

|                                       |              |
|---------------------------------------|--------------|
| <b>APPLICATION NUMBER:</b>            | LUC-2016-184 |
| <b>RELATED APPLICATIONS/LICENCES:</b> |              |

## PLANNING APPLICATION DETAILS FORM

|                                               |                                 |                                                               |                                       |
|-----------------------------------------------|---------------------------------|---------------------------------------------------------------|---------------------------------------|
| <b>Property Address</b>                       |                                 | 14 Grater Street Dunedin                                      |                                       |
| <b>Property Description:</b>                  |                                 | Property No: 5016618,<br>Legal Description: PT LOT 28 DP 1824 |                                       |
| <b>First Contact:<br/>(Applicant)</b>         | <b>Name:</b>                    | P D Owen and S M Owen                                         |                                       |
|                                               | <b>Mail Address:</b>            | 14 Grater Street, Dunedin 9010                                |                                       |
|                                               | <b>Phone Number:</b>            |                                                               |                                       |
| <b>Second Contact:<br/>(Agent)</b>            | <b>Name:</b>                    |                                                               |                                       |
|                                               | <b>Mail Address:</b>            |                                                               |                                       |
|                                               | <b>Phone Number:</b>            |                                                               |                                       |
|                                               | <b>Contact Person:</b>          |                                                               |                                       |
| <b>Description of Application:</b>            |                                 | remova a significant tree                                     |                                       |
| <b>Application Type:</b>                      |                                 | Land Use Consent                                              |                                       |
| <b>Consent Type:</b>                          | Full Notified Land Use Consent  | <b>Consent Nature</b>                                         | Full Notified Land Use Consent        |
| <b>Major Category</b>                         |                                 | Notified                                                      |                                       |
| <b>Minor Category</b>                         |                                 | Notified - Unrestricted Discretionary                         |                                       |
| <b>Senior Planner or Responsible Officer:</b> |                                 | John Sule                                                     |                                       |
| <b>Lodgement Date:</b>                        |                                 | 03 May 2016                                                   | <b>Lodgement Officer:</b> Paula Myers |
| <b>Amount Paid:</b>                           | \$                              | <b>Invoice Number:</b>                                        |                                       |
| <b>Waived:</b> <input type="checkbox"/>       |                                 |                                                               |                                       |
| <b>Application Requirements</b>               | <b>Signed Application Form</b>  |                                                               | <b>Copy of Title</b>                  |
|                                               | <b>Locality Plan</b>            |                                                               | <b>Site Plan</b>                      |
|                                               | <b>Plans and Elevations</b>     |                                                               | <b>AEE</b>                            |
|                                               | <b>Affected Persons Consent</b> |                                                               |                                       |
| <b>Counter Comments:</b>                      |                                 |                                                               |                                       |



## Application Form for a Resource Consent

50 The Octagon, PO Box 5045, Moray Place  
Dunedin 9058, New Zealand  
Ph 477 4000  
www.dunedin.govt.nz

### Application Details

I/We Philip Dorian & Susan Mary OWEN (must be the FULL name(s) of an individual or an entity registered with the New Zealand Companies Office. Family Trust names and unofficial trading names are not acceptable: in those situations, use the trustee(s) and director(s) names instead) hereby apply for:

☒ Land Use Consent ☐ Subdivision Consent

Brief description of the proposed activity: \_\_\_\_\_

Resource consent is sought to remove an Elm tree (Ulmus glabra) that is listed (as T529) in Schedule 25.3 of the District Plan as a Significant Tree.

Have you applied for a Building Consent? ☐ Yes, Building Consent Number ABA \_\_\_\_\_ ☒ No

### Site location/description

I am/We are the: (owner, occupier, lessee, prospective purchaser etc) of the site

Street Address of Site: 14 Grater Street, Maori Hill, Dunedin 9010

Legal Description: Pt Lot 28 DP 1824

Certificate of Title: CT-202 /183

### Address for correspondence (this will be the first point of contact for all communications for this application)

Name: Dorian Owen (applicant/agent (delete one))

