

Statement of Evidence for Plan Change H(b) Notable Trees

BEFORE THE HEARINGS PANEL

In the Matter of: The Resource Management Act 1991

And Proposed Plan Change H(b):
Notable Trees

Manawatū District Council

STATEMENT OF EVIDENCE BY

Rochelle Waugh

Dated: 22 May 2023

1. Introduction

- 1.1. My name is Rochelle Lynley Waugh. I have over 18 years' experience as a planner and have worked for various local authorities and recently Manawatu District Council as a contracted planner. I have a Masters Degree in Resource and Environmental Planning from Massey University. I am a Full – Partially Active member of the New Zealand Planning Institute. I have been engaged by Manawatu District Council to assist them with this Plan Change.
- 1.2. I have worked on a number of plan changes for the Palmerston North City Council, including plan effectiveness monitoring, and have processed resource consent and Notice of Requirement applications for that Council. I have also worked on plan changes for the Manawatu District Council. I am therefore familiar with the issues associated with preparing and applying District Plan provisions.
- 1.3. The purpose of this report is to assess the proposed plan change for notable trees in terms of the relevant statutory considerations and obligations, taking into account those issues raised through submissions.
- 1.4. I have read the Code of Conduct for Expert Witnesses (2023) and I agree to comply with this Code of Conduct. The evidence is within my area of expertise, except where I state I am relying on evidence from another expert. I have not omitted to consider material facts known to me that might alter or detract from the opinions I express.
- 1.5. I record that I know two of the submitters personally. Notwithstanding, my opinion is given objectively in accordance with the Code as above.
- 1.6. The Council has commissioned the following technical expert to provide evidence for this Hearing:
 - Mr Jez Partridge, Arborist.
- 1.7. The following is a list of abbreviations and acronyms have been used in my report:
 - PPCH(b) - Proposed Plan Change H(b): Notable Trees
 - RMA or the Act - Resource Management Act 1991.
 - Plan - District Plan.
 - Council- Manawatū District Council.
- 1.8. This report outlines:
 - The submissions and further submissions received.
 - Identifies areas within remain in dispute.
 - An assessment of the submissions, based on sections of the District Plan.
 - A recommendation for the submissions received.
 - Whether any changes to the District Plan are proposed as a result of the submissions and an additional assessment under S32AA of the Act.
- 1.9. The following appendices are also included:
 - Appendix 1 – Officer Recommendations in response to submissions
 - Appendix 2 – Notable Tree Chapter showing officer recommendations
 - Appendix 3 – Amendments to Chapter 2: Definitions, Consequential amendments to Chapter 3 Earthworks; Rule A1, Removal of Appendix 1D Trees with Heritage Value
 - Appendix 4 – Jez Partridge Evidence
 - Appendix 5 – Correspondence for clarification of Submission 2 'concerned neighbours'
 - Appendix 6 – Recommended changes shown in the new District Plan structure being introduced shortly.
- 1.10. The Hearing Panel have been provided with a submissions bundle. I have therefore not provided copies of all submissions and further submissions as part of my evidence.

