

**BEFORE INDEPENDENT HEARING COMMISSIONERS
IN CHRISTCHURCH**

TE MAHERE Ā-ROHE I TŪTOHUA MŌ TE TĀONE O ŌTAUTAHI

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of the hearing of submissions on Plan Change 14 (Housing and Business Choice) to the Christchurch District Plan

**STATEMENT OF PRIMARY EVIDENCE OF HILARY ANN RIORDAN ON
BEHALF OF CHRISTCHURCH CITY COUNCIL**

LANDSCAPE ARCHITECTURE

**SIGNIFICANT AND OTHER (INCLUDING HERITAGE) TREES QUALIFYING
MATTERS**

Dated: 11 August 2023

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EXECUTIVE SUMMARY

1. My full name is **Hilary Ann Riordan**. I am employed as a Resource and Landscape Planner by the Christchurch City Council (the **Council**).
2. I have prepared this statement of evidence on behalf of the Council in respect of matters arising from the submissions and further submissions on Plan Change 14 to the Christchurch District Plan (the **District Plan; PC14**).
3. PC14 has identified certain Significant Trees and groups of Significant Trees within Appendix 9.4.7.1 of the District Plan as Qualifying Matters (**QM**) Trees. Changes to certain rules in Subchapter 9.4 that relate to the protection of trees are also proposed.
4. My role in preparing this evidence is that of an expert Landscape Architect. This evidence relates to the methodology for identification of existing scheduled trees (i.e., those already identified in Appendix 9.4.7.1 of the District Plan) proposed as QMs.
5. There are two 'significant and other trees' QMs in respect of the existing Scheduled Trees:
 - (a) one that applies to trees that qualify as heritage trees warranting protection under section 6(f) of the Resource Management Act 1991 (**RMA**); and
 - (b) those that do not meet the heritage criteria but have been assessed as warranting protection on other grounds (as an 'other matter' QM).
6. The *Significant Trees Qualifying Matters Technical Report* was co-authored by my colleague **Toby Chapman** and myself. It summarised the assessments, by Arborists and Landscape Architect of existing scheduled trees (i.e., those already identified in Appendix 9.4.7.1 'Schedules of significant trees (Christchurch City and Banks Peninsula)' of the District Plan) as possible QMs. Of currently scheduled trees which totals 93 groups and 1010 individual trees the works resulted in¹:
 - (a) 20 tree groups and 342 individual trees being identified as Heritage QMs; and

¹ [QM-Trees-Technical-Report- Jun2022-FINAL.PDF \(ccc.govt.nz\)](#) Pg31, Table 20: Significant Trees Summary of Outcomes.

- (b) 23 tree groups and 132 individual trees proposed as 'other matter' QMs.
- 7. Trees play an integral part in reinforcing Christchurch's identity as the Garden City, a reputation which many Christchurch residents pride themselves on. Scheduled significant trees encompass some of Christchurch's most notable trees and heritage trees.
- 8. Scheduled trees contribute to the landscape, recognition of the past, and identity of Christchurch, providing a sense of place. These trees deserve protection to enable them to continue to enrich and enhance the urban landscape of Christchurch. It is my opinion that it is important that Christchurch's oldest, and healthy notable existing scheduled trees should be protected as QMs (heritage and 'other matter') and PC14 should implement appropriate mechanisms to provide adequate protection to these trees.
- 9. This evidence addresses submissions relevant to my evidence, including:
 - (a) on proposed change in Rule 9.4.4.1.3 RD6 a., which relates specially to Riccarton Bush trees. Submitters question the practical implementation of the proposed amendment;
 - (b) requesting the removal of protections for a scheduled tree located at 300 Stanmore Road and question whether it, as a heritage tree, remains relevant within its current setting; and
 - (c) requesting the removal of protections for two scheduled significant trees at 32 Armagh Street.
- 10. Having reviewed the submissions on the Riccarton Bush trees, as a landscape architect I looked at how I would work to apply the proposed changes. This resulted in my opinion that the proposed change requires amendment.
- 11. I consider that the scheduled tree at 300 Stanmore Road, and the two trees at 32 Armagh Street, should be protected as QMs. To that end I have recommended that QM status should be extended to the second of the Armagh Street trees (T13, which was not originally identified for QM status).