Address: 14 Grater Street, Maori Hill, Dunedin Postcode: 9010

Phone (daytime): 03 464 0100 Fax: \_\_\_\_\_ Email: dorian.owen@otago.ac.nz

### Address for Invoices or Refunds (if different from above)

Name: N/A

Address: \_\_\_\_\_

Bank Account Name: \_\_\_\_\_

Account Number: 

|  |  |
|--|--|
|  |  |
|--|--|

|  |  |  |  |
|--|--|--|--|
|  |  |  |  |
|--|--|--|--|

|  |  |  |  |  |  |  |  |
|--|--|--|--|--|--|--|--|
|  |  |  |  |  |  |  |  |
|--|--|--|--|--|--|--|--|

|  |  |
|--|--|
|  |  |
|--|--|

  
Bank Branch Account Number Suffix

### Ownership of the site

Who is the current owner of the site? Philip Dorian & Susan Mary Owen

If the applicant is not the site owner, please provide the site owner's contact details:

Address: \_\_\_\_\_ Postcode: \_\_\_\_\_

Phone (daytime): \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

## Monitoring of your Resource Consent

To assist with setting a date for monitoring, please estimate the date of completion of the work for which Resource Consent is required. Your Resource Consent may be monitored for compliance with any conditions at the completion of the work. (If you do not specify an estimated time for completion, your Resource Consent, if granted, may be monitored three years from the decision date).

August 2016

(month and year)

Monitoring is an additional cost over and above consent processing. You may be charged at the time of the consent being issued or at the time monitoring occurs. Please refer to City Planning's Schedule of Fees for the current monitoring fee.

## Detailed description of proposed activity

Please describe the proposed activity for the site, giving as much detail as possible. Where relevant, discuss the bulk and location of buildings, parking provision, traffic movements, manoeuvring, noise generation, signage, hours of operation, number of people on-site, number of visitors etc. Please provide proposed site plans and elevations.

Removal of the Elm tree in the north-west corner of the property. The tree would be removed by an approved arborist, Gary McFarlane, with whom we have discussed the best strategy to follow.

## Description of site and existing activity

Please describe the existing site, its size, location, orientation and slope. Describe the current usage and type of activity being carried out on the site. Where relevant, discuss the bulk and location of buildings, parking provision, traffic movements, manoeuvring, noise generation, signage, hours of operation, number of people on-site, number of visitors etc. Please also provide plans of the existing site and buildings. Photographs may help.

Owner-occupied dwelling

(Attach separate sheets if necessary)

## District plan zoning

What is the District Plan zoning of the site? R1 - Residential 1 Zone

Are there any overlaying District Plan requirements that apply to the site e.g. in a Landscape Management Area, in a Townscape or Heritage Precinct, Scheduled Buildings on-site etc? If unsure, please check with City Planning staff.

## Breaches of district plan rules

Please detail the rules that will be breached by the proposed activity on the site (if any). Also detail the degree of those breaches. In most circumstances, the only rules you need to consider are the rules from the zone in which your proposal is located. However, you need to remember to consider not just the Zone rules but also the Special Provisions rules that apply to the activity. If unsure, please check with City Planning staff or the Council website.

Our elm tree is currently listed on the Register of Significant Trees (as T529).

## Affected persons' approvals

I/We have obtained the written approval of the following people/organisations and they have signed the plans of the proposal:

Occupiers of:

Name: \_\_\_\_\_  
Address: 12 Grater St, 16 Grater St, 17 Grater St

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Please note: You must submit the completed written approval form(s), and any plans signed by affected persons, with this application, unless it is a fully notified application in which case affected persons' approvals need not be provided with the application. If a written approval is required, but not obtained from an affected person, it is likely that the application will be fully notified or limited notified.

## Assessment of Effects on Environment (AEE)

In this section you need to consider what effects your proposal will have on the environment. You should discuss all actual and potential effects on the environment arising from this proposal. The amount of detail provided must reflect the nature and scale of the development and its likely effect. i.e. small effect equals small assessment.

You can refer to the Council's relevant checklist and brochure on preparing this assessment. If needed there is the Ministry for the Environment's publication "A Guide to Preparing a Basic Assessment of Environmental Effects" available on [www.mfe.govt.nz](http://www.mfe.govt.nz). Schedule 4 of the Resource Management Act 1991(RMA) provides some guidance as to what to include.

~~Damage to property: Currently the elm tree is regarded by the structural engineer we have consulted as likely to~~  
be a major contributory factor in causing cracking to the house walls of #14 Grater Street (as discussed further on the attached proposal). The trunk has also grown to within inches of the wall of the road-level detached garage of #14 Grater Street. Removal of the tree will prevent further damage.

