

October 28, 2023

RE: Application to remove of scheduled tree T402

Jane O'Dea
Associate Senior Planner
Dunedin City Council
PO Box 5045
Dunedin 9058

Dear Jane,

As per your October 25 email request for an assessment history, timeline, and a summary of my comments on the scheduled oak tree T402.

Previous involvement

I first assessed the tree in January 2019 and reported on **March 14, 2019**, RE: Significant tree T402 at number 2 Montecillo Lane, that:

- 1) The tree was visually inspected on January 28 and again on March 14
- 2) In general, at the time of the assessment, the tree looked to be in good health and had vitality within the normal range for the species and age.
- 3) The tree had an unsymmetrical canopy and was evenly foliated throughout

And that

- 4) T402 was listed as being on 79 Eglinton Road, and shown to be surrounded by other trees and vegetation, *and that* at the time of the assessment, 79 Eglinton Road had been subdivided into Montecillo Lane and T402 was a lone tree near the driveway entrance to 2 Montecillo Lane

As a result of that assessment, I recommended that the tree be pruned (the that crown be reduced in size and be re-shaped). It is my understanding that consent was granted for the pruning to be undertaken.

In **August 2020** I went to the tree again in relation to 'retrospective consent' regarding the construction of a retaining wall within the setback of a scheduled tree (i.e. works within the dripline) that had occurred at 29c Patrick Street. In relation to that visit, I noted that;

- 5) It is my opinion that the long-term health of the tree has been compromised as a result of the construction of the retaining wall at number 29c Patrick Street. The wall itself may have only had a minor effect if the Montecillo Lane subdivision works had not occurred. The potential effects on tree health need to be considered as accumulative.

And that

- 6) Neither construction events (the building of the retaining wall at number 29c Patrick Street and the construction of number 2 Montecillo Lane) have directly encroached on the structural root zone, but it is possible that root damage may extend into structural roots over time and tree stability may be compromised.

In **November 2020** I was contacted in relation to concerns that the tree was going to fall on 29C Patrick Street. I assessed the tree again and in the correspondence relating to that request, I noted that;

- 7) the tree is not pretty but it does not look as if it's at imminent risk of complete or partial failure.

And that

- 8) if consent was given for works on a tree in 2019, how long does the applicant have to do the works [because none of the recommended works have been undertaken]

In **May 2023** I was asked again to assess the tree and commented that;

- 9) [I have] assessed the tree. I can't deny that the tree is causing problems and options for fixing it are now somewhat limited - at one point in time it possibly was a magnificent tree, but this is not the case now.

And that

- 10) I believe that the Holden's will contact the Council and make an application to remove the tree. They are aware that it will most likely involve a hearing and be a publicly notified process.

In **August 2023** I was asked if the tree could be classed as being in terminal decline.

I am always cautious around this question as everything that lives is in terminal decline. And just because a tree is in decline does not necessarily mean that the decline is 'terminal'. There are so many examples of oak trees going through cycles of decline and regeneration that the process has been given a name, natural retrenchment.

In answer to the question I noted that;

- 11) I have a history with this tree, and I have watched it decline over the years; April 2019, Aug 2020, December 2020, and again in May of this year.
- 12) The tree is on the way out and it would be hard to say otherwise but it is likely to struggle on for several years yet - so yes to terminal decline but no to an imminent demise.

And that

- 13) I am very confident that the tree has declined to the point where it would no longer reach the threshold for inclusion on the schedule.

Whether the tree meets the criteria of being 'in terminal decline or with extreme failure'

In my opinion that tree does not meet the criteria of being in terminal decline or as having extreme failure (potential).

I say this because;

- 14) I am a qualified tree risk assessor. I have been trained in, and I am a registered user of the three New Zealand Arboricultural Industry recognised tree risk assessment methodologies. I am also an approved trainer of the International Society of Arboriculture's tree risk assessment qualification.

And because

- 15) Of the species and historical loss of canopy (there is not much left of it to be able to catch the wind)

Level of risk to people and property

- 16) Sam's [Sam Ritchie, Valley Arborist] report isn't bad – he says that the tree poses a risk but of doing what and over what time frame I don't think he says (without that, a risk statement is meaningless).

As a qualified tree risk assessor, I'd say

- 17) The tree has a low risk of causing severe harm in the next 24 months
- However*
- 18) There is a reasonable likelihood that branches may fall from the tree and minor property damage may occur.

Options to mitigate... work required

- 19) While it is quite possible that the tree could be pruned and the regrowth managed to a point where the regenerated tree could be aesthetically pleasing and pose an acceptable level of risk. I do not believe that it is appropriate or realistic to impose that on a tree owner due to the time and expense - *it would take five to ten years and involve several pruning events.*
- And that*
- 20) The pruning required would reduce the tree in both shape and size to a point below what would be required for inclusion on the schedule.
- And furthermore*
- 21) Even if the tree was pruned and managed for the next five to ten years, there is no guarantee that the tree would or could develop to a point where it could reach the threshold for inclusion on the schedule.

Any comments on amenity value

- 22) Currently, the tree does not and would not meet the points criteria for inclusion on the tree schedule.
- 23) It is possible and probable that if the works recommended in 2019 were undertaken the tree would not be problematic at this time. That its status as a scheduled tree would not be under question and its structural integrity would be intact. But the works were not undertaken.

So what to do?

- 24) I recommend that the application be publicly notified - process is process, that is why we have it. I can craft something to say the tree has been declining over several years and that the actions required to mitigate its decline would dramatically reduce its significance and there is no guarantee that it would successfully and aesthetically regenerate.

Summary

I am very confident that the tree has declined to point where it would no longer reach the threshold for inclusion on the schedule.

I am confident that the tree could be saved I do not believe that it is appropriate or realistic to impose the time and expense on a tree owner

That if the works recommended in 2019 were undertaken the tree would not be problematic at this time.

- o I recommend approval for consent to remove this tree.

As per your request, I have provided a relatively concise report. If you require an explanation of any of the recommendations or documentary evidence to support any of the content in this report please do not hesitate to ask.

Yours sincerely



Mark Roberts
Roberts Consulting Ltd