



Rangitikei District Council

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Rangitikei
UNspoilt...

Marton Community Committee

Order Paper

**Wednesday, 14 June 2017,
7.00 pm**

Youth Club, Humphrey Street, Marton

Website: www.rangitikei.govt.nz

Email: info@rangitikei.govt.nz

Chair

Carolyn Bates

Membership

Lyn Duncan, Jennifer Greener, Pip Hancock, Donna Harris,
Belinda Harvey-Larsen, Lynda Hunter, Wendy Wagner
His Worship the Mayor, Andy Watson, (ex officio)

Councillor Lynne Sheridan and Councillor Dave Wilson

Please Note: Items in this agenda may be subject to amendments or withdrawal at the meeting. It is recommended therefore that items not be reported upon until after adoption by the Council. Reporters who do not attend the meeting are requested to seek confirmation of the agenda material or proceedings of the meeting from the Chief Executive prior to any media reports being filed.



Rangitikei District Council

Marton Community Committee Meeting

Agenda – Wednesday 14 June 2017 – 7:00 pm

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The quorum for the Marton Community Committee is 4 plus an Elected Member.

Council's Standing Orders (adopted 3 November 2016) 10.2 provide: The quorum for Council committees and sub-committees is as for Council, i.e. half the number of members if the number of members (including vacancies) is even or a majority if the number of members is odd.

1 Welcome

2 Public Forum

3 Apologies

Apologies were received from Ms Lynda Hunter.

4 Members' conflict of interest

Members are reminded of their obligation to declare any conflicts of interest they might have in respect of items on this agenda.

5 Confirmation of order of business and late items

That, taking into account the explanation provided why the item is not on the meeting agenda and why the discussion of the item cannot be delayed until a subsequent meeting, be dealt with as a late item at this meeting.

6 Confirmation of Minutes

The minutes are attached.

File ref: 3-CC-1-3

Recommendation

That the Minutes of the Marton Community Committee meeting held on 8 February 2017 be taken as read and verified as an accurate and correct record of the meeting.

7 Chair's Report

A report will be provided at the meeting.

8 Council decisions on recommendations from the Committee

There were no recommendations from the Committee's last meeting requiring Council approval.

9 Council responses to queries raised at previous meetings

There were no questions posed for Council to answer.

10 Update from the Project Marton Co-ordinator

The 2017/18 work plan which Project Marton provided to Council's meeting on 25 May 2017 is attached.

A verbal report will be provided at the meeting.

11 Update from the Marton Wastewater Advisory Group

The Committee's representative, Ms Lynda Hunter, will provide a verbal report at the meeting.

12 Rangitikei Youth Awards Scheme 2017

A report is attached.

File ref: 4-EN-12-7

Recommendation

That the report 'Rangitikei Youth Awards Scheme 2017' dated 30 May 2017 be received.

13 Update on paint colours for the Memorial Hall / Marton Park Pavilion

Following the workshop, an update will be provided to the meeting.

14 Update on place-making initiatives

There are no updates since the last meeting.

15 Update on the Marton Civic Centre/Heritage Precinct project

The majority of submitters to the Annual Plan consultation document on this topic wanted Council to continue investigating options for the Cobbler/Davenport/Abraham & Williams Buildings site, but views were evenly split between those who wanted the heritage character of the corner retained and those who favoured demolition and a completely new building.

Council has decided that a concept design with costings will be undertaken on

- a. retaining all the facades and building new behind them, and
- b. demolishing all buildings and erecting an entirely new building;

with regard to the impact on the Broadway streetscape and opportunities for external funding support; and

- c. scoping and costing the upgrade of buildings on the Marton Library site and the Marton administration site so that they are fit for purpose as a reference point for a. and b.

16 Council Street Table

Cr Sheridan will provide a verbal report.

17 Update on Parks Programme

Cr Sheridan will give an update to the Tui Trail, Fernery, and Park Entrances projects.

18 Funding rounds open

The funding rounds for the Community Initiative Fund and Event Sponsorship Scheme have opened and will close on Friday 30th June. Please let people in your community know about the schemes and encourage them to apply. Further information can be found on the Council's website: <https://www.rangitikei.govt.nz/district/community/grants-funding>

19 Small Projects Grant Scheme update – June 2017

Ms Carolyn Bates requested that discussion about “paint for Maori Carvings” be added to the Small Projects Grant agenda item.

A memorandum is attached.

File ref: 3-CC-1-3

Recommendation

- 1 That the memorandum ‘Small Projects Grant Scheme Update – June 2017’ be received.
- 2 That the balance of \$3,232.00 be carried-forward into the 2017/18 financial year.

20 Current Infrastructure projects/upgrades and other Council activities within the ward

A memorandum is attached.

File ref: 3-CC-1-5

Recommendation

That the memorandum ‘Current Infrastructure Projects/Upgrades and other Council Activities in the Marton Ward, March-April 2017 be received.

21 Proposed revocation of the Fire Prevention Bylaw

A memorandum is attached.

File ref: 1-DB-1-12

Recommendation

That the memorandum 'Proposed Revocation of Fire Prevention Bylaw and section 6.3 of the Public Places Bylaw 2013' be received.

22 Draft Urban Tree Plan 2017

A memorandum is attached.

File ref: 6-RF-1-1

Recommendations

- 3 That the memorandum 'Draft Urban Tree Plan 2017' be received.
- 4 That the Community Committee supports/does not support [remove one] being given the authority to make decisions on major tree removals following a community consultation process.
- 5 That the Community Committee recommends to the Policy/Planning Committee the following changes to the draft Urban Tree Plan 2017:

-
-

23 Late Items

As accepted in item 6.

24 Next Meeting

Wednesday 9 August 2017, 7:00 pm

25 Upcoming meetings for 2017

- 11 October
- 13 December

26 Meeting Closed

Attachment 1



Rangitikei District Council

Marton Community Committee Meeting

Minutes – Wednesday 12 April 2017 – 7:00 p.m.

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Present: Ms Carolyn Bates (Chair)
Ms Donna Harris
Ms Lyn Hunter
Cr Lynne Sheridan
Cr Dave Wilson
Ms Wendy Wagner
Ms Jennifer Greener (7.15)
His Worship the Mayor A Watson (7.25)

In attendance: Ms Denise Servante, Strategy and Community Planning Manager
Ms Cath Ash, Project Marton Coordinator

1 Apologies

Resolved minute number **17/MCC/006** **File Ref**

That apologies be received from Belinda Larsen-Harvey, Lyn Duncan and Pip Hancock

Ms Bates/Ms Hunter Carried

2 Members' conflict of interest

No conflicts of interest were declared in respect of items on this agenda.

3 Confirmation of order of business and late items

Ms Bates explained that due to confusion over the deadline for agenda items previously circulated, the agenda items that she had forwarded had not been included on the agenda.

Resolved minute number **17/MCC/007** **File Ref**

That, taking into account the explanation provided why the item is not on the meeting agenda and why the discussion of the item cannot be delayed until a subsequent meeting, Swimming pool repairs, Tutaenui Scheme AGM, Annual Plan Submission to RDC, Annual Plan submission to Horizons, Curtain Bank, Civil Defence update and Marton Park update be dealt with as a late item at this meeting.

Ms Bates/Ms Wagner Carried

4 Confirmation of Minutes

Resolved minute number **17/MCC/008** **File Ref**

That the Minutes of the Marton Community Committee meeting held on 8 February 2017 be taken as read and verified as an accurate and correct record of the meeting.

Cr Wilson/Ms Harris Carried

5 Chair's Report

Ms Bates reported on the things she has been involved with since the last meeting. She also informed the Committee that Gillian Bowler has been confirmed in her appointment as the Youth Development Coordinator.

Resolved minute number **17/MCC/009** **File Ref**

That the Chairs' report to the Marton Community Committee meeting on 12 April 2017 be accepted.

Ms Bates/Cr Wilson carried

6 Combined meeting / workshop with Council and Community Committees

Ms Bates reported that she appreciated the opportunity to receive the information directly from the Mayor and staff ahead of the time that the public meetings took place. She was appreciative of feedback from the Committee members to the draft submission that had been circulated for comment. Ms Bates thanked Committee members, Ms Harris and Ms Harvey-Larsen who came to help draft the submission. Ms Bates confirmed that it had been submitted to Council and informed the Committee that she would welcome support at the oral hearings – the allocated slot is between 2.30 and 3.30 on 20 April in the Council Chamber.

Resolved minute number **17/MCC/010** **File Ref**

That Council considers a similar process of information provision to Community Committees when other significant Council decisions are being made

That the Committee endorses its submission made to 2017/18 Annual Plan

Ms Bates/Ms Hunter Carried

7 Council decisions on recommendations from the Committee

It was noted that there were no recommendations from the Committee to Council.

8 Council responses to queries raised at previous meetings

The responses to queries from the Committee to Council were noted.

9 Update from the Project Marton Co-ordinator

Ms Ash reported to the Committee.

Harvest Fair was very successful. Project Marton estimated that up to 8,000 people had attended. Wet tent selling craft beer was very popular (on licence). Amazing support from local businesses and volunteers. Feedback from out-of-town stall holders was that they felt welcomed and at home.

Community garden has been great with over 80 kg food each week being distributed for free. Newsletter bulletin is very popular with more people signing up each week. Ms Bates asked whether hard copies of the newsletter could be left in public places. Ms Ash reported that printing costs were prohibitive for too wide a printed distribution.

The following projects are being worked on:

- Community Services Awards
- Cooking class coming up - focussing on harvest abundance (pickling and bottling etc.).
- Meet the candidates evening for the general election, MC Nigel Belsham.
- Craft Alive event being worked on for 23/24 September
- Rangitikei's Got Talent in next month, final on 22 May
- Place-making group working on seating outside Countdown

Focus for the coming 12 months is on Men's Shed and Timebanks, youth suicide and anti-bullying.

Cr Sheridan asked whether there was an opportunity/need to do adult education classes in evenings at the College. Ms Ash informed the Committee that Land Based Training offer literacy and numeracy classes and that a recent conversation with the Principal at Rangitikei College indicated that he would be open to discussions. Cr Sheridan asked about parenting classes. Ms Ash informed the Committee that Jigsaw run parenting courses every term.

Ms Bates noted that the Arts and Crafts Centre had been approached by two teachers from the College with a view to developing a learning opportunity for students who are not necessarily doing well at school. Ms Hunter will follow up with the teachers concerned.

10 Update from the Marton Wastewater Advisory Group

Ms Hunter reported on the meeting at the end of February which was a first meeting to bring everyone up to speed with the terms of reference and role of the group. The Mayor added that there may be an opportunity to look at how to resolve Bulls and Marton at the same time i.e. connecting the two together.

11 Update on Youth Services

The update was noted.

12 Update on place-making initiatives

The update from Mr Sanson was noted.

13 Update on the Marton Civic Centre/Heritage Precinct project

Cr Wilson reported on the well documented project around the Heritage Precinct in Marton as part of the 2017/18 Annual Plan and good number of submissions received. High level project and high level of interest/engagement. Looking forward to reading the submissions thoroughly.

14 Marton / Council Street Table

Cr Sheridan reported that the tables went well on 4 March and 1 April 2017. Always interesting what questions come up from passers-by. Next one is on 6 May (New World) and then 3 June (Countdown). All welcome to help.

15 Small Projects Grant Scheme update – April 2017

Resolved minute number	17/MCC/011	File Ref	3-CC-1-3
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That the memorandum 'Small Projects Grant Scheme Update - April 2017' be received.

Ms Bates/Cr Sheridan Carried

It was noted that a quote has been received and tabled for the irrigation scheme for the community garden for \$348 and the Committee confirmed its contribution of \$250. The letter indicates that the equipment has been purchased and reimbursement is requested.

Some discussion over the plaque to commemorate the Main Street horses. It was noted that the plaque had been printed but not placed anywhere. Staff will follow up to see if the money was dispersed and what supporting documents there were.

Ms Bates proposed that the Committee contribute to the final paint that is required to complete painting the fence at Wilson Park. This is estimated at \$34.

Ms Harris raised the possibility of buying cat traps. This discussion is noted under the item on stray/feral/nuisance cats.

Ms Bates had noted that the glass disposal at the Waste Transfer Station had a very high step to access and wondered if the Committee was minded to fund an adaptation to make it easier for older/less mobile people. It was agreed that this is a request for service. Ms Bates will pursue.

Resolved minute number	17/MCC/012	File Ref	3-CC-1-3
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That the Committee approves \$34 from the Small Projects Grant Scheme towards paint for the Wilson Park fence

Ms Bates/Ms Harris Carried

16 Current Infrastructure projects/upgrades and other Council activities within the ward

The Mayor reported on several issues:

- Declared civil defence emergency last week, storm warnings in place over Easter weekend will be monitored. Ms Bates asked what support could be provided by Community Committee members. The Mayor outlined the training that goes into developing staff for responding and that trained staff are required for first responses. Support such as food and rest for the staff involved is always welcome. Feedback has been very positive about the response from the Civil Defence team.
- Edale Home – The Mayor is the Council’s representative to the Board. Not in good shape as the moment. Closure of the dementia unit, changes in staff and in Board structure. Trying to ensure it survives and is sustainable
- Police – reinforcements being put in place. Rangitikei will get 67 additional police - an additional 10%. Marton will become a 24/7 station in 2020. 20 additional ethnic officers for New Zealand – The Mayor put forward a strong case for a Samoan (speaking) officer on Marton.
- Singapore Air Force possibly going to station a squadron at Ohakea – watch this space.
- Stormwater – clearing surface water, ponding under houses and inability to cope with surface water during rain events. Discussion need to be had about whose responsibility it is to clear and maintain drains.

Resolved minute number **17/MCC/013** **File Ref** **3-CC-1-5**

That the memorandum ‘Current Infrastructure Projects/Upgrades and other Council Activities within the Ward, March 2017’ be received.

Ms Harris/Ms Greener Carried

17 Stray / feral / nuisance cats

The Mayor informed the Committee that traps are available from Council for a returnable deposit. Ms Bates had requested traps from Horizons and been told that there were none. The Mayor noted that central government had recently issued its intention for a pest-free New Zealand and had included feral cats in the list of pests. Government action on this issue needed to be known. In terms of nuisance or stray cats, the issue is the destruction of such cats and distinguishing them from lost cats, not their capture. Needs to be a regional discussion. Likely that Council’s discussion will be around disposal of nuisance/stray cats when caught in Council traps. Ms Ash noted that microchipping cats would avoid the destruction of wanted but lost cats.

Resolved minute number **17/MCC/014** **File Ref** **3-PY-1**

That the Committee request that Council investigate and develop a policy, in conjunction with the government's intention to achieve a pest free New Zealand, on the acceptable disposal of nuisance/stray/feral cats.

Ms Bates/Ms Hunter Carried

18 Update on town signage

Ms Bates reported on a conversation with Mr R Snijders. Now that Mr Snijders is no longer on the committee, his work on signage is on hold. He also indicated that it could be affected by decisions pending about Rangitikei Tourism. The Mayor reported that Council has been informed that Rangitikei Tourism is winding up and negotiations are underway about what Council will continue in terms of the website and other promotional initiatives. The road signage is a slightly different issue since the signs are owned by Project Marton.

19 Geographical review of Census spatial units

Resolved minute number **17/MCC/015** **File Ref** **1-LTP-4-2**

That the memorandum "Geographical review of Census spatial units" be received.

Ms Bates/Ms Hunter Carried

Resolved minute number **17/MCC/016** **File Ref** **1-LTP-4-2**

That the Committee suggests that Murimotu for Otiwhiti and Raumai for Parewanui may be suitable but that feedback should be primarily from the affected communities and Iwi

Ms Bates/Ms Wagner Carried

20 Repainting of Memorial Hall and Jubilee Pavilion

The Committee considered the Resene Heritage swatch provided by Council staff. Ms Bates had also sought advice from local paint shop colour experts. The Committee agreed that it would be good to get some coordination of colours throughout the town. Noted that dark colours such as red, can have shorter durability than lighter colours.

Resolved minute number **17/MCC/017** **File Ref**

The Committee recommends that the same colours (cream/green) be used to repaint the exterior of Memorial Hall and Jubilee Pavilion.

Cr Wilson / His Worship the Mayor Carried (4/3)

21 Chorus Cabinet Art programme

The information was noted. Committee members will alert their networks.

22 Late Items

22.1 Ratana Celebration

His Worship the Mayor informed the Committee of a special event celebrating the advent of the Ratana movement through the 100th anniversary of the vision of Tahupōtiki Wiremu Ratana. The event could be huge at the Paa – up to 50,000 visitors. The Mayor urged the Committee to support in whatever way was possible. It was agreed that the Chair would write a letter to the Ratana Community Board offering support from the Committee.

22.2 Swimming Pool

Ms Bates had been informed of a potential repair required for the steps out of the pool. It was agreed she would submit a request for service. The Mayor will also follow up.

22.3 Tutaenui Scheme AGM

Cr Sheridan reported. 60-70 people turned out for this evening meeting, particularly from Bulls. Have been issues with the maintenance of the Tutaenui down in Bulls through Brandon Hall Road and Trickers Road. Agreed at the meeting to a rates increase to improve the maintenance and also to seek a global consent to remove metal from the river bed to aid draining.

22.4 Annual Plan submission to Horizons

Ms Bates alerted the Committee to the deadline for submission to the Horizons Annual Plan which is tomorrow. Council is considering its submission at the Policy/Planning Committee meeting tomorrow. Agreed not to make a submission from the Committee.

22.5 Curtain Bank

Ms Bates has been discussing with the Council community housing staff about developing a curtain bank for Council community housing tenants.

22.6 Marton Park update

Cr Sheridan reported on three project groups that she is involved with to develop the Park and is looking for additional community members to work alongside her and others in the group. There will be a meeting at 3.00 pm on Wednesday 19 April at the Library.

23 Next Meeting

Wednesday 14 June 2017, 7:00pm

24 Meeting Closed

9.15 pm

Confirmed/Chair: _____

Date:

Unconfirmed

Attachment 2

STRATEGIC PERFORMANCE FRAMEWORK MOU ORGANISATIONS

Name of MOU agency: **Project Marton**

Period under review: July 2017 – June 2018

Group of Activities: Community Well-being

- Attracting people to the Rangitikei to live (or to stay living here)
- Contribution to community outcomes: A buoyant District economy, Enjoying life in the Rangitikei

Activity: Economic development and District Promotion

Council's intended Level of Service is to:	Contract with local organisations to develop and deliver events, activities and projects to enliven the towns and District.
Action	Brief
1. Market Day	Continue to deliver a vibrant event that attracts visitors to our town, offering opportunity for retailers/organisations/producers to showcase their services and products within a strong community setting.
2. Harvest Fair	Create a boutique market to enjoy the bountiful harvest in its myriad forms. A day to truly celebrate and showcase our rich farming history while creating a welcoming environment for all our residents and visitors.
Council's intended Level of Service is to:	Contract with local organisations to provide a range of information, such as: * Up-to-date calendar of events, and * Community newsletters
Action	Brief
1. Regular email newsletters	Weekly emails to keep people informed of the upcoming events, ensuring maximum participation.
2. Printed monthly community newsletters	Delivered to cafes, hairdressers, library, doctors, council, motorhome park. Highlighting all the upcoming events, activities and initiatives, as well as supporting local businesses.
3. Information on CoE and Eventfinder	Include upcoming events on eventfinder & CoE to create greater exposure.
Council's intended Level of Service is to:	Contract with local organisations to provide a website that is a gateway to the District, with links through to more local web pages, and social media opportunities.

