

## **E16. Trees in open space zones**

### **E16.1. Background**

Trees in the open space zones are an important public asset and need to be managed appropriately. As urban areas intensify, open space zones will be relied on to a greater extent to provide amenity in these areas.

Trees in the open space zones contribute towards Auckland being a desirable place to live and are an important part of Auckland's natural heritage and identity.

Environmentally, trees provide important ecological values in terms of storing carbon and providing habitat and food for wildlife, improving air quality and providing ecosystem services.

### **E16.2. Objectives**

- (1) Trees in open space zones that contribute to cultural, amenity, landscape and ecological values are protected.
- (2) There is an increase in the quality and extent of tree cover in open space zones, particularly within areas identified for intensified living.

### **E16.3. Policies**

- (1) Encourage ongoing maintenance of trees to enhance open space zones, while recognising existing constraints and functional requirements of the site.
- (2) Manage trees within open space zones to protect their cultural, amenity, landscape and ecological values, while acknowledging that multiple uses occur in open space areas.
- (3) Encourage the use of indigenous trees and vegetation for planting within open space zones, where appropriate, to recognise and reflect cultural, amenity, landscape and ecological values.

### **E16.4. Activity table**

Table E16.4.1 Activity table specifies the activity status for land use activities related to trees in open space zones pursuant to section 9(3) of the Resource Management Act 1991

- The rules that apply to network utilities and electricity generation are located in Section E26 Infrastructure.

These rules apply if the location of the trunk of the tree is in the open space zones.

**Table E16.4.1 Activity Table**

<b>Activity</b>		<b>Activity status</b>
(A1)	Biosecurity tree works	P
(A2)	Dead wood removal	P
(A3)	Emergency tree works	P
(A4)	Pest plant removal of any tree less than 4m in height and less than 400mm in girth	P
(A5)	Tree trimming or alteration	P
(A6)	Tree trimming or alteration that does not comply with Standard E16.6.2	RD
(A7)	Works within the protected root zone	P
(A8)	Works within the protected root zone that do not comply with Standard E16.6.3	RD
(A9)	Tree removal of any tree less than 4m in height and less than 400mm in girth	P
(A10)	Tree removal of any tree greater than 4m in height or greater than 400mm in girth	RD

**E16.5. Notification**

- (1) Any application for resource consent for an activity listed in Table E16.4.1 Activity table above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).

**E16.6. Standards**

All permitted and restricted discretionary activities listed in Table E16.4.1 must comply with the following standards.

**E16.6.1. Tree trimming or alteration**

- (1) The maximum diameter of any branch removed must be no greater than 100mm at severance.
- (2) No more than 20 per cent of live growth of the tree may be removed in any one calendar year.
- (3) All works must be carried out in accordance with best arboricultural practice.
- (4) All trimming or alteration must retain the natural shape, form and branch habit of the tree.
- (5) Any diseased tree material is to be treated in accordance with the Biosecurity Act 1993.

**E16.6.2. Works within protected root zone**

(1) For roots less than 60mm in diameter:

- (a) excavation undertaken by hand digging or air spade or hydro vac or machine excavator within the protected root zone without direction and/or supervision of a qualified arborist:
  - (i) the surface area of a single excavation shall not exceed 1m<sup>2</sup>;
  - (ii) works involving root pruning must not be on roots greater than 35mm in diameter at severance;
  - (iii) works must not disturb more than 10 per cent of the protected root zone;
  - (iv) any machine excavator must operate on top of paved surfaces and/or ground protection measures; and
  - (v) any machine excavator must be fitted with a straight blade bucket.
- (b) excavation undertaken by hand digging, air spade, hydro vac or machine excavator within the protected root zone with direction and/or supervision of a works arborist:
  - (i) works must not disturb more than 20 per cent of the protected root zone;
  - (ii) works involving root pruning must not be on roots greater than 60mm in diameter at severance;
  - (iii) any machine excavator must operate on top of paved surfaces and/or ground protection measures; and
  - (iv) any machine excavator must be fitted with a straight blade bucket.
- (c) excavation undertaken by trenchless methods must not be undertaken at a depth less than 800mm below ground level.
- (d) replacement of existing structures, kerbs, and hard surfaces within the protected root zone must be done so that:
  - (i) the removal of the surface is carried out without damage to any tree roots; and
  - (ii) the machine excavator must operate on top of paved surfaces and/or ground protection measures and must be fitted with a straight blade bucket.
- (e) Standard E16.6.2(1)(a),(b),(c) and (d) does not apply to any tree works undertaken inside existing infrastructure such as pipes and meter boxes.

(2) For roots greater than 60mm but less than 80mm in diameter:

- (a) excavation undertaken by hand digging, or air spade, or hydro vac or machine excavator within the protected root zone with direction and/or supervision of a works arborist:
  - (i) works must not disturb more than 20 per cent of the protected root zone;
  - (ii) works involving root pruning must not be on roots greater than 80mm in diameter at severance;
  - (iii) any machine excavator must operate on top of paved surfaces and/or ground protection measures;
  - (iv) any machine excavator must be fitted with a straight blade bucket; and
  - (v) the Council's manager for Parks, Sports and Recreation must be notified prior to commencing work.
- (b) Standard E16.6.2(2)(a) does not apply to any tree works undertaken inside existing infrastructure such as pipes and meter boxes.

**E16.7. Assessment – controlled activities**

There are no controlled activities in this section.

**E16.8. Assessment – restricted discretionary activities**

**E16.8.1. Matters of discretion**

The Council will restrict its discretion to all of the following matters when assessing a restricted discretionary resource consent application:

- (1) all restricted discretionary activities:
  - (a) the effect on the values of the tree or trees;
  - (b) any loss or reduction of amenity values provided by the tree or trees;
  - (c) the risk of damage to people or property;
  - (d) any mitigation proposed;
  - (e) consistency with best arboricultural practice;
  - (f) methods to control plant pathogens;
  - (g) any tree works plan, reserve management plan, or landscape plan relevant to the tree or group of trees;
  - (h) the functional and operational needs of infrastructure; and
  - (i) the benefits derived from infrastructure.

### **E16.8.2. Assessment criteria**

The Council will consider the relevant assessment criteria for restricted discretionary activities from the list below:

- (1) all restricted discretionary activities:
  - (a) the specific values of the trees including any ecological values with respect to water and soil conservation, ecosystem services, stability, ecology, habitat for birds and amelioration of natural hazards;
  - (b) the loss of amenity values that tree or trees provided;
  - (c) the risk of actual damage to people and property from the tree or trees including the extent to which adverse effects on the health and safety of people have been addressed as required under health and safety legislation;
  - (d) any alternative methods that could result in retaining the tree or trees;
  - (e) the degree to which any proposed mitigation adequately compensates for the values that trees provide;
  - (f) the degree to which the proposal is consistent with best practice guidelines for tree management;
  - (g) methods to contain and control plant pathogens and diseases including measures for preventing the spread of soil and the safe disposal of plant material;
  - (h) the provision of a tree works plan to address the effects of the works on the tree or trees and outlining the proposed methods to be used, and where applicable:
    - (i) the provision of a landscape plan; or
    - (ii) consistency with any reserve management plan.
  - (i) the need for the direction and supervision of an on-site monitoring arborist while the works are being carried out;
  - (j) the functional and operational needs of infrastructure; and
  - (k) the benefits derived from infrastructure.

### **E16.9. Special information requirements**

There are no special information requirements for this section.