

TREE – Notable trees

The relevant area specific zone chapter provisions apply in addition to this chapter.

Objective

TREE-O1 Notable trees. {000036}

Recognise and maintain the contribution of the district’s notable trees to the community.

Policies

TREE-P1 Identification. [000051] {000036}

Identify and schedule trees, including groups of trees and assess them for significance and/or notable values.

TREE-P2 Tree protection. {000036}

- (1) Ensure removal of a notable tree listed in (SCHED2 – Notable trees) only occurs if the tree is in an unsafe condition and/or there is a serious risk to human life or property.
- (2) Ensure land use or work within the dripline of a notable tree listed in (SCHED2 – Notable trees) does not affect the form or health of the tree.

TREE-P3 Tree maintenance. {000036}

- (1) Enable the maintenance and management of a notable tree for the purposes of:
 - (a) Ensuring the continuing health, structural integrity and amenity value of the tree; and
 - (b) The reasonable use and enjoyment of the property and surrounds.

Rules

Land use – effects

TREE-R1	Removal or destruction {000036}	
All zones	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Removal or destruction of a notable tree identified in SCHED2 – Notable trees where certification is provided to Council from an arborist that states that the tree is dead, dying, diseased or unsafe in accordance with APP6 – Tree removal certificate.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) Timing and manner in which the activity is carried out;</p> <p>(b) Effects on amenity values; and</p> <p>(c) Effects on heritage values.</p>
TREE-R2	Trimming {000036}	
All zones	<p>(1) Activity status: PER</p> <p>Where:</p>	<p>(2) Activity status where compliance not achieved: RDIS</p>

	<p>(a) The trimming of a notable tree identified in SCHED2 – Notable trees to remove dead, dying, or diseased branches; or no more than 10% of live foliage with a maximum branch diameter not exceeding 50mm at the point of severance in any single consecutive 12 month period, must comply with the following standards:</p> <p>(i) All trimming must retain the natural shape, form and growth habit of the tree species; and</p> <p>(ii) All tree works are undertaken by a competent arborist.</p>	<p>Council's discretion is restricted to the following matters:</p> <p>(a) Timing and manner in which the activity is carried out;</p> <p>(b) Effects on amenity values;</p> <p>(c) Effects on heritage values; and</p> <p>(d) Effects on the natural shape, form and growth habit of the tree species.</p>
TREE-R3	Activities within the dripline {000036}	
All zones	<p>(1) Activity status: PER</p> <p>Where:</p> <p>(a) Any activity within the dripline of a notable tree identified in SCHED2 – Notable trees must not involve the:</p> <p>(i) Excavation, compaction, sealing or soil disturbance or placement of fill material or cleanfill, except for the sealing of an existing road or footpath;</p> <p>(ii) Parking or storage of materials, vehicles or machinery;</p> <p>(iii) Discharge of an eco-toxic substance; and</p> <p>(iv) Construction of buildings or structures.</p>	<p>(2) Activity status where compliance not achieved: RDIS</p> <p>Council's discretion is restricted to the following matters:</p> <p>(a) Location of activity in relation to the tree;</p> <p>(b) Timing and manner in which the activity is carried out;</p> <p>(c) Remedial measures;</p> <p>(d) Effect on the health and vitality of the tree; and</p> <p>(e) Amenity values.</p>

Subdivision

TREE-R4	Subdivision of land containing a notable tree listed in SCHED2 – Notable trees. {000036}	
All zones	<p>(1) Activity status: RDIS</p> <p>Activity-specific standards:</p> <p>(a) The notable tree is wholly retained within one Record of Title.</p> <p>Council's discretion is restricted to the following matters:</p>	<p>(2) Activity status where compliance not achieved: NC</p>

	(b) Effects on the notable tree.	
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Appeals Version