

The Tree Council

Tiakina Rākau • est 1986



To: David Stejskal, Regional Arborists and Ecological Manager

Cc: Kay Thomas, Chair Whau Local Board

His Worship the Mayor Phil Goff

Linda Cooper, Chair Regulatory Committee

Chris Darby, Chair Planning Committee

Ian Smallburn, Consents

s7(2)(a) Privacy Ngati Whatua Orakei

Tēnā koe David,

RE: TREE OWNER APPROVAL RE 1817 GREAT NORTH ROAD MACROCARPA

Thank you for the opportunity to present the views of The Tree Council regarding the proposed removal of the scheduled macrocarpa tree at 1817 Great North Road, Avondale. Our views are as follows:

1. We oppose the removal of this scheduled notable tree.
2. We oppose the decision being made non-notified and request public notification of the consent application and a full public process.
3. We dispute the non-notification decision based on the lack of effect on visual amenity & table our independent Visual Assessment Report as evidence (attached).
4. We dispute the suggestion that the tree is in poor health / decline based on the Greenscene Arboricultural Report that you commissioned (attached).
5. We support the decision of the Regional Arborists and Ecological Department to refuse permission to remove the tree because removal is not justified under the RMA or Auckland Unitary Plan and the "evidence" used to support the removal is flawed.

6. We question why the decision regarding removal of this tree is being removed from your department, despite you having delegated authority to take it, and wish to know what the delegated authority of the Whau Local Board is to make any decision regarding this tree as it is located 60% on road reserve (owned by Auckland Transport) and not in a local park? We note that the Local Board only manages local park land and not road reserve.

7. We question the qualifications of the Whau Local Board members to make any decision regarding an RMA / Unitary Plan matter as they are not qualified independent commissioners, planners, arborists or landscape architects and have no relevant experience in adjudicating on such matters. We consider that the Local Board is being set up to take the blame for decisions made by Panuku and a private developer behind closed doors.

8. We ask why the private developer has already pre-sold 40 apartments in the development for this site based on a design that assumes that this scheduled notable tree will be removed, despite not having obtained consent for the removal?

9. We request that representatives of The Tree Council and mana whenua are present at any discussion and decision making meeting of the Whau Local Board regarding this tree. We would like to request speaking rights at any such meeting to address the Local Board on this issue.

10. We request that any such meeting be open to the public and advertised so that interested members of the local community, whom the Whau Local Board purports to represent, can be present.

11. We will be taking legal advice regarding the process being followed by Council regarding the proposed destruction of this scheduled notable tree, which is a public heritage item in the Auckland Unitary Plan.

12. We will be releasing this letter to the media.

We would appreciate an urgent response by email from the Whau Local Board Chair regarding our attendance at any meeting planned to discuss this issue.

Thank you for your attention to this matter.

Ngā mihi maioha

Dr Mels Barton

Secretary, The Tree Council

s7(2)(a) Privacy

021 213 7779



Monterey cypress (*Hesperocyparis macrocarpa*)
1817 Great North Road Avondale

Assessment of visual effects of removal of a notable tree

16 December 2020

Prepared by

NICK ROBINSON NZILA(Reg) CMLI
landscape architecture . ecology . urban design

m: +64 221 768 446
e: nick@nickrobinson.co.nz
w: www.nickrobinson.co.nz

Report of the visual assessment of the proposals to remove the
scheduled notable Monterey cypress tree at 1817 Great North Road,
Avondale.

Contents

1.	QUALIFICATIONS, SCOPE AND METHODOLOGY	3
2.	DESCRIPTION AND EVALUATION OF THE EXISTING LANDSCAPE	3
3.	VIEWS OF THE SITE	3
4.	THE DEVELOPMENT PROPOSAL	5
5.	RELEVANT STATUTORY and PLANNING PROVISIONS	5
6.	ASSESSMENT OF THE VISUAL EFFECTS OF THE PROPOSAL	6
7.	CONCLUSIONS	13

INTRODUCTION

Nick Robinson has been engaged by the Tree Council to provide a Visual Assessment of the proposed removal of the scheduled notable Monterey cypress tree which is located on both sides of the boundary between 1817 Great North Road and Ash Street Road Reserve, Avondale. It is proposed that this tree is removed in order to facilitate the development of the site for apartments. This has been the subject of a resource consent application which has been declared non-notifiable on the basis that the effects of the removal of the tree would be 'less than minor' and that no special circumstances obtain that would require notification.