2. Background

- 2.1. Proposed Plan Change H(b) Notable Trees (PPCH(b)) was prepared and notified in accordance with Section 74 of the RMA, and the first part of Schedule 1 which outlines the requirements for changing a District Plan. PPCH(b) is a plan change under Manawatū District Council's Sectional District Plan Review.
- 2.2. As discussed in the Section 32 Report for PPCH(b), the District Plan contains a list of notable trees (outlined in Appendix 1D) which were last reviewed in preparation for the operative District Plan in 2002. Mr Jez Partridge was engaged by Council in 2021 to complete an assessment of the notable trees listed in Appendix 1D of the District Plan and to provide recommendations for the STEM threshold level. The following two reports were prepared by Mr Partridge:
 - Review of District Plan Appendix 1D Notable Trees, Part 1: Report on the Survey and Assessment of Notable Trees for Manawatu District Council.
 - Review of District Plan Appendix 1D Notable Trees, Part 2: Report on STEM Assessments of Notable Trees, Manawatu District Council.
- 2.3. In 2022, the completed tree assessments and a new draft chapter for Notable Trees were sent to landowners and affected neighbours for comment. In late 2022, a proposed plan change was prepared and then publicly notified.
- 2.4. The purpose of PPCH(b) is to review Appendix 1D – Trees with Heritage Value and corresponding provisions in Chapter 4: Historic Heritage, and to insert a new chapter to manage Notable Trees, including an updated notable tree schedule: 'Notable Trees Schedule'. The new chapter includes a new objective, policies, rules and standards for the management of notable trees in Manawatū District. As part of the plan change, there are further changes to Chapter 2: Definitions with the insertion of two new definitions, and consequential changes to Chapter 3D Earthworks and Subdivision Rules: A1. The scope of PPCH(b) is narrow and limited to a review of the existing notable trees only.
- 2.5. PPCH(b) recognises that the current provisions of the Operative District Plan are not efficient or effective in managing notable trees and are also not clear for plan users as to whether a resource consent is required for tree works. The list of notable trees in Appendix 1D is outdated with several trees no longer in existence. PPCH(b) seeks to amend the District Plan to provide clearer provisions for the management of notable trees, and to enable the works to, or removal of, a notable tree without the need for a resource consent if the tree is in poor health or causing an imminent threat to the safety of people or property. The operative provisions that are relevant to notable trees in Chapter 4: Historic Heritage are also proposed to be removed.
- 2.6. I do not intend to provide a detailed description of PPCH(b), as this is contained in the Section 32 Report.

Submissions

- 2.7. Council notified PPCH(b) on 17 November 2022. Submissions closed on 15 December 2022. A total of four submissions were received by the closing date. Council received submissions from the following parties.

Original Submitter	
S1	Suzanne Wood
S2	Clare and Adrian Hare, et al, lodged by Geoworks Ltd
S3	Judith Perry
S4	Horizons Regional Council

- 2.8. As part of the submission lodged by Geoworks Ltd on behalf of Clare and Adrian Hare (S2), a number of 'concerned neighbours' were listed in the submission. In processing the submission, it was unclear as to how these parties were to be treated, i.e. as a party to the submission, to remain as a concerned neighbour, or to not be considered as part of the submission if they had not been aware of the submission being made. Having not had clarification from the submitters agent, I sent an email / letter on 7 February 2023 to each party asking if the intention was for them to be part of the submission or not. This correspondence is included in Appendix 5. The following parties replied that they wished to be party to the submission (copies are in Appendix 5):
- Garry Wood and Barbara Wiley
 - Max Bryant and Daniel Bryant
 - Julie and Andrew White
- 2.9. Responses were also received from Patricia Ashton and Joan and John Key, who did not want to be part of the submission process, however provided some comments (included in Appendix 5) about the Giant Sequoia tree at 28 Kimbolton Road.
- 2.10. I note that the status of this submission and extent of submitters is a matter for the Hearing Panel to determine. For the purposes of this Report, I have considered the submission by Clare and Adrian Hare is also a submission by Garry Wood and Barbara Wiley, Max Bryant and Daniel Bryant and Julie and Andrew White.
- 2.11. Further submissions were notified on 23 February 2023. One further submission was received via text message by the closing date of 8 March 2023, and followed up by a letter which was received by the Council on 15 March 2023 from the following party:

