

Notice is given that an ordinary meeting of the Motueka Community Board will be held on:

Date: Tuesday 16 July 2024
Time: 4:00 pm
Meeting Room: Motueka Library
Venue: Wallace Street, Motueka

Zoom conference link: <https://us02web.zoom.us/j/89661648967?pwd=TgFkUMEPADEbvbWfXf4JlqH76SAC2a.1>
Meeting ID: 896 6164 8967
Meeting Passcode: 622333

Motueka Community Board

AGENDA

MEMBERSHIP

Chairperson	T Graham
Deputy Chairperson	C Hutt
Members	D Armstrong
	N Hughes
	Cr B Dowler
	Cr B Maru
	Cr T Walker

(Quorum 4 members)

Contact Telephone:
Email: governance@tasman.govt.nz
Website: www.tasman.govt.nz

AGENDA

1 OPENING, WELCOME, KARAKIA

2 APOLOGIES AND LEAVE OF ABSENCE

Recommendation

That apologies be accepted.

3 DECLARATIONS OF INTEREST

4 LATE ITEMS

5 CONFIRMATION OF [MINUTES](#)

That the minutes of the Motueka Community Board meeting held on Tuesday, 18 June 2024, be confirmed as a true and correct record of the meeting.

6 PUBLIC FORUM

6.1 Tasman Bay Penguin Trust 4

7 PRESENTATIONS

Nil

8 REPORTS

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9 CORRESPONDENCE

Nil

10 CONFIDENTIAL SESSION

Nil

11 CLOSING KARAKIA

3 PUBLIC FORUM

3.1 PUBLIC FORUM

Report To:	Motueka Community Board
Meeting Date:	16 July 2024
Report Author:	Gavin Dawson, Governance Advisor
Report Authorisers:	Elaine Stephenson, Team Leader - Democracy Services
Report Number:	RMCB24-07-6

1. Public Forum / Te Matapaki Tūmatanui
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Linda Jenkins and Larry Lumsden from the Tasman Bay Penguin Trust will speak in public forum.

2. Attachments / Tuhinga tāpiri
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Nil

8 REPORTS

8.1 ELM TREE ON MOUNTVIEW PLACE ROAD RESERVE

Decision Required

Report To:	Motueka Community Board
Meeting Date:	16 July 2024
Report Author:	Lynne Hall, Horticultural Officer - Motueka & Golden Bay
Report Authorisers:	Grant Reburn, Reserves and Facilities Manager
Report Number:	RMCB24-07-1

1. Purpose of the Report / Te Take mō te Pūrongo

- 1.1 This report seeks a decision from the Community Board to either retain and manage, or remove, a street tree on road reserve at Mountview Place.

2. Summary / Te Tuhinga Whakarāpoto

- 2.1 Neighbours have raised concerns about the impact the tree is having on their quality of life.
- 2.2 A request was made to Reserves staff by the Community Board Chair for a report to assist the Board in deciding whether the tree should be removed.

3. Recommendation/s / Ngā Tūtohunga

That the Motueka Community Board

- receives the Elm Tree on Mountview Place Road Reserve report RMCB24-07-1; and**
- agrees to retain and manage the Elm Tree on Mountview Place Road Reserve (option 2 in the agenda report).**

4. Background / Horopaki

- 4.1 The tree is a golden elm and planted on road reserve at the time of subdivision. This is the same species as the trees on High Street, several of which were removed for the High Street upgrade.
- 4.2 The tree is directly to the north of the neighbours at 14 Trewavas Street. It is deciduous i.e. loses its leaves in winter.
- 4.3 There were several other similar trees planted at the time of subdivision. This was a resource consent requirement to provide shade, shelter, and aesthetic appeal.
- 4.4 Most of the trees have since either died or been removed. More recent removal was because tree roots were lifting footpaths or the road surface.

- 4.5 Council staff were contacted by the neighbour in 2019 not long after they had taken ownership of the property as they were unhappy about the impact the tree was having on their lifestyle. Staff arranged for tree reduction work to be carried out.
- 4.6 Concerns were raised again last year, and further work was carried out on the tree.
- 4.7 Neighbours have since contacted Community Board members who have asked for consideration to be given to having the tree removed.
- 4.8 Motueka Community Board has delegation over trees being considered for removal.

