Lot 1 DP 141348	D	488	Map 12
The Esplanade (Castor Bay)				
(3)	Pohutukawa (<i>Metrosideros excelsa</i>) Castor Bay Reserve, Castor Bay Part Lot 1 DP 58024	A	17	Map 21
The Promenade				
(5)	Monterey Cypress (<i>Cupressus macrocarpa</i>) Mon Desir Residential Development Lot 4 DP 170538 Unusual form	C	60	Map 26A
(7)	13 Pohutukawa (<i>Metrosideros excelsa</i>) Mon Desir Residential Development Lot 5 DP 310793 and adjacent esplanade reserve Land being Lot 3 DP 18295, Lot 3 DP 98618 Allot 581 Parish of	B	47	Map 26A

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
	Takapuna, Lot 3 DP 167963, Lot 1 DP 310793, Lot 2 DP 310793 13 trees in sacred grove of 23			
	The Strand			
(-)	Norfolk Island Pine (<i>Metrosideros excelsa</i>) Private car parking area Part Lot 15 DP 4872	D	489	Map 26A
(-)	4 Pohutukawa (<i>Metrosideros excelsa</i>) 2 Norfolk Island Pine (<i>Araucaria heterophylla</i>) The Strand beach front reserve Part Lot 2 DP 121049	D	490	Map 26A
(-)	1 Pohutukawa (<i>Metrosideros excelsa</i>) The Strand beach front reserve Part Lot 6 DP 121049	D	490	Map 26A
(-)	4 Pohutukawa (<i>Metrosideros excelsa</i>) 1 Norfolk Island Pine (<i>Araucaria heterophylla</i>) The Strand beach front reserve Part Lot 3 DP 121049	D	490	Map 26A
(-)	3 Pohutukawa (<i>Metrosideros excelsa</i>) The Strand beach front reserve Part Lot 7 DP 121049	D	490	Map 26A
(-)	2 Pohutukawa (<i>Metrosideros excelsa</i>) The Strand beach front reserve Part Lot 5 DP 121049	D	490	Map 26A
(-)	3 Pohutukawa (<i>Metrosideros excelsa</i>)	D	490	Map 26A

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
	The Strand beach front reserve Part Lot 22 DP 4872			
(-)	1 Pohutukawa (<i>Metrosideros excelsa</i>)	D	490	Map 26A
	The Strand beach front reserve Part Lot 1 DP 121049			
(-)	1 Pohutukawa (<i>Metrosideros excelsa</i>)	D	490	Map 26A
	The Strand beach front reserve on boundary of Part Lot 4 DP 170281 and Lot 5 DP 170281			
(41)	Pohutukawa (<i>Metrosideros excelsa</i>)	D	532	Map 26A
	Part Lot 6 DP 30813			
(45)	Pohutukawa (<i>Metrosideros excelsa</i>)	D	533	Map 26A
	Part Lot 4 DP 30813			
(47)	10 Pohutukawa (<i>Metrosideros excelsa</i>)	B	47	Map 26A
	The Sands Residential Development Lot 1 DP 183331 and adjacent esplanade reserve land being Lot 3 DP 106525, Lot 2 DP 183331			
	10 trees in a sacred grove of 23			
	The Terrace			
(2)	Puriri (<i>Vitex lucens</i>)	D	101	Map 26A
	Pohutukawa (<i>Metrosideros excelsa</i>)			
	St George's Presbyterian Church Part Lot 1 DP 2753			
	The Warehouse Way			
(-)	Group of Eucalyptus (<i>Eucalyptus sp.</i>)	D	491	Map 25
	North tip of outlet to Tuff Crater Allotment			