Further Submitter	
FS01	Bruce Bruton and The Bruton Trust

- 2.12. Mr Bruce Bruton/The Bruton Trust lodged a further submission which was received in text message on 7th March 2023. Mr Bruton resides in Papakura but owns 7 Pines Court, Feilding, and his options for correspondence at that time were mail via post and text messaging. On the 7 February 2023, the Council sent a letter to Mr Bruton at his Papakura address requesting clarification on their status in Submission 2 however he was away at that time. Mr Bruton received the Council letter once he had returned to Papakura which was close to the closing date of further submissions (7th March 2023). Mr Bruton was concerned that he would not be able to send a letter via the post before the closing of further submissions so provided a response by text to myself. This text message did not follow the format required under Form 6 however the intent was clear. I forwarded the text message through the online submission process and requested that he follow up with a formal letter, which was received by the Council on 15 March 2023.
- 2.13. While the Hearing Panel have decision regarding the status of this further submission, I make the following comments. In my opinion, given matters of natural justice, personal mobility issues and lack of email access, the text and subsequent letter should be considered as a further submission. On that basis I have considered Mr Bruton to be a further submitter in my evidence.

3. Analysis of Submissions

- 3.1. Before a Plan Change can be incorporated into a District Plan, it must fulfil a number of statutory requirements set down in the RMA, including:
- Part 2, comprising Section 5, *Purpose and Principles of the Act*; Section 6, *Matters of National Importance*; Section 7, *Other Matters*; and Section 8, *Treaty of Waitangi*;
 - Section 31 *Functions of Territorial Authorities*;
 - Section 32 *Duty to consider alternatives, assess benefits and costs*;
 - Section 32AA *Requirements for undertaking and publishing further evaluations*;
 - Section 74 *Matters to be considered by territorial authorities*; and

- Section 75 Contents of district plans.
- 3.2. The assessment of the Plan Change must also include an evaluation of the provisions of PPCH(b) to determine their appropriateness. I consider this has been completed through the Section 32 Report prepared for this Plan Change.
 - 3.3. A copy of all submission points and my comments and recommendations in response to each submission point are found in Appendix 1.
 - 3.4. The section 32 report has not been reproduced in my evidence; but can be found in the bundle of material notified as PPCH(b).
 - 3.5. The focus of this report is to assess the issues raised in submissions on PPCH(b) to determine whether the decisions requested are appropriate, taking into account:
 - Good planning practice.
 - The requirements of the RMA, and
 - The relationship with the broader planning framework under the District Plan and its implementation and consistent administration.
 - 3.6. Where I have recommended substantive changes to provisions, I have assessed those changes in terms of s32AA of the RMA in my evidence below.
 - 3.7. To assist the hearing panel, I have produced revised provisions as follows:
 - Appendix 1 – Officer Recommendations in response to submissions.
 - Appendix 2 – Notable Trees Chapter showing officer recommendations
 - Appendix 3 – Amendments to Chapter 2 Definitions (in part), Consequential amendments to Chapter 4: Historic Heritage, Chapter 3D Earthworks, Rule A1 (in part),
 - Appendix 6 – Recommended provisions shown in the new District Plan structure being introduced shortly. Note this version is provided for information only to show how the proposed changes would be viewed under the new structure.
 - 3.8. Reference to the submission number for each recommended change is included as a footnote to assist the Hearing Panel identify under which submission changes are being made.

4. Issues outstanding

- 4.1. To avoid duplication, I do not repeat all submissions in the body of my evidence below. The matters or topics identified in the table below are those that I consider to be in 'dispute' or unresolved. By this I mean where there remains a difference of opinion between the parties. The Table below concentrates on those provisions I consider to be still in 'dispute'. Discussion and recommendations on all submissions are contained in Appendix 1.

Topic/ Matter	No.	Section of the Plan	Submitter
Notable Tree Schedule: inclusion of Tree 6 Sequoiadendron giganteum, 28 Kimbolton Road, Feilding	2	Notable Tree Schedule	S2/1 FS01/01
Notable Tree Schedule: inclusion of Tree 1 Sequoia sempervirens, 11 South Street, Feilding	3	Notable Tree Schedule	S3/1

- 4.2. I cover these matters of dispute below.

