

*Application for Resource Consent in
accordance with Schedule 4 of the Resource
Management Act 1991*

**Tracey Byers
100 Cannington Road
Dunedin**



*For land use consent to remove scheduled tree
T285*

20 February 2023

Dunedin City Council
PO Box 5045
DUNEDIN 9054

ATTENTION: The Senior Planner – Planning Enquiries

Dear Sir

Re: Resource Consent Application – 100 Cannington Road, Dunedin

Please find attached a resource consent application to remove Scheduled Tree T285 at 100 Cannington Road, Dunedin.

Please find enclosed the following documents:

1. Resource consent application
2. Photographs of T285
3. Record of Title OT16B/816
4. DCC STEM assessment T285 dated 2001
5. Letters of support

For reference, the applicant's details are:

Tracey Byers
100 Cannington Road
Dunedin



Yours faithfully

A handwritten signature in black ink, appearing to read 'D. Sycamore'.

Darryl Sycamore
Resource Management Planner

Land Use Consent Application

100 Cannington Road, Dunedin

Resource consent is sought to remove Scheduled Tree T285 from the property at 100 Cannington Road, Dunedin. Whilst the tree is valued by the applicant's family, the tree has now outgrown the site and is damaging the dwelling and is a potential safety risk. The Byers family reluctantly seek consent to remove the tree.

Existing Title Structure

The property at address is legally described as Lot 2 Deposited Plan 24382 and is comprised in RT OT16B/816. The property is in the name of Tracey Ann Byers and Peter Steven Byers. The site has legal access to Cannington Road, with physical access over 100A Cannington via a Right of Way.

There are no easements and encumbrances which relate to this application.

Site Description

The subject site is located down a Right of Way over #100A Cannington Road. Comparatively the existing dwelling occupies a high percentage of the site. Outdoor living is provided to the north. A totara, being Scheduled Tree T285 occupies a corner of the site against the boundary with #100A and #102 Cannington Road. It is sited 2.5m from the dwelling and has an estimated diameter of 12.5m.



Figure 1 – The Subject Site

The applicant has lived at the site for the last 22 years and in that time the tree has grown an estimate 25%-30% larger.

Proposal

Consent is sought to remove the schedule totara. Unfortunately the tree has grown too large for the site and is creating a range of issues for the applicant and surrounding property owners.

Issues created by the totara has been contemplated for a number of years, and the understanding that the issues created by the tree are only going to increase as it grows larger has resulted in the Byers family seeking its removal.

Reasons for Application

Dunedin currently has two district plans, the 2006 Dunedin City District Plan (operative plan) and the Second-Generation Dunedin District Plan (2GP). The decisions on the 2GP were released on 7 November 2018 and the rules of the 2GP have legal effect. The appeal period of the 2GP closed on 19 December 2018. An appeals version of the plan was released on 13 February 2019. On 3 February 2021, Variation 2 of the 2GP was publicly notified for consultation and remains in the submission hearing process.

There are no 2GP appeals relevant to this site. It is assessed that the 2GP rules for this site can be deemed operative and the 2006 District Plan Rules deemed inoperative in accordance with Section 86F of the Act

Rules

Rule 7.3.2.3 applies to this application. The hierarchy of rules in relation to scheduled trees in the District Plan is as follows

Rule 7.3.2-

1. *The removal of a scheduled tree that is: dead, in terminal decline or with extreme failure, or subject to a court order for removal- a restricted discretionary activity*
2. *Modification of a scheduled tree – a restricted discretionary activity*
3. *The removal of a significant tree – a non-complying activity.*

No consenting pathway applies for the removal of scheduled trees that are causing property damage or are a health and safety hazard. Therefore the proposal defaults to the non-complying activity status.

Overall Activity Status

The proposed activity shall be assessed as a **non-complying activity**.

Council may exercise their discretion in accordance with the relevant policies of a regional plan, regional policy statement, any relevant NES and the RMA (in particular Part 2 matters). If the resource consent is granted the council can set any conditions that fall within the Council 's powers under Section 108 of the RMA.

