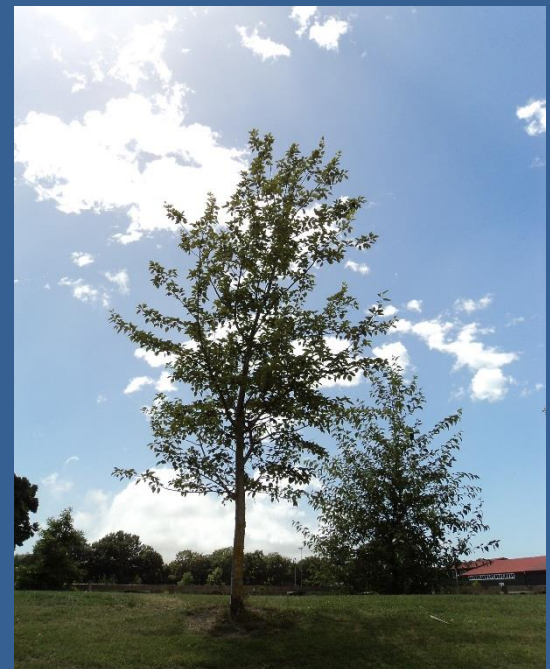


# Hurunui District Council Tree Management Policy



## Foreword

Trees are an important component of the landscape. Their dynamic, organic nature gives them an ephemeral character when considered against the overall long-term life of the district. The living nature of trees – and the need for continuity – makes the processes of replacement planting and ongoing planned renewal a critically important aspect of landscape management.

An increase in development activity in the Hurunui District in recent times has seen a corresponding rise in urban plantings with new subdivisions displaying extensive new tree planting in streets and reserves. Rural township communities have also been active over the years by establishing new plantings to beautify their surroundings and moderate climatic extremes.

The effects of this relatively sudden rise in tree plantings can be compared to the demographics of the post war baby boom and the increasing demands this has made on society and public services. In the same way, we will need to make provision for managing and maintaining our trees to ensure their continuing good health and safe condition, from time of planting, through to maturity then finally senescence.

It is our increasing awareness of these facts that has driven the production of this policy, the implementation of which we believe will benefit not only members of our community, but the long term health of our highly valued amenity tree resource.



Amberley Reserve (Domain)

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Amberley Reserve (Domain)

# 1 REASONS FOR POLICY

The Hurunui District Council Tree Management Policy has been developed to provide policy guidance and a consistent approach to the planting and removal of trees on Council owned land.

The policy has an important role in raising the awareness of the community in relation to the benefits of trees, their multiple functions and the ways in which they contribute to improving the condition of our environment.

The cost factors involved in the management of our increasing tree resource are also a major consideration in these times when any increase in expenditure comes under increasing scrutiny. However, we hope that by providing the policies and guidelines contained in this document, we have provided an effective tool for the planning and management of the Hurunui District's tree resources.

## 1.1 Scope of policy

This tree policy covers trees within the Hurunui District that the Hurunui District Council has the responsibility to manage. Council is responsible for the management of all trees (and other vegetation) on road reserves (excluding state highways), recreation reserves and other public reserve areas. Trees on private property are not covered in detail in this policy.

This policy replaces all previous tree policy documents such as the Amberley Ward Tree Removal and Replacement Policy and the Indicative Planting Guide for Hanmer Springs. It is intended that the policy cover a period of five (5) years, with a review to be undertaken in 2022.

## 1.2 Specific objectives

The objective of this tree policy is to provide a policy direction on the management of Council owned trees in the district. The policy aims:

- To manage our increasing tree resources on a proactive, systematic and cost effective basis while at the same time ensuring that the range of community values provided by trees are preserved and enhanced.
- To establish a clear consistent approach in dealing with public applications or requests for tree work.
- To establish clear guidelines for those planning or making decisions relating to trees on public land.
- To avoid trees being planted in situations that could prove to be unsafe, unsuitable or unsustainable in the long term.
- To avoid planting trees that are known to be particularly problematic or undesirable in some way.
- To ensure that Council's infrastructure assets are not placed at undue risk by inappropriate plantings of trees on public or private property.
- To ensure all tree work is carried out in accordance with established industry standards and practices.
- To ensure the protection of notable trees which are identified in the District Plan.

## 2 TREES IN PARKS, RESERVES AND CEMETERIES

### 2.1 Acquisition of new reserve land containing trees

When acquiring reserve land for any Council purpose or use as part of a subdivision or land development process, Council will endeavour to preserve, in a good condition, such existing trees that it considers are of significant amenity or functional value to the general public for reasons of:

- Enhancing the landscape values of the site and surrounding land.
- Providing shelter and the moderation of extreme climatic events.
- Screening unsightly views.
- Atmospheric purification effects and capture of airborne particles.
- Soil/ground stabilisation or moderating stormwater run-off or treatment.
- The historical, cultural, or scientific values of the trees and the site itself.
- The desirability of preserving areas of indigenous vegetation and to encourage biodiversity.
- Providing a habitat for wildlife.
- Reducing noise.
- Any need to compartmentalise reserves into areas relating to particular public use and purpose.

Where land is to be acquired by Council for any reserve purpose, Council may require all trees and plants listed by Ministry for Primary Industries and/or Environment Canterbury as noxious or pest plants to be removed from the land before the date of possession.

### 2.2 Preservation of existing hedges, live fences and shelterbelts

Council may require certain existing hedges, live fences and shelterbelts to be preserved as a condition of subdivision consent by way of a covenant registered on the computer freehold register of the land. In considering any such preservation, Council will have regard for the following:

- Whether any hedge, live fence or shelterbelt, consists of a species classed as undesirable as stated in Section 13 of this policy.
- Whether any hedge, live fence or shelterbelt, and its location comply with the rules in the Hurunui District Plan.
- The access and feasibility of trimming and generally maintaining the hedge, live fence or shelterbelt, satisfactorily once the site has been developed taking into account that there may be different properties and owners along its length.
- In the case of residential land, whether the hedge, live fence or shelterbelt would create an undue interference with the use or enjoyment of the property it is situated on or neighbouring land.
- Any sheltering effect of the hedge, live fence or shelterbelt.
- Any screening of unsightly views or noise amelioration.
- The need to maintain safe distances from street structures (refer to Section 9).



## 2.3 Planting of trees in newly acquired reserve land

Generally, planting of newly acquired parks and reserves will be carried out in accordance with a landscape plan prepared for the whole site.

Where a new reserve is to be created by way of a subdivision consent, Council requires that landscape planting plans are submitted for approval with the application plans. The plans should include the planting design, plant species, location and means of irrigation.

All landscape and planting plans are to be approved and signed off by Council.

## 2.4 Responsibility for aftercare of new tree plantings

On completion of planting, there will be a minimum twelve-month period of maintenance by the subdivider/developer of all the trees and other landscape features in the subdivision. A cash bond will be taken to ensure that landscape planting is maintained.

At the end of the maintenance period, Council will inspect the work to ensure the condition of the plants and all other aspects of the landscape design as originally approved, is entirely satisfactory for the cash bond to be refunded.

From the time the maintenance bond is refunded, the on-going maintenance of plants and the other reserve assets will become the responsibility of Council.

## 2.5 Basis of plant species selection

As far as practicable, trees will be selected from the recommended species list contained in Appendix A of this policy.

The primary purpose of tree planting in parks, reserves and cemeteries is for the enjoyment and amenity of the general public. In addition to this, the selection of trees for planting in parks and reserves will be based on the following characteristics:

- Known ability to establish well and thrive in the long term in the existing soil conditions on the site.
- Ability to withstand the climatic conditions of the particular area.
- Absence of genetic structural weaknesses in trunk, crown and roots.
- Ability to grow to the required ultimate size in the existing conditions.
- Good resistance to common pests and diseases.
- Low littering effect (near adjacent properties).
- Low allergenic pollen effect (near adjacent properties).
- Produce any required summer or autumn foliage colour.
- The production of flowers and pollen to attract bees and birds.
- Dense foliage, evergreen trees are not to be planted where heavy shade (or winter icing) may present a problem to adjacent properties, roads, footpaths or reserve use (Figures 1 and 2).

**Figure 1** Reserve planting setback distances from private property boundaries in relation to potential tree size.



**Figure 2** Reserve planting setback distance from private property boundaries in relation to large trees.



## 2.6 Cemetery plantings

In addition to 2.5 above, the following matters will also need to be taken into consideration when planting trees in cemeteries:

- Good access to the graveside for funeral vehicles including when the plantings are mature.
- Good low level wind shelter for those attending funeral/burial services.
- Large growing trees will not be planted within eight (8.0) metres of burial sites to avoid roots disrupting graves and damaging headstones etc. as well as the risk of damage from falling branches.
- Tree species planted in the vicinity of graves should be selected for their low litter deposits and resistance to insects that secrete sticky honey dew that will lead to headstones, plaques etc. being covered with unsightly black mould.
- All other vegetation should be sufficiently clear of the graves that it will not encroach over them when mature.

## **2.7 Poisonous plants**

Trees or vegetation identified by Landcare Research as being poisonous if eaten or touched, are not to be planted near play areas or where children are likely to congregate.

## **2.8 Noxious, surveillance, and weed species**

Tree species and other plants officially categorised as being noxious, surveillance or weed species shall not be planted in parks or reserves.

Refer to Environment Canterbury rules for controlling plant pests and Ministry for Primary Industries plants list noxious or pest plants.

## **2.9 Replacement planting**

As far as practicable, replacement planting will be in accordance with the planting design of the original landscape or management plan for the park or reserve, unless approved changes have been made to the plan or a particular species has been found to be unsuitable.

# **3 PESTS/DISEASES POTENTIALLY OF IMPORTANCE TO HURUNUI DISTRICT**

Pests/diseases of national importance that could eventually threaten trees and have a large scale impact on the landscape of the district are the gum leaf skeletoniser (moth) and Dutch elm disease which the authorities have failed to contain in the Auckland area.

## **3.1 The gum leaf skeletoniser moth**

Although still confined to the Auckland region and the Waikato at the time of writing, this moth is still spreading and has the ability to survive in the South Island climate except perhaps in the extremes of the colder, drier or wetter areas.

