



Summer 2016-2017

Newsletter of **The Tree Council**
Tiakina Rākau • est 1986

Photograph by Maggie Buxton



Graham's Bush Appeal Resolved

In a small gully in South Auckland is a botanical gem, a real taonga, a fragment of the lowland podocarp-broadleaf forest that once covered the Manukau lowlands. This fragment is called Graham's Bush and has been owned and cared for by the late Graham Cheesman for the last 17 years.

Thanks to Graham's diligent stewardship the bush is weed and pest free. It has King Ferns, mature Taraire, Kaihikatea and Puriri. Some of these trees are at least 400 years old. The really special thing about Graham's Bush is that it contains all the ecological stages up to maturity. It is not a regenerating bush, it is mature bush. This is extremely rare & there is only 2% of the podocarp-broadleaf forest habitat remaining, so it is a regionally and nationally threatened habitat.

The ecological integrity of Graham's Bush was threatened by Auckland Transport's proposed Redoubt Road – Mill Road Upgrade and The Tree Council appealed the decision to approve the Notice of Requirement for the road which would see a new 4 lane highway built right through it. The Tree Council was joined in the appeal by a number of s274 parties which included Forest & Bird and the Redoubt Ridge Environment Group.

After mediation with Auckland Transport The Tree Council has secured a considerable extension to the proposed bridge crossing the gully from 28 to 40m span. This means that the abutments supporting the road bed will now be located at the edges of the gully

continued overleaf...

Message from Sean Freeman

I would like to take this opportunity to wish all our members, friends and supporters a wonderful Xmas and a safe and peaceful New Year. This last year has been one full of challenges which as I think is made clear in the newsletter we have met with both commitment and passion.

Sadly this year our long standing Treasurer Sherylle Scott resigned, the whole board wishes Sherylle all the best in all her future endeavours. This does of course mean that there is an opportunity for anyone with account keeping skills to join us in protecting Auckland's remarkable urban forest.

If you want to make a difference by helping us advocate for better protection of our urban trees then don't wait any longer, get in touch with us. We meet once a month at the Grey Lynn Community Centre.

Change of address...

The Tree Council has changed its postal and email addresses:
**PO Box 60-203, Titirangi,
Auckland 0642**
info@thetreecouncil.org.nz



rather than within it and only a very small number of mature trees will be directly affected.

In addition, significant sized areas surrounding Graham's Bush on adjacent properties will now be subject to weed and pest control and enrichment planting to enhance the area of bush cover. These will be protected in perpetuity and an adjacent gully on a neighbour's land will also be zoned a Significant Ecological Area under the first plan change of the new Unitary Plan.

The additional cost to the project of the improvements agreed by the parties is around \$5 million. The Tree Council's Chair Sean Freeman is pleased at the outcome. "While we weren't able to negotiate moving the road completely out of the bush we believe that the improvements

we have secured will ensure that the integrity of this important ecological fragment and it's wildlife will be maintained."

"The Tree Council would like to thank all those who donated money to support our case, our fellow appeal parties, the Cheesman family and Auckland Transport for being willing to negotiate a much better ecological outcome for Graham's Bush".

Graham's Bush provides part of an important link for birds moving between the Gulf Islands, the Hunua Ranges and the Waitakere Ranges. It is located close to other important bush fragments such as Murphy's Bush and Olive Davies Reserve & provides a vital habitat for birds and fauna.

Mels Barton

Saving Christchurch's Trees

The Tree Council was contacted by a group in Christchurch asking for support in their battle to save the scheduled heritage trees of Christchurch being removed from their District Plan. The Tree Council made a financial donation to support the cause and spread the word to our members asking for donations. Following a long drawn out battle on this issue the Independent Hearing Panel's (IHP) decision on the Trees has just been released (Nov 2016) and overall the joined submitters (The Group) fighting for the trees had some significant wins.

The key elements of the IHP's decision are as follows:

1. The Group's Mediated Agreement with the Christchurch City Council has been upheld, with 80% of the original 1623 trees on private land remaining on the Christchurch Plan schedule;
2. The Panel has also directed that the 724 listed trees on public land be returned to the Plan; and
3. The new Plan still contains a suite of provisions (objective, policies and rules) that continue to provide recognition and some protection for scheduled trees.

Overall, although some very good trees have been lost and misgivings still remain for the future (particularly given the culture within Council that proposed so drastic a reduction (ca. 84%) of the Heritage and Notable tree schedule in the first place) we believe this is a very good result for the Christchurch community and the landscape character of the city.

As always in such circumstances it has not been without cost, in terms of both time and money. To date, The Group have incurred actual costs of \$80,865 – a huge sum for a small group of private individuals, professional associations, and not-for-profit community groups.

The Group still have a residual debt of \$9700 for which money must still be raised (see box below). They absolutely could not have done it without your financial and moral support, which has been critical. So please accept a huge thank you – your contribution really has made a difference.

On behalf of the Joined Submitters, The Trustees of the New Zealand Notable Trees Trust



Please donate...

Give A Little still remains open at:

givealittle.co.nz/fundraiser/saveheritagetrees

Any further donations to offset the remaining costs will be warmly received.