National Environmental Standards

There are no other National Environmental Standards or National Policy Statements that apply to this application.

Statutory Considerations

This application must be considered in terms of Section 104 of the RMA. Subject to Part 2 of the RMA, Section 104(1) sets out those matters to be considered by the consent authority when considering a resource consent application. Considerations of relevance to this application are:

- (a) any actual and potential effects on the environment of allowing the activity; and
- (ab) any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity; and
- (b) any relevant provisions of:
 - (i) A national environmental standard;
 - (ii) Other regulations;
 - (iii) a national policy statement
 - (iv) a New Zealand coastal policy statement
 - (v) a regional policy statement or proposed regional policy statement
 - (vi) a plan or proposed plan; and
- (c) any other matters the consent authority considers relevant and reasonably necessary to determine the application.

Effects on the Environment

Assessment of Environmental Effects

Section 104(1)(a) requires consideration of the actual and potential effects on the environment of the activity.

Health of the Tree

The tree is a healthy totara that has occupied the site since residential use occurred on the site. In 2001, DCC staff carried out a STEM assessment and rated the tree with a score of 156. The tree is now significantly larger than the 2001 site visit and photograph on the STEM assessment.

No arborist report has been provided in the application support the removal of the tree as there is no contest regarding the significance and contribution of the tree. The scale, form and health of the tree are best illustrated in Images 1 and 3 of Appendix 1 below.

Totara can grow to between 30m and 40m in height.

Effects on the dwelling

The totara has grown to the extent that it is causing a number of effects on the dwelling. No pruning or modification can realistically manage the effects of the tree.

The root mass has crept under the foundations of the house and displacing the soil. This is best illustrated in Image 2 of Appendix A. It is a great concern the roots will causing significant damage and will continue to do so at a greater intensity as the tree continues to grow. Advice from Blair McNabb Plumbers suggests that foundation damage has either occurred or is likely to occur given the proximity of the tree from the dwelling footings. The roots are also displacing soils within the land around the dwelling. Paving tiles are uplifted with little chance of being able to level the site and restore them to a flat outdoor living surface.

The needle-like leaves fall to the ground by the thousands every week. At least once a week they are swept up, but they have still resulted in blocking the driveway and the pump that drains the garage which slopes downward from #100A Cannington Road. Image 4 of Appendix A shows a drainage area completely full of needles. During rain events the pump intake in front of the garage has periodically blocked and flooded. This has resulted in damage to personal effects. Once, the pump was damaged by the totara needles and had to be replaced. Blair McNabb Plumbers have frequently had to attend to issues. McNabb's have provided a letter attached in Appendix 3 in support of the tree's removal given the ongoing maintenance issues and risk to the dwelling.

The needles also fill the spouting. The property owners frequently have to clear the spouting to avoid internal damage. Once, water entered the house from the blocked spouting and damaged internal gip that needed replacing and repainting.

The tree will continue to grow and dominate the site. It is expected the issues that are problematic for the Byers family now, will only continue and will increase in frequency and severity as the tree matures.

Health and Safety Effects

There are a number of health and safety effects arising from the tree.

The uplifted pavers from the roots have created an uneven surface, and at times have resulted in trip events. This has resulted in headaches from the fall and abrasions. Most worryingly, the applicant occasionally hosts elderly family and friends and are always concerned about the trip hazard and consequences of falls when they visit.

During high wind events the tree heaves. It can be scary to observe and hear the tree and even more so during the night. To date only small branches have fallen onto the house and yard, but this does not reduce the possibility nor change the many sleepless nights waiting for a branch failure or the tree to fall entirely.

The Byers family considers the tree presents a significant health and safety risk.

Effects on the Adjacent Landowners

A number of neighbours have expressed concern to their health and property over the years as a result of the tree. Three landowners on surrounding properties have provided letters of support to the application, which is appended to this application, each for their own reasons.



