Significant Trees

Frequently Asked Questions

This FAQ has been put together to assist owners of properties with significant trees on the Dunedin City District Plan - Schedule 25.3 Significant Trees, or those thinking of nominating trees for the Schedule.

*Please Note: During 2013/2014 all trees on the Schedule will be audited as part of the District Plan review. This review encompasses all parts of the current Plan and will result in a second generation District Plan (2GP). A last call for nominations of trees for the 2GP Schedule was made in late 2012 and closed in March 2013. Any nominations now accepted will more likely be included in a future review.

Please find more information on the Council website: [www.dunedin.govt.nz/trees](http://www.dunedin.govt.nz/trees), including a copy of the current Schedule.

HOW TREES GET TO BE IN THE DISTRICT PLAN

How and when did the significant tree on my property get on the Schedule?

Significant trees were all nominated to be on the Schedule of the Dunedin City District Plan by owners or other people who valued the trees amenity value to the City and wanted to see it protected for future generations. The current Schedule was first proposed back in 1999 and went through a long process before it became operative in 2004. Some additions and changes to it were made through Plan Change 6 in April 2008. You may have become the owner since then.

I have seen other trees around the city I think would be really good to have on the Significant Tree Schedule – how do they get there?

Trees can only be added to the District Plan when it is undergoing a review. This review may be a total review of the whole Plan or it may be decided to review just the Significant Tree Schedule on its own at some point. See note in introduction.

A nomination form is available on the DCC website or put pen to paper and write to us with some details about the tree - its species, health and stature, historical significance, amenity value etc.

Your nomination will be followed up at review time. In the first instance, the owner of the property will be approached for their approval of the nomination. Following that, a STEM assessment will be done on the tree and then if the tree is deemed to be significant enough in the landscape or for its species; it will be included in the draft Schedule. The Schedule will
be notified out to the public along with the rest of the draft District Plan or plan change for a public submission period when people have the opportunity to object or support its inclusion on the Schedule. Once it had been through this process it may be adopted into the Significant Tree Schedule of the Dunedin City District Plan.

I have other trees on my property that I think should be on the Significant Tree Schedule – how do they get there?

As the owner of the tree you can nominate it at any time to be included on the Schedule and the nomination will follow the process outlined in the previous question.

A QE2 Covenant covers my property – does that automatically cover trees of significance and other plantings on my property and what can I do to those trees?

QE2 covenants provide protection to listed types of vegetation in specific locations on a case-by-case basis. They do not over-ride any protection afforded a significant tree scheduled in the District Plan. The District Plan also identifies Areas of Significant Conservation Value and Urban Conservation Landscape Areas where the removal of vegetation is managed through District Plan rules.

REMOVAL OF SIGNIFICANT TREES

I have a significant tree on my property that I would like to remove (fell) – what do I do?

As the tree forms part of the Dunedin City District Plan you must go through a notified resource consent process which will consider whether to grant you permission to physically remove the tree. This type of resource consent is free. Talk to a resource consent planner to find out more.

I don’t want to remove the significant tree on my property but I am wondering about how I get it off the Schedule?

As the tree forms part of the Dunedin City District Plan the tree will remain on the Schedule until a plan change/review process is done at which time the tree’s health and reasons for being on the Schedule may be reviewed. If you are unsure about what having the tree listed on the Schedule means and what you can do to the tree, please read some of the other answers in this FAQ or refer your questions to a planner or the Council’s Parks Officer – Trees for advice.

I have just bought my property and the LIM referred to a significant tree listed on the property but I can’t identify it or maybe it has been removed – what do I do?

Please refer your question to a planner or the Council’s Parks Officer – Trees for advice. We will be happy to assist you to identify the tree if need be or investigate to see if it is an error in our data or if in fact the tree has been removed with or without Council knowledge.
CONCERNS ABOUT SIGNIFICANT TREES

The significant tree on my property is causing concern to me and/or my neighbour – it looks like it could fall over at any time – what do I do?

Immediate safety concerns should be addressed quickly to the Council’s Parks Officer – Trees for a site assessment and advice. Although the tree is listed as a significant tree, its maintenance is your responsibility in the same way it is for any other tree on your property and you do not want it to cause concern or damage to your own or anyone else’s property. Please phone 477 4000 immediately. It may be necessary to gain resource consent for emergency felling.

The significant tree on my property has fallen over in a storm – what do I do?

Immediate safety concerns come first. Arrange for an arborist to do any necessary work to ensure clean up and safety and then contact the Council’s Parks Officer – Trees to let us know what has happened.

A neighbour has an issue with my significant tree shading their property and overhanging branches encroaching – what should I do?

Although the tree is listed as a significant tree, its maintenance is your responsibility in the same way it is for any other tree on your property and you do not want it to cause concern to anyone else. The neighbour has the right to remove overhanging branches but you will want to ensure this is done in a way that does not endanger the tree. The Property Law Act 2007 (sections 333 to 338) gives a District Court Judge the power to order an occupier of land to remove or trim trees on their property where trees are unduly obstructing a view or are an actual or potential risk to life or health or property.

Roots are getting into my drains – what should I do?

Owners are responsible for the care of drains on their property. Take care what you plant near drains, seeking horticultural advice if unsure. Engage a certified drain-layer to advise you on drain problems.

I want to extend my house – how close to the significant tree on my property can I get?

You are not allowed to build over the drip-line of the tree. Have your designer do a site plan of the intended building project and bring them in to discuss with a resource consent planner for further advice in regards the current provisions and those being proposed in regards building projects near significant trees.
THE SIGNIFICANT TREE FUND

The Fund for Maintaining Significant Trees provides a financial incentive to assist owners with the maintenance of Significant Trees listed in Schedule 25.3 of the District Plan. The proposed work must be for enhancement of the tree’s health or for safety reasons. Once you have obtained land use consent for the proposed work along with a quote from the arborist you have selected to undertake the work, you may then apply for financial assistance on the application form which can be found, along with more information on the fund, on the DCC website - www.dunedin.govt.nz/services/trees/significant-trees - or through the Planning desk in the Customer Services Agency in the Civic Centre Plaza.

Tree fund brochure

Eligibility for Financial Assistance

Applications will be eligible for financial assistance based on the following criteria:
1  The tree must be listed in Schedule 25.3 of the District Plan.
2  The tree must be on land that is privately owned residential property or owned by non-profit organisations.
3  The proposed work must be for enhancement of the tree’s health or for safety reasons.
4  Land use consent approval for the work shall be attached to the application.
5  All proposed work is to be carried out by a suitably qualified arborist.
6  Financial assistance shall not be given retrospectively.

Conditions of Financial Assistance

If you are eligible for financial assistance then it will be assessed as follows:
1  The maximum amount of financial assistance per Significant Tree shall be 33% of the work or $250, whichever is the lesser. This maximum is inclusive of GST.250
2  The amount of financial assistance will be considered in light of the funds available.
3  Financial assistance given will be limited to a maximum of one successful application per property* every 5 years.
   * Limiting financial assistance on a per property basis is designed to encourage efficiencies where the property contains more than one Significant Tree.
4  If financial assistance is granted, the work shall be undertaken as soon as practical. If the work is not undertaken within 1 year of the financial assistance being granted then the financial assistance shall lapse.