News in brief

Suzanne Caron



Originally from The United States, I immigrated to New Zealand about thirty years ago and have been a long term resident of Blockhouse Bay for fifteen years. I have always been a tree planter – first, on the North Shore on an acre lot in the early 80's when planting natives was just gaining

popularity, and also here in Blockhouse Bay on an empty section I bought in 1994. Having recently quit the teaching

profession, I am able to indulge my love of the native bush and birdlife. I am a volunteer at Ark in the Park, which is a mainland sanctuary for native birds in the Waitakere Ranges, and have also helped in the translocation of the kokako from Pureora Forest Park in the King Country to Maungatautari Mountain Sanctuary, The Hunuas and Ark in the Park. This summer I completed three weeks predator trapping, tree planting and monitoring of visitor numbers in reserves run by the Yellow Eyed Penguin Trust in The Catlins along the South Otago coast. I joined The Tree Council not knowing how dire the situation has become for our urban trees but am now prepared to learn all I can in the battle to save what remains of our urban forests. Re-establishing tree protection measures at Auckland Council is something that I am totally committed to and I am willing to spend all the time and energy that is required to do just that.

Tree App Development

The Tree Council has been working with database developer Steven McLeod to develop a mobile phone based app to record the loss of our urban forest. The Android version is almost ready and an iPhone version will follow. The idea of the app is that any member of the public, or arborists working in the industry, can record a photograph and details about (size, species, location etc) the trees we are losing every day across New Zealand and upload them to an

online database in a simple way, much like how Instagram works. Since the RMA was changed in 2012 to prevent local councils from protecting trees that aren't specifically scheduled in the District Plan we have been losing trees on private land at an alarming rate. This app will help us to record the rate and scale of that loss and make predictions that could help influence future legislation. We anticipate launching the app very soon and hope you will download it onto your phone and help us record our tree loss. Keep an eye on our website and Facebook page for more news.

Tree Week 2016 Report

This year our annual celebration Tree Week took place from Saturday 24 September to Sunday 2 October. We arrange the week to coincide with the Auckland Heritage Festival and this has proved very successful in attracting new people from around the region to attend our events.

Our annual Bus Tour took place on Saturday 24 September and we had a delightful day visiting three special sites with some amazing and unusual trees. We start at the arboretum at UNITEC on Carrington Rd, Point Chevalier led by Penny Clifflen where the highlights include the rare Tan Oak and an enormous Jacaranda. We then travelled to Monte Cecelia Park and the Pah Homestead in Hillsborough where Sean Freeman led the party around the largest figs in New Zealand and explained the history of the plantings. After

lunch we finished the tour at Cornwall Park where Mike Wilcox guided us around some of the wide variety of trees there including the Eucalyptus collection. Huge thanks to Penny and Mike for giving up their Saturday to provide such an interesting insight into some of Auckland's most beautiful trees. Next year we plan to take a new route for our tour and planning has already started, so watch this space!



Our AGM

Our Annual General Meeting took place on Thursday 29 September at the Flickling Centre in Mt Roskill and our guest speaker was plant pathologist Dr Nick Waipara who is Auckland Council's Principal Biosecurity Advisor. Nick

provided a fascinating glimpse into the biosecurity issues affecting, and likely to affect, Auckland's trees. There was a lively and engaging debate on some of the issues raised which lasted into the evening. You can find Nick's talk on our website at thetreecouncil.org.nz

The Unitary Plan

The Tree Council's Sean Freeman has spent much of the last two years working with Forest & Bird and the Environmental Defence Society to influence the Auckland Unitary Plan regarding trees and vegetation. Unfortunately all their work has been in vain, with none of our submissions taken up by the Panel and included in the final Unitary Plan.

Obviously this has been a huge disappointment, but one that has been experienced by almost every community group that took the decision to participate in the Unitary Plan process. Our voices were not heard or listened to.

The Tree Council, Forest & Bird and EDS made

submissions for Council to include in the Plan a second tier of scheduled trees to include those trees achieving 80% of the score required for scheduling. This was to ensure that we would have a generation of trees retained in the city to replace our currently scheduled trees as they age and eventually die. Without any protection for those trees that almost but not quite meet the criteria for scheduling we will eventually lose all our scheduled trees and have nothing left to replace them. Unfortunately Auckland Council chose not to support this proposal and the Panel did not include it in their recommendations. We believe this is very short sighted and extremely sad.

Loss of North Shore Kauri Results in Better Council Procedures

The number of kauri in Northland and Auckland afflicted by kauri dieback (PTA) disease is growing and the threat is widespread without a cure in sight. This is why local governing authorities such as the Auckland Council have established biosecurity departments to educate the public about the disease and to institute measures to combat its spread. So, when in March of this year, The Tree Council learnt that Auckland Council was about to remove a kauri in Hillcrest without following any kauri dieback protocol or procedures which they were instrumental in supporting, our reaction was understandably one of disbelief.

The kauri in question was one that stood to the side of the Hillcrest Stream which was to be widened to provide additional water catchment for a future Special Housing Area. The consent had been granted in August 2013 to clear vegetation from the embankment on private properties adjoining the stream. At that time, the affected property owner had made a submission to retain the kauri but this had been unsuccessful.

In an attempt to clarify the situation for the landowner in March 2016 before works commenced, a board member of The Tree Council contacted the senior planner in charge of

the resource consent and during this conversation was told that because the consent approval had been made in 2013, no kauri dieback procedures would be considered or applied during the removal of the kauri. The reason given was that the consent was historical and so present day PTA protocols would not apply!