For details of the proposed building please refer to the drawings provided by the Architects, Ockham Residential, and the Landscape Architect, Bridget Gilbert.

Note that this visual assessment deals only with the effects that would arise from the trees removal.

1. QUALIFICATIONS, SCOPE AND METHODOLOGY

Nick Robinson is a Registered Landscape Architect in New Zealand and a Chartered Landscape Architect with the UK Landscape Institute. He has thirty years of professional experience covering planning and resource consent applications and visual and landscape assessment for public bodies as well as the private sector.

Qualifications:

- Master of Arts in Landscape Architecture (Sheffield, UK).
- Chartered Landscape Architect of the Landscape Institute (UK)
- Registered Member of the New Zealand Institute of Landscape Architects (NZILA).

Although this report is confined in its scope to the immediate effect of tree removal, it adopts wherever possible the general assessment methodology recommended in the following best practice guides:

- Information requirements for the assessment of Landscape and Visual Effects*, Auckland Council (2017)
- Best practice note, Landscape assessment and sustainable management 10.1* (NZILA, 2010)
- Landscape and Visual Assessment Guidelines*, NZTA
- for any simulations of the proposals, *Best Practice Guide Visual Simulations BPG 10.2* (NZILA, 2010)

A desktop review was undertaken of the planning context, site survey data and building proposals. This included a review of the AUP Objectives and policies in AUP Chapter D13 - Notable Trees Overlay, E17 - Trees in roads, B.4 - Natural Heritage (B.4.5), and E16 - Trees in open space zones.

Following this, a detailed visual survey was carried out of the site and the surrounding area on 7 December 2020 to establish the landscape presence, visibility and character of the tree in its environs and, especially, to determine the visibility of the site and proposals in views from public locations. Public streets, routes and reserves in the surrounding areas were visited in order to determine the visual catchment and the viewing audience. Views of the site from private property or from council property not accessible to the public were not surveyed.

Viewpoints and visibility of the tree were established and views towards the tree photographed. The nature of the existing site and other development in the vicinity was noted as part of a survey of local landscape character.

2. DESCRIPTION AND EVALUATION OF THE EXISTING LANDSCAPE

Site and tree location and attributes

Refer to Figure 1

The development site, 1817 Great North Road ('the site'), is at the junction of two major roads - Great North Road which forms Avondale Main Street, and Ash Street a major arterial route carrying traffic between the western motorway and New Lynn.

The site includes a number of trees in addition to the Monterey cypress. These are three poplars which comprise a further notable group of trees scheduled in the AUP Schedule 10, a Norfolk Island pine close to the Great North Road frontage and a number of smaller trees and fruit trees.

The notable Monterey cypress tree is situated on the boundary with more than 1 m plus of its bole within the Ash Street Road reserve. The tree is some 25 m or more tall with an extensive canopy spread. Please refer to the Greenscene assessment for full details of the tree's characteristics and condition.

The landscape and visual context of the site and tree

The development site is situated between Ash Street highway corridor to the west, Peace Park - a small planted reserve to the north, Great North Road where it forms the end of Avondale main street to the east and a Kāinga Ora Site being redeveloped to the south, immediately south of this is the small Tait Park. The tree being situated across the north wets boundary of the site has its greatest influence on the site itself and on Ash Street.

The character of the Ash Street road reserve is characterised by established trees, some of which are planted within the road reserve and some within adjacent private land or recreation reserves.

Peace Park, which is part of the road reserve at the intersection of Great North Road and Ash Street is likewise planted with a range of now well established trees.

Tait Park is situated to the south of site with some views to the trees on the site.

3. VIEWS OF THE SITE

Extent of site visibility, key views, viewing audience

Following a thorough reconnaissance of the site's environs it was noted that publicly accessible views of the tree are generally available from vantage points within distances up to 600 or in some places 700 metres distant. Within this zone of visual influence it is possible to gain either continuous or intermittent views of the tree or a significant part of the tree from a range of vantage points and view corridors.