The caterpillars of the moth feed mainly on the foliage of gum trees but also on other Australian species. It can also damage northern hemisphere trees such as silver birch and oak. It may also occur on native plants although damage is not usually significant. Numbers of the moth could increase rapidly in the Hurunui District where there are high numbers of gums and no natural predators of the insect. Successive seasonal attacks can kill trees.

The moth caterpillars have protective poisonous spines containing venom that can be injected into human skin when touched. The reaction to the stings can vary from localised pain and welts to widespread rash, and shortness of breath. In view of the above, in planting or managing trees in or around children's play areas, childcare facilities and high public use areas, Council will consider the risks of a gum leaf skeletoniser moth outbreak in the Hurunui District, the potentially harmful effects of the caterpillar to the public, also the landscape impact and costs of having to remove dead or dying trees.

### **3.2 Dutch elm disease**

In the case of Dutch elm disease (*Ophiostoma ulmi*) there is no cure, and it is expected to reach Canterbury within five (5) years. In the event of the Hurunui District's trees being infected, Council's policy will be to remove all elm trees confirmed to be affected by the disease.

It is Council's policy that only disease resistant species of elm tree will be planted on Council land.

## **4 INDIGENOUS VEGETATION PLANTING**

Indigenous plantings will be carried out in locations that are considered appropriate and of a sufficient size to function effectively as an ecosystem or as part of a corridor to other such areas.

As far as practicable, trees and vegetation to be used for re-vegetation and the establishment of new areas of native plantings, will consist of species sourced from seed obtained from native plants indigenous to the particular area of the Hurunui District being planted.

## **5 COMMUNITY CROPPING TREES ON PARKS AND RESERVES**

In urban areas, particularly where built sections have limited space to grow fruit, nut or other tree crops, and where conditions are suitable, consideration will be given to the planting of crop trees that can be harvested by the local community. This will be subject to the provision that such plantings will not be the principal or dominant species on the park or reserve or occupy the greater area of the site.

Cropping trees that require high maintenance regimes, regular spraying or the application of pest/ disease control chemicals or any other forms of intensive pest/disease control will not be approved for planting on Council reserves.

## **6 DISTRICT PLAN RULES**

The Hurunui District Plan contains rules in relation to planting setbacks and also restrictions for forestry planting within Forestry Management Areas. These rules set out minimum planting setbacks for forestry and amenity tree planting within rural areas with additional rules relating to forestry planting within Forestry Management Areas.

## **7 AFFORESTATION OF RECREATION OR LOCAL PURPOSE PARKS & RESERVES**

High density planting of timber crop trees in a manner that would develop a park or reserve essentially as a commercial plantation will only be carried out in the event that:

- The land or any part thereof is not for the time being required for the purpose it is classified for.
- Council has decided that it is necessary or desirable to afforest the reserve as part of a development, improvement or management programme.
- The proposed afforestation has been publicly notified and submissions called for.
- The Minister of Conservation approves the afforestation.

- There are adequate safeguards to protect any natural, scenic, historic, cultural, archaeological biological, geological or other scientific features or indigenous flora and fauna.
- The proposed afforestation also complies fully with the provisions of Section 75 of the Reserves Act (1977).
- In addition to its commercial value the land to be afforested will also be of amenity and recreation value to the general public.

In the case of reserves containing existing commercial forest plantation trees, Council recognises that such reserves can also be of significant recreation and amenity value to the public. As long as these values are not unduly prejudiced Council will continue to manage these reserves to cater for both purposes.

## **8 EXISTING COMMERCIAL FORESTRY PLANTATIONS**

Council owns areas of fee simple and reserve land currently planted and managed principally as commercial forest plantations. Any commercial forestry plantations on land classified as recreation or local purpose reserve will be managed in accordance with the provisions of Section 42 and 75 of the Reserves Act (1977).

In the case of fee simple or reserve land containing existing commercial forest plantation trees, they will continue to be managed in accordance with standard commercial planting, silvicultural and harvesting practice until such time Council decides the land is required for other purposes.

Where appropriate, Council may allow limited public access to certain plantation land subject to:

- The need to exclude the public from the whole or parts of the plantation area when forestry operations are taking place.
- The necessity to prohibit public access to plantation areas at times of high fire risk.
- Any forestry contract or cutting rights agreement that Council, may have entered into with other parties that excludes public access.

## **9 STREET TREE PLANTING**

Hurunui District Council strongly supports the establishment of tree planting in streets in urban areas throughout the District, provided the street design, planting locations and proposed tree species are considered suitable.

### **9.1 Street tree planting process**

Generally, most street planting and landscape works in road reserves take place as part of the construction or reconstruction of roads in areas undergoing subdivision and land development.

Planting and landscaping opportunities will also be considered as part of road reconstruction works as this is the most opportune time to do so. In considering new plantings in older streets Council will have regard for:

- The amount of time remaining before the road needs to be reconstructed.
- Any proposals to install overhead services underground.
- Replacement of sewer/stormwater and water reticulation.

- Any alterations to carriageway width.
- Alterations to footpaths and kerb channels.
- Changes to road levels in cross section.
- Any changes to the function of the street.

## 9.2 Street tree planting plans to be approved by Council

Council requires that landscape planting plans are submitted for approval with the subdivision/development application plans. The plans should include the planting design, plant species, location and means of irrigation. Council may also require that some form of root control barriers be installed. Plans should show all existing and proposed services, both above and below ground.

As far as practicable, street trees will be selected from the recommended species list contained in Appendix A of this policy.

## 9.3 Planting spacing distances

In designing street tree planting, closely planted groups of trees will only be approved for suitable road reserve areas or where footpaths or landscape plots have been specifically designed to satisfactorily accommodate a closely spaced tree group effect.

In standard linear footpath designs, trees may be in straight lines, staggered or sinuous but will have sufficient space between them to develop full crown forms in maturity and be a sufficient distance apart to provide good pedestrian and vehicle sightlines between the stems. Trees will not be planted in numbers, planting distances or positions that will create an undue amount of shade for residents or result in high maintenance costs for Council.

## 9.4 Tree size and form in relation to footpath and berm width

The height a tree may grow to is not necessarily an indication of whether it is suitable for planting in footpath berms. For example, many low growing trees also have low, wide spreading crowns that create significant maintenance problems in the repeated pruning required to clear road traffic and pedestrians. Usually the trees are reduced to something of an eyesore in the process.

In selecting trees species for street planting, consideration will be given to the following size and growth characteristics:

- The diameter of the base of the trunk at maturity and whether it is likely to cause damage to footpaths, kerb channels or services.
- Whether the tree has the potential to grow to a height clear of pedestrians and tall road vehicles and the natural crown form and branch structure is such it can be satisfactorily pruned to clear them without the appearance of the tree being rendered unstable, unshapely or ugly (Figures 3 & 5).
- In footpath planting situations where the grass berm is very narrow and only suitable for smaller trees, trees with small diameter trunks and narrow, columnar or fastigate crown forms are to be planted (Figure 4).
- Narrow grass footpath berms less than 1.0-metre-wide will not be planted with trees.

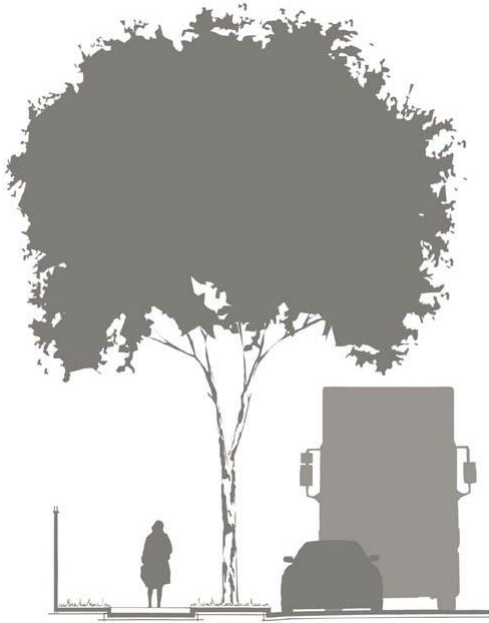
**Figure 3** *Small street tree with wide crown form showing obstruction of footpath and road carriageway and unsightly clearance pruning required.*



**Figure 4** *Street tree with natural upright or fastigiated crown form growing in narrow footpath berm.*



**Figure 5** *Large trees progressively pruned to clear footpath and a carriageway but natural attractive crown form preserved.*



**Street trees overhanging footpath and roots causing the footpath to lift (Rotherham)**



## 9.5 Safe planting distances from other structures

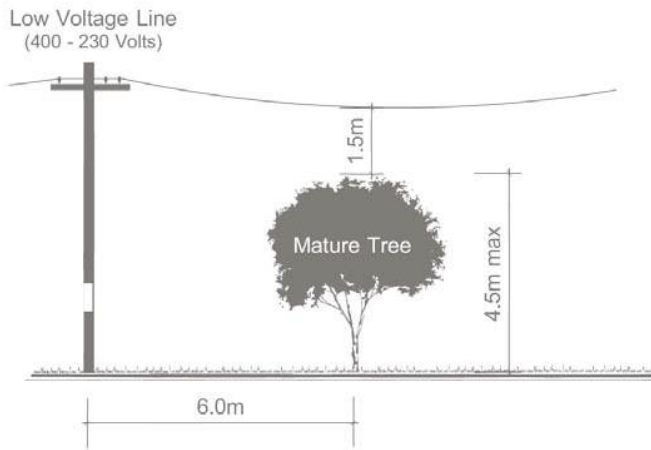
Trees or other tall growing vegetation shall meet the following minimum distances from the structures listed below:

- Power poles carrying 400/230 volt lines 6.0 metres (Figure 6).
- Power poles carrying 11,000 volts plus lines 10.0 metres (Figure 7).
- Power pylons and 66,000 volt lines or greater– no planting of trees directly beneath lines, low vegetation only. Trees species planted to the side must not exceed a size in maturity that if falling towards the pylons or lines, will encroach no closer than 3.5 metres of them (Figure 8). Refer to Section 24.1 for additional details in and around transmission lines of 66kv or greater.
- Taller trees may be planted to the side of low voltage overhead lines (Figure 9).
- Street light poles – tree planting distance - 10.0 metres (Figure 10).
- Traffic signals and sign posts - tree planting distance – 7.0 metres (Figure 11).
- Pedestrian crossings – tree planting distance 6.0 metres.
- Bus stops - no planting (on the approach side) closer than 3.0 metres.
- Sewer and stormwater mains and laterals - 3.0 metres.
- Driveways - distance in both directions - 3.0 metres.
- Traffic sightlines distances at intersections (Figure 12).
- Water supply, wastewater and stormwater lines – refer to Three Water Services Bylaw (currently under development).