This opinion flew in the face of current kauri dieback biosecurity measures and was promptly questioned by The Tree Council in an email sent to Kaipatiki local board members, Auckland City councillors, and the Auckland Council biosecurity team. The responses showed that changes were made immediately to incorporate these measures in the public works project.

Accordingly, since then, The Tree Council has become aware that better channels of communication now exist between the planning department and the biosecurity department of Auckland Council. It is hoped that indeed this is the case, and that in future, all measures will be taken to not only retain our precious kauri but also to limit the spread of kauri's fatal disease by following correct procedure.

Suzanne Caron

Kauri Rescue™ Project Awarded National Science Challenge Funding

A new project team comprising scientists, social scientists, iwi and community groups, including The Tree Council, has gained two-year funding from the Government's Biological Heritage National Science Challenge, one of only seven successful projects out of 111 applications. Their exciting new project Kauri Rescue™ otherwise known as the Community Control of Kauri Dieback: Tiaki mo Kauri seeks to engage the public in refining a new citizen science tool for the treatment of Kauri Dieback Disease, which is decimating kauri forests in northern New Zealand.

The project team will recruit private landowners to work alongside scientists to treat their own trees with a chemical called Phosphite which has shown great promise in Kauri Dieback Programme-funded scientific trials, by enabling kauri



to fight back against the *Phytophthora agathidicida* pathogen that causes the disease. The initial pilot study will involve a small number of private landowners to test and refine the methodology before expanding this to a larger group in the second stage of the project. The project will also encourage landowners to test other treatment techniques, encouraging both western science and mātāuranga Māori methods, rigorously monitoring results and collecting data on all treatments so that their efficacy can be determined.

Project Team Leader Dr Ian Horner of Plant & Food Research is delighted at the opportunity to take his research to the next level and engage the public in actively developing the treatment tools themselves. “We hope that people will find this opportunity empowering and a positive step

forward in the fight against Kauri Dieback Disease. Working together to develop and test these tools will give us a robust methodology that we hope in future will be an effective treatment that the public can apply themselves and support others in their community to treat their own trees” he said.

The Kauri Rescue™ team has already started work by running a community kauri dieback survey in affected areas to find out how the public feels about the effect of the disease and the current efforts to control it. Anyone can complete the survey which is at www.kauridiebacksurvey.org.nz

The Kauri Rescue™ project will be formally launched at a public event to be held at the Titirangi War Memorial Hall on Thursday 9 February 2017. Anyone concerned about kauri dieback is encouraged to attend.



Fowlds Park Appeal

Fowlds Park is located off Western Springs Road in Mt Albert. It has significant historical landscape value, being one of only five parks in Auckland designed by Fred Tschopp, regarded as New Zealand's first “modern” landscape architect and the man who designed the town plan for Rotorua and undertook work in Christchurch and Wellington, Australia, America and other countries.

Fowlds Park is home to a rugby league club which uses the current open access playing fields. Auckland Council proposes to install artificial turf on one of the fields, enclosing it with a fence and retaining wall so that the club can use it for training. This will result in the removal of at least 20 mature trees plus a number of immature trees and significant earthworks.

Research papers on Tschopp's work show that the planting plan for the mature trees planned to be removed was produced by Tschopp, with a complete species list, and was an integral part of the purpose of the park. He was insistent on using native plants in his work.