Specific view locations and sequences will be addressed below but it should be noted that the visual effects of a proposal can be measured in part by the size of its zone of actual visibility in addition to the immediate context in which it is viewed and particular views.

The outer limits of this zone of visibility and the most distant view locations recorded are identified in this case as follows:

Avondale Train Station (590 m to the east). Viewpoint 33, Figure 2
Near 31 Ash Street (550 m to the south west). Viewpoint 33, Figure 2



Figure 1. The location of the development site, the notable tree and its immediate environment.

The junction of St. Jude Street and Great North Road (670 m to the south). Viewpoint 31, Figure 2
Near the junction of Beatrix Road and Great North Road (430 metres to the north). Viewpoint 13, Fig. 2

All the photographed public view locations including those listed above are shown in Figure 2.

These views of the tree are shown in photographs in Figures 3, 4 and 5. Rather than chose a limited number of key viewpoints I shall, in this report, present three important view sequences. These are relevant to the assessment because of the linear nature of the visual experience of the tree as the viewer travels along the key routes from which the tree is visible.

In this way it is intended to give a objective and realistic impression of the trees unfolding influence on observers traveling on Ash Street and Great North Road as well as elsewhere in Avondale centre.

4. THE DEVELOPMENT PROPOSAL

Please refer to the architect's drawings. The proposal comprises an apartment building which will but up to the site boundaries to the north (the boundary with Peace Park), the east (the boundary with Great North Road), and the south (the boundary with the Kāinga Ora site) and part of the north west boundary with Ash Street. No yards are required for buildings in the Business-mixed use zone.

To the west of the building and within a the western corner of the site are a further three notable trees, poplars, which are to be conserved as part of the development. This is achieved by the building not extending fully to the site's western boundary and leaving sufficient space to retain the trees.

The proposal to build up to the boundary with Ash Street would require the removal of the notable Monterey cypress because its bole straddles this boundary and its canopy extends some 12 m into the development site.

No alternative site layout has been made available for comment.

5. RELEVANT STATUTORY and PLANNING PROVISIONS

The RMA has the over-riding purpose of promoting sustainable management. Those sections of Part 2 most relevant to this landscape and visual assessment are

- Section 7(c) Maintenance and enhancement of amenity values
- Section 7 (f) Maintenance and enhancement of the quality of the environment

The tree is assumed to have both amenity values and to enhance the quality of the environment through its scheduling a as a notable tree The tree is situated approximately half in the Ash Street Road Reserve and half in the site, 1817 Great North Road. There are therefore and number of provisions of the AUP that apply.

The Auckland Unitary Plan (AUP)

The sections of the AUP most pertinent to this matter are as follows. My comment on thses criteria is shown in the table in section 6.

Chapter E Trees in Roads

E17.2. Objectives

- (1) *Trees in roads that contribute to cultural, amenity, landscape and ecological values are protected.*
- (2) *There is an increase in the quality and extent of tree cover in roads, particularly within areas identified for intensified living.*

E17.3. Policies

- (1) *Balance the safe and efficient development, operation, use, maintenance and upgrading of infrastructure, utilities, and road network with the protection of trees in roads.*
- (2) *Encourage ongoing maintenance of trees to enhance roads, while ensuring that tree selection and location recognises existing constraints and the functional requirements of the site.*
- (3) *Manage trees in roads to protect their cultural, amenity, landscape and ecological values while acknowledging that multiple uses occur in roads.*

Under this chapter tree removal is restricted Discretionary (subject to planning confirmation).

