

## 7.4 RECOGNITION AND PROTECTION OF SIGNIFICANT URBAN/TOWNSHIP TREES

### 7.4.1 BACKGROUND

Individual trees and groups of trees in addition to identified indigenous bush stands can be of significance to the community, particularly in urban areas. Their significance can arise from their historical and cultural associations, botanical value or amenity (visual) value - size, location, appearance. Often these trees will be exotic rather than indigenous.

In a similar way to the protection/recognition afforded to significant stands of indigenous vegetation in the rural area (refer to Section 7.2) the Council proposes to provide protection/recognition to significant urban trees.

A survey of the urban areas has been carried out to identify the significant trees located on public land ie. that owned by the Crown, Council and other public bodies.

This is seen as a starting point for the register which is expected to grow significantly over time as individuals seek to provide a similar level of protection/recognition for trees on their own private property.

Trees on private land will only be added to the register at the request of the land owner. A small number already appear on the register through this mechanism.

### 7.4.2 RESOURCE MANAGEMENT ISSUES

The retention of trees is desirable because of their contribution to the amenities of urban areas, their historical associations and their botanical values.

Land in public ownership often includes well established trees and groups of trees that provide a pleasant setting for buildings and give the towns a pleasant appearance/character.

Trees on private property add to the overall appearance/character of the urban environment.

These values can only be retained if the trees are protected from removal.

The value of trees to the environment is a matter which needs to be considered when designing developments.

### 7.4.3 ANTICIPATED ENVIRONMENTAL RESULTS

The environmental result sought is to protect significant urban trees, because of their contribution to the urban areas and the character of the District in general.

The most effective means by which this outcome can be achieved is:

1. Through particular controls in the District Plan;
2. By encouraging private land owners to recognise the significance of trees located on their properties.

### 7.4.4 OBJECTIVES AND POLICIES

#### *Objective 1*

*To protect significant urban trees for the purpose of preserving their intrinsic, historical, cultural and amenity values for the benefit and enjoyment of future generations.*

#### **Policies**

Objective 1 will be achieved by the implementation of the following policies:

1. Maintaining a schedule in the District Plan of all known significant urban trees located on publicly owned land.
2. Maintaining a schedule in the District Plan of volunteered significant urban trees located on privately owned land.
3. Enabling trees to be added to or removed from the schedule.
4. Informing the general public of the "private" methods that are available to protect trees for future generations (eg covenants).

#### **Reasons**

1. The principal reasons for the adoption of the objective and related policies are set out in Section 7.4.3.
2. To ensure adequate protection is afforded to those urban trees identified as having significance, a combination of regulatory measures through the District Plan and voluntary techniques is considered by Council to offer the best solution.
3. The procedure of District Plan changes applied to all additions or removals from the register ensures that the rights of private property owners can be considered in relation to the overall desires of the community.

#### *Objective 2*

*To promote greater public awareness of support for and involvement in the protection of significant urban trees.*

#### **Policies**

Objective 2 will be achieved by the implementation of the following policies:

1. Including the significant trees in the schedule on the PIM and LIM reports.
2. Making private landowners aware of the value of urban trees.
3. Providing a simple procedure for private landowners to have their trees added to the register.
4. Ensuring that information about the trees listed in the schedule is readily available to the public.
5. Giving public recognition to those people who have volunteered their trees.

## Reasons

1. Statutory provisions alone can not ensure the protection of urban trees. The co-operation of affected landowners and the general public is essential to achieving the preservation of individual trees and groups of trees.
2. The District Plan is a suitable public document to help raise public awareness of the existence of significant urban trees.
3. Ensuring information is readily available on identified trees helps increase landowner and general public understanding and support for the preservation measures proposed.

## 7.4.5 METHODS TO IMPLEMENT OBJECTIVES AND POLICIES

Council considers that the protection of significant urban trees can be best achieved through a combination of mechanisms. These include:

1. Identifying significant urban trees on the Planning Maps as a means of informing the public of their existence and value.
2. Utilising regulatory rules for the protection of identified significant urban trees in the District Plan.
3. Providing information on the identified significant urban trees.

## 7.4.6 ACTIVITIES

### 7.4.6.1 Permitted Activities

The following are permitted activities:

1. Trimming or pruning of any identified tree necessary because of disease or age and which will not result in the death, destruction or irreparable damage to the tree.
2. Minor pruning or shaping necessary to maintain or enhance the value of the tree.
3. Removal or destruction (partial or total) of any tree in accordance with a forest disease eradication or control programme within an infected area declared pursuant to the Forests Act 1949 and the Forest Disease Control Regulations 1967.

### 7.4.6.2 Controlled Activities

The following are controlled activities and shall be assessed in relation to the criteria specified in Rule 7.4.6.2 A below:

1. Removal of up to 2 major limbs, other than as provided for as a permitted activity.

#### A. Assessment Criteria for Controlled Activities

The following criteria will be used to assess any application for a controlled activity:

1. The reasons for inclusion of the tree in the register;
2. The degree of modification or damage that will be caused to the tree;
3. The evidence and representations placed before the Council by the applicant and any person or body who has made any submission as provided for under Sections 93 and 94 of the Act, in relation to the application, including any evidence and representations by the applicant as to the consequences of the registering and the reasons why the work is necessary.

### 7.4.6.3 Discretionary Activities

1. Any activity not provided as a permitted or controlled activity.

### 7.4.6.4 Non Complying Activities

Nil

### 7.4.6.5 Prohibited Activities

Nil

## 7.4.7 SCHEDULE OF SIGNIFICANT URBAN/TOWNSHIP TREES

### 7.4.7.1 Criteria for Protection

The trees included in the Register have been classified in terms of the following recognised categories:

1. historical/cultural value
  - ~~EE~~ associated with, or commemorating an historic event;
  - ~~EE~~ associated with or planted by a particular historic or notable figure;
  - ~~EE~~ spiritual or cultural value.
2. botanic value
  - ~~EE~~ any significant species of tree, rare or in danger;
  - ~~EE~~ any tree or group of trees of ecological significance providing an important habitat for wildlife;
  - ~~EE~~ any tree particularly outstanding in its species in relation to its height, size, girth, form or canopy spread.
3. visual/amenity value
  - ~~EE~~ any tree that has significant landmark value due to its location;
  - ~~EE~~ any tree or group of trees that make a significant contribution to the visual amenity of the neighbourhood;
  - ~~EE~~ any trees that have outstanding value due to their screening applications.

### 7.4.7.2 Addition or Removal of Trees to/from the Schedule

Trees may be included in or deleted from the Schedule of Significant Urban/Township Trees by a plan change initiated by the Council or upon the application of any owner, occupier, or interested party. A tree may be deleted if:

1. that tree is dead, dying, diseased or has lost the essential qualities for which it was originally registered;
2. that tree has become a danger to the public or to other registered trees;
3. that tree is causing serious structural damage to buildings.

**7.4.7.3 Identification**

The Schedule of Significant Urban/Township Trees states the location of the tree, its botanical and common names, the reason for its inclusion on the Schedule, and the Planning Map reference.

**7.4.7.4 Table 1 - Schedule of Significant Urban/Township Trees**