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
601 Takapuna Parish				
Tiri Road				
(8)	Totara (<i>Podocarpus totara</i>) Lot 4 DP 7514	D	492	Map 21
Totara Grove				
(-)	11 Totara (<i>Podocarpus totara</i>) Karaka (<i>Corynocarpus laevigatus</i>) Legal Road Reserve outside Nos. 1, 2, 3 & 5 Also see Stanaway Street listing	D	493	Map 25
(1)	2 Puriri (<i>Vitex lucens</i>) Kohekohe (<i>Dysoxylum spectabile</i>) Lot 5 DP 80571	D	494	Map 25
(5)	Totara (<i>Podocarpus totara</i>) Lot 3 DP 80571	D	495	Map 25
Tramway Road				
(55)	Moreton Bay Fig (<i>Ficus macrophylla</i>) Lots 1 & 4 DP 125523	D	496	Map 23
(57)	2 English Oak (<i>Quercus robur</i>) Lot 5 DP 50672	D	846	Map 23
wrong address				
Tudor Street				
(10)	Totara (<i>Podocarpus totara</i>) Pohutukawa (<i>Metrosideros excelsa</i>) Lot 1 DP 103748 C.T 57A/1028	D	497	Map 32
deletion of totara only sub 115				

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
Tudward Glade				
(-)	Totara (<i>Podocarpus totara</i>) Legal Road Reserve on roundabout opposite No. 12 on traffic island at end of cul-de-sac	D	498	Map 25
(12)	2 Totara (<i>Podocarpus totara</i>) Lot 13 DP 54371	D	499	Map 25
Tui Street				
(-)	<u>Pohutukawa</u> (<i>Metrosideros excelsa</i>) Legal Road Reserve adjacent to 5 Tui Street	<u>D</u>	<u>697</u>	<u>Map 25</u>
(2)	Pohutukawa (<i>Metrosideros excelsa</i>) Lot 57 Deeds Plan T1 C.T 552/106	D	530	Map 25
Upper Harbour Drive				
(278)	Rata Hybrid (<i>Metrosideros excelsa</i> / <i>Metrosideros robusta</i>) Lot 1 DP 199096 Naturally occurring hybrid	A	3	Map 18
Valhalla Drive				
(24)	Pohutukawa (<i>Metrosideros excelsa</i>) Lot 38 DP 52814	D	501	Map 23
Valley Road				
(-)	All trees on the defined land with a height more than 3.5 metres or a trunk with a circumference of more than 0.5 metres measured at 0.5 metres above ground level. The defined land is	D	201	Map 30

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
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generally the land on the slopes rising from Little Shoal Bay.

Vauxhall Road

(-)	Moreton Bay Fig (<i>Ficus macrophylla</i>) HMNZ Tamaki, Vauxhall Road Section 3 SO 69845	A	79	Map 32
(2)	Norfolk Island Hibiscus (<i>Lagunaria pattersonii</i>) Holy Trinity Church Lot 4 DP 57880 C.T 554/166	D	152	Map 32
(32)	1 Windmill Palm (<i>Trachaeocarpus fortunei</i>) 2 Kentia Palm (<i>Howea forsteriana</i>) Lot 1 DP 82091 subject to RW C.T 38D/209	D	503	Map 32
(59)	Fine Leaf Italian Cypress (<i>Cupressus sempervirens gracilis</i>) Puriri (<i>Vitex lucens</i>) Lot 1 DP 105473 C.T 58A/957	D	504	Map 32
(75)	Magnolia (<i>Magnolia grandiflora</i>) Lot 8 Deeds Plan T 6 C.T 553/247	D	505	Map 32
(143, 143A & 143B)	2 Common Olive Trees (<i>Olea europaea</i>) Lot 3 DP 88190 & Lots 1 & 2 DP 88190	B	54	Map 32

Verbena Road

(45)	<u>Pohutukawa</u> (<i>Metrosideros excelsa</i>) <u>Lot 1 DP 61972</u>	<u>D</u>	<u>596</u>	<u>Map 24</u>
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Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
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Victoria Road

(-)	Moreton Bay Fig	A	32	Map 32A
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*(Ficus macrophylla)*Triangle Reserve,
Victoria Road

Lot 1 DP 110322

(-)	Canary Island Date Palm	A	33	Map 32A
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*(Phoenix canariensis)*Triangle Reserve,
Victoria Road

