

Our Ref: NR - 1 - 1745894
Your Ref: Plan Change 48
Enquiries to: Mark Naudé



22 April 2016

Matamata-Piako District Council
Attention: Mark Hamilton
PO Box 266
Te Aroha 3342

Dear Mark

Plan Change 48 - Proposed protection of 'The Onslow Oak' at Te Aroha Domain

We have no objection to the proposed addition of the 'Onslow Oak' in Schedule 3 of the District Plan.

As the tree is located within Te Aroha Domain it already enjoys a degree of protection under the Reserves Act 1977. Te Aroha Domain has the legal status of a Recreation Reserve.

Under Section 42(2) of the Reserves Act, trees and bush on any Recreation Reserve may not be cut down or destroyed, except in accordance with a permit, or unless the administering body of the reserve is satisfied that the cutting or destruction is necessary for the:

- proper management or maintenance of the reserve, or
- the management or preservation of other trees or bush, or
- in the interests of the safety of persons on or near the reserve, or
- safety of property adjoining the reserve.

Section 42(3) imposes a duty on the Administering Body (Council in this case) that any work undertaken under Section 42(2) should not be done except in a manner that will have minimal impact on the reserve and until, as circumstances warrant, provision is made for replacement, planting or restoration.

Protection via Schedule 3 of the District Plan would however provide an additional layer of protection for this particular tree and would also provide staff with more enforcement options should it be vandalized, damaged or destroyed.

Regards

Mark Naudé
Community Facilities Planner