The assessment criteria are

E17.8.2. Assessment criteria

The Council will consider the relevant assessment criteria for restricted discretionary activities from the list below:

- (1) *all restricted discretionary activities:*
 - (a) *the specific values of the trees including any ecological values with respect to water and soil conservation, ecosystem services, stability, ecology, habitat for birds and amelioration of natural hazards;*
 - (b) *the loss of amenity values that tree or trees provided;*
 - (c) *the risk of actual damage to people and property from the tree or trees including the extent to which adverse effects on the health and safety of people have been addressed as required under health and safety legislation;*
 - (d) *any alternative methods that could result in retaining the tree or trees;*
 - (e) *the degree to which any proposed mitigation adequately compensates for the values that trees provide;*
 - (f) *the degree to which the proposal is consistent with best practice guidelines for tree management;*

Notable trees D13

The chapter D13 on Notable trees is of primary relevance and contains the following objectives which clearly state the plan's intention to make special efforts to conserve notable trees, which it describes as among the most significant in Auckland.

The purpose of the Notable Trees Overlay is to protect notable trees and notable groups of trees from danger or destruction resulting from development. Individual trees and groups of trees that have been scheduled as notable trees are considered to be among the most significant trees in Auckland. These trees have been specifically identified to ensure that the benefits they provide are retained for future generations.

The single relevant objective is

D13.2. Objective
Notable trees and notable groups of trees are retained and protected from inappropriate subdivision, use and development.

This should be interpreted to mean that notable trees are protected from development. The policies include the requirements that this protection would be achieved by considering

D13.3. Policies
(e) alternative methods that could result in retaining the tree or trees on the site, road or reserve;

The decision whether a resource consent application for notable tree removal must be notified is subject to the normal test:

D13.5. Notification
subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991

This test is defined in Section 95A of the RMA, where it states that an application must be publicly notified if :
...the activity will have or is likely to have adverse effects on the environment that are more than minor.

6. ASSESSMENT OF THE VISUAL EFFECTS OF THE PROPOSAL

This section assesses the type, extent and level of potential effects of the tree removal.

Effect generators

The generator of visual and other effects being considered here would be as follows:

- The removal of the tree

The visual effect of the proposed building and removal of other trees on the site are not considered as the activity being assessed is the removal of the tree not the construction of apartments.

Viewing audience (the effect receptors)

This comprises travelers by foot, car, and bicycle and by bus along Ash Street, Great North Road, Rosedale Road and other streets and public spaces in Avondale Town centre. Ash Street/Great North Road is one of the busiest arterial routes in Auckland, conveying traffic from the city and the motorway to New Lynn and beyond. Great North Road where it forms the main street to Avondale town centre is a busy and lively shopping centre with a high number of pedestrian on the street as well as vehicular passers-by. Thus the viewing audience is large, far larger than it would be if the tree were on a smaller local street. It is likely to be in the majority local people but will also include many passing by Avondale en route to other parts of Auckland visiting Avondale from other parts of Auckland as well as further afield.

Visual simulation and photographic conventions

No visual simulation of the proposal has been prepared. The photographs in this report were all taken with a lens with a 50/51mm equivalent focal length. Please note Figure 6 for winter views from Google Street View.

Effects

The nature, extent and magnitude of the likely landscape and visual effects have been defined as follows: The scale of effects levels used for both negative (adverse) and positive (beneficial) is based on the

Waitākere City council scale of effects:

Major-Significant Effects	(considerable positive effects)
Minor-Moderate Effects	(some positive effects)
Minimal-Less than Minor Effects	(minimal positive effects)
Nil Effects	(status quo remains)
Minimal-Less than Minor Effects	(minimal impact on surrounding environment)
Minor-Moderate Effects	(some effects on/change to surrounding environment)
Major-Significant Effects	(considerable effects on surrounding environment)

This may be interpreted as a seven point scale with Nil effects valued at 0, Major-Significant beneficial effects as +3 and Major-Significant adverse effects as -3. I have found this to be a helpful range of scores to help make distinctions based on professional judgment. In this assessment I will not use numerical scores but will employ the seven level scale.

The assessed level of effects is estimated for each view sequence and takes into account the relative scale of the proposal within the wider landscape as seen from these locations. The RMA and the AUP require assessment of effects on

- cultural values.
- amenity values,
- landscape values and
- ecological values,

Ecological values although, not commonly associated with exotic trees such as Monterey cypress, should not be dismissed, particularly for a tree of this stature and biomass. They include a variety of ecosystem services such as carbon sequestration and storage, stormwater mitigation, soil generation, urban climate amelioration, invertebrate habitat and bird roost. Cultural values are not of great distinction although the tree being of one hundred year of age plus is a living connection with Avondale community's past. These aspects are addressed in Arboricultural Assessment by Greenscene.