Lot 1 DP 110322

Legal Road Reserve
adjacent to Triangle
ReserveThe palms are in an
avenue of 13

(-)	Holm Oak	B	52	Map 32A
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*(Quercus ilex)*Triangle Reserve,
Victoria Road Lot 2 DP
110322Legal Road Reserve
adjacent to Triangle
ReservePlanted by Sir George
Grey

(100A)	Japanese Cedar	D	808	Map 32A
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*(Cryptomeria japonica)*Pepper Tree*(Schinus molle)*Jacaranda*(Jacaranda*
*mimosaeifolia)*English Oak*(Quercus robur)*Allot W26A Sec 2
Parish of Takapuna

(124)	Norfolk Island Pine	D	708	Map 32A
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(Araucaria
*heterophylla)*Pt Allot 9 Sec 2 Parish
of Takapuna

(131)	Melia	D	711	Map 32A
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Schedule of Notable Trees

Street Number	Category	Tree No	Map Ref
<u>(Melia azedarach)</u>			
<u>Lot 2 DP 333</u>			
<u>View Road</u>			
(9)	<u>Puriri</u> <u>(Vitex lucens)</u> <u>Grove</u> <u>Pohutukawa</u> <u>(Metrosideros excelsa)</u> <u>Lot 2 DP 30585</u> <u>Northern boundary</u>	<u>D</u>	<u>583</u> <u>Map 21</u>
(21)	<u>Puriri</u> <u>(Vitex lucens)</u> <u>Taraire</u> <u>(Beilschmiedia tarairi)</u> <u>Coastal Pohutukawa</u> <u>(Metrosideros excelsa)</u> <u>Coastal trees along</u> <u>eastern and southern</u> <u>boundaries</u> <u>Lot 1 DP 204208</u>	<u>B</u>	<u>643</u> <u>Map 21</u>
(23)	<u>Pohutukawa</u> <u>(Metrosideros excelsa)</u> <u>Lot 1 DP 198003</u> <u>Rear of site SE corner</u>	<u>D</u>	<u>642</u> <u>Map 21</u>
(25A & B)	<u>3 Rimu</u> <u>(Dacrydium</u> <u>cupressinum)</u> <u>Lot 9 DP 9556</u>	<u>D</u>	<u>641</u> <u>Map 21</u>
<u>Vincent Road</u>			
(6A)	<u>4 English Oak</u> <u>(Quercus robur)</u> <u>Flat 3 DP 148775 on</u> <u>Lot 1 DP 143051</u> <u>Having 1/3 interest in</u> <u>1152m²</u>	<u>D</u>	<u>506</u> <u>Map 30</u>
(9)	<u>Pear Tree</u> <u>(Pyrus sp.)</u> <u>Flat 2 DP 102485 on</u> <u>Lot 1 DP 98153</u>	<u>D</u>	<u>507</u> <u>Map 30</u>

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
<u>Vinewood Drive</u>				
(-)	<p><u>Totara</u> <i>(Podocarpus totara)</i> <u>On public land at the end of the point on Wharf Reserve</u></p>	D	549	Map 12
<u>Waimana Avenue</u>				
(-)	<p>All pohutukawa trees on the defined land which have a height of more than 3.5 metres or a trunk circumference of more than 0.5 metres measured at 0.5 metres above ground level. The defined land is generally the land between the existing dwellings and the shoreline of the properties adjoining the shoreline on the eastern side of Waimana Avenue. <i>(Metrosideros excelsa)</i></p>	D	508	Map 30
(-)	<p>Pohutukawa <i>(Metrosideros excelsa)</i> Legal Road Reserve adjacent Numbers 17 & 15</p>	D	509	Map 30
(-)	<p>London Plane Tree <i>(Platanus x acerifolia)</i> Legal Road Reserve adjacent Numbers 35 & 33</p>	D	510	Map 30
(10)	<p>Karaka <i>(Corynocarpus laevigato)</i> Puriri <i>(Vitex lucens)</i> Lot 22 Deeds Plan T36 No. 2</p>	D	511	Map 30
<u>Waimana Avenue</u>				
(15 & 17 -)	<p>Pohutukawa <i>(Metrosideros excelsa)</i> <u>On reserve land behind</u></p>	D	513	Map 30