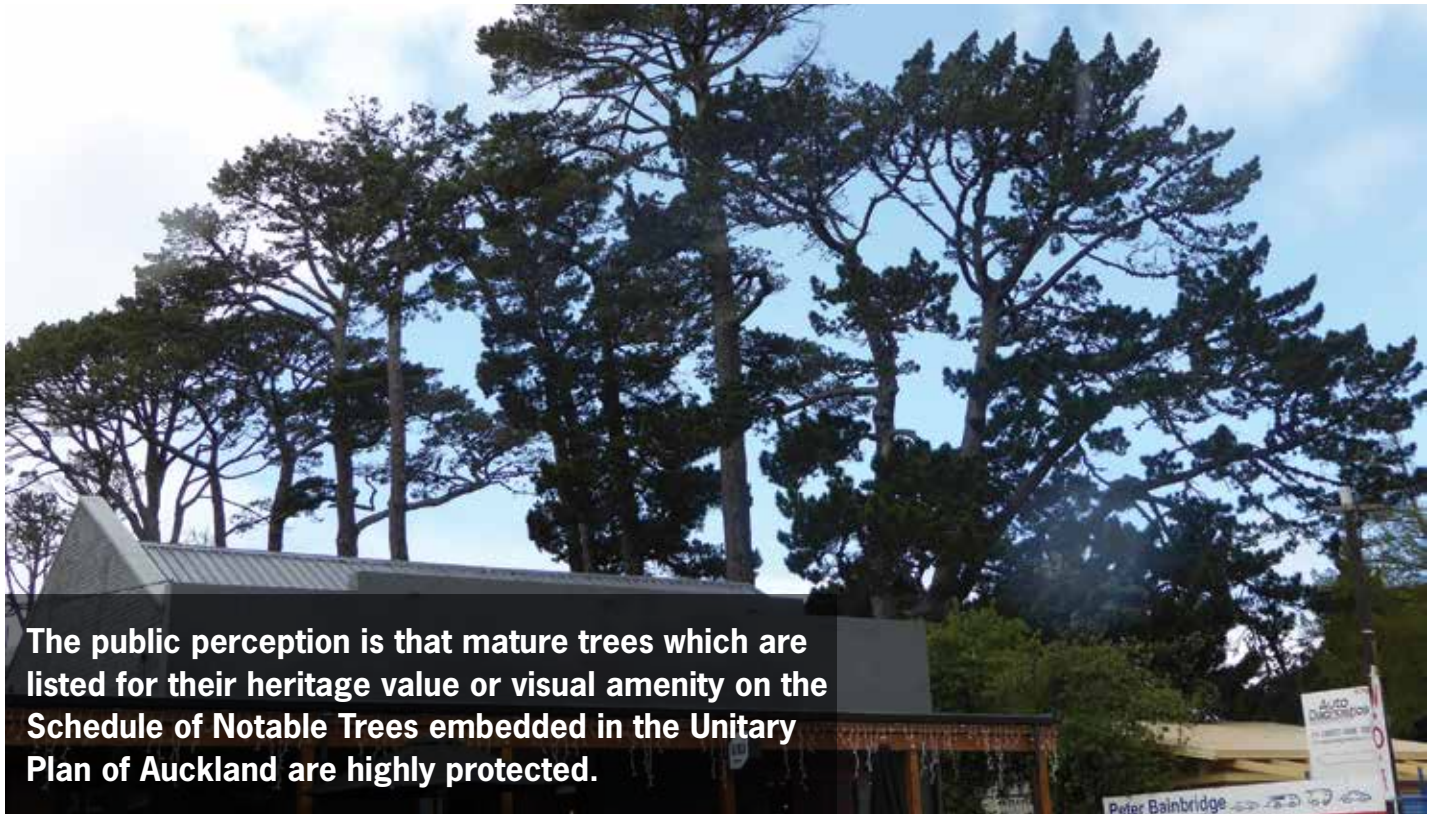
Tschopp's work is therefore highly significant to New Zealand as a whole, and protection of this park as

an intact example of his work should be an important consideration when deciding how the park can be developed in the future. The removal of the mature trees for the artificial turf pitch will eliminate a significant part of Tschopp's original design. In the case of this particular park the landscaping, the mature trees and the playing fields have all been designed to co-exist to meet the needs of as many user groups as possible.

The Tree Council submitted to the consent hearing that alternative approaches to improving the playing surface in order to extend its use should be considered rather than a full artificial turf. These would have a much less significant impact on the park and its trees. Unfortunately the commissioners accepted the Council's proposals and the decision was appealed by the Friends of Fowlds Park. The Tree Council joined this appeal as a s274 party and participated in mediation with Auckland Council. Unfortunately agreement could not be reached and we decided to withdraw from the appeal at this point and not proceed to the Environment Court.

Mels Barton

Successful Action to Save Blockhouse Bay Heritage Monterey Pines



The public perception is that mature trees which are listed for their heritage value or visual amenity on the Schedule of Notable Trees embedded in the Unitary Plan of Auckland are highly protected.

It would then be reasonable to expect that in the event of an application for scheduled tree removal, that the compulsory resource consent be publicly notified so the affected communities are made aware of it and given the opportunity to provide feedback. Yet sadly, this is not the case. The long drawn out struggle to save the row of heritage pines in Blockhouse Bay late last year is a case in point.

This row of eleven Monterey Pines, which have stood in Gittos Domain in the centre of the village for ninety years, are listed as scheduled trees due to their visual amenity. Seen from a distance up Blockhouse Bay Road, they signify the arrival home for many residents and thus provide a sense of identity for locals.

In October 2015, local resident and newly appointed The Tree Council board member, Suzanne Caron and Whau Local Board Chair, Catherine Farmer, became aware of the intention of Auckland Council Parks to remove all eleven pines and decided to publicise this as widely as possible in order to alert the Blockhouse Bay community in a bid to halt the destruction of the trees. They knew that the resource consent had been applied for and was being considered by council planners. Both wrote numerous articles which were printed in local newspapers and made use of social media as well. Shortly after, despite an arborist's report which indicated that only two of the pines should be removed due to a decline in vigour, the consent to remove all eleven was recommended for non-notification by planners and forwarded to the independent commissioner for approval. Even though

the trees recommended for removal stood at the end of the row, council arborists argued that the impact of the wind could alter the dynamics of the remaining trees.

At this important stage in the process, the independent commissioner decided to withhold consent approval due to an unexpected number of protests from Blockhouse Bay residents. A process of 'public consultation' was instead recommended. In the months that followed no advice was given about this process. More media pressure was applied by both Caron and Farmer, who described the situation as 'a power struggle' between the local board and council. In a bid to justify their decision, a further arborist assessment was undertaken by Auckland Council Parks but this only concluded much the same as the first – that only two pines should be removed and that the remaining trees should be better maintained and managed than they had been.

In the end, the resource consent was finally withdrawn in January 2016 and the trees retained which is a victory for proponents, like The Tree Council, of the need to publicly notify all scheduled tree resource consent applications. Only then, can the process undertaken by planners be publicly scrutinised and compromises be reached in order to preserve what remains of the valuable tree cover of greater Auckland. In decisions such as these, the public should not have to fight so hard for a chance to contribute nor rely on the decision making powers of council planners alone.