The purpose of this report is to assess visual effects and these will now be examined in detail.

Effects on visual amenity and landscape values

Amenity and landscape values will be considered together because the visual aspect of both is primary in this assessment. The notable Monterey Cypress tree is a large and imposing element in the local landscape. It is visible from many locations (refer to Figure 2) and up to significant distances (500 - 700 metres away). Its presence has been an imposing element of the local scene for many decades and for a large number of people.

A large tree provides proportionately large amenity. Much of this amenity is from the tree's effect on our well-being and general state of mental and physical health. Awareness of, the sight of and contact with a large tree affects us in a similar way to the experience of other natural environments such wild landscapes, mountains, rivers. Experience of and contact with natural landscape elements is well established in the scientific literature as correlated with physical and psychological health (for a summary of this see: Knight, Catherine (2020) *Nature and Wellbeing in Aotearoa New Zealand*, Totara Press) and a large tree is one of the few opportunities we have to gain well-being from natural elements in urban areas. Much of this amenity is gained through visual sense, although sound smell and touch is also important from time to time.

So the effect on amenity and landscape values that would result from the removal of a large tree should not be assessed simply as a change in a visual picture seen from a selected location in which a proportion of the scene changes colour and texture. It should be assessed in terms of its contribution to scenery, but also by the amenity experienced in various ways, including the knowledge that the tree exists in a known landscape. This can be provided by the reminder of occasional sighting or even glimpse.

The notable Monterey cypress is a major presence for travelers along Ash Street and its continuation and in the town centre. Visibility extent is shown in Figure 2 and the views from there location in Figures 3 to 5.

Figure 2. Viewpoints locations

KEY

- View point location. Number refers to photo number. circles without number are some of the additional locations from which the tree can be seen.
- Notable Monterey cypress canopy (to approximate scale)



SEQUENCE 1: APPROACHING THE TREE FROM THE SOUTH WEST ALONG ASH STREET



Note: All photos are taken with a 50mm equivalent lens. Photo numbers refer to locations shown on aerial map

Figure 3. View sequence 1.

SEQUENCE 2: APPROACHING THE TREE FROM THE NORTH EAST ALONG GREAT NORTH ROAD



13 The tree first becomes visible from Beatrix Street, from this angle it is seen in front of the poplars



14 From the footpath outside n° 1753 Great North Road



15 From the traffic lane outside n° 1750 Great North Road



16 The notable tree (1) from the footpath outside n° 1789 Great North Road. The Norfolk Island pine (2) would also be removed. The other two pines and the two golden elm will be retained



17 The notable tree (1) from the central median outside 1790 Great North Road. From this angle it is seen against the sky rather than the poplars. The Norfolk Island pine (2) would also be removed



18 The notable tree (1) from outside the Great North Road shopping precinct at the junction with Henry Street. The Norfolk Island pine (2) would also be removed



19 The notable tree from the footpath outside 6 Henry Street. The poplars are visible to the left of the tree canopy



20 The notable tree from the footpath/pedestrian crossing at the junction of Great North Road and Ash Street. From this angle it is seen against the sky rather than the poplars



21 The notable tree from the footpath outside 1797 Great North Road by the pedestrian crossing. From this angle it is seen against the sky rather than the poplars which are visible to the lower right of the cypress



22 The notable tree from the footpath outside 11 Ash Street



23 From the footpath opposite the tree on Ash Street



24 From the footpath outside 11 Ash Street

Note: All photos are taken with a 50mm equivalent lens. Photo numbers refer to locations shown on aerial map

Figure 4. View sequence 2.

SEQUENCE 3: VIEWS FROM AVONDALE TOWN CENTRE



25 Both the notable Monterey Cypress (1) and the poplars are visible from Rosedale Road outside the Avondale Library. The Norfolk Island pine (2) would also be removed. This view of the tree would change with the construction of proposed buildings, however, some views may remain accessible from this location.