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
	<u>No. 15 Waimana Avenue being Lot 1 DP 124173</u>			
	At rear of site on boundary of Numbers 45 & 47 Lot 1 DP 124173 & Lot 8 Deeds Plan T36 No. 2			
(10 & 12)	Pohutukawa (<i>Metrosideros excelsa</i>)	D	512	Map 30
	Boundary between Nos. 10 & 12 Lot 22 Deeds Plan T36 No. 2 & Part Lot 27 Deeds Plan T36 No. 2			
(19)	Pohutukawa (<i>Metrosideros excelsa</i>) Lot 2 DP 90972	D	514	Map 30
	Waipa Street			
(11)	2 Phoenix Palm (<i>Phoenix canariensis</i>) 2/3 interest 1587m ² being Lot 1 DP 132698 Flat 2 DP 126491	D	515	Map 24
	Wairau Road			
(-)	Silky Oak (<i>Grevillea robusta</i>) Sweet Chestnut (<i>Castanea sativa</i>) 2 Puriri (<i>Vitex lucens</i>) Legal Road Reserve adjacent to St Thomas More Church being 334 Wairau Road Lot 4 DP153655	D	516	Map 19
(-)	Totara (<i>Podocarpus totara</i>) Legal road reserve adjacent to 38-40 View Road being Lot 5 Block IV Part Lot 27 Block V DP 7513 Allotment 376 Takapuna Parish	D	517	Map 20

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
(-)	<u>Pohutukawa</u> <u>(<i>Metrosideros excelsa</i>)</u>	<u>D</u>	<u>823</u>	<u>Map 32</u>
		sub 32		
(12)	<u>Puriri</u> <u>(<i>Vitex lucens</i>)</u> <u>Lot 1 DP 61731</u>	<u>D</u>	<u>546</u>	<u>Map 32</u>
<u>Wairoa Road</u>				
(74)	<u>Pohutukawa</u> <u>(<i>Metrosideros excelsa</i>)</u> <u>Lot 1 DP 150313</u>	<u>D</u>	<u>745</u>	<u>Map 32</u>
(76)	<u>Pohutukawa</u> <u>(<i>Metrosideros excelsa</i>)</u> <u>Lot 3 DP 12686</u>	<u>D</u>	<u>746</u>	<u>Map 32</u>
<u>Wanganella Street</u>				
(2)	<u>Kauri</u> <u>(<i>Agathis australis</i>)</u> <u>Lot 3 DP 67944</u>		<u>606</u>	<u>Map 30</u>
<u>Waterloo Road</u>				
(2/17)	<u>2 English Oak</u> <u>(<i>Quercus robur</i>)</u> <u>Flat 2 DP 134968 on</u> <u>Lot 1 DP 129419</u>	<u>D</u>	<u>518</u>	<u>Map 20</u>
<u>Waterview Road</u>				
(-)	<u>Pohutukawa</u> <u>(<i>Metrosideros excelsa</i>)</u> <u>Legal Road Reserve</u> <u>outside 2, 14, 18, 24,</u> <u>28, 30, 34, 40, 42, 44,</u> <u>46, 48 and 50</u> <u>Waterview Road</u>	<u>D</u>	<u>813</u>	<u>Map 31</u>
(14)	<u>Totara</u> <u>(<i>Podocarpus totara</i>)</u> <u>Lot 29 DP 2430 C.T</u> <u>104/173</u>	<u>D</u>	<u>519</u>	<u>Map 31</u>
(16 & 18)	<u>Grove of native trees</u> <u>Pt Lot 30 Allot 30 Sec 2</u> <u>Parish of Takapuna</u>	<u>D</u>	<u>562</u>	<u>Map 31</u>
(48)	<u>2 Eucalyptus</u> <u>(<i>Eucalyptus</i> sp.)</u> <u>Lot 1 DP 377962</u>	<u>D</u>	<u>572</u>	<u>Map 31</u>

Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
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Weldene Avenue

(29)	Rimu (<i>Dacrydium cupressinum</i>) Lot 31 DP 49824	D <div>sub 58</div>	646	Map 19
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Westbourne Road

(11)	Kauri (<i>Agathis australis</i>) Lot 39 DP 13312	D	520	Map 14
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William Street

(15)	3 Pohutukawa (<i>Metrosideros excelsa</i>) Lot 2 DP 38971	D	521	Map 26
(17)	Pohutukawa (<i>Metrosideros excelsa</i>) Lot 4 DP 160923 - subject to & interest in easements on DP 167144	D	522	Map 26
(21)	3 Pohutukawa (<i>Metrosideros excelsa</i>) Lot 2 DP 162492	D	523	Map 26
(25)	Pohutukawa (<i>Metrosideros excelsa</i>) Lot 1 DP 22771	D	524	Map 26A

William Bond Street

(10)	English Oak (<i>Quercus robur</i>) Lot 1 DP 146355	D	807	Map 31
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Williamson Avenue

(44)	Puriri (<i>Vitex lucens</i>) Norfolk Island Pine (<i>Araucaria heterophylla</i>) Cedar (<i>Cedrus atlantica</i>)	D	525	Map 27
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Schedule of Notable Trees

Street Number		Category	Tree No	Map Ref
	<u>'Glauca'</u> <u>Pohutukawa</u> <u>(Metrosideros excelsa)</u> <u>Puriri</u> <u>(Vitex lucens)</u> <u>Totara</u> <u>(Podocarpus totara)</u> <u>English Oak</u> <u>(Quercus robur)</u> <u>Cabbage Tree</u> <u>(Cordyline australis)</u> Lot 40 DP 37086			
Winscombe Street				
(-)	<u>Norfolk Island Pine</u> <u>(Araucaria heterophylla)</u> <u>Legal Road Reserve</u> <u>adjacent to 16-18</u> <u>Winscombe Street</u>	<u>D</u>	<u>645</u>	<u>Map 27</u>
(14)	2 Pohutukawa <u>(Metrosideros excelsa)</u> Lot 6 DP 29654	D	526	Map 27
Woodside Avenue				
(18)	Norfolk Island Pine <u>(Araucaria heterophylla)</u> Lot 1 DP 80227	D	528	Map 25
Wyvern Place				
(3-5)	Grove of Kahikatea <u>(Dacrycarpus dacrydioides)</u> Lot 17 and 18 DP 64517	D	529	Map 24
Zion Road				
(14A)	<u>Kowhai</u> <u>(Sophora tetraptera)</u> <u>Native Bush</u> <u>Lot 1 DP 428657</u>	<u>D</u>	<u>654</u>	<u>Map 24</u>

sub 76

Attachment 2

ATTACHMENT 2

MINUTES FROM THE CHAIR OF THE HEARINGS PANEL

Proposed Plan Change 36 – Notable Trees in North Shore

Minute from Commissioners following the hearing of submissions held on 8, 9, 12, and 13 March 2012.

To Team Leader Area Planning and Policy North, Auckland Council

Following the hearing of evidence and submissions on Proposed Plan Change 36 on Tuesday 13 March 2012 we, the commissioners on this hearing, asked Auckland Council staff a number of questions and also for any concluding comments they might have. Given the length of the hearing and the lateness of the day when the hearing of submissions ended, we suggested that the responses to the questions posed and the concluding comments from staff might be in a written form and that an appropriate time should be given for this to be done. Pending the receipt of these responses and comments the hearing was adjourned.

We have met since the hearing was adjourned and decided to confirm our questions in writing, and have expanded them somewhat. We consider that there are a number of matters which should be addressed before decisions of the submissions can properly be made. These include matters of detail as well as more substantive matters.