Notable Tree Schedule: Tree 6, Sequoiadendron giganteum, 28 Kimbolton Road

- 4.3. The submission by Clare and Adrian Hare, Garry Wood and Barbara Wiley, Max Bryant and Daniel Bryant, and Julie and Andrew White (Hare, et al) oppose the scheduling of the Sequoiadendron giganteum at 28 Kimbolton Road, Feilding. Mr Bruce Bruton lodged a further submission in opposition to this original submission and is in favour of leaving the Giant Sequoia in place.
- 4.4. The submission by Hare et al raises issues about the tree in relation to health and safety of people and property, incremental damage to the existing Pines Court accessway, and the future maintenance works triggering the need for resource consent. They have requested that the tree be removed from the Notable Tree Schedule. I cover the aspects of the submission below.

Activities in the Root Protection Area (RPA)

- 4.5. The submission states that the submitters do not object to the proposed rules, however there is concern over how the rules apply to the tree, namely: Tree-R2 Gardening within the Root Protection Area (RPA) of a Notable Tree (the submission states that this activity is a discretionary activity), and Tree-R4 Removal of a Notable Tree. I note that Tree-R2 in PPCH(b) provides for gardening within the RPA of a Notable Tree as a permitted activity so long as the ground level is not increased or decreased, excluding minor tilling to remove the weeds. Earthworks and other works (such as root pruning or laying hard stand (concrete)) within the RPA are proposed to be a discretionary activity due to the potential impact on the root system of a tree from such activities.
- 4.6. Under the operative District Plan, works within the RPA are not specifically provided for in rules, except for 'damaging or cutting roots of trees' (Rule 4.4. viii) which is a discretionary activity. For activities that are not specifically provided for (e.g. works within the RPA excluding damaging or cutting roots of trees), a non-complying consent is currently required.
- 4.7. Mr Partridge has covered in his evidence (paragraphs 25-27) that an RPA of 15 metres would apply to the Giant Sequoia which means that earthworks, root pruning, construction, soil compaction, or laying of hard surfaces within the 15 metres RPA needs to be considered as part of a resource consent process. Mr Partridge states that it is unlikely that the RPA would constrain development beyond 5 metres of the trunk due to the number of structures in existence around the tree (para 25).
- 4.8. As a result of the information by Mr Partridge I am of the view that the existing provisions in TREE-R2 and TREE-R4 are appropriate.

Tree Removal – Level 6 Arborist

- 4.9. The Hare et al submission states that without a second opinion from a Level 6 Arborist at the owners cost, they are unsure which category applies to removal of the tree. Proposed Tree-R4 provides for the removal of a tree as a permitted activity where the works are required due to an imminent threat to the safety of people or property which cannot be made safe by pruning, or where the tree is confirmed dead or has less than five years life expectancy as assessed by a Level 6 Arborist. A Level 4 Arborist as a minimum is able to undertake the works to remove the tree. In his evidence (paragraphs 28 - 31), Mr Partridge explains the reasons for requiring a Level 6 Arborist. The removal of a notable tree as a result of safety and condition of the tree is expected to occur in rare situations and emergencies, and as such, it is appropriate that a highly qualified arborist makes that assessment. I understand that this is a common requirement throughout District Plans across the country. Requiring the advice of an arborist also reflects the current practice within Council whereby I understand that the officers require an Arborist's input for consideration of tree removal as part of a resource consent application.
- 4.10. In the event a landowner seeks to remove a tree that is not an imminent threat to the safety of people or property then TREE-R4(2)a applies. Consent would be required and a case by case assessment would be made against the objectives and policies of the Plan. As a result of the information by Mr Partridge I am of the view that the existing provisions in TREE-R4 are appropriate.