Action	Brief
1. Update the Marton website. www.MartonNZ.com	Supply content for Martonnz.com, consider options for a standalone website to link to R.com.
2. Support the calendar on rangitikei.com	Continue to include items to be added to CoE
3. Maintain and regularly update the Project Marton Facebook page	Support local knowledge of upcoming events and initiatives, share relevant FB pages and answer incoming queries through the Project Marton community FB page.

Activity: Community Partnerships

Council's intended Level of Service is to:	Facilitate and lead on a Youth Action Plan that aims to enhance quality of life for children and young people in the District
Action	Brief
1. Support opportunities for youth development	Work with agencies to develop opportunities for youth to further their life skill experiences.
2. Work with schools, to encourage participation with all events	Continue to encourage youth participation within all events.
3. Provide opportunity for "ownership" of projects within the events.	Provide opportunity and support for youth to take ownership of areas of event, while providing a solid learning experience and encouraging the development of valuable transferrable skills.
Council's intended Level of Service is to:	Develop high trust contracts with agencies in each of the three main towns to undertake community development
Action	Brief
1. Support the MTCP steering group to roll out the town centre plan activities	Support role, helping to facilitate activities within the MTCP.
2. Presentation to the MCC	Monthly report to the Marton community committee on developments within Project Marton. Consider opportunities to collaborate on adhoc initiatives for the benefit of the town.

3. Facilitate the Rangitikei Health Networking group.	Continue to facilitate Southern Rangitikei Health Network meeting, allowing opportunity for agencies to network and work together to deliver a more cohesive service for their clients.
4. After 5 and business support opportunities	In collaboration with other organisations and businesses, support the delivery of business support and After 5 networking opportunities.
5. Timebank	Seek funding for a fixed term contract to lead on this initiative.
6. Christmas giving tree	Continue to work with other agencies to ensure families are supported during the Christmas period.
7. Community Service Awards	Monthly community service award, celebrating those that make a positive contribution to our community.
8. Further promotion of Marton	Continue to promote and encourage people to choose our town to visit, enjoy and live.
9. Promotion of the district	In collaboration with town coordinators continue to promote the district through distribution of printed & digital material & showcasing the district at expos.
Council's intended Level of Service is to:	Facilitate and lead on a Positive Ageing Strategy that aims to enhance quality of life for older people in the District.
Action	Brief
1. Facilitate the cooking classes, run with support of our "Super Grans"	The cooking classes are an opportunity to share skills including simple nutritious meals on a budget. These are always well received and remain free to all participants.
2. Support the development and activities of the "Mens Shed"	This will be an opportunity to share skills and knowledge across generations.
3. Support the development and activities of the community garden.	Active encouragement to participate in the community garden, along with frequent "get togethers" to support healthy inclusion.
4. Support the activities of all of our local service clubs and organisations. Promotion of events and activities.	Through our multiple avenues of marketing, we will continue to promote the service clubs and organisations.

Attachment 3



Report

Subject: Rangitikei Youth Awards Scheme 2017

To: Te Roopu Ahi Kaa
Community Committees/Boards

From: Denise Servante, Strategy and Community Planning Manager

Date: 30 May 2017

File: 4-EN-12-7

1 Background

- 1.1 Council's Economic Development and District Promotion Activity Management Plan was developed during the preparation of the 2015-25 Long-Term Plan. One of the three key indicators to increase the proportion of young people living in the District being schooled locally.
- 1.2 The activity management plan identified five Key Result Areas (KRA), particularly:
- KRA2: Growth and development of the identified sectors, specifically primary production, education and Maori economic development*
- 1.3 Five areas of focus were identified which contributed to one or more of the KRAs. In the specific area of "Sector development focussing on the education sector", Council included its existing activity to provide scholarships to the local state high schools and suggested that two further youth scholarships be considered.
- 1.4 The original purpose of these scholarships was to support the Board of Trustees to promote Rangitikei College as the school of first choice for the southern Rangitikei. This was later extended to provide the same scholarships for the Taihape Area School. This approach was confirmed by Council in October 2015¹.
- 1.5 In February 2016, the Finance Performance Committee agreed to use the additional two youth scholarships to develop a Youth Awards Scheme for rewarding excellence by the District's young people. In 2016 the Scheme closely followed the national Youth Awards criteria and processes.
- 1.6 At its meeting on 25 May 2017, the Finance/Performance Committee confirmed the criteria and process for the Rangitikei Youth Awards Scheme 2017. Changes were made in response to learnings from last year:

¹ 15/RDC/273

- Nominees do not need to live in the District but the work for which they are being nominated must take place in the District
- Nominations will be accepted using interactive media as well as paper nominations
- The wording on the nomination form has been changed to clarify that supporting documentation cannot exceed 10 pages rather than must be 10 pages.

1.6.1 In addition, the Awards Ceremony will be youth event rather than tacked on to a Council meeting.

1.7 This report provides Te Roopu Ahi Kaa and the Community Committees and Community Boards with information about the scheme and requests that the scheme is publicised through local and iwi networks.

2 Youth Awards 2017

2.1 It is proposed that Rangitikei District Council again invites nominations to celebrate the achievements of the amazing young people within our district with the Rangitikei Youth Awards 2017, and that this again mirrors the National Youth Awards scheme on the theme *“Our Voices Count; Count Our Voices”*.

Categories of Award	<ul style="list-style-type: none"> • Change Maker Award (LGBTI, Cultural and Community Safety) • Leadership Award • Giving Back Award • Working for Youth Award • Youth with Disability Award • Youth Group
Eligibility	<ul style="list-style-type: none"> • Have participated in activities within the Rangitikei that they have been nominated for within the past 12 months • Have participated in activities they were nominated for outside of their regular study or work commitments • Be aged between 12 and 24 at the beginning of Youth Week on 21st May 2016
Assessment Criteria	<ul style="list-style-type: none"> • Significance of community contribution • Need in the community • Ability to motivate, engage and positively influence others • Initiative to provide solutions • Commitment and perseverance • Leadership skills

- 2.2 Nomination form is attached as Appendix 1. They are also available online from www.rangitikei.govt.nz and through the Council a Youth Zone FB pages.
- 2.3 The nominations open on Friday 26 May (the first day of Youth Week) and close on 10 July, with the judging panel deciding on recipients that week.
- 2.4 The Awards Ceremony will take place on the week beginning 17 July 2017.

3 Recommendations

- 3.1 That the report “Youth Awards Scheme 2017” be received.

Denise Servante
Strategy and Community Planning Manager

Appendix 1



Rangitikei District Council

Youth Awards 2017 Nomination Form

PLEASE NOTE

Applications close 12.00 pm (noon), Monday, 10th July 2017. Nominees will be informed of nomination prior to Awards Ceremony.

PURPOSE

The purpose of the Youth Awards Scheme is to recognise the contribution of young people (12-24 years) to community life in the Rangitikei District.

The theme for the awards in 2017 is "Our Voices Count; Count Our Voices".

CATEGORIES OF AWARD (please select one)

Change Maker Award:	For young people who have created positive change to foster cultural understanding in their community.
Leadership Award:	For young people who've demonstrated leadership in a project or organisation.
Giving Back Award:	For young people whose actions address a current need and have had a significant impact on their community.
Youth for Youth Award:	For young people whose actions specifically support other young people in areas such as (but not limited to) the arts, culture, environment or sport.
Youth with Disability Award:	For young people with a disability who've made a significant contribution to the disability sector and/or their community.
Eco Warrior:	For young people who have created a positive change for local environmental issues.
Youth Group:	For a group of young people who've made a significant contribution to their community in areas such as (but not limited to) the arts, culture, environment or sport.

To nominate a young person, please complete this form in conjunction with the associated notes.

SEND YOUR NOMINATION TO:

Postal address: Rangitikei Youth Awards 2017, Rangitikei District Council,
Private Bag 1102, Marton 4741

Hand deliver to: Rangitikei Youth Awards 2017, Rangitikei District Council Office, 46 High Street, Marton; or
Taihape Town Hall, Hautapu Street, Taihape

Email: Oliver.sanderson@rangitikei.govt.nz

Nominee eligibility criteria:

Nominees for an Award must:

- * Have participated in activities within the Rangitikei that they have been nominated for within the past 12 months
- * Have participated in activities they were nominated for outside of their regular study or work commitments
- * Be aged between 12 and 24 at the beginning of Youth Week on 26th May 2017

Nominees will be assessed against the following criteria:

- * Contributed significantly to their community
- * Taken action to address an identified need in their community
- * Demonstrated the ability to motivate, engage and positively influence others
- * Demonstrated initiative to provide solutions
- * Demonstrated commitment and perseverance
- * Demonstrated leadership skills

1. NOMINEE DETAILS

First name: _____

Last name: _____

Street address: _____

Town: _____ Post Code: _____

Gender: _____ Age: _____

Phone number: _____

Email: _____

School/organisation/workplace: _____

2. NOMINATOR DETAILS

First name: _____

Last name: _____

Relationship to nominee: _____

Street address: _____

Town: _____ Post Code: _____

Phone number: _____

Email: _____

3. REFEREE DETAILS

First name: _____

Last name: _____

Relationship to nominee: _____

Phone number: _____

Email: _____

4. SUPPORTING INFORMATION

Please feel free to attach any material to support the nomination, for example a short film (no longer than 4 minutes), letter outlining what the youth nominee has achieved, media print, Facebook posts etc. Please do not attach more than 10 pages.

Attachment 4



MEMORANDUM

TO: Marton Community Committee

FROM: Linda Holman, Governance Administrator

DATE: 7 June 2017

SUBJECT: **Small Projects Grant Scheme Update – June 2017**

FILE: 3-CC-1-3

1 Allocation

- 1.1 The 2016/17 Small Projects Grant Scheme for the Marton Ward is \$3,232.
- 1.2 The allocation of the Small Projects Grant Scheme is for the period 1 July to 30 June each year. At its meeting on 29 February 2016, Council resolved to allow carry-forward from one financial year to the next of up to 100% of the annual allocation for any Committee's Small Projects Grant Fund, with the proviso that this be a specific resolution of the Committee.
- 1.3 At its last meeting for the 2015/16 year the Committee resolved to carry-over \$504.20, giving a total allocation for the 2016/17 year of \$3,736.20.

2 Breakdown

- 2.1 For the 2016/17 year the following amounts have been used by the Committee:
- \$250.00: irrigation equipment for the Marton Community Garden – *this was paid in late May 2017*
 - \$34.00: contribution towards paint for the Wilson Paint fence – *this was paid in late May 2017*

3 Remaining Budget

- 3.1 This leaves a remaining budget for the 2016/17 financial year of \$3,452.20.

4 Recommendations

- 4.1 That the memorandum 'Small Projects Grant Scheme Update – June 2017' be received.
- 4.2 That the balance of \$3,232.00 be carried-forward into the 2017/18 financial year.

Linda Holman
Governance Administrator

Attachment 5

COMMUNITY AND LEISURE ASSETS GROUP OF ACTIVITIES 2016/17				March/April 2017
Major programmes of work outlined in the LTP/Annual Plan 2016/17				
Parks and Open Spaces	Design/ Scoping	Progress to date	Progress for this period	Planned for the next two months
Turf Regeneration in Parks		Centennial Park irrigation installation, and turf renovation was carried out in August.		Fertiliser will be spread on Centennial (Marton), and Marton Parks. The fields will be vertidraind in May.
Tree Management in Parks		Tree management was carried out in Marton Park, along Follett Street. Trees in Broadway, Marton, were reduced. Remedial work was required on some trees at Centennial Park, Marton, following high winds.		The Urban Tree Plan was presented to the May meeting of policy/Planning as a separate item.
Parks Upgrade Partnership		\$6,000 is tagged for a gas BBQ at Sir James Wilson Park, Marton. \$14,226.00 has been tagged for Friends of Mt Stewart for a new lookout tower.	No applications have been received. \$12,177.22 available. Potential application for drinking fountains in parks, but shortfall in required amount of external funding	Supplementary external funding to be sought for the drinking fountains proposal
Community Buildings	Design/ Scoping	Progress to date	Progress for this period	Planned for the next two months
Re-Roof Marton Plunket Rooms		Assessment will be carried out.	Roof has been assessed and does not need replacing at this time. There are no slit tiles and the ridge and hip cap mortar is sound and not falling out.	No further action required.
Renovations at Rural Halls	Work programmes identified;	Heat pumps were installed at Tutaenui Hall; Weather-proofing, painting, and structural repairs undertaken at Ohutu Hall and Rifle Range.		
Re-paint Marton Memorial Hall		Painting specification completed.	Painting contract awarded to Programmed Property Services, Palmerston North.	Colour scheme to be finalised: Council as referred matter back to Marton Community Committee. Exterior painting to be completed.
Re-paint Jubilee Pavilion at Marton Park	Preliminary work underway - estimate obtained, specification to be finalised. Awaiting confirmation of Heritage colours for paintwork.			Colour scheme to be finalised. Council has referred matter back to Marton Community Committee.
Swimming Pools	Design/ Scoping	Progress to date	Progress for this period	Planned for the next two months
Fit Solar-Heating at Marton Swim Centre		This project has been overtaken this year, in terms of time and resourcing, by the necessity to build a new chemical/plant shed and arrange works		
Chemical Shed at Marton Swim Centre	Order has been issued for this work.	Building Consent was issued.	Swim Centre closed at end of April. Building work has now commenced.	Construction will be completed.
Community Housing	Design/ Scoping	Progress to date	Progress for this period	Planned for the next two months
Community Housing Management and Upgrades	The incoming Council to consider this item.	Presentation by Manawatu Community Trust to February Council meeting. 100% tenancy obtained. Workshop held with Council.		High level 10-year strategy to be developed.
Property	Design/ Scoping	Progress to date	Progress for this period	Planned for the next two months

Purchase Cobbler/Davenport/Abraham & Williams Properties as site for Council's Administration and Library Services, and undertake initial Heritage and Development Concept		Purchase of this property has been finalised. Opus was engaged to prepare a heritage assessment and concept development design. They undertook preliminary site investigations in mid-November.	Consultation on the extent of the present buildings to be preserved was consulted on as part of the 2017/18 Annual Plan process.	Council has agreed to do further work to clarify costs between heritage preservation and a new build for the proposed Marton Civic Centre on the corner of Broadway and High Street.
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Other major programmes of work carried out during 2016/17				
Projects	Design/ Scoping	Progress to date	Progress for this period	Planned for the next two months
Contribute to Multi-Purpose Turf Facility in Marton			Construction underway.	
Painting of Marton Library		Painting and signwriting completed. Discussion has been held with Julie Oliver regarding options for painting the mural on a medium that will allow it to be relocated at a future date.		This will be re-addressed in May.

ROADING AND FOOTPATHS GROUP OF ACTIVITIES 2016/17

Major programmes of work outlined in the LTP/Annual Plan 2016/17				
Pavement Rehabilitation	Route Position Length	Status	Start date	Completion date
Wanganui Road	0-544		Jan-16	Nov-16
Marton - Bond Street/Skerman Street (94m)		Completed	Feb-17	Feb-17
Marton - Wanganui Road/Skerman Street (70m)		Completed	Dec-16	Dec-16
Griffins Road (920m)		Completed.	Sep-16	Dec-16
Sealed Road Resurfacing (over 200m)	Route Position Length	Status	Start date	Completion date
Marton Broadway				
Marton Goldings Line				Completed March 30.
Marton Makirikiri Road				Completed March 30.
Marton Mill Street				Completed March 30.
Marton Mt Curl Road				Completed March 30.
Marton Neumans Line				Completed March 30.
Marton Oaklea Avenue				Completed March 30.
Marton Ross Street				Completed March 30.
Marton Stantalls Road				Completed March 30.
Marton Tennent Court				Completed March 30.
Marton Tutaenui Road				Completed March 30.
Marton Union Line				Completed March 30.
Marton Wanganui Road				Completed March 30.
Marton Wellington Road				Completed March 30.
Capex report 2016/17	cumulative to 30/09/2016	cumulative to 31/12/2016	cumulative to 30/3/2017	cumulative to 30/6/2017
Sealed road surfacing:	1%	5%	63%	
Drainage Renewals	26%	64%	88%	
Pavement rehabilitation	20%	52%	82%	
Structures component replacement	64%	92%	97%	
Traffic services renewal	20%	66%	129%	
Associated improvements	0%	0%	0%	
Unsealed road metalling	55%	68%	72%	
TOTAL			76%	
Streetlight renewals	Design/ Scoping	Tender/Contract docs	Under construction	Complete

The proposed LED streetlight replacement program will initially target areas in Marton as there are several large streetlight circuits which intermittently suffer from outages due to overloading. Installation of LED's will reduce the connected load and alleviate these issues. Once this stage of the program is completed it is anticipated that the program will continue through to 2018 in other areas of the district as current renewal budgets allow. In 2018 progress will be re-assessed and any additional that is required may be sought through the 2018 – 2021 NZTA funding cycle			Installation of the LEDS programmed for the Marton CBD Stage One is now completed.	Stage One installation of the LED programme for Marton complete.
Footpath Renewals	Design/ Scoping	Tender/Contract docs	Under construction	Complete
Marton: Lower High Street	Design - 100% complete (length 30m)	Contract 1008	completed	Completed May
New Footpaths	Design/ Scoping	Tender/Contract docs	Under construction	Complete
Footpath Programme for 16/17.	The footpath programme for the 16/17 year is on hold due to lack of funding.			
Other major programmes of work carried out during 2016/17				
Projects	Design/ Scoping	Tender/Contract docs	Under construction	Complete
Makirikiri Road seal widening RP 8500-8820 (in conjunction with new milk tanker entranceway @ McCarthy's)	Second coat seal in conjunction with reseal programme planned for 16/17	Roading contract.	Second coat seal has now been applied.	Now complete

RUBBISH AND RECYCLING GROUP OF ACTIVITIES 2016/17

Major programmes of work outlined in the LTP/Annual Plan

What are they:	Targets	Progress to date	Work planned for next three months
Waste management	Marton Waste Transfer Station - trial recycle shop	Shop container moved due to overflow scrap metal	Sign to be installed
Waste minimisation	Horizons EnviroSchools programme.	Term one cluster workshop held March 29th Opportunity to learn basic skills of eco building using old pallets. Nga Tawa - New Envirogroup formed South Makirikiri - Developed their yearly plan which includes aspects of sustainability in everything they are doing. Marton Childcare - Starting to look more at their recycling systems and water conservation.	Visit all schools who have embraced the EnviroSchools programme.(12 month plan).