INTRODUCTION

12. My full name is **Hilary Ann Riordan**. I have been employed as a Resource and Landscape Planner at the Council since May 2020.
13. I have been providing Council with my Landscape Architecture expertise in relation to PC14 QMs on the existing scheduled trees (i.e., those already identified in Appendix 9.4.7.1 of the District Plan).
14. In particular, I co-authored the *Significant Trees Qualifying Matters Technical Report* (with my colleague **Toby Chapman**, the City arborist) (**Technical Report**). The Technical Report is Appendix 24 to the Section 32 Report addressing QMs.²
15. The Technical Report outlines the assessments that were undertaken for two types of QMs related to the existing scheduled trees:
 - (a) one that applies to trees that qualify as heritage trees, identified by John Thornton (an arborist employed by the Council) to be at or over 100 years old, warranting protection under section 6(f) of the RMA³; and
 - (b) those that do not meet the heritage criteria but have been assessed, by an arborist and me, as warranting protection on other grounds (as an 'other matter' QM).
16. In preparing this evidence I have:
 - (a) Reviewed the Section 32 Report addressing QMs in full;
 - (b) Reviewed the relevant submissions;
 - (c) Read a draft of the Section 42A report of **Brittany Ratka**, which addresses the significant and other trees QMs.
 - (d) Read draft evidence by Mr Chapman (the City arborist) that is relevant to my evidence;
17. I am authorised to provide this evidence on behalf of the Council.
18. I note that my scope does not extend to addressing the Outstanding Natural Landscapes / Outstanding Natural Features (**ONF / ONL**) QM. That QM is

² [QM-Trees-Technical-Report- Jun2022-FINAL.PDF \(ccc.govt.nz\)](#).

³ Mr Chapman discusses the process for identifying heritage trees in his evidence. [QM-Trees-Technical-Report- Jun2022-FINAL.PDF \(ccc.govt.nz\)](#) Pg6, Section 2.1 Historic Heritage Trees Assessment.

addressed in the section 42A report (planning evidence) prepared by **Anita Hansbury**. I understand that there are no submissions on the ONF / ONL QM that require a technical landscape architecture response.

QUALIFICATIONS AND EXPERIENCE

19. I hold the qualifications of Bachelor of Landscape Architecture, and Master of Planning both from Lincoln University.
20. I have over 5 years' experience in planning and resource management in New Zealand, with 3 years of Landscape Architecture within my current role as a Resource and Landscape Planner with the Technical Services and Design Unit of the Christchurch City Council. As a Planner, I have contributed to background reports on Selwyn District Council's Plan change. Additionally, in my capacity as a Landscape Architect, I possess extensive experience in conducting diverse Landscape Assessments and offering expert technical advice on various projects and developments. Moreover, my expertise includes providing PC14 landscape advice pertaining to 'other matter' QM, and Financial Contributions, related to trees.
21. I am a Graduate Member of the New Zealand Institute of Landscape Architects and an Intermediate Member of the New Zealand Planning Institute.

CODE OF CONDUCT

22. While this is a Council hearing, I have read the Code of Conduct for Expert Witnesses (contained in the 2023 Practice Note) and agree to comply with it. Except where I state I rely on the evidence of another person, I confirm that the issues addressed in this statement of evidence are within my area of expertise, and I have not omitted to consider material facts known to me that might alter or detract from my expressed opinions.
23. I confirm that, while I am employed by the Council, the Council has agreed to me providing this evidence in accordance with the Code of Conduct.

SCOPE OF EVIDENCE

24. My statement of evidence addresses the following matters:

- (a) A brief overview of the significant tree 'other matter' QMs, referring back to the Technical Report and with a particular focus on the landscape contributions that scheduled trees provide;
- (b) Responses to specific submissions on the significant and other trees QMs:
 - (i) The workability of the application of the 'tree protection zone radius' regarding Riccarton Bush boundary. Submissions by Riccarton Bush Trust, Christchurch City Council and Mr Hardie on behalf of Trustee of Family Trust;
 - (ii) The setting of an identified Heritage QM Tree at Stanmore Road. Submission by Foodstuff; and
 - (iii) The landscape contributions of scheduled trees T12 and T13, submission by Carter Group.

