

Tree Policy

Policy Owner:	Open Spaces Services Manager
Date approved:	August 2025
Next review date:	August 2030
Document number:	1969448
Required by legislation:	N/A

1 Introduction

- 1.1 Trees are a valuable asset which provide a number of environmental, social and economic benefits to the Waikato District community. These benefits include providing sensory stimulation, aesthetic value, food and habitat for wildlife, removing pollution from the atmosphere, helping to reduce greenhouse gas emissions, and providing shelter and shade.
- 1.2 Trees also present some challenges including the potential for nuisance and damage related to leaves, branches and roots impacting on property, and/or impacting on infrastructure, which can be critical during extreme weather events. There is also a risk of disease spreading between trees. These issues can lead to disharmony between neighbours, residents, infrastructure providers and Waikato District Council (Council).
- 1.3 Council is responsible for the trees on land it owns and manages in the District. The proactive management of these trees is important to ensure a consistent and transparent approach that will maximise the many benefits and minimise the risks for present and future generations.

2 Purpose

- 2.1 The purpose of this policy is to maximise the benefits and minimise the risk from trees in public places by protecting trees from people and protecting people from trees. It will do this by:
 - a) Providing consistency and clarity in decision-making processes when planning, planting, maintaining, removing, and working around trees on Council-controlled land.
 - b) Ensuring compliance with legislative requirements, standardised specifications and industry best practices and techniques.
 - c) Increasing awareness and understanding of the benefits, challenges, maintenance, costs and proper care of trees in the District.

- d) Providing guidance for the maintenance of those trees not otherwise protected in the District Plan, Resource Management Plans or Reserve Management Plans.

3 Legislative Context

- 3.1 Two key pieces of national legislation provide statutory mechanisms for the management and protection of district trees: The Resource Management Act 1991 and the Reserves Act 1977.
- 3.2 Any statutory requirements under these pieces of legislation, including the Waikato District Plan, Resource Management Plans and Reserve Management Plans, will take precedence over this policy.
- 3.3 The District Tree Policy provides the framework and guidelines for the general management of all other trees on Council land not managed by the District Plan, Resource Management Plans and Reserve Management Plans.

4 Application

- 4.1 This policy applies to the planning, planting, protection, maintenance, removal and replacement of amenity trees¹ on Council-controlled land.
- 4.2 This policy does not apply to trees that are managed through statutory mechanisms including those protected in the Waikato District Plan, Resource Management Plans and Reserve Management Plans (Notable Trees).
- 4.3 This policy does not relate to trees on private properties, unless they are impacting public services/infrastructure.
- 4.4 This policy does not relate to trees in a rural context, such as those planted on rural roadsides. This type of tree is managed by Council's Transport team outside of this policy.

Note: Notable Trees are protected under the Resource Management Act due to their significance for historic, botanical, landscape, amenity or cultural reasons. Notable trees can be on public or private property. Rules in the District Plan apply to the maintenance or removal of notable trees and activities within the drip line area.

5 Policy statements

Tree management, benefits and challenges

¹ Amenity trees are planted by or for Council in urban areas, and are a Council Asset. This is in contrast to self-sown wilding trees or trees planted by adjacent land owners on Council owned roadsides/road reserves.

5.1 Management of the District's trees will seek to protect the long-term value and continuity of the District's tree resource by:

- a) Protecting and prioritising the health of trees and the benefits they provide.
- b) Ensuring the right tree in the right place.
- c) Countering tree loss from the negative impacts of urban intensification, building development and roading works.
- d) Reducing exposure to tree risk and maintenance liability.
- e) Minimising tree risk to public health, safety and infrastructure.

5.2 Benefits gained from trees

- a) Trees play an important role in meeting climate change related challenges by providing shelter, shade, cooling, air filtration and aid for storm water management.
- b) Trees play a critical role in supporting mental health, reinforcing the local identity and character of the District and improving the local amenity.
- c) Trees provide a significant contribution to the ecological environment within the district by providing a habitat and food source to a large number of living organisms including protected indigenous flora and fauna.

5.3 Challenges to be managed

- a) Trees can interfere with local infrastructure, obstruct access and visibility, increase shade to neighbouring properties and block drains through leaf fall and debris. This can include trees on private property, that are managed under the District Plan.
- b) Trees can pose potential risk to people and property through failure of the whole tree or individual branches. This risk is exacerbated by increased frequency of intense weather events and must be managed in a proportionate and practical way.
- c) Some trees require specialised on-going maintenance and management, particularly in urban environments which can create high stress environments for a tree. Specialised work and/or an increased frequency of maintenance can result in additional financial impacts.
- d) Urban intensification and development has resulted in the loss of trees and competition for space between the built and natural environments.