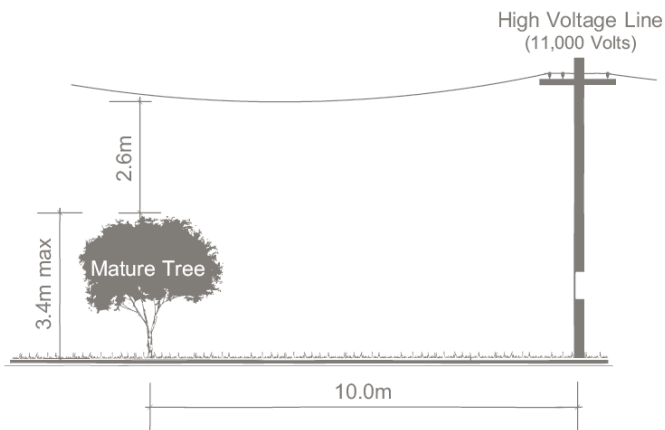


***Street tree overhanging road pavement (Amberley).***

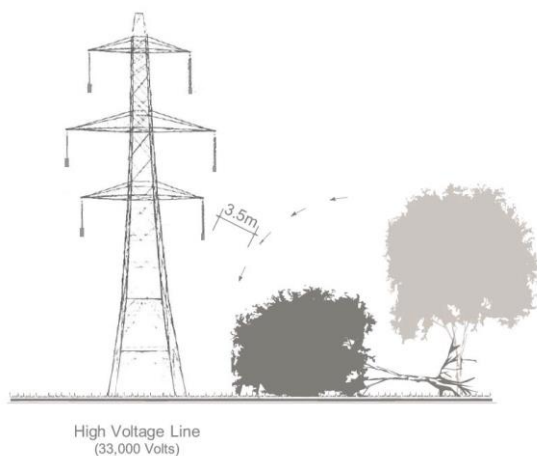
**Figure 6** *Low Voltage lines – maximum potential tree height and minimum planting distance from power poles.*



**Figure 7** *High voltage lines - maximum potential tree height and minimum planting distance from power poles.*



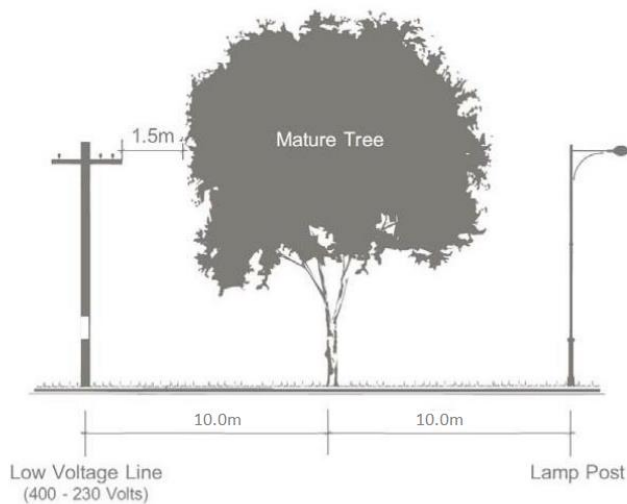
**Figure 8** *High voltage lines/pylons – trees should not be planted within illustrated distance of power-lines and pylons.*



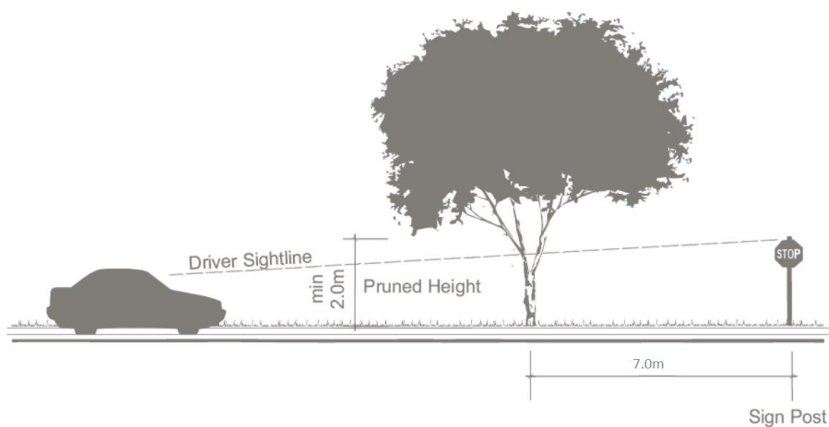
**Figure 9** Large growing tree in maturity planted to side of power lines, showing pruning method to clear lines.



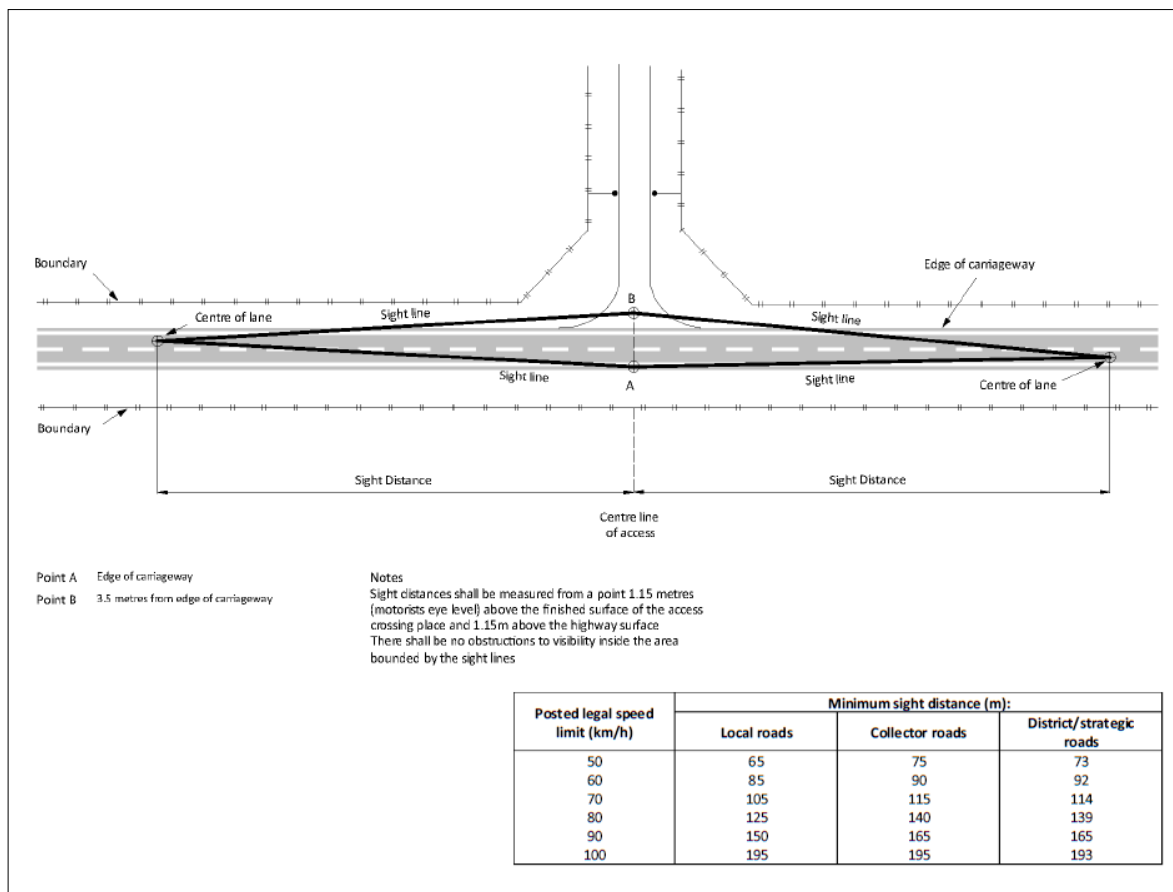
**Figure 10** Minimum planting distance from power poles and street lamp posts.



**Figure 11** Minimum planting distance from street signs and signals showing drivers sightlines. Low branches pruned on tree to achieve required height.



**Figure 12 Safe Intersection Sight Distances (SISD).**



Only shrubs that will grow to no more than 60 centimetres in height or single trees that can be satisfactorily pruned to clear driver sightlines (see above) are to be planted within the sight distances shown.

## 9.6 Other street planting locations

Trees may be planted in the following street locations provided they do not inhibit or obstruct pedestrian movement or vehicular traffic, block sightlines, or present a safety hazard in any way:

- Raised planter boxes and containers.
- Road medians and islands.
- Edges of drainage swales.
- Grassed road carriageway shoulders (older streets).
- Wide sealed/paved areas and forecourts.
- Road reserves.
- Landscape plots.
- Kerb build-outs.
- Ends of parking bays.

## **9.7 Planting in sealed/paved carriageway shoulder**

Generally, tree/vegetation planting in the sealed/paved shoulders of road carriageways will not be approved by Council because of the traffic hazard this would create. Exceptions may be where streets have been specifically designed as a cul-de-sac.

Streets on thoroughfares specifically designed as esplanades or boulevards with slow traffic speeds of 20-30kph may also be considered suitable for road shoulder planting.

## **9.8 Post planting maintenance period by subdivider/developer**

When the planting/landscape work has been completed, there will be a minimum twelve-month period of maintenance including watering by the subdivider/developer of all the trees and other landscape features in the subdivision. A cash bond will be taken to ensure that landscape planting is maintained and watered.