Suzanne Caron

Saving two Takapuna Pohutukawa

The eventual time line for a notified Resource Consent to remove two large Pohutukawa within a group of five on a private site in Takapuna was nearly two years.

In addition to the owner's house the site contains a group of five mature Pohutukawa which are on the Schedule of Notable Trees within the Auckland Council District Plan (North Shore area) and also a Category B building (known as the Thorne Dairy). The owner sought removal of two of the Pohutukawa because they had grown up and over the Dairy, which is now used as a wine store and attached to the house, and two large branches were partially resting on the roof of the Dairy structure causing concern particularly about the stability of its unreinforced concrete walls.

The owners were in residence just 8 months before they applied for consent to remove the two scheduled Pohutukawa in question.

20 July 2014: Auckland Council [AC] initially facilitated several meetings and discussions between Council arborists and the owners but no progress was made as the owners insisted on complete removal of the trees rather than any form of pruning. In consequence of this impasse the application for removal was publicly notified.

In response to public notification The Tree Council, Takapuna Environmental Society and several individuals submitted against removal of the trees; others supported the applicant.

17 November 2014: After considerable delays an all day hearing of the application took place but was adjourned while the Hearing Commissioners, appointed by the Council, sought further information. Council had already obtained a comprehensive arboricultural report but no engineering report on the state of the building. Clarification was also required on a number of points of law.

24 February 2015: An engineering report prepared by a consulting engineer was obtained by the Council, but the owners objected to this part of the process, on which basis it was decided that the Hearing Commissioners could not take the information into consideration. The Tree Council thought this decision was surprising but had no formal grounds to disagree.

Mid April 2015: Following the hearing, a Joint Witness Statement was requested by the Hearing Commissioners. This statement was issued jointly by the applicant's and the Council's engineers, (four in all!) - despite the respective reports reaching different conclusions. The Tree Council expressed their concerns in writing, because we thought that receiving contrary evidence in this way was unhelpful to say the least, but our opinion was not taken into account.

Subsequently the Hearing Commissioners published their decision and consent to removal of the two Pohutukawa was refused.

25 June 2015: Notice of Appeal to the Environment Court against the AC's decision was made by the owners.

July 2015: The Tree Council joined the appeal to the Court as a s274 party thus beginning another drawn out process. Fourteen s274 parties were initially involved but were reduced to three when Court assisted mediation commenced, which the Environment Court favours. There was hope the parties would arrive at a consensus agreement that would not require a full Court hearing.

Over the succeeding several months The Tree Council attended several brief Court discussions; watched a full tree climbing assessment of the offending branches by the parties' arborists, and attended two all day mediation meetings. Then the owner was given time to install movement recording devices into the trees to support his "removal" contention. During a further Court assisted mediation session an agreement was reached that AC and s274 parties would allow major pruning/reduction of the two branches growing over the roof of the "Dairy".

March 2016: The owner decided to agree to the proposed pruning regime and this was undertaken by an approved arborist. However, the owner was still not happy with almost complete removal of the two offending branches, so continued to monitor movement recording devices in the hopes of proving his assertion that the remaining parts of the trees had too much movement to be deemed safe for continued retention.

