



Trees on Council Property (Maintenance and Removal) Policy 2023



Owner: Executive Manager
Infrastructure

Review frequency: 5 yearly, or as required
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1. Policy Objectives

- 1.1 The purpose of this policy is to outline Ruapehu District Council's (Council) responsibility and funding for the maintenance and removal of trees on Council property.

2. Definitions

- 2.1 **Carriageway**
Means the portion of the road used or reasonably useable for the time being for vehicular traffic in general and includes any cycle track or footpath used by the public. (RDC Land Transport Bylaw, Interpretations.)
- 2.2 **Road reserve**
Means a formed legal road and the land, if there is any, right up to the legal boundary of the adjacent land. (Ruapehu District Plan, Definitions.)
- 2.3 **Road verge**
Means any margin of a road adjacent to, but not forming part of, either the carriageway or footpath (if any). (RDC Land Transport Bylaw, Interpretations.)
- 2.4 **Encroachment**
Means a structural encroachment occurs when a property owner builds or extends a structure onto the public domain such as sidewalks or roads. In this policy, encroachment refers trees that encroach on public roads and or spaces.
- 2.5 **Heritage/Notable Trees**
Means trees that are notable for their botanical rarity, sheer size, scientific interest, age, form and condition, functional value, significance to the community, or cultural significance to local iwi.

3. Principles

- 3.1 Trees are an important asset in the Ruapehu District (the District), sustaining amenity and spiritual wellbeing. Council is the custodian of many trees, some of which are inappropriate species in their location. Consistent and thoughtful decision-making is required regarding the management of trees and whether they are to be retained, maintained, and/or removed.
- 3.2 This policy supports the following Council community wellbeing outcomes:
- (a) Social – Safe, Healthy Communities.
 - (b) Economic – Thriving Economy.
 - (c) Environmental – Sustaining Beautiful Environments.
 - (d) Cultural – Vibrant and Diverse Living.
 - (e) Strong Leadership and Advocacy.

4. Background

- 4.1 This policy was first adopted in September 1991 in response to national concern about trees being removed from public spaces. The community, at the time, demanded that councils install an operational mechanism to oversee councils' approach to managing trees on council property.

5. Policy Statement

- 5.1 The 'Planned tree schedule for work' (the Schedule) for each community will be presented annually to respective Community Boards for approval.
- 5.2 Prior to seeking Community Board approval, the Schedule will be presented to iwi so they can provide information regarding possible cultural significance of the relevant trees.
- 5.3 Trees that threaten the integrity of the road by the destabilisation of embankments, or by the encroachment of roots or leaves onto the carriageway, or into culverts, shall be removed as soon as possible after approval by the Executive Manager Infrastructure.
- 5.4 Despite section 5.1, if the tree removal is likely to cause objection, or if the tree is identified as a Heritage/Notable tree or if it is identified for protection by the Ruapehu District Plan (the District Plan), the Chief Executive shall refer the removal to Council.
- 5.5 Trees that pose a potential hazard to the safety of people or traffic shall be removed as soon as possible.
- 5.6 Trees planted by Council, on Council recreation and road reserves, shall have agreed maintenance programmes and conform to the District Plan requirements or other Council tree planting guidelines.
- 5.7 Any new trees planted on Council reserve lands by residents or Council, shall have specific approval from the relevant Community Board and shall not in any way pose a threat to road, road verge or public safety, or be a variety of such height as to potentially encroach on existing structures and overhead lines.
- 5.8 Any unauthorised plantings shall be removed at the expense of the person responsible.
- 5.9 Exotic and self-sown trees on Council reserve with the potential to cause nuisance or damage shall be removed as soon as possible by Council.
- 5.10 No new plantings are permitted on Council road reserve encroachments by residents. Council accepts responsibility for existing plantings on encroachments, where identified, and will negotiate with the landowner who planted the trees for the landowner to assume full responsibility and funding of their maintenance, in recognition of full benefit being to the landowner. Where agreement cannot be reached, removal of the trees is recommended if they are likely to cause damage to road verges, pose a threat to pedestrian or motorist safety, or incur cost by encroachment onto overhead lines.
- 5.11 Council accepts the following responsibility and funding schedule:

Situation	Level of Responsibility and Funding	Commentary
(a) Trees planted or existing on road reserves before power lines were installed.	➤ No responsibility for their trimming from powerlines.	
(b) Trees posing a threat to motorists or pedestrians, or which are destroying roads or road reserves.	➤ 100% responsibility and funding.	➤ In accordance with Council's current tree planting policy. Asset Engineers to respond immediately. Course of action taken will be determined by the location of the road.
(c) Trees on reserves planted after lines were installed.	<ul style="list-style-type: none"> ➤ Electricity (Hazards from Trees) Regulations 2003 apply. ➤ Council allocates limited funds annually. 	➤ Council is committed to the principle of ongoing maintenance of its assets to ensure they are kept in good condition, so as not to cause failure or unnecessary inconvenience to the residents of its District.
(d) Shelterbelts on road reserve encroachments.	➤ Electricity (Hazards from Trees) Regulations 2003 apply.	➤ Council will aim to negotiate 100% of the responsibility being that of the shelterbelt owner in recognition that there is 100% private benefit to the shelterbelt owner from those trees.

6. Relevant Delegations

- 6.1 The Chief Executive formally delegates authority to the Executive Manager Infrastructure to remove any plant, pest, trees, or shrubs on Council property (excluding road reserve) at their discretion and within budget constraints.

7. Annotations

Date	Description
September 1991	Adopted by Council
June 2002	Updated by Policy Committee
June 2003	Authorised by Memo – Doc No 208396
September 2009	Policy reviewed and adopted by Council
September 2015	Policy reviewed and updated. Report no. 612633
February 2023	Policy reviewed and updated.

8. Policy Version Control

Policy drafted and reviewed by	The Policy Team with the assistance of the Property Team
Policy reviewed and recommended by the Information System Governance Group (ISGG)	NA
Policy reviewed and recommended by the Audit and Assurance Committee	NA
Policy reviewed and adopted by Council	22 February 2023

