

PROJECT OVERVIEW

Project Name	Review of protected tree provisions in District Plan
Council Contact	Chris Dawson cdawson@bbo.co.nz
Consultation timeframe	Closes Friday, 8 June 2018
Project Location	District wide
Project Summary	<p>The District Plan protects over 120 trees on private land across Waipa. Most are in Cambridge and date back from early European settlement. Currently trees on private land are eligible for protection in the District Plan if they score 100 points under the Royal New Zealand Institute of Horticulture (RNZIH) scoring system.</p> <p>One of the key drivers for this review was the change in our environment. Trees are a significant part of our community's landscape, however, our towns have grown. In our community there are protected trees which were once on a farm or a large urban section which are now on small urban section or commercial sites. The proximity of the tree to the development is both problematic for the health of the tree and the enjoyment of the property by the landowner.</p> <p>The objectives of this Plan Change are:</p> <ul style="list-style-type: none"> ▪ To address the negative impacts created by large protected trees on small urban sections; ▪ Create flexibility in the rules to allow landowners to undertake works which do not impact on the health and structural integrity of a protected tree without a resource consent; ▪ More effectively manage risks, including where a tree is dead or dying or there is a threat identified to part of the tree; and ▪ Ensure street tree planting occurs in new developments. <p>This has been a comprehensive review of the protected tree provisions in the District Plan. Included along with the draft plan changes is a summary commentary on what has been proposed.</p>
Consultation to date with Iwi	<p>As part of our early engagement:</p> <ul style="list-style-type: none"> ▪ Staff attended the NITOW meeting on 24 July, 25 September and 30 October 2017; ▪ The 5 RMA Iwi Authorities were sent letters enclosing the initial presentation provided to NITOW on 24 July, FAQ's and feedback form; ▪ Proposals were discussed at Iwi Consultative Committee on 6 September; and ▪ Meeting with Poto Davies.

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	<p>Initial discussions identified a need to incorporate a section on culturally significant trees in our documentation. The District Plan is silent on this issue. It would appear from discussions to date that including a section on culturally significant trees in the Council’s Tree Policy would be the best option. The Council’s Tree Policy has more flexibility than the District Plan, deals with trees on public land and will avoid culturally significant trees being caught up in Council’s consenting process. A new proposed section in the Tree Policy on culturally significant trees has been drafted and discussed with Ngā Iwi Tōpū O Waipā (NITOW).</p> <p><u>Culturally Significant Trees</u></p> <p><u>Culturally significant trees identified by tangata whenua are included in the Heritage Tree list.</u></p> <p><u>Ngā Iwi Tōpū O Waipā (NITOW), will be consulted with when work is required to be undertaken on, or within the root protection zone of, or removal of, a culturally significant tree.</u></p> <p><u>The scope of works NITOW will be consulted on includes:</u></p> <ul style="list-style-type: none">▪ <u>pruning and maintenance;</u>▪ <u>disposal of branches;</u>▪ <u>any construction or alteration of soil levels in the root protection zone; and</u>▪ <u>tree removal and any replacement planting.</u> <p><u>Root Protection Zone will be defined as¹:</u></p> <p><u>means for a tree with a spreading canopy, the area beneath the canopy spread of a tree, measured at GROUND LEVEL from the surface of the trunk, with a radius to the outer most extent of the spread of the tree’s branches, and for a columnar tree, means the area beneath the canopy extending to a radius half the height of the tree.</u></p> <p>It is intended that the Tree Policy will be revised to reflect the outcome of this Plan Change. Until such time as the Tree Policy is revised it is proposed to adopt a consultation process for culturally significant trees as an internal operating procedure.</p> <p>We look forward to receiving your comments on the above process.</p>

¹ Same definition as District Plan

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Assessment against the Vision and Strategy of the Waikato River	<p>The vision and strategy for the Waikato River was reviewed and the following provision identified as being significant for this proposed plan change.</p> <p style="text-align: center;"><i>Objectives for the Waikato River</i></p> <p style="text-align: center;"><i>(i) The protection and enhancement of significant sites, fisheries, flora and fauna.</i></p> <p>It has been identified as part of early engagement that there needs to be a process for Council to record and consult where works are undertaken on trees identified by Iwi as culturally significant. See above section on consultation to date with Iwi for a discussion on this issue.</p>

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This review of the Environment Management Plan is limited to identification and protection of significant trees and planting on roads. It does not cover the Council’s approach to planting in other public places, such as reserves, as this is not covered in our District Plan. It also does not cover any indigenous biodiversity issues as this is dealt with in section 24 of our District Plan, which is not under review at this time.