5. Analysis and Advice / Tātaritanga me ngā tohutohu

- 5.1 The issue is a tree causing problems for the immediate neighbours who say it is causing significant shading to their property, particularly in winter and impacting their quality of life.
- 5.2 Other neighbours raised concerns with Community Board members about leaf drop. Staff do not consider leaf drop as a reason for tree removal.
- 5.3 An arborist from Treescape has assessed the tree as being healthy. Please refer to the attached report.
- 5.4 Staff agree that trees can create problems for neighbours and others but unless a tree is dangerous or in poor health, prefer to maintain trees rather than remove them.

6. Options / Kōwhiringa

- 6.1 The options are outlined in the following table:

Option		Advantage	Disadvantage
1.	Remove the tree	The neighbours benefit from the tree being removed	Loss of a mature tree and the aesthetics and other benefits it brings. One off cost to remove the tree
2.	Retain and manage the tree	The tree is retained and the impact on the neighbours is managed but not eliminated	Ongoing costs to retain the tree. Issue not resolved for the neighbours

- 6.2 Option 2 is recommended - Retain and manage the tree.

7. Legal / Ngā ture

- 7.1 Property law around trees and neighbours is complex but trees should not create undue interference with the reasonable use or enjoyment of a person's land.
- 7.2 Under the Property Law Act, decisions include whether the interference complained of was already in existence when the applicant became the owner or occupier of the land; the interests of the public in an aesthetically pleasing environment; and the value of trees as a public amenity.

8. Iwi Engagement / Whakawhitiwhiti ā-Hapori Māori

- 8.1 No engagement with Iwi has taken place for this proposal.

9. Significance and Engagement / Hiranga me te Whakawhitiwhiti ā-Hapori Whānui

9.1 The impact the tree is having on the neighbours is significant to them, however, the wider benefits that the tree provides to the landscape, street amenity value and carbon sequestration value need to be considered.

	Issue	Level of Significance	Explanation of Assessment
1.	Is there a high level of public interest, or is decision likely to be controversial?	Low	Removing the tree could set a precedent.
2.	Are there impacts on the social, economic, environmental or cultural aspects of well-being of the community in the present or future?	No	
3.	Is there a significant impact arising from duration of the effects from the decision?	No	
4.	Does the decision relate to a strategic asset? (refer Significance and Engagement Policy for list of strategic assets)	No	
5.	Does the decision create a substantial change in the level of service provided by Council?	No	
6.	Does the proposal, activity or decision substantially affect debt, rates or Council finances in any one year or more of the LTP?	No	
7.	Does the decision involve the sale of a substantial proportion or controlling interest in a CCO or CCTO?	No	
8.	Does the proposal or decision involve entry into a private sector partnership or contract to carry out the deliver on any Council group of activities?	No	
9.	Does the proposal or decision involve Council exiting from or entering into a group of activities?	No	
10.	Does the proposal require particular consideration of the obligations of Te Mana O Te Wai (TMOTW) relating to freshwater or particular consideration of current legislation relating to water	No	

	Issue	Level of Significance	Explanation of Assessment
	supply, wastewater and stormwater infrastructure and services?		

10. Communication / Whakawhitiwhiti Kōrero

- 10.1 Staff have communicated with the neighbours on at least two occasions and work has been carried out on the tree accordingly.
- 10.2 Neighbours have contacted Community Board members who have since requested this report.

11. Financial or Budgetary Implications / Ngā Ritenga ā-Pūtea

- 11.1 There will be ongoing costs to maintaining the tree, and similarly a cost to remove the tree. Both options are for the benefit of the neighbours. Reserves staff generally choose to retain and manage trees rather than completely remove them unless the tree has been assessed as being unsafe or in such poor condition it is unlikely to survive.
- 11.2 The tree had reduction work carried out in Jan 2020 at a cost of \$855, and further work in Sept 2023 at a cost of \$650.
- 11.3 An estimate to remove the tree is \$1400, not including stump removal.

12. Risks / Ngā Tūraru

- 12.1 There is a high risk of a precedent being set by agreeing to the removal of this tree. Reserves and other Council staff receive numerous complaints every year about trees causing concern for neighbours. Generally, staff manage the trees to reduce the nuisance effect rather than have a tree removed unless it is considered dangerous or unsafe.

