

## 9.4 Significant and Other Trees

### 9.4.1 Introduction

This introduction is to assist the lay reader to understand how this chapter works and what it applies to. It is not an aid to interpretation in a legal sense.

This sub-chapter relates to the management of the ~~District~~Christchurch District's significant trees and trees in [road](#) corridors, parks, [reserves](#) and [public open space](#). These trees provide a valuable contribution to the community amenity of the ~~District~~Christchurch District. Significant trees on private land are listed in Appendix 9.4.7.1 and public realm trees listed in the previous Christchurch and Banks Peninsula District Plans are listed in Appendix 9.4.7.2 of this sub-chapter. Trees listed in Appendix 9.4.7.2 form part of the wider set of trees referred to as trees in [road](#) corridors, parks, [public open spaces](#) and [reserves](#).

The objectives, policies, rules, standards, matters of control and matters of discretion [and matters of control](#) in this sub-chapter are intended to provide for the maintenance and enhancement of significant trees and trees in [road](#) corridors, parks, [reserves](#) and [public open space](#). However, the provisions also seek to provide for the reasonable use and enjoyment of properties by landowners.

The provisions in this chapter give effect to the Chapter 3 Strategic Directions Objectives.

### 9.4.2 Objective and policies

#### 9.4.2.1 Objective — Trees

- a. Maintain and enhance the contribution of the ~~District~~Christchurch District's significant trees listed in Appendix 9.4.7.1, and trees in [road](#) corridors, parks, [reserves](#) and [public open space](#), to community amenity through:
  - i. landscape character and amenity;
  - ii. heritage and cultural values;
  - iii. purification of air and rainwater;
  - iv. releasing oxygen and storing carbon;
  - v. cooling of the built environment and waterways;
  - vi. stormwater and erosion management; and
  - vii. biodiversity protection and enhancement;

while providing for the reasonable use and enjoyment of property and landowner responsibilities.

### 9.4.2.2 Policy – Identification and assessment of significant trees for scheduling in the District Plan

- a. Identify trees, including groups of trees, and assess them for significance and/or exceptional values according to the following:
  - i. botanical value;
  - ii. [historic heritage](#) value;
  - iii. [amenity value](#);
  - iv. landscape value;
  - v. cultural value; and
  - vi. ecological and/or environmental value.
- b. For a tree, or group of trees, to have potential to be listed in Appendix 9.4.7.1 as a significant tree or group of trees, it:
  - i. must be significant in terms of one or more of the values under Policy 9.4.2.2 (a)(i) – (vi); and
  - ii. must be structurally sound and healthy for its species.
- c. For a tree to have potential to be listed in Appendix 9.4.7.1 as having exceptional values, it:
  - i. must be exceptional in terms of one or more of the values under Policy 9.4.2.2 (a)(i) – (vi); and
  - ii. need not meet the overall level to be considered as a significant tree; and
  - iii. must be structurally sound and healthy for its species.
- d. Schedule trees, or groups of trees, that are significant, and trees with exceptional values, in Appendix 9.4.7.1, except where:
  - i. the tree poses any unacceptable risk, including likely future risk, to health and safety, property, [buildings](#), [strategic infrastructure](#) or ~~electricity lines~~ [electricity distribution lines](#), taking into account potential mitigation measures and their costs;
  - ii. scheduling the tree may unreasonably restrict the reinstatement of [buildings](#) and/or property required to remedy damage incurred as a result of the Canterbury earthquakes of 2010 and 2011; or
  - iii. the location and characteristics of the tree (e.g. density of foliage, actual and potential size) are such that it does or will:
    - A. compromise either the reasonable use and/or [amenity values](#) of a property and surrounds; or
    - B. unreasonably restrict development potential of the [site](#).

### 9.4.2.3 Policy – Future work

- a. During the life of this [District Plan](#), continue to identify and assess trees or groups of trees in accordance with the values and matters set out in Policy 9.4.2.2, and introduce, from time to time, a plan change to list significant trees, and groups of trees, and trees with exceptional values in Appendix 9.4.7.1.
- b. The identification and assessment of trees or groups of trees by the [Council](#) will be undertaken in consultation with landowners in order to understand the relationship between the maintenance of significant trees and the reasonable use and enjoyment of property by landowners.

### 9.4.2.4 Policy – Tree protection

- a. Protect from inappropriate physical works:
  - i. trees that are listed in Appendix 9.4.7.1, particularly those trees identified as having exceptional values; and
  - ii. trees in [road](#) corridors, parks, [reserves](#) and [public open space](#) where they provide [amenity value](#) and/or collectively contribute to the character and environmental quality of the ~~district~~[Christchurch District](#), to the extent consistent with maintaining the multiple functions of [road](#) corridors, parks, [reserves](#) and [public open space](#).