~~Safety: The elm now reaches over the roof and near the chimney of #14 Grater St, leading to a potential hazard in terms of fire and damage to the roof. It has also grown very close to the power lines in Grater Street. Overall, the elm tree has considerably outgrown what is a small plot. Removal will enhance the safety of the occupants and building.~~

~~Shading: Removal of shading caused by the tree will result in increased sunshine during parts of the day to #14 Grater Street and #16 Grater Street.~~

~~Visual: Possible minor loss of visual amenity for occupants of #12, #16 and #17 Grater Street, although there is another tree on a lower level on the roadside grass verge directly in front of #14 Grater St, and the street as a whole is one of the more tree-lined streets in Maori Hill~~

(Attach separate sheets if necessary)

The following additional Resource Consents from the Otago Regional Council are required and have/have not (delete one) been applied for:

☐ Water Permit ☐ Discharge Permit ☐ Coastal Permit ☐ Land Use Consent for certain uses of lake beds and rivers ☒ Not applicable

## Declaration

I certify that, to the best of my knowledge and belief, the information given in this application is true and correct.

I accept that I have a legal obligation to comply with any conditions imposed on the Resource Consent should this application be approved.

Subject to my/our rights under section 357B and 358 of the RMA to object to any costs, I agree to pay all the fees and charges levied by the Dunedin City Council for processing this application, including a further account if the cost of processing the application exceeds the deposit paid.

Signature of Applicant/Agent (delete one):

Susan M. Owen

Susan M. Owen

Date:

3/05/16

## Privacy – Local Government Official Information and Meetings Act 1987

You should be aware that this document becomes a public record once submitted. Under the above Act, anyone can request to see copies of applications lodged with the Council. The Council is obliged to make available the information requested unless there are grounds under the above Act that justify withholding it. While you may request that it be withheld, the Council will make a decision following consultation with you. If the Council decides to withhold an application, or part of it, that decision can be reviewed by the Office of the Ombudsmen.

Please advise if you consider it necessary to withhold your application, or parts of it, from any persons (including the media) to (tick those that apply):

- ☐ Avoid unreasonably prejudicing your commercial position  
☐ Protect information you have supplied to Council in confidence  
☐ Avoid serious offence to tikanga Maori or disclosing location of waahi tapu

## What happens when further information is required?

If an application is not in the required form, or does not include adequate information, the Council may reject the application, pursuant to section 88 of the RMA. In addition (section 92 RMA) the Council can request further information from an applicant at any stage through the process where it may help to a better understanding of the nature of the activity, the effects it may have on the environment, or the ways in which adverse effects may be mitigated. The more complete the information provided with the application, the less costly and more quickly a decision will be reached.

## Fees

Council recovers all actual and reasonable costs of processing your application. Most applications require a deposit and costs above this deposit will be recovered. A current fees schedule is available on [www.dunedin.govt.nz](http://www.dunedin.govt.nz) or from Planning staff. Planning staff also have information on the actual cost of applications that have been processed. This can also be viewed on the Council website.

## Further assistance

Please discuss your proposal with us if you require any further help with preparing your application. The Council does provide pre-application meetings without charge to assist in understanding the issues associated with your proposal and completing your application. This service is there to help you.

Please note that we are able to provide you with planning information but we cannot prepare the application for you. You may need to discuss your application with an independent planning consultant if you need further planning advice.

City Planning Staff can be contacted as follows:

In Writing: Dunedin City Council, PO Box 5045, Moray Place, Dunedin 9058

In Person: Customer Services Centre, Ground Floor, Civic Centre, 50 The Octagon

By Phone: (03) 477 4000

By Email: [planning@dcc.govt.nz](mailto:planning@dcc.govt.nz)

There is also information on our website at [www.dunedin.govt.nz](http://www.dunedin.govt.nz).

## Information requirements (two copies required)

- ☒ Completed and Signed Application Form
- ☒ Description of Activity and Assessment of Effects
- ☐ Site Plan, Floor Plan and Elevations (where relevant)
- ☐ Certificate of Title (less than 3 months old) including any relevant restrictions (such as consent notices, covenants, encumbrances, building line restrictions)
- ☐ Written Approvals
- ☐ Forms and plans and any other relevant documentation signed and dated by Affected Persons
- ☐ Application Fee (cash, cheque or EFTPOS only; no Credit Cards accepted)

In addition, subdivision applications also need the following information

- ☐ Number of existing lots.
- ☐ Number of proposed lots.
- ☐ Total area of subdivision.
- ☐ The position of all new boundaries.