13. Climate Change Considerations / Whakaaro Whakaaweawe Āhuarangi

- 13.1 Mature trees are generally considered superior to shrubs and grasses in terms of their ability to capture and store carbon emissions.

14. Alignment with Policy and Strategic Plans / Te Hangai ki ngā aupapa Here me ngā Mahere Rautaki Tūraru

- 14.1 Although the tree is on a road reserve and the Reserves General Policies 2015 do not directly apply, they can be taken into account when considering this issue.

3.7 Cross Boundary Effects

Council seeks to be a good neighbour who takes into consideration the interests of adjoining landowners. However, reserves have been established for specific purposes. It is important that people buying land nearby recognise the range of activities and development which could reasonably be expected on a reserve. Council shall ensure that reserves are used for

the purposes for which they were provided and in accord with reserve management plans and policy.

Expectation – Reserves are managed to provide for public benefit while taking into account the interests of adjoining landowners.

Council has a responsibility as an adjoining landowner to ensure that the uses and activities that occur on reserves are reasonable in terms of their effects on surrounding properties. However, where a reserve and uses or activities on a reserve, existed prior to the transfer of ownership of an adjoining property any concerns raised by these landowners shall be weighed accordingly.

Where requested, Council shall take measures to prevent or remedy vegetation encroaching from reserves onto neighbouring land.

14.2 Land Development Manual

4.15.6.1 Opportunities for street trees and landscaping will be taken where possible to improve the visual amenity, recreational quality, biodiversity and ecological links. Clustered planting and a small number of specimen trees in widened berm areas is encouraged over a consistent linear layout.

15. Conclusion / Kupu Whakatepe

15.1 The purpose of this report is to request a decision from the Community Board as to whether this tree is retained or removed. There are pros and cons for both options.

15.2 The neighbours would prefer the tree to be removed for their 'quality of life' whereas generally staff prefer trees to be retained and managed.

16. Next Steps and Timeline / Ngā Mahi Whai Ake

16.1 Pending a decision from the Board, the tree will either be removed, or further pruning work carried out on the tree.

17. Attachments / Tuhinga tāpiri

1.   Arboricultural report

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ARBORICULTURAL REPORT

Tasman District Council

Golden elm

Mountview Pl, Motueka

By Paul Wynen

For Tasman District Council

Date 08/07/2024

Introduction

This report was commissioned by Lynn Hall, Tasman District Council, for a tree health and safety assessment of the golden elm planted in the roadside verge, Mountview Pl, Motueka

The scope of the report covers:

- Tree health and safety

The inspection of the trees was made from ground level. No tools were used as part of the assessment. This report covers what was visible at the time of my inspection.

Site Observations

A site assessment was undertaken on 08/07/2024. The tree has been planted in a 4m wide road reserve on the southern side of the cul-de-sac along with several other smaller native and exotic species of plants (Fig 1 and 2).



Figure 1 – Location of golden elm on Mountview Pl



Figure 2 Location of tree planted in the road verge

8.2 DISCRETIONARY FUND APPLICATIONS

Report To:	Motueka Community Board
Meeting Date:	16 July 2024
Report Author:	Emma Gee, Team Leader - Customer Services (Motueka)
Report Authorisers:	
Report Number:	RMCB24-07-2

Summary






- 1.1 Two applications have been received for the June 2024 round of Discretionary Funding:
 - 1.1.1 Brooklyn School (Motueka) - \$ 700.00
 - 1.1.2 Motueka Group Riding for the Disabled Association - \$ 441.00
- 1.2 The applications comply with the Board guidelines (**Attachment 1**).
- 1.3 The applications are attached (**Attachments 2 & 3**). The applicants have been asked to attend the meeting to speak to the application.
- 1.4 The Motueka Community Board Discretionary Fund currently has a balance of \$9193.00
- 1.5 If any application is approved, payment will be made to the applicant by direct credit within ten working days of receiving the bank account details.