25. I address each of these points in my evidence below.

EXISTING SCHEDULED TREES AS QUALIFYING MATTERS

26. The benefits of trees, and in particular significant / scheduled trees, is recognised in Council planning documents.

27. As described within Christchurch's Tree Policy⁴:

Trees play an integral part in reinforcing our identity as the Garden City, a reputation which many Christchurch residents pride themselves on. As well as their aesthetic values, trees also provide a range of other essential environmental, economic, cultural and social community benefits. With the current challenges being faced through climate change, the vital role which trees play in sequestering carbon, cooling through shade and managing storm water has never been more important.

28. District Plan Objective 9.4.2.1.1.a. is to:

a. Maintain and enhance the contribution of the Christchurch District's significant trees listed in Appendix 9.4.7.1, and trees in road corridors, parks, reserves and public open space, to community amenity through:

⁴ [Christchurch City Council Tree Policy \(ccc.govt.nz\)](http://ccc.govt.nz) Pg1 Section 1.0 Tree Planting.

- (i) *landscape character and amenity;*
 - (ii) *heritage and cultural values;*
 - (iii) *purification of air and rainwater;*
 - (iv) *releasing oxygen and storing carbon;*
 - (v) *cooling of the built environment and waterways;*
 - (vi) *stormwater and erosion management; and*
 - (vii) *biodiversity protection and enhancement;*
- while providing for the reasonable use and enjoyment of property and landowner responsibilities.*

29. The assessment for quantifying the significance and inclusion of a tree within Appendix 9.4.7.1 'Schedules of significant trees (Christchurch City and Banks Peninsula)' of the District Plan, was defined during the establishment of the 2015 District Plan. This defined and applied what is known as Christchurch Tree Evaluation Method (**CTEM**) methodology.
30. The CTEM methodology, as in accordance with Policy 9.4.2.2.1 of the District Plan, was subsequently applied when undertaking further determination of existing scheduled trees to be proposed as 'other matter' QM. This assessment is primarily an arborist assessment intended to provide quantitative results.
31. Where trees passed CTEM, I reviewed their CTEM Landscape Evaluation Scores, and undertook an additional landscape contributions assessment to review through a qualitative lens, and also ensuring that they met the following s771 requirements:
- (a) justifies why that characteristic makes that level of development inappropriate in the light of the national significance of urban development and the objectives of the National Policy Statement on Urban Development 2020 (**NPS-UD**); and
 - (b) includes a site-specific analysis that:
 - (i) identifies the site to which the matter relates; and
 - (ii) evaluates the specific characteristics on a site-specific basis.
32. The landscape contributions assessment provides a description of the tree's context within the landscape, while further highlighting the tree's characteristics and its contributions to the landscape. The following

characteristics and contributions were considered as part of this assessment:

- (a) All year greenery;
 - (b) Seasonal changes;
 - (c) Visually soften hard surfaces;
 - (d) Visually screening;
 - (e) Wayfinding marker;
 - (f) Architectural Form;
 - (g) Heritage Setting;
33. The findings from the landscape contributions assessment typically aligned with the CTEM assessment results. This resulted in⁵:
- (a) 23 tree groups were proposed as 'other matter' QMs, out of the 97 scheduled tree groups across Christchurch City; and
 - (b) 132 were proposed as 'other matter' QMs, out of the 1010 individual scheduled trees across Christchurch City.
34. In addition, 20 tree groups and 342 individual trees were identified by Mr Thornton to be at or over 100 years old, warranting QM protection under section 6(f) of the RMA. Mr Chapman discusses the identification of 'heritage QM' trees in his evidence.
35. The end result is that not all of the trees currently scheduled in the District Plan have been identified as QMs. Many of the scheduled trees not identified as QMs are either within the Banks Peninsula ward or in a non-residential area (and therefore not needing QM protection). A portion of the remaining scheduled tree groups and individual trees have not been proposed to have QM status, as they were unable to be assessed / inspected or failed the 'other matter' threshold.
36. Scheduled significant trees encompasses some of Christchurch's most notable trees. They connect with people's associations and memories, often nominated by the public to be considered as a scheduled tree. The

⁵ [QM-Trees-Technical-Report- Jun2022-FINAL.PDF \(ccc.govt.nz\)](#) Pg31, Table 20: Significant Trees Summary of Outcomes.

proximity of scheduled trees to residential areas ensures easy accessibility on a daily basis. Over time, these trees provide even more value to the community, creating a connection to history, contributing to the city's landscape and its identity.

