

**Wānaka-Upper Clutha Community Board**

**19 May 2023**

**Report for Agenda Item | Rīpoata moto e Rāraki take [2]**

**Department: Community Services**

**Title | Taitara : Request to remove Council Trees from Reserves in Wānaka**

**Purpose of the Report | Te Take mō te Pūroko**

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The purpose of this report is to consider a request to remove six to eight trees planted on QLDC reserve land in Roy's Bay Wānaka.

**Recommendation | Kā Tūtohuka**

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That Wānaka-Upper Clutha Community Board:

1. **Note** the contents of this report;
2. **Note** that the following request was considered per the QLDC Tree Policy 2022, including replacing any removed tree with two trees; and
3. **Decline** the request by Panorama Court Property, 29-33 Lakeside Road, Wānaka to remove and relocate an additional six to eight Kowhai trees on QLDC Roy's Bay Reserve land opposite the property.

**Prepared by:**



**Name:** Briana Pringle  
**Title:** Parks and Open Spaces Planning Manager

13 March 2023

**Reviewed and Authorised by:**



**Name:** Kenneth Bailey  
**Title:** Community Services  
General Manager  
15 March 2023

### Context | Horopaki

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1. Council has received a request to remove QLDC trees within Roy's Bay Recreational Reserve (on Lakeside Road).
2. The planting in Roy's Bay Reserve was undertaken as part of the Wānaka Lakefront Development (Stage 3) in spring 2021.
3. Residents of 33-35 Lakeside Road, Panorama Court Property Body Corp, are concerned that the kowhai tree plantings along the lakeside (Roy's Bay Recreational Reserve), approximately 24 trees (Attachment A), far exceed the consulted planning vision, and consequently will block their view of the lake as the trees mature and grow.
4. The QLDC Parks team has agreed to remove three of the Kowhai trees which are in the direct viewshaft of the property and transplant them elsewhere during the winter of 2023. This was based on the rationale that the removal of three trees would not detract from the initial concept plan.
5. The residents through this application are requesting an additional six to eight trees to be removed to address their concerns. Their request is based on the rationale that the Council planted significantly more trees than it indicated it would, without community consultation. This has resulted in an unexpected impact on their properties.
6. Applications are processed in accordance with the QLDC Tree Policy 2022. This application has been assessed against the policy and subsequently supported by the Council's Arboricultural Officer and Parks Manager because the request does not meet the Council's Tree Policy (2022) requirements for tree removal, the removal of this number of trees would have a significant effect on the overall concept, no other significant public pressure to remove the trees (i.e. request is from a single property).
7. Under the 2022 Tree Policy, an applicant can appeal these decisions and the application for tree removal is then required to be assessed by the Wānaka and Upper Clutha Community Board for a final decision.

### Analysis and Advice | Tatāritaka me kā Tohutohu

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8. This report identifies and assesses the following reasonably practicable options for assessing the matter as required by section 77 of the Local Government Act 2002.
9. The following relevant tree removal policy guidelines were considered when assessing the applications:

*1.1 QLDC will seek planting opportunities to deliver ongoing social, cultural, environmental and economic benefits and ensure iconic landscape features are always present.*

*1.2 QLDC will endeavour to plant appropriate tree species in appropriate places. Appropriateness is guided by the characteristics of the tree, in both juvenile and mature form and its ability to support biodiversity, landscape character, urban walkability, the purpose of the land use, pedestrian and road user safety, climate resilience and community aspirations. This includes both native and exotic tree species*

*1.3 Succession planting will be undertaken to provide replacement trees ensuring a continuity of trees in advance of when mature trees require removal.*

*2.9 QLDC will not undertake full height reduction pruning to alleviate tree issues such as shading or debris, or the establishment, retention or enhancement of views (trees shall not be topped). Maintaining trees in their natural form is best for tree health. Topping can create additional maintenance issues, e.g., by creating an entry point for decay. Topping is internationally recognised as unsound arboricultural practice.*