That the Motueka Community Board receives the report RMCB24-07-2;

And grants or declines applications as follows:

Applicant	Request	Grant/Decline
Brooklyn School (Motueka)	\$700.00	
Motueka Group Riding for the Disabled Association	\$441.00	

2. Attachments / Tuhinga tāpiri

- | | |
|--|----|
| 1.   Board Guidelines | 15 |
| 2.   Brooklyn School | 18 |
| 3.   Motueka Group Riding for the Disabled | 22 |

8.3 MOTUEKA COMMUNITY BOARD REPORT**Information Only - No Decision Required**

Report To:	Motueka Community Board
Meeting Date:	16 July 2024
Report Author:	Terina Graham, Chair
Report Authorisers:	
Report Number:	RMCB24-07-3

1. Summary / Te Tuhinga Whakarāpoto

- 1.1 *Te wā o Matariki* (the season of Matariki) a time to reflect on what has been achieved over the past year, a time to plan for the year ahead, a time to gather together, celebrate, and enjoy the bounties of the harvest. A time to share kai and kōrero, to remember tūpuna and loved ones, and to give thanks.

2. Recommendation/s / Ngā Tūtohunga**That the Motueka Community Board**

1. **receives the Motueka Community Board Report RMCB24-07-3**

3. Message from the Chair

- 3.1 Currently my main focus is on information gathering and preparation for the Boards 'National Solutions Meeting' regarding housing crisis / homeless and youth engagement / attendance.
- 3.2 Although there has been a loss of consistency and community connection not having staff member Ms Gee this year, the Board has been fortunate to have support from various staff assisting with Board meetings. We are pleased to welcome a new governance support person, Gavin Dawson, Democracy Services Advisor, who will work with both Golden Bay and Motueka Boards.
- 3.3 Every month we learn more about the workings of the Council "system", the constraints, and challenges that most of the private sector do not have to contend with. I'd like to acknowledge staff, elected members, and members of the community who although get frustrated, manage to proceed daily with an ounce of optimism. By taking a solution focused approach we may have a better chance at amending "things" for improved experiences and outcomes. As Ghandi said '*be the change you wish to see in the world*'.

4. Meeting with Police

- 4.1 Some members of the Board met with Senior Sergeant Tunley and Constable Satherley to discuss community wellbeing, youth activity, crime level and the NZ Police updated 'our business' framework.

- 4.2 **Our Business** - highlights specific outcomes and targets the Police will focus on with the intent to reduce violent crime, reduce youth offending, improve court timeliness and increase public places visibility. [our-business-2024.pdf \(police.govt.nz\)](#)
- 4.3 **Motueka** local police report that things are currently going well. There was a slight spike in youth incidences in May, but have settled down, and June was a positive month. The team is excited about introducing the new framework which encourages more positive visibility and interaction with public and time on task focused on their core functions.

5. SH60 Road Barriers

- 5.1 This item is of public interest and for Board discussion.
- 5.2 There has been plenty of community discussion around the recent road changes between Dominion and Harley Roads with the installation of the median and side barriers along SH60.
- 5.3 In January the Board received correspondence from contractors (Fulton Hogan) who were preparing to install the barriers along 6.8km of SH60.
- 5.3.1 *The median and side barriers will help prevent head-on crashes and run-off-road crashes. These barriers catch vehicles before they hit something harder, like a pole, tree or oncoming car. Head-on crashes are the leading cause of death on state highways and account for approximately half of all deaths recorded.*
- 5.3.2 Chair Graham asked for the data on crashes along the designated stretch of road to better understand the need for a major installation project.
- 5.3.3 *During 2019-2023 there were a total of 18 crashes, 9 were non-injury, 4 minor, 3 serious and 2 fatal crashes along SH60 between Harley Road and Dominion Road.*
- 5.4 **Ministry of Transport** provided a link to their data tool, which needs to be carefully analysed as some of the information in their summary map does not correctly match.
- 5.4.1 According to the data along the stretch of road where the median barriers have been installed there was one serious crash at the Stagecoach intersection in 1988 before the construction of the Ruby Bay bypass in 2010, since then four serious crashes have been recorded between 2017 to 2023, and three fatal crashes 2015, 2021 and 2022.
- 5.4.2 <https://www.transport.govt.nz/statistics-and-insights/safety-annual-statistics/crash-and-injury-data/>
- 5.5 Every crash is a concern, especially where it results in serious injury or fatality. Without diminishing the seriousness and impact of loss of life, it is questionable if there weren't other stretches of road in our region that would have benefited more from the investment.
- 5.6 **Concerns from community** have been raised about the outcome of the installation:
- 5.6.1 *The road feels narrower and less safe, cautiously navigating between bars.*
- 5.6.2 *If there is an accident blocking the lane there will be no option to get past /turn around.*
- 5.6.3 *Emergency services may have limited access, getting past traffic or across the road.*
- 5.6.4 *The sun glares off the side barrier, it may cause sun strike leading to an accident.*
- 5.6.5 *At dark, the oncoming traffic lights that come around the bends create a strobe affect.*
- 5.6.6 *The reflection from your own lights against the barrier is distracting and dangerous.*