26 From The Avondale Library car park. Again, this view of the tree would change with the construction of proposed buildings, but some views may remain accessible from this location.



27 From the Great North Road footpath east of the tree, the foreground shrub and young tree vegetation would also be removed.



28 The notable tree forms part of the skyline from the main street footpath at the junction of Great North Road and Rosedale Road.



29 The notable tree (1) from the mainstreet footpath outside Avondale School on Great North Road. The Norfolk Island pine (2) would also be removed.



30 The notable tree (1) from the mainstreet footpath on Great North Road approximately 15 metres north of the junction with Crayford Street West.



31 The notable tree from outside the junction of Great North Road with St Jude Street. This represents the southern end of Avondale main shopping street. The poplars are also visible just to the left of the cypress.



32 The notable tree is visible from the end of Crayford Street near the entrance to Avondale Railway Station.



33 The notable tree is visible just from from locations on Platform 1 of Avondale Railway Station.

Note: All photos are taken with a 50mm equivalent lens. Photo numbers refer to locations shown on aerial map.

Figure 5. View sequence 3.

VIEWS OF THE NOTABLE TREE DURING DECIDUOUS DORMANCY FROM VARIOUS LOCATIONS ON GREAT NORTH ROAD AND ASH STREET



Google street view image from close to location 9. Note that the tree is the only large evergreen tree in the view.



Google street view image from close to location 9 from other side of Ash Street . Note that the tree is the only large evergreen tree in the view and that the swamp cypres are just coming into leaf. The clump of notable poplars art at right of the photo.



Google street view image from close to location 10. Note that the tree is the only large evergreen view. The clump of notable poplars art at right of the photo.



Google street view image from close to location 17. Note that the Norfolk Island pine at left would also be removed.



Google street view image from close to location 21. Note that the tree is the only large evergreen tree in the view.

Note: All photos are from Google Street view using a wide angle lens

Figure 6. Winter views.

The tree is visible along approximately one kilometer length of Ash Street / Great North Road and becomes dominant in the visual field as one drawn near. At close quarters its presence is strikingly dominant as it spread upwards and above the observer and the mass of its trunk and limbs can be appreciated. This is evidenced in the sequence of photos in Figures 3 and 4. It is especially the case for people traveling north towards the tree (Figure 3). It is less dominant but none the less significant in et view traveling south towards the tree (Figure 4).

The tree's impact is less continuous but still detectable for the observer from Avondale town centre streets, from a number of public locations it either provides a landmark or is at least recognizable above and between buildings (refer Figure 5). The tree is a component of the local landscape in and around the town centre and like other components it is not always visible or always noticed but it makes a positive contribution to amenity for people in Avondale town centre. At each location it is visible it contributes to the amenity and character of the place.

An important consideration is the visual effects vary from summer to winter, that is between the growing season and the dormant season. Photos could not be taken in the dormant season due to the timing of the application and assessment. However, Google street photos are informative in this regard and are collected in Figure 6. It is noticeable how dominant the Monterey cypress becomes far more dominant through the dormant season, which lasts from around May to October. The effects of removal would be more significant during the period when deciduous trees are dormant and leafless. This is taken into account in the assessment tables below.

In the light of my comments above my assessment of the magnitude of the effects on amenity that would arise from the removal of the tree are as follows. Note that these take the winter view into consideration. In this the tree would be more prominent when located amongst other leafless deciduous trees.

SEQUENCE 1 Figure 3	EFFECT LEVEL
view location 1 to view location 3	less than minor adverse
view location 4 to view location 7	minor - moderate adverse
view location 8 to view location 10	moderate adverse
view location 11 to view location 12	major i.e. very significant adverse

SEQUENCE 2 Figure 4	EFFECT LEVEL
view location 13	less than minor adverse
view location 14 to 15	moderate adverse
view location 16 to 19	major adverse
view location 20 to 21	major i.e. very significant adverse

SEQUENCE 3 Figure 5	EFFECT LEVEL
view location 25 and 26	moderate adverse
view location 27	Major adverse
view location 28	Minor adverse

SEQUENCE 3 Figure 5	EFFECT LEVEL
view location 29 to 33	Less than minor adverse

Combined effects

This analysis indicates how the visual contribution of the tree varies greatly with distance, but, overall effects of removal should be considered as a developing sequence. It should also be understood that, even when seen momentarily from a more distant public location, the effect on the observer can be important thanks to knowledge of the tree in its location and their familiarity with its stature and landscape importance.

