

7 Symonds Street, application to remove scheduled trees
Assessment against AUP Objective and Policies

Moreton Bay Fig (Tree B in Greenscene Report)

Objs and Pols	Moreton Bay Fig
<p>D13.2. Objective Notable trees and notable groups of trees are retained and protected from inappropriate ... use and development.</p>	<p>As further outlined below in relation to the specific policies that relate to this objective, in the context of this site, and with regard to the status of and risks posed by this Moreton Bay Fig, removal of this tree does not represent inappropriate use or development. It represents a necessary and appropriate response to the risks posed to people and property, as outlined below and in the reports prepared by Allan Holmes of Greenscene Limited and Peter Kensington.</p>
<p>D13.3. Policies Require notable trees and notable groups of trees to be retained and protected from inappropriate subdivision, use and development, by considering:</p>	
<p>(a) the specific attributes of the tree or trees including the values for which the tree or trees have</p>	<p>The specific attributes which led to this Moreton Bay Fig being scheduled are unknown. There is a tree evaluation form which Council holds on file, completed by Richard Peers but undated. This pre-dates the AUP process, and is possibly from the Isthmus Plan process (around 2000). That form referred to the size of the tree, its “huge span - open form”, and the tree being the feature on the site / dominant on the site, with “beautiful bare trunks + laterals. Open canopy with filtered sunlight.” Its visibility from the road to the airport was also noted.</p>

Note: this application is for resource consent (discretionary activity) to remove two (2) scheduled trees from 7 Symonds Street Onehunga under Rule D13.4.1(A7) of the Auckland Unitary Plan and any other related rules.

<p>been identified as notable;</p>	<p>The Council's 'Tree: Research Template' simply lists the address and tree types and is otherwise uncompleted.</p> <p>The decision-maker's view of these comments, when scheduling the tree, is regrettably lost to time.</p>
<p>(b) the likelihood of significant adverse effects to people and property from the tree or trees;</p>	<p>The Moreton Bay Fig poses a risk and danger to people and property present on the site, predominantly from summer limb fall and limbs breaking during storm events, see Greenscene Report. The Greenscene Report contains an expert and careful assessment.</p> <p>The risk to persons, particularly from unexpected summer events, is intolerable to the property owner (who is not tenating the property while the tree remains), and damage caused during storms poses a risk to the 1860s villa which the tree has unfortunately been planted too close to. The most recent major limb event was in August of 2024.</p> <p>This Moreton Bay Fig is located in a private residential setting, immediately adjacent to a home, over a driveway, and within a frequented part of the garden. It has a massive canopy, with a 13m or more radius. While the <u>benefits</u> (amenity) it provides may be enjoyed by anyone including the public, the <u>risks</u> from it (including some potential adverse effects of low probability but high potential impact) are placed only on the property owner, their tenants and visitors. A risk assessment may result in a different outcome for similar trees in a public setting, where risks are periodic to passing members of the public, and not to a small cohort of people over an ongoing and indefinite period.</p> <p>For example, a person can choose not to jog through Monte Cecilia or Cornwall Park, or picnic under the trees there, with the known tree events that have occurred at those locations, but a person must live at their home, drive on their driveway, and pass through their garden. In both law and ordinary morals the avoidance of harm has priority over the provision of benefit, particularly here where the harm or risk of harm is solely to the private person that has been providing the benefit, while the public enjoying the benefit faces none of that risk or harm.</p>

	<p>As outlined further in the material from Peter Kensington, this tree does provide amenity and its canopy is visible, as part of all of the trees and hedges present on the property, from public areas including the road and foreshore area. It is not the dominant part of this however as the two scheduled Norfolk Pines are by far the most striking and dominant trees on the property. While its removal would remove a very small degree of public amenity presently enjoyed, imposing risks on private persons in order to ensure or continue that wider public benefit (effectively, scheduled tree amenity) is not appropriate or acceptable in the particular circumstances of this application.</p> <p>It is understood that Council’s arborists are in agreement that the risk posed needs to be addressed, but there is disagreement about the manner in which the risk is addressed. The Council arborists seek that the tree be ‘lollipopped’, by undertaking a massive reduction to the tree and bringing it to around a 6m height (from its current approx. 14m height). There would be no resource management purpose served in undertaking this work whatsoever – the tree would no longer hold the values for which it was scheduled, it would not provide public amenity, and it would detract significantly from the landscape, heritage and amenity values of a very special old Onehunga villa site.</p>
(c) the degree to which the subdivision, use or development can accommodate the protection of the tree or groups of trees;	Not applicable – removal is not sought to enable new subdivision, use or development.
(d) the extent to which any trimming, alteration or removal of a tree is necessary to accommodate ... permitted	Not applicable – removal is not sought to accommodate permitted development on the site.

development on the site;	
(e) alternative methods that could result in retaining the tree or trees on the site, road or reserve;	<p>Alternative options are comprehensively addressed in the Greenscene Report. No alternative methods appear appropriate.</p> <p>Trimming / canopy reduction may reduce some risk (from the particular limbs trimmed) in the short term, but would lead to epicormic growth which itself creates further risk, and would need to be repeated every 2-3 years to maintain the tree at the chosen size. Reducing the tree in this manner would have a significant impact on its form and amenity, severely reducing the very values for which the tree is appreciated (both to the property owners and to the public). See the reports from Allan Holmes and Peter Kensington. In this sense canopy reduction / moderate - major trimming are not considered appropriate.</p>
(f) whether minor infringements of the standards that apply to the underlying zone would encourage the retention and enhancement of the tree or trees on the site;	Not applicable – removal is not required for any proposed new subdivision, use or development.
(g) whether the values that would be lost if the tree or trees are removed can be adequately mitigated;	The amenity value lost is mitigated by the remaining scheduled trees, and could be further mitigated, if considered reasonable in the context of an application to remove a tree due to the risk it poses, by the inclusion of a condition which required appropriate compensatory mitigation planting.