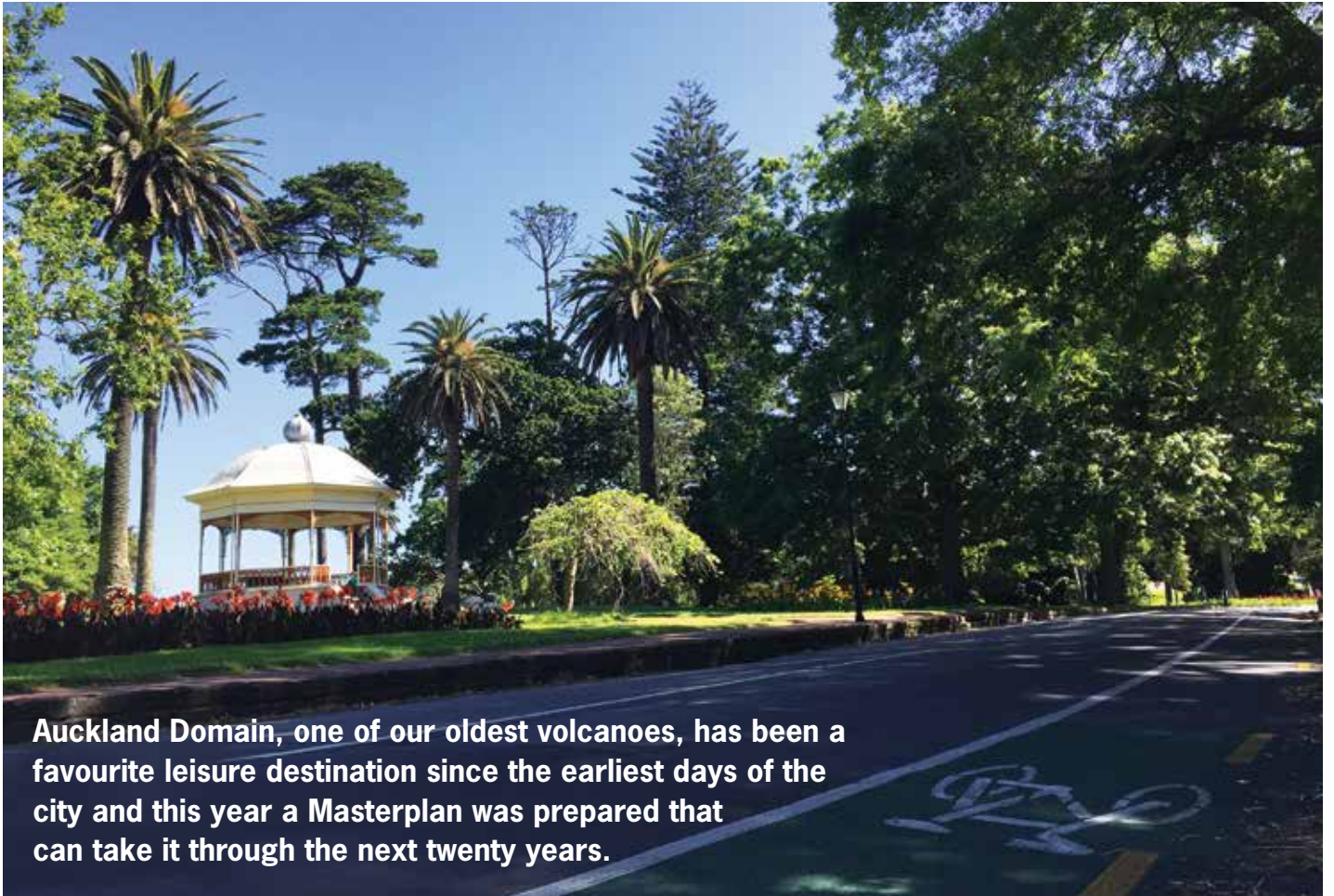
April 2016: The owner wanted the Court process put "on hold" while the movement readings were assessed. We assumed this delaying tactic was to get a forward date for resumption of the Court hearing that was after adoption of the Unitary Plan. The owner had earlier applied under the PAUP for these two scheduled trees to be removed from the Schedule of Notable trees within the Council District Plan. AC and the three s274 parties disagreed with this tactic and felt also that the movement records to date were fairly 'normal' for the trees. The Court declined the "on-hold" process, requiring the owner to put his full case to the Court without undue delay.

26 May 2016: AC and the s274 parties were advised that the owner was withdrawing his appeal to the Environment Court.

The Tree Council and others were of course relieved about the decision by the owner and his advisers that the case was not worth pursuing further.

Our sincere thanks must go to our arborist expert Chris Boucher for his dedication and sterling work in particularly trying circumstances. The Tree Council is also very pleased that AC and its staff remained steadfast throughout the arduous and frustrating process.

Auckland Domain: Changes Afoot



Auckland Domain, one of our oldest volcanoes, has been a favourite leisure destination since the earliest days of the city and this year a Masterplan was prepared that can take it through the next twenty years.

Submissions from the public closed in April and although it remains to be seen exactly what will emerge, according to Auckland Domain Committee chairwoman, councillor Christine Fletcher, the proposal is focused on long-term stewardship rather than radical change, which is good news for those of us who care about trees. It is welcomed by The Tree Council as it safeguards a valuable part of the inner city urban forest, much of which is already classified and protected as an SEA (Significant Ecological Area).

The changes proposed by Auckland City relate mainly to the use of open spaces and movement through the park, and they will result in a Domain which is decidedly less car-dominated and more people-friendly. Some of the existing roads will be closed to cars and turned into shared paths for pedestrians and cyclists while cycle tracks will be built along roads where cars are still permitted. The space currently given to car parking will be reduced and the areas around the Museum will be completely pedestrianised, with no vehicular traffic allowed across its front. Cyclists and pedestrians from the City will be able to access the Domain via a new cycle/footbridge across the motorway from the popular Grafton Gulley shared path.

One problem that has resulted from the increasing popularity of the Domain is that some drivers have taken to parking on the unpaved areas beneath the stately oak and pohutukawa trees that line many of the roads and car parks.

This no doubt keeps their car cool for a couple of hours but by compressing roots it can cause long-term damage to the tree. Compaction degrades the soil's structure, diminishes porosity (needed for water uptake and gas exchange), and increases its physical resistance to penetration by roots. Hopefully, when the dominance of the car has been subdued by open spaces where pedestrians and cyclists have priority, this kind of behaviour will stop. The illustrations provided with the Masterplan do show designs that will make it more difficult to park illegally in this way as it would entail crossing cycle tracks or planted strips.

Reaction to the proposal has been varied, ranging from a belief that all through-roads should be closed to cars in order to promote a more park-like character and a destination rather than a rat run, through to the view of the Orakei Local Board that all roads and car parking should be retained and anything that slows cars down (speed bumps) should be removed. The former view would seem to be compatible with a vision for a more people-friendly, quieter, safer, less congested and polluted Domain and a more livable city. Auckland's valuable urban forest is threatened as never before by development and it is great to see the continued protection of a cherished parcel of open space as an oasis of calm and beauty in period of increasing intensification.

David Smith

Key Principles of Tree Risk Assessment and Tree Risk Management

You don't have to attend many Resource Consent hearings over scheduled trees to notice that a very common thread in the arguments for the destruction of a protected tree is that the particular tree is so potentially dangerous that it has to be removed.