In order to ensure your application is not rejected or delayed through requests for further information, please make sure you have included all of the necessary information. A full list of the information required for resource consent applications is in the Information Requirements Section of the District Plan.

## OFFICE USE ONLY

Has the application been completed appropriately (including necessary information and adequate assessment of effects)?

☐ Yes ☐ No

Application: ☐ Received ☐ Rejected

Received by: ☐ Counter ☐ Post ☐ Courier ☐ Other: \_\_\_\_\_

Comments: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Include reasons for rejection and/or notes to handling officer)

Planning Officer: \_\_\_\_\_ Date: \_\_\_\_\_

## Proposal

We wish to remove the large elm tree (T529) on the north-west edge of our property. The photograph in Figure 1 shows the location of the tree and demonstrates how the canopy covers nearly a quarter of the section, including over the roof line and near the main chimney of our house (Figure 2) and is close to power lines on our side of the road in Grater St. The tree, which we presume initially randomly seeded at this location, has now completely outgrown the small plot (433 sq metres or approximately 1/10<sup>th</sup> of an acre) on which our house is located. As far as we can judge, although there is regular dropping of twigs and small branches onto the roof and paths, the tree itself is largely healthy.

The proposal is to remove T529. Under Rule 15.5.1 Discretionary Activities (Unrestricted) of the District Plan, this is a discretionary activity. The following considers the relevant headings under Rules 15.6 concerning assessment of resource consent applications.

### 15.6.2 Reasons and Alternatives

The overriding reason for this application is that we have been advised by a structural engineer that the elm tree is likely to be a major contributory factor in causing cracking to our house walls and that this needs to be addressed to prevent further likely damage.

Representative evidence of cracking is shown in Figures 3 to 9. Figures 3 shows the location of cracks at locations A, B and C at the front of the house, with details of each in Figures 4, 5 and 6, respectively. Figure 7 shows the location of cracks at locations D and E on the north side of the house, with details in Figures 8 and 9. Figure 10 shows cracking on the inside of the house corresponding to external location E).

Cracking has been noted over the last few years at our property but this became more noticeable after the vibrations caused by the road construction carried out to Grater Street in (approximately) 2012 or 2013. Concerned by these developments, we contacted Stewart Construction Ltd and Opus International Consultants to investigate the cause of the cracking and to advise us on how best to proceed. After investigation, including a geotechnical assessment, they have provided a detailed report (available on request).

In their report they note (p.9) the effect of the

*... very large tree to the north-west corner of the site. This will have grown significantly in the 92 or so years since this house was built. Although the clay subsoil is not very sensitive to changes in moisture content it may be the case that the soil has effectively dried out slowly over many years as the tree increased in size and water demand. This may have assisted in long term consolidation of the site – particularly any filled areas that had not been fully compacted.*

They also note (p.9) that:

*Once this type of slight movement to a property has begun it will not stop and may progressively become worse unless the cause(s) is (are) removed. As such*

*therefore it will be prudent to look at the main, likely, causes and to try to remove them as much as possible. This will most certainly involve dealing with the trees and foliage around the property.*

Their first key recommendation (p.9, Section 6) is therefore:

*Have the large tree to the north-west corner of the property reduced by about a third in size. In the future this will have to be maintained at about that height and size to prevent vigorous growth making matters worse.*

In an email (dated 1 December 2015), Andrew Blacker (Principal Structural and Civil Engineer, Opus International Consultants Ltd) was more specific:

*Other factors affecting the ground are definitely the large trees and shrubs around the property – most particularly the large tree behind the garage. In the report I have suggested that the tree is reduced by a third of its size in the near future and maintained at that level for a while. After a year or so it should be reduced a little more to end up being about half its present size.*

Following this advice, we approached Aidan Battrick, Parks Officer – Trees, Parks Recreation and Aquatics, Dunedin City Council, who visited our property on 16 December 2015. His advice was that the extent of reduction envisaged by Opus International was not consistent with maintaining the tree's status as a Significant Tree. He also expressed the view that such a significant degree of pruning might lead to even more vigorous growth that could make the tree's demands on its local environment even greater. He therefore recommended we apply for permission to undertake maintenance in the form of end-weight reduction (which would involve substantially less pruning than Opus suggested).