37. In my view it is essential for Christchurch healthy and notable scheduled trees to be classified as an 'other matter' QM, especially with the ongoing and accelerated development of Christchurch City. These trees deserve protection to also enrich and enhance the future urban landscape of Christchurch. By safeguarding these significant trees, we ensure their lasting contributions to the city's beauty, while also promoting ecological vitality and a sustainable environment for generations to come.

RESPONSE TO SUBMISSIONS

Riccarton Bush Trust (Submission 44), Christchurch City Council (Submission 751) and Mr Hardie on behalf of Trustee of Family Trust (Submission 1011): Riccarton Bush Tree Protection Zone Radius

38. I have read the submissions from Riccarton Bush Trust and Christchurch City Council and Mr John Hardie on the proposed change in Rule 9.4.4.1.3 RD6.a to remove "10 metres" replacing it with "tree protection zone radius".
39. In context, the proposed amendment and Rule states:

a. Any of the following within ~~10 metres~~ tree protection zone radius of the base of any tree in the Significant Trees area at Riccarton Bush:

- i. works (including earthworks, other than as provided for by Rule 9.4.4.1.1 P12);*
- ii. vehicular traffic;*
- iii. sealing or paving (excluding earthworks);*
- iv. storage of materials, vehicles, plant or equipment; or*
- v. the release, injection or placement of chemicals or toxic substances.*

b. In the case of the property at 48 Rata Street (legally described as Lot 375 DP 11261) the 10 metre restriction shall only apply to the northern boundary of that property.

c. For the purposes of this rule, the outer boundary defining the Significant Trees Area (which follows the predator-proof fence surrounding the forest remnant) shall be deemed to be the base of the tree.

d. Any application arising from this rule shall not be limited or publicly notified.

40. As a Landscape Architect, when considering the implementation of this rule change, the calculating of the necessary setback from the base of the tree becomes challenging, as part c. of this rule states that the base of a tree within Riccarton Bush is deemed to be the predator-proof fence.
41. My **Appendix A (i)** shows some quick workings on three application scenarios, where I came to the following findings:
- (a) **Figure 1** shows the application of the original wording (10m setback from the predator-proof fence). It is easy to interpret and very quick to apply.
 - (b) **Figure 2** shows an example of the application using just the tree protection zone radius. To implement it would require more site-specific data and survey information on each tree but would enable the production of a consistent methodical approach that can be followed.
 - (c) **Figure 3** shows a high-level attempt to apply the proposed rule, where the tree protection zone radius of the trees is applied from the predator fence. Though it would also require additional tree data to determine the specific radius to use, it lacks clarity on how this is then brought forward methodically to the predator fence line. It would then be susceptible to individual interpretation.
42. I consider that the proposed Rule 9.4.4.1.3 RD6 should be amended. The full application of the tree protection zone radius should be implemented without the consideration of the predator-proof fence, this provides a methodical approach that can be applied with reasonable efficiency while providing protection of these trees and their roots. It would enable more refined design responses to occur, rather than a more delineated singular setback from a rigid fence line.
43. Therefore, I recommend that:
- (a) The Council's proposed change to RD6(a) be confirmed; and
 - (b) in addition, that RD6(c) be deleted.

