

Resource Management Act 1991

ASSESSMENT OF EFFECTS ON THE ENVIRONMENT APPLICATION TO PLANT AT THE SUMMIT OF ONE TREE HILL / MAUNGAKIEKIE

(Prepared in accordance with the fourth schedule)

1. Description of proposal:

The proposal is to plant a new tree on the site of the former lone Pine that occupied the summit of One Tree Hill. The proposal is to adopt the recommended option for planting and the methodology set out in the report entitled “One Tree Hill Summit (Maungakiekie) New Tree Planting Proposal” (attached).

The underlying pretext is that although a multiple planting technique is proposed, ultimately the outcome will be one tree of landscape quality to obtain visual significance equating to the former lone Pine. Additionally, the tree and planting should reflect cultural values in recognition of the special significance this site has to Maori as well as the sharing of cultural understanding between Maori and all sectors of the community no matter what their ethnic background. The objective is to share in the significance of the planting spiritually and culturally for the benefit of all peoples of Tamaki-makaurau for future generations.

Planting proposal:

Pohutukawa seedlings, some of which had self-seeded in the shelter of and at the base of the former lone Pine tree and others sourced from an old majestic pohutukawa tree existing on the maunga will be planted in the next planting season. In subsequent years totara seedlings, sourced from a nearby historic totara, will be planted as a secondary species. These trees will be left to mature and by a process of natural and carefully managed selection will result in one dominant tree. A shelter of other native plants will be planted around the edge of the planting zone to provide “natural” shelter for the trees.

In addition, some temporary and visually appropriate security fencing will need to be incorporated into the planting design to protect the young plants through the duration of the implementation of the consent. The planting zone is that area prescribed in the Consent to Modify granted by the NZ Historic Places Trust to this project.

Explanation:

This planting regime is proposed because of its symbolism in a cultural context, and the species, size and source of this plant material is appropriate for a new tree which will have an optimum growth / survival opportunity (i.e. it is sustainable). The pohutukawa planting precedes the totara because this stock is sufficiently well advanced to permit planting to occur this season.

Thus, in practice, the planting period will not be a single event, but will extend over a few seasons. An arboricultural nurturing process will be required to follow up with any necessary replanting to ensure the establishment and success of eventually a new landscape tree. For this purpose, additional selected plant material from the parent pohutukawa and totara trees will be further prepared in a nursery for any future planting.

The applicant requests that because of the lead time required to establish the planting successfully and see it through to the selection of the sole specimen which will ultimately adorn the summit, the consent period be extended to a period of ten (10) years.

The proposal is more fully described in the various specialist reports that accompany this application:

- One Tree Hill Summit (Maungakiekie) New Tree Planting Proposal (Produced by Auckland City's Recreation and Community Services Group)
- Archaeological Report (Russell Foster, September 1999)
- Landscape Assessment (Boffa Miskell Consultants, September 1999)

- One Tree Hill / Maungakiekie Contingency Project – Specifications for Tree Replacement (Specimen Tree Company, October 1999)
- One Tree Hill Pine Contingency Project - Additional Technical Information regarding replacement Methodologies (Specimen Tree Company June 2000)
- Documentation pertaining to consultation

2. Significance of likely effect / alternative methods:

The last remaining Pine tree was removed from the summit of One Tree Hill Domain (Maungakiekie) on 26 October 2000.

The One Tree Hill Domain (Maungakiekie) Management Plan (1998) policy expects that a replacement tree be planted when necessary. The next planting season is late autumn to early spring 2001 (i.e. May to August).

The proposal is the result of a review of the sites cultural and historical context, an assessment of the relevant statutory planning criteria and technical (landscape, arboricultural, archaeological and engineering) reports. Consideration has also been given to advice received through consultation with key interest groups and from the general public.

Factors considered in developing the proposed method were the protection of the heritage values of the site, environmental and establishment issues and the potential for tree growth and development of form for landscape effect.

Due to the archaeological importance and topography of the site, there are constraints regarding the maximum size tree that can be planted. The area available for the replacement planting is restricted to the area immediately surrounding the previous tree.

The three key criteria considered important for success of a replacement tree are species, source, and size (at time of planting).

Alternatives have been considered to the methodology proposed in this application and are discussed in the accompanying report entitled One Tree Hill (Maungakiekie) New Tree Planting Proposal. The proposal that has been developed and forms this application, meets all the identified criteria for a successful tree of landscape significance. The proposal will have no more than a minor environmental effect and over time will achieve the objective of the Reserve Management Plan to replace the lone tree icon, which has been lost from the site.

From a statutory perspective, because the activity will not result in any significant adverse effect on the environment, a description of possible alternative locations or methods is not required to facilitate the application for resource consent.

3. Assessment of actual and potential effects on the environment of the proposed activity:

- *Any effect on those in the neighbourhood and where relevant the wider community including socio-economic and cultural effects:*

There is unlikely to be any effect on the immediate neighbourhood. The summit is located well away from any residential property.

The most significant effect will be the addition of trees at the summit where currently no planting exists. However, for some time the visual impact of the new planting will be confined to the immediate location at the summit. It will be some years before the presence of planting has visual effect from the wider area around the park and beyond. The natural selection process will result ultimately in one tree to succeed the lone Pine tree.

A full assessment of the visual impact is attached. There will however, be a cultural impact from the day the first nursery trees are planted. That effect is considered to be positive and will assist in bringing the community together over issues relating to the previous tree which have previously divided the community.

This application follows a commitment given by the Auckland *City* Council to the people of Auckland to mitigate the loss of the previous Pine in a manner that is sensitive to the cultural and landscape significance of the site and its history.

The proposal is unlikely to have any socio-economic effects.

- *Physical effect on locality, including landscape and visual effects:*

This issue has been addressed above and summarised in the attached New Tree Planting Proposal report as well as being addressed in more detail in the visual assessment carried out by Boffa Miskell Consultants (attached).

- *Effect on ecosystems including effects on plants or animals and any physical disturbance of habitats in the vicinity:*

Nil.

- *Effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural or other special value for present or future generations:*

The Council has consulted known tangata whenua within the Auckland district. We are advised by members of the Tangata Whenua Consultation Committee (which consists of representatives of all but one of the tangata whenua in Auckland City) and Ngati Paoa through their process, that Ngati Whatua o Orakei have the primary interest in this maunga. However, the other tangata whenua hold this particular maunga in special regard, as it has been the scene of a mighty pa and many tribal battles. An archaeological report has been prepared which is attached to this application. The maunga is waahi tapu. As a result of the consultation which has been undertaken in support of this application, an advisory team nominated by tangata whenua is working with the application team to ensure that the new planting is carried out with appropriate protocol to respect Maori values.

An opportunity has been identified to “heal” the grievance that tangata whenua hold in respect of the previous Pine and celebrate the re-birth of the mauri / wairua still present on the maunga.

The previous summit tree held special significance in post European occupation of the Isthmus as it related to the gifting of land by Sir Logan Campbell to Auckland for reserve purposes and it signified the highest point of the city and a major tourist attraction for the city. It was a landscape symbol for the city. Many non-Maori New Zealanders hold this maunga in special significance and it is often used as a place of celebration (weddings and photos) and spiritual importance (scattering of ashes of the dead). As indicated in the archaeological report, the summit and maunga is a significant part of Auckland’s history. The proposal seeks to address the spiritual significance of this site in a positive manner for the benefit and well being of future generations of Aucklanders.

- *Discharge of contaminants including noise:*

Nil.

- *Risk to neighbourhood, the wider community, or environment through natural hazards, use of hazardous substances, hazardous installations:*

Nil.

4. Mitigation measures:

Mitigation measures for the protection of the archaeological site are contained in the methodology set out in the New Tree Planting Proposal report (attached). As described above, the process for replanting has been designed to minimise the potential for environmental effect and damage and is constrained by the archaeological significance of the site and the approval to modify granted by the NZHPT.

5. Identification of those persons interested in or affected by the proposal and consultation undertaken:

The applicant has identified stakeholder groups that have an interest in the replanting beyond the community generally. In addition, the replanting is confirmed by policies in the Reserve Management Plan. That document has been prepared through a statutory process including public consultation and notification.

The stakeholder groups which are considered to have interests beyond the community generally are:

- The tangata whenua: The site is waahi tapu.
- Cornwall Park Trust: Sir John Logan Campbell's grave and the Obelisk are vested in the control of the Cornwall Park Trust Board. The stone walling of the carparking area and surrounds was funded by the Trust and the Trust is responsible for the general maintenance of this area.
- NZHPT Archaeological site

All these groups have been consulted. The NZHPT, tangata whenua representatives, and the Cornwall Park Trust have directly contributed advice that has been incorporated into the drafting of this application.

In addition, a more informal process of informing the public of the proposal and seeking feedback has been undertaken recognising that ultimately the application will be publicly notified. This informal consultation has resulted in a response from the public of Auckland and beyond. Comments from these people have been taken into consideration in settling on the proposed planting regime for the summit.

6. Monitoring (as applicable)

Monitoring is required by archaeological and arboricultural experts throughout the initial planting. This is described in the New Tree Planting Proposal report (attached).

7. District Plan

- The site on which the planting is to take place is an archaeological site (reference F10/05).

Part 5C of the District Plan precludes both the excavation and damage of an archaeological feature without resource consent (reference 5C.7.4.3). Work in this area is considered as a discretionary activity. In addition to Section 104 of the Resource Management Act, there are criteria that must be considered in respect of such works set out at Clause 5C.7.1.3E(b) of the District Plan.

- The site lies within the protected surrounds of the One Tree Hill Obelisk, which is a scheduled item of historical importance (reference F10/11). The site around this Obelisk is protected within 100m of the structure (reference: District Plan: Appendix 1). and
- The site is also located near the grave of Sir John Logan Campbell (F10/10) which is a building scheduled for protection. The site around this grave is protected within 100m of the structure (reference: District Plan: Appendix 1).

No person is permitted to plant any vegetation on or within the vicinity of any scheduled archaeological site, nor within a certain curtilage of items of historic significance, which in the opinion of Council is likely to cause damage or detract from the feature for which the item has been scheduled.

Damage / excavation of archaeological feature:

In respect of the archaeological feature rules of the Plan, the Council has indicated it will assess the proposal against the following (summarised as relevant):

- The nature form and extent of the proposed modification and the effect on the feature
- The necessity and alternatives to the proposal
- The relevant objectives and policies
- The purpose of the modification and whether there is sufficient time, and expertise to record the features to be modified

The Council can impose conditions on any consent including a requirement for a formal archaeological excavation and site recording to be undertaken before work commences. In this case, the excavation will relate to a 6m-diameter area of ground centred on the former Pine tree. Most of the site has already been modified as a result of the former Pine tree and stump removal. The excavation will be supervised by an archaeologist and is limited in depth to 1.0m. The proposed planting methodology is directed at minimising disturbance to the site and is therefore consistent with the objective for archaeological features which is to:

“Protect valuable archaeological features which contribute to the City’s heritage.”

Changes to the Heritage Property:

The Council has indicated (Clause 5C.7.1.3E(b)) it will assess the proposal against the following (summarised as relevant):

- The nature, form and extent of any work on the site surrounds including planting of trees and vegetation, and the effect on the character of the heritage item and the feature or features for which the item was scheduled.

The Council can impose conditions on any consent. As stated above the area specifically affected by the proposed planting has already been modified and the excavation is restricted in accordance with the NZHPT approval to modify. There will be some visual effect associated with the planting of trees in an area that is currently devoid of vegetation.

However, long term the amount of planting will be reduced to result in one specimen tree of landscape significance that will effectively replace the lone Pine which has historically adorned the site. While the ultimate tree form cannot be predicted at this stage, the one single specimen will serve to provide a similar juxtaposition of built and natural form to that which has existed at the summit for many years. The effects of the proposal are therefore considered to be temporary and minor moving towards ultimately a reinstatement of the historical context of the scheduled items adjoining the planting site.

8. NZHPT

As mentioned above, an application to modify has been granted by the NZHPT. The methodology described as part of this application for resource consent has been arrived at through ongoing consultation with the NZHPT to ensure the resource consent will be consistent with the approval granted by the NZHPT.

9. Management Plan

The Maungakiekie/One Tree Hill Domain Management Plan was adopted in 1998 and was prepared in accordance with the provisions of the Reserves Act 1977. There are a number of references to the former summit Pine tree in that Plan and more general objectives which are relevant to this proposal. Including:

“Objectives of the Management Plan:

- 1. To manage the Domain as a cultural landscape taking into account the cultural overlays that have occurred through time.*
- 3. To protect the natural landforms and maintain the general character of existing vegetation.*
- 4. To preserve the archaeological and historic remains within the domain.”*

The Management Plan contains the following policy in reference to the tree's predicted demise:

Policy 3.9.1

To replace the Pine tree on the summit when necessary, with a tree suited to the exposed conditions.

The relevant method identified for implementing this policy are:

- *A contingency plan is to be implemented by the Council to ensure that a suitable replacement tree is available as and when required.*

The Council has been following this implementation policy but events have overtaken the situation with the second attack on the tree, which caused an accelerated decline and the requirement to remove the Pine. The proposal is the culmination of all the planning, consultation and consideration the Council has given to the implementation of this policy

This application for resource consent is consistent with the objectives, policies, and implementation directives of the Reserve Management Plan.

10. RMA conclusions:

- **Part II**

Section 5

The purpose of the Resource Management Act is articulated in Section 5 of the Act and is to promote the sustainable management of natural and physical resources in a way, or at a rate, which enable people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while:

- ❖ Sustaining the potential of natural and physical resources to meet the needs of future generations and
- ❖ Safeguarding the life supporting capacity of air, water, soil and ecosystems and
- ❖ Avoiding, remedying or mitigating and adverse effects of activities on the environment.

The proposal makes use of natural resources in a way that will not alter, damage or reduce their sustainability and promotes cultural, social and economic well being. The proposal promotes the objectives of Section 5 of the Act.

Section 6

Section 6 sets out matters that are of national importance in achieving the purposes of the Act. Relevant to this proposal is:

- ❖ The protection of outstanding natural features and landscaped from inappropriate use and development and
- ❖ The relationship of Maori and their culture and traditions with their ancestral land, waahi tapu, and other taonga

The proposal is not contrary to matters of national importance set out in Section 6 of the RMA.

Section 7

The proposal has regard to the matters set out in Section 7 of the RMA and maintains amenity values, protects heritage items and acknowledges the special relationship of Maori through Kaitiakitanga and the ethic of stewardship.

Section 8

The proposal does not effect claims in the local area under the Treaty of Waitangi. The applicant has taken into account the principles of the Treaty and has sought advice and consulted with local tangata whenua in reaching the proposal outlined in this application.

- **Part VI**

Sections 104 and 105

Section 104 of the Act sets out the matters which the Council shall have regard to when considering an application for resource consent. Section 104(1) states that such consideration shall be subject to Part II. Section 105 provides the Council with the power to grant or refuse consent.

The proposal is designed to minimise the effects on the archaeological site and heritage items there, and is consistent with the objectives and policies of the District Plan and the Management Plan for the Park. It is also consistent with the principles and purposes of the Resource Management Act which seeks to promote the sustainable management of natural resources by managing the use, development and protection of resources in a manner which enable communities to provide for amongst other things, their cultural well being as well as their health and safety.

11. Overall Conclusions:

In accordance with section 104 and 105 of the Resource Management Act, there is no impediment to the granting of consent to this proposal. The environmental effects are likely to be no more than minor and the objectives and policies of the relevant statutory documents are met and positively reinforced by the proposal as are the purposes and principles of the Resource Management Act.

It is recommended that consent should be granted and that (as a condition of that consent) an Aftercare / Maintenance Plan be developed to the satisfaction of the Team Leader Compliance Monitoring to cover the 10 year period in which this consent is to be given effect. The Aftercare/ Maintenance Plan should incorporate but not be limited to the following and emphasise the technical aspects of managing the site thereafter:-

- Recording of ongoing plant management and specimen establishment ie pruning, removal and planting regime
- Irrigation requirements
- Site & plant protection ie management of mulch, shelter & stock control
- Temporary security fencing ie design and maintenance
- Signage
- Monitoring

Prepared by:

Leijnen Consultants Ltd

Resource Management

March 2001

Annexures:

Technical reports:

- One Tree Hill Summit (Maungakiekie) New Tree Planting Proposal (Produced by Auckland *City's* Recreation and Community Services Group)
- Archaeological Report (Russell Foster, September 1999)
- Landscape Assessment (Boffa Miskell Consultants, September 1999)
- One Tree Hill / Maungakiekie Contingency Project – Specifications for Tree Replacement (Specimen Tree Company, October 1999)
- One Tree Hill Pine Contingency Project - Additional Technical Information regarding replacement Methodologies (Specimen Tree Company June 2000)

Documentation pertaining to consultation

- Summary of iwi consultation prepared by Pae Herenga Tangata (Auckland *City*)
- Summary of informal public feedback prepared by Public Affairs & Advocacy (Auckland *City*)
- Copy of Authority to Modify (an archaeological site). NZ Historic Places Trust.

Technical Reports

Documentation Pertaining to Consultation