This section has rules that have legal effect.

TREE — Notable Trees

The purpose of the Notable Trees chapter is to set objectives, policies and rules for the protection and retention of identified Notable Trees.

Notable Trees provide visual amenity, act as landmarks or connect communities to the past. The identification of notable trees recognises the heritage, cultural and amenity values of Notable Trees and the provisions described in this chapter protect these values.

Notable Trees have been identified through the Standard Tree Evaluation Method. This evaluation assesses a tree's condition, rarity, climatic influence, historic values, scientific/botanical values, and contribution to amenity values of the surrounding area. Trees that are indigenous to Lower Hutt with a score of 100 or higher and non-native trees with a score of 120 or higher are deemed Notable Trees.

Notable Trees are listed in SCHED3 — Notable Trees and are shown on the District Plan maps.

Objectives

TREE-O1	Trees with notable values are retained
Trees with notable heritage, cultural or amenity values are protected and retained for their natural life.	

Policies

TREE-P1	Identify Notables Trees
Identify and schedule trees as Notables Trees where: a. For trees indigenous to Lower Hutt, they score 100 or more points using the Standard Tree Evaluation Method, b. For trees not indigenous to Lower Hutt, they score 120 or more points using the Standard Tree Evaluation Method, and c. The owner of the tree approves its identification and scheduling.	
TREE-P2	**Protecting Notable Trees**
Protect each Notable Tree listed in SCHED3 - Notable Trees for its natural life.	
TREE-P3	**Trimming and maintenance**
Provide for the trimming and maintenance of a Notable Tree listed in SCHED3 - Notable Trees where it is undertaken by Council or a qualified arboriculturalist working on behalf of Council and is undertaken for the health of the tree or to safeguard life or property.	
TREE-P4	**Activities in the Root Protection Area and Dripline**
Only allow activities within the Root Protection Area or Dripline of a Notable Tree listed in SCHED3 - Notable Trees where they do not damage or compromise the tree's health, stability, life expectancy, visual appearance, or amenity value.	
TREE-P5	**Removal of Notable Tree**
Only allow the removal of a Notable Tree listed in SCHED3 - Notable Trees where: a. The tree is an immediate risk to the safety of people or property, or b. The tree is dead or is in terminal decline.	

Rules

Note:
Resource consent may be required under rules in this chapter as well as other chapters. Unless specifically stated, resource consent is required under each relevant rule. The steps to determine the relevant rules and activity status for an activity are set out in the General Approach chapter.

TREE-R1	Trimming of notable trees

All Zones	1. **Activity status:** Permitted Where: a. The trimming is undertaken by Hutt City Council for the health of the tree or to safeguard life or property, including for the maintenance of existing network utilities.
All Zones	2. **Activity status:** Restricted discretionary Where: a. Compliance is not achieved with TREE-R1.1. **Matters of discretion are restricted to:** 1. The extent to which the trimming will compromise the natural life and health of the tree. 2. The extent to which the trimming will affect the notable values of the tree. 3. The extent to which the trimming will change the existing condition and amenity of the tree. 4. The extent to which the trimming follows accepted arboriculture best practice. 5. Whether the activity has a functional need or operational need.
TREE-R2	**Removal of notable trees**
All Zones	1. **Activity status:** Permitted Where: a. The removal is undertaken by Hutt City Council to safeguard life or property.
All Zones	2. **Activity status:** Discretionary Where: a. Compliance is not achieved with TREE-R2.1.
TREE-R3	**Activities within the root protection area or dripline of notable trees**
All Zones	1. **Activity status:** Permitted Where: a. The activity does not create impermeable surfaces, b. The activity does not involve land disturbance, c. The activity does not involve the construction or addition of a structure, and d. The activity does not involve the storage of material, refuse, or goods.
All Zones	2. **Activity status:** Restricted discretionary Where: a. Compliance is not achieved with TREE-R3.1. **Matters of discretion are restricted to:** 1. The extent to which the activity is likely to damage the tree or endanger its health. 2. The functional need or operational need of the activity to occur within the root zone. 3. Any alternative methods available to undertake the activity.