Clearly there are instances when the declining health of a tree or its structural instability demands intervention; very recent events at an Auckland Childcare facility highlight the importance of properly managing dying and dead trees in high occupancy environments. There is however a huge difference between recognising the obvious risk posed by a large tree that has been dead for several years overhanging a kindergarten and the perception of risk from potential failures in a healthy stable tree.

The last three hearings that I have attended have all examined the question of risk of harm from trees, with the applicants in each case arguing that the scheduled trees (or parts of the trees) in question were 'unsafe' and/or 'dangerous'. I feel the need to point out that despite our familiarity with the term 'safe' it is not a particularly useful term when considering living structures such as trees.

Trees are shedding organisms and over time as they grow they drop leaves, flowers, fruit/seeds, bark, twigs and branches. For healthy trees the majority of the branches shed are small in diameter, for healthy trees the loss of larger branches, limbs or stem failures are uncommon events. This shedding nature combined with the vagaries of the weather and an ever-changing growing environment mean that no tree can ever be said to be 'safe', there will always be some level of risk of harm for targets beneath any tree.

When managing risks in all walks of life we strive to balance the costs of our actions and choices with the benefits that they provide. If, for example, you want to travel by car you must accept that even with all the extensive risk control measures, such as seat-belts, speed limits, airbags, and crash barriers, there is still a significant risk of death. This is an everyday risk that is taken for granted and accepted by millions of people in return for the benefits of convenient travel. Managing risks and benefits from trees should be no different.

The question to be asked then is not whether a particular tree is safe or unsafe but rather whether there is any evidence that a particular tree or parts of the tree represent an unacceptable risk of significant harm to persons or property. At the same time, it is absolutely essential to take into consideration the many benefits and services that trees provide.

Given that we now have such a very small number of trees on urban sections that are protected in the Auckland Region (there are just over 6000 on the Scheduled list of Notable trees) we expect and demand that claims

of dangers to life and limb are supported by strong convincing evidence ideally provided by a qualified and experienced Arborist.

There are no perfect trees, every tree contains a huge number of faults or defects and if we were to condemn trees simply on that basis there would no trees left standing in Auckland at all. The idea that the objective of managing risks from trees should be risk minimisation is neither reasonable nor desirable. To minimise the risk from trees all we need do is to remove all the trees, but this kind of approach completely ignores the cost of risk reduction that we would all pay.

The benefits that trees provide must be considered when making risk management decisions, and this includes conservation value, aesthetic qualities, environmental and health benefits. Clearly the majority of tree risk management decisions are not evaluated in terms of a detailed examination of the costs and benefits, but this general balance should underpin tree risk management decisions.

In a great many instances, based on the evidence presented in the hearing, the destruction of the protected tree desired by the applicant represents an unreasonable and disproportionate approach to risk control. I have heard statements made by the applicant or on their behalf that they are not interested in considering risk management approaches that would retain the protected tree in question.

Property owners and managers have a duty (under English law at least) to ensure, insofar as 'reasonably practicable', that people and property are not exposed to unreasonable levels of risk from the failure of trees in their control. I'm not a lawyer but I would not want to be the tree owner who ignored expert advice regarding tree management simply because that advice did not go so far as directing the destruction of the tree.

Ideally tree risk assessment should be a clear documented process that permits an audit of the observations made and critically an examination of the basis for the conclusions drawn by the assessor. Since there will always be a subjective element to any tree risk assessment it is important to be able to understand and evaluate the justification for a particular opinion.

The Tree Council will continue to do its best to ensure that management decisions over protected trees are made in a balanced and proportionate manner, especially when the issue of risk from trees is being discussed.

Sean Freeman

The Tree Council Casework Report

Our hardworking Board members have a heavy workload of cases that each of them takes on to try and save the trees that have resource consent applications for removal across the city. We are very aware that these cases are the tip of the iceberg of removals as they only relate to publicly notified consent applications for protected trees (either scheduled, on public land or in a Significant Ecological Area) and do not include all the trees on private land that have no protection and can be removed without consent. However we feel it is vitally important for The Tree Council to advocate to save these special trees given the overall situation and lack of protection. If you would like to help us with this work we would love to hear from you. Get in touch on info@thetreecouncil.org.nz

Here is a brief update on the cases we have worked on during 2016:

Minnehaha Rd, Takapuna made submission, attended mediation, agreed to remove some branches, application to remove trees withdrawn. Separate application to remove trees from schedule made, opposed this via Unitary Plan process (see article).

Graham's Bush (Redoubt Rd, Mill Rd), Flat Bush submission made on Notice of Requirement, NOR granted, lodged appeal to Environment Court, participated in mediation with Auckland Transport and s274 parties, agreement reached, appeal settled. Significant environmental gains achieved (see article).

Sartors Ave, Northcote submission made to improve revegetation plan for this subdivision.

Fowld's Park, Mt Albert submission made, application granted, joined Friends of Fowld's Park appeal to Environment Court as s274 party, participated in mediation but no agreement achieved, withdrew from appeal.

Craigbank Ave, New Lynn submission made, application withdrawn, trees saved.

Karekare Rd Pohutukawa campaign run with locals, media stories got traction, proposal to remove tree withdrawn, tree movement will be monitored.

Seccombes Rd, Newmarket submission made, application withdrawn, trees saved.

Harbourview Rd, Pt Chevalier submission made, consent to remove granted, tree lost.