Other projects

What they are:	Targets:	Progress to Date	Work planned for next three months
Review of options for the continuing operation of the Marton Waste Transfer Station	Investigate the land value of site	Ross Mc Neil enquiry to LIMS.	Parks and Property section in association with R McNeil to investigate this further.

STORMWATER GROUP OF ACTIVITIES 2016/17

Major programmes of work outlined in the LTP/Annual Plan 2016/17

Projects	Design/ Scoping	Tender/Contract docs	Under construction	Complete

Marton: Hammond Street Stormwater Renewal	Historic flooding at rugby grounds etc.; design work carried over to 2014-2015. Stage 1 of construction, from the Tutaenui Stream to Hair St, was programmed for 2015-2016. Stage 2 follows, from Hair St to the roundabout at the intersection with Broadway. Work must be completed ASAP in 2016-2017 so that Roding can hotmix in the vicinity of the roundabout. Refer to existing brief for further details. Retic network under investigation and design. (est \$225k)	Stage 1. Contract awarded to Blackley Construction 30/4/16 Stage 2. design underway	Stage 1 - Works programmed to commence late May. Construction Works commenced. Outlet to Tutaenui Stream on hold pending "dry" conditions in accordance with resource consent conditions.	Stage 1 - Outlet design complete. Discharge consent granted from Horizons. Stg1 works completed.
Marton: Pukepapa Road Stormwater renewal	Replacement of steel mains from Wilson Pl to Pukepapa Rd.	CCTV contract awarded to Vidpro		
Marton: Harris Street Stormwater renewal	Condition rating of stormwater and programme replacement / relining options.	CCTV contract awarded to Vidpro		
Marton: Wanganui Road Stormwater renewal	Joint project with roading			Work completed in 2015-16
Upgrades to mitigate future flooding in Marton and Bulls	Hot spots investigation and design mitigation underway.	Most projects on hold pending modelling information from Horizons on Tutaenui water levels. Skerman/Milne St price accepted and programmed for construction by Shane Gribbon.	Operations team to supervise work.	

SEWERAGE AND THE TREATMENT AND DISPOSAL OF SEWAGE GROUP OF ACTIVITIES 2016/17

Major programmes of work outlined in the LTP/Annual Plan 2016/17

Projects	Design/ Scoping	Tender/Contract docs	Under construction	Complete
Marton: WTP Upgrades or changes to treatment system to improve effluent quality, solids removal etc.	Refer to Marton WWTP monthly report - most work on hold pending results of treatment at landfill.	Project on hold pending on outcome of steering group		
Marton: WWTP Anaerobic pond desludging	Desludging of pond on hold until leachate from landfill is no longer discharged to Marton.			
Marton WWTP - essential renewals prior to full assessment and drafting of consent application (\$302k)	Works needed to assist with Consent renewal (subject to successful treatment of leachate and advice from Advisory Group) to prepare for consent renewal in 2018. Sucker truck dump site	1) Assets team is responsible for consent. 2) Design of road is completed in negotiation with roading maintenance contractor (Higgins).		

WATER SUPPLY GROUP OF ACTIVITIES 2016/17

Major programmes of work outlined in the				
Projects	Design/ Scoping	Tender/Contract docs	Under construction	Complete
Marton: WTP Seismic assessment of Clarifier & strengthening (\$300k)	Detailed seismic investigation underway.	Tender awarded to Calibre	Investigation only	

<p>Marion: Complete replacement of line from Calico Line bore and commence design for replacement of Tutaenui Road falling main from Jeffersons Line to Town (\$748k 2017/18)</p>	<p>These projects were advanced from Years 4 and 5 when Broadway High to Follett was placed on hold due to CBD reconstruction. They were then deferred back to Years 4 and 5 when Roading indicated an urgent need to renew kerb and channel on Broadway Follett to Signal, and it made sense to renew the water main at the same time.</p>			
<p>Major projects Carry-forwards 2015/16</p>				
<p>Projects</p>	<p>Design/ Scoping</p>	<p>Tender/Contract docs</p>	<p>Under construction</p>	<p>Complete</p>
<p>Marion: Broadway duplication (\$140k)</p>	<p>Programme was for 2015-2016 ahead of major Roading work; approx. 460 m between High St and Signal St; duplicate existing 150 mm AC on east side with new 150 mm on west side. Design only and defer to year 6 or later to align with replacement of AC main. Stage 1- Follett to Signal block, upsizing from 150 mm to 200 mm to align with 2017/2018 roading programme.</p>	<p>1) Broadway watermain designed and being prepared for tender. Project works will include three waters and carriageway.</p>		

Attachment 6



Memorandum

To: Te Roopu Ahi Kaa
Turakina Community Committee
Marton Community Committee
Bulls Community Committee
Hunterville Community Committee
Taihape Community Board
Ratana Community Board

From: Ellen Webb-Moore

Date: 30 May 2017

Subject: **Proposed Revocation of Fire Prevention Bylaw and section 6.3 of the Public Places Bylaw 2013**

File: 1-DB-1-12

1 Introduction

- 1.1 As at 1 July 2017 Fire and Emergency New Zealand (FENZ) will be established, replacing Fire Service NZ and the National Rural Fire Authority. This means that Rangitikei District Council will cease to be a rural fire authority under the Forest and Rural Fires Act 1977.
- 1.2 Accordingly, Council will no longer have authority over fire related matters. The Fire Prevention Bylaw 2014 and section 6.3 of the Public Places Bylaw will need to be revoked, as the new legislation will render them redundant.
- 1.3 Council will (from 1 July 2017) no longer issue fire permits, declare fire seasons or control the lighting of fires in the open air. However, Council will retain control over removing fire hazards (long grass) until 1 July 2018.
- 1.4 Copies of the bylaws with the proposed changes (tracked) are attached as Appendix 1 and Appendix 2.

2 Comment

- 2.1 There is provision in the FENZ Act to allow the revocation of these provisions with a publicly notified resolution of Council (without the need for consultation). However, this requires consultation with FENZ and FENZ is not established until 1 July 2017.
- 2.2 Therefore, Council has decided to deal with this matter in a timely way and to publicise the upcoming change in Council responsibilities. Council approved the proposed revocation for public consultation at its 25 May 2017 meeting.

- 2.3 The consultation period is open until **12 noon 16 June 2017**.
- 2.4 Submissions (including oral submissions) will be considered at Council's meeting on 29 June 2017.

3 Recommendation

- 3.1 That the memorandum 'Proposed Revocation of Fire Prevention Bylaw and section 6.3 of the Public Places Bylaw 2013' be received.

Ellen Webb-Moore
Policy Analyst

Appendix 1

~~RANGITIKEI DISTRICT COUNCIL~~

~~FIRE PREVENTION BYLAW 2014~~

~~1 — TITLE~~

~~The title of this bylaw is the Rangitikei District Council Fire Prevention Bylaw 2014.~~

~~2 — SCOPE~~

~~This bylaw is made under the authority of section 145 of the Local Government Act 2002. The purpose of Part 1 of this bylaw is to prevent the spread of fire within Rangitikei's urban Fire Districts in support of the Forest and Rural Fires Act 1977. The purpose of Part 2 of this bylaw is to prevent nuisance and harm from fire within all parts of the Rangitikei not zoned Rural in the operative District Plan.~~

~~3 — COMMENCEMENT~~

~~This bylaw comes into force on 12 February 2014.~~

~~4 — INTERPRETATION~~

~~In this bylaw unless the context otherwise requires:~~

~~OFFICER means any Council Officer, Police Officer or Fire Officer acting under delegated authority of the Chief Fire Officer of a District.~~

~~THE COUNCIL means the Rangitikei District Council.~~

~~THIS BYLAW means the Rangitikei District Council Fire Prevention Bylaw 2014.~~

~~APPROVED means approved by the Rangitikei District Council.~~

~~BARBECUE means any fixed solid fuel equipment, or fixed or portable gas equipment, for the cooking of food.~~

~~FIRE DISTRICT means a Fire District declared or constituted under Section 26 of the Fire Service Act 1975.~~

~~FIRE BRIGADE means a fire brigade as defined in Section 2 of the Fire Service Act 1975.~~

~~FIRE OFFICER means any authorised officer of the Rangitikei District Council or the Chief Fire Officer of a District, or the Deputy Chief Fire Officer, or, in the absence of both of them, the person for the time being in charge of the fire brigade.~~

~~OCCUPIER means in relation to any premises, the owner and includes any tenant, agent, manager, foreperson or other person apparently acting in the general management or control of the premises.~~

~~OPEN AIR means, in relation to fires, any fire other than within:~~

- ~~a) A fireplace or~~
- ~~b) Any incinerator operated by or with the written approval of a Fire Officer having jurisdiction to issue permits to light fires within the district; or~~
- ~~c) Any barbecue;~~
- ~~d) d) Such other receptacle or place as may from time to time be authorised by the Fire Authority for the relevant District.~~

~~OPEN FIRE SEASON means a period of time whether of fixed or indefinite duration during which period the lighting of fires is neither prohibited nor restricted under section 22 of the Forest and Rural Fires Act 1977.~~

~~PERMIT in relation to the lighting of fires, means a fire control measure in accordance with which a person may light such fires without committing an offence against this Bylaw.~~

~~PREMISES means both land and building and any part thereof.~~

~~PROHIBITED FIRE SEASON means a period of time, whether of fixed or indefinite duration, specified pursuant to section 22 of the Forest and Rural Fires Act 1977 during which period the lighting of fires is prohibited.~~

~~RESTRICTED FIRE SEASON means a period of time, whether of fixed or indefinite duration, specified pursuant to section 22 of the Forest and Rural Fires Act 1977, during which period permits are required for the lighting of fires in the open air.~~

~~TERRITORIAL AUTHORITY means the Rangitikei District Council within the meaning of the Local Government Act 2002.~~

~~VEGETATION includes—~~

- ~~a) All plants and the produce thereof, live or dead, standing, fallen, windblown, cut, broken, pulverised, sawn, or harvested, natural or disturbed in use or as waste, rubbish, refuse or debris, stump, stubble or otherwise; and~~
- ~~b) fossil fuel exposed at or lying within 20 metres of the surface of any land; and~~
- ~~c) peat in any form,~~
- ~~d) but does not include wood forming part of a structure or otherwise in processed form.~~

Part 1

~~5 — FIRES WITHIN URBAN FIRE DISTRICTS~~

- ~~5.1 — Fires are permitted provided the provisions of Part 2 are met during an Open Fire Season.~~
- ~~5.2 — During a Restricted Fire Season, specified pursuant to section 22 of the Forest and Rural Fires Act 1977, no person shall make or light or allow to remain alight any fire in the open air unless a fire permit has been obtained from the Council.~~
- ~~5.3 — During a Prohibited Fire Season, specified pursuant to section 22 of the Forest and Rural Fires Act 1977, no person shall make or light or allow to remain alight any fire (excluding barbecues) unless a special fire permit has been obtained from the Council.~~
- ~~5.4 — Where restricted or prohibited fire seasons (under 5.2 or 5.3 above) applies to part of the District, it will also apply to the urban areas within or adjoining the affected rural areas.~~

Part 2

~~6 — PREVENTION OF NUISANCE AND HARM FROM FIRE WITHIN AREAS ZONED OTHER THAN RURAL IN THE OPERATIVE DISTRICT PLAN~~

- ~~6.1 — No fire shall be lit unless it is kept at least 3m from any building or boundary or combustible material.~~
- ~~6.2 — No fire shall be lit or allowed to burn unless it is done so in a manner that people and property are reasonably protected from fire or the effects of fire.~~
- ~~6.3 — Guidance note: The burning of wet vegetation is to be avoided to prevent smoke nuisance. Rule 14-7 Horizons One Plan prohibits the burning of: painted or treated timber, plastics, rubber, plastics car parts etc. Please ensure compliance.~~
- ~~6.4 — No fire shall be lit or allowed to burn unless it is done so between the hours of sunrise and sunset~~
- ~~6.5 — No fire shall be lit unless there is adequate means to extinguish the fire immediately to hand e.g. fire extinguisher, hose line, etc.~~
- ~~6.6 — No person shall light any fire on or near any refuse transfer station, closed landfill or recycling station.~~

~~7~~ ~~FIRE PERMITS~~

~~7.1~~ Applications for a fire permit shall be made to the ~~Council~~ on the prescribed form.

~~7.2~~ ~~Council~~ may approve, not approve, or approve with conditions, any fire permit.

~~7.3~~ In considering an application the Council shall have regard to:

- ~~a)~~ The fire season.
- ~~b)~~ Weather conditions.
- ~~c)~~ The time during which a fire may be lit and its duration.
- ~~d)~~ The nature of the material intended to be burnt.
- ~~e)~~ Potential effects to neighbouring property.
- ~~f)~~ Compliance with Council's rural fire plan.

~~8~~ ~~STORAGE OF GOODS LIKELY TO CONSTITUTE A FIRE HAZARD~~

~~8.1~~ Where the outdoor storage of ~~goods~~, rubbish, waste material, or other combustible material is likely to constitute or create a fire hazard the ~~Council~~ may require the ~~occupier~~ to take such steps as the Council thinks fit to eliminate or reduce the risk of fire.

~~9~~ ~~GENERAL EXEMPTIONS~~

~~9.1~~ Exemptions in this bylaw shall be the same as those permitted by Councils' Rural Fire Plan.

~~9.2~~ Lighting fires specifically for cooking purposes within an urban area is exempt provided the fire is attended at all times and Clauses 6.1 and 6.2 are met. No such fires shall be lit without Council's approval during any prohibited fire season (excluding barbecues).

~~10~~ ~~ENFORCEMENT~~

~~10.1~~ The ~~Council~~ may approve, amend, or revoke a fire permit with any such conditions as it sees fit to meet the purpose of this bylaw.

~~10.2~~ Any ~~Council Officer~~ or ~~Chief Fire Officer~~ of the ~~New Zealand Fire Service~~ may at any time when this bylaw has not been complied with, or at any time when the purpose of this bylaw is not being met, take action to extinguish a fire. This action may be taken whether or not a permit was required or has been issued.

~~10.3~~ The Council may recover costs following any enforcement action to extinguish any fire contravening this bylaw.

~~11 — PENALTY FOR BREACH OF BYLAW~~

~~11.1 — If, in the opinion of the Council, the breach of the bylaw poses or is likely to pose a significant risk to public health or safety, or has caused, is causing, or is likely to cause significant damage to public property, then the Council may seek to prosecute the person responsible for breaching the bylaw.~~

~~11.2 — The maximum penalty for breaching a bylaw is \$20,000, pursuant to section 242 (4) of the Local Government Act 2002.~~

~~12 — DATE BYLAW MADE~~

~~12.1 — This Bylaw was adopted by the Rangitikei District Council on the 30 January 2014~~

FIRE PERMIT



Permit Holder Details

FULL NAME _____

Physical Address _____

Postal Address _____

Telephone _____ Mobile _____ Email _____

Is authorised to light a fire in the open air pursuant to Section 23 of the Forest and Rural Fires Act 1977, to the subject to compliance with the conditions and particulars of this permit.

Location _____
(Give road, street address, map or grid reference, etc.)

Property Name: _____

Material: _____
(Describe material to be burnt, location on property and area)

Period valid commencing: _____ to _____ (inclusive)

Time valid commencing: _____ to _____ (inclusive)

General Details:

PERMIT CONDITIONS: (delete as appropriate)

- Create a minimum _____ metre fire break completely around the material to be burnt to ensure adequate containment of the fire and to safeguard against the risk of the fire spreading.
- Open air fires must be a minimum of three metres from buildings, the boundary and combustible material.
- Incinerator fires must be a minimum of three metres from buildings, the boundary and combustible material.
- Do not light fires in windy conditions. Obtain a weather forecast and check conditions for the duration of the fire prior to lighting.
- Ensure you are equipped to extinguish the fire should it get out of control (e.g. water, hose, dirt, sprayer, digger, etc.)
- Maintain adequate supervision of the fire and inspect the area to ensure the fire is completely extinguished before leaving.
- Do not create a smoke nuisance for people or a visibility hazard for road, rail or air traffic.
- Contact immediate neighbours prior to lighting the fire.
- Notify the New Zealand Fire Service Communications Centre (04-801 0812) just prior to lighting the fire.
- Notify the relevant authority just prior to lighting the fire if the fire will be near gas reticulation, fuel storage facilities, telephone cables or power transmission lines.
- Burn between sunrise and sunset.
- Notify Horizons Regional Council (0508 446 749) if the material being burnt is other than vegetation.