## **9.9 End of maintenance period**

At the end of the maintenance period, Council will inspect the work to ensure the condition of the plants and all other aspects of the landscape design as originally approved, is entirely satisfactory for the cash bond to be refunded.

## **9.10 Council responsible for future maintenance**

From the time the maintenance bond is refunded, the on-going maintenance of plants and the other reserve assets will become the responsibility of Council.

# **10 RURAL ROADS – TREE PLANTING**

Tree planting on a normal 20-metre-wide rural road reserve is generally not supported by Council for reasons of road safety and the maintenance costs involved. Council may in certain circumstances approve rural road planting having regard to the following:

- Whether the roads and surroundings are lacking in trees and vegetation, particularly on the approaches to townships, and need to be visually improved.
- Whether the road is an important tourist route.
- The cost in relation to the amount of people likely to benefit from the plantings.
- Whether safe planting distance from street structures and structures on other land are maintained (Section 9).
- The ongoing maintenance costs.
- Whether the plantings will prevent or restrict machinery access for the maintenance of hedges, shelterbelts, drains, water-race services etc.
- Whether there is sufficient space to allow vehicles to pull off the carriageway.
- Whether the planting would cause icy patches to form.
- The provision of sufficient room for the droving of farm animals.

The establishment of new shelterbelts on road reserve will not be permitted.

## **10.1 What to do if you want to plant on the road reserve**

A licence to occupy must be sought where a person wishes to plant trees on the road reserve fronting the owner's property. Applicants must demonstrate that plantings cannot be better provided either in part or totally within the bounds of their property. If the owner of the property no longer wants a licence to occupy, then the land must be returned to the state it was prior to the licence being granted.

Council policy is that it will not authorise plantings across the frontage of another owner's property without the signed consent of that owner.

## **11 UNFORMED LEGAL ROADS / 'PAPER ROADS'**

Council may approve the planting of trees on unformed legal roads subject to the following provisions/considerations:

- "Paper roads" although unformed are still in every other respect a legal road and must still be able to function as such.
- Reasonable access for vehicles and pedestrians must be maintained over the whole length of the road.
- Adjacent landowners still have legal right of access over paper roads to their properties and to maintain boundary shelterbelts areas etc. Any planting must allow for this and machinery access to maintain boundary assets.
- At some time in the future a paper road may be required to be fully constructed as a normal public road, particularly those in the vicinity of townships.
- Any establishment and ongoing maintenance costs to be met by Council.
- Any opportunities to carry out indigenous/biodiversity plantings without jeopardising the above functions.

## **12 REQUESTS FOR STREET TREE & VEGETATION PLANTINGS**

Council will consider any applications for tree or vegetation plantings in streets whether from individuals, community groups, or elected representatives.

As a rule, Council will only approve plantings that involve the whole or a major part of the street or areas that are specifically designed to accommodate planting as part of road reconstruction work or upgrade project.

When applications are made for planting a street, Council will consult with the residents of that street for their views on the planting and the relevant township committee. The majority of residents are required to be in agreement with the planting proposals before Council will proceed with the work.

In general, plantings outside individual applicant's properties on a "one off" basis will not be approved.

Replacement plantings in streets will be of the same species shown on the landscape plans for the street or, in the absence of a plan, consist of the same or similar species to the existing trees provided they have not proved to be unsuitable or problematic in any way.

## 13 UNDESIRABLE TREES AND VEGETATION

### 13.1 Poisonous plants (external by contact)

Council will not plant trees, or other vegetation on its land that consist of the species listed in the Landcare Research document “Poisonous Plants in New Zealand - External Poisons (skin irritants) and that are identified as being a serious problem in this respect.

### 13.2 Poisonous plants (if eaten)

In planting and managing trees and vegetation on its land, Council will be guided by the Landcare Research document, “Poisonous Plants in New Zealand – Poisonous if Eaten”. In the case of certain species that are otherwise ornamentally or environmentally desirable, care will be taken to locate them clear of clear of play-grounds or other areas where children are likely to congregate.

### 13.3 Allergenic trees and vegetation (current Council policy)

Research into birch pollen in recent years, has discovered that it has properties that are highly allergenic to susceptible members of the population. The publicising of the research has led to complaints being received from the public concerned about the effects of birch pollen on themselves or their family and requesting that all birch trees be removed from Council land. To deal with the situation Council has adopted the following policy.

### 13.4 Allergy friendly plant selection for Council administered land

There will generally be no active removal of highly allergenic\* tree and shrub species but rather natural attrition of such species will occur through non-replacement. Requests for specific tree removal may be considered using the criteria listed in Section 28.1. Council will consider the following matters when selecting trees to be planted on Council administered land:

- Council tree and shrub plantings will be selected from species known to be low risk\* in generating allergic effects as well as female individuals of dioecious plants.
- Plantings of highly\* allergenic species may be considered but only where there is minimal exposure of residents to pollen i.e. outside of residential areas.
- The public will be encouraged to plant low risk allergenic plant species
- Raise public awareness of the allergic effects of various plant pollens and those tree species that are highly allergenic.
- Endorse landscape plans submitted with resource consents for land development which utilise low risk allergenic species.

*\* Numerous plant species produce allergenic pollen. For the purposes of this policy, highly allergenic species are those defined by American researcher, Tom Ogren, as plants with an Ogren Plant Allergy Index Scale (OPALS) scores of 7 and above and low risk species scoring 1 - 5.*

## 13.5 Removal of allergenic plant specimens from Council administered land

Tree removal on reserves and streets will primarily be for reasons of poor tree health, major public works, significant impact on neighbours or possibly damage to Council or privately owned property.

If tree removal is requested due to a resident's poor health, these will be assessed on a case by case basis with due consideration to the following matters:

- Proof of allergic reaction to specific tree species e.g. doctor's certificate.
- Likely effects of tree removal on resident's health.
- Distance from property that trees have been requested to be removed.
- Other possible sources of allergenic pollen in vicinity of resident's property.
- Were the trees in question planted prior to the resident purchasing their property.
- Whether the tree is a notable tree as listed in Schedule 14.3 of the District Plan.
- Neighbour to contribute 50% of costs of removal and replacement.

## 13.6 Noxious or pest plants

In planting and managing trees and vegetation on its land, Council will not plant and will endeavour to eradicate all noxious or pest plants documented or listed as such by the Ministry for Primary Industries and Environment Canterbury.

## 13.7 Invasive trees

In addition to any trees that are listed by Ministry for Primary Industries as noxious or pest plants, the following trees have prolific, viable seeding or suckering habits that are known to be invasive or too prolific in woodland areas or other naturalistic sites. If planted at all, they should not be planted in areas where normal scheduled maintenance would not be sufficient to control their spread.

- *Acacia dealbata* - silver wattle: bad suckering habit.
- *Ailanthus altissima* – Tree of heaven: bad suckering habit.
- *Acer negundo* - box elder: problem seedling production (females).
- *Acer pseudoplatanus* – Sycamore: problem seedling production.
- *Albizia lophantha* – Cape wattle: problem seedling production.
- *Robinia pseudoacacia* – False acacia bad suckering habit.
- *Ilex aquifolia* – Holly: problem seedling production.
- *Crataegus monogyna* - Hawthorn: problem seedling production and fireblight disease.
- *Euonymus europaeus* – Spindle tree: problem seedling production.
- *Ginkgo biloba* – Maidenhair tree: smelly fruit (females only).
- *Populus alba* (& *Pyramidalis*) - White poplar: bad suckering habit.
- *Sambucus nigra* – Elderberry: problem invasive seedling production.
- *Sorbus aucuparia* – Rowan: problem seedling production.
- *Maytenus boaria* – Mayten: bad suckering habit.



- *Prunus cerasifera* - Cherry plum: bad suckering habit and fruit deposits.
- *Prunus padus* –Bird cherry: (also used for rootstocks): bad suckering habit.
- *Alnus glutinosa* – Alder: problem seedling production.
- *Ulmus glabra* – & *U. procera* – Wych & English elms: bad suckering habit.
- *Hoheria populnea* & *lanceolata*: problem seedling production

### **13.8 Undesirable tree characteristics for street tree planting**

In addition to the above, trees with the following characteristics will not be approved for street tree planting:

- Dense, shrub-like trees or plants that will obscure traffic or pedestrian sightlines (except in safe locations specifically designed for these).
- Trees with long tough leaves that will wrap round mower or street sweeping machinery e.g. cabbage trees are to be avoided in mown grass or swept paved areas.
- Evergreen trees will not be planted in street situations where the following will occur:
  - Excessive shading of residential properties, particularly during winter.
  - Roads and footpaths shaded during winter where moisture will condense on paved/tarsealed areas causing icy patches to form.
  - Where street lights will be badly obstructed, particularly during the winter months.
  - Where the form of the tree is such they cannot be pruned satisfactorily to maintain good sightlines for pedestrians and road traffic.

## **14 MEMORIAL PLANTING AND LOCATIONS**

Council may consent to appropriate memorial trees or vegetation plantings on its land in locations considered to be suitable.

### **14.1 Memorial tree or plantings**

Prior approval of Council is required for commemorative planting in parks, reserves and road reserves which will be subject to the following.

#### **14.2 Commemoration of important person or significant events**

Where any person(s), organisation or event being commemorated is considered to be of considerable local, regional, national or social historical significance, Council may approve memorial tree/vegetation plantings, and the installation of suitable memorial plaques structures or objects (refer to Section 16). The commemorative trees and related objects will be recorded in Councils asset register.

#### **14.3 Commemoration of persons or events of personal/private interest**

Plantings to commemorate family members, friends, or events purely of personal interest to those concerned, may be approved, but not in high profile locations.

## **14.4 Dedicated areas for commemorative plantings**

Council may in the future set aside reserve areas specifically for commemorative planting.

## **14.5 Commemorative plantings – Landscape/management plans.**

Any commemorative plantings will need to be in accordance with any landscape or management plan adopted for the reserve and be of approved species.

## **14.6 Plantings near roads**

Plantings shall not be established in locations that will create a hazard for road users, including pedestrians or cyclists.