Safety issues

- 4.11. The Hare et al submission has referenced safety issues as a result of the tree. PPCH(b) directly addresses safety issues associated with notable trees through proposed rule Tree-R4 providing a more efficient pathway for managing notable trees than what has been provided under existing District Plan provisions. Under the operative District Plan, 'felling, damaging or cutting branches or roots of trees listed in Appendix 1D' is a discretionary activity (Rule 4.4.3 viii). However, there is currently no provision for the removal of a notable tree as a permitted activity where there is an imminent threat to the safety of people or property, or where a notable tree is confirmed dead or dying. TREE-R4 addresses this gap. The proposed rules do require the involvement of a Level 4 or Level 6 Arborist to assess the removal of a notable tree as discussed above. If there are no imminent threats to the safety of people or property, or the tree is not dying or dead, then a discretionary consent would be required to consider the removal of that tree.
- 4.12. I consider that the proposed provisions in PPCH(b) follow good planning practice for the management of notable trees. The new provisions provide a clearer framework to manage notable trees, particularly where safety issues have been identified in relation to a tree.

Damage to structures

- 4.13. In relation to damage caused by the tree, I rely on Mr Partridge's evidence in this case on whether the cracking or damage can be linked to the tree. I note that in his opinion the tree is not causing damage to structures around the tree, and he does not consider that the tree or its roots will likely cause an ongoing maintenance burden to nearby residents.
- 4.14. I do not consider any of the proposed provisions need to change as a result of this submission point.

Inclusion in the notable tree list

- 4.15. In terms of whether the tree should be listed in the District Plan I have relied on the advice of Mr Partridge. Mr Partridge has used the New Zealand Standard Tree Evaluation Method (STEM) for assessing the significance of the trees proposed in the Notable Trees Schedule. I understand from his evidence is a widely used tree evaluation methodology for assessing if a notable tree should be included in a district plan. The STEM assessments which were undertaken by Mr Partridge in September 2021 for each existing notable tree are discussed in the Section 32 Report - Appendix 2, and covered Condition, Amenity, Notable matters. I understand he undertook another assessment in 31 March 2023 in response to this submission.
- 4.16. As outlined by Mr Partridge, because the STEM assessment does not account for safety of a tree, Mr Partridge has also undertaken a basic safety and condition assessment of each tree proposed for the Notable Tree Schedule, including the Giant Sequoia.
- 4.17. Mr Partridge assessed the STEM score for the Giant Sequoia as 204, which is above the threshold of 130 that has been proposed by TREE-P1 in PPCH(b). In his evidence (paragraph 43), Mr Partridge concludes that the Giant Sequoia is safe to retain, the tree has been assessed as having a high STEM score, and the tree is not causing any damage to any structures that would suggest that it should not be included in the District Plan as a notable tree.
- 4.18. In making a decision on whether to include a tree on the Notable Tree Schedule, while I am guided by Mr Partridge, I have also considered Part 2 matters under the RMA. This includes the effect the tree has or may have on people – particularly in terms of their 'social, economic, and cultural well-being and for their health and safety' (Section 5, RMA), and whether those effects outweigh the wider public benefits of scheduling a tree. I am aware that a STEM assessment itself does not assess the impact a tree has on the well-being of its owners or owners of neighbouring properties. However I do note that Mr Partridge has provided a safety assessment alongside the STEM assessment.
- 4.19. The Hare et al submission states that the Giant Sequoia provides an ongoing maintenance burden for the nearby residents and that the submitters have ongoing anxiety and genuine concerns with regards to health and safety. I consider these concerns relate to social well-being and the safety of the tree on properties and people who live near the tree, which in turn may impact on the health

of those people. The assessments provided by Mr Partridge confirm that the tree is safe to retain as a notable tree, and specific provisions in PCH(b) enable the removal of a notable tree without the need for resource consent if there is an imminent threat to the safety of property or people which cannot be made safe by pruning.