### 9.4.2.5 Policy – Tree maintenance

- a. To enable the maintenance and management of trees that are listed in Appendix 9.4.7.1 and trees in [road](#) corridors, parks, [public open space](#) and [reserves](#) in recognition that such works may be necessary to:
  - i. ensure the continuing health, structural integrity and [amenity value](#) of the trees;
  - ii. enable the reasonable use and enjoyment of the property and surrounds; and
  - iii. minimise the risk from the trees to public safety, property, [buildings](#), [strategic infrastructure](#) and ~~electricity lines~~ [electricity distribution lines](#).

### 9.4.2.6 Policy – Trees and utilities

- a. Where it would not be reasonable to locate outside of the [dripline](#) of a significant tree listed in Appendix 9.4.7.1 due to locational, technical or operational requirements, ensure that the [utility](#) is appropriately designed, located and installed to maintain as far as practicable the specific values of the tree.

### 9.4.2.7 Policy – Trees in road corridors, parks, reserves and public open space

- a. [Road](#) corridors, parks, [reserves](#), and [public open space](#) are planted with trees to enhance environmental, landscape, cultural, social and economic values.

- b. Identify significant trees, including groups of trees, in [road](#) corridors, parks, [reserves](#), and [public open space](#) and list them in Appendix 9.4.7.2.

### 9.4.2.8 Policy - Felling of trees

- a. For trees listed in Appendix 9.4.7.1:
  - i. limit the felling of significant trees, except where there are no reasonable alternatives enabling retention of the tree due to its condition, or where the use and enjoyment of a property and surrounds is significantly compromised or diminished; and
  - ii. avoid the felling of significant trees that are identified as having exceptional values, except where there are no reasonable alternatives, or where the use and enjoyment of a property and surrounds is significantly compromised or diminished.
- b. Limit the felling of trees in [road](#) corridors, parks, [public open space](#) and [reserves](#) having regard to size, location and species, except where there are no reasonable alternatives.

### 9.4.2.9 Policy – Incentives and assistance to landowners with significant trees

- a. Work with landowners to develop regulatory and non-regulatory methods, such as incentives and technical advice, to assist in enabling the care and maintenance of scheduled trees over the longer term and in a comprehensive and co-ordinated manner, particularly where there is a group or multiple individual trees on a [site](#).

## 9.4.3 How to interpret and apply the rules

- a. To understand whether a [site](#) has a significant tree(s), including groups of trees, listed in the Schedule of Significant Trees, and the nature of this listing, refer to Appendix 9.4.7.1 and the ~~planning maps~~ [Planning Maps](#).
- b. The rules that apply to significant trees and trees in parks, [road](#) corridors, [reserves](#) and [public open space](#) are contained in the activity status tables (including activity specific standards) in Rules 9.4.4.1 - 9.4.4.4. Trees listed in Appendix 9.4.7.2 form part of the wider set of trees referred to as trees in [road](#) corridors, parks, [public open spaces](#) and [reserves](#).
- c. The rules in this sub-chapter that apply to either trees in [road](#) corridors, [reserves](#) and [public open space](#) or significant trees listed in Appendix 9.4.7.1 do not apply within Sites of Ecological Significance listed in Schedule A of Appendix 9.1.6.1. Within these sites, significant trees are identified on the ~~planning maps~~ [Planning Maps](#) and in Appendices 9.4.7.1 and 9.4.7.2 for information purposes only. The rules in sub-Chapter 9.1 Indigenous biodiversity and ecosystems apply to Sites of Ecological Significance listed in Schedule A of Appendix 9.1.6.1.
- d. Activities covered by the rules in this sub-chapter are also subject to:
  - i. the rules in the other sub-chapters of Chapter 9 Natural and Cultural Heritage;
  - ii. the relevant zone chapters;

- iii. and the activity status tables, rules and standards in the following chapters:
- 5 Natural Hazards;
  - 6 General Rules and Procedures;
  - 7 Transport;
  - 8 Subdivision, Development and Earthworks;
  - 11 Utilities and Energy; and
  - 12 Hazardous Substances and Contaminated Land.
- e. The rules in Sub-chapter 9.4 apply to the pruning, felling, maintenance or remedial work/treatment to significant trees listed in Appendix 9.4.7.1, and to trees in parks or [public open spaces](#) and [road](#) corridors undertaken by the [Council](#) or [network utility operators](#). The rules for [utilities](#) and associated works within the [dripline](#) of significant trees listed in Appendix 9.4.7.1 are found in Chapter 11 Utilities and Energy.

Advice Notes:

1. Activities in [reserves](#) must comply with the Reserves Act 1977 and any associated management plan.
2. Riccarton Bush is included as a park for the purposes of Rule 9.4.4.1.
3. Activities in the vicinity of electricity lines are also required to comply with the Electricity (Hazards from Trees) Regulations 2003.

## 9.4.4 Rules – Activity status tables

### 9.4.4.1 Permitted activities

The activities listed below are permitted activities if they meet the activity specific standards set out in this table.