We approached an approved arborist, Gary McFarlane, to undertake this work. He inspected the tree on our property on 19 February 2016. His strongly expressed view was that end-weight reduction would do little to solve our problem, and that the elm tree had clearly outgrown the site on which our house is located. As well as affecting the integrity of the house's structure, he also immediately recognised that the trunk of the tree has grown to be right up against the back wall of our detached garage (which is at street level on Grater St and completely obscured by the elm in Figure 1). Figure 11 shows the trunk of the elm relative to the roof of the garage. Figure 12 shows how close the trunk is to the back of the garage (location I). Figure 13 shows decking being pushing up at location H in Figure 7. With further growth, the tree trunk is going to cause damage to the back wall of the garage on our property. He also unearthed evidence of large tree roots heading in the direction of the nearby house walls (e.g., as in Figure 14).<sup>1</sup> Gary McFarlane's view was that, given the problems we are facing, removal of the tree was the only sensible option. He has summarised his view in

---

<sup>1</sup> We also attempted to dig up the flower bed next to the house to unearth further roots. The clay soil here is very hard and this is where the mains water pipe entering the house is located. Unfortunately, this attempt resulted in the pipe being severed, so this had to be abandoned (see Figure 15 showing the repaired water pipe at location F in Figure 7).

the attached report. He has also indicated that he is willing to appear at the tribunal assessing this application to provide his expert opinion in support of our case.

The tree produces significant fall of leaves, twigs and minor branches every year, so regular maintenance and cleaning out of gutters is required. It also shades the north-west corner of the house affecting the living room in the late morning/early afternoon. However, we have considered these as relatively minor inconveniences and appreciate that, as a smaller tree, the elm did add amenity value to us as occupiers and to the wider neighbourhood. As the tree has increased in size, however, we have become more concerned about the canopy encroaching on our living room chimney and the risk of branches falling on the roof during high winds.

**The potential effects on the structural integrity of the house and garage are, however, on a completely different scale and dwarf all other considerations.**

The only alternative course of action to removal of the tree is periodic end-weight reduction, but the degree of pruning this would involve is nothing like what is recommended by the structural engineer and the arborist. Given the size of our plot, and taking into account the advice we have received, it is clear that the tree has totally outgrown its location, appears to be affecting the structure of our house, and the situation can only get worse if the tree is retained.

### 15.6.3 Amenity Values

While the elm tree has added amenity value to the local environment, it has now outgrown its location and is having a significant negative impact on the amenity of our property. This includes shading and encroachment over our roof towards our chimney and nearby power lines. Much more importantly, it is implicated as a major contributory factor to the cracking in the walls of our house and is going to cause further damage to the house and to our rear garage wall.

There is a possible loss of visual amenity for occupants of neighbouring houses in Grater Street, if the tree is removed. However, this is at least partially compensated by a more extensive view of the surrounding hills. Attached are statements from our nearest neighbours living in 12, 16 and 17 Grater Street supporting removal of the elm tree. In particular, the occupant of 16 Grater Street/71 Passmore Crescent (owner of the house and garage to the left of our property in Figure 16) comments that the tree shades his house from summer evening sun, sheds significant quantities of leaves on his garden and believes it has been responsible for water leaks into his garage. Further growth will not only damage our garage but will also damage his garage as they are connected. It should also be noted that, looking from the street, there is another street-level tree directly in line with the elm tree (Figure 17). Given the location of the property and the elm tree, it is only visible from the street over a range of at most 150 metres and Grater Street itself has a large number of trees (see Figure 18). The removal of the elm tree will therefore have only a very minor adverse effect on the overall amenity value provided by the trees in the immediate locality.

We would sincerely request that any minor loss of amenity value to the neighbourhood as a whole be compared against the very significant loss of amenity and monetary value to our property. The whole process has also had a significant negative effect on the well-being of our family: my wife has suffered anxiety and depression as a result of worrying about the cracking of the walls, the uncertainty over the outcome and the costs involved (both financial and in terms of disruption), and the length of time every stage of the evaluation process has taken.<sup>2</sup> An impact statement written by my wife is attached.