Following the receipt of the response from the staff we will consider whether we have all the information necessary for us to make decisions on submissions. If this is the case we will formally close the hearing and make the decisions. If on the other hand we consider that further information is still required we can ask for that to be produced. We have the option to reconvene the hearing but at the present time we do not think that is likely.

The information which we require is set out below.

1. Mr. Martin Williams, a lawyer representing a submitter, presented a legal submission which challenged our ability and/or the ability of the Council to include submissions which requested a large number of additional trees to be added to the schedule which was publicly notified. His legal submission was that submissions must be "on" the plan change and he referenced a decision of the High Court (*Clearwater Resort Limited v Christchurch City Council* (AP34/02) and in particular the tests in *Clearwater* at paragraph 66 of that decision.

We accept that it might be argued that the opportunity for further submission does give rise to an opportunity for participation but clearly the decision in "Clearwater" discounted the further submission process. That is likely because the Act does not require individual notification of changes to individual properties arising from submissions (just a public notice with a summary of submissions). In this case we are advised that although not required the Council did advise individual property

owners where submissions affected their property. We are unsure if that is enough to meet the High Court tests as other potentially affected parties such as neighbouring property owners were not notified and on the basis of some of the evidence we heard they may well be affected..

The effect of the submissions in this case has been to add or seek the addition of 360 additional trees/areas of trees. There are approximately 500 in the list as notified and we consider that allowing this number of subdivisions of additional items constitutes an appreciable amendment. It may well be that the Council's legal advisors conclude that the Clearwater tests do not apply in this way or in this case but we are in no doubt that we need to obtain legal advice on this matter. We know that the modifications proposed to the list were those that had passed the test of owner acceptance so if all the submissions seeking additions are disallowed then the task becomes more manageable and it may well be that that unchanged items are also not able to be challenged.

We see this legal challenge as a matter which will likely be raised in the context of other schedules of notable trees which we understand may have been subject to a similar process. We consider that it would be most efficient to obtain this legal opinion before proceeding to deal with the other matters in the list that follows as the consequence might be that many of these issues are no longer relevant to our considerations or at least might be confined to consideration of a smaller list of scheduled trees.

2. During the hearing a number of errors in the officer's report were advised to us. Some of these were minor and some were significant. We consider that if the officer's report is to be useful in the decision-making process as providing expert evidence supporting the recommendations made, or in any other way, it should be as accurate as possible. Therefore the report should be revised to incorporate any changes that are necessary to make it accurate. These changes should be clearly marked (by Track Changes or some other method) in order that they can be identified.

3. As a result of the submissions we anticipate that there may be some changes to the recommendations of the officers. We wish to be advised of any such changes. These could be identified in the revised officer's report.

4. Reliance has been placed on the assessment of arborists in making recommendations on individual trees and groups of trees. We therefore regard the assessments as expert evidence. The assessments (Notable Tree Evaluation forms) that were attached to the Section 42A report in support of the recommendations made were clearly field worksheets. They did not in all cases identify the name of the reporting arborist and were not signed and the total score was not inserted. In many cases the quality of the records were very poor and while that may have been appropriate for field worksheets it was not adequate as the most significant basis for the recommendations made in respect of the scheduling or otherwise of nominated trees. We think that the STEM score sheets should be reviewed and the information we have mentioned should be added

5. We are not convinced at present that the application of the STEM methodology to groups of trees is appropriate or effective. We do not understand how the evaluation was carried out, and seek to have the relevant information set out in the STEM score sheet, including the score of each tree assessed, with totals, and the average score of the trees, as well as the matters outlined in paragraphs 2 - 4 above. We have assumed that the only trees to be included in the assessment are

generally protected trees, and not trees smaller than this, or trees that are weed species, but this should be made clear.

6. Because of our concerns about the STEM evaluation process and the reliance placed on it by the Council to include trees on the Schedule, we consider that there should be a peer review process and that this peer review should be carried out before we make decisions on the submissions. Peer review would make the evaluation more robust and give more credibility to the schedule.