I understand the conditions of this permit and have read the *Information Notes for Permit Holders*

Permit Holder _____ Authorising Fire Officer _____

Date _____

Information Notes for Permit Holders

THIS PERMIT IS REVOCABLE UPON NOTICE AT ANY TIME WITHOUT PRIOR WARNING

“Agents”	<i>Delegation to another person to act on behalf of the permit holder at a fire does not absolve any legal liability should any damage occur during the period of their absence.</i>
“Clean Air”	<i>This Permit does not constitute a resource consent to discharge smoke into the atmosphere or absolve any further obligations under Section 15 of the Resource Management Act 1991, as may be required by Horizons Regional Council.</i>
“Escape”	<i>If the fire escapes, and if it is safe to do so, try to extinguish it. Telephone 111 urgently.</i>
“Extreme Fire Danger”	<i>FIRE PERMITS ARE SUSPENDED by fire bans, or orders prohibiting all open air fires. During periods of extreme fire danger check with the Rangitikei District Council. If fire is essential for emergency purposes (e.g. destroying diseased or dead stock, or combating the likely spread of introduced organisms) seek a "special fire permit" from the Rangitikei District Council.</i>
“Insurance”	<i>This permit is not a legal defense against claims for damage or fire fighting costs caused by the fire. Permit holders are advised to have adequate fire insurance to cover any misadventures.</i>
“Joint Permits”	<i>Further fire permits may be required from the Department of Conservation, other Fire Authorities, or neighbouring Territorial Authorities if the fire is close to territory under their jurisdiction.</i>
“Landholder”	<i>Separate consent by the landholder may be needed.</i>
“Offences”	<i>It is an offence to light an open air fire (other than during an open fire season), without the appropriate permit, or to break permit conditions, or to let a fire spread to and damage a State Area, forest area, or specially protected reserve area, or any other rural area, or to leave the fire unprotected against such spread.</i>
“Open Air”	<i>In relation to fires, means not in a fireplace, incinerator, gas fuelled barbecue, or other place approved in each case.</i>
“Prescribed Burning Plan”	<i>Land clearing fires may require a written plan detailing topography hazard contingencies, firebreaks, safety equipment, ignition points, escape routes and operational procedures, etc.</i>
“Showing Permit”	<i>Please produce this permit if required by a member of the NZ Police, NZ Fire Service or Fire Authority or any enforcement officer of either the Rangitikei District Council or Horizons Regional Council.</i>
“Camping etc.”	<i>If camping or cooking, or needing comfort or warmth, keep the fire at least 3 metres clear of any tree, log, stump, or dry vegetation. Remove all combustible materials within 3 metres of the fire site.</i>

Appendix 2

- (a) Place, leave or permit any object or thing, including without limitation any vehicle, packing case, crate, basket, cask, barrel, package or other encumbrance which creates or is likely to create a nuisance;
- (b) Permit or cause the drippings of eaves or other projections of any building to fall in a manner likely to cause a nuisance;
- (c) Throw or in any way deposit any offensive matter including without limitation dead animals or parts thereof and animal waste, allow to remain on any public place the carcass of any animal owned him or her, or in his or her charge or keeping;
- (d) Set off any fireworks or explosive material or allow the setting off of fireworks or explosive matter in a manner which creates or is likely to create a nuisance to users of any public place;
- (e) Place or leave litter or any materials or thing or substance which are likely to be hazardous or injurious to any person, or likely to create a nuisance;
- (f) Deposit in or around a public litter receptacle any household or trade refuse;
- (g) Interfere with any refuse which is awaiting collection by an authorised collector;
- (h) Drive any vehicle except on a formed road, or drive in a manner that is dangerous or inconsiderate to pedestrians or other vehicles in a public place;
- (i) Leave any work, hole or excavation in a public place in a manner that could be a danger to anyone entering or using that public place;
- (j) Solicit any subscription, collection or donation, preach or undertake any busking;
- (k) Distribute any printed or written material advertising any product, service or entertainment;
- (l) Fly from or land any aeroplane including model aeroplanes, a hot air balloon or hang glider, parachutes or similar, except in an emergency;
- (m) Consume, inject or inhale any mind-altering substances or offer or sell such substances to any person;
- (n) Conduct any activity, including the playing of any game recklessly or in a manner which may intimidate, be dangerous or injurious or cause a nuisance to persons in the public place, or damage the public place;
- (o) Erect or place any structure on, over or under the public place except in compliance with any other Part of this bylaw.
- (p) Fail to keep in good repair any rail, gate, fence, or cover over or about any area or entrance or lighting place to any cellar, or other place opening into or upon or near any public place, or keep open for more than a reasonable time, for taking in or out any articles, any entrance to any such area, cellar, or other place, or omit to protect such entrance when open for use.

6.2 Where any fence, wall, retaining wall or land adjacent to a public place is in a condition or state of disrepair which in the opinion of an authorised officer could cause damage or injury to persons passing, the authorised officer may give notice requiring the owner or occupier to repair or remove the fence, wall or retaining wall, or make the land safe.

~~6.3 Notwithstanding the requirements of any other clause of this Part of the bylaw a person shall not in any public place:~~

~~(a) Light any fire except at fireplaces specially provided, or in an appliance designed for outdoor cooking, subject to any restriction imposed by the Council on the lighting of fires;~~

7. OBSTRUCTING PUBLIC PLACES

7.1 A person shall not:

- (a) Obstruct the entrances to or exits from a public place;
- (b) Place or leave any material or thing, including signage, on a public place that could obstruct the public from right of passage, without the permission of an authorised officer and then only in accordance with such conditions as may be imposed;
- (c) Allow any gate or door on property abutting a public place, to swing over or across the public place or any part thereof;
- (d) Carry out any work on any motor vehicle in a public place, except in the case of any accident or emergency when repairs are necessary to allow the vehicle to be removed.

8. DAMAGE TO PUBLIC PLACES

8.1 Except with the permission of the Council or an authorised officer a person shall not in any public place:

- (a) Damage, interfere with, destroy or remove any grass plot, flower bed, tree, shrub or plant or any inscription or label relating to it;
- (b) Pollute, damage, deface or disfigure, apply graffiti, posters or advertising devices to, or interfere with any ornament, statue, building, structure, or facilities;
Nothing in this sub-clause shall prevent the Council from supplying or approving the installation of display boards in any public place for the purpose of allowing posters to be displayed announcing forthcoming functions or events;
- (c) Cause or permit to be done any act whatsoever by which damage is caused to any public place, or any work or thing in, on, over or under the public place;
- (d) Damage or interfere with any natural feature, animal, or plant;
- (e) Use any vehicle or be in control of any animal so that it damages any part of a public place;
- (f) Drive or park any vehicle in a public place except in an area set aside for the driving or parking of vehicles;
- (g) Remove any sand, soil or other naturally occurring material found in a public place;
- (h) Open any drain or sewer on, or disturb or remove the surface of, any public place.

8.2 Any person carrying out authorised works on a public place shall provide reinstatement of the works to a standard approved by an authorised officer

Attachment 7



Memorandum

To: Marton Community Committee
Bulls Community Committee
Turakina Community Committee
Hunterville Community Committee
Ratana Community Board
Taihape Community Board

From: Katrina Gray

Date: 23 May 2017

Subject: **Draft Urban Tree Plan 2017**

File: 6-RF-1-1

1 Draft Urban Tree Plan 2017

1.1 The draft Urban Tree Plan 2017 has been developed by Council staff to provide a consistent approach to managing trees in urban areas ([Appendix 1](#)). The draft Plan outlines guidelines for the following areas:

- Management of trees in parks, reserves and other Council property.
- Street trees and amenity planting.
- Private trees
- Tree programmes

1.2 The document outlines procedures and guidelines for a range of aspects including; maintenance, species selections, tree replacement, heritage trees, removal of trees and resolving disputes.

1.3 The draft Urban Tree Plan 2017 is an operational policy, therefore, does not require public consultation. Nevertheless, the draft Plan has been provided to the Community Committees and Boards as it proposes that the Community Committees/Boards will be given the authority (following community consultation) to make decisions on major tree removals in their area of interest. This will usually occur where there is a request to remove a healthy tree and where the Council officer's recommendation is to retain the tree.

1.4 Council's Policy/Planning Committee will consider comments from Community Committees/Boards at its meeting on 13 July 2017.

2 Recommendations

2.1 That the memorandum 'Draft Urban Tree Plan 2017' be received.

2.2 That the Community Committee/Board supports/does not support [remove one] being given the authority to make decisions on major tree removals following a community consultation process.

2.3 That the Community Committee/Board recommends to the Policy/Planning Committee the following changes to the draft Urban Tree Plan 2017:

-
-

Katrina Gray
Senior Policy Analyst/Planner

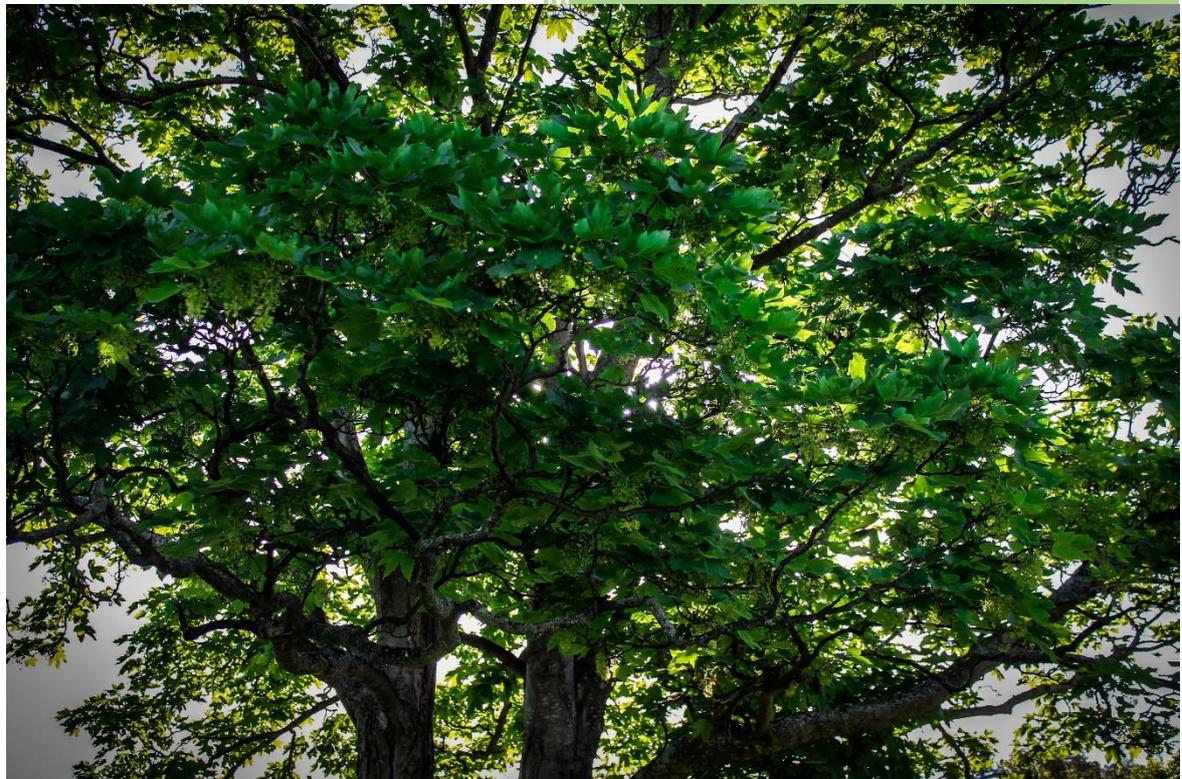
Appendix 1



Rangitikei
District
Council

2017

Urban Tree Plan



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DRAFT

2 General Guideline Statement

2.1 Introduction

Trees are important to our overall enjoyment of the environment in which we work, live and play, and form an integral and important aspect of any urban scene.

Trees provide ecological benefits, whether it is as a wildlife habitat, as food or shade, for soil retention or as an agent to purify the air. They can produce timber and crops, encourage biodiversity and improve the visual appeal of the landscape.

Trees also have a significant positive impact on the environment by enhancing and softening urban buildings, assisting with climatic control, providing shade, seasonal colour and amenity interest. They can be used to reflect local identity by marking an historic place or a location of particular interest, and provide character within the urban environment by framing important vistas or providing a structure to support a street layout.

Trees also make a significant contribution to the District's amenity, values and character. They contribute to good health by absorbing carbon dioxide and releasing oxygen into the air and providing habitats for birds, insects and other wildlife. Trees have the ability to filter dust and pollutants, reduce noise and moderate extremes of climate through the provision of shade and shelter. These values are further enhanced by their ability to provide beauty through flowers, berries, form and seasonal colour – either individually or in groups.

The Rangitikei district, with its diverse climate range presents its' own challenges for the establishment and management of trees. The Rangitikei can have particularly cold winters, unusually dry seasons, high winds and wet ground.

The Council is responsible for the management of all trees on council owned or managed land including parks, reserves, and berms in urban streets. The Urban Tree Plan covers urban situations within the District and is intended to provide a blueprint for future tree management within the Rangitikei.



Figure 1. Marton Park

3 Trees in Parks, Reserves and other Council Properties

3.1 Introduction

Reserves may offer the opportunity to plant trees that are too large for streets or private residential situations. These trees have an important and positive role to play in the amenity values of our parks, reserves and open spaces.

Appropriate species selection and positioning needs careful consideration and design to minimise losses through these climatic extremes. As trees have a limited life, an ongoing replacement programme is essential to ensure continuity of trees of varying ages in our parks.

Council wishes to see trees established and maintained on all parks and reserves.



Figure 2. Marton Park

3.2 Maintenance & Management

Good maintenance through the establishment phase reduces the future cost of maintenance and improves the final form and amenity value that the trees provide.

All maintenance of mature trees in parks and reserves will be undertaken by prequalified contractors (See Appendix 7.1). The parks and reserves team will be responsible for all maintenance of trees during their establishment. Maintenance includes pruning, mulching, staking, fertilising and replacement.

GUIDELINE 1

Council is responsible for the maintenance of all trees, shrubs and vegetation in parks and reserves. It will undertake regular inspections and corrective pruning of trees, shrubs and vegetation.



Figure 3. Marton Park

Community concerns raised about the maintenance and appropriateness of trees, shrubs and vegetation are a constant issue. These concerns will be considered on a case by case basis. Any unauthorised pruning of trees, shrubs or amenity plantings could lead to legal action for the purpose of recovering the costs of replacing damaged trees and shrubs, including any fees incurred in the recovery of cost.

Council will inspect and undertake routine maintenance of trees, shrubs and amenity planting on an appropriate cycle to suit location, plant species and site constraints. Established trees will be inspected annually and minor corrective work undertaken where required.

The usual maintenance regime for parks and reserves trees is:

Tree Age (from date planted)	Maintenance Cycle	Tasks to Undertake
Up to 10 years	1x per annum	Inspect, adjust/remove stakes & ties, corrective pruning, fertilise, as required
Over 10 years	1x every 3 years	Inspect, corrective pruning & clear services
Mature	As required	Inspect, corrective pruning & clear services

Non-essential work requested by a member of the community may be carried out by Council on the basis that all of the costs are met by those requesting the work.



Figure 4. Marton Park

3.2.1 Playground Trees

Trees that are located within playground areas are assessed monthly as part of the routine playground inspections. This monthly inspection will be a visual inspection and will take into consideration any changes the tree may have experienced over the previous month. Special attention will be given to the stability of the tree and any damage that may have occurred during this time. All findings will be recorded on the playground site inspection checklist and relevant contactors notified if required.

A further inspection of the trees near playgrounds will occur by trained arborists at twelve month intervals. This inspection will be a more detailed risk analysis of the trees that will include any remedial actions that may be required to keep the trees in a healthy and safe condition for the park users. This inspection will be undertaken by Council approved sub-contractors that are familiar with the tree species being assessed. Should any tree require remedial work this will be undertaken without delay.

Parks with mature trees which will be assessed include:

- Bulls Domain, Bulls
- Walker Park, Bulls
- Queens Park, Hunterville
- Centennial Park, Marton
- Marton Park, Marton
- Memorial Hall, Marton
- Wilson Park, Marton
- Memorial Park, Taihape

GUIDELINE 2

Monthly visual inspections of trees in parks will be conducted to note any changes or damage to trees. Annual risk inspections will be carried out by an arborist to ensure the trees are healthy and safe.

3.3 Species Selection

It is intended that future trees in parks and reserves are appropriate for their location. Trees which are likely to obstruct views, cause shade problems or have invasive roots which could have an impact on adjoining property or underground services will not be planted.

The Parks and Reserves Team Leader will recommend tree species which are deemed suitable for each specific location. In some situations, this may see different species being planted in parks than those currently established.

Council will endeavour to plant trees that will provide significant scale, shade which will contribute to positive amenity values.

GUIDELINE 3

Future park tree plantings will be the largest growing species suitable for the location.

Council wishes to avoid creating a monoculture of tree species in any park or reserve. This is to avoid the likelihood of a pest or disease causing the loss of all trees.

GUIDELINE 4

Tree species selection will avoid the creation of mono cultures.



Figure 5. Marton Park

3.4 Tree Stumps and Tree Suckers

In an urban environment it is preferable to remove the stumps when trees are removed. The stumps can harbour pests and diseases which could spread to healthy trees and create a significant mowing obstacle. The preferred method to remove mature tree stumps is to grind the remaining stump and remove the chips from the site. However because of cost and location, it may not always be practical to remove the stumps.

GUIDELINE 5

*Where practical tree stumps are removed
when trees are felled*

Tree suckers often develop from tree stumps or roots that have not been removed. Depending on the species of tree, the suckers may quickly become a new problem causing damage to hard surfaces. To remove tree suckers in hard surface areas, the appropriate approach is to use a weed killer. In grassed areas, constant mowing will gradually reduce growth over a period of years. Tree suckers from existing established trees will be removed by hand – not treated with weed killers.

3.5 Replacement & New Trees

3.5.1 Replacements

A programme of ongoing tree planting will be established to ensure that there is continuity and that parks and reserves do not go through periods where there are no trees following the removal of older specimens.

In some situations, trees have been planted in an ad hoc way, while in others the trees have been planted as part of an overall, planned, planting programme.

As trees are removed they will be replaced on a tree for tree basis. Replacement trees may be of a different species than the tree being replaced, at the discretion of the Parks and Reserves Team Leader. Replacement planting will take into account the requirements of any adopted reserve management plan or adopted tree-planting plan for the reserve.

The intention is to have a mixed-age tree asset, consistent with the guidelines, on each reserve.



Figure 6. Wilson Park

GUIDELINE 6

Council intends to, maintain current planting levels and have a mixed age tree stock on each park and reserve.

Where trees on parks and reserves are removed, replacement tree planting will be undertaken.

3.5.2 New Trees

New tree planting in parks and reserves will be planned in advance by the Parks and Reserves Team Leader, generally taking into account the need to provide a mixture of green open spaces and planted areas. The Parks and Reserves Team Leader will plant trees that, when mature are appropriate in scale for the location.

Consideration will be given to potential impacts on essential services - both above and below ground. As a good neighbour Council will take into consideration the impact of the proposed plantings on adjoining neighbours. Planting will be designed to avoid blocking views or light, and by planting trees at a density that avoids potential difficulties in the future.

New, large growing tree species will be located a minimum of 5 metres away from adjoining property and road boundaries, unless there is an agreement with the owners to plant closer. Community input will be sought when tree planting plans are being prepared.



Figure 7. Frae Ona Park

GUIDELINE 7

Tree planting plans will be prepared for new tree planting. New trees will be selected in keeping with this guideline.

New trees in parks and reserves will be planted at least 5 metres from property and road boundaries.

3.6 Donated, Sponsored and Memorial Trees

3.6.1 Donated or Sponsored Trees

From time to time Council receives offers for donated or sponsored tree plantings. Partnerships with the community are valued by Council and will be encouraged, as long as the proposed planting is in keeping with the terms of this guideline.

Sponsors will be encouraged to support tree planting in reserves where planting plans have already been established. The nature and terms of any partnership or sponsorship including tree species selection, financial contributions, signage and

ongoing maintenance and management will be set out in a formal letter of agreement before Council commits to any sponsorship programme.



Figure 8. Bulls Domain

GUIDELINE 8

Council values partnerships with the community to establish trees where a tree planting plan has been adopted. The terms if any partnership or sponsorship are to be confirmed in writing with the agreement of both parties before planting occurs.

3.6.2 Memorial Trees

Trees have been established in various parks, reserves and public areas to commemorate special events or as memorials.

The commemorative trees will be recorded in Council's commemorative tree register, together with details of any memorial plaque or local history known about the person/occasion being remembered.

Council does not encourage the establishment of memorial plantings. As communities grow and change, situations can arise in which a memorial planting needs to be reconfigured or removed, resulting in concern and distress for the families of those commemorated. Commemorative trees can also become targets for vandalism.