Dorian and Susan Owen  
14 Grater Street, Maori Hill, Dunedin

---

<sup>2</sup> Purely in monetary terms, the costs of the structural engineers' investigations have already exceeded \$8,250.

Figure 1. 14 Grater St showing the large elm tree in the north-west section of the plot with its canopy covering nearly a quarter of the section



Figure 2. Elm tree canopy overhangs the roof near a chimney



Figure 3. Location of cracks – front of house facing Grater Street



Figure 4. Crack in wall at the corner of porch, location A (north west corner)



Figure 5. Crack in arch above front door, location B



Figure 6. Crack under front window, location C

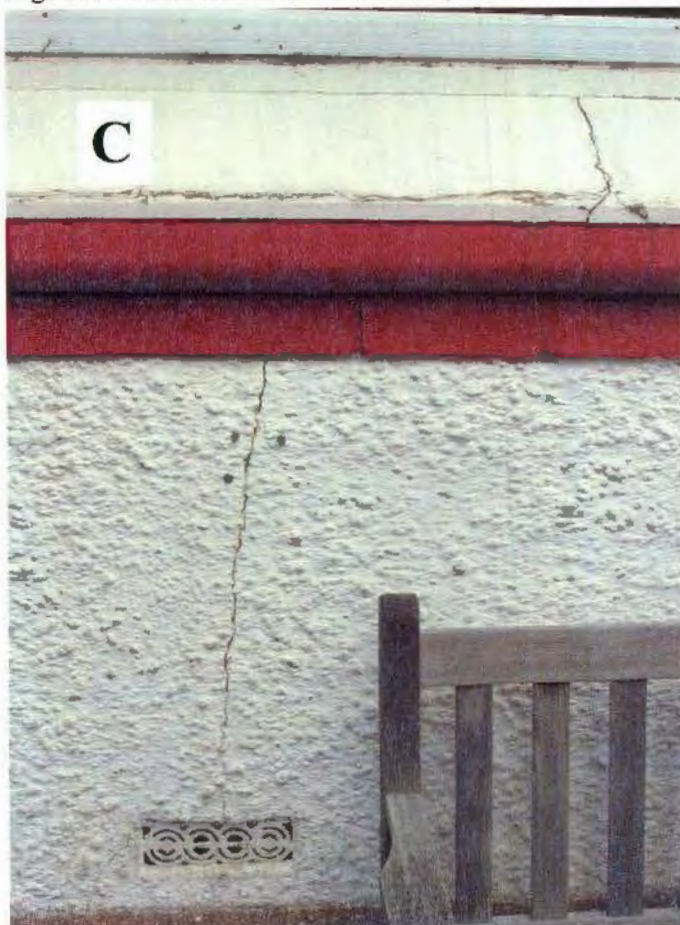


Figure 7. Location of cracks – north side of house



Figure 8. Crack and collapsing support at location D corner



Figure 9. Crack next to ranch-slider at location E



Figure 10. Internal cracking near ranch-slider door (corresponding to external location E)



Figure 11. Roof of detached garage next to the elm tree



Figure 12. The elm tree's trunk is very close to the back wall of the garage (location I)



Figure 13. Elm tree trunk pushing up decking at location H (in Figure 7)



Figure 14. Tree roots near the house wall (at location G in Figure 7)