Activities may also be controlled, restricted discretionary or discretionary as specified in Rules 9.4.4.2 to 9.4.4.4.

| Activity  |   | Activity specific standard  |
|-----------|---|---|
| <b>P1</b> | Pruning of any significant tree listed in Appendix 9.4.7.1, other than provided for by Rule 9.4.4.1 P8 or P9. | <p>a. Pruning shall be limited to one or more of the following:</p> <ul style="list-style-type: none"> <li>i. Pruning of roots less than 25 mm in diameter at the point of severance; or</li> <li>ii. Removal of broken branches, deadwood or diseased vegetation; or</li> <li>iii. Removal of branches physically interfering with existing <a href="#">buildings</a> or pedestrian and <a href="#">vehicle access ways</a>, where such work is carried out by, or in</li> </ul> |

| Activity  |   | Activity specific standard  |
|-----------|---|---|
|           |   | <p>accordance with advice from, a <a href="#">works arborist</a>; or</p> <p>iv. Removal of any branch that has one or more of the following structural faults:</p> <p>A. cracks/splits;</p> <p>B. decay;</p> <p>C. cavities;</p> <p>D. torsion;</p> <p>E. co-dominance;</p> <p>F. included unions;</p> <p>G. bleeding/sap flow;</p> <p>H. loose/cracked bark; or</p> <p>I. poor taper.</p>  |
| <b>P2</b> | <p>Pruning in the bottom third of any significant tree listed in Appendix 9.4.7.1, other than provided for by Rule 9.4.4.1 P1, P8 or P9.</p> <p>Note: Tree height is measured from ground level to the top of the canopy.</p>                                   | <p>a. Pruning shall be limited to the following:</p> <p>i. Removal of any branches less than 50 mm in diameter at the point of severance, where the natural shape, form and branch habit of the tree is retained; or</p> <p>ii. Removal of any branches between 50 mm and 100 mm in diameter at the point of severance, where the natural shape, form and branch habit of the tree is retained and the work is carried out by, or in accordance with advice from, a <a href="#">works arborist</a>.</p>                                       |
| <b>P3</b> | <p>Pruning in the top two thirds of any significant tree listed in Appendix 9.4.7.1, other than provided for by Rule 9.4.4.1 P1, P8 or P9.</p> <p>Note: Tree <a href="#">height</a> is measured from <a href="#">ground level</a> to the top of the canopy.</p> | <p>a. Pruning shall be limited to the removal of foliage of no more than 10% over any three-year period, with the maximum amount of foliage removed in any one year limited to no more than 5%, where:</p> <p>i. The work is undertaken, or supervised, by a <a href="#">works arborist</a>; and</p> <p>ii. The natural shape, form and branch habit of the tree is retained.</p>   |
| <b>P4</b> | <p>Felling of any significant tree listed in Appendix 9.4.7.1, other than provided for by Rule 9.4.4.1 P8 or P10.</p>   | <p>a. The tree shall be certified by a <a href="#">technician arborist</a> as:</p> <p>i. dead; or</p> <p>ii. having a loss of structural integrity where the defects cannot be rectified and maintenance practices cannot improve the framework of the tree or mitigate threats to the safety of persons or property.</p> <p>b. Prior to felling the tree, a tree removal certificate shall be submitted to the <a href="#">Council</a> with the information supplied to be in accordance with Appendix 9.4.7.3 Tree Removal Certificate.</p> |

| Activity  | Activity specific standard  |
|---|---|
| <p><b>P5</b> Any pruning, maintenance or remedial work / treatment to any tree in:</p> <p>a. parks or <a href="#">public open space</a> and <a href="#">road</a> corridors in <a href="#">Christchurch City</a>; or</p> <p>b. parks, <a href="#">public open space</a>, and <a href="#">road</a> corridors in Akaroa as shown in Appendix 9.4.7.4.</p> <p>This rule does not apply to pruning, maintenance or remedial work / treatment to trees within the <a href="#">Central City road</a> corridors or the state highway <a href="#">road</a> corridors, as this is provided for in Rule 9.4.4.1 P7.</p> <p>Note: For the purposes of this rule, <a href="#">Christchurch City</a> means the area shown at Appendix 2.2 of Chapter 2 Definitions.</p> | <p>a. Activities shall be undertaken by, or under the supervision of, a <a href="#">works arborist</a> employed or contracted by the <a href="#">Council</a> or a <a href="#">network utility operator</a>.</p> <p>b. Activities within the area at Riccarton Bush identified as a ‘Significant Trees Area’ shall be undertaken by the Riccarton Bush Trust or its contractors.</p>   |
| <p><b>P6</b> Felling of any tree, including <a href="#">ancillary earthworks</a>, in:</p> <p>a. parks, <a href="#">public open space</a> or <a href="#">road</a> corridors in <a href="#">Christchurch City</a>; or</p> <p>b. Parks, <a href="#">public open space</a> or <a href="#">road</a> corridors in Akaroa as shown in Appendix 9.4.7.4.</p> <p>This rule does not apply to the felling of trees within <a href="#">Central City road</a> corridors or the state highway <a href="#">road</a> corridors, as this is provided for in Rule 9.4.4.1 P7.</p> <p>Note: For the purposes of this rule, <a href="#">Christchurch City</a> means the area shown at Appendix 2.2 of Chapter 2 Definitions.</p>   | <p>a. The felling shall be undertaken by, or under the supervision of, a <a href="#">works arborist</a> employed or contracted by the <a href="#">Council</a> or a <a href="#">network utility operator</a>.</p> <p>b. Felling within the area at Riccarton Bush identified as a ‘Significant Trees Area’ shall be undertaken by the Riccarton Bush Trust or its contractors.</p> <p>c. The tree shall not be:</p> <p>i. greater than 6 metres <del>in height</del> <a href="#">in height</a> in a <a href="#">road</a> corridor or 10 metres <del>in height</del> <a href="#">in height</a> in a park or <a href="#">public open space</a>;</p> <p>ii. within a Character Area Overlay;</p> <p>iii. within a <del>waterway</del> <a href="#">water body setback</a> as described in sub-chapter 6.6 Water Body Setbacks in General Rules; or</p> <p>iv. of the following species:</p> <p>A. <i>Podocarpus cunninghamii</i> - Hall’s totara;</p> <p>B. <i>Prumnopitys taxifolia</i> – matai / black pine;</p> <p>C. <i>Prumnopitys ferruginea</i> – miro;</p> <p>D. <i>Dacrydium cupressinum</i> – rimu;</p> <p>E. <i>Libocedrus bidwillii</i> – kaikawaka / New Zealand cedar;</p> <p>F. <i>Eleocarpus dentatus</i> – hinau;</p> <p>G. <i>Eleocarpus hookerianus</i> – pokaka;</p> <p>H. <i>Griselinea lucida</i> – puka / akapuka / shining</p> |