While the plaque and the initial cost of planting may have been met by a benefactor, the ongoing costs are met by Council through rates.



Figure 9. Frae Ona Park

GUIDELINE 9

*Future commemorative trees and memorial plantings
will not be located in parks or urban areas
except by a decision by the Parks and Reserves Team Leader.*

3.7 Heritage Trees

Heritage trees are important due to their age, species and provide a significant contribution to the District.

Heritage trees have special protection and are listed individually under the Notable Tree List in the District Plan. The Notable Tree List details the location and known history of significant trees, including relevant photos and details of plaques. Heritage status means those trees are protected and significant work cannot be undertaken on them without first obtaining resource consent from the Rangitikei District Council.

Trees serve as reminders of past generations and their achievements, and provide a sense of continuity and identity for the community. As such, they are a significant



component of the heritage and amenity values of the District. This is particularly so in urban areas that is faced with continuous demand for intensive land development.

The heritage, amenity and natural values associated with these trees makes many of them deserving of protection, with their destruction negatively affecting these values. A number of these significant trees are located on private land, however, the majority are located in public parks and reserves.

Council is open to further trees becoming protected under the District Plan. There are two avenues for new trees to be considered for inclusion:

1. Council initiated
2. Community initiated

When Council receives a request for a tree to be protected, or the Parks and Reserve Team Leader would like to include a new tree, an assessment will be undertaken by the Parks and Reserves Team in accordance with the methodology identified in Appendix X¹. An assessment will only be undertaken where there is approval from the property owner.

If the tree meets the criteria to become protected, it will be placed on a list to be considered through the next District Plan Review process² or relevant District Plan Change process.

Guidance on best practice maintenance will be provided by the Parks and Reserves Team Leader for all trees listed as notable in the District Plan, or on the list to be considered through the next District Plan Change/Review process.

Council will not usually fund the maintenance of notable trees which are not on Council-owned property.

¹ This methodology may be used to assess potentially notable trees outside of the urban area.

² These occur every 10 years.



Figure 10. Cooks Cottage

3.8 District Plan

The District Plan sets out the framework of issues, objectives, policies and rules to manage the effects of land use and development and to protect the natural and physical resources of the Rangitikei District. One of Rangitikei District Councils objectives derived from the District Plan is that Notable trees and culturally significant flora are identified, conserved and maintained and their amenity values are recognized.

Rule B1.16 Notable Trees and Culturally Significant Flora

B1.16-1 Notable Trees listed in Schedule C2 may be maintained through trimming to ensure the general health of the tree, provided that the trimming maintains the natural shape and form of the tree. This excludes pollarding or any other hard pruning practices.

B1.16-2 Notable Trees listed in Schedule C2 must not be removed without obtaining resource consent, unless:

- a) there is imminent danger to human life; or

b) in the written opinion of a suitably qualified person (e.g. an arborist) the tree health has significantly declined through natural causes (for example, insect infestation or disease) and there is no reasonable remedy to be able to restore tree health.

3.9 Removal of Trees in Parks and Reserves

Council occasionally receives a request to remove park trees. In some cases there is community consensus on the problems the trees are causing, however in most situations the request for removal comes from one property owner.

The council recognises the positive aspects that trees contribute to the wellbeing of the environment and will balance any possible tree removal against any adverse environmental impact.

Council acknowledges that in some situations inappropriate trees have been established which may have contributed to issues. The removal of healthy trees will only be considered where severe difficulties are being experienced by a neighbouring property (trees which inhibit views, shade property or drop debris are not considered to be causing severe difficulties) or the removal of the tree will significantly enhance Crime Prevention Through Environmental Design.

Where a tree is under consideration for removal or is causing problems, Council's tree assessment checklist should be completed to record the tree condition and background information. A copy of the standard assessment form is attached in Appendix 7.2.

A tree may be removed where, in the opinion of a qualified arborist or suitably qualified person the tree is:

- Dead
- Dangerous
- Severely diseased
- Part of a planned replacement programme
- Where the tree has particularly poor form and provides limited amenity value

In some situations, trees may cause problems with services and roads. Remedial action will be considered in these situations. Removal will be the most extreme option and will only be considered where all other options have been explored.

Typical problems with trees and services include:

- Disruption to essential services
- Proposed road, footpath or driveway realignment and design options have been considered and discounted in order to retain tree/s

Where a significant tree is to be removed a photograph showing the condition of the tree will usually be taken for historical purposes.

Where a significant healthy tree is being considered for removal, community consultation will be undertaken and the final decision will rest with the relevant community committee/board.

GUIDELINE 10

Generally healthy park trees will be retained and their removal will be the exception. Decisions on major tree removal will be referred to the relevant community committee/board following public consultation.



Figure 11. Wilson Park

3.10 Resolving Disputes

Tree and vegetation management can at times be an emotive issue with different elements of the community seeking opposing types of actions. On occasions consensus simply cannot be reached.

When this occurs, a 'tree assessment form' is to be completed as a prelude to a formal decision-making process. See Appendix 7.2.

The process provides for:

- An inspection by a nominated Parks and Reserves Team Leader to identify problems
- Consultation with the local community/adjoining property owner
- The completion and review of the tree assessment form
- Appropriate remedial work to be carried out in compliance with sound arboriculture practices (the costs of which may be shared between the parties)
- The consideration of the removal of the tree as per this guideline by the Parks and Reserves Team Leader if remedial work is not deemed to be satisfactory.
- The initiation of mediation.

In the event that the Parks and Reserves Team Leader does not agree to corrective pruning or the removal of the tree or vegetation, and of mediation is unsuccessful, then the issue may be referred to Council for formal consideration.

GUIDELINE 11

Where, following local community consultation, agreement on the removal of trees/vegetation cannot be reached the issue will be referred to the the Chief Executive.



Figure 12. Bulls Domain

4 Street Trees & Amenity Planting

4.1 Introduction

Council supports the general principle of planting and establishing street trees in the urban environment where appropriate.

In some streets it is difficult to provide quality street trees and match residents' expectations. Street trees bring tremendous benefits to our region, but they are not always trouble-free. Across the community, opinions about street trees vary greatly.

Street trees have importance beyond the individual property closest to them. Council manages the street tree asset as a coordinated collection of trees which adds value and character to the urban area overall. A street tree's amenity value is enjoyed by people walking and driving along the street and those living, working, shopping, dining and recreating nearby. Mature trees help to give a neighbourhood an established feel.

The Urban Tree Plan accepts that good quality vegetation or specimen trees on private property may offset the need for street trees at some sites. While, lack of quality vegetation on private properties may increase the need for Council to provide street trees.

However, the street berm has a shared function, providing potential road widening opportunities, pedestrian access, and a location for essential services including both overhead and underground services. This means there are limited opportunities for trees and beautification (Refer Appendix 7.3).

In some situations the existing services, proximity to road intersections or specific sight limitations may prevent the establishment of either trees or amenity plantings (See Appendix 7.4). Utility authorities have a statutory right to locate services in the road berm and to have access to the services. The security of these services must be the prime consideration.



Figure 13. Civic Square, Marton

4.2 Taking Responsibility

Council is the owner of road reserves and is responsible for all specimen trees on them.

Providing the District with a range of quality trees is a 20 year project. Surveying of all street trees will be undertaken during 2017 and a database of all the trees growing in the region will be established. This database will include the current condition of the specimen, GPS location, species and street number.

Future planting of trees will be handpicked from species known to thrive locally. A species selection has been developed for the Rangitikei District that varies due to the District's varied climatic extremes (See Appendix 7.5).



Figure 14. Wellington Road, Marton

4.3 Legislation

Sections 332 to 338 of the Property Law Act 2007 guides the management of trees where residents experience problems with shade, leaf litter and views planted on private property or Council land, including road reserve.

Where a resident disagrees with a Council officer's decision to retain a tree the matter can escalate. This process involves officers submitting a report to the local community committee/ board.

Beyond Council's own decision making processes, residents may wish to pursue the issue by making an application for a court order under Section 334 of the Property Law Act 2007.



Figure 15. Walker Park, Bulls

4.4 Street Tree Maintenance

Trees and shrubs often struggle to grow well in a street environment. An ongoing approach to maintenance through the establishment phase will reduce the future cost of replacement and maintenance and improve the final amenity value.

Council trees are maintained by approved contractors. It is a requirement that the contractors hold the relevant Health and Safety requirements and qualifications for work on the trees.

Contractors are selected for their skill in their particular area of expertise. When power line clearance is required Council only use companies with correct certification for this role.

All maintenance of street vegetation, shrubs and trees will be undertaken by Council staff or contractors with the required skills. Maintenance includes pruning, mulching, staking, fertilizing and, where necessary, replacement. Council will continue to seek assistance from the community for the watering of establishing trees and shrubs during summer months.

Council will consider any concerns that arise about the maintenance and appropriateness of trees. However; any unauthorised pruning or removal of trees could lead to legal action to recover the costs of replacing damaged trees including any fees incurred in recovering costs.

Council will inspect and undertake routine maintenance of trees on an appropriate cycle to suit the location, plant species and site. Juvenile trees will be inspected annually and minor corrective work undertaken.

The usual maintenance regime for street trees is:

Tree Age (from date planted)	Maintenance Cycle	Tasks to Undertake
Up to 10 years	1x per annum	Inspect, adjust/remove stakes & ties, corrective pruning, fertilize, as required
Over 10 years	1x every 3 years	Inspect, corrective pruning & clear services
Mature	As required	Inspect, corrective pruning & clear services

GUIDELINE 12

Council is responsible for the maintenance of amenity planting on street berms. It will undertake regular inspections and corrective pruning of trees, shrubs and vegetation.

4.4.1 Lifting Footpaths and Damage to Underground Services

Where quality street trees cause significant damage to footpaths and driveways Council will consider available methods for retaining the tree. This may involve alternative surfaces, root pruning or realignment.

In exceptional circumstances, Council may promote the idea of rearranging infrastructure in favour of an outstanding tree.

If a resident suspects that their pipes are being blocked by roots from a street tree they should contact Council.

Consideration will be given to tree removal if alternative mitigation is not possible. Full consultation will be undertaken by the Parks and Reserves Team Leader with the property owner prior to any work being initiated.



Figure 16. Marton Park

4.4.2 Pollarding: Plane Trees *Platanus orientalis* London Plane Tree

Pollarding or high coppicing is a method of pruning that keeps trees smaller than they would naturally grow. It is normally started once a tree or shrub reaches a certain height, and annual pollarding will restrict the plant to that height.

Due to historic reasons a number of London Plane trees throughout the region have been pollarded. While this is not ideal for this species it will be an ongoing maintenance requirement for the trees growing in the locations listed below.

The pollarding that is undertaken on these sites differs from other pollarding techniques. A new framework for these trees has been established based on a network of short branches rather than a stump. In the future they will be pruned back to this new framework each year.

It is envisaged that the trees will be pruned during July-August of any year. A smaller supplemental prune may be required during summer to avoid the trees growing into overhead power lines.

Street	Town	No of trees left	Comment
Bond Street	Marton	16	Whole Street
Stewart Street	Marton	3	Outside Courthouse

Lyon Street	Marton	2	Harris Street to Beaven street
Bruce Street	Huntermville	3	Huntermville School to Waitipapa Road
Raumaewa Street	Mangaweka	2	SHI to Broadway
Eagle Street	Taihape	5	Kaka Street intersection
Wren Street	Taihape	6	
Thrush Street	Taihape	11	From Kaka Road
Memorial Park	Taihape	2	Memorial park
	Total	48	

4.5 Pruning Techniques

Council supports the principle of trees being encouraged to grow true to form. Accordingly, trees will be maintained in keeping with established arboricultural standards to enhance the amenity the trees, shrubs and vegetation provide and to assist in maintaining the long term health of plants and trees.

In urban areas tree pruning is a skilled operation. Pruning will be carried out by experienced or appropriately qualified contractors, as listed in Appendix 7.1.



Figure 147. Marton Park

GUIDELINE 13

Trees, vegetation and shrubs will be encouraged to grow true to form and any maintenance work will be carried out to established horticultural or arboricultural standards.

4.6 Deciduous Trees on Road Reserves

Deciduous trees can pose a flood risk when leaves block sumps or storm water grates. Contractors are aware of the problem and in the autumn clear drainage systems on a regular basis.

4.7 Trees near Power Lines

Overgrown and inappropriate trees near power lines are one of the biggest contributors to electricity supply failures. Even when trees appear to be well clear of the lines, they still pose a threat to the power supply during storms and strong winds.

The overhead and underground power lines in the Rangitikei District are managed by PowerCo. The company asks for public cooperation to keep trees away from power lines.

Where Council or a landowner has declared an interest in a tree near power lines they are responsible for all costs of trimming the tree to regulation safety distances. Where no interest is declared, the line company can fell the tree if it so chooses.

Power line clearance will be undertaken following discussions between the Parks and Reserves Team Leader and the approved contractor.

Methods of tree reduction will be discussed and all options considered prior to commencement of any pruning work.

Should a tree be a threat to a power supply it may be removed. Consultation with neighbouring landowners will be undertaken prior to any tree removal.

All contractors undertaking work within the following distances need to be PowerCo approved with the relevant competencies and all work must be done in line with Arboricultural Code of Practice Part 2 (ACoP2).

In short the required distances are:

33,000v 3.5m

11,000v 2.6m

400v 0.5m

For further detailed information on the requirements of pruning trees beneath or beside power lines refer to Electricity Regulations 2003 Page 28.

The other standards that need to be adhered to are the Safety Manual Electricity Industry (SM-EI) Parts 2 and 3.

Currently Council employs one preapproved sub-contractor who is certified to undertake this work. Refer to the Council approved contactor list in Appendix 7.1.

4.8 Street Tree Species Selection

Council intends to ensure that future street tree planting is appropriate for the location. Trees which are likely to obstruct views, cause shade problems or have invasive roots will not be planted.

The criteria to be considered when selecting street trees will include:

- Street amenity
- Soil type
- Drainage
- Local climate
- Width of berm
- Views
- Location of services
- Suitability of species in terms of growth habit
- Proximity to property (shading issues)
- Existence of other trees on both private property and berms
- Probability of leaf drop
- Mature size of tree and its effects

GUIDELINE 14

*Future street tree planting will be
suitable for the location.*



Figure 18. Marton town centre amenity planting

4.8.1 Planting Guide

Without good planning, the planting and management of trees on public space can occur in an ad hoc manner with the resulting tree cover lacking strength and cohesion. The community and Council staff have identified that in the past inappropriate species have been planted in some sites. It is especially important that appropriate species are selected for each public space. Inappropriate species can damage infrastructure and generate excess maintenance or replacement costs. Appropriate species selection will maximize the benefits the tree provides as well as reducing the long term cost on the ratepayer.

The intent of the Planting Guide is to foster coherent and sustainable street tree plantings. It recommends the use of trees that are tolerant of the environmental conditions for their site, have low maintenance needs, have long lives, and retain their attractiveness into their maturity.

The Planting Guide is to be used as a guide for the planting of street trees. It is intended for landscape architects, developers, contractors, council staff and tree suppliers. It will assist with the selection of replacement trees or new street trees in existing areas, as well as for road corridors in new subdivisions.

While this document has been produced to assist with the selection of street tree species it is a guide only and the final decision as to the species to be used in any situation rests with the Parks and Reserves Team Leader.

Every year up to 40 large street trees will be planted throughout the District. These trees will be planted under the guidance of the Parks and Reserves Team leader. The trees will be planted in accordance with the planting guidelines in Appendix 7.7.

4.9 Requests for New Street Trees / Vegetation

Council values partnerships with the community to establish trees and will consider the establishment of street trees in appropriate locations as described in this section of the guideline (See Appendix 7.8). Priority will be given where there is a coordinated approach from the community. Individuals or groups may make an application for planting to the Parks and Reserves Team Leader.

Priority for new street tree planting will be given to streets where utility services such as power lines are underground.

Where there is a request for trees to be planted in a street, or where Council wishes to plant trees in streets, the Parks and Reserves Team Leader will seek agreement from the majority of residents so that a consistent pattern of planting can be achieved (Refer Appendix 7.9).

Individual 'one off' new tree planting will be considered in an ad hoc basis upon application to the Parks and Reserves Team Leader.

Consideration will be given to minimizing the possible future impact new trees may have on essential services both above and below ground.



Figure 19. Street trees in Marton town centre

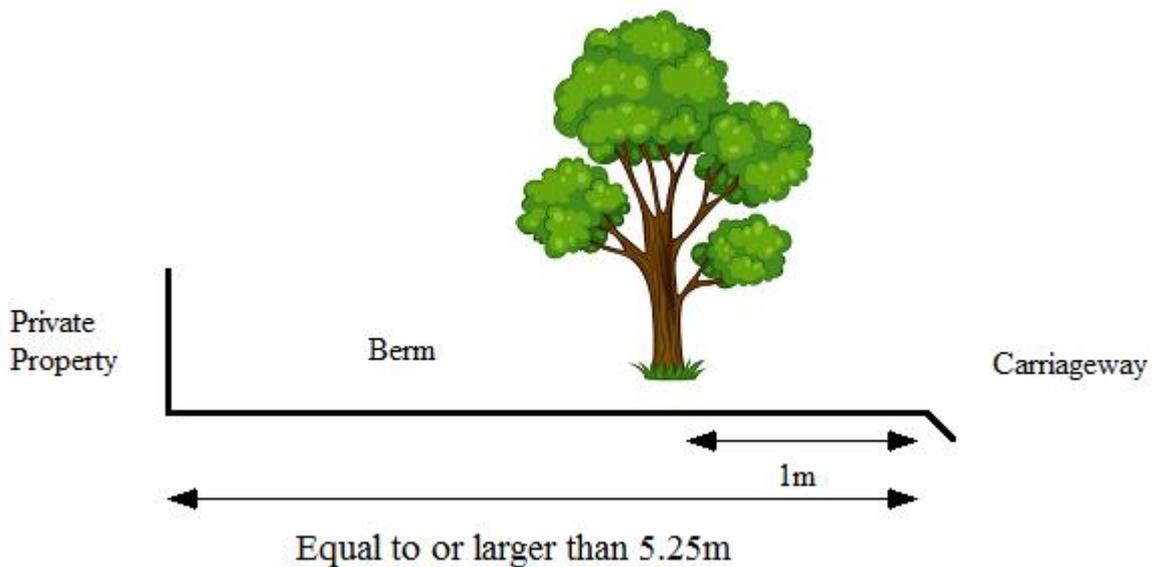
GUIDELINE 15

Council will be responsible for planting of trees and other amenity plantings on berms. Where inappropriate planting is identified the persons responsible will be consulted with, and may be requested to remove the plantings. Alternatively, if necessary, Council will remove the planting and recover costs.

