

RDC making a positive difference

Tree's Company

The Rodney District Council's guide to tree regulations in our district



www.rodney.govt.nz

Tree's Company

The Rodney District Council's guide to tree regulations in our district

Trees give us privacy and shelter as well as enhancing our lifestyle and our district. To protect these valuable assets Rodney District Council, Auckland Regional Council and the Government have put in place some guidelines and regulations about what you can and cannot do with trees.

In this guide, we take a broad-brush look at these, as well as what's involved if you're looking to prune or remove your trees.

However, it always pays to contact us for more detailed information if in doubt. All our contact details are included in this document.

Why the need for protection?

Most of us gain pleasure from trees. They add to the beauty of Rodney. But they also serve many practical purposes such as halting erosion, and providing wind-breaks and noise control. For these reasons, the Resource Management Act has put in place a process to follow as a protection for some trees. There are also regulations as part of our local District Plan, that provide further protection for trees and the natural habit.

What trees are protected?

Mostly it's a question of height and location. If your tree is in a residential zone, you'll need to apply to us for a resource consent if:

- **The tree is more than six metres high (just over the height of a single-storey villa), or**
- **Is more than three metres high, native and within 200 metres of the coast, or**
- **Regardless of height, is within 10 metres of the coast or mean high water springs.**

There are also some exotic trees that have been afforded further protection. These are called Notable Trees and gaining consent for their removal is unlikely – unless they are diseased or present a safety hazard. Most, but not all, of these trees are on public land so they won't really affect you. But again, it is best to check with us if in doubt about any tree on your property.

What about rural areas?

Generally the regulations are a little more relaxed for trees on rural land. However, there are areas in rural Rodney that are subject to strict covenants and obligations. We would recommend that you come to us for advice. We know where these areas are and can advise you on what is and what is not permissible in any given area. Obviously, we'd recommend you to do that before you start pruning or felling.

What will it cost for a resource consent?

Nothing for the consent. However, consent applications for the removal or pruning of a notable protected tree must be accompanied by an arborist's report. An arborist's report is not usually needed if you simply want to prune a generally protected tree, but you will still need resource consent. We would advise you, in the first instance, to consult with an arborist regarding any works to protected trees.

How do I apply for a consent?

First, make sure that you need a consent. Many people apply unnecessarily. Does your tree or trees fit the criteria above? If in doubt, phone us first and ask to be put through to the duty planner. If you find you need a consent, download an application form from our website www.rodney.govt.nz or ask for one at any of our offices. Make sure it's completed fully (including the arborist's report if required) and then send it back to us. Again, if in doubt contact our duty planner.

It really is that simple, however...

There are other issues

Neighbour Disputes

Council is not legally obliged nor will we generally get involved in disputes between neighbours about trees. If you have an issue with a neighbour's tree or they with yours, it's best you both to try and resolve it between yourselves.

But, as a help, here's what the law says:

Landowners have the right to the ordinary use and enjoyment of their land. However, this right does not allow them to intrude on another's land. This also applies to trees and landowners are responsible for ensuring that trees (including roots and branches) on their land do not cause problem for anyone else.

If you cannot come to agreement with your neighbour, you can ask for mediation or arbitration through the Disputes Tribunal or the District Court.

Diseased or dangerous trees

If you suspect that a tree poses a danger – then come to us if it's on council land or a reserve. If it's on private land, you'll need to talk to the landowner. In many cases, and certainly if a consent is required, an arborist's report will be needed. Council will not pay for arborist's reports for trees on private land.

Over-hanging branches

Yes, you have the right to trim branches overhanging your property -- provided the tree is not protected. But again, it makes sense and common courtesy to consult with your neighbour first. Council cannot issue resource consents to prune a tree without the consultation of your neighbour.

How to get our help

For issues that we as a Council can get involved in there are a number of ways to contact us. They are:

On the Web:	www.rodney.govt.nz
By Phone:	0800 426 5169 (ask for the Development Advisor)
By Email:	customerservice@rodney.govt.nz
By Mail:	Rodney District Council Private Bag 500 Orewa. Attention: Customer Services.
Or at our Warkworth, Helensville or Huapai Service Centres.	

Remember, always ask for advice if in doubt.