Tree maintenance

5.4 Council will prioritise the protection of its existing trees through practical and proportionate maintenance according to British Standard 3998:2010

Recommendations for Tree Work and ensuring compliance with the Regional Infrastructure Technical Specifications (RITS).

5.5 Tree maintenance will prioritise the health of the tree to maximise the ecological benefits provided by trees while minimising potential for conflicts and disruptions.

This may include pruning, branch removal and targeted canopy reduction.

5.6 Tree maintenance is scheduled according to priority with consideration for the following:

- a) Health and structural safety of the tree.
- b) Ecological benefits provided by the tree.
- c) Clearance for essential services and infrastructure, including but not limited to overhead power lines and navigational safety equipment.
- d) Potential risk to public safety from structural failure of a tree or parts of a tree.
- e) Relevant legislative requirements.
- f) Minimise encroachment and risk of damage to property and services.
- g) Avoid obstruction to/of visibility or access for pedestrian, cycle and vehicular traffic.

5.7 Council will assess tree risk and health using an industry standard tree evaluation method.

5.8 All tree maintenance will be undertaken by, or under the supervision of, a qualified arborist employed or contracted by Council or a network utility operator.

5.9 Tree maintenance will comply with Department of Conservation (DOC) wildlife protocols, and any requirements under the Wildlife Act 1953. This includes the protection of habitat for native and endangered species, including but not limited to bats, lizards, frogs and birds.

Removal of trees

5.10 Removal of trees may be considered where there is no viable alternative option.

5.11 Council may consider tree removal in the following circumstances:

- a) Where the tree is assessed by a qualified arborist to be in a state of irreversible decline, dead and/or structurally unsound.
- b) Where, under the assessment of an Approved Arborist, the tree poses an unacceptable risk to public safety, or is likely to cause significant damage to property (both publicly and privately owned).
- c) Where risk cannot be mitigated through other maintenance, pruning or engineering solutions.
- d) For access to repair or replace infrastructure where alternative options are not viable.

- e) For access to critical infrastructure in emergency situations, where no alternative options are available and where failure to access the critical infrastructure will lead to an unacceptable risk to public health, or significant property damage or harm to personnel.
- f) To prevent the spread of pest trees, pests, disease or where there is a threat to indigenous flora and fauna.
- g) To comply with the provisions of relevant legislation, the District Plan and reserve management plan(s).

5.12 Tree removal must be undertaken by, or under the supervision of, a qualified arborist employed or contracted by Council or a network utility operator.

5.13 When a tree is removed, Council may replace the tree with a new planting. Replacement trees will be planted in as close proximity as possible to the location where the tree was removed.

Note: For resource consent requirements for the removal of trees, please consult the Waikato District Plan.

Tree Planting

5.14 Council will take a proactive approach to planting new trees on public land to maintain and replenish tree numbers in the District. Refer to Council's Verge Maintenance Policy for more specific guidance on planting on berms and verges.

5.15 Council tree planting will be guided by the following principles:

- a) Plant the appropriate species for the area "the right tree in the right place".
- b) Continue established planting themes.
- c) Preserve and ensure diversity of species.
- d) Avoid the potential for invasive growth by pest species.
- e) Reduce long-term costs and ongoing maintenance requirements.
- f) Enhance open spaces and provide shade opportunities.
- g) Limit tree planting in the road corridor.
- h) Minimise potential risk to health, safety, infrastructure and neighbouring properties, such as overhead power lines and stormwater systems.
- i) Prioritise longevity and heritage value.
- j) Enhance habitat and food sources for wildlife.

Note: Fruit tree planting on specific reserves may be considered on a case-by-case basis, in partnership with community groups.

This type of planting would not be considered if it interfered with the intended use of the reserve. Such trees would have different maintenance schedules to other trees covered by this policy, as they would be maintained by the community group. Council may consider undertaking some work, such as re-staking and mulching the bases.

5.16 Tree planting will seek to reduce intensive maintenance requirements by giving preference to species which:

- a) Are pest and disease resistant.
- b) Provide maximum environmental and ecological benefits.
- c) Are fast establishing and sustainable within the local environment.
- d) Require low maintenance.
- e) Are not invasive species or pest plants.
- f) Are appropriate for the site.