Foodstuffs (Submission 705): Heritage Tree located on Stanmore Road

44. The relief sought by this submission is to “*Amend to exclude the protected tree on Stanmore Road frontage*”, with their reasoning being that “*Removal of the protected tree better represents the existing environment.*”
45. This tree is listed as T1118 within Appendix 9.4.7.1 of the District Plan. The tree was also identified by Mr Thornton to be at or over 100 years old and warranting protection under section 6(f) of the RMA. **Mr Chapman** discusses the process for identifying heritage trees in his evidence, along with a specific discussion on this tree.
46. The removal of this tree would cause the loss of a visible landscape feature that has existed for 100 years or more.
47. In addition to its heritage value, the tree adds to the visual appeal of the surroundings and also contributes valuable amenity benefits to the current urban setting. It provides the following contributions to its current setting:
- (a) It is a notable marker within the landscape, helping to easily identify the site’s location;
 - (b) it helps to visually connect with the green space from the park across Stanmore Road; and
 - (c) it aids in softening the urban form, reducing the scale of the building, and the hard landscaping that dominates the eastern side of Stanmore Road and the site of 300 Stanmore Road.
48. Based on the benefits this tree is providing to its setting, I consider it should be protected via QM status. I am unsure what the submitter means when stating that its removal would “*better represent the existing environment*”, but in my view the tree is an important part of the existing environment at this location.

Carter Group Limited (Submission 814): Scheduled Trees T12 and T13

49. Carter Group seeks removal of protection for two scheduled significant trees at 32 Armagh Street. The submission states that:
- (a) Retaining those trees would “*significantly constrain the development capacity of the site*”;
 - (b) The associated costs “*outweigh any benefits of scheduling*”; and

(c) *"Qualifying matters, given their restrictions on development rights of private property, should be thoroughly tested and assessed".*

50. These trees are listed as T12 and T13 within Appendix 9.4.7.1 of the District Plan. T12 is proposed as an 'other matter' QM, while T13 is currently not proposed as an 'other matter' QM due to its CTEM assessment not being completed at the time of the Technical Report's completion. In response to this submission T12 and T13 have been reviewed.
51. I acknowledge that a requirement to retain scheduled trees may constrain development of a site. In my view, the retention of scheduled trees creates opportunity for more tailored and site-specific design approaches. Creating a design that harmonizes with the presence of these trees can lead to an improved landscape outcome for Christchurch, offering a distinct sense of place while safeguarding these significant trees.
52. **Appendix A (ii)** contains the landscape contributions assessment report for tree T12 that was conducted by me on 12th April 2022⁶, at the same time as it was also assessed by an arborist using the CTEM methodology. I also revisited the site on 12th July 2023, in light of the Carter Group submission. In my opinion, the tree's contributions to the landscape remain unchanged.
53. This landscape contribution summary of T12 states:
- This tree is significant in the landscape and it provides positive characteristics and contributions to an urban environment. It also provides a connection to the site's historic past.*
54. **Appendix A (iii)** presents my recent landscape contribution assessment of T13, conducted on the 12th of July 2023. The results suggested that T13 may qualify as a 'other matter' QM dependent on the CTEM results.
55. The landscape contribution summary of T13 currently states:
- This tree is visibly significant within the landscape, it connects the site to the streetscape, and it provides positive characteristics and contributions to an urban environment. It also provides a connection to the site's historic past.*

⁶ [QM-Trees-Attachment-B1_Significant-Individual-Trees-T0-500s_June2022.PDF \(ccc.govt.nz\)](#) Pg5.

56. The CTEM assessment was undertaken by Mr Chapman on the 20th July 2023. As per Mr Chapman's evidence, the CTEM results for T13 showed that it meets the threshold to be a 'other matter' QM.
57. Based on the landscape contribution assessment, in addition to supporting CTEM Assessments the protection and preservation of both T12 and T13 would contribute positively to the overall landscape amenity and add to the identity of Christchurch.
58. Therefore, I recommend that:
- (a) T12 should remain as a 'other matter' QM; and
 - (b) T13 should now be included as an 'other matter' QM.

Dated: 11 August 2023

Hilary Ann Riordan

APPENDIX A

(i) Application examples of Rule 9.4.4.1.3 RD6



Figure 1: Example of application of the rule as currently worded, 10m from the predator-proof fence.



Figure 2: Example of using the tree radius protection zone method, (example only showing a few trees with the maximum possible 15m radius in orange, 10m radius example in blue).