*2.10 QLDC may consider other forms of pruning, branch removal or targeted canopy reductions to alleviate boundary encroachment, views, adverse shading or debris at the request of an individual. Provided, in a Council arborist's opinion, this will not negatively affect the health or structural integrity of the tree or the environmental, aesthetic, landscape or amenity benefits provided by the tree.*

*4.13. QLDC will not remove trees for the following reasons:*

- To minimise obstruction of views*
- To minimise obstruction of commercial or advertising signage*
- To reduce leaf or fruit litter and other debris*
- To reduce shading*
- For contributing to allergenic or irritant responses*
- When the risk posed by the tree meets the requirements of the Tree Risk Management.*

*4.18. Other - Requests for removal of tree(s) due to other issues will only be approved under exceptional circumstances and will be required to meet all the criteria below:*

- The issue caused by the tree has a significant effect on the applicant's day to day living*
- The tree is the sole cause of the issue*
- The issue is not able to be mitigated through general maintenance by the applicant (e.g., clearing gutters of leaves)*
- The issue caused by the tree cannot be mitigated by pruning*
- No reasonable engineering solution can mitigate the issue caused by the tree.*

10. The Wānaka Lakefront Reserves Management Plan October 2014 contains the following objectives:

5.2.5 // Manage use of the lakefront reserves in a way that sustains the natural biodiversity of the land and the adjacent pristine lake

#### 5.2.5.1 // Objectives

- Increased public awareness of the local flora and fauna and the impact of public use of the reserves on these.
- Enhance, restore and protect the ecology of the lakefront.
- Sustainably manage the significant trees.

11. The location of the kowhai planting is zoned Open Space: Informal Recreation Zone under the Proposed District Plan and under Rule 38.9.27 “Conservation Planting, species protection and conservation management works, including associated trapping, restoration and re-vegetation work, noxious plant and pest control and scientific research” are permitted activities at this site.

#### **Roy’s Bay Recreational Reserve.**

12. The Kowhai plantings along the lakefront are part of the stage 3 Wānaka Lake Front development project and succession planting of trees. Trees are essential to the sustainable health and well-being of the district as they provide numerous benefits such as wildlife habitat, carbon sequestration, and shade.

13. The Wānaka Lake Front Development Plan was consulted on in 2016, this high-level concept plan which proposed 8 new trees in front of the Panorama Court Property (Attachment B & C).

14. The community was asked to comment on the concept plan of the Stage Three of the Wānaka Lakefront Development in 2019. This concept plan showed detailed approximately 15 additional trees long this part of Roy’s Bay Reserve (Attachment D)

15. The Lakefront development Plan focused on the restoration and development of native vegetation. One of the Four big moves in the 2016 -2018 document is to restore and develop ecology (figure 1), it was proposed that large scale planting is required to maintain the lakefront's rugged, wild landscape.

16. As the plan progressed into detailed design the number of trees to be planted increased, the final plan was shared with the community via QLDC Let’s Talk page before construction began, but formal community feedback was not sought.

17. Images below show the area of tree planting, a view from the property and the agreed three removals.



**01**  
**RESTORE & DEVELOP ECOLOGY**



- KEY**
- Bullock Creek ecological enhancement
  - Native revegetation planting along Marina edge
  - Lake health enhancement
  - Fish & bird habitat creation along lake edge between Marina & Bullock Creek delta
  - Stormwater runoff treatment
  - Interpretive signage
  - Greater biodiversity planting along lake edge

*Figure 1: Wānaka Lake Front Development Plan 2018*



*Figure 2: view from the Panorama Court Property*



*Figure 3: Site overview*



*Figure 4: Agreed three Kowhai trees be relocated winter 2023*

18. **Option 1** Decline the application.

*Advantages:*

- No disturbances to newly established trees and benefits are retained from the trees in this section of the reserve.
- Improves biodiversity at the site, by introducing several native trees to the site.
- Provides a succession plan for the mature willow and other trees growing the reserve.
- Increases shade opportunities along this section of the Roy's Bay Recreation Reserve.