5.17 Planning and design of new tree plantings must comply with RITS and will consider the following:

- a) Relationship to and foreseeable impact of trees on their surroundings including pedestrian and road safety.
- b) Functional and biological attributes of the tree including growth, size and root system.
- c) Cost of establishment, maintenance and risk of conflict with infrastructure.
- d) Relevant requests for service, consent applications, or consultation on new developments and roading projects.
- e) Contribution to Council's plans and strategic objectives.

5.18 For tree plantings in new developments costs of planting and establishment maintenance will be covered by the developer for a period of 24 months as stipulated by RITS.

Note: Unauthorised planting of trees on Council controlled land is not permitted.

- For verge planting, please see Council's Verge Maintenance Policy.
- For commemorative trees, please see Council's Plaques, Memorials and Monuments Policy.

Public requests for tree maintenance, planting and removal

5.19 Requests for service for tree maintenance, planting and/or removal may be considered, according to the following criteria:

- a) The issue caused by the tree has a significant negative effect on the applicant's day to day living; and
- b) The tree is the sole cause of the issue; and
- c) The issue is not able to be mitigated through general maintenance by the property owner e.g. clearing gutters of leaves; and
- d) No alternative pruning or engineering intervention can be undertaken which will mitigate the issue caused by the tree; and

- e) No reasonable engineering solution can mitigate the issue caused by the tree.

5.20 Council may consider requests for maintenance or removal of trees for the following reasons:

- a) Health reasons where there is confirmation from a medical practitioner or clinical immunologist confirming that the tree is the sole cause of the applicant's condition, and that removal of the tree is the sole most practicable solution to improving the applicant's condition.
- b) Property damage where the damage is confirmed to be a direct result of the tree and where no alternative measures (including engineering solutions) can be used to mitigate the problem.
- c) Where the requested maintenance does not negatively affect the health or structural integrity of the tree or the ecological, aesthetic, landscape or amenity benefits provided by the tree.
- d) Whether the tree is an unauthorised planting, not in alignment with this policy and/or included in Council's tree asset database.

5.21 Council will consider, on a case-by case basis (as per 5.19) but is unlikely to grant, requests for removal of trees to alleviate issues including:

- a) Shading, debris and leaf fall.
- b) For the establishment, retention or enhancement of views or commercial signage.
- c) Any issue where there is a safe and practical means for tree retention.

Note: Residents who are physically incapable of maintaining a verge adjacent to their property may be eligible for government support from the Ministry of Social Development (Work and Income) to assist with the cost of engaging a contractor.

5.22 Maintenance and removal of trees can be costly. In some instances, where the benefits are considered to exclusively benefit the applicant or property owner(s), such as the movement of transportable houses, Council may seek to recover costs. Any work must be approved by Council's Open Spaces team and carried out by a Council contractor, based on a pre-approved and planned maintenance schedule which is dictated by budget. These costs may include:

- a) Any additional costs associated with reporting on the tree removal application.
- b) Any resource consent costs if required.
- c) Actual cost of tree removal and replacement.

- d) The value of the environmental, economic and social services provided to the district by the tree as determined by the Standard Tree Evaluation Method (STEM).

Note: Projected costs will be supplied to the applicant for approval prior to any requested maintenance or removal works being undertaken.

Working around trees

- 5.23 All proposed construction activity, development work or infrastructure maintenance likely to impact on trees or their root structures must comply with RITS to ensure the preservation of the health and structural integrity of trees and potential planting spaces.
- 5.24 Development projects on Council land will prioritise the retention of mature trees through all aspects of the project.

Note: Compliance with the applicable Waikato District Plan and any other relevant regulations for works within the vicinity of trees will also be required. Resource consent may be required.

Unauthorised tree removal, damage and vandalism

- 5.25 Council takes very seriously any vandalism, damage to or unauthorised removal of Council trees, and will investigate any instances where we find trees have been vandalised, damaged or removed.
- 5.26 Council may seek compensation and/or remediation for any loss or damage to trees and their immediate environment whether intentional or as a result of works being carried out. Damage or loss will include but is not limited to:
- a) Death or decline of tree(s) health.
 - b) Physical damage to the tree(s), roots and/or rooting environment including compaction or contamination of the soil.
 - c) Loss of environmental and ecological benefits provided by the tree.
- 5.27 Council strongly discourages the practice of putting lawn clippings around the base of trees, as it can lead to poor tree health and compromise the structural integrity of the tree.