In urban areas Council permits one tree per property frontage where the berm has a minimum width of 5.25m (measured from private boundary to kerb edge). A suitable tree species will be identified in consultation with the Parks and Reserves Team Leader. Trees will usually be planted at least 1m back from the kerb edge and no closer than 1m to underground services. Where the berm is less than 5.25m planting is at the discretion of the Parks and Reserves Team Leader.

For larger residential sites, with large berms or on the urban fringe, one tree per 30m or property frontage will be considered, subject to the site being suitable in terms of services, sight lines and berm width. Council will seek consensus prior to undertaking street planting.

The diagram below indicated suitable planting distances for trees on street berms.



GUIDELINE 16

*Council permits one tree per road frontage
on urban berms which are at least 5.25m wide.*

*Larger residential sites may be considered for planting on the
basis of one tree per 30m of frontage.*

Developers may be able to plant trees on the berms, provided it is in keeping with this guideline and with the consent of the Parks and Reserves Team Leader. Initial planting will be completed as part of the final landscape works at the time of subdivision. All plantings shall be maintained by the developer for at least 18 months.

GUIDELINE 17

*Before any tree or amenity planting is permitted on
Council berms as part of the subdivision process, consultation must
occur with the Parks and Reserves Team Leader.*

*The consent will include conditions for the planting and
maintenance.*

Where established trees have been removed and where the location is suitable, they will be replaced with an appropriate tree species. This may not be the same species as the tree removed. Where recently established trees are to be replaced if possible they will be replaced with similar species.

GUIDELINE 18

*Established trees that have to be removed may be
replaced in a similar suitable location, and with a
suitable species, where appropriate subject to funding.*

4.9.1 Trees and traffic safety

In addition to amenity values, trees assist with:

- Traffic management by constraining lateral vision
- Identifying traffic control measures such as traffic islands

Trees will not be allowed to compromise the safety of road or footpath users.

GUIDELINE 19

*Trees, vegetation and shrubs will not compromise
the safety of road and footpath users.*

4.10 Removal of Street Trees

A number of requests are received each year to remove street trees. Council acknowledges that in some situations inappropriate trees have been established which may have contributed to difficulties people are experiencing.

Perceived problems include shading, leaf fall and blocked views. In some cases, there is local community consensus as to the problems, but in most situations the request for removal comes from one property owner.

Generally Council relies on expert advice to determine whether large trees (5m or taller) should be retained or removed. Again, the key question is whether the trees are quality specimens or are likely to develop into quality specimens.

Requests for street tree removal are processed by a Parks and Reserves Team Leader. The removal of healthy trees will continue to be the exception and will only be considered:

- Where street redevelopment is to be implemented and options to retain the tree have been investigated and discounted
- Where severe hardship is being experienced (trees which inhibit views, shade property or drop debris are not generally considered to be causing severe hardship)
- Other community assets and infrastructure are impacted by trees or vegetation
- Where a tree is being considered for removal or causing problems the council tree assessment checklist should be completed to record the tree condition and background information. A copy of the standard assessment form is attached in Appendix 7.2



A tree may be removed where in the opinion of a qualified arborist or the Parks and Reserves Team Leader it is:

- Dead
- Dangerous
- Severely diseased
- Part of a planned replacement programme
- Where the tree has particularly poor form and provides limited amenity value as determined by a qualified arborist

Remedial action will be considered in extreme situations where problems are being caused with services and roads. Removal will be the last option and will only be considered where all other options have been explored.

Typical problems between trees, roads and services include:

- Disruption to essential services;
- Proposed road, footpath or driveway realignment and design options have been considered and discontinued in order to retain the tree/s;
- Interference with pavement integrity of road and/or footpath;
- Root intrusion into service ducts.

GUIDELINE 20

Healthy street trees will generally be retained.

Decisions on major tree removals will be referred to the relevant community committee/ board. Public consultation will be undertaken.

Where a tree is to be removed a photograph of the condition of the tree will usually be taken for historical purposes.

4.10.1 Shade and Views

During their lifespan, trees can periodically interfere with views and sunlight enjoyed by residential properties. Where a tree is, or is likely to become a quality specimen, pruning may improve a resident's situation. Views over Taihape are important to many residents in town, particularly in the Western Hills. Prospective landowners and tenants need to consider the effect of nearby trees, including their potential to grow larger. Although Council does not prioritise panoramic views as part of managing street trees, there is often scope to improve views with modern pruning techniques as part of the regular maintenance work.

Council and an approved contractor will carry out pruning where the result is going to benefit the residents and have little effect on the quality of the tree.

Where poor quality trees cause interference Council may consider removing the tree.



Figure 20. Marton Park

When residents believe that quality street trees unreasonably interfere with sunlight and views of residential properties Council will consider whether it is practical to manage the situation individually or by pruning.

Overall, Council prefers to retain quality specimens, or specimens that are likely to develop into quality specimens. This preference needs to be weighed up against other considerations in the street, including neighbours expectations. Council's role is to consider whether tree removal will reduce the attractiveness of the area for neighbours. The function of the road reserve is also a very important consideration.

As trees grow taller the space under the crown is likely to increase, improving light and views for residential neighbours. Trees with large crowns often offer more opportunities for thinning the crown (improving light and views) than smaller trees. It is not practical to manage the street trees to provide all residential properties with panoramic views. In any case, Council is only responsible for a portion of the specimen trees that affect light and views.

Council is committed to being a good neighbour. We recognise that street trees aren't always appreciated by everyone and that some neighbours favour views and sunlight over street trees. Council aims to provide quality street trees without creating unreasonable view and shade problems for neighbours. Generally Council's position is that quality street trees will be retained.

GUIDELINE 21

Quality street trees will be retained

4.11 Application Costs / Cost Sharing

Council will meet the ongoing maintenance costs for trees including routine corrective pruning and replacement. The majority of street tree maintenance costs are met through rates.

Council wishes to be a good neighbour in terms of maintenance of its trees and vegetation. However Council does not make financial provision for meeting the costs of pruning trees to enhance views or for other non-essential arboricultural work. 'Cosmetic' pruning or tree planting, where appropriate, will be considered on a case by case basis and a financial contribution may be sought from those requesting the work.

GUIDELINE 22

Council wishes to be a good neighbour in terms of sharing costs for non-essential tree maintenance, removal and new planting and will negotiate acceptable contributions towards actual costs.

4.12 Resolving Disputes

Tree and vegetation management can at times be an emotive issue with different elements of the community seeking opposing types of actions. On occasions consensus simply cannot be reached.

When this occurs, a 'tree assessment form' is to be completed as a prelude to a formal decision-making process.

The process provides for:

- An inspection by a nominated Parks and Reserves Team Leader to identify problems
- Consultation with the local community/adjoining property owner
- The completion and review of the tree assessment form
- Appropriate remedial work to be carried out in compliance with sound arboriculture practices (the costs of which may be shared between the parties)
- The consideration of the removal of the tree as per this guideline by the Parks and Reserves Team Leader if remedial work is not deemed to be satisfactory.
- The initiation of mediation.



If agreement still cannot be reached the matter will be referred to the Chief Executive for a final decision.

GUIDELINE 23

Where, following local community consultation, agreement on the removal of trees/vegetation cannot be reached the issue will be referred to the Chief Executive.

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5 Private Trees, Vegetation and Shrubs

5.1 Introduction

The local environment is significantly enhanced by the collective tree cover that is provided by private property owners, Council and government agencies such as the Department of Conservation (DoC). However, Council is not responsible for trees on private property. As with other privately owned assets, responsibility for privately owned trees and vegetation predominantly rests with the property owner.

In general terms the council will not be involved in issues surrounding privately-owned trees, with the following exceptions:

- Trees interfering with public footpaths, roadways, road signs, and in some situations, services
- Trees planted by other parties on council-owned land without prior consent or agreement
- Notable trees as identified by the District Plan.

GUIDELINE 24

Maintenance of trees on private land is the responsibility of the land owner, within the provisions of the District Plan.

5.2 Privately Planted Trees on Council Land

All trees and amenity planting on council land, including road berms are owned by and are the responsibility of Council.

Council, as land owner will carry out any approved tree planting on street berms, and must be consulted if members of the community want to place trees or amenity plantings on road berms, parks or reserves.

While community initiatives for tree planting are supported, these must be in keeping with the guidelines set out.

In situations where plantings have been established by organisations or individuals on Council land, these will be managed in keeping with this guideline. Those responsible for planting the tree/s will not receive any special degree of consultation on the management of the vegetation, unless there is a previous agreement with Council. The former planter of the tree has no authority to undertake tree pruning or removal without specific Council consent.

At times it may be necessary to remove plantings by members of the community where these have occurred without prior agreement. In these situations Council will attempt to advise those concerned with the original planting.

The cost of maintaining trees on council land is generally met through rates contributions. However this guideline sets out areas where contributions from the community will be sought for operational works.

The community is encouraged to work with the council to see appropriate trees established in suitable locations within the District.



Figure 21. Marton Park

5.3 Hazardous Trees

Council has a responsibility to keep community assets as safe as reasonably possible. Any issue relating to potentially hazardous trees and amenity plantings between privately-owned properties is a matter for those neighbours to resolve and is outside the influence of Council. At times private trees and vegetation can impact on safety in a number of ways including:

- Shading of roads and footpaths resulting in formation of ice patches in winter
- Impeding access to footpaths
- Affecting sightlines and obstructing lights and visibility of road signs
- Interfering with services both overhead and underground
- Branches from private trees encroaching on road reserves or parks

- Footpaths becoming hazardous due to encroachment of tree roots
- Unstable trees

Appendix 7.6 outlines the criteria for encroaching vegetation or trees that are not in accordance with this guideline, where staff will take the following steps:

The Parks and Reserves Team Leader will send a notice in writing to the property owner, requesting they trim the vegetation (Appendix 7.10.1)

- The Parks and Reserves Team Leader will inspect the property within four weeks
- If vegetation has been trimmed, a 'thank you' letter should be sent (Appendix 7.10.2)
- If no action has been taken a reminder letter will be sent (Appendix 7.10.3)
- If after the reminder letter two weeks later the situation has not improved, the council can enter the property and carry out the work required. The property owner will have to bear the cost and may also be fined under the Local Government Act 2002, section 335 (Refer Appendix 7.11)

On rare occasions a private tree may become dangerous to the community, for example in a storm, and in these situations urgent action may be required. Council has powers under the Local Government Act 2002 to take remedial action to negate an urgent danger without the tree owners consent.

GUIDELINE 25

*Where trees on private property are causing a nuisance
or hazard to community assets the owner will be
requested to undertake appropriate maintenance.*

*If necessary Council will remove the hazard and
recover associated costs from the tree owner.*

5.4 Pruning

Some landowners may be pruning roadside trees and windbreaks and leaving the cuttings on the road reserve.

The debris restricts Council's ability to maintain berms. Footpaths and drains can be blocked, causing flooding during heavy rain.

While the landowners are responsible to maintain private trees overhanging road reserve they also are responsible for the removal and disposal of debris.

5.5 Heritage Trees

Heritage trees are important due to their age, species and provide a significant contribution to the District.

Heritage trees have special protection and are listed individually under the Notable Tree List in the District Plan. The Notable Tree List details the location and known history of significant trees, including relevant photos and details of plaques. Heritage status means those trees are protected and significant work cannot be undertaken on them without first obtaining resource consent from the Rangitikei District Council.

Trees serve as reminders of past generations and their achievements, and provide a sense of continuity and identity for the community. As such, they are a significant component of the heritage and amenity values of the District. This is particularly so in urban areas that is faced with continuous demand for intensive land development.

The heritage, amenity and natural values associated with these trees makes many of them deserving of protection, with their destruction negatively affecting these values. A number of these significant trees are located on private land, however, the majority are located in public parks and reserves.

Council is open to further trees becoming protected under the District Plan. There are two avenues for new trees to be considered for inclusion:

3. Council initiated
4. Community initiated

When Council receives a request for a tree to be protected, or the Parks and Reserve Team Leader would like to include a new tree, an assessment will be undertaken by the Parks and Reserves Team in accordance with the methodology identified in [Appendix X³](#). An assessment will only be undertaken where there is approval from the property owner.

If the tree meets the criteria to become protected, it will be placed on a list to be considered through the next District Plan Review process⁴ or relevant District Plan Change process.

Guidance on best practice maintenance will be provided by the Parks and Reserves Team Leader for all trees listed as notable in the District Plan, or on the list to be considered through the next District Plan Change/Review process.

Council will not usually fund the maintenance of notable trees which are not on Council-owned property.

³ This methodology may be used to assess potentially notable trees outside of the urban area.

⁴ These occur every 10 years.

5.6 District Plan

The District Plan sets out the framework of issues, objectives, policies and rules to manage the effects of land use and development and to protect the natural and physical resources of the Rangitikei District. One of Rangitikei District Councils objectives derived from the District Plan is that Notable trees and culturally significant flora are identified, conserved and maintained and their amenity values are recognized.

Rule B1.16 Notable Trees and Culturally Significant Flora

B1.16-1 Notable Trees listed in Schedule C2 may be maintained through trimming to ensure the general health of the tree, provided that the trimming maintains the natural shape and form of the tree. This excludes pollarding or any other hard pruning practices.

B1.16-2 Notable Trees listed in Schedule C2 must not be removed without obtaining resource consent, unless:

- a) there is imminent danger to human life; or
- b) in the written opinion of a suitably qualified person (e.g. an arborist) the tree health has significantly declined through natural causes (for example, insect infestation or disease) and there is no reasonable remedy to be able to restore tree health.

6 Tree Programmes / General Tree Issues

6.1 Introduction

Planting trees provides long term environmental and community benefits. The added value gained from community partnership projects together with the 'ownership' that is created for the completed plantings has encouraged Council to continue to support these initiatives.

Council will continue to make every effort to accommodate community groups seeking to contribute to tree planting projects.



Figure 22. Marton Park

6.2 Tree Planting Programmes

The community is encouraged to be involved in tree and amenity planting projects in appropriate areas, particularly on Arbour Day. Reserves will be used rather than road berms for community plantings.

Sites will be chosen which have existing planting plans or have been chosen to benefit that community's environment. Where community organizations or schools are seeking to plant on public land, they must first get Council permission. Council may also assist with either technical advice or plants, materials and labour.

Support for Keep New Zealand Beautiful projects, and any community projects seeking to plant on public land, will be considered where there is a long-term community benefit.

6.3 Wilful Damage to Trees

Occasionally trees on public land are the targets for vandalism including poisoning, graffiti, and breaking of tree limbs, removal and damage to tree bark. Deliberate damage is referred to the New Zealand Police for investigation. Reparation will be sought where the persons responsible have been identified.



Figure 23. Marton Park

7 Appendices

7.1 Prequalified Contractors

- Robinson Tree Services Ltd, Feilding
- Treescape Bulls Ltd, Bulls
- Steve Bron – Bronco Ltd, Feilding

7.2 Tree Assessment Checklist for Reserves & Street Trees

- Location _____
- Tree Species _____
- Girth _____
- Height _____
- Spread _____
- Approximate Age _____
- Tree Health/Condition (1 excellent – 5 very poor)

- Berm Width _____

1 Roadway Damage Assessment

- | | |
|-------------------------------------|--------|
| 1.1 Footpath damage? | Yes/No |
| 1.2 Has the footpath been replaced? | Yes/No |
| 1.3 Kerb & channel damaged? | Yes/No |
| 1.4 Road pavement damage? | Yes/No |
| 1.5 Buried services damaged? | Yes/No |

2 Adjoining Private Property Impact Assessment

- | | |
|--|-----------------------|
| 2.1 What side of the property is tree on? | North/South/East/West |
| 2.2 Is tree shading the property? | Yes/No |
| 2.3 Is tree damaging the property? | Yes/No |
| 2.4 Comment on tree damage | |
| _____ | |
| 2.5 Is tree a danger to the property if it fell? | Yes/No |
| 2.6 Do the adjoining owners want the tree removed? | Yes/No |
| 2.7 Is the tree encroaching on power lines? | Yes/No |



3 Values and Options Assessment

- 3.1 Has the tree protection under the District Plan? Yes/No
3.2 Has the tree historic or other significance? Yes/No
3.3 Can the tree be correctively pruned to overcome current problem Yes/No
3.4 What is the frequency of trees on the street/reserve?