| Activity  |   | Activity specific standard   |
|-----------|---|--|
|           |   | <p>broadleaf;</p> <p>I. <i>Hedycarya arborea</i> – pigeonwood;</p> <p>J. <i>Alectryon excelsus</i> – titoki;</p> <p>K. <i>Rhopalostylis sapida</i> - nikau palm;</p> <p>L. <i>Cordyline indivisa</i> - mountain cabbage tree;</p> <p>M. <i>Ulmus horizontalis</i> - horizontal elm;</p> <p>N. <i>Ulmus glabra</i> ‘Camperdownii’ - camperdown elm;</p> <p>v. unless:</p> <p>A. the tree is dead; or</p> <p>B. the tree is within tolerance zones for overhead electrical conductors and continued pruning is detrimental to the ongoing health or structural integrity or landscape value of the tree; or</p> <p>C. the tree is damaging <a href="#">buildings</a>, <a href="#">utilities</a> or property and further damage cannot be reasonably avoided except by removing the tree; or</p> <p>D. the tree is a threat to vehicle and pedestrian safety and pruning cannot mitigate the threat without causing the tree to become severely disfigured or affect its long term health or structural integrity; or</p> <p>E. an operative Reserves Act Management Plan specifically permits the removal of trees; or</p> <p>F. if the tree is located in the Christchurch Botanic Gardens and felling is required in order to protect or enhance botanical collections or reduce species duplication in accordance with the provisions of the Christchurch Botanic Gardens Management Plan.</p> <p>G. felling of the tree is required to comply with Rule 6.7.4.1 for Christchurch International Airport’s protection surfaces or Rule 6.7.5.1 for Defence Wigram protection surfaces.</p> <p><i>[Rule numbers to be confirmed following the Panel’s decision for Chapter 6 General Rules]</i></p> |
| <b>P7</b> | Any pruning, maintenance or remedial work / treatment to, <a href="#">earthworks</a> within 5 metres of the base of, or felling of, any tree within state highway <a href="#">road</a> corridors, or <a href="#">Central City road</a> corridors. | Nil.   |