7. Some submitters pointed out that the District Plan at page 8-57 provides the criteria for the assessment of notable trees. They questioned the validity of the STEM method and submitted that the criteria contained in the District Plan were the most appropriate criteria to be applied. It would be helpful to receive information confirming that the STEM assessment is consistent with the criteria for the assessment of notable trees set out in the District Plan. That is a matter which we must consider further but we observe that the District Plan criteria include assessment of the useful life expectancy of the tree. Many submitters raised the question of the hazards that the tree/s may pose to people and property, including neighbouring properties. Relevant information required is not solely whether trees currently pose hazards but also whether the inevitable growth will either create or exacerbate hazards to property or people. Such information is relevant to a planning assessment of Plan Change 36 and is properly a matter which should be addressed by arborists

8. We were not given any information about the qualifications of the arborists to make such expert assessment. It is assumed that the arborists are qualified but we wish to know what qualifications the arborists have and what aspects of tree evaluation are included in those qualifications, including relating to the assessment of the visual amenity value of the tree or trees, in order to make our own assessment as to how much weight can be given to their expert opinion.

9.. We are concerned that the evaluation of individual trees for inclusion in the schedule of notable trees does not appear to have taken into account the requirements of Part 2 of the Resource Management Act 1991 and in particular s.5 and s.7. We were told that a planner accompanied the arborist on the site visits but this is not reflected in any obvious way in the overall assessment. We consider that the evidence from submitters points to the need to assess trees not only in terms of the value and worth of the tree itself but also in what may be described as its planning context. This context may include the location and effect of the tree on the site in relation to existing houses and the reasonable use of the property, and the provisions of the relevant zone objectives and policies. We were advised that such matters could be considered when a resource consent application was made. We do not accept that deferral of consideration of Part 2 until resource consent applications are made is consistent with our responsibilities in assessing this proposed plan change. Consequently we require that the evaluation of trees for inclusion on the schedule includes a brief planning analysis of each tree or group of trees which will include consideration of the relevant statutory and District Plan provisions to a sufficient extent to enable commissioners to adequately consider whether the inclusion of that tree within a schedule of notable trees is consistent with the purpose and principles of the Act. We agree with the evidence which suggested that the schedule should include trees which by virtue of their scientific, landscape, landmark, visual, or historic interest merit particular identification and protection. We accept that the District Plan anticipates including in Schedule 8C the North Shore's most significant trees, historic trees, rare or unusual trees and trees of local significance,

and the criteria refer to matters such as a tree's ecological, scientific, landscape, landmark, visual, historic, social, spiritual or cultural value

10. We are concerned that in some cases the officers have assumed and/or decided that a tree that has been nominated for inclusion on the schedule is at the wrong address or the wrong tree, or species of tree, has been nominated, and in such cases after visiting the site as a consequence of the submission. In one submission the nomination has simply listed property addresses and supplied photos of a tree or trees. We are concerned to know whether these approaches with their apparent "flexibility" of interpretation are acceptable in a statutory process where people have rights of appeal. A legal opinion on these matters is required.

11. It will help us with our decision making and to meet the Section 32 requirements to know how many applications there have been over a specified time period for removing and/or trimming of scheduled trees, and how many of these applications have resulted in consent being granted.

12. At least one submitter asked that street trees be assessed for inclusion in the schedule. It would be helpful to know whether it is the Council, or the Council through Auckland Transport which owns street trees. If it is the latter, does Auckland Transport have any policy on the maintenance and protection of street trees?

13. Council officers indicated that some residential zones' objectives, policies and rules include protection of trees for their ecological or other values, for example, urban areas with substantial bush, or coastal native vegetation, including pohutukawa. The District Plan's second objective at 8.3.4 refers explicitly to ecological values, as do policies 1 and 6. Some individual trees, including pohutukawa, and some groups of trees are recommended for inclusion in the schedule. However there does not appear to have been a consistent approach to submissions seeking the assessment or inclusion of individual trees or groups of trees with ecological values. It would be helpful to have further evaluation/clarification on why such trees were not assessed for inclusion.