3.5 Are there mature trees in private gardens, parks or street berms adjoining this site?

Yes/No

3.6 How relevant is the tree in the local landscape?

4 Proposed Action

4.1 What species of tree is a suitable replacement?

4.2 Do you recommend the removal of the tree? Yes/No

4.3 Do you recommend the replacement of the tree? Yes/No

4.4 Can work be safely completed near power lines or is an Rangitikei District Council prequalified contractor required?

Yes/No

4.5 General comment:

4.6 Have digital photographs been taken? Yes/No

Parks Team Leader:

Date:

Approval

Approval of tree removal

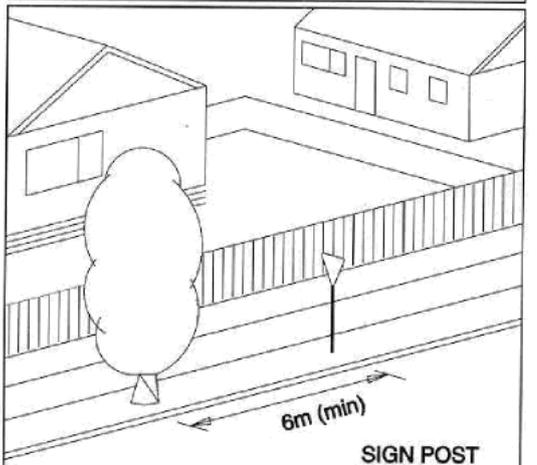
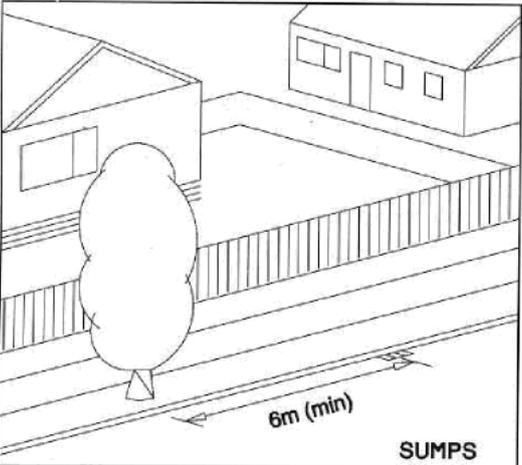
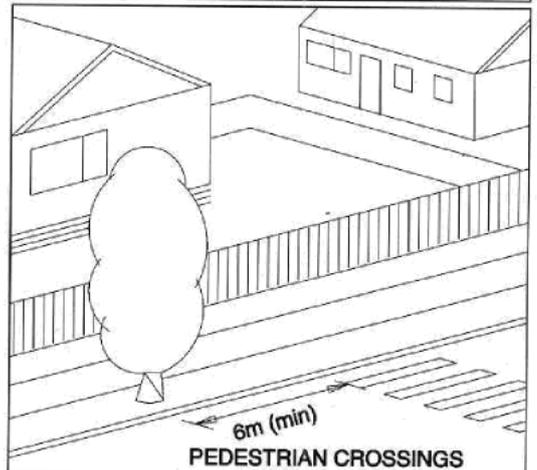
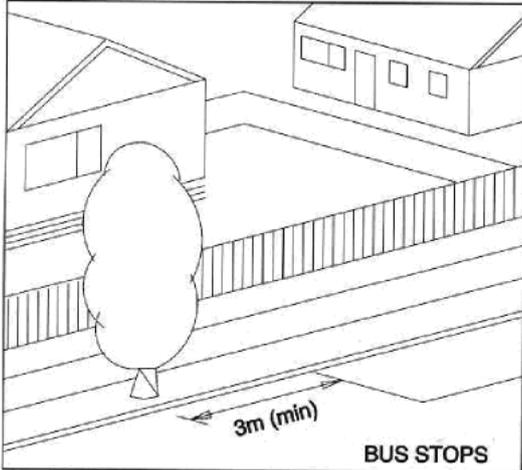
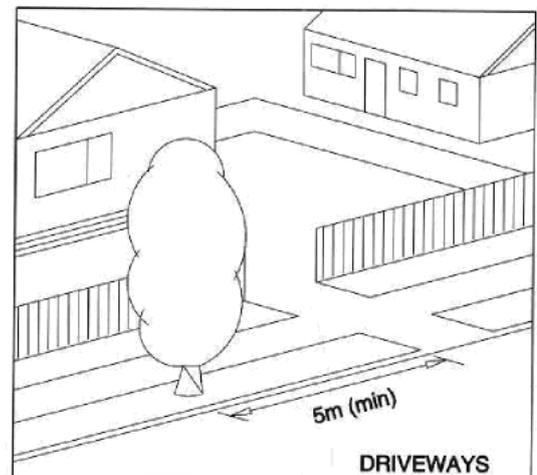
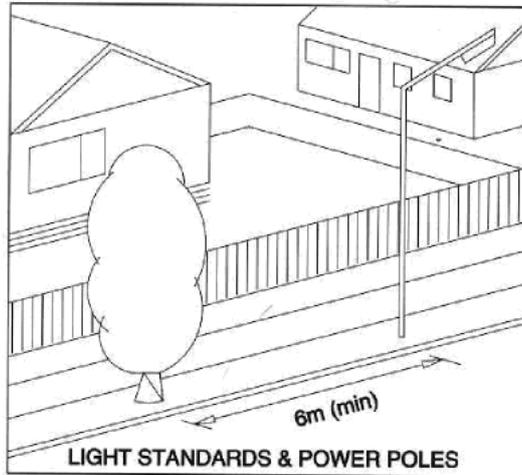
Approved/Declined

Reasons

Name

Date

7.3 Street Tree Planting Distances



7.4 Line of sight requirements

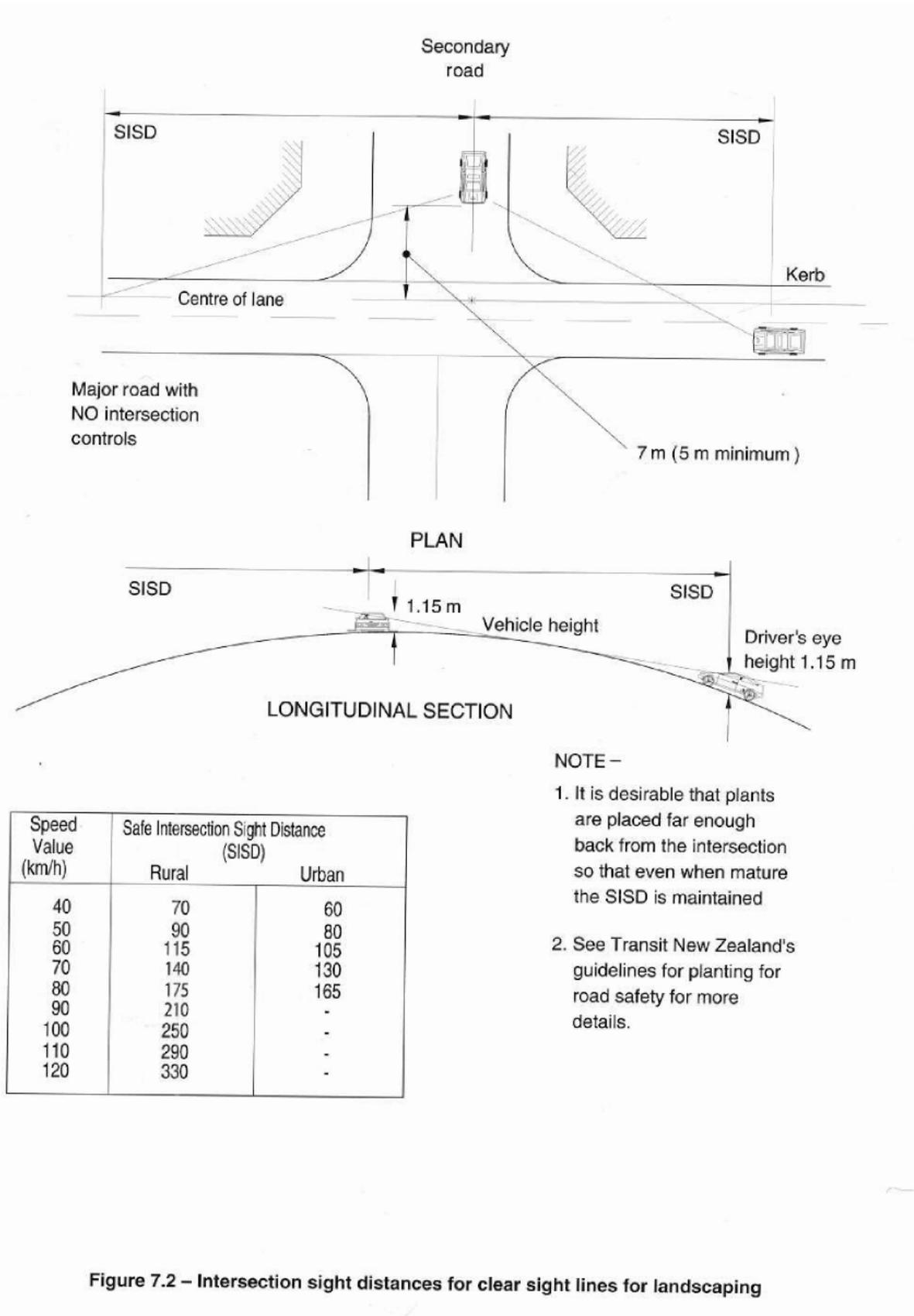


Figure 7.2 – Intersection sight distances for clear sight lines for landscaping

7.5 Charter Areas and Preferred Species

7.5.1 Character Area: Bulls

Like Marton and Taihape, Bulls has outstanding historical character in its diverse range of Victorian/Edwardian buildings that have been landscaped with English trees. The species selection has been chosen for known species that will thrive both on private and public land in this town.

Unfortunately many of the Bulls road berms are too narrow to consider planting street trees; however a number of streets will support street tree population.

The climate in Bulls and soil conditions make it ideal growing condition for tree establishment.

Preferred species for narrow berms (no overhead wires)

<u><i>Carpinus betulus</i></u> "Fastigiata" (Upright Hornbeam)	<u><i>Fagus sylvatica</i></u> "Dawyck Purple" (Upright Purple Beech)
<u><i>Ginkgo biloba</i></u> "Fastigiata" (Maidenhair Tree)	<u><i>Malus tschonoskii</i></u> (Japanese Upright Crabapple)
<u><i>Prunus campanulata</i></u> "Felix Jury" (Taiwan Cherry)	<u><i>Prunus campanulata</i></u> "Superba" (Taiwan Cherry)
<u><i>Quercus robur</i></u> "Fastigiata" (English Oak)	

Preferred species for wider berms (no overhead wires)

<u><i>Aesculus carnea</i></u> "Briotii" (Red Horse Chestnut)	<u><i>Betula utilis</i></u> "Jacquemontii" (Himalayan Birch)
<u><i>Crataegus laevigata</i></u> "Pauls Scarlet" (Midland Hawthorn)	<u><i>Fraxinus</i></u> (Purple Spire Ash)
<u><i>Fraxinus ornus</i></u> (Manna Ash)	<u><i>Fraxinus pennsylvanica</i></u> "Cimmzam" (Cimmaron Ash)
<u><i>Malus</i></u> varieties and cultivars (Flowering Apple)	<u><i>Melia azedarch</i></u> (Indian Bean Tree)
<u><i>Nyssa sylvatica</i></u> varieties (Wet Soils) (Black Tupelo)	<u><i>Platanus orientalis</i></u> "Autumn Glory" (Oriental Plane Tree)
<u><i>Prunus</i></u> species (NB: larger growing cultivars) (Flowering Cherry)	<u><i>Pyrus calleryana</i></u> "Aristocrat" (Ornamental Pear)
<u><i>Pyrus calleryana</i></u> "Bradford" (Ornamental Pear)	<u><i>Pyrus calleryana</i></u> "Candelabra" (Ornamental Upright Pear)
<u><i>Sophora godleyi</i></u> (Kowhai)	<u><i>Ulmus carpinifolia</i></u> "Variegata" (Spotted Elm)
<u><i>Ulmus parvifolia</i></u> "Frontier" (Chinese Hybrid Elm)	

Preferred species for berms and reserves with overhead wires

<u><i>Ginkgo biloba</i></u> “Jade Butterflies” (Maidenhair Tree)	<u><i>Liquidambar styraciflua</i></u> “Little Richard” (Liquid Amber)
<u><i>Malus</i></u> “Eilerslie” plus other cultivars Max height 2.5m (Flowering Crabapple)	<u><i>Ulmus parviflora</i></u> “Jacqueline Hillier” (Dutch Elm)

7.5.2 Character Area: Hunterville/Mangaweka

Like the other areas, Hunterville and Mangaweka has outstanding character in their diverse range of Victorian/Edwardian building that have been planted with English trees. The following species selection reflects and helps maintain the heritage of these centres.

Many of the berms have been planted in Hunterville with a number of different *Prunus* species and cultivars. These current trees provide the town with spring colour that is constantly commented on by locals and visitors to this centre.

Hunterville and Mangaweka have different climate and soil conditions than any other centres in the Rangitikei District. Winters are often cold and soil conditions can get extremely wet.

These centres have wide berms which will make the planting of new trees a must for these towns.

Preferred species for narrow berms (no overhead wires)

<u><i>Carpinus betulus</i></u> “Fastigiata” (Upright Hornbeam)	<u><i>Cornus kousa</i></u> “Milky Way” (Chinese Dogwood)
<u><i>Crataegus laevigata</i></u> “Pauls Scarlet” (Hawthorn)	<u><i>Fagus sylvatica</i></u> “Dawyck Gold” (Gold Columnar Beech)
<u><i>Fagus sylvatica</i></u> “Dawyck Purple” (Upright Purple Beech)	<u><i>Ginkgo biloba</i></u> “Fastigiata” (Maidenhair Tree)
<u><i>Liriodendron tulipifera</i></u> “Fastigiatum” (Arnold Columnar Tulip)	<u><i>Liriodendron tulipifera</i></u> “Snowbird” (Variegated Upright Tulip)
<u><i>Magnolia</i></u> “Burgundy Star” (Jury Hybrid)	<u><i>Malus tschonoskii</i></u> (Japanese Upright Crabapple)
<u><i>Prunus</i></u> “Amanogawa” (Milky Way Cherry)	<u><i>Prunus</i></u> <i>campanulata</i> “Felix Jury” (Taiwan Cherry)
<u><i>Prunus campanulata</i></u> “Superba” (Taiwan Cherry)	<u><i>Quercus robur</i></u> “Fastigiata” (Columnar English Oak)

Preferred species for wider berms (no overhead wires)

<u>Aesculus carnea</u> “Briotii” (Red Horse Chestnut)	Alnus glutinosa “Laciniata” (Cut-Leaved Alder)
<u>Crataegus laevigata</u> “Pauls Scarlet” (Hawthorn)	<u>Fraxinus</u> “Purple Spire” (Purple Spire Ash)
<u>Fraxinus pennsylvanica</u> “Cimmzam” (Cimmaron Ash)	<u>Magnolia</u> species (Magnolia Hybrid)
<u>Platanus orientalis</u> “Autumn Glory” (Oriental Plane)	<u>Pyrus calleryana</u> “Bradford” (Ornamental Pear)
<u>Pyrus calleryana</u> “Candelabra” (Ornamental Upright Pear)	<u>Quercus acutifolia</u> (Mexican Species)
<u>Robinia pseudoacacia</u> “Tropical Splash” (Golden Locust)	<u>Sophora godleyi</u> Rangitikei Kowhai “Goldie’s Mantle” (Kowhai)
<u>Ulmus carpinifolia</u> “Variegata” (Spotted Elm)	<u>Ulmus parvifolia</u> “Frontier” (Chinese Hybrid Elm)
<u>Zelkova carpinifolia</u> (Japanese Elm)	

Preferred species for berms and reserves with overhead wires

<u>Camellia</u> cultivars (Camellia Hybrid)	<u>Ginkgo biloba</u> “Jade Butterflies” (Maidenhair Tree)
<u>Liquidambar styraciflua</u> “Little Richard” (PVR)	<u>Malus</u> “Ellerslie” plus other cultivars Max height 2.5m (PVR, Crabapple)
<u>Ulmus hollandica</u> “Jacqueline Hillier” (Dutch Elm)	

7.5.3 Character Area: Koitiata/Turakina/Scott’s Ferry

Koitiata Beach and Turakina townships are the main coastal communities in the Rangitikei District. Turakina is also one of our most historic settlements so careful tree selection is essential to maintain the character of this settlement. Koitiata has reasonably wide berms with few overhead power lines which makes them ideal to plant. These communities experience significant salt laden winds year round that limit the species that can be planted in these areas. These areas also have a high water table so care needs to be exercised to ensure the correct tree and planting method has been adhered to.

Native species have been chosen due to the resilience of these trees.

Preferred species for wider berms (no overhead wires)

<u>Kunzea ericoides</u> (Kanuka, White Tea-tree)	<u>Metrosideros</u> “Maori Princess” (Pohutukawa)
<u>Metrosideros</u> “Mistral” (Northern Rata Cross)	<u>Sophora godleyi</u> Rangitikei Kowhai “Goldie’s Mantle” (Kowhai)

7.5.4 Character Area: Marton

Marton, being the main centre for the Rangitikei District, has significant street tree populations. Marton has outstanding historical character in its diverse range of Victorian / Edwardian buildings that have been landscaped with English trees.

Marton is a historic township with many English trees planted on Council berms. The species selection reflects the diverse range of trees that thrive in this centre on both private and public land.

Marton has the advantage of reasonably wide road berms which are ideally suited to future plantings.

Careful consideration has gone into the species selection for Marton. This selection is based on trees that can withstand the weather extremes the region experiences.

Preferred species for narrow berms (no overhead wires)

<u>Carpinus betulus</u> “Fastigiata” (Upright Hornbeam)	<u>Fagus sylvatica</u> “Dawyck Purple” (Upright Purple Beech)
<u>Ginkgo biloba</u> “Fastigiata” (Maidenhair Tree)	<u>Malus tschonoskii</u> (Japanese Upright Crabapple)
<u>Prunus campanulata</u> “Felix Jury” (Taiwan Cherry)	<u>Prunus campanulata</u> “Superba” (Taiwan Cherry)
<u>Quercus robur</u> “Fastigiata” (English Oak)	

PREFERRED SPECIES FOR WIDER BERMS (NO OVERHEAD WIRES)

<i>Aesculus carnea</i> “Briotii” (Red Horse Chestnut)	<i>Betula utilis</i> “Jacquemontii” (Himalayan Birch)
<i>Crataegus laevigata</i> “Pauls Scarlet” (Hawthorn)	<i>Fraxinus</i> “Purple Spire” (Purple Spire Ash, PVR)
<i>Fraxinus ornus</i> (Manna Ash)	<i>Fraxinus pennsylvanica</i> “Cimzam” (Cimmaron Ash)
<i>Malus</i> varieties and cultivars (Crabapple)	<i>Melia azedarach</i> (Indian Bean Tree)
<i>Nyssa sylvatica</i> varieties (Wet Soils) (Tupelo)	<i>Platanus orientalis</i> “Autumn Glory” (Oriental Plane)
<i>Prunus</i> species (NB: larger growing cultivars) (Cherry)	<i>Pyrus calleryana</i> “Aristocrat” (Ornamental Pear)
<i>Pyrus calleryana</i> “Bradford” (Ornamental Pear)	<i>Pyrus calleryana</i> “Candelabra” (Ornamental Upright Pear)
<i>Sophora godleyi</i> Rangitikei Kowhai “Goldie’s Mantle” (Kowhai)	<i>Ulmus carpinifolia</i> “Variegata” (Spotted Elm)
<i>Ulmus parvifolia</i> “Frontier” (Chinese Hybrid Elm)	

Preferred species for berms and reserves with overhead wires

<i>Ginkgo biloba</i> “Jade Butterflies” (Maidenhair Tree)	<i>Liquidambar styraciflua</i> “Little Richard” (PVR)
<i>Malus</i> “Eilerslie” plus other cultivars Max height 2.5m (Crabapple)	<i>Ulmus hollandica</i> “Jacqueline Hillier” (Dutch Elm)

7.5.5 Character Area: Taihape

Taihape is an inland community with major seasonal climatic extremes; winter is cold and in summer the region experiences prolonged dry periods.

Taihape is a historic township with many English/European trees planted on Council berms. The species selection reflects the diverse range of trees that thrive in this centre on both private and public land.

Future plantings in this town will centre on the planting of *Sophora godleyi* Rangitikei Kowhai in many locations. This tree is an icon of Taihape and is admired in spring by locals and travellers to the region. Council believes that this tree will someday be a significant feature to the streetscape of Taihape.

