

## A GUIDE TO

# PROTECTED TREES

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The Waipā district, particularly Cambridge, contains a number of significant specimen trees of historic, botanic and amenity value, many of which date from early European settlement. Our protected trees include both exotic trees introduced to New Zealand and a range of New Zealand native varieties.

### WHY HAVE PROTECTED TREES?

Trees are a valued community feature as they provide visual amenity, soften the built landscape and contribute to a sense of heritage – trees are a living symbol that connects past, present and future. Trees also contribute to a healthy environment; they improve our climate, act as carbon sinks and provide food and important habitat for a range of different species.

Cambridge, in particular, is fortunate in having many mature trees on private property. Most of these trees are introduced species which were planted in the late 19th Century.

The [Waipa District Plan](#) contains provisions in Section 23 which seek to protect trees which have been identified as having high historic, botanic and amenity value.

The focus in this section of the District Plan is on the protection of listed specimen trees on private property from inappropriate pruning, trimming, removal, or incompatible development within their root protection zone, to ensure that they continue to be enjoyed by future generations.

### HOW ARE THE TREES CHOSEN?

Each tree is inspected, evaluated and scored by a qualified arborist using the Standard Tree Evaluation Method (STEM). STEM is commonly used in New Zealand for the evaluation of trees and Waipa District Council is one of 36 Councils across New Zealand that uses the STEM system. Features included in the STEM inspection cover the following:

- **Condition evaluation;** comprising Form, Occurrence, Vigor and Vitality, Function and Age;
- **Amenity evaluation;** comprising Stature, Visibility, Proximity, Role and Climate; and
- **Notable evaluation;** comprising Stature, Historic Association and Scientific Value

### HOW ARE TREES ADDED TO THE LIST?

If the owner of a tree, Council staff, or anyone else believes that a particular tree is worthy of protection, an assessment can be made to establish whether it meets the requirements for protection.

Under the District Plan, a tree has to achieve a minimum

STEM score of 110 points to be considered for inclusion on the protected tree list. Should the tree be confirmed as having significant value and meet the Council criteria for protection, it will need to be the subject of an application for a Plan Change to be included in Section 23 of the Waipa District Plan.

This Plan Change process is publicly notified so that any interested person may comment on the proposal. Trees are also removed from the list through the Plan Change process.

### WHERE ARE THE PROTECTED TREES LOCATED?

Most of the trees are located in Cambridge with a few in Te Awamutu, Pirongia and Ohaupo. The most reliable means of identification is by checking Appendix N4 of the Waipa District Plan. We recommend getting a Land Information Memorandum (LIM) prior to purchasing a property which will include details of any protected trees on the property.

### WHAT ARE THE RIGHTS AND RESPONSIBILITIES OF THE OWNER?

The tree/s (and the space around it) may be used and enjoyed as usual (including lawn mowing and gardening), provided that the tree, including the root system, is not damaged in any way.

The tree owner is responsible for keeping their protected tree safe; this may require regular inspection of the tree by a qualified arborist as well as pruning and other maintenance identified as necessary and permitted by the District Plan.

If a protected tree loses the qualities for which it was protected, or if it becomes structurally unsound, we recommend contacting a qualified arborist for advice.

### WHAT IF I WANT TO PRUNE THE TREE?

Limited pruning can be carried out by the tree owner. Some remedial pruning and tree maintenance is a Permitted Activity under the District Plan when carried out under the direction of and in accordance with the recommendations of a qualified arborist. Section 23.4.1.1 of the District Plan provides guidance on what constitutes permitted pruning. Contact a qualified arborist, who will assess whether the tree requires any work.

A resource consent is required for the pruning or shaping of a protected tree where the works would fall outside

of the permitted pruning set out in Section 23.4.1.1. A resource consent must be obtained before any work can begin. Resource consent costs are outlined in our [Fees & Charges](#) (search "trees").

### **UNDER WHAT CIRCUMSTANCES MIGHT A TREE BE REMOVED?**

Emergency works for the removal of a protected tree may be permitted where the tree is causing an imminent threat to human life or property. However; the need for the emergency works must be confirmed by a qualified arborist, Council must also be notified prior to the works commencing and the works must be no greater than that required to alleviate the imminent threat to life or property.

Otherwise, Resource Consent is required for the removal of a protected tree. The matters that are assessed in an application for resource consent to remove a protected tree include the following:

- Whether the protected tree is causing harm to property, services, buildings or people;
- Whether a replacement tree can be established in an appropriate location.
- Whether there are any alternatives that would avoid the need for the removal of the protected tree;
- The impact of the loss of the tree on amenity values in the area; and
- Whether a replacement tree can be established in an appropriate location

### **HOW CAN I GET ASSISTANCE FOR THE COST OF MAINTAINING MY PROTECTED TREE?**

There is a Council fund available for tree owners to apply for financial assistance with the cost of work undertaken on protected trees, if certain criteria are met. The fund is administered by Council, however the landowner is responsible for engaging the contractor upon successful application and approval of the proposed work.

### **WHAT IF I DON'T WANT THE TREE TO BE PROTECTED?**

If an owner, another person, or Council provide evidence that a tree should not be on the register, a change to the Waipa District Plan may be initiated.

If the tree owner wishes to have the tree removed from the list, they may request a private plan change and pay all associated costs (for details, see [Fee & Charges](#)). However, if advice provided from a qualified arborist is that the tree no longer meets the requirements for protection, Council may consider a plan change at the next plan review, otherwise, the landowner may initiate a private plan change. If arborist advice identifies that the tree is a danger to people or property, Council may

consider options, including the costs incurred in the plan change process. The cost for tree removal will be met by the owner/applicant.

### **WHAT ABOUT THE DEBRIS FROM PROTECTED TREES?**

The owners of a protected tree are responsible for ensuring that debris from that tree are appropriately collected and disposed of.

### **WHAT IF THE TREE CAUSES DAMAGE TO PRIVATE PROPERTY?**

Damage caused by trees on private property is the responsibility of the landowner. Most home and contents insurance policies have liability extensions that provide coverage for damage caused by trees that are appropriately maintained. To check your coverage, please contact your insurance provider.

### **WHAT ARE THE CONSEQUENCES IF SOMEONE BREAKS THE RULES OF THE DISTRICT PLAN REGARDING PROTECTED TREES?**

If you remove, prune or work near a protected tree on your property without first applying for resource consent, you may incur a fine under the Resource Management Act.

### **NEED TO KNOW MORE?**

For more information about protected trees in the District Plan, please contact the planning team on 0800 924 723.

For more information about the Protected Tree Fund, please contact the community services administrator on 0800 924 723.



**0800 WAIPADC (924 723)**  
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