Relevant Objectives, Issues and Actions	Effect of project on relevant objectives, policies and methods and any mitigation measures proposed if necessary
<p><i>Objective – Waikato-Tainui customary activities are protected and enhanced</i></p> <p><i>14.3.2 The ability of Waikato-Tainui to undertake customary activities is protected and enhanced within the rohe, particularly on, in, and around waterways and their margins, including wetlands and reserves.</i></p> <p><i>Policy 14.3.2.4: To restore, protect and enhance customary activities and resource uses.</i></p>	
<p>Method</p> <p>Maintain a register of regionally, spiritually, and culturally significant sites and customary activities, and the degree of access to those sites or activities.</p>	<p>As part of initial engagement it has been identified that Council does not currently identify and record trees which have a cultural significance. Culturally significant trees may be significant for reasons such as being an important seed source, which also links in with protecting and enhancing customary activities.</p> <p>Council recognises that there is a need to incorporate a section on culturally significant trees in our documentation. Both the Council’s Tree Policy and the District Plan are currently silent on this issue. Discussions to date have been in favour of including provision for culturally significant trees in our Tree Policy, rather than the District Plan. The Tree Policy has more flexibility than the District Plan, deals with trees on public land and will avoid culturally significant trees being caught up in Council’s consenting process.</p> <p>For the issues raised to date and the proposed drafting for Council’s policy documentation please refer to the earlier project overview.</p>

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Relevant Objectives, Issues and Actions	Effect of project on relevant objectives, policies and methods and any mitigation measures proposed if necessary
<p>Objective – Indigenous biodiversity</p> <p><i>15.3.1 The full range of Waikato ecosystem types found throughout the Waikato-Tainui rohe are robust and support representative native flora and fauna.</i></p> <p><i>Policy 15.3.1.1: To ensure that the full range of Waikato ecosystem types found throughout the Waikato-Tainui rohe are robust and support representative native flora and fauna.</i></p>	
<p>Method</p> <p>(f) The establishment and enhancement of ecological corridors linking areas of known high value indigenous habitat to be treated as a high priority within the relevant regional and local plans and strategies. These corridors should include, but are not limited to appropriate riparian margins, gully systems, esplanade reserves, and vegetation planted alongside road corridors.</p>	<p>This Plan Change does not effect this policy or method as Council already encourages the planting of native flora on roads in new developments via the Waipa District Development and Subdivision Manual. This Manual includes two lists of tree species which are suitable for street tree planting. One of these lists is dedicated solely to New Zealand native trees to encourage planting of natives in appropriate locations.</p> <p>It is proposed that when the Development and Subdivision Manual is replaced with the Regional Infrastructure Technical Manual (RITS) that the lists included in the Development Manual will carry through to the new policy documents.</p> <p>Planting in other public places is out of the scope of the District Plan.</p>

WAIKATO – TAINUI ENVIRONMENTAL MANAGEMENT PLAN REVIEW

Relevant Objectives, Issues and Actions	Effect of project on relevant objectives, policies and methods and any mitigation measures proposed if necessary
<p>Objective– Landscape planning and natural heritage</p> <p><i>15.3.2 Cultural, spiritual and ecological features of the Waikato landscape that are significant to Waikato-Tainui are protected and enhanced to improve the mauri of the land.</i></p> <p><i>Policy 15.3.2.1 To ensure that there is greater protection and enhancement of cultural, spiritual and ecological features of significance to Waikato-Tainui.</i></p>	
<p>(d) Establishment and enhancement of ecological corridors linking areas of known high value indigenous habitat shall be treated as high priority for the allocation of resources by the authorities responsible. These corridors will include riparian margins, gully systems, esplanade reserves, and vegetation alongside road corridors.</p>	<p>This Plan Change does not effect this policy or method as Council already encourages the planting of native flora on roads in new developments via the Waipa District Development and Subdivision Manual. This Manual includes two lists of tree species which are suitable for street tree planting. One of these lists is dedicated solely to New Zealand native trees to encourage planting of natives in appropriate locations.</p> <p>It is proposed that when the Development and Subdivision Manual is replaced with the Regional Infrastructure Technical Manual (RITS) that the lists included in the Development Manual will carry through to the new policy documents.</p> <p>Planting in other public places is out of the scope of the District Plan.</p>