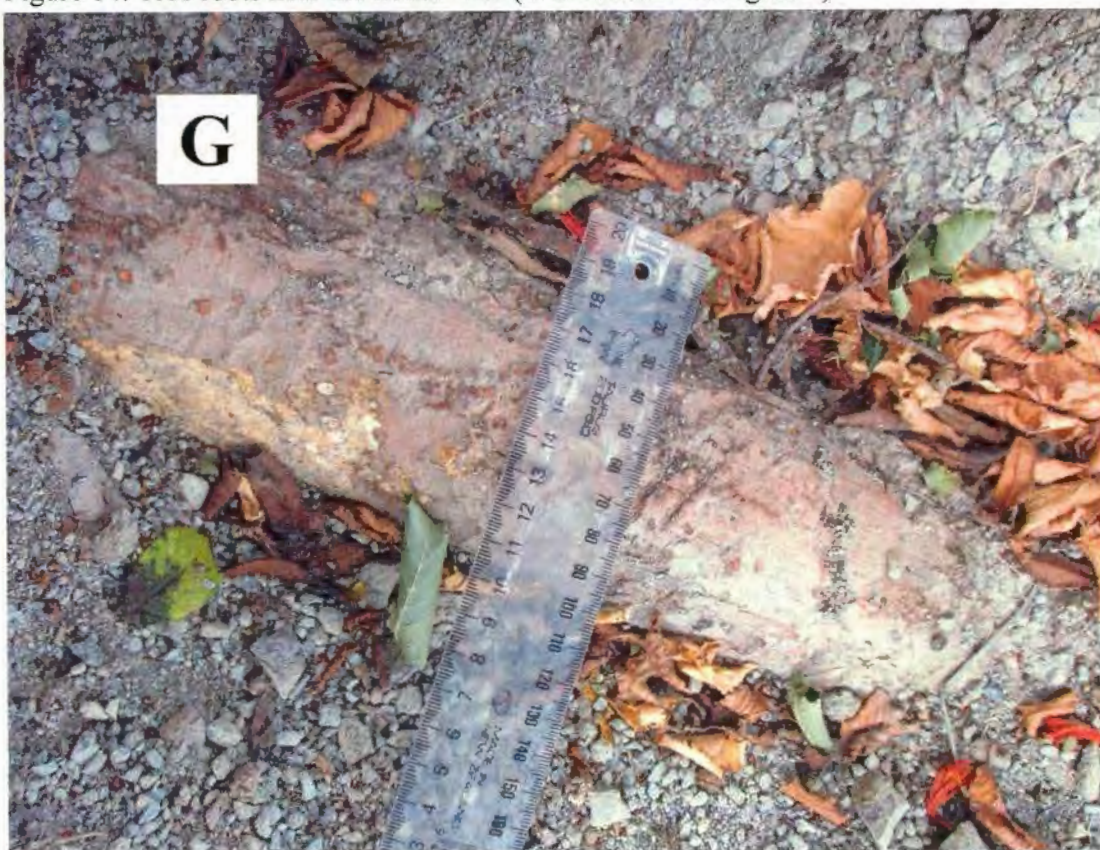


Figure 15 Repaired water pipe at location F (in Figure 7)



Figure 16. View of elm tree and street-level garage (door on the right) (also showing neighbour's garage (left door))



Figure 17. View from the opposite side of Grater Street



Figure 18. View of Grater Street looking towards Passmore Crescent





Professional Arborist

Member New Zealand  
Arboricultural Association

18 April 2016

Sue & Dorian Owen  
14 Grater Street  
Maori Hill  
Dunedin

Dear Sue & Dorian

Thankyou for asking me to report on the T529 Ulmus Glabra Elm tree.

After a visual inspection of the Elm tree at 14 Grater Street, Dunedin I have found that the Elm tree is a healthy specimen and has the potential to grow even bigger in size.

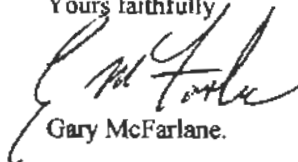
I found the tree to be growing in very close proximity to your garage wall. The main trunk at ground level is 150 millimetres from the back of the garage wall. This close proximity will put a lot of pressure on the garage wall from the Elm tree root system.

The tree is also in very close proximity to the foundations of the house. The closest point at ground level is 1.8 metres from the trunk to the house. The root system of the Elm tree can't help but be putting pressure on the foundations of the house.

It is my opinion that this tree has outgrown the site and will continue to do so in the future. If this tree is left to grow further the root system could have the potential to cause major damage to the garage and house.

Any further enquires please don't hesitate to phone the number below.

Yours faithfully



Gary McFarlane.

Dear Neighbour,

In an attempt to have our elm tree taken off the DCCs list of significant trees so that we have control over it, we are submitting a resource consent application and will be attending a tribunal. If we are successful, we plan to remove the tree. Our lawyer has suggested that we include, with our application, the opinions of neighbours who live in close proximity to us. We would be very grateful if you could provide the following information.

**Where do you live in relation to 14 Grater Street?**

Next door.

**What do you feel about the removal of the elm tree in question?**

I am aware of the problems it is causing my neighbours, and although I would miss it, no one should have their property put at risk by a tree.