| Activity   | Activity specific standard   |
|--|--|
| <p><b>P8</b> Any work to any significant tree listed in Appendix 9.4.7.1 required under, and carried out in accordance with, clause 14 of the Electricity (Hazards from Trees) Regulations 2003.</p>   | <p>a. The work shall be undertaken by, or under the supervision of, a <a href="#">works arborist</a> employed or contracted by a <a href="#">network utility operator</a>.</p> <p>b. The <a href="#">network utility operator</a> shall notify the <a href="#">Council</a> within 5 working days that the work has been undertaken.</p>  |
| <p><b>P9</b> Work required to any significant tree listed in Appendix 9.4.7.1 to bring its height to a level that provides for 5 years growth before non-compliance with:</p> <p>a. Rule 6.7.4.1 for Christchurch International Airport’s protection surfaces; or</p> <p>b. Rule 6.7.5.1 for Defence Wigram protection surfaces.</p> <p><i>[Rule numbers to be confirmed following the Panel’s decision for Chapter 6 General Rules]</i></p> | <p>a. The work shall be undertaken by, or under the supervision of, a <a href="#">works arborist</a>.</p>  |
| <p><b>P10</b> Felling of any significant tree listed in Appendix 9.4.7.1 within the area applicable to either:</p> <p>a. Rule 6.7.4.1 for Christchurch International Airport’s protection surfaces; or</p> <p>b. Rule 6.7.5.1 for Defence Wigram protection surfaces.</p> <p><i>[Rule numbers to be confirmed following the Panel’s decision for Chapter 6 General Rules]</i></p>  | <p>a. A <a href="#">technician arborist</a> has provided certification to the <a href="#">Council</a> that the work enabled under Rule 9.4.4.1 P9 would result in either:</p> <p>i. the structure of the tree being compromised to an extent that the tree is unstable or unsafe; and/or</p> <p>ii. the shape of the tree being no longer representative of its species.</p>   |
| <p><b>P11</b> Gardening (including planting of shrubs, flowers, ground cover and other small plants; covering ground in lawn or bark) within the <a href="#">dripline</a> of a significant tree listed in Appendix 9.4.7.1.</p> <p>Note: Where the gardening involves disturbance of land beyond what is provided for in this rule, it will be a restricted discretionary under Rule 9.4.4.3 RD5.</p>  | <p>a. The gardening shall not involve:</p> <p>i. mechanical cultivation;</p> <p>ii. planting of trees; or</p> <p>iii. altering of existing ground levels or the disturbance of land other than to the extent necessary to undertake the gardening.</p>   |
| <p><b>P12</b> <a href="#">Earthworks</a> within 5 metres of the base of any tree in:</p> <p>a. parks, <a href="#">public open space</a> or <a href="#">road corridors</a> in <a href="#">Christchurch City</a>; or</p> <p>b. parks, <a href="#">public open space</a> or <a href="#">road corridors</a> in Akaroa as shown in Appendix 9.4.7.4;</p>  | <p>a. Activities shall be undertaken by, or under the supervision of, a <a href="#">works arborist</a> employed or contracted by the <a href="#">Council</a> or a <a href="#">network utility operator</a>.</p> <p>b. Activities within the area at Riccarton Bush identified as a ‘Significant Trees Area’ shall be undertaken by the Riccarton Bush Trust or its contractors.</p> <p>c. The tree shall not be:</p> <p>i. greater than 6 metres <del>in height</del> <a href="#">in height</a> in a <a href="#">road</a> corridor</p> |

| Activity  | Activity specific standard   |
|---|--|
| <p>or <a href="#">earthworks</a> within 10 metres of the base of any tree in the Riccarton Bush Significant Trees area.</p> <p><a href="#">Earthworks</a> listed in Rule 8.5A.3(a) are exempt from the activity specific standards in Rule 9.4.4.1 P12, except for exemption 8.5A.3(a)(xii).</p> <p>This rule does not apply to <a href="#">earthworks</a> within <a href="#">Central City road</a> corridors or the state highway <a href="#">road</a> corridors, as this is provided for in Rule 9.4.4.1 P7.</p> <p>Note: For the purposes of this rule, <a href="#">Christchurch City</a> means the area shown at Appendix 2.2 of Chapter 2 Definitions.</p> | <p>or 10 metres <del>in height</del> <a href="#">high</a> in a park or <a href="#">public open space</a>;</p> <p>ii. within a Character Area Overlay;</p> <p>iii. within a <del>waterway</del> <a href="#">water body setback</a> as described in sub-chapter 6.6 Water Body Setbacks in General Rules; or</p> <p>iv. of the following species:</p> <p>A. <i>Podocarpus cunninghamii</i> - Hall's totara;</p> <p>B. <i>Prumnopitys taxifolia</i> – matai / black pine;</p> <p>C. <i>Prumnopitys ferruginea</i> – miro;</p> <p>D. <i>Dacrydium cupressinum</i> – rimu;</p> <p>E. <i>Libocedrus bidwillii</i> – kaikawaka / New Zealand cedar;</p> <p>F. <i>Eleocarpus dentatus</i> – hinau;</p> <p>G. <i>Eleocarpus hookerianus</i> – pokaka;</p> <p>H. <i>Griselinia lucida</i> – puka / akapuka / shining broadleaf;</p> <p>I. <i>Hedycarya arborea</i> – pigeonwood;</p> <p>J. <i>Alectryon excelsus</i> – titoki;</p> <p>K. <i>Rhopalostylis sapida</i> - nikau palm;</p> <p>L. <i>Cordyline indivisa</i> - mountain cabbage tree;</p> <p>M. <i>Ulmus horizontalis</i> - horizontal elm;</p> <p>N. <i>Ulmus glabra</i> 'Camperdownii' - camperdown elm;</p> <p>d. Except that c. above does not apply if:</p> <p>i. the <a href="#">earthworks</a> are <a href="#">ancillary</a> to the lawful removal or felling of any tree (see P6).</p> |

### 9.4.4.2 Controlled activities

The activities listed below are controlled activities.