- 4.20. Given the evidence of Mr Partridge above, including a safety assessment, there is little evidence to suggest that this tree should not be included in the District Plan as a notable tree. I note that there has been one further submission by Mr Bruton in support of retaining the tree on the Notable Trees Schedule.
- 4.21. In considering the evidence provided by Mr Partridge and the proposed provisions for managing trees, my recommendation is to retain the Giant Sequoia on the Notable Tree Schedule (Tree 6). I wish to review this recommendation in light of evidence shared at the hearing.

Notable Tree Schedule: Tree 1, Sequoia sempervirens, 11 South Street

- 4.22. A submission has been lodged by Mrs HL Perry (Mrs Judith Perry) in opposition to Tree 1, a Sequoia sempervirens or Coast Redwood at 11 South Street, Feilding, being included on the Notable Tree Schedule. The submitter, who is a neighbour to the tree, is concerned about the tree being ugly with no aesthetic value following the stripping of limbs in a storm. The submitter feels that the tree no longer fills the requirement for a notable tree and it sheds sizeable dead branches, twigs and foliage on to their property and nearby footpath, being dirty and dangerous for foot traffic using the path.
- 4.23. Mr Partridge revisited the tree on 31 March 2023 and notes in his evidence (paragraph 36) that the tree appears to have started to rebalance its upper crown by developing growth on the opposite side to the lean. In his evidence (paragraphs 34 – 36), Mr Partridge has stated that he does not consider the tree to be unsafe, and recommends works to the tree to remove a branch over the footpath which may cause issues for footpath users, and to reduce some of the branches and weight on that side of the tree to make the tree more balanced.
- 4.24. Mr Partridge has assessed the STEM score for the Coast Redwood as 204 which is well over the 130 threshold proposed in TREE-P1 of PPCH(b). Mr Partridge states in his evidence that the tree would score higher for aesthetic value if the tree had no lean or loss of branches (paragraph 38).
- 4.25. In considering the effect of the tree on people's well-being under Part 2 of the RMA, I note that the submitter has raised issues related to the aesthetics of the tree and issues over safety and mess from dead branches, twigs and foliage which fall on their property and the footpath, which could also endanger footpath users. As in the Giant Sequoia tree discussed earlier, concerns such as these can potentially lead to an impact on people's social well-being for those properties and people who live near the tree, which in turn may impact on the health of those people.
- 4.26. As discussed earlier in my evidence, the proposed provisions in PPCH(b) enable the removal of a notable tree if there is an imminent threat to the safety of people or property without the need for a resource consent. These provisions provide more certainty to the tree owners and a more efficient way forward for managing the tree if there are safety issues identified compared with the operative District Plan approach.
- 4.27. In considering the evidence provided by Mr Partridge and the proposed provisions for managing trees, my recommendation is to retain the Coast Redwood on the Notable Tree Schedule (for Tree 1). I wish to review this recommendation in light of any evidence shared at the hearing.

Minor Issues

- 4.28. Three minor amendments are required to the Notable Tree Schedule that was notified as part of PPCH(b). I discuss each of these below.
- 4.29. A cross-referencing error has been identified for reference to the Notable Tree Schedule in Rule TREE-R3. A minor amendment is required to change the name of the Notable Tree Schedule from 'Schedule 4c' in TREE-R3 to the 'Notable Tree Schedule' to ensure consistency with the policy provisions as follows:

TREE-R3 Works within the Root Protection Area of a Notable Tree listed in the Notable Tree Schedule-4e

Activity Status: Discretionary

Where:

- a. **Earthworks**, root pruning, construction, soil compaction, laying of hard surfaces occurring in the Root Protection Area of a Notable Tree in ~~Schedule 4c~~ the Notable Tree Schedule.
- 4.30. A minor amendment is needed to the Notable Tree Schedule table for 'Tree 6 Sequoiadendron giganteum' as it has been identified by a relative of Mr Halcombe (Appendix 5) that he was a 'Mr', not 'Colonel'. This change is considered to be minor and ensures the correct references are included in the District Plan. The following minor amendment is recommended to be made to the table for Tree 6:

Tree 6:

"Description of Values

Located at the rear of 28 Kimbolton Road. This tree is approximately 28 metres in height with a crown spread of 13.8 metres. Planted by ~~Colonel Mr~~ Halcombe or family around 1870's, who was an early founder of Feilding. A locally prominent feature."