Figure 2 – Location of Property Owners in Support of the Application

For most scheduled trees, it is the adjoining neighbours most affected and opposed to any application for their removal. In this situation, the three property owners most affected by the tree's removal have provided a letter in support. Scheduled trees do also provide an addition to the wider environment due to their prominence and ecological contribution. For T285, the receiving environment is rich in mature native trees and the removal of this tree will not be a tangible loss to the area.

The letter in support by Ann-Marie Gray of 100A Cannington Road raises the following concerns. The tree sits against her boundary. She is concerned about-

- A loss of sunlight and the safety risks associated with the frosty courtyard,
- The blocking of spouting's,
- Ongoing anxiousness arising from potential branch fall during high wind events,
- The damage to property from the roots.

Bernard McDonnell of #98 Cannington Road refers to safety concerns and risk to neighbours during high wind events. The effects on them include flood risk and the ongoing management of root needs.

Emeritus Professor Dave Craw lives at #102 Cannington Road and the tree is sited against his families property. He has provided a letter in support of removing the tree for the following reasons-

- Upper branches in close vicinity to electrical wires and internet cable. He considers it is inevitable that left alone the tree will extend into the wires. In his view ongoing maintenance will affect the form and balance of the tree.
- The tree needles create a significant nuisance where left litter washes towards his house during rain events creating pooled water and ongoing maintenance work.

- The tree shades his property making the area constantly damp and mossy. This creates a slip hazard.

A copy of these letters are appended to the application.

Summary of Adverse Effects on the Environment

There is no doubt as an individual specimen the tree is significant. It is however within a part of the City which is highly vegetated including a number of significant DCC reserves. The wider area will not be comprised in terms of amenity, ecology or habitat should it be removed.

Objective and Policy Analysis

Objectives	Supporting Policies	Assessment
<u>Objective 7.2.1</u> The contribution made by significant trees to the visual landscape and history neighbourhoods is maintained.	<u>Policy 7.2.1.2</u> Avoid the removal of a scheduled tree (except as provided for in Policy 7.2.1.1) unless: - there is a significant risk to personal/public safety or a risk to personal safety that is required to be managed under health and safety legislation; - the tree poses a substantial risk to a scheduled heritage building or scheduled heritage structure; - there is a moderate to significant risk to buildings; - the removal of the tree is necessary to avoid significant adverse effects on existing infrastructure and network utilities; - removal of the tree will result in significant positive effects in respect of the efficient use of land; or - removal of the tree is required to allow for significant public benefit that could not otherwise be achieved, and the public benefit outweighs the adverse effects of loss of the tree.	The proposal will introduce a change to the existing neighbourhood as a prominent tree will be removed. The receiving environment is however a highly vegetated suburb including a number of significant parks such as Ross Creek. In (a) the effects of the tree currently present a significant risk to family and especially elderly family from trip-hazards arising from the expansion of ground from the roots. Other landowners also note slip hazard. The effects are only going to become more problematic as the tree grows. In (c) the tree already poses a moderate risk to buildings. Water has entered the wall cavity and damaged the gib requiring repair. We are also worried about the effects on the dwelling foundations. For (d) the tree is becoming a problem with power and internet cables. It is noted by Professor Craw that the tree could be maintained and trimmed to accommodate the required setbacks, however this will result in a significant loss in 'form' values.

		Overall, the proposal is considered consistent or generally consistent with this objective and policy.
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Having regard to the relevant objectives and policies individually, and considering these holistically, the above assessment indicates that the application is consistent or generally consistent with those provisions set out in the Proposed 2GP.

Assessment of Regional Policy Statements

Section 104(1)(b)(v) of the Act requires that any relevant regional policy statements be considered. The Regional Policy Statement for Otago (RPS) was reviewed in respect of this proposal. No policies specifically relevant to this proposal were identified. Overall, the proposal is considered consistent with the Regional Policy Statements for Otago.