*Disadvantages:*

- Residents at 29-33 Lakeside Road will be dissatisfied that the trees will remain, and consultation was not sort prior to planting with residents.

19. **Option 2** Approve the removal additional 6-8 trees.



*Advantages:*

- Residents at Lakeside Road can retain a view of the lake.
- Alleviate concerns raised by residents of 29-33 Lakeside Road, and tree numbers may be more in line with the original planting vision.

*Disadvantages:*

- Loss of the trees and benefits if transplant to the new location is unsuccessful.
- Is contra to the Council's Tree Policy (2022) and would be setting a precedence whereby trees can be removed to minimise obstruction of views i.e. would go against the Council's Tree Policy (4.13).
- Is contra to the Council's Tree Policy (2022) as the request would not meet the requirements of *exceptional circumstances* i.e. meet all requirements of 4.18 of Council Tree Policy.

20. This report recommends **Option 1** for addressing the matter because newly planted trees will be retained at Lakeside Road and the Council will be acting in accordance with the Tree Policy 2022. The removal of this number of trees would have a significant effect on the overall concept, there has been no other public pressure to remove the trees and the removal of three trees provides the property a view shaft.

#### Consultation Process | Hātepe Matapaki

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#### Significance and Engagement | Te Whakamahi I kā Whakaaro Hiraka

21. This matter is of medium significance, as determined by reference to the Council's Significance and Engagement Policy because it involves a high level of community interest (trees).
22. The persons who are affected by or interested in this matter the residents/ratepayers of the Wānaka and Upper Clutha community, visitors to Wānaka.

#### Risk and Mitigations | Kā Raru Tūpono me kā Whakamaurutaka

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23. This matter relates to the Community & Wellbeing risk category. It is associated with RISK00009 within the QLDC Risk Register. Current and future development needs of the community (including environmental protection), as documented in the Councils risk register. This risk has been assessed as having a low inherent risk rating.
24. The approval of the recommended option will support the Council by allowing the risk to be retained at its current level.

### Financial Implications | Kā Riteka ā-Pūtea

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25. The cost to relocate the three trees has been estimated at \$600 (a cost of \$200 per tree).

### Council Effects and Views | Kā Whakaaweawe me kā Tirohaka a te Kaunihera

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26. The following Council policies, strategies and bylaws were considered::

- ‘Deafening Dawn Chorus’ Vision Beyond 2050: <https://www.qldc.govt.nz/vision-beyond-2050/>
- QLDC Tree Policy 2022
- The Wānaka Lakefront Reserves Management Plan October 2014
- QLDC Climate & Biodiversity Action Plan 2022
- Otago Regional Council Pest Management Plan 2019
- Parks and Open Space Strategy 2021
- Otago Regional Council Pest Management Plan 2019
- Wildlife Act 1953

Refer to online documents here: <http://www.qldc.govt.nz/policies>

27. The recommended option is consistent with the principles set out in the named Tree Policy 2022.

28. This matter is not included in the Ten Year Plan/Annual Plan and there is no expenditure required.

### Local Government Act 2002 Purpose Provisions | Te Whakatureture 2002 o te Kāwanataka ā-Kiaka

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29. Section 10 of the Local Government Act 2002 states the purpose of local government is (a) to enable democratic local decision-making and action by, and on behalf of, communities; and (b) to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future. As such, the recommendation in this report is appropriate and within the ambit of Section 10 of the Act;

30. The recommended option:

- Can be implemented through current funding under the Ten Year Plan and Annual Plan;
- Is consistent with the Council's plans and policies; and
- Would not alter significantly the intended level of service provision for any significant activity undertaken by or on behalf of the Council, or transfer the ownership or control of a strategic asset to or from the Council.

### Attachments | Kā Tāpirihaka

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A	Lake Wānaka Development Plan Detailed Visual
B	Lake Wānaka Development Plan August 2016 Ardmore Street
C	Lake Wānaka Development Plan August 2016 Marina
D	Wānaka Lakefront Development Plan – Concept Plan