Discretion to impose conditions is restricted to the matters over which control is reserved in Rule 9.4.5, as set out in the following table.

| Activity | Activity specific standards   | The <a href="#">Council</a> 's control shall be limited to the following matters: |
|----------|---|---|
| C1       | Comprehensive ongoing maintenance and management (which can include felling) of a | a. All significant and exceptional trees (both                                    |

| Activity   | Activity specific standards  | The <b>Council's</b> control shall be limited to the following matters: |
|--|--|---|
| <p>significant tree or group of trees listed in Appendix 9.4.7.1, in accordance with a Tree Maintenance and Management Plan (other than provided for as a permitted activity).</p> <p>Any application for this activity shall not be limited or publicly notified.</p> | <p>groups and individual) on the <a href="#">site(s)</a> covered by the Tree Maintenance and Management Plan are included within the Plan.</p> |   |

### 9.4.4.3 Restricted discretionary activities

The activities listed below are restricted discretionary activities.

Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion in Rule 9.4.6, as set out in the following table.

| Activity  | The <b>Council's</b> discretion shall be limited to the following matters: |
|---|--|
| <p><b>RD1</b> Any pruning of any significant tree listed in Appendix 9.4.7.1 (other than those identified as having exceptional values) that is not provided for under Rule 9.4.4.1 P1, P2, P3, P8 or P9 or Rule 9.4.4.2 C1.</p> <p>Any application for this activity shall not be limited or publicly notified.</p>  | <p>a. Rule 9.4.6 a – o.</p>  |
| <p><b>RD2</b> Felling of any significant tree listed in Appendix 9.4.7.1 (other than those identified as having exceptional values) that is not provided for by Rule 9.4.4.1 P4, P8 or P10 or Rule 9.4.4.2 C1.</p>  | <p>a. Rule 9.4.6 a. – o.</p>   |
| <p><b>RD3</b> Activities listed in Rule 9.4.4.1 P5, which do not meet one or more of the activity specific standards.</p> <p>Any application arising from this rule shall not be limited or publicly notified.</p>  | <p>a. Rule 9.4.6 a. – o.</p>   |
| <p><b>RD4</b> Felling of any tree listed in Rule 9.4.4.1 P6, which does not meet one or more of the activity specific standards.</p>  | <p>a. Rule 9.4.6 a. – o.</p>   |
| <p><b>RD5</b> Any works within the <a href="#">dripline</a> of a significant tree listed in Appendix 9.4.7.1 (other than gardening provided for by Rule 9.4.4.1 P11, activities provided for by Rule 9.4.4.2 C1, and activities listed in Rule 9.4.4.3 RD6) that involves:</p> <ol style="list-style-type: none"> <li>the disturbance of land (including <a href="#">earthworks</a>);</li> <li>vehicular traffic;</li> <li>sealing or paving (excluding <a href="#">earthworks</a>);</li> <li>storage of materials, vehicles, plant or equipment; or</li> <li>the release, injection or placement of chemicals or toxic <a href="#">substances</a>.</li> </ol> <p>Any application arising from this rule shall not be limited or publicly notified.</p> | <p>a. Rule 9.4.6 a. – o.</p>   |

| Activity   |   | The <b>Council's</b> discretion shall be limited to the following matters:  |
|------------|---|---|
| <b>RD6</b> | <p>Any of the following within 10 metres of the base of any tree in the Significant Trees area at Riccarton Bush:</p> <ol style="list-style-type: none"> <li>works (including <a href="#">earthworks</a>, other than as provided for by Rule 9.4.4.1 P12);</li> <li>vehicular traffic;</li> <li>sealing or paving (excluding <a href="#">earthworks</a>);</li> <li>storage of materials, vehicles, plant or equipment; or</li> <li>the release, injection or placement of chemicals or toxic <a href="#">substances</a>.</li> </ol> <p>In the case of the property at 48 Rata Street (legally described as Lot 375 DP 11261) the 10 metre restriction shall only apply to the northern boundary of that property.</p> <p>For the purposes of this rule, the outer boundary defining the Significant Trees Area (which follows the predator-proof fence surrounding the forest remnant) shall be deemed to be the base of the tree.</p> <p>Any application arising from this rule shall not be limited or publicly notified.</p> | a. Rule 9.4.6 a. – o.   |
| <b>RD7</b> | <p>Any pruning or felling of a significant tree listed in Appendix 9.4.7.1 associated with the maintenance, operation or development of a <a href="#">transmission line</a> existing on 14 January 2010, including as required by the Electricity (Hazards from Trees) Regulations 2003, and which is not provided for by Rule 9.4.4.1 P1, P2, P3, P4, P8, P9 or P10.</p>   | a. Rule 9.4.6 a. – o.   |
| <b>RD8</b> | <p><a href="#">Earthworks</a> not meeting the activity specific standards in Rule 9.4.4.1 P12.</p>  | <ol style="list-style-type: none"> <li>Rule 8.5A.4, matters 1 and 3</li> <li>Rule 9.4.6 a.-e., g., i.-o.</li> </ol> |

#### 9.4.4.4 Discretionary activities

The activities listed below are discretionary activities.