Preferred species for narrow berms (no overhead wires)

<u>Carpinus betulus</u> “Fastigiata” (Upright Hornbeam)	<u>Cornus kousa</u> “Milky Way” (Chinese Dogwood)
<u>Crataegus laevigata</u> “Pauls Scarlet” or “Coccinea Plena” (Hawthorn)	<u>Fagus sylvatica</u> “Dawyck Gold” (Upright Columnar Beech)
<u>Fagus sylvatica</u> “Dawyck Purple” (Upright Purple Beech)	<u>Ginkgo biloba</u> “Fastigiata” (Maidenhair Tree)
<u>Liriodendron tulipifera</u> “Fastigiatum” (Arnold Columnar Tulip)	<u>Liriodendron tulipifera</u> “Snowbird” (Variegated Upright Tulip)
<u>Magnolia</u> “Burgundy Star” (Jury Hybrid)	<u>Malus tschonoskii</u> (Japanese Upright Crabapple)
<u>Prunus</u> “Amanogawa” (Milky Way Cherry)	Prunus campanulata “Felix Jury” (Taiwan Cherry)
<u>Prunus campanulata</u> “Superba” (Taiwan Cherry)	<u>Quercus robur</u> “Fastigiata” (Columnar English Oak)

Preferred species for wider berms (no overhead wires)

<u>Aesculus carnea</u> “Briotii” (Red Horse Chestnut)	<u>Alnus glutinosa</u> “Laciniata” (Cut-leaved Black Alder)
<u>Crataegus laevigata</u> “Pauls Scarlet” (Hawthorn)	<u>Fraxinus</u> “Purple Spire” (Purple Spire Ash)
<u>Fraxinus pennsylvanica</u> “Cimmzam” (Cimmaron Ash)	<u>Magnolia</u> species (Magnolia Hybrid)
<u>Platanus orientalis</u> “Autumn Glory” (Oriental Plane)	<u>Pyrus calleryana</u> “Bradford” (Ornamental Pear)
<u>Pyrus calleryana</u> “Candelabra” (Ornamental Upright Pear)	<u>Quercus acutifolia</u> (Mexican Species)
<u>Robinia pseudoacacia</u> “Tropical Splash” (Golden Locust)	<u>Sophora godleyi</u> Rangitikei Kowhai “Goldie’s Mantle” (Kowhai)
<u>Ulmus carpinifolia</u> “Variegata” (Spotted Elm)	<u>Ulmus parvifolia</u> “Frontier” (Chinese Hybrid Elm)
<u>Zelkova carpinifolia</u> (Japanese Elm)	

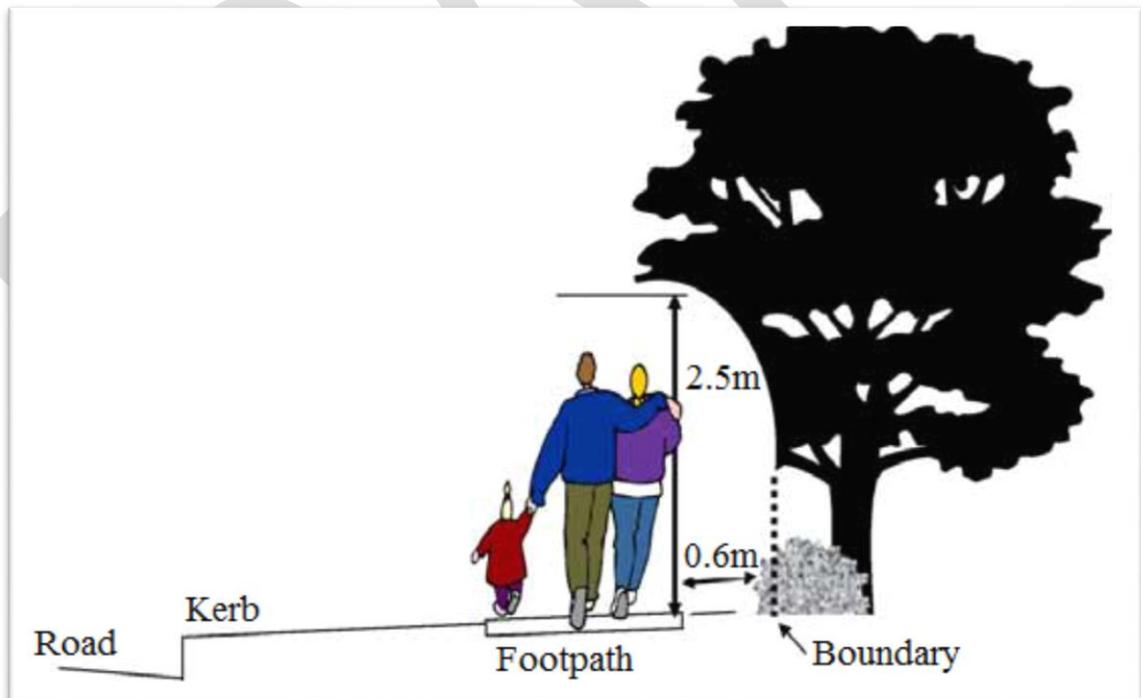
Preferred species for berms and reserves with overhead wires

<u><i>Camellia</i></u> cultivars (Camelia Hybrids)	<u><i>Ginkgo biloba</i></u> “Jade Butterflies” (Maidenhair)
<u><i>Liquidambar styraciflua</i></u> “Little Richard” (PVR)	<u><i>Malus</i></u> “Ellerslie” plus other cultivars Max height 2.5m (Crabapple)
<u><i>Ulmus hollandica</i></u> “Jacqueline Hillier” (Dutch Elm)	

7.6 Shrubs and Trees Encroaching onto the Road Reserve

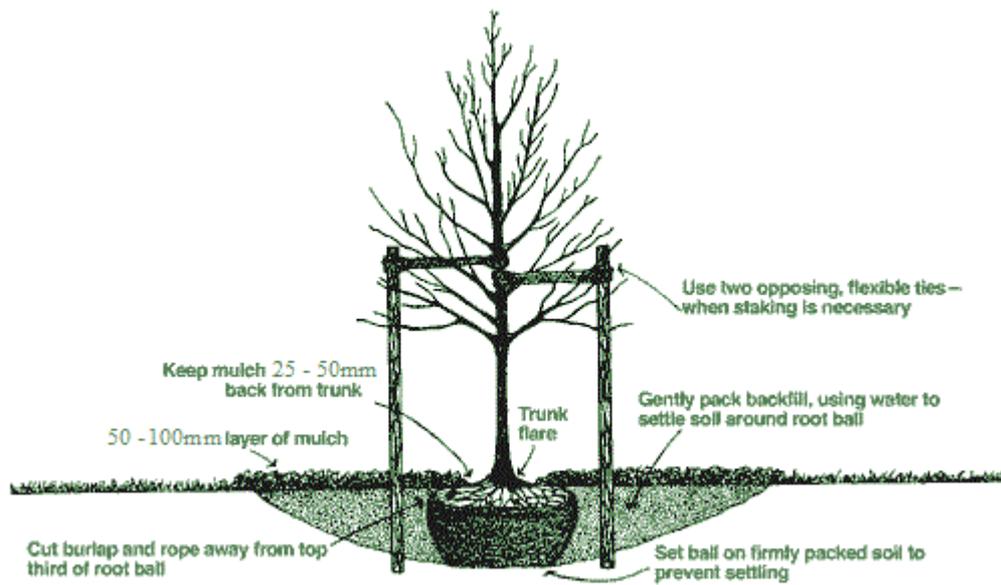
Overhanging vegetation can enhance the look of the street and therefore the council will allow vegetation to cross the boundary from private property to public space as long as it is within the following criteria:

- Overhanging vegetation must be maintained to a minimum height of 2.5m above the footpath or berm.
- The vegetation cannot obstruct the footpath, pedestrian access or visibility.



(Above) Overhanging vegetation encroaching onto the footpath and obstructing pedestrian access

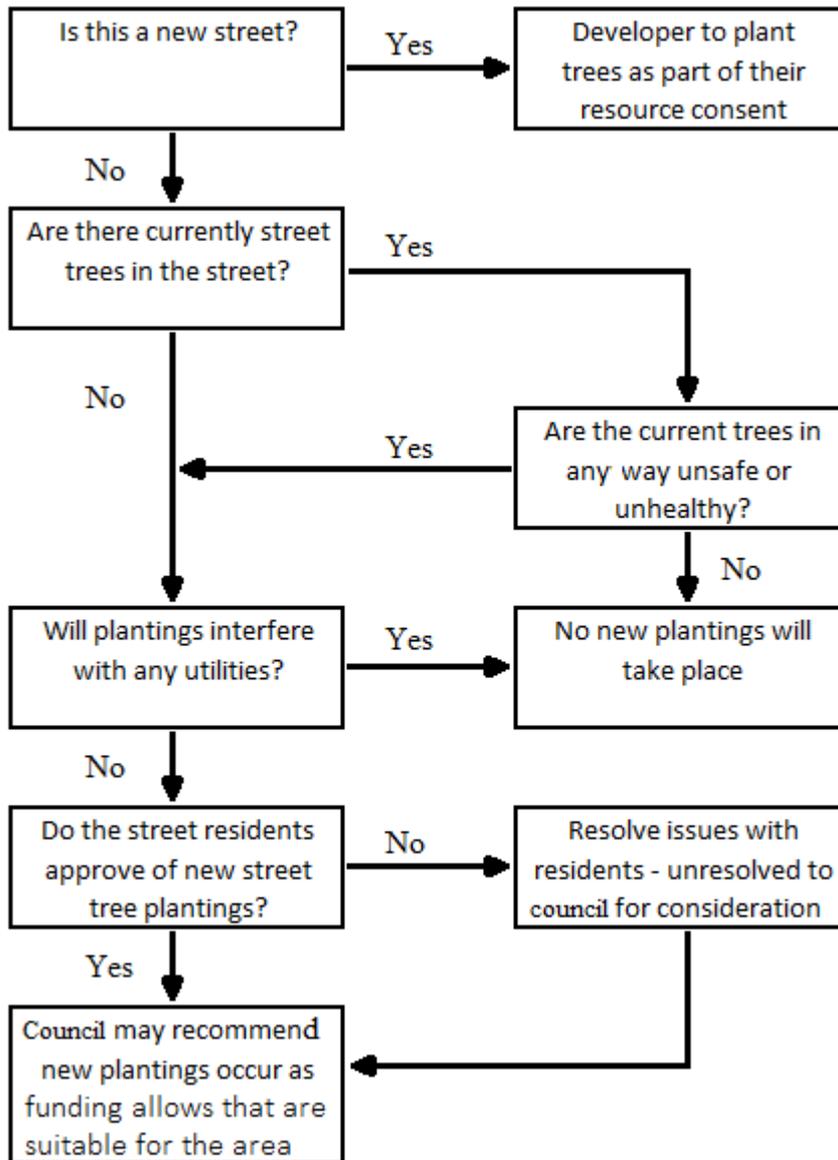
7.7 Correct Planting Diagram



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7.8 Street Tree Selection Criteria

The following process will be used to decide whether or not a street will receive new street tree plantings.





7.9 Draft Street Tree Planting Letter

Date

Address

Dear Sir/Madam

Possible street tree planting

Council would like to identify the views of the local community on possible street tree planting in (Name Street/Road/Place/Avenue/Way).

Before planting can proceed, the Council's Urban Tree Plan requires consensus from the residents on whom the project is likely to have an impact.

We are proposing to plant (species) at an approximate spacing of one tree per property. For street tree planting to be aesthetically successful it is necessary for the planting to be of a consistent nature. In the event that a property has a longer than average road frontage, consideration will be given to planting more than one tree in that particular area.

Council may/may not proceed with the planting where the predominant view is that residents don't wish to see trees established.

Please complete the slip below and return to the council in the pre-paid envelope enclosed by (date). If you have any questions please phone 0800-920-029 during office hours.

If there is majority support for the project we plan to complete the planting within six weeks of the above date.

Once planting has been completed the trees will be maintained by the council on an annual basis. However, because the trees are vulnerable to water stress in their first two seasons we would appreciate your help in keeping them watered during the summer months.

Yours faithfully

[insert name]

Parks and Reserves Team Leader



Name:

Property address:

I/we do support / don't support (delete one) the planting of street trees in
[Name Street/Road/Place/Avenue/Way].

Comments:

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7.10 Standard Letter Templates

7.10.1 Letter Requesting Clearance of Overgrowth from Footpath Area and/or Roding Corridor

Date:

To the occupant:

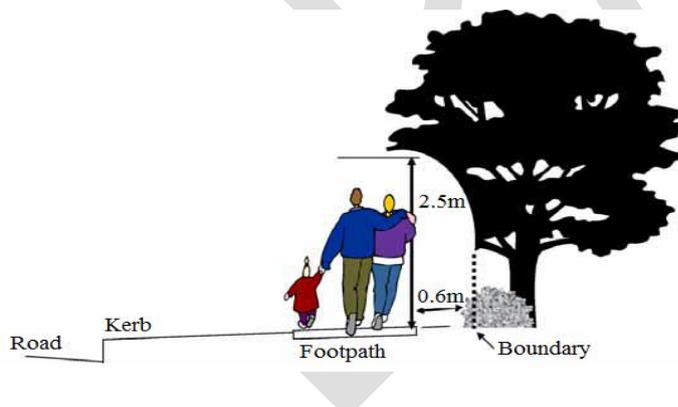
Dear Sir/Madam

Clearance of overgrowth from footpath area and/or roading corridor

It has come to Rangitikei District Council's attention that vegetation growing on your property at the above address is encroaching on the footpath area. This is causing an obstruction to pedestrians and may cause injury.

The council requires that property owners keep trees and vegetation clear of footpaths and roadways.

Your cooperation is sought to eliminate the problem identified on your property. It would be appreciated if you could arrange for the offending branches/trees/vegetation to be removed or trimmed as soon as possible to meet the clearances shown below:-



Should you wish to discuss this matter or require any further assistance, please do not hesitate to contact me at the above address.

Yours faithfully

[insert name]



Parks and Reserves Team Leader

7.10.2 Thank You Letter for Clearance of Overgrowth from Footpath and/or Roding Corridor

Date:

To the occupant:

Dear Sir/Madam

Clearance of overgrowth from footpath area and/or roading corridor

Thank you for arranging the trimming of vegetation from the footpath/road in front of your property.

As trees and shrubs tend to grow back again we would ask that you continue to monitor the situation and take prompt action to keep the footpath and road clear.

Yours faithfully

[insert name]

Parks and Reserves Team Leader



7.10.3 Reminder Letter to Clear Overgrowth from Footpath Area and/or Roding Corridor

Date:

To the occupant:

Dear Sir/Madam

Clearance of overgrowth from footpath area and/or roading corridor

On (date) Council wrote to you asking that you arrange to clear the overhanging vegetation from the road/footpath.

Following a re-inspection it appears that the necessary work has not yet been completed. If there is a genuine reason for the work not being completed it would be appreciated if you could contact the council as soon as possible. Alternatively, please arrange to have the work completed within the next two weeks.

Should you wish to discuss this further, I can be contacted at the address above.

The council can enforce the requirement to keep footpaths and roadways clear of vegetation under the Local Government Act 2002, but would rather work co-operatively with you.

We are required however to ensure the safety of road and footpath users is placed ahead of other considerations.

Yours faithfully

[insert name]

Parks and Reserves Team Leader

7.11 Local Government Act 2002 (section 355 of 1974 Act)

355. Council may require removal of overhanging trees, etc.

(1) The council may, by notice in writing under the hand of the Chairman or the [[principal administrative officer]], require the owner of any land abutting upon any road within the district to do any of the following acts:

(a) To remove, lower, or trim to the satisfaction of the council any tree or hedge overhanging or overshadowing the road in cases where, in the opinion of the council, the removal, lowering, or trimming is necessary in order to prevent injury to the road or obstruction to the traffic thereon or to any channel, ditch, or drain appertaining thereto:

(b) To cut down or grub up, as the council directs, and remove all obstructions to traffic or drainage arising from the growth of plants or the spreading of roots upon or under the road up to the middle line thereof along the whole frontage of the land occupied or owned by him:

(c) To remove, lower, or trim to the satisfaction of the council any tree or hedge, or to lower any fence or wall, if in the opinion of the council the tree, hedge, fence, or wall is likely, by reason of its obstructing the view, to cause danger to the traffic on that or any other road.

(2) Within 10 days after service of the notice, the owner may apply to a [[District Court]] for an order setting aside the notice.

(3) On the hearing of the application, the Court, whose decision shall be final, shall determine whether the notice should or should not be set aside, and in the former case the notice shall be deemed to be void.

(4) In the case of a notice which is not set aside as aforesaid, if the owner fails to do any such act in compliance therewith within 1 month from the service thereof, or, where application as aforesaid has been heard, then within 1 month after the giving of the decision of the Court, he commits an offence and is liable to a fine not exceeding \$5 for every day during which the failure has continued, and the council, by its officers or agents, may enter on the land and do that act and recover the cost from him.

(5) The said cost shall be a charge upon the land.

(6) In any case where the council might give any such notice as aforesaid in respect of any land, any resident of the district may, by notice in writing, request the council to do so.

(7) If for the space of 28 days after the receipt of the last-mentioned notice the council fails to comply therewith, the resident making the request may apply to a [[District Court]] for an order requiring the council to comply with that notice.

(8) On the hearing of the application, the Court shall determine whether and to what extent the notice shall be complied with by the council, and the decision of the Court shall be final.

(9) The council may remove, lower, cut down, grub up, or trim, as the case may be, any fence, wall, tree, hedge, or plant to which subsection (1) of this section applies, after giving oral notice to the occupier, or, where there is no occupier, to the owner, of the land, if life, property, or any road is in imminent danger. The cost of the work shall be a charge against the land as if notice had been given under subsection (1) of this section and had not been set aside by a [[District Court]].

(10) For the purposes of this section the term “cut down” means cutting down and keeping cut down or removing or controlling by chemical means the stem and roots of any plants so as to prevent their throwing out any leaf, offshoot, or flower.]

LG355.04 Subsection (1) (a):

A notice by the council must be limited on its face to a tree or hedge overhanging or overshadowing a road: *Grey v Thomson* [1917] NZLR 926.

In *Dowling v South Canterbury Electric Power Board* [1966] NZLR 676, it was held in relation to a similar provision in s 19 Electricity Act 1966 that a notice given by an Electric Power Board requiring the owner to remove all or any trees on his or her land, or such parts thereof as were likely to cause damage to the electric lines, is not a notice complying with the section. It should not be left to the owner to decide which trees or parts thereof are likely to cause damage to the lines, and, in order to be effective the notice must specify the tree or trees to be removed, and, if the complete removal of a tree is not required, the extent to which it is to be removed.

LG355.05 Subsection (1) (b):

The duty imposed by this subsection is absolute and unconditional, and is not limited to obstructions originating from plants growing on the land of the owner or occupier: *Bremner v Dunn* (1902) 22 NZLR 22; (1902) 4 GLR 455. For a contrary view, see *Barns v Nixon* (1898) 17 NZLR 95.

LG355.07 Subsection (8):

The District Court has a complete discretion in deciding whether notice under this section should be set aside. It must not only examine the validity of the notice on its face but also hear and decide on the facts raised by the parties. The merits on both sides, including any alternatives, are relevant to the exercise of the Court's discretion: *Marlborough Electric Power Board v Watts* [1973] 2 NZLR 406.

Local Government Act 2002 section 137 (1) (a)

Makes it an offence to plant any tree or shrub on a road without authorisation from the council or any other Act.