Section 104D

Section 104D of the Resource Management Act 1991 specifies that resource consent for a non-complying activity must not be granted unless the proposal can meet at least one of two limbs. The limbs of Section 104D require that the adverse effects on the environment will be no more than minor, or that the proposal will not be contrary to the objectives and policies of both the district plan and the proposed district plan.

It is considered that the proposal meets both limbs as any adverse effects arising from this proposed activity will be no more than minor given the receiving environment, and the activity will not be contrary to the objectives and policies of both the 2GP once the lawfully established existing use rights are applied.

Therefore, the Council can exercise its discretion under Section 104D to grant consent.

Other Matters

Section 104(1)(c) of the Resource Management Act 1991 requires the Council to have regard to any other matters considered relevant and reasonably necessary to determine the application. The matters of precedent and Plan integrity are considered relevant here.

In this case, the proposal is non-complying because the removal of a scheduled tree automatically falls into a non-complying activity status. The 2GP provides no pathway for the removal of a tree that poses a significant threat to health and safety or the effects on buildings. These are credible effects arising from the having large trees within the City, and arguably the 2GP should have included a consenting pathway to address these risks.

Overall, it is considered that the proposal will not undermine the integrity of the Plan as the threat to person and property is credible. It will not set an undesirable precedent as no two applications are ever likely to be the same, albeit one may be similar to the other. Should other consents where significant trees risk human life or damage to buildings, then they should be assessed on their merits. The most that can be said is that the granting of consent may well have an influence on how other applications should be dealt with. The extent of that influence will depend on the extent of the similarities. This application, like many previous applications are generally inconsequential in terms of threat to the plan integrity.

In my view this proposal does not offend the effects-based policies of the 2GP noting there is no 'avoid' policy. On that basis, it is my opinion no undesirable precedent would be created nor would either Plan integrity be imperilled.

Part 2 – Purpose and Principles

Part 2 of the RMA contains the purpose and principles. Consideration of applications for resource consent as a **non-complying** activity is subject to Part 2 of the RMA.

The purpose of the RMA is set out in Section 5 as being to promote the sustainable management of natural and physical resources. Sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while:

- a. sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and
- b. safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and
- c. avoiding, remedying, or mitigating any adverse effects of activities on the environment.

Section 5 of Part 2 identifies the purpose of the RMA as being the sustainable management of natural and physical resources. This means managing the use of natural and physical resources in a way that enables people and communities to provide for their social, cultural and economic well-being while sustaining those resources for future generations, protecting the life supporting capacity of ecosystems, and avoiding, remedying or mitigating adverse effects on the environment.

For the reasons outlined in the assessments above, it is considered that the proposal is consistent with Section 5 of the RMA. Overall, it is considered that the proposal will not compromise the life supporting capacity of air, water, soil and ecosystems within the receiving environment. It is also considered that the proposed uses are directly in keeping with Section 5 in that the provision of safe residential environments will provide for the social, cultural and economic well-being of three property owners.

Section 6 of the RMA sets out matters of National Importance and requires that these be recognised and provided for. These include natural character of the coastal environment, natural, landscape and heritage areas, significant indigenous vegetation and fauna and the relationship of Māori with their culture and traditions. It is considered that there are no matters of national importance (including acknowledging there is the waahi tupuna overlay identifying the site is within the cultural landscape) relating to this application.

Section 7 outlines the matters that must be considered when managing the use, development and protection of natural and physical resources, and includes the efficient use of natural and physical resources, and the maintenance and enhancement of amenity values. The proposal is considered appropriate in this location when considering the wider receiving environment.

Section 8 requires Council to take into account the principles of the Treaty of Waitangi. It is considered that there are no matters relating to the Treaty of Waitangi relevant to this application.

Accordingly, it is concluded that the proposed development is consistent with the purpose of the RMA in relation to managing the use, development, and protection of natural and physical resources.

