



APPLICATION FORM FOR A RESOURCE CONSENT



PLEASE FILL IN ALL THE FIELDS

Application details

I/We

Rosemary Creighton

(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

I opt out of the fast-track consent process: Yes No

(only applies to controlled activities under the district plan, where an electronic address for service is provided)

Brief description of the proposed activity:

Removed protected tree (Pohutukawa)

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 (tick one)

Street address of site: 2 Fifeield St Roslyn Dunedin 9010

Legal description:

Certificate of Title: CT39/39.

Contact details

Name:

Rose Creighton

(applicant agent (tick one))

Address:

2 Fifeield St Roslyn, Dunedin

Postcode: 9010

Phone (daytime):

02 349 3939

Email:

rosie.creighton.nz@gmail.com

Chosen contact method (this will be the first point of contact for all communications for this application)

I wish the following to be used as the address for service (tick one): ☒ Email ☐ Post ☐ Other:

Ownership of the site

Who is the current owner of the site?

Rosemary Creighton

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

Address:

Postcode:

Phone (daytime):

Email:

Planning Application Fees Payment Details (Who are we invoicing)

THIS FORM MUST BE COMPLETED FOR ALL PLANNING APPLICATIONS THAT ATTRACT A FEE. ALL FIELDS ARE MANDATORY.

This information is required to assist us to process resource consent invoices and refunds at lodgement and the end of the process.
If you have any queries about completing this form, please email planning@dcc.govt.nz

Deposit Payment Payee Details:

Full Name of Deposit Payee (Person or Company):

Mailing Address of Deposit Payee (please provide PO Box number where available):

Email Address of Deposit Payee:

Daytime contact phone number:

Important Note: The Payee will automatically be invoiced for the deposit and/or any additional costs. Should a portion of the deposit be unspent, it will be refunded to the payee.

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 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.

Development contributions

Your application may also be required to pay development contributions under the Council's Development Contributions Policy. For more information please ring 477 4000 and ask to speak to the Development Contributions Officer, or email development.contributions@dcc.govt.nz.

Occupation of the site

Please list the full name and address of each occupier of the site:

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).

(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.

Remove large protected pohutukawa tree from the left front of house due to it being too large, causing damage to the house's foundation's obstructing the view from the main bedroom & blocking access for scaffolding to be erected.

Mahara is a Heritage New Zealand (grade 2) listed house built using rimu with a slate roof. This is a high maintenance house and a very fast growing tree which was planted approximately (3) metