

Proposed Gore District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Section	Provision	Position	Summary of Decision Requested	Reasons	Officer recommendation
S126.04 2	Southland Federated Farmers of New Zealand	Interpretation	root protection area	Oppose	Rename this definition: ~~Root protection area~~ Tree protection zone	It is recommended that the Council uses the term 'tree protection zone' instead of the rootzone area. The term 'tree protection zone' is used in a number of plans and policies in New Zealand. It is a term that is recognised by suitably qualified arborists and can easily be calculated by (a) canopy drip line + 1m; (b) trunk diameter at 1.4m height multiplied by 12; and (c) tall narrow trees = $\frac{1}{2}$ x Height.	Accept
S115.04 3	Kevin Robertson	Interpretation	root protection area	Oppose	Rename this definition: ~~Root protection area~~ Tree protection zone	It is recommended that the Council uses the term 'tree protection zone' instead of the rootzone area. The term 'tree protection zone' is used in a number of plans and policies in New Zealand. It is a term that is recognised by suitably qualified arborists and can easily be calculated by (a) canopy drip line + 1m; (b) trunk diameter at 1.4m height multiplied by 12; and (c) tall narrow trees = $\frac{1}{2}$ x Height.	Accept
S143.05 4	Rural Ratepayers Group	Interpretation	root protection area	Oppose	Rename this definition: ~~Root protection area~~ Tree protection zone	It is recommended that the Council uses the term 'tree protection zone' instead of the rootzone area. The term 'tree protection zone' is used in a number of plans and policies in New Zealand. It is a term that is recognised by suitably qualified arborists and can easily be calculated by (a) canopy drip line + 1m; (b) trunk diameter at 1.4m height multiplied by 12; and (c) tall narrow trees = $\frac{1}{2}$ x Height.	Accept
S148.05 5	Alistair & Bernadette Hunt	Interpretation	root protection area	Oppose	Rename this definition: ~~Root protection area~~ Tree protection zone	It is recommended that the Council uses the term 'tree protection zone' instead of the rootzone area. The term 'tree protection zone' is used in a number of plans and policies in New Zealand. It is a term that is recognised by suitably qualified arborists and can easily be calculated by (a) canopy drip line + 1m; (b) trunk diameter at 1.4m	Accept

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						height multiplied by 12; and (c) tall narrow trees = $\frac{1}{2}$ x Height.	
S60.045	Ronald Crispin	Interpretation	root protection area	Oppose	Rename this definition: ~~Root protection area~~ Tree protection zone	It is recommended that the Council uses the term 'tree protection zone' instead of the rootzone area. The term 'tree protection zone' is used in a number of plans and policies in New Zealand. It is a term that is recognised by suitably qualified arborists and can easily be calculated by (a) canopy drip line + 1m; (b) trunk diameter at 1.4m height multiplied by 12; and (c) tall narrow trees = $\frac{1}{2}$ x Height.	Accept
S68.163	John Baynes	Interpretation	root protection area	Oppose	Rename this definition: ~~Root protection area~~ Tree protection zone	It is recommended that the Council uses the term 'tree protection zone' instead of the rootzone area. The term 'tree protection zone' is used in a number of plans and policies in New Zealand. It is a term that is recognised by suitably qualified arborists and can easily be calculated by (a) canopy drip line + 1m; (b) trunk diameter at 1.4m height multiplied by 12; and (c) tall narrow trees = $\frac{1}{2}$ x Height.	Accept
S115.075	Kevin Robertson	TREE - Notable Trees	TREE-Additional provisions sought	Support	Include a new policy: Consult and engage landowners where a notable tree or trees is located on private land.	SFF supports the recognition and identification of notable trees which are of importance to the district and its communities. However, where a notable tree is located on private land it is important that the Council engage and work with landowners to ensure the tree is best managed for future generations.	Reject
S143.086	Rural Ratepayers Group	TREE - Notable Trees	TREE-Additional provisions sought	Support	Include a new policy: Consult and engage landowners where a notable tree or trees is located on private land.	SFF supports the recognition and identification of notable trees which are of importance to the district and its communities. However, where a notable tree is located on private land it is important that the Council engage and work with landowners to ensure the tree is best managed for future generations.	Reject

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S148.087	Alistair & Bernadette Hunt	TREE - Notable Trees	TREE-Additional provisions sought	Support	Include a new policy: Consult and engage landowners where a notable tree or trees is located on private land.	SFF supports the recognition and identification of notable trees which are of importance to the district and its communities. However, where a notable tree is located on private land it is important that the Council engage and work with landowners to ensure the tree is best managed for future generations.	Reject
S60.077	Ronald Crispin	TREE - Notable Trees	TREE-Additional provisions sought	Support	Include a new policy: Consult and engage landowners where a notable tree or trees is located on private land.	SFF supports the recognition and identification of notable trees which are of importance to the district and its communities. However, where a notable tree is located on private land it is important that the Council engage and work with landowners to ensure the tree is best managed for future generations.	Reject
S68.195	John Baynes	TREE - Notable Trees	TREE-Additional provisions sought	Support	Include a new policy: Consult and engage landowners where a notable tree or trees is located on private land.	SFF supports the recognition and identification of notable trees which are of importance to the district and its communities. However, where a notable tree is located on private land it is important that the Council engage and work with landowners to ensure the tree is best managed for future generations.	Reject
S126.074	Southland Federated Farmers of New Zealand	TREE - Notable Trees	TREE-Additional provisions sought	Support	Include a new policy: Consult and engage landowners where a notable tree or trees is located on private land.	SFF supports the recognition and identification of notable trees which are of importance to the district and its communities. However, where a notable tree is located on private land it is important that the Council engage and work with landowners to ensure the tree is best managed for future generations.	Reject
FS5.32	Hamish Weir			Support	Allow		Reject
S136.015	Jenny Campbell	TREE - Notable Trees	TREE - General	Not Stated	Heritage tree register for both native & introduced species		Reject

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S146.033	Southland District Council	TREE - Notable Trees	TREE - General	Support	None specified.	The submitter supports this section, and no issues were identified.	Accept
S65.002	Gore District Council	TREE - Notable Trees	TREE - General	Amend	Update the Notable tree list.	The Parks and Recreation Manager has advised that some trees on the Notable Tree List have died while others have been removed. A review of the current listings needs to be reviewed to ensure the PDP is up to date.	Accept
S146.100	Southland District Council	Historical and Cultural Values map layers	TREE-MAP	Support	None specified.	The submitter supports this section.	Accept
S139.057	Hokonui Rūnanga Inc	TREE - Notable Trees	TREE-P1	Support in part	Amend the reference to 'Māori cultural expert' to read ' mana whenua representative	Mana whenua are the experts in their mātauranga and tikanga.	Accept
S101.047	Transpower New Zealand Limited	TREE - Notable Trees	TREE-P4	Support in part	Amend Policy TREE-P4 as follows: "TREE-P4 Subject to being undertaken in accordance with recognised arboricultural practices, or where relevant, Māori cultural practices, enable: (...) (c) there is a ~~high~~ quantifiable risk to people, property, buildings or infrastructure; or (...)	Transpower is concerned that the Policy directs that trimming can be undertaken only where there is a 'high' quantifiable risk, rather than any quantifiable risk. Transpower considers that any risk to the National Grid caused by trees is unacceptable and has the potential to have significant impact on many people and communities. For this reason, Transpower supports the deletion of 'high' in Policy TREE-P4.	Accept in part
S101.048	Transpower New Zealand Limited	TREE - Notable Trees	TREE-P5	Support in part	Amend Policy TREE-P5 as follows: TREE-P5 Avoid the removal of a notable tree or trees within notable groups of trees unless at least one of the following circumstances apply: (...) 2. there is a ~~high~~ quantifiable risk to people, property, buildings or infrastructure.	Transpower is concerned that the Policy directs that removal can be undertaken only where there is a 'high' quantifiable risk, rather than any quantifiable risk. Transpower considers that any risk to the National Grid caused by trees is unacceptable and has the potential to have significant impact on many people and communities. For this reason, Transpower supports the deletion of 'high' in Policy TREE-P5.	Accept in part

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S122.005	Fulton Hogan	TREE - Notable Trees	TREE-P6	Oppose in part	Add a cross reference to other relevant objectives and policies, using the wording suggested below or similar: TREE-P6 Avoid damage to notable tree or trees within notable groups of trees, including tree roots, unless provided for by Policy TREE-P4 or TREE-P5.	Fulton Hogan undertakes activities on behalf of our clients such as Waka Kotahi and Councils, that can sometimes be close to notable trees. Therefore, while we appreciate these trees need to be protected, we also believe that the rules and policy framework need to be pragmatic and provide for works where they can be undertaken without damaging the trees. Policy TREE-P6 is worded extremely strongly, and we are concerned that it is not consistent with other objectives and policies in this chapter. We recommend that a caveat be added to make it clear that damage should be provided except where provided for by the other objectives and policies in this chapter.	Reject
S101.049	Transpower New Zealand Limited	TREE - Notable Trees	TREE-R1	Oppose	Amend Rule TREE-R1 as follows: "Activity status: Permitted Where: (...) 2. Except for the removal of broken branches, deadwood or diseased vegetation, trimming is of branches which are less than 75mm in diameter; or 3. Trimming is required to: a. remove a potential fire risk associated with the National Grid; or b. for the safe operation or maintenance of the National Grid, including access for these purposes and as required by the Electricity (Hazards from Trees) Regulations 2003. Activity status where compliance is not achieved with: ~~TREE-R1(1) and TREE-R1(2): Controlled Where: 3. The trimming is required under the Electricity (Hazards from Trees) Regulations 2003. ..."~~	The Rule requires a resource consent for an activity that is mandatory. That is, complying with the regulations is mandatory and the trimming must be done. The purpose for the trimming is clear and set out in Regulation 3 as follows: "The purpose of these regulations is to protect the security of the supply of electricity, and the safety of the public, by-- (a) prescribing distances from electrical conductors within which trees must not encroach; and (b) setting rules about who has responsibility for cutting or trimming trees that encroach on electrical conductors; and (c) assigning liability if those rules are breached; and (d) providing an arbitration system to resolve disputes between works owners and tree owners about the operation of these regulations." Transpower considers that a further regulatory process where the trimming must occur is not appropriate, efficient or effective (including in respect of any evaluation under section 32 of the RMA).	Reject
S101.050	Transpower New	TREE - Notable Trees	TREE-R2	Oppose	Amend as follows: "Activity status: Controlled- Where: 1. There are changes	Transpower's view that 'high' quantifiable risk is too great a threshold when considering risks to the National Grid.	Accept in part

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	Zealand Limited				to the tree or group of trees, arising from natural events, which results in the tree(s) no longer meeting the STEM threshold to be classed as notable; or 2. There is a ~~high~~ quantifiable risk to people, property, buildings or infrastructure. Matters of control: 1. Arboricultural advice confirms that the tree(s) no longer meets the STEM threshold to be classed as notable. 2. The health, shape, form and ongoing viability of the notable tree. 3. The necessity of what is proposed, including the benefits to the health, safety and wellbeing of people and communities , and alternatives. Activity status where compliance is not achieved with: ~~TREE-R2(1) and TREE-R2(2);~~ Discretionary Where: ~~3. The removal is subject to a notice issued under the Electricity (Hazards from Trees) Regulations 2003. TREE-R2(3): Non-complying~~	For the reasons set out in respect of Policy TREE-P5, Transpower therefore seeks that Rule TREE-R2 does not reference "high". Transpower does not support Rule TREE-R2 on the basis that the Rule requires a resource consent for an activity that would be mandatory under the Electricity (Hazards from Trees) Regulations 2003. That said, these Regulations direct the cutting or trimming of a tree only to the extent necessary, and do not direct the felling of trees. On this basis, there is no need for Rule TREE-R2 to reference the Electricity (Hazards from Trees) Regulations 2003. As a final matter, in order to give effect to Policy 1 of the NPSET and Policy INF.1 of the SRPS, Transpower seeks that the benefits of the removal (including the benefits of the infrastructure that is protected) are a matter of control.	
S85.013	Environment Southland	TREE - Notable Trees	TREE-R2	Support in part	Include an ability to remove trees if they become weedy and are shown to cause wilding issues. Additionally, the ability to remove trees in flood plains is needed should they pose a problem.	Some notable trees may lead to wilding issues or alter the performance of the flood plain.	Reject
FS5.17	Hamish Weir			Support	Allow		Reject
S85.014	Environment Southland	TREE - Notable Trees	TREE-SCHED-TREE-14	Support in part	Remove Sycamore	sycamore is a known weedy tree and could spread	Reject

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S85.015	Environment Southland	TREE - Notable Trees	TREE-SCHED-TREE-23	Oppose	Remove Silver Birch	Silver Birch is a known weedy tree and could spread	Reject
S41.001	Michele Gentle	TREE - Notable Trees	TREE-SCHED-TREE-59	Oppose	Request tree be removed from the Register	Concerned that tree on property is at a size that in high winds could cause severe damage to house and power lines nearby. Tree blocks sunlight from gardens and house. Keith McRobie viewed the tree and it is his belief it is a type of deciduous tree not an Evergreen Ash.	Reject
S85.016	Environment Southland	TREE - Notable Trees	TREE-SCHED-TREE-81	Oppose	Remove Silver Birch	Silver Birch is a known weedy tree and could spread	Reject
S49.001	Gore District Memorial RSA (Inc)	TREE - Notable Trees	TREE-SCHED-TREE-9	Amend	Allow the removal of the two beach trees on the South-western entryway to the cenotaph. The trees would be replaced by the planting of a new Gallipoli pine.	The current root system is growing under the pathway causing an uneven surface and poses a safety hazard to community/veterans. The current tree drops large branches and debris. We intend to replace the trees with a Gallipoli pine from the veteran community of the RSA. This pine has been seeded from a tree on the Gallipoli peninsula holding large significance to past veterans and community of the district. This pine does not grow as large as the existing trees with a maximum height of 5 meters.	Reject