

E17. Trees in roads

E17.1. Background

Trees in roads make streets more attractive and contribute to pedestrian amenity and public health.

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

Roads have a large range of uses, particularly for network utilities, and at times these can conflict with the presence of trees. A balance of these competing uses needs to be achieved.

E17.2. Objectives

- (1) Trees in roads 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 roads, particularly within areas identified for intensified living.
- (3) The safe and efficient development, maintenance, operation and upgrading of the transport system and utilities is enabled while ensuring that the overall ecological and amenity values provided by trees in roads are maintained.

E17.3. Policies

- (1) Balance the safe and efficient development, operation, use, maintenance and upgrading of infrastructure, utilities, and road network with the protection of trees in roads.
- (2) Encourage ongoing maintenance of trees to enhance roads, while ensuring that tree selection and location recognises existing constraints and the functional requirements of the site.
- (3) Manage trees in roads to protect their cultural, amenity, landscape and ecological values while acknowledging that multiple uses occur in roads.
- (4) Encourage the use of indigenous trees and vegetation for planting within roads, where appropriate, to recognise and reflect cultural, amenity, landscape and ecological values.

E17.4. Activity table

Table E17.4.1 Activity table specifies the activity status for land use activities for trees in roads pursuant to section 9(3) of the Resource Management Act 1991.

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

These rules apply if the location of the trunk of the tree is in the road.

These activities must also obtain the approval of Auckland Transport.

Table E17.4.1 Activity Table

| Activity | | Activity status |
|-----------------|---|------------------------|
| (A1) | Biosecurity tree works | P |
| (A2) | Dead wood removal | P |
| (A3) | Emergency tree works | P |
| (A4) | Pest plant removal | P |
| (A5) | Tree trimming or alteration | P |
| (A6) | Tree trimming or alteration that does not comply with Standard E17.6.1 | RD |
| (A7) | Works within the protected root zone | P |
| (A8) | Works within the protected root zone that do not comply with Standard E17.6.3 | 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 |
| (A11) | Planting over network utilities with trees with a mature height of more than 4m | P |
| (A12) | Tree trimming, alteration or removal not otherwise provided for | D |

E17.5. Notification

- (1) Any application for resource consent for an activity listed in Table E17.4.1 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).

E17.6. Standards

All permitted and restricted discretionary activities listed in Table E17.4.1 must comply with the following standards.

E17.6.1. 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.
- (6) Standards E17.6.1(1),(2),(3),(4) and (5) do not apply for works carried out:
 - (a) in order to comply with the Electricity (Hazards from Trees) Regulations 2003;
 - (b) by Council or its agent or the road controlling authority or its agent to maintain the visibility of road safety signage, maintain vehicle sight lines for traffic safety, maintain legal clearance height and width above the road carriage way including to:
 - (i) maintain a clearance of 4.5m height above the road carriageway or 5.3m where there is road safety and directional signage located above the carriageway;
 - (ii) maintain the clearance of 0.5m width back from the road kerb;
 - (iii) maintain the clearance of 0.6m width back from the unkerbed road; or
 - (iv) maintain clearance requirements for over dimension routes.
 - (c) within the formation width of the legal road where the road adjoins any rural zone for maintaining visibility.

E17.6.2. Planting over network utilities

- (1) For trees planted over or within 1m of underground network utilities methods must be used to protect the underground network utilities from root damage caused by the trees.

E17.6.3. Works within the 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 works involving root pruning must not be on roots greater than 35mm in diameter at severance;
 - (ii) surface area of a single excavation shall not exceed 1m²;
 - (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 qualified arborist:

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- (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 E17.6.3(1)(a), (b), (c) and (d) do 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 qualified 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
 - (b) standard E17.6.3(2)(a) does not apply to any tree works undertaken inside existing infrastructure such a pipes and meter boxes.

E17.7. Assessment – controlled activities

There are no controlled activities in this section.

E17.8. Assessment – restricted discretionary activities

E17.8.1. Matters of discretion

The Council will restrict its discretion to all 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) any mitigation proposed;
 - (d) consistency with arboricultural best practice;
 - (e) methods to control plant pathogens;
 - (f) any tree works plan, reserve management plan, or landscape plan relevant to the tree or group of trees;
 - (g) the functional and operational needs of infrastructure; and
 - (h) the benefits derived from infrastructure.

E17.8.2. 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;

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- (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.

E17.9. Special information requirements

There are no special information requirements for this section.