Special Circumstances

Special circumstances have been defined by case law (in the context of whether special circumstances exist to require the public notification of an application) as "outside the common run of things which is exceptional, abnormal or unusual, but less than extraordinary or unique.

A special circumstance would be one which makes notification desirable despite the general provisions excluding the need for notification." (Far North DC v Te Runanga-aiwi o Ngati Kahu [2013] NZCA 221).

In this case, no special circumstances exist to warrant notification on either the basis of

- the threat to person and property
- the support provided by adjoining property owners who are arguably the most affected by the proposal,
- the previous consenting history approved by Council, and
- there is no 'avoid' policy in the General Residential 1 provisions with respect to density.

Positive Effects

Section 3 of the Act defines the meaning of "effect", which includes any positive effects. Whilst consideration cannot be taken into account by a consent authority to consider positive effects when making a decision to notify, positive effects can be weighted as part of an overall assessment. In this case, the proposal includes a number of positive effects by mitigating health and safety risks and the significant effects of the tree on residential property.

Conclusion

Resource consent is sought to remove a scheduled tree that is creating an ongoing hazard in terms of health and safety and also the risk of significant damage to private property. The proposal has been discussed with adjoining neighbours whom all support the removal of the tree. The proposal is assessed as consistent or generally consistent with the relevant objectives and policies of the proposed 2GP and other relevant planning instruments and will result in effects that are no more than minor.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Darryl Sycamore', with a stylized flourish at the end.

Darryl Sycamore
Resource Management Planner

Appendix 1 - Photographs



Image 1- Wider angle of tree against boundary



Image 2- Damage to ground profile and pavers

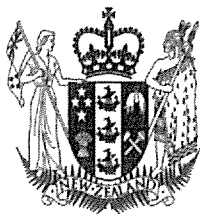


Image 3- Wider angle highlighting scale of tree against dwelling



Image 4- Drainage sump blocked by needles

Appendix 2 – Record of Title



**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy**




R. W. Muir
Registrar-General
of Land

Identifier OT16B/816

Land Registration District Otago

Date Issued 03 April 1995

Prior References

OT321/231 OTA1/12

Estate Fee Simple
Area 517 square metres more or less
Legal Description Lot 2 Deposited Plan 24382
Registered Owners
Peter Steven Byers and Tracey Ann Byers

Interests

879394.3 Easement Certificate specifying the following easements - 3.4.1995 at 10.14 am

Type	Servient Tenement	Easement Area	Dominant Tenement	Statutory Restriction
Right of way	Lot 1 Deposited Plan 24382 - CT OT16B/815	A DP 24382	Lot 2 Deposited Plan 24382 - herein	Section 243 (a) Resource Management Act 1991
Convey electricity	Lot 1 Deposited Plan 24382 - CT OT16B/815	A DP 24382	Lot 2 Deposited Plan 24382 - herein	Section 243 (a) Resource Management Act 1991
Water	Lot 1 Deposited Plan 24382 - CT OT16B/815	A DP 24382	Lot 2 Deposited Plan 24382 - herein	Section 243 (a) Resource Management Act 1991
Telecommunications	Lot 1 Deposited Plan 24382 - CT OT16B/815	A DP 24382	Lot 2 Deposited Plan 24382 - herein	Section 243 (a) Resource Management Act 1991
Drain sewage	Lot 1 Deposited Plan 24382 - CT OT16B/815	A DP 24382	Lot 2 Deposited Plan 24382 - herein	Section 243 (a) Resource Management Act 1991
Drain stormwater	Lot 1 Deposited Plan 24382 - CT OT16B/815	A DP 24382	Lot 2 Deposited Plan 24382 - herein	Section 243 (a) Resource Management Act 1991

879394.5 Certificate pursuant to Section 321(3) (c) Local Government Act 1974 - 3.4.1995 at 10.14 am

5068125.3 Mortgage to The National Bank of New Zealand Limited - 6.8.2001 at 2:17 pm

Approvals *Beckwith* *MB*

REGISTERED OWNERS

Approved pursuant to Section 223 of the Resource Management Act 1991 on the 27th day of December 1994.