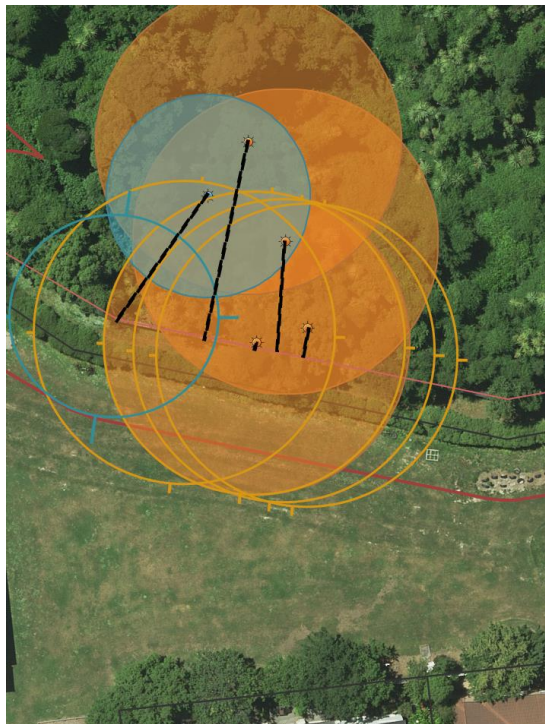




Figure 3: Example of a possible interpretation of the proposed rule wording, extending the trees' tree protection radius zones to the predator fence boundary.

(ii) T12 Assessment 04.2022

'Qualifying Matter' Significant Tree
Landscape Contributions

Tree ID: T12	
Address: 32 Armagh Street Christchurch Central	
Tree Species: <i>Tilia x europaea</i> , Common Lime	
Native/Exotic: Exotic	
Photograph: 2022-04-12 (arborist)	
Location Plan:	
	

Criteria	Assessment
CTEM	Pass CTEM Landscape Evaluation Points: Fair-Good
Context	The tree is located within a mixed use (residential and commercial businesses) area of the central city. The property is currently mostly vacant (used as a car park) with some small buildings remaining on its southern boundary. The tree sits on the property's western boundary. A grassed area immediately surrounds the tree.
Characteristics Contributions	<ul style="list-style-type: none"> ▪ seasonal changes ▪ visually softens hard landscapes ▪ visual screening ▪ visual perspective <p>This tree has a height of 18m and a spreading canopy that is 11-12m in diameter. Prior to the earthquakes the site was occupied by Christchurch Girls' High School buildings which were established on the Armagh Street site in the 1881.</p>
Summary	This tree is significant in the landscape and it provides positive characteristics and contributions to an urban environment. It also provides a connection to the site's historic past.

(iii) T13 Assessment 07.2023

‘Qualifying Matter’ Significant Tree
Landscape Contributions

Tree ID:	T13	
Address:	32 Armagh Street Christchurch Central	
Tree Species:	<i>Acer pseudoplatanus</i> <i>Brilliantissimum</i> , Variegated Sycamore	
Native/Exotic:	Exotic	
Photograph:	2023-07-12 (LA)	
Location Plan:		

Criteria	Assessment	
CTEM	CTEM Landscape Evaluation Points:	
Context	The tree is located within a mixed use (residential and commercial businesses) area of the central city. The property is currently mostly vacant (used as a car park) with some small buildings remaining on its southern boundary. The tree sits on the property’s northern boundary. It sits just behind the site’s remnant low roadside boundary fence and is also framed by smaller street trees (<i>Ginkgo biloba</i>).	
Characteristics Contributions	<ul style="list-style-type: none"> ▪ seasonal changes ▪ visually softens hard landscapes ▪ visual screening 	<ul style="list-style-type: none"> ▪ streetscape ▪ wayfinding marker
	The tree visually appears to have a uniformed dome canopy and is visually dominant within the current streetscape. It helps to mark the north-western corner of this site. Prior to the earthquakes the site was occupied the by Christchurch Girls' High School buildings which were established on the Armagh Street site in the 1881.	
Summary	This tree is visibly significant within the landscape, it connects the site to the streetscape, and it provides positive characteristics and contributions to an urban environment. It also provides a connection to the site’s historic past.	