

**Date:** Tuesday, 22 September 2015  
**Time:** 7.00pm  
**Meeting Room:** Upper Harbour Local Board Office  
**Venue:** 30 Kell Drive  
Albany

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## Upper Harbour Local Board

### OPEN MINUTE ITEM ATTACHMENTS

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22 September, 2015

**Submission to Auckland Transport on their Guidelines for Private Planting in the Road Corridor**

**Introduction**

The board wishes to thank Auckland Transport for their presentation regarding Guidelines for Private Planting in the Road Corridor. The Upper Harbour Local Board (the board) appreciates that Auckland Transport acknowledge the role and interests of local boards in place making within their board area. Berm planting can contribute to local place shaping so the board holds gratitude for being able to submit on these guidelines.

The Board has approached this submission with the questions:

- What is the role of a local board in the matter of private planting on berms?
- Do the draft guidelines provide the opportunity to carry out this desired role?

Based on these questions, the board has several concerns within the proposed guidelines and wishes to address these with this submission.

**Empowering residents**

Consistency is important considering all the plans and policies used by Auckland Council across the city. The board is concerned there is inconsistency with these guidelines and the recent Empowered Communities Approach (ECA) released by Auckland Council. The board would like to see the values of the ECA considered within these guidelines because private planting on the road corridor can enable residents to demonstrate agency in their communities.

The expectation that residents will mow the berm adjacent to their premises has been long standing throughout most of the Auckland region. As of July 2015 this expectation has now been extended to the former Auckland City area.

The board notes the statements on Auckland Transport's website regarding berm planting:

*"Generally the responsibility of mowing grass berms adjacent to all other properties now rests with the owners or occupiers."*

*"People are asked to please take pride in their streets, be good community citizens and ensure the berms in front or to the side of their properties are mowed regularly."*

*"If residents/ landowners are unable or unwilling to mow the grass berm, then Auckland Transport contractors will maintain it, on an as and when required basis to keep the grass at an acceptable length."*<sup>1</sup>

The board believes it is inconsistent and disempowering to expect residents to maintain pride in their berms, yet only be able to plant on the road reserve under very restrictive guidelines. Berm planting offers the opportunity for the residents to play an active role in place shaping and the policy needs to empower residents, rather than add a barrier to demonstrating pride in their streets and participating in place shaping. The board requests that Auckland Transport review the proposed guidelines to ensure they empower residents to influence local place shaping while maintaining safety.

Another way to make the guidelines more empowering is to amend the tone and framing of the guidelines. The board has reservations about the negative framing of the new rules which focus on the limits and problems with particular berm planting practices. A more positive tone can make this a more accessible and followed set of guidelines. Focuses of a more positive approach to berm planting can include - what can be done, possible exceptions to the rules and the many benefits associated with berm planting such as:

- Litter reduction
- Storm water management
- Community development
- Promotion of bio-diversity

The City of Sydney Footpath Gardening Policy<sup>2</sup> sets out a more positive approach as well as a comprehensive pre-gardening checklist that could be helpful in formulating an accessible, empowering and practical guide to berm planting.

#### **Planting of fruit trees**

The Board understands that one of the reasons for the creation of this policy is a response to the large support base for having more fruit trees around the city. Public fruit trees on berms are seen as a place shaping initiative that would also provide a food source and opportunities to interact with nature.

Continuing the ECA theme, the board believes that fruit tree planting is the best possible opportunity within berm planting practices to empower residents to participate in local place shaping initiatives. Therefore a blanket ban on fruit trees does not come across as a constructive solution to the desires of the public. The board acknowledges the potential problems with fruit trees that Auckland Transport detailed in their draft guidelines. However many of these problems are already present given the large street trees in many parts of the city which can drop leaves, seed and fruit. The board acknowledges that in some circumstances, fruit tree planting is inappropriate, but the board also believes that there are

<sup>1</sup> Auckland Transport website on Urban berm mowing, accessible at <https://at.govt.nz/about-us/asset-maintenance/footpath-berm-maintenance/> (accessed 18/9/2015)

<sup>2</sup> City of Sydney website on Footpath Gardening, accessible at <http://www.cityofsydney.nsw.gov.au/community/participation/gardening-on-the-footpath> (accessed 18/8/2015)

some very passionate individuals and groups who will maintain their fruit trees to derive community benefit without the suggested problems.

The board encourages Auckland Transport to reconsider their rules on fruit tree planting. Possible options would be to permit fruit trees on the understanding the adjoining land owners are obliged to pick up fruit and if the adjoining land owner does not pick up fruit that drops, then it becomes a non-complying planting.

#### **Participation of Upper Harbour Local Board in decision making**

Local boards exist to make decisions regarding the place shaping in their board. Within the guidelines there are two questionable aspects of the boards involvement that the board queries. Firstly, it appears that only if an application is considered acceptable by Auckland Transport will it be forwarded on to the board. The board believes that Auckland Transport should forward on all applications to the board, even those they deem inappropriate. Through this process, the board will learn what Auckland Transport is rejecting, and can decide whether they want to challenge the rules if these are inhibiting the board's vision for place shaping in their local board area.

Secondly, it is written that if a planting becomes non-compliant that the local board will be given the situation to rectify within 28 days before Auckland Council takes action to remove the planting. The board believes that it is the responsibility of Auckland Transport to resolve the situation rather than the local board. Any land owner with non-compliant planting is welcome to speak to the board to advocate on their behalf, as is any resident who requires advocacy. Auckland Transport is also welcome to bring up any non-compliant planting issue with the board. This suggested role of the local boards in the guidelines is too administrative and operations orientated.

#### **Differentiation in rules between urban and rural areas**

The board wishes to know whether the proposed rules will be across both urban and rural areas. The Rural Urban Boundary (RUB) runs through the Upper Harbour Local Board area so there are both urban and rural areas present. These areas can be very different, such as typically lower service levels in rural areas. The board believes it is important to maintain consistency with the reasoning behind the rules, therefore it may be possible that different rules are appropriate for urban and rural areas. For example, there are fewer services under the ground in the rural spaces, so root systems are less likely to hit underground services thus trees with larger root systems could be permitted.

#### **Front berm planting**

At present, the standards for permitted planting on the front berm are very restrictive given the guidelines state generally planting on the front berm will not be approved unless around a fruit tree or mailbox. The board thinks they should be loosened to allow low level planting on the front berm as this will ensure safety for pedestrians and motorists.

#### **Conclusion - Role of the Local Board**

The board appreciates Auckland Transport acknowledging the strong interest of local boards in place making in their board areas in this policy. They do not however believe that the current wording of the policy fully reflects this, nor will it enable residents to influence place shaping.

There is the potential to empower communities with these guidelines so the board believes it is salient for the framing to be positive and the rules practical so that local residents can take ownership and pride of their streetscape.