- 5.7 State highways are outside of Council’s and Community Board jurisdiction, however where our community is impacted either from action with intention for improvement or lack of attention to action, our role as ‘sounding board’ and ‘advocate’ remains.

6. Revisiting the 8 week rule

- 6.1 With the government’s recent announcement regarding ‘granny flats’ there will be relief for some property owners, where this change may work favourably to help alleviate the housing issues we’re facing nationwide. [Making it easier to build granny flats \(2024\) | Ministry of Business, Innovation & Employment \(mbie.govt.nz\)](#)
- 6.2 The rule change may however still leave uncertainty for alternative housing that does not meet the criteria. The Board will continue with our request for Council to review the 8 week rule, we have a second workshop scheduled later this month to work through the intricacies.

7. Items from Board members

- 7.1 Concerns with increasing disconnect between Council and Community Board.
- 7.2 Guardian article 3 July regarding “Business consent irregularities spark aerodrome investigation”. [The Guardian - 3 July 2024 by Top South Media - Issuu](#)

8. Items from Public Forum

- 8.1 Updates from June Public Forum
- 8.1.1 **Email thanking John Murphy & Issac London** for updating the Board on progress with a youth space established at the building next to the recreation centre.
- 8.1.2 **Response to Ray Hellyer** regarding concerns of online threats made by a staff member toward a board member have been dealt with internally.
- 8.1.3 **Response to Mathias Schaeffner** that an Action was created for Mr Drummond to follow up to provide the referenced environment court case. Also addressed an additional matter raised; the Board is aware of some concerns and perceptions of council and intends to work through these concerns with senior staff. There has been an indication of willingness to meet and work through.
- 8.2 Discussion from today’s Public Forum.

9. Action List



- 9.1 The Action List is attached for review (**Attachment 1**).

10. Correspondence

- 10.1 Correspondence list:

Date	From	Subject
17/06/24	N Hughes (Board Member)	LGOIMA request
18/06/24	R Kirby (TDC staff)	Granny Flat Build Rules Review

11. Attachments / Tuhinga tāpiri

1.   Action List

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8.4 FINANCIAL SUMMARY

Information Only - No Decision Required

Report To:	Motueka Community Board
Meeting Date:	16 July 2024
Report Author:	Liz Cameron, Assistant Management Accountant
Report Authorisers:	Mhairi Lamont, Management Accountant
Report Number:	RMCB24-07-7



1. Summary / Te Tuhinga Whakarāpoto

- 1.1 The Draft financial report for the period ending 30 June 2024 is attached (**Attachment 1**). It is expected that the surplus will increase once closed account interest is processed in late July or August.
- 1.2 The net financial position as at 30 June is a surplus of \$22,286.
- 1.3 There were no Community Board expenses during June.
- 1.4 The net position of the Motueka Community Board's overall funds as at 30 June 2024 is a surplus balance of \$216,333.

2. Recommendation/s / Ngā Tūtohunga

That the Motueka Community Board receives the Financial Summary report

3. Attachments / Tuhinga tāpiri

1.   Financial Summary

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8.5 SPECIAL PROJECTS ACTION LIST

Information Only - No Decision Required

Report To: Motueka Community Board
Meeting Date: 16 July 2024
Report Author: Emma Gee, Team Leader - Customer Services (Motueka)
Report Authorisers:
Report Number: RMCB24-07-4

1. Summary / Te Tuhinga Whakarāpoto

- 1.1 Attached is the Special Projects Action List for the Motueka Community Board to review (**Attachment 1**).

2. Recommendation/s / Ngā Tūtohunga

That the Motueka Community Board

1. receives the Special Projects Action List report RMCB24-07-5

3. Attachments / Tuhinga tāpiri

1.  Special Projects Action List

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