

POTS.

Protect Private Ownership of Trees Society.

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Rata. *Metrosideros robusta*

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Tena koe, tena koe, tena koe (many greetings) Haeremai, haeremai (welcome). He aha te meanui? (What is the greatest thing?) He tangata, (It is people – not rakau – trees!).

This is POTS verbal submission to the Dunedin City Council hearing in favour of the removal of T014 (Silver Beech) growing on, or near, the land of **O'Byrne's at 33 Preston Crescent.**

In the POTS written submission a number of valid reasons for the removal of T014's are given. The main reason is its removal would give rise to safety benefits to the public using Preston Crescent.

The T014 contribution to the visual and amenity values of the crescent would be minor compared to the tree falling on a person, or vehicle, in a storm.

POTS would emphasize the Resource Management Act (RMA) is being modified in which items like trees are taken from land owners to visually benefit many citizens, or holds up a development until one, or more tree falls on people in a storm or earthquake.

Actually, trees are not referred to in the NZ Bill of Rights: Civil liberty and freedom of a person to pursue their own conception of their lives without Government interference. Part 11 (a): includes the right not to be cruelly treated.

POTS are firmly of the opinion that the O'Byrne's are being poorly treated if TO14 remains in place. To leave this native Silver Beech, that has out grown its natural site would amount to cruel treatment of the O'Byrnes. Such trees grow in bush and have a life cycle that includes falling over to allow in light thereby enabling new Silver Beech to grow.

Rebecca McKay of the Resource Management Law Association (RMLA) says private citizens sacrifice their rights as land owners when a council list trees on their property for protection (Rural News 5/10/98).

Section 5 (2): Managing the use, development and protection of natural and physical resources in a way, or rate, which enables people and communities to provide for their social and cultural well being and their health and safety.

Tree Evaluation Method: STEM. This was a new method in 1996. It uses a point system to rate 20 tree attributes.

The New Zealand system requires two appraisers, one each on opposing side of a notable tree.

Flook R. of Nelson, 1996. A standard tree evaluation Method /STEM.

Watson G. Comparing formula methods of tree appraisal. The International Society of Arboriculture. USA.

POTS reason for supporting the removal of TO14 are:

(1). It is too large and over grown for its site and this poses a human health and safety risk in a storm in this age of climate change.

(2). Given the size and condition of TO14 and its almost non amenity value, it should not have been included in the city heritage tree schedule.

(3). It may be healthy, but it's over hanging branches are a danger to pedestrians. To the wider community it is of small amenity value. Cabling trunks and branches will not solve these problems whereas removal of TO14 will. Cabling will only add to the O'Byrne's costs while other residents get the tree's amenity value at no cost

Based on personal practical experience, in a drought given its present condition TO14 would be serious fire hazard to some surrounding houses, besides just 33.

Notifications and submissions:

Sixteen submitters oppose the removal of TO14. It attracts Kereru and Tui. Too few native silver beech in the council's tree schedule. Poor drain maintenance the cause of the October 2024 flooding. Needs better attention to its form and is no danger to the community.

Sixteen submitters did not wish to be heard. In POTS opinion this not wishing to provide a verbal version of their submission indicates a lack of enthusiasm to have the tree saved.

Support removal:

Five submitters believe TO14 has out grown its site. It poses a 'health and safety risk' to the local people. High winds cause branches to fall onto the road and footpath, its shading makes nearby dwellings cold and damp. In its real environment such trees grow in groups to allow for falling mature trees to let in the light for the young beeches to make better growth. The close growth to the power lines. This raises the question of who pays and why should the O'Byrne's carry this cost while other people can apparently enjoy the tree at no cost.

Mark Roberts the city council contractor arborist: "The tree is in reasonable health, despite the inadequate cabling, appears structurally sound." POTS has reservations about that view without knowing if a proper STEM appraisal had been done.

On the basis of this submission, POTS believe it will be best for TO14 to be removed.

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Secretary-advocate, Jim Moffat

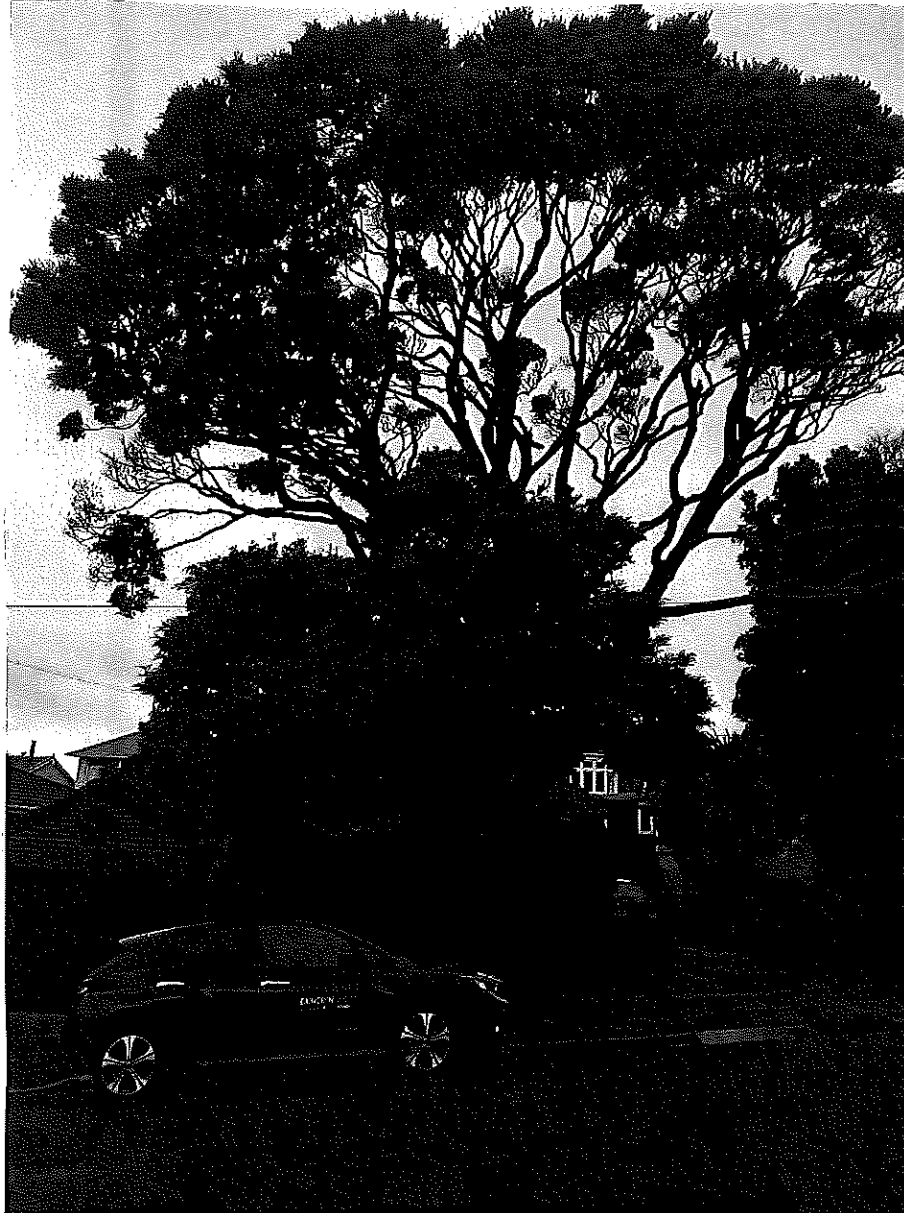


Figure 2. View of T014 from northern curb of Preston Crescent.