Subject to the granting or reserving of the easements set out in the Memorandum herein.

The Common Seal of the Dunedin City Council is affixed hereto in the presence of:

Mayor
Admin. Officer

DUNEDIN CITY COUNCIL

MEMORANDUM OF EASEMENTS

SHOWN	PURPOSE	SERV	ODH	TEN
(A)	Right of Way Right to Carry Electricity Water & Telecommunications Right to Drain Sewage & Stormwater	Lot 1	Lot 2	

Total Area 929 m²

Comprised in (ALL) C.T. & A11/2 & 321/231

L. ANTHONY IDEN, SURVEYOR
Registered Surveyor and holder of a licence under the Survey Act 1980. I hereby certify that this plan has been made from surveys conducted by me or under my direction, that the plan and survey are correct and that the area shown is the area of the land as shown on the survey map made in accordance with the Survey Regulations 1972 or any amendments made in substitution thereof.

Dated at Dunedin this 7th day of November 1994.

Field Book: ...
Reference Plan: DP 3159, 3155, 3157, 2100.

Examined by: ...
Approved as to Survey: *MB*

15/12/94

Deposited this 3rd day of December 1994.

Deposited by: *MB*
Deposited in: *MB*

Received 8/11/94

DP 24382

7099 DORS FORM 1/15

LAND DISTRICT OTAGO
Survey Blk. & Dist. VIII, UPPER KAIKORAL
NZMS 261 Sheet 144 Record Map No. 536

TERRITORIAL AUTHORITY DUNEDIN CITY
Surveyed by: PATERSON PITTS & PARTNERS
Scale 1:200 Date JUNE 1994

LOTS 1 & 2 BEING SUBDIVISION OF PTS LOT 6 D.P. 1777

Scale 1:200 Date JUNE 1994

VIA POSTMASTER GENERAL OFFICE, DEPARTMENT OF SURVEY AND LAND INFORMATION, NEW ZEALAND

I.D. 144/63

Appendix 3 – Letters in Support of Tree Removal

26 January 2023

Tracey Byers
100 Cannington Road
Maori Hill
DUNEDIN

Re: Totara Tree
100 Cannington Road
Maori Hill Dunedin

I wish to offer my support for the removal of this tree. I have owned the property at 100A Cannington Road, for the past 12 years. My property is in front of 100 Cannington Road and the totara tree.

During my time of owning this property, the tree has grown a considerable amount, blocking out a lot of sunlight to my property all year round. During winter months, the shaded part of my courtyard can stay frozen for several days making the area very slippery to walk on and therefore hazardous.

My property is constantly covered in the small needle like leaves which have clogged my spouting many times, therefore requiring me to ask for assistance for clearing this, which I am unable to do on my own.

During very windy days especially northerly winds, I get anxious about branches that have the potential to fall on my house and cause damage.

I am concerned about the damage that the roots of this tree may do to properties that are close by. The tree will continue to get bigger and the roots will grow further out into or underneath other properties.

The tree has grown very large in recent years and I feel is far too big for suburban living and to be so close to residential properties. I am concerned about the potential hazards that this tree could cause and therefore I support the removal of this tree.

Yours sincerely



Ann-Maree Gray
100A Cannington Road, Maori Hill, Dunedin



27 January 2023

Tracey Byers
100 Cannington Road
Maori Hill
DUNEDIN 9010

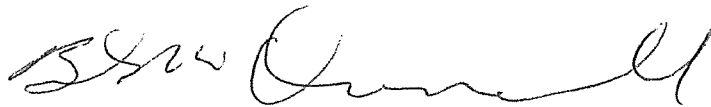
Dear Tracey

RE: REMOVAL OF LARGE TOTARA TREE – 100 CANNINGTON ROAD

I support the application to remove the large Totara Tree from 100 Cannington Road.