**Name, address and contact information, e.g. phone number/email**

Julienne Armitage. 467-5715

*Thank you so much for your time.*

*J. Armitage. 3<sup>rd</sup> April '16.*

Dear Neighbour,

In an attempt to have our elm tree taken off the DCCs list of significant trees so that we have control over it, we are submitting a resource consent application and will be attending a tribunal. If we are successful, we plan to remove the tree. Our lawyer has suggested that we include, with our application, the opinions of neighbours who live in close proximity to us. We would be very grateful if you could provide the following information.

Where do you live in relation to 14 Grater Street?

Next door at 16 Grater St. also known as 71  
Rusmore Crescent.

What do you feel about the removal of the elm tree in question?

It would be great.  
It is far too big for the site, towers over 14  
Grater St and even now over my night nursery house.  
It is also very close to both properties' garages and I  
suspect has to rot a wheel entry into my garage.  
The tree shades my house from summer sun and  
and sheds vast quantities of leaves over my house.

Name, address and contact information, e.g. phone number/email

Noel CARROLL 4675635 no.e1@xtra.co.uk.

Thank you so much for your time.

Noel Carroll

11/4/16

Dear Neighbour,

In an attempt to have our elm tree taken off the DCCs list of significant trees so that we have control over it, we are submitting a resource consent application and will be attending a tribunal. If we are successful, we plan to remove the tree. Our lawyer has suggested that we include, with our application, the opinions of neighbours who live in close proximity to us. We would be very grateful if you could provide the following information.

**Where do you live in relation to 14 Grater Street?**

17 Grater St

Directly opposite 14 Grater St  
(and in full view of the tree)

**What do you feel about the removal of the elm tree in question?**

It is a fine tree but is no longer suitable for a section in town! It unduly shades the house and the roots threaten nearby buildings. This will almost certainly get worse.

We would strongly support the removal of the tree!

**Name, address and contact information, e.g. phone number/email**

W.D. and V.C. Ogle

17 Grater St

Dunedin 9010

Phone 467-5217

*Thank you so much for your time.*

W.D. Ogle

5/4/16

**Well Being Impact Statement by Susan Owen (Joint Owner/Occupier of 14 Grater Street)**

We have been living at 14 Grater Street, Maori Hill since the early 1990s. We love the street and the area. We have very nice neighbours, easy access to bush walks in Ross Creek and it is very peaceful. When we moved in, we considered the elm tree to be an asset and had no intention of cutting it down. (I have an Honours degree in Botany/Microbiology and so have a strong appreciation of flora.) However, we had no idea how quickly an asset could become a liability if you cease to have control over it. After the tree was added to the list of Significant Trees in the early 2000s, we complied with the DCC's requirements in terms of going through the proper channels when the tree needed to be trimmed. Then, our house started to develop a number of cracks which were not just surface cracks but go right through the double/triple brick layer to the internal walls. **This situation caused me a great deal of anxiety and sleepless nights because our house is our only asset.** We paid for an expensive (more than \$8000) structural survey which stated that the one thing we could do was considerably reduce the size of the tree. The fact that the tree is protected made this request impossible to carry out. **This added to my anxiety because I felt powerless to do anything about the situation.** However, we went through the proper channels again and agreed to end-weight reduction because we were given permission to do that. With a view to getting our arborist, Gary McFarlane, to perform this as soon as possible, he came to look at the tree. He was visibly shocked by its size and proximity to the house, the roots heading towards the house and the thickness of the trunk in relation to its closeness to the garage wall. He described it as an "Outgrown its site" situation and was adamant that it had to be cut down. It had never occurred to me that the garage wall was in danger of being crushed and collapsing into the road. This would also impact on the next-door neighbour's garage which is attached to our garage. Of course, I was horrified and knew that end-weight reduction would be inadequate. **The impact of this situation on me personally has been huge. I am anxious and close to tears on a daily basis. I find it difficult to sleep. The longer it goes on the more depressed and hopeless I feel.** On top of what we have already spent on the structural survey, we have had to engage a lawyer to help us with the process of obtaining resource consent. This money is coming from our retirement fund. We are a single income family and supporting two daughters in higher education, both living at home. My husband and I are both in our early sixties. **I have not been in paid employment for some time due to health reasons. I have had breast cancer three times over a 21 year period. I am currently taking medication for the disease and I am terrified that the anxiety that I'm feeling will cause the disease to return.** I implore you to please grant us control over this elm tree.