14. I and Ms Ryan require further clarification regarding submission 126 and the further submission by the same party. We should note that Mr Bhana was not present for the discussion of this submission as he had a conflict of interest. The further submission includes a Joint Memorandum of Counsel following the applicant's successful resource consent application to remove the relevant tree, and an appeal to this. We ask that the Council staff confirm the status of the Memorandum, and whether the pruning anticipated in Appendix A is consistent with the inclusion of this tree on the schedule.



C. Stewart
Chairman
20 March 2012

Proposed Plan Change 36 – Notable Trees in North Shore

Minute No. 2 from Commissioners following the hearing of submissions held on 8, 9, 12, and 13 March 2012.

30 April 2012

To Team Leader Area Planning and Policy North, Auckland Council

We, the Commissioners, have received and studied a copy of a memo written by Mr. Daniel Sadlier and addressed to Mr. Peter Vari which addresses four questions which had been put to Mr Sadlier. The questions respond to the Commissioner's Minute dated 20 March 2012.

The opinions expressed in this Memo will be helpful during our deliberations process.

Arising from our consideration of this memo and our further reading of two High Court decisions, namely the 2003 *Clearwater* decision by William Young J, and the 2009 *Option 5* decision by Ronald Young J, we wish to be further advised as to

- (1) the status of further submitters to Plan Change 36 in respect of possible appeals to the Environment Court against our decisions on the Plan Change, and
- (2) given that Clause 14 of the First Schedule to the Resource Management Act 1991 refers to submitters but not to further submitters, the extent to which considerations of fairness and reasonableness are relevant to our decisions on the further submissions, and
- (3) whether the scale and degree of the effects of the large number of trees sought by submissions to the Plan Change to be included on the Schedule, by comparison with the (very much smaller) notified list and in relation to the number of properties which would be affected, has any legal implications which we should take into account.

Are we to understand that further submitters do not have a right of appeal against decisions by the Council on Proposed Plan Change 36? While this may not be critical to any decision we make it is a matter which we consider that we will need to address in our decision.



C.Stewart
Chairman
4 May 2012

Attachment 3

ATTACHMENT 3

DISTRICT PLAN CRITERIA FOR ASSESSING NOTABLE TREES

Appendix 8C: Schedule of Notable Trees Criteria for Assessing Notable Trees

Four categories of Notable Trees have been identified as particularly worthy of recognition and protection.

A Most Significant Trees

- Any tree particularly outstanding for its species in relation to its age, size and form
- Any tree that has significant landmark value due to its location
- Any tree or trees which have outstanding value because of the amenity they provide or for their ecological, scientific or other significance.

b) Historic Trees

- Any tree associated with or commemorating an historic event
- Any tree associated with or planted by an historic or notable figure
- Any tree of spiritual or cultural value.

C Rare or Unusual Trees

- Any significant tree of species rare in the region
- Any significant tree of unusual genetic or morphological form.

D Trees of Local Significance

In determining whether trees are worthy of protection, the following factors are considered:

Size - the height and canopy spread of the tree.

Visibility - amenity value and accessibility to the public.

Presence of Other Trees - whether solitary or in a group or bush setting.

Occurrence of the Species - how common or rare.

Role in Location - visual and spatial quality surrounding the tree.

Useful Life Expectancy - based on expected life-span and any actual or potential threats or compromises to the tree's environment.

Form and Condition - whether the tree is well-shaped with a balanced branch system, and how well the trunk contributes to its visual appearance. Tree health is also taken into consideration in this category.

Special Factors - historic association, ecological or scientific significance, social or cultural significance, or other special factor is considered.

Indigenous Status - geographic significance. Whether the tree is exotic or, if native, how restricted its natural range. Those trees included in the schedule are considered to be community assets which would be valued ahead of most land development proposals which might endanger them or compromise their form or condition.