## **15 SPONSORED & DONATED TREE/VEGETATION PLANTINGS**

Council may approve sponsored and donated planting on Council land subject to the following:

- Any tree species approved for the site will be suitable for the existing conditions and be of a species that is compatible visually, ecologically and functionally with the existing tree and vegetation species as well as landscape design and use of the site.
- The plantings will not be established in locations that will create a hazard for road users, cyclists or pedestrians.

## **16 STRUCTURES, SIGNS AND PLAQUES**

The prior approval of Council will be required for the installation of any structures, signs and plaques accompanying any planting on Council land. Subdivision entrance features such as walls and signs will not be approved in road reserve.

Structures, signs and plaques will need to be approved by Council and be of a design suitable for the character of the site, and made of durable and vandal resistant materials that will require little or no maintenance by Council.

## **17 TREE /VEGETATION PLANTING ON COUNCIL LAND BY THE PUBLIC**

Individual members of the public or community groups are not permitted to plant trees or vegetation on any Council land without first obtaining Council approval. Council will support members of the public and community groups who wish to be actively involved in tree and vegetation plantings on Council roads and reserve land, provided this is carried out in accordance with the following process:

- Applicants are to submit a brief application statement together with a (simple) drawing or plan indicating where the trees are proposed to be planted.
- In street planting situations, the planting will only be considered if the application is to plant the whole or a major part of the street. The majority of residents will have to be in support of the planting and Council will need to receive some confirmation of this with the application

- Council will carry out an inspection of the site noting the location of services, structures, width of footpath berms and any other site features that may present an impediment to planting.
- If found to be suitable for planting, Council will have a planting plan prepared showing the planting positions and tree species in relation to the adjacent properties, street structures and services.
- The landscape plan will be forwarded to affected residents and the local community board or ward committee for approval.
- If agreed to proceed and funding is available, Council will schedule the operation and either provide advice on or arrange for the supply of suitable plants and planting materials.
- Immediately prior to the planting taking place Council will mark the planting positions in readiness for the residents' planting operation.

## **17.1 Funding for planting**

Council cannot guarantee that funding will be available for planting in the financial year an application is made and it may therefore have to be postponed pending Council approval processes (e.g. LTP). In such situations preference may be given to plantings that are wholly or partially funded from other sources other than Council.

## **18 PLANTING & MAINTENANCE - OPERATIONAL STANDARD SPECIFICATIONS**

Unless otherwise specified in contracts, all procedures, operations and materials relating to the implementation, establishment and acceptance standards of street tree planting shall be in accordance with the Hurunui District Council's Development Engineering Standard 2016 as may be amended from time to time.

## **19 REMOVAL OF COUNCIL TREES AND VEGETATION**

Council may remove trees and vegetation in accordance with good tree management principles or where the following has been established:

- The tree/s or vegetation is dead, dying, severely diseased or immediately dangerous because of a serious structural defect.
- The tree/s or vegetation is causing serious damage to public or private property that cannot reasonably be remedied except by removal.
- The tree/s or vegetation is causing an undue interference with the use or loss of enjoyment of neighbouring land in a manner described in the Property Law Act 2008 Section 335.
- Where trees/s or vegetation is proven to be seriously affecting the health of a particular person (refer to Section 13.5).
- To benefit adjacent trees that are better specimens or more desirable in some way.
- As part of the implementation of landscape or reserve management plans adopted following community consultation.
- As part of the normal management of commercial forestry plantations.
- As part of the normal management of shelter belt plantings.

- The trees or vegetation are listed as noxious, surveillance or, poisonous plants.
- The trees or vegetation are creating a road hazard or safety concern to road users including cyclists and pedestrians.
- Where a ward committee or community board may request it, subject to Council approval.

## **20 TREES/VEGETATION ON COUNCIL LEASED OR RENTED LAND**

Where Council land is proposed to be leased or rented, Council will include in the lease or rental agreement conditions that prevent trees or vegetation being removed or pruned to the extent that their values are destroyed, unless the work has first been approved in writing by Council.

### **20.1 Protected trees on Council land**

Some trees on Council land are protected and listed as notable trees in Chapter 14 of the District Plan and are subject to the rules that relate to notable trees in the Plan and the provisions of the Resource Management Act 1991.

In drawing up rental and lease agreements for Council properties containing notable trees, conditions will be included to ensure the preservation and health of the trees and the process to be followed with regard to any resource consents to be applied for.

In the event of any tenant or lessee wishing to apply for resource consent for work on a notable tree this should first be referred to Council's Property Team to determine whether any lease or rental conditions apply to the notable tree and whether Council is likely to support the application.

If it is decided to proceed with the application, it is to be lodged with Council's Planning Department who are authorised under the Resource Management Act to decide the matter.

Where the proposed work is solely for the benefit of the lessee, tenant or licensee(s) rather than the appearance, health, or safety of the tree(s), they may be required to pay the costs associated with the application as well as the costs of any approved work. Where Council properties contain notable trees this fact will be entered on the LIM (Land Information Memorandum for the property).

### **20.2 Control of tree and plant pest species**

In entering into lease and rental agreements involving Council land, Council may impose conditions as to the control of any of the undesirable tree and plant pest species mentioned in Section 13 of this policy.

## **21 UNAUTHORISED TREE WORK ON COUNCIL LAND**

The public is not permitted to remove or trim trees or vegetation on any Council land unless this is minor work as defined under Section 23 of this policy; the work is part of a voluntary worker operation specifically approved and organised by Council or; the persons carrying out the work have been delegated to do so by the Council.

The public is not permitted to carry out tree or vegetation planting on any Council land without the prior approval of Council. Section 17 covers the processes for planting trees and Section 22 the requirement for voluntary workers.

Whether or not any plantings carried out by the public are authorised, all tree and vegetation on Council land are Council property and will be retained and/or maintained entirely at Council's discretion.

Any unauthorised work may be considered to constitute wilful damage. In proven cases where acts of wilful damage or negligence has caused destruction or damage to Council trees or vegetation, Council will seek to recover the amount of the damage, the costs of any remedial or restitution work also any Council administration costs involved, from anyone found liable. The power for local authorities to recover for damage by wilful or negligent behaviour is provided under Section 175 of the Local Government Act 2002.

## **22 PUBLIC HEALTH AND SAFETY REQUIREMENTS FOR VOLUNTARY WORKERS**

Council is required to comply with the Health and Safety at Work Act 2015 when engaging volunteers to carry out tree and vegetation operations on any Council land.

All voluntary workers carrying out tree and vegetation work on Council land shall read and complete Council's Volunteer Site Induction Checklist and agree to comply with any safety precautions or conditions Council deems to be necessary.

Council officers engaging volunteer worker(s) will take all practicable steps to ensure the health and safety of the worker(s) also any member of the public who may be exposed to the hazard.

Council supports and recognises the important work that volunteers do to maintain, improve and develop areas of Council land and encourage the conservation of native species.

## **23 PUBLIC MAY CARRY OUT CERTAIN TREE/VEGETATION WORK**

The public is encouraged to assist with the maintenance of trees and vegetation by watering plants near them in times of drought. The public may also assist by hand cultivating and maintaining weed free the ground around the base of trees.

The planting of low growing (less than 600 millimetres high) herbaceous plants around the base of trees in streets is permitted provided the plants are not of an invasive nature. However, if Council needs to remove the plants for any reason, it may do so without compensating for the loss of the plants.

## **24 TREES AFFECTING PUBLIC SERVICES, UTILITIES OR STRUCTURES**

Council will plan and maintain the trees and vegetation on its land in a manner that gives effect to the following:

### **24.1 Trees near power lines**

Council has a legal obligation to comply with the Electricity (Hazards from Trees) Regulations 2003 and accordingly will, when planning and undertaking new plantings in and around electricity lines, ensure that the location and species selection for trees and vegetation will ensure that the vegetation at mature

height will comply with relevant growth limit zones as specified in those regulations (including recognition of both vertical and horizontal separation distances for electrical line spans over 150 metres) and therefore avoid the need for trimming. For existing vegetation Council will manage trees and vegetation to give effect to the regulations.

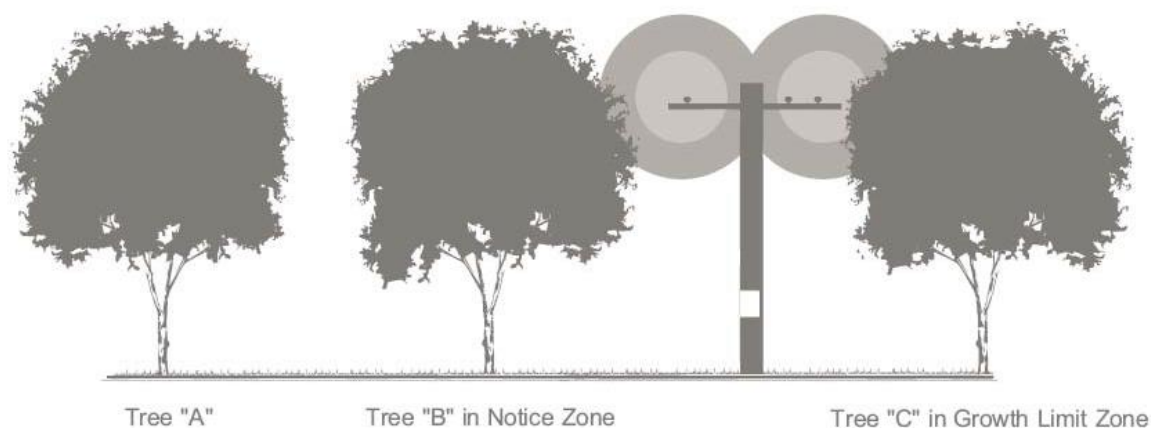
The regulations define the safe distances between the trees and the overhead lines and specify who is responsible for ensuring these distances are maintained. Where any tree on Council land encroaches within the specified safe distances, Council as the owner is responsible for ensuring the necessary lines clearance work is carried out. In failing to do so Council may be considered liable if any damage or accident occurs.

Council will ensure that wherever possible good specimen trees are retained and pruned as attractively as possible given the safety considerations and requirements of the line clearance work.