Monterey Pines, Gittos Domain, Blockhouse Bay campaign run, application withdrawn, maintenance done on trees instead, only one will be removed rest of trees saved (see article).

The Domain submission made on proposals for roads and parking to ensure a more people and tree friendly outcome (see article).

Hillcrest Kauri too late to save tree (consent granted in 2012) but ensured kauri dieback protocols will be followed at site and better liaison in future between Planning and Biosecurity departments in Council.

Margan Reserve, New Lynn supporting Whau Local Board's ongoing conversation with developer to ensure minimal impact on reserve of accessway to Margan Ave. No consent application yet lodged. Community petition presented to LB.

All Hallow's Bush, Campbell's Bay supporting Forest & Bird's submission, pre-hearing meeting attended

Paturoa Rd, Titirangi Kauri judicial review of consent process initiated by neighbours. Provided supporting information regarding public notification, also provided practical expert advice when the tree was ringbarked at Xmas 2015.

St Stephens Ave, Parnell submission made, consent granted, trees lost.

Clifton Rd, Browns Bay provided advice to Forest & Bird.

Park Hill Reserve, Birkenhead complaint re illegal tree removals in Reserve, Council investigated, spoke with residents.

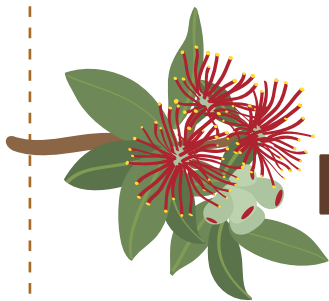
Queen St / Neville St, Warkworth submission made, hearing attended, awaiting decision.

Halsey Dr, Lynfield complaint made, investigated, legal removal on private land.

Campbell Rd, Greenlane submission made, awaiting date of hearing.

Gladstone Rd, Northcote recently notified, submission will be made.

Mason's Ave, Herne Bay recently notified, submission will be made.



Membership renewal reminder

Membership subscriptions are now due. Your 2017 yearly membership is now due. Many of you have paid but there are still some outstanding. Please complete the form and email it back to info@thetreecouncil.org.nz. Alternatively, if you received a printed version of this newsletter just cut out the renewal form and post it to us at the address below.

We also welcome new members!



Name:

Address:

Address: Postcode:

Tel (h): Mobile:

Email:

Can you access attachments? (eg PDFs) ☐ No ☐ Yes

Area(s) of interest:

Expertise: (that may be able to be utilised by The Tree Council)

I wish to help with the work of The Tree Council ☐ Yes

Membership Status

☐ New member ☐ Membership renewal

Membership Category

<input type="checkbox"/> Individual Members / Incorporated Societies / Charitable Trusts	\$ 20.00
<input type="checkbox"/> Students / Beneficiaries	\$ 15.00
<input type="checkbox"/> I wish to make a donation to assist with The Tree Council's work	\$ <input type="text"/>
TOTAL \$ <input type="text"/>	

Payment Details

Please make cheques payable to The Tree Council.

For Direct Credit payment Bank Account:

Branch – ANZ Cnr Queen & Victoria Sts

Account No. – 11 5462 0230022 11

Post this form with your membership fee to:

The Tree Council

c/- Treasurer

PO Box 60-203, Titirangi, Auckland 0642

Receipts are sent out with the next mail-out following receipt of payment.

The Back Page

Forest & Bird Magazine May 1991.

25 Years ago!

Urban chainsaw silenced

QUICK ACTION by Central Auckland branch members in January saw a human chain formed around a 150-year-old pohutukawa to protect it from being felled. The magnificent Mt Albert specimen stands 20 m tall and measures 7 m in girth.

The property on which it stands was recently sold and the new owner wanted it felled. Unfortunately, two big branches were sawn off before the Auckland members' speedy action which resulted in good media coverage and an emergency council meeting. A notice was rushed to the owner warning her the tree would be listed in the district scheme. The felling contractor had by this time backed off in the face of the resistance from the tree rescuers.

Once the tree has been given a protected listing in the council's district scheme, as one of Auckland's notable trees it should be safe from further attack.



Photo: NZ Herald

Our People

Chair

Sean Freeman – 021 0837 1202

Acting Treasurer

Diana Yukich

Secretary

Mels Barton – 021 213 7779

Field Officer

Hueline Massey – 021 150 3385

Board Members

Suzanne Caron – 021 175 6994

David Smith – 021 214 9195

Community Tree Advisors:

Auckland Suzanne Caron – 021 175 6994
David Smith – 021 214 9195

North Shore Roland O'Driscoll – 09 410 5456
Erica Gilchrist – 09 445 3302

Waitakere Sean Freeman – 021 0837 1202
Mels Barton – 021 213 7779

Rodney Hueline Massey – 09 425 9246
Stephen Rose – 09 412 5668

Good with numbers?

The Tree Council is looking for a new Treasurer – can you help?

If so please contact us: info@thetreecouncil.org.nz

SAVE
THE
TREES



DOWN
WITH
PAPER

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Visit our facebook page!



For the latest Tree Council news, please visit our facebook page. Everyone is welcome to share their

stories and photos about trees on the page. There have been some interesting discussions and sad tales of lost trees, as well as good advice on what to do and how to look after your trees.



www.facebook.com/TheTreeCouncil