| Activity  |  |
|-----------|--|
| <b>D1</b> | Pruning of any significant tree listed in Appendix 9.4.7.1 identified as having exceptional values, where not provided for by Rule 9.4.4.1 P1, P2, P3, P8 or P9, or Rule 9.4.4.2 C1. |
| <b>D2</b> | Felling of any significant tree listed in Appendix 9.4.7.1 identified as having exceptional values, where not provided for under Rule 9.4.4.1 P4, P8 or P10, or Rule 9.4.4.2 C1.     |

#### 9.4.5 Rules — Matters of control

- The adequacy of the Tree Maintenance and Management Plan in protecting the health, structural integrity, [amenity values](#) and visual appearance of the trees as an integrated whole;
- The timing, duration, frequency, extent and staging of any works;
- Mitigation measures to protect other parts of the tree(s) or other trees not undergoing works;

- d. The necessity and appropriateness of works, including felling of any trees, to promote or protect the shape, health or structure of other significant trees in the same group including consideration of the relative significance of those trees;
- e. Whether any proposed mitigation for the loss of a significant tree restores the landscape and environmental values within a reasonable time period;
- f. The qualifications and/or competency of the parties undertaking any works;
- g. Measures to prevent or reduce risk to people, [buildings](#), property and infrastructure; and
- h. Monitoring of the effects of any works on the tree undergoing those works and any other trees in the same group.

## 9.4.6 Rules — Matters of discretion

### *Effects of activity/works on the tree(s)*

- a. The character and degree of modification, damage, or destruction of the values that make the tree/s significant;
- b. The extent to which the works will or may adversely affect the health or structural integrity or visual appearance of the tree;
- c. Whether the works will be undertaken in a manner consistent with internationally accepted arboricultural standards, practices and procedures;
- d. The duration and frequency of the activity and the effect on the tree;
- e. Whether the tree is resilient, including structural soundness and health and the irreversibility of effect on the tree;
- f. The degree of impact on landscape character, and ecological, cultural, heritage and neighbourhood [amenity values](#);
- g. In relation to a scheduled group of trees, the extent to which the works will or may adversely affect the health, structural integrity or [amenity values](#) of the wider group;
- h. Whether any proposed compensation for the loss of the significant tree/s fully mitigates the loss of landscape and environmental benefits within 15 – 20 years;

### *Extent of benefit or need for activity/works*

- i. The need for the work to deal with an [emergency](#) situation, or to avoid significant risk of effects on human health and safety, or significant impacts on infrastructure, including the [strategic transport network](#);
- j. The extent of benefits associated with the use and development of the [site](#) for activities anticipated by the zoning for the [site](#), including the use of the [site](#) for residential development, taking into account the cumulative effect of multiple protection provisions (eg. [setbacks](#) from [water bodies](#), [heritage items](#));
- k. For proposed activities in connection with a recovery activity in the Flat Land Recovery Zone, the extent to which the proposal would maintain the contribution of any significant trees, and trees in [road](#) corridors, parks, [reserves](#) and [public open space](#);

*Riccarton Bush*

- l. For the lowland kahikatea forest remnant at 16 Kahu Road, which forms part of the greater Riccarton Bush and House Reserve, and is defined by a 'Protected Trees Area' symbol identified as a 'Significant Trees Area' on planning map 38B, the [Council](#) shall additionally have regard to the following matters:
  - i. The effects of any [building](#), including the type of foundation used, and/or shading by the [building](#) on the existing trees and the supporting ecosystem of the forest remnant, including the juvenile regenerating trees;
  - ii. The effects of any works on the extensive surface and sub-surface root systems of the kahikatea trees;
  - iii. The effects of any [impervious surfaces](#) on the health and viability of the trees and the supporting ecosystem including soil aeration and hydrological balance; and
  - iv. Whether constructing a [building](#) in close proximity to the forest remnant is likely to give rise to [reverse sensitivity](#) regarding shading, branch overhang, encroaching tree roots or windthrow;

*Extent of benefit or need for activity/works*

- m. For [utilities](#) the extent of benefits associated with that [utility](#), whether there is a functional or operational requirement for that location and whether there are any practical alternatives;
- n. The extent to which the works would result in improved community amenity that cannot otherwise be achieved by arboricultural or property management means; and
- o. The need for the works directly arising from damage incurred as a result of the Canterbury earthquakes, which if not otherwise undertaken would unreasonably restrict repair or rebuilding of the damaged [buildings](#) on the [site](#).

