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Health and safety is the primary objective of this new application. Our previous application, submitted to the Environment Court, had entirely different objectives. I decided to resubmit to the Council after an inspection climb by Peter Waymouth at Greentree's discovered a 5-meter spiral trunk crack. This finding was immediately presented to the Council's lawyer, along with a request for further investigation by the Council, which was subsequently declined. It was difficult to justify the significant waste of both public and my own money by proceeding to the Environment Court when serious safety and liability factors were clearly at play. Therefore, the health and safety issue with T666 has been represented to the Council in a new resource consent application.

The number one safety factor is the 5-meter spiral crack in the trunk. I attempted to hire Purearb a Christchurch based company to conduct a sonic tomography assessment, but they were unavailable. They are the only South Island company I could find that do this type of assessment. The next option for this type of assessment is a North Island company, and we could not justify the cost to bring them to Dunedin.

Peter Waymouth from Greentrees has produced two extensive reports regarding the spiral crack in the trunk and bark inclusions. These reports provide the most comprehensive evidence possible in the absence of a sonic tomography assessment, clearly documenting the structural concerns that necessitate the tree's removal.

I contacted Valley Arboriculture for an independent review to ensure this hearing considers all expert evidence. This follows the previous hearing where, despite Peter Waymouth's high level of qualification, I believe his professional opinion and reports were not granted the respect they required.

Without a sonic tomography assessment, the exact extent of internal structural damage sustained by the tree trunk during previous wind events remains unknown. This uncertainty creates a significant safety liability for my family, neighbouring property, the public, the power network, and the Dunedin City Council.

Mitigation through pruning cannot restore the tree's lost structural integrity. Both arborists consulted have identified the existing crack as a major concern, concluding that the tree is in terminal structural decline. Immediate approval for removal is requested as the tree poses a significant risk to personal safety and property. Removal is necessary to avoid adverse effects on public infrastructure—effects that cannot be reasonably mitigated through pruning and which far outweigh any loss of amenity, in accordance with Policy 7.2.1.2 (a, c, and d).

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In addition to the trunk's structural failure, the canopy presents severe safety risks due to the lack of a primary leader, significant branch crowding, and multiple bark inclusions throughout. These inclusions create weak points that add excessive weight and leverage to an already compromised trunk.

While I acknowledge the 8-year management and pruning plan recommended by Valley Arboriculture, this program is financially unachievable for our family. It is unreasonable to expect a private property owner to shoulder such a heavy financial burden for a tree that has already reached three-quarters of its natural lifespan. We simply cannot afford this extensive maintenance; following such a program would lead to significant financial hardship.

There are a number of targets in the direct line of failure should the tree lose limbs due to bark inclusion weak points. These include our family home, my family, our neighbour and her property, powerlines, pedestrians, and both stationary and moving vehicles. In accordance with Policy 7.2.1.2 (a, c), this represents a significant and definite risk to personal and public safety, property, and public infrastructure.

Furthermore, I have attached a confidential letter from my GP highlighting my family's health issues. It is my GP's professional opinion that the presence of this tree is having a detrimental effect on our chronic conditions and general health. Supporting this, I have included a review from the *International Journal of Environmental Research and Public Health*. I draw your attention to the Abstract on page 1 regarding the health issues following insufficient sun exposure, and page 5 regarding asthma, respiratory infections, and allergies—all of which my family suffers from, as noted by my GP. This aligns with Policy 7.2.1.2 (b), as the tree shades our residence to the point that access to sunlight is significantly compromised.

The lack of sunlight has also robbed us of the opportunity to make our home energy-efficient; installing solar panels is currently unviable due to heavy shading and constant debris. Even if the tree were pruned, the rapid regrowth and the ongoing risk of limb failure would make solar installation a poor and risky investment. Likewise, while our roof tiles and battens require replacement, the constant impact of falling debris and the imminent risk of tree failure make this a non-viable maintenance option.

Also attached in my evidence is a letter from my insurance broker. She notes that because I have formally acknowledged the likelihood of the tree failing, I have effectively accepted liability. This means there is a high probability that we will not be covered when the tree fails. Furthermore, because I have identified the risk, my insurance may not activate should the tree damage our neighbour's home, as I am unable

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to mitigate the risk without Council approval. This creates potential for significant legal costs for all parties. The Council will not be exempt from legal action when this failure occurs; liability will sit firmly with the Dunedin City Council for refusing to allow the mitigation of a known hazard.

Lastly, I have included a letter from Columbs & Co Realty as part of my brief of evidence.

Should we take our home to market, we are likely to see a significant reduction in the sale price and decreased interest in the property solely due to the safety concerns surrounding this oversized, compromised tree.

We have been very vocal regarding the anxiety, fear, and stress we experience co-existing under this hazard; it is affecting our health and mental wellbeing daily. If the Council does not grant permission for removal, we feel we will have no option but to sell our much-loved family home. We have invested thousands of dollars into ensuring the interior is a healthy, well-insulated, and warm environment. It causes us undue distress to know we may be forced to sell at a loss, all for a structurally compromised retirement aged Pin Oak that is being given precedence over the wellbeing of People.

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