Engagement

- 5.28 Council will take reasonable steps to maintain good communication and relationships with all those in the community who are impacted by trees on Council-controlled land.

5.29 Engagement will occur with stakeholders including but not limited to residents, property owners, business owners, relevant community boards, committees, iwi, hapuu, marae and whaanau, in accordance with the requirements of the Local Government Act 2002 and Council's Significance and Engagement Policy.

6 Related Documents/Legislation

- Waikato District Plan
- British Standard 3998:2010 British Standard Recommendations for Tree Work
- Council's Fees and Charges
- Electricity (Hazards from Trees) Regulations 2003
- Health and Safety at Work Act 2015
- Local Government Act 2002
- National Code of Practice for Utility Operators' Access to Transport Corridors
- Plaques, Memorials and Monuments Policy
- Climate Action Plan
- Climate Response and Resilience Policy
- Property Law Act 2007
- Regional Infrastructure Technical Specifications (RITS)
- Reserves Act 1977
- Resource Management Act 1991
- Royal New Zealand Institute of Horticulture (RNZIH) Standard Tree Evaluation System (STEM).
- Utilities Access Act 2010
- Verge Maintenance Policy
- Wildlife Act 1953

7 Policy review

This policy shall be reviewed every five years or as otherwise required by the Chief Executive or the Open Spaces Services Manager.

Appendix 1: Glossary of terms

The following definitions are given for words and terms found within the Tree Policy, to help provide context and aid in understanding.

Amenity Tree	A tree that provides value through positive features and qualities in the landscape, such as the physical qualities and characteristics, and cultural and recreational attributes
Approved arborist	A suitably qualified person who can demonstrate proven experience, competency and ability in the field of arboriculture. Must have a recognized arboricultural qualification (minimum of NZQA Level 4 Certificate in Arboriculture or similar).
Canopy	The extent of the foliage cover of any tree or plant.
Carriageway	Area designated for vehicular movement.
Encroachment	A situation where the public recreational use or appreciation of the reserve is reduced or obstructed by the private use of the reserve. Alternatively, when roots or branches of a tree grow over or into neighbouring property.
Environment	The physical and biological factors within a given site.
Mitigate	Moderate or neutralise the effects of an activity.
Notable tree	A tree or group of trees that are considered significant for their historical, botanical, landscape, amenity or cultural values and are identified as such in the Waikato District Plan and includes a Heritage tree or Protected Tree listed in that Plan.
Protected tree	A protected tree is a notable tree that is listed in the District Plan schedule.
STEM – The RNZIH Standard Tree Evaluation Method	A national standard (compiled by the Royal New Zealand Institute of Horticulture) used to assess the contribution of a tree(s) within the landscape, using a points system to determine health, condition and monetary value.

RITS	<p>Regional Infrastructure Technical Specification (RITS) sets out the standards for design and construction of public infrastructure.</p> <p>RITS is governed by the requirements of the Local Government Act 2002.</p>
Rural road	Rural roads consist of local roads whose primary function is to provide access to adjacent properties and arterial routes
Rural Road Reserve	Is the entire surveyed legal length and width of a road regardless of where existing fence boundaries are located, including formed carriageway and unformed road verges.
Structural safety	The inherent capacity of a tree or plant, observed by examination of its structure, shape and form, to withstand wind loading and/or other physical force in order to resist failure, breakage or collapse.
Sustainability	The capacity of a tree to survive and thrive within the environment it is planted in without intensive maintenance or management.
Tree	<p>A single woody plant with the potential to reach at least 5 metres in height and have a stem diameter of, or exceeding, 150mm measured at 1.4 metres above ground.</p> <p>There are certain species, which could include fruit, nut and endemic species, which may not always fit within the definition of a tree. In these situations, the decision as to whether to include the species, or individual tree, as a tree will be determined by a Council arborist.</p> <p>Assets that are currently recorded as trees but do not fit the definition of a Tree will continue to be managed as a Tree throughout their life cycle until they are replaced.</p> <p>Note: For the purpose of this policy, any plant that has the potential to be classed as a tree in time but has a current diameter of less than 100mm at the base and has not been specifically planted will be regarded as a seedling and the rules within this policy will not apply.</p>

Urban tree collection

A formal planting of specialised botanical or feature interest. Usually designed, recorded and maintained as a long term permanent asset.

Wilding Tree

A self-sown tree growing wild or escaped from cultivation and growing wild and not planted for any specific purpose.