## **9.4.7 Appendices**

### **9.4.7.1 Appendix - Schedules of significant trees (Christchurch City and Banks Peninsula)**

*[Not included in this version]*

### **9.4.7.2 Appendix - Schedule of significant trees in road corridors, parks, reserves and public open**

*[Not included in this version]*

### 9.4.7.3 Tree removal certificate

#### Tree Removal Certificate

|  |  |                       |                      |
|--|--|-----------------------|----------------------|
| <b>Botanical Name</b>                                |  |                       |                      |
| <b>Cultivar</b>                                      |  |                       |                      |
| <b>Common Names</b>                                  |  |                       |                      |
| <b>District Plan Tree ID Number</b>                  | <b>Council Asset ID GIS:<br/>(Obtain from CCC)</b> |                       |                      |
| <b>Address:</b>                                      |  |                       |                      |
| <b>Date of Inspection:</b>                           |  |                       |                      |
| <b>Tree Owner Name:</b>                              |  | <b>Phone Number:</b>  |                      |
| <b>Name of Assessor:</b>                             |  | <b>Company:</b>       |                      |
| <b>Qualifications:</b>                               |  | <b>Phone number:</b>  |                      |
| <b>Tree Dimensions:</b>                              |  |                       |                      |
| <b>Height (m)</b>                                    | <b>Spread N/S (m)</b>                              | <b>Spread E/W (m)</b> | <b>Diameter (cm)</b> |
|  |  |                       |                      |
| <b>Damage:</b>                                       |  | <b>Cause:</b>         |                      |
| <b>Digital photograph:<br/>(place here)</b>          |  |                       |                      |
| <b>Assessor Observations<br/>and Recommendation:</b> |  |                       |                      |

I confirm that the ..... (Botanical name) located at ..... (address of where the tree is located) scheduled in the Christchurch District Plan as ..... (District Plan Tree ID Number) has been assessed and meets the criteria for removal as described in 9.4.4.1 P4 a.(i) or 9.4.4.1 P4 a.(ii) (delete non applicable Activity Standard) Permitted Activities — Trees.

Or

I confirm that the ..... (Botanical name) located at ..... (address of where the tree is located) scheduled in the Christchurch District Plan as being part of the Group of Trees ..... (District Plan Tree ID Number) has been assessed and meets the criteria for removal as described in 9.4.4.1 P4 a.(i) or 9.4.4.1 P4 a.(ii) (delete non applicable Activity Standard) Permitted Activities — Trees.

.....  
Signature of Assessor

Date:

## Allocation of Damage & Cause

Damage and Cause must only be attributed to trees that have failed in some way. Either a physical or physiological defect must be involved.

## Damage Selection and Use

Damage is used to broadly categorise the failure which has occurred with the tree. The failures identified should always be further categorised by the use of an associated Cause.

- a. Damage Death Plants – This will only be applied to tree when it has died or is degraded to such an extent that removal is required. It relates to the physiological condition (Health) of the tree only.
- b. Damage Structure Issue – This will only be applied to the physical structural failure of either the tree or group of trees. It is not to be used for health issues where no structural issues are prevalent.

| Title / Header  | Explanation & Use   |
|-----------------|---|
| Death           | Tree has died or is degraded to such an extent that removal is required |
| Structure Issue | Failure of the whole of the tree or group of trees                      |

## Cause Selection and Use

Cause is utilised in conjunction with Damage to define the failure to a greater extent. Cause **MUST** be utilised in conjunction with a Damage. Cause is detailed in the table below.

| Title / Header               | Explanation & Use   |
|------------------------------|---|
| Vandalism                    | Unlawful physical damage to a tree  |
| Storm                        | A severe wind event and / or abnormally high rainfall event                               |
| Environmental Factors        | Any environmental condition which has led to the failure of an asset (NOT A STORM Event)  |
| Settlement                   | Soil settling vertically (e.g. slumpage on grave site, sinking where a tree was located ) |
| Dumping                      | Disposal or dumping waste materials either organic or inorganic                           |
| 3rd Party Damage             | All accidental damage by a third party but not caused by deliberate action                |
| Structural failure Main Stem | Failure of the main stem / trunk of a tree  |
| Structural failure Branches  | Failure of the branches of a tree   |
| Structural failure Roots     | Failure of the roots of a tree to support its upper structure                             |
| Poisoning                    | Including accidental killing of a living entity caused by a chemical agent                |
| Pollution                    | Damage to the asset and / or environment by a chemical substance or waste product         |

| <b>Title / Header</b> | <b>Explanation &amp; Use</b>                                   |
|-----------------------|--|
| Pest                  | Animal or Insect causing damage to the asset                   |
| Disease               | Disease infestation causing damage to the asset                |
| Fire                  | Damage by a fire started either by natural causes or arson     |
| Fungus                | Infestation by fungus that has caused degradation of the asset |

### **Associations between Damage and Cause Codes**

The table below indicates the most likely combinations of Damage and Cause with trees.

| <b>Damage Code Selection</b> | <b>Cause Code Selection</b>  |
|------------------------------|------------------------------|
| Structure Issue              | Structural failure Main Stem |
|                              | Structural failure Branches  |
|                              | Structural failure Roots     |
|                              | Storm                        |
|                              | Vandalism                    |
|                              | 3rd Party Damage             |
|                              | Disease                      |
|                              | Fire                         |
| Other                        | Environmental Factors        |
|                              | Poisoning                    |
|                              | Dumping                      |
|                              | Pollution                    |
|                              | Pest                         |
|                              | Disease                      |
|                              | Fungus                       |
|                              | 3rd Party Damage             |
|                              | Storm                        |

### 9.4.7.4 Parks, public open space and road corridors within Akaroa