- 4.31. While undertaking a review of the information in the Notable Trees Schedule, an error has been identified for the GPS co-ordinate reference for proposed Tree 3 (Quercus robur at Manfeild Park). A minor amendment is required to the GPS co-ordinate reference for Tree 3, to amend the incorrect GPS co-ordinate in the table as follows:

Tree 3:

Coordinates

~~-40.23407, 175.55786~~
-40.234371, 175.559787

5. Statutory Considerations

- 5.1. Under Section 32AA of the Act any proposed changes are required to be subject to further evaluation. As a result of considering the various submission points, I have set out recommended changes throughout my assessment of submissions in Appendix 1. Rather than repeat the reasons and evaluation for each of the changes in this section, I have included my additional assessment under each of the provisions in the table. This approach is considered appropriate to reflect the scale and significance of the changes relating to the decisions requested by the submissions.
- 5.2. The changes that are recommended in Appendix 1 are relatively minor and aim to improve the certainty and clarity of the provisions for plan users or amend unintended consequences resulting from drafting. I have recommended some amendments to the standards for the notable trees, in particular that the name and qualifications of the Arborist is provided to the Council which will provide certainty to the Council and the ability for the Council to contact the Arborist if required. I have also recommended a change to the standards to achieve more consistency with the timeframe (working days) for notice to be provided to the Council as it provides a more consistent approach

for application by the Council and Arborists. These changes are all considered to be relatively minor and will improve the useability of the District Plan and clarity for plan users.

- 5.3. Unless otherwise stated in Appendix 1 or in this report, the original assessment in the Section 32 Report still applies and no changes are considered necessary, including the Statutory Evaluation section.

6. Overall conclusions

- 6.1. Overall, the integrated package of the objective, policies and rules, including the proposed amendments following submissions, are for the reasons discussed earlier in this report, the most appropriate option to achieve the objective of PPCH(b) and are the most efficient and effective, in terms of Section 32 of the RMA.
- 6.2. In my assessment of PPCH(b), having regard to the submissions received, and drawing on the technical analysis of Mr Partridge I am satisfied that the Plan Change is the most appropriate means of sustainably managing the physical and natural resources of the Manawatū District.
- 6.3. The principal reasons for my conclusion are:
- The changes proposed as part of PPCH(b) provide a more effective and efficient framework for the management of notable trees in the Manawatū District and provide more certainty to plan users for when a resource consent would be required for works associated with a notable tree, compared with the operative District Plan approach.
 - PPCH(b) specifically provides for the consideration of safety issues to both people and property and enables a notable tree to be removed without a resource consent if there is an imminent threat to the safety of people or property.
 - PPCH(b) follows good planning practice for the management of notable trees.
 - PPCH(b) has been developed following consultation under the RMA with owners and neighbours of the notable trees which have been reviewed as part of this plan change. I note that there is opposition to the scheduling of the Coast Redwood at 11 South Street (T1) and the Giant Sequoia at 28 Kimbolton Road (T6) to the Notable Trees Schedule. At the time of preparing my evidence and based on the advice of Mr Partridge I see no justification for removing these trees from the Schedule. I wish to revisit this recommendation following any evidence provided at the hearing.
 - The evidence of Mr Partridge as attached to my evidence.
- 6.4. It is recommended that:
- Proposed Plan Change H(b) be approved as notified and amended as outlined in Appendix 1 and paragraphs 4.29 - 4.31 in this report, and
 - The relief sought by the submitters be accepted or rejected for the reasons outlined in this report.

Rochelle Waugh
**Contracted Policy Planner
for Manawatū District Council**

Date: 22 May 2023