The analysis presented in the tables above shows how unrepresentative it would be to choose a small number of 'key' viewpoints and confine assessment to those views. This would make the choice of viewpoint the overriding factor in determining the overall level of effects. It is understood from the Visual Effects Assessment by Ms. Gilbert for the applicant that the viewpoints chosen for analysis were limited in number and selected with the agreement of Auckland Council.

The status of the tree as a notable tree is also important in assessing the effects of its removal. The AUP clearly states that

individual trees and groups of trees that have been scheduled as notable trees are considered to be among the most significant trees in Auckland. These trees have been specifically identified to ensure that the benefits they provide are retained for future generations.

The effects of the removal of any tree considered to be among the significant tree in Auckland would almost by definition be major and adverse. The exception to this would of course be if the tree's condition had deteriorated to the point where it could no longer be sustained by careful management including tree surgery, repair and support. The arboricultural report by Greenscene concludes that is not the case with the notable Monterey cypress. This concludes that maintaining the tree alongside development would be feasible from an arboricultural point of view.

Assessment against the planning criteria

The relevant criteria for assessing restricted discretionary activities on both the Trees in Road and the notable tree chapters are similar and as below:

CRITERION	SUMMARY OF EFFECTS
<i>(a) the specific values of the trees including any ecological values with respect to water and soil</i>	Please refer to the Greenscene report for description and evaluation of the ecosystem services the tree provides
<i>(b) the loss of amenity values that tree or trees provided;</i>	This would vary from less than minor to major adverse , the effects would be more than minor in many locations.
<i>(c) the risk of actual damage to people and property from the tree or trees including the extent to which adverse effects on the health and safety of people have been addressed as required under health and safety legislation;</i>	Please refer to the Greenscene report for safety analysis.

<i>(d) any alternative methods that could result in retaining the tree or trees;</i>	No alternative site layouts have been made available for assessment, however, it may be feasible to develop the site whilst providing adequate clearance to the notable tree
<i>(e) the degree to which any proposed mitigation adequately compensates for the values that trees provide;</i>	The mitigation planting shown as part of the development proposals would provide mitigation for visual, and other effects in the long term, perhaps 40 to 50, years but not in the short or medium term.
<i>(f) the degree to which the proposal is consistent with best practice guidelines for tree management;</i>	The proposal to remove the tree is not consistent with good arboricultural practice which as stated in the Greenscene assessment would be capable of maintaining the tree through the remainder of its natural lifespan

In summary:

The aim of this assessment is not to determine the practicalities of retaining the tree whilst developing the site for apartments. It is solely to determine the effects that would arise from the tree removal. It is my assessment that the effects on visual amenity would be adverse and would vary from less than minor in a small number of more distant locations to very significant in some others, and are largely dependent on the distance from the tree.

The status of the tree as a scheduled notable tree also indicates that the level of effects that would arise from its loss would be significant.

Taking these two factors in to consideration it is my professional opinion that the effects of removal of the tree would include widespread moderate adverse effects and localized major adverse effects. The level of effects could not be considered 'less than minor' and so from a landscape and visual amenity viewpoint the application would not pass the test for a lack of public notification, ie that the consent application should be publicly notified.

7. CONCLUSIONS

After studying the site and its context, examining the provisions of the RMA and the AUP, and having assessed the likely effects of the tree removal, my conclusion is that, in the short and medium term, moderate to major adverse effects would result from its removal. These would result from loss of visual amenity as well as the other arboricultural ecosystem services and landscape aspects considered in the Greenscene arboricultural report and assessment.

Any replanting could have a mitigating effect in the long term but the time taken by any replanting in the road berm or on the development site to reach maturity and any comparable stature would be many years, probably in the region of 40 to 50 years depending on the species employed.

Nick Robinson CMLI, NZILA (Reg) MIH .