I am aware of the massive amount of growth in the tree in recent years and the ongoing safety concerns, to the surrounding neighbours, especially in strong winds. Making the position of the tree, in this high density location not practical or comfortable for those living in close proximity.

Bernard McDonnell
98 Cannington Rd

A handwritten signature in black ink, appearing to read 'Bernard McDonnell', written in a cursive style.

20 January 2023

Ms Tracey Byers
100 Cannington Road
Maori Hill
Dunedin

Dear Tracey

Re: Removal of large totara tree on west side of 100 Cannington Road section.

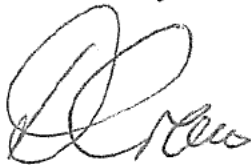
I wish to offer you my strong support for your suggestion that this tree be removed. It has become far too large for a small suburban section, and it now extends across our mutual boundary and over my driveway (102 Cannington Road).

Specific concerns I have with that totara tree are:

1. Several of its upper branches are close to the electricity wires and internet cable that lead down my drive to my house. It is inevitable that if the tree is left alone it will keep growing and will soon touch my wires. Now that the tree has become so large, repeatedly trimming these branches will make the tree look unbalanced and ugly. It will become the subject of on-going time-consuming and expensive battles between us landowners and DCC.
2. The tree drops large amounts of fine leaves, especially after a windy period. This leaf litter accumulates on my gravel drive, covering the gravel and encourages weeds to grow in the rotting leaves. The leaves blow in both directions along my drive, depending on wind direction, and the leaves therefore affect up to 30 metres of my drive, depending on past weather conditions. This is a constant nuisance for me as it makes maintenance of my drive more difficult than it should be.
3. The leaf litter washes down my drive towards my house during heavy rain events. This spreads the problems mentioned in Point 2 above over an even larger part of my drive. The washed leaf litter also causes pooling of water on my drive, leading to soft patches in the gravel. This requires additional maintenance work.
4. The tree shades my drive so that after a rain event, the drive does not dry out quickly, especially in winter. As a result, the drive is becoming extensively encrusted with moss. This makes the drive slippery to walk and drive on. I have tried numerous different chemicals to control this moss and none of them have worked for any useful length of time. It is not in anyone's environmental interest that I have to declare chemical warfare on a problem that is being imposed on my section from a too-large neighbouring tree that crosses my boundary.

I would be happy to discuss these issues in person with anyone involved with your tree-removal proposal so that these on-going problems can be identified on the ground. I hope that you are successful in your bid to remove the tree. When I moved into this property 23 years ago, that totara was a rather nice tree. That no longer applies; it is just too big now and it is a nuisance.

Yours sincerely



Dave Crow
102 Cannington Road, Maori Hill
Dunedin



BLAIR MCNAB PLUMBING LIMITED

2 BELLEVUE STREET - BELLEKNOWES - DUNEDIN P O BOX 7121 - MORNINGTON - DUNEDIN

PH 03 455 0899 CEL 0274 318086 email: blair@mcnabplumbing.co.nz

31st January 2023

Mrs T Byers
100 Cannington Road
Maori Hill
Dunedin

Dear Tracey,

Ref: Totara Tee Removal.

We are concerned about the issues that the Totara tree is having on the site especially the house and drainage system.

Firstly, the tree drops it needles into the spouting and must be cleaned out on a regular basis ((sometimes every second week), this has in the past caused internal water damage, also it fills up the foul gully trap outside the ensuite (this was cleaned out the other week and had at least half a bucked of needles in it).

The roots of the tree have raised the pavers and surrounding ground level and that is a trip hazard.

Also, the roots will be heading towards the house and drains that will eventually cause further damage.

The major issue is the tree is extremely tall and with the strong winds we appear to be having (possibly due to climate change) and one day it could blow down and this would cause extreme damage to the surrounding houses and person injury.



Regards

Blair McNab

Blair McNab Plumbing Ltd

100 Cannington Rd



Totara
13.06.01

Tree no 372