<p>(h) whether the proposal is consistent with best arboricultural practice;</p>	<p>Best arboricultural practice is outlined in the Greenscene Report. Removal of the tree would be undertaken in accordance with best practice.</p> <p>Section 6 of the Greenscene Report outlines the tree protection methodology that would be applied to protect the remaining scheduled trees, and the general and site specific measures that should be applied, etc.</p>
<p>(i) methods to contain and control plant pathogens and diseases including measures for preventing the spread of soil and the safe disposal of plant material; and</p>	<p>As above. There are no known pathogens or diseases relevant to this application.</p>
<p>(j) the provision of a tree management or landscape plan.</p>	<p>Not relevant.</p>

Pohutukawa by gate (Tree C in Greenscene Report)

Objs and Pols	Pohutukawa by gate
<p>D13.2. Objective Notable trees and notable groups of trees are retained and protected from inappropriate ... use and development.</p>	<p>As further outlined below in relation to the specific policies that relate to this objective, in the context of this site, and with regard to the status of and risks posed by this Pohutukawa, removal of this tree does not represent inappropriate use or development. It represents a necessary and appropriate response, as outlined below and in the Greenscene Report.</p>
<p>D13.3. Policies Require notable trees and notable groups of trees to be retained and protected from inappropriate subdivision, use and development, by considering:</p>	
<p>(a) the specific attributes of the tree or trees including the values for which the tree or trees have been identified as notable;</p>	<p>As with the Moreton Bay Fig, the specific attributes for this Pohutukawa are unknown. The tree evaluation form simply identified that there were three Pohutukawa on the site, along with 4 other listed trees on the site. The form gave points principally for indigenous status and size, and noted that the Pohutukawa collectively were “in large grounds with many trees”, on a “prominent elevated site”. No notes or explanation were given for this particular tree. As noted above, the decision-maker’s view is lost to time.</p> <p>Prior to its storm damage this tree did have a lovely wide canopy, however this was not particularly visible from the public realm as it was blocked by other trees (Holm Oaks, Oaks, hedges). It does not have a particularly typical or pleasing form otherwise, and would not have been scheduled were it not for the company of the other trees. Today the tree is a ‘shadow of its former self’, and hardly visible at all, as it sits</p>

	<p>within the Holm Oaks in the boundary hedge and below the canopies of the Norfolks and Moreton Bay Fig. The amenity provided by this tree is very small and its removal would not likely even be noticed by the public (see the report from Peter Kensington).</p>
<p>(b) the likelihood of significant adverse effects to people and property from the tree or trees;</p>	<p>This tree does not raise the same risks as the Moreton Bay Fig but, following major damage caused during a storm in 2018, has a lower canopy with limbs that are not self-supporting and are now resting on other large trees on the site (Holm Oaks), and has the potential to impact the public footpath and road.</p>
<p>(c) the degree to which the subdivision, use or development can accommodate the protection of the tree or groups of trees;</p>	<p>Not applicable – removal is not sought to enable new subdivision, use or development.</p>
<p>(d) the extent to which any trimming, alteration or removal of a tree is necessary to accommodate efficient operation of the road network, network utilities or permitted development on the site;</p>	<p>Removal of the tree would ensure that the tree does not adversely impact the public footpath and road, as described in the Greenscene Report.</p>
<p>(e) alternative methods that could</p>	<p>Alternative options are comprehensively addressed in the Greenscene Report. No alternative methods appear appropriate.</p>

<p>result in retaining the tree or trees on the site, road or reserve;</p>	<p>The property owner has invested significant time and effort into careful landscaping of the site, including landscaping design work by Xanthe White and significant plantings. Heavy reductions of the upright stems of this Pohutukawa, and rebalancing of the canopy away from the road and boundary, would significantly alter, in a detrimental way, the look of this tree and would remove its amenity for the site, as discussed in Peter Kensington's report. Further, as the tree would then be even less visible from public viewpoints, undertaking such work would serve little to no purpose.</p>
<p>(f) whether minor infringements of the standards that apply to the underlying zone would encourage the retention and enhancement of the tree or trees on the site;</p>	<p>Not applicable – removal is not sought for any proposed new subdivision, use or development.</p>
<p>(g) whether the values that would be lost if the tree or trees are removed can be adequately mitigated;</p>	<p>The amenity value lost, if any, is mitigated by the remaining scheduled trees, and could be further mitigated, if considered reasonable in the context of an application to remove a tree due to storm damage and risks posed to the road and footpath, by the inclusion of a condition which required appropriate compensatory mitigation planting.</p>
<p>(h) whether the proposal is consistent with best arboricultural practice;</p>	<p>Best arboricultural practice is outlined in the Greenscene Report. Removal of the tree would be undertaken in accordance with best practice, as addressed above.</p>

<p>(i) methods to contain and control plant pathogens and diseases including measures for preventing the spread of soil and the safe disposal of plant material; and</p>	<p>As above. There are no known pathogens or diseases relevant to this application.</p>
<p>(j) the provision of a tree management or landscape plan.</p>	<p>Not relevant.</p>