In situations where a Council specimen tree encroaches within the regulatory “notice zone” (but not the “growth limit zone”) from the power lines and to prune it clear of the “notice zone” would result in its destruction or disfigurement; Council may apply to the owner of the lines for a dispensation to allow the tree to encroach into the “notice zone”.

If a dispensation is granted, it will be Council’s responsibility to ensure that the tree does not encroach into the “growth limit zone” (beyond the “notice zone”) – refer to Figure 15.

**Figure 15 Notice Zone and Growth Limit Zone**



For spans less than or equal to 150 metres

Overhead Line (High voltage)	Notice Zone	Growth Limit Zone	Note: 1) These distances are from the power line, not the power pole. 2) These distances are a minimum and apply in all conditions including high wind and snow. 3) In most instances the power lines that go to a house or building are low voltage power lines. Power lines that go down a street may be low or high voltage.
66kV or greater (High voltage)	5.0 metres	4.0 metres	
33kV (High voltage)	3.5 metres	2.5 metres	
11kV (High voltage)	2.6 metres	1.6 metres	
400V/230V (Low voltage)	1.5 metres	0.5 metres	

For spans greater than 150 metres

Overhead Line (High voltage span lengths)	Vertical Distance	Horizontal Distance	Note: 1) Add an extra metre to identify the notice zone distance. 2) D1 = distance for the first 15% of each span at either end of span. 3) D2= distance from the centre 70% of each span.
150 to 300	4.0 metres	D1 = 4.0 metres D2 = 8.0 metres	
310 to 500	4.0 metres	D1 = 7.5 metres D2 = 15 metres	
501 to 700)	4.0 metres	D1 = 15.0 metres D2 = 30.0 metres	
Greater than or equal to 701	4.0 metres	D1 = 25 metres D2 = 50.0 metres	



***Small trees planted under low and high voltage power lines***



***Large trees planted too close to high voltage power lines***

## 24.2 Trees endangering telecommunication lines

Council recognises the importance of protecting telecommunication lines from damage and service breakdown. In planting and managing trees on Council land, Council will endeavour to plant trees a safe distance from underground and overhead lines. Existing trees will be pruned at timely intervals to ensure they are kept at a safe separation distance from the lines. In pruning trees, the work will be carried out in a manner that preserves as much of the natural attractive form of the tree as possible.

## 24.3 Trees and drainage systems

Sewer and stormwater systems are prone to damage and intrusion by tree roots particularly older ceramic pipe structures and pipelines with damaged/defective jointing seals. In dealing with damage to pipes by trees, Council will explore all reasonable solutions to abate the problem avoiding removing good quality specimen trees wherever practicable.

In planting trees in the vicinity of drainage systems, sewer, stormwater and other utilities publicly or privately owned, Council will have regard to the location of pipes as shown on service plans and plant a safe distance from them (refer to Section 9).

## 24.4 Trees and street lights

Having adequately lit streets is important for traffic and pedestrian safety also for providing a sense of security for residents. Trees will be pruned at timely intervals to minimise light obstruction. All pruning will be carried out in a manner that preserves as much of the natural attractive form of the tree as possible.

In planting new trees in streets, Council will ensure they will not cause serious obstruction of the street lights in the future by planting the trees not less than 10.0 metres from the light poles (refer Section 9 and Figure 10).

## 24.5 Obstruction of traffic and street signs

It is of high safety importance that traffic and pedestrian sightlines to traffic signs and signals are not obstructed and that the signs can be clearly seen from a safe reaction and stopping distance away.



*Tree obscuring street light (Amberley)*

Trees/vegetation will be inspected for sightline obstruction at regular intervals with priority given to removing any obstructing foliage. In planting new trees, Council will ensure that they are planted at a distance and in a position that obstruction of traffic signs/signals does not become a problem. Trees planted in the vicinity of traffic and street signs will be of a species, form and structure that can easily be pruned to clear traffic signage without spoiling the appearance of the tree.



## **24.6 Tree damage to structures and street furniture**

Trees are relatively dynamic structures that have the potential to cause damage to any fixed object near them by way of root and branch growth and the continuing expansion of the trunk and root crown. Tree parts also move under wind loading exacerbating any damaging effects on adjacent objects. In planting trees near fixed structures, Council will allow sufficient space for the tree to grow to a mature size without causing damage to a structure or object (or the structure or object causing damage to the tree). Before proceeding to remove any tree, whether causing damage to public or private property, Council will firstly assess whether there is a cost effective arboricultural or engineering solution to the problem. Failure in this respect may mean that the tree has to be removed.

## **25 CONSTRUCTION OPERATIONS NEAR COUNCIL TREES & LANDSCAPE FEATURES**

Contractors intending to carry out any construction or excavation work in the vicinity of trees, vegetation or landscape features on any Council owned land are required to comply with the following:

### **25.1 Protected trees on Council land - Hurunui District Plan rules**

Any earthworks within 10 metres of the base of a notable tree will require an application to be made for resource consent. Resource consent will also be required for the pruning of living branches of more than 50mm diameter. Consent for any works will be subject to whatever conditions Council may see fit to make to mitigate any detrimental effects of the works on the tree.

A list of notable trees and the rules that apply to them can be found in Schedule 14.2 of the District Plan.

### **25.2 Protection from damage of other Council trees, vegetation and landscape features**

Protection of other Council trees, vegetation and landscape features from any damage that may result from construction operations, shall be in accordance with the Hurunui District Council's Development Engineering Standard 2017 except where specifically prescribed in 25.3 and 25.4 below.

### **25.3 Removal of trees, vegetation and landscape features**

No trees shall be removed or relocated unless they have been identified and shown on the construction plans or, have been identified and marked for removal during a joint inspection by the engineer and the contractor. Trees found to be conflicting with the works when an operation is in progress shall not be removed without the consent of the engineer.

The procedures to enable removal or relocation shall be determined by the engineer and the contractor.

## **25.4 Pruning of trees and vegetation**

Any tree or vegetation pruning required during the construction operation will require the prior approval of the engineer and be carried out by qualified/competent arborists or horticulturists to established industry standards.

## **26 OVERSIZED LOADS – TREES/VEGETATION**

Where trees/vegetation have been identified as being likely to cause an obstruction to the transport of oversized loads, it will be Council's discretion as to whether removal or trimming can be carried out to provide sufficient clearance for the load. Any tree/vegetation work required to provide clear passage or provide access to properties shall be carried out by Council approved contractors. The cost of any trimming or felling work or restoration of landscape features may be at the applicant's expense.

## **27 NOTABLE TREES**

Trees play an important economic, environmental and social role in the district. However, some trees are often thought of as being of greater value than others. That is, there are some specimen trees, or groups of trees, that stand out as being notable, significant or distinguished. It is those trees that, for various reasons, Council selects for inclusion in its notable tree schedule in the District Plan. Through this mechanism they gain greater legal protection.

Notable trees are generally those that a community regard as being of special importance because they commemorate important events in a nation's history, are exceptional or unique examples of a species, are critical to the survival of other species or are of such age, stature, character and visibility that they are regarded as the best in the district.

The list of notable trees is held in an appendix to Chapter 14 of the District Plan. Chapter 14 of the District Plan provides for the pruning of living branches with a diameter of 50mm or less, or any living branch within 2 metres of the outermost foliage, or any dead wood as a permitted activity. All other works on protected trees requires a resource consent from Council.

If you want to remove a tree or have it removed from the list you can either:

- Wait for the district plan review cycle and make a submission that the tree is not worth listing
- Apply for a plan change to have the tree removed (although this can be a costly and time consuming process)
- Apply for resource consent for permission to remove the tree.

In all of these situations you would have to prove that the tree has lost the values that it had when it was listed, that it has become so dangerous that it is a threat to lives or property or for some other strong reason.

## **28 COUNCIL TREE & VEGETATION - REMOVAL AND PRUNING-APPLICATIONS AND REQUESTS**

Council will consider applications or requests from the public for the removal of trees or vegetation on its land having regard to the following.

## 28.1 Considerations relating to tree and vegetation removal/trimming

In dealing with applications from the public for trees to be removed or trimmed, Council will assess and discuss the situation with the applicant/complainant on site and give full consideration to the following in making a decision:

- Any statutory/regulatory requirements of service authorities and safety issues involved.
- Whether the tree(s) or vegetation is dead, dying, severely diseased or immediately dangerous because of a serious structural defect.
- The trees(s) or vegetation is currently causing, or has the potential to grow to a size likely to cause serious damage to private property that cannot be remedied by works other than removal.
- Whether the tree/vegetation is creating a “nuisance” under common law.
- Whether in Council’s opinion, the tree(s) or vegetation are causing an undue interference with the use or loss of enjoyment of neighbouring land.
- The impact of pruning on the health, stability and appearance of the tree(s) and vegetation.
- Whether the trees/vegetation have been proven to be seriously affecting the health of any person(s).
- The Biodiversity Strategy for the Canterbury Region.
- Whether the tree(s) fail to comply with the rules for shelterbelts and amenity planting or plantations rules in the Hurunui District Plan.
- Any other related policies and guidelines set down in the document.
- Whether the trees/vegetation are creating a road hazard or safety concern to road users including cyclists and pedestrians.

## 28.2 Benefits of trees to be considered

In dealing with any application to remove any trees or vegetation Council will also have regard to the following benefits provided by the trees/vegetation:

- The approved management plan for the reserve in question and the purpose for which it is classified.
- The value of the tree(s)/vegetation to the street landscape.
- The importance of trees/vegetation for wildlife conservation.
- The interests of the public in the maintenance of an aesthetically pleasing environment.
- The desirability of protecting public reserves containing trees or vegetation.
- The value of the trees or vegetation as a public amenity.
- Any historical, cultural, or scientific significance of the trees or vegetation.
- Any likely effect of the removal or trimming of the trees or vegetation on ground stability, the water table, or storm water run-off.
- Whether the tree(s) are listed as notable trees under the Hurunui District Plan.
- The Biodiversity Strategy for the Canterbury Region.

## 28.3 Legal considerations

In dealing with applications from the general public to remove trees and vegetation on Council land Council will also have regard to and be guided by the provisions of the following:

- The Reserves Act 1977 (Section 42)
- The Property Law Act 2008 (Section 335)
- The common law relating to “nuisance” and “duty of care”.
- The Electricity (Hazards from Trees) Regulations 2003
- Local Government Act 1974 and 2002
- Resource Management Act 1991 and Hurunui District Plan (protected trees & shelterbelts & amenity plantings)

## 28.4 Applicants may bear costs of work

Where Council has decided to agree to applications for trimming or removing trees or vegetation on Council land, Council may, having regard to the circumstances, require the applicant to pay the whole or any specified share of the costs of the work. The amount to be paid shall be agreed between the applicant and Council before work commences.

# 29 PRIVATE OWNERSHIP TREES AND VEGETATION –POWERS OF COUNCIL

## 29.1 Tree disputes between neighbours

Council has no authority or responsibility in law to become involved in disputes between neighbours about trees or vegetation on private land. This is entirely a matter for the respective property owners to resolve in accordance with the legal remedies available to them. The powers of Council to deal with issues related to trees on private land are limited to those defined below:

## 29.2 Protected trees listed in the Hurunui District Plan

Certain work to protected trees on private land as described in the District Plan rules requires an application to be made to Council for resource consent regardless of any other laws or regulations that may also be relevant.

## 29.3 Private trees/vegetation encroaching over legal road boundaries

It is the responsibility of the owners of private trees or vegetation growing over legal road boundaries to carry out trimming or removal where the following occurs:

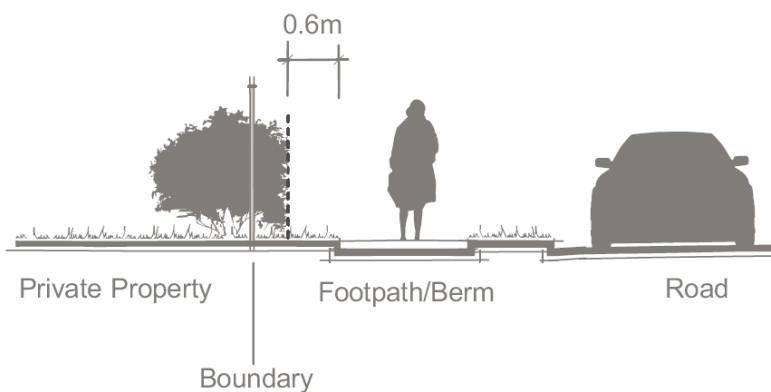
- Any road safety hazard such as obscuring sightlines at intersections or immediate hazard from falling trees or branches.
- Obstruction of road vehicles (trees/vegetation growing lower than 4.25 metres over road carriageway). Refer to Figure 17.

- Where a road or street may be part of a defined over dimension vehicle route where larger clearances may be stipulated by Council.
- Obstruction of pedestrians using public footpaths (trees/vegetation growing lower than 2.0 metres over a formed sealed/paved footpath. See Figure 18
- Obscuring road traffic and pedestrian signs, signals and directional information.
- Obscuring streetlights
- Damaging Council street furniture/structures
- Damaging Council services or assets above or below ground
- The roots from trees growing on private land abutting any Council road are causing or likely to cause damage to any part of the structure of the road.

**Figure 17 Private tree owner is required to maintain tree clearance over footpaths and road carriageways**



**Figure 17 Private tree owner is required to maintain tree clearance over footpaths and road carriageways**





*Vegetation on private land growing over the legal boundary (Hanmer Springs)*

## **29.4 Trees and vegetation on private land obstructing drains or watercourses**

Where trees/vegetation on private land are obstructing drains, drainage channels, or watercourses, on private land, Council may, by notice in writing require the tree owner to remove the obstruction (Local Government Act, Sections 468 and 511).

## **29.5 Obstructions or damage caused by private trees – Encroaching over road reserve**

To remedy any of the situations described in Sections 30.3, 30.4, 30.5 Council will firstly notify owners in writing of the obstructions their trees are causing requiring them to carry out whatever remedial work is deemed necessary.

In the event of the remedial work not being carried out to Councils satisfaction, Council may, after giving oral notice, carry out the work itself.

Where a tree owner fails to carry out remedial tree work for any reason and Council decides to carry out the work itself, Council may, having regard to the circumstances, charge the tree owner for the costs of any preventative, remedial or damage repair work required.

Council will not enter upon private land or property to carry out **non urgent** tree work unless a notice in writing has been served or this has been previously agreed with the tree/vegetation owner.

Council is authorised to deal with situations involving – encroaching private trees by the provisions of Sections 173, 355 and 511 of the Local Government Act 2002.

## 29.6 Emergency situations – Council’s power to enter private property

In the case of **sudden emergency situations** that involve private trees, in accordance with Section 173 Local Government Act 2002, Council may enter occupied land or buildings to carry out any necessary safety related work to prevent:

- loss of life or injury to a person, or
- damage to property, or
- damage to the environment; or
- a danger to any works or adjoining property.

Where such emergency action has to be taken and the owner has been unable to be contacted beforehand, as soon as practicable afterwards, Council must inform the owner of the works and the reason for them.

## 29.7 Council authorised persons – trees on private land

Where the removal or trimming of overhanging trees is required to clear footpaths and road carriageway, certain named persons whilst they are the employees of the Hurunui District Council are delegated the powers and authority vested in the principal administration officer by Section 335 of the Local Government Act 1974 to deal with and prescribe action to be taken with such problems.

## 29.8 Authority for rural plantations, amenity plantings and shelterbelts

Compliance with any activity involving the planting, management or felling of trees or vegetation as may be the subject of the rural provisions and rules in the Hurunui District Plan; (which also includes the shading of roads by trees), is under the authority of Council delegated planning officers.

# 30 TREES AND VEGETATION NEAR WATERBODIES & WATERCOURSE (GENERAL)

In planning to plant trees or vegetation near waterways Council will take into account the following:

- Whether the plantings are also required to perform any engineering, erosion or flood control function.
- The general amenity and environmental values of the waterbody/watercourse.
- Whether some shading of the waterway is desirable to control water weed growth and moderate high water temperature levels.
- Whether the trees and vegetation planting is to be based on ecological and biodiversity principles and therefore should consist purely of (locally sourced) native plants.
- Whether the site has any strong links or character intrinsically associated with historic buildings or events, or early settler plantings of exotic trees that needs to be preserved or enhanced.
- The potential for the trees or vegetation to cause an obstruction to the waterbody/watercourse.
- Access required for maintenance personnel and machinery.

### **30.1 Plant species selection for waterways**

The above considerations notwithstanding, any plants to be used around watercourses will not consist of any of the plants with the characteristics listed in Section 13 of this policy.

### **30.2 Maintenance considerations**

The lower branches of trees and shrubs will be progressively pruned to a height above the high water mark of any waterways to avoid waterborne debris collecting in them and obstructing the flow.

### **30.3 Pruning**

Watercourse trees will be pruned in a manner that will leave them in an attractive, healthy and safe condition also taking into account the need to create and maintain vistas and sightlines for the public across waterways.

### **30.4 Tree roots**

Tree roots growing along vertical waterway banks will not be cut off or removed unless they are causing a significant obstruction to the waterway. Major root loss will detrimentally affect the health and stability of the trees which could leave the banks more prone to erosion and slumping.

## **31 OPERATIONAL GUIDELINES & STANDARDS FOR TREE AND VEGETATION WORK**

Tree planting, aftercare, maintenance of mature trees and tree felling operations on Council land will be carried out, or supervised on site by competent/qualified operators in accordance with established arboricultural/horticultural work practices and industry standards.

### **31.1 Contract specifications**

In drawing up contract specifications for Council tree work, Council may require that the work is generally to be carried out in accordance with best industry practice.

### **31.2 Health and Safety**

All contractors and Council staff shall comply with the provisions of the Health and Safety at Work Act 2015 and any approved codes of practice or regulations relating to the particular operation concerned.

## **32 CONSERVATION COVENANTS**

Council may enter into an agreement with a private landowner to create a conservation covenant to preserve an area of land containing trees or vegetation considered to be of exceptional landscape amenity, historical, botanical or ecological value to the general public (See Reserve Act 1977 Section 77 – Conservation Covenants).



### **33 QE11 NATIONAL TRUST ACT 1977**

To aid conservation on private land Council may enter into a covenant under the QEII National Trust Act 1977, to secure the long term protection, preservation and enhancement of open space (including areas containing trees and vegetation) and the preservation of natural and cultural features.

### **34 USE OF AGRICULTURAL CHEMICALS / PESTICIDES**

The application of chemical herbicides is often required to control weeds and noxious plants. Undesirable trees and vegetation may harm desirable plants and vegetation and detract from the enjoyment, aesthetics and function of a particular area. Insect and animal pests also need to be controlled from time to time.

Council has a mandatory responsibility to ensure that noxious or undesirable plants or animals are controlled on its land and do not spread to neighbouring properties.

In the application of agricultural chemicals or pesticides on its land, Council and its contractors will ensure that the selection and use of any products shall be based on the principle of minimising any risk or hazard within and beyond the contact areas to people, property, livestock and the environment in general.

Wherever practicable, non-chemical means of controlling unwanted trees / vegetation or pests will be used.

The use and application of all chemicals shall be in accordance with all relevant acts, regulations and by-laws including NZS 8409:2004 Code of Practice for the Management of Agrichemicals.

Agricultural chemicals/pesticides shall only be applied by a Growsafe certified applicator.

### **35 BIOSECURITY MEASURES**

In managing its tree assets, Council will be vigilant in looking out for new introduced problem plants and tree pests and diseases particularly any that are noted as spreading rapidly. Council will take timely action if any are discovered. These organisms can be formed into three main groups:

- Plants that are pests in themselves.
- Pests (such as insects) that can damage or destroy trees or vegetation etc.
- Diseases (such as pathogenic fungi, bacteria etc.) that may debilitate or destroy trees or vegetation.

Samples of suspect organisms will be sent to Ministry of Primary Industries Plant Health and Environment Laboratory for diagnosis or Biosecurity New Zealand will be contacted on their hotline on 0800 80 99 66.

The implementation of any required control of pests and diseases will be carried out in accordance with the provisions of the Biosecurity Act 1993 which is administered by the Ministry for Primary Industries. Compliance may also be required with any regional pest management strategy that may be administered by the territorial authority, Environment Canterbury, or by complying with any National Pest Management Strategy (NPMS) that may have been notified by an 'affected' or responsible Minister (MP).

## **36 RESTORATION OF COUNCIL DESTROYED OR DAMAGED SHELTERBELTS/PLANTATION TREES**

Where shelterbelts or plantation blocks have been destroyed or substantially damaged by fire, severe climatic events, or biological factors, consideration will be given to the following:

- Any revenue value to be gained from the salvage of the damaged trees.
- Whether it is desirable to reinstate trees on the land to provide some sort of sheltering or commercial plantation function.
- Having regard for the climatic, soil conditions and risk potential factors of the site, whether replanting with tree species with the same or similar characteristics is likely to be financially viable or sustainable.
- Whether it would be of greater benefit to the community that the land be planted with trees of amenity or landscape value, given any current or potential changes to land use in the vicinity.
- Any other public recreational use opportunities, environmental or biodiversity benefits afforded by changing the tree/vegetation cover on the site.
- Whether the shelterbelt or plantation trees also had the functions of controlling stormwater run-off or soil stabilisation.
- Whether the shelterbelt or plantation trees use of the land also provided some significant recreational value to the public.
- Whether the land would be better used for purposes other than growing trees or wood production.

## **37 COUNCIL TREE DATABASE**



Council will compile and maintain a current database of the trees on its land that will provide sufficient asset information to enable the effective management of Councils tree resource. The asset data will include the following:

- Tree location (Township street and position)
- Species
- Size at planting and expected mature height
- Arboricultural work history
- Work programmes
- Whether the tree was planted to commemorate a special occasion or person

The database information will be used to determine maintenance schedules and for advanced planning, projected work programming and budgeting purposes.
























## APPENDIX A- RECOMMENDED TREE SPECIES






















### STREET TREE SPECIES LIST\*







Botanical Name	Common name	Mature height	Power lines	Narrow berm	Wide berm	Suitable Hanmer Springs	Drought tolerant	High wind	Description
<i>Acer rubrum</i> 'Columnare' 'Armstrong' 'Bowhall'	Red maple	12m							Red foliage, columnar habit, deciduous
<i>Acer rubrum x freemanii</i> 'Jeffers Red'	Freeman maple	15m							Medium sized tree. Brilliant red foliage in autumn. Deciduous.
<i>Carpinus betulus</i> 'Fastigata'	Upright hornbeam	10m							Upright form. Proven species for streets, very hardy. Deciduous.
<i>Fagus sylvatica</i> 'Dawyck Green' 'Dawyck Purple'	Upright beech	8m							Upright, columnar form. Excellent street tree. Deciduous
<i>Fraxinus excelsior</i> 'Purple Spire'	Purple ash	8m							Upright form. Autumn tones of orange and purple. Deciduous.
<i>Ginkgo biloba</i> 'Fastigata' (male only)	Upright maidenhair tree	8m							Upright form, deciduous. Yellow foliage in spring.
<i>Liriodendron tulipifera</i> 'Fastigiatum'	Tulip tree	8m							Narrow and erect form. Deciduous.
<i>Malus ioensis</i> 'Plena'	Bechtel crab apple	2m							Pink blossoms in late spring. Summer foliage is very decorative. Deciduous.
<i>Pyrus calleryana</i> 'Candelabra'	Ornamental pear	10m							Upright narrow habit. Hardy and tolerant of both dry and wet.
<i>Quercus robur</i> 'Fastigata'	Upright English oak	15m+							A columnar form, vigorous grower. Can hold its brown leaves over winter. Deciduous. Hardy.
<i>Quercus rubra</i> 'Akaterre'	Upright red oak	15m+							A vigorous, broadly-spreading tree. Large leaves red & brown in autumn. Bitter acorns. Deciduous. Hardy.
<i>Sorbus aria</i> 'Lutescens'	Silver whitebeam	10m							Hardy and compact tree with bold. Upright growth, deciduous.
<i>Ulmus lobel</i>	Upright elm	15m							Hardy upright columnar form. Autumn foliage brilliant gold. Deciduous.

\* Please note that trees listed in the Street Tree Species List are also suitable for parks and reserves.

## PARKS AND RESERVES SPECIES LIST

Botanical Name	Common name	Mature height	Drought tolerant	Wind tolerant	Suitable Hanmer Springs	Deciduous	Evergreen	Description
<i>Abies pinsapo</i>	Spanish fir	15m						Short stubby needles on an attractive tree. Cold hardy.
<i>Acer rubrum</i> cultivars	Red maple	12m						Red foliage, columnar habit.
<i>Acer platanoides</i> 'Nigrum'	Purple Norway maple	20m						Columnar, vigorous-growing tree. Leaves dark purple, turning red in autumn. Hardy.
<i>Araucaria heterophylla</i>	Norfolk Island pine	30m						Upright conical growth. Not tolerant of harsh frost or wet feet.
<i>Betula utilis</i> 'Jacquemontii'	Sweet birch	8m						White bark and neat erect habit. Dark green leaves. Attractive and very hardy.
<i>Cedrus atlantica</i> 'Glauca'	Blue atlas cedar							Upright conical tree with blue foliage. Hardy
<i>Cornus</i> 'Eddies White Wonder'	White flowering dogwood	4m						Upright tree with creamy white flowers in spring. Autumn shades of brilliant oranges, reds and crimson colours.
<i>Crataegus laevigata</i> 'Pauls Scarlet'	Scarlet hawthorn	7m						Clusters of scarlet-red flowers late spring. Stunning autumn colour.
<i>Cupressus sempervirens</i> 'Swanes Golden'	Golden pencil pine	15m						Compact and slow growing. Distinctive narrow conical conifer. Hardy.
<i>Fagus sylvatica</i> 'Riversii'	River's purple beech	12m						A large growing stately tree with deep purple, almost black foliage in spring.
<i>Fraxinus excelsior</i> 'Aurea'	Golden ash	20m						A broadly-spreading medium-sized tree with golden-yellow autumn foliage. Hardy.
<i>Fraxinus ornus</i> (male plant only)	Manna ash	10m						Compact tree. Fluffy white scented flowers in spring. Autumn tones of gold to purple. Hardy.
<i>Fuscospora solandri</i>	Black beech	20m						Long lived hardy tree, minimal leaf drop. Frost hardy.
<i>Fuscospora cliffortioides</i>	Mountain beech	12m						Graceful tree. Tolerates hard, infertile, poorly drained exposed sites.
<i>Ginkgo biloba</i> 'Autumn Gold' (male only)	Maidenhair tree	8m						Upright & pyramidal form. Small fan-shaped golden green leaves turning brilliant gold in autumn.

Botanical Name	Common name	Mature height	Drought tolerant	Wind tolerant	Suitable Hanmer Springs	Deciduous	Evergreen	Description
<i>Gleditsia triacanthos inermis</i> 'Skyline'	Green honey locust	6m						Broadly conical crown. Dark green leaves turning yellow in autumn.
<i>Hoheria angustifolia</i>	Narrow leaved lacebark	6m						Narrow, toothed leaves and small white flowers in summer. Attractive to bees. Hardy.
<i>Liquidamber styraciflua</i> 'Worplesdon'	Sweet gum	7m						Upright pyramidal form with maple-like leaves. Autumn foliage of yellow, orange & scarlet. Hardy.
<i>Liriodendron tulipifera</i>	Tulip tree	10m						Handsome, fast growing shade or ornamental tree. forming a pyramidal crown. Hardy
<i>Malus floribunda</i>	Crab apple	3m						White blossoms flushed with pink Sept - Oct followed by small red & yellow fruits. Hardy
<i>Nyssa sylvatica</i>	Tupelo, Black gum	10m						Broadly conical tree noted for its bright red foliage in early autumn. Hardy
<i>Picea pungens</i> 'Glauca'	Blue Colorado spruce	25m						Tall pyramidal form and stiff steel blue foliage. Hardy.
<i>Pittosporum eugeniioides</i>	Tarata, Lemonwood	12m						Quick growing tree with scented flowers. Attractive to bees. Frost tender when young.
<i>Platanus acerifolia</i>	London plane tree	12m						Large maple like leaves and mottled cream to grey-black bark.
<i>Podocarpus totara</i>	Totara	15m						Attractive specimen tree. Frost tender when young.
<i>Prunus sp.</i>	Flowering cherry	6-10m						Spring flowering, bird attractant. Aggressive roots and can sucker. Keep clear of paved areas.
<i>Quercus coccinea</i>	Scarlet oak	20m						Broadly conical tree with drooping branches. Brilliant scarlet foliage in autumn. Hardy
<i>Quercus ellipsoidalis</i>	Northern pin oak	15m						Spreading shade or specimen tree. Hardy
<i>Quercus palustris</i>	Pin oak	20m						Leaves turn bright scarlet in autumn. Requires a damp site. Hardy.
<i>Sequoiadendron giganteum</i>	Giant Redwood	45m						Very tall tree. Prefers well drained soils. Hardy.

Botanical Name	Common name	Mature height	Drought tolerant	Wind tolerant	Suitable Hanmer Springs	Deciduous	Evergreen	Description
<i>Taxodium distichum</i>	Swamp or bald cypress	25m						Wet sheltered sites. Rusty red/gold leaves in autumn. Hardy.
<i>Tilia cordata</i>	Small leaved Linden lime	15						Compact, round headed tree. Ideal for pleaching. Hardy.
<i>Tilia platyphyllos</i>	Large-leaved lime, Linden lime	25m						Broadly columnar tree. Small flowers attractive to bees. Hardy.
<i>Ulmus parvifolia</i>	Chinese elm	15m						Open growth habit. Beautifully barked tree. Hardy.
<i>Ulmus dodoens</i>	Dutch hybrid elm	20m						Deeply fissured bark and wide spreading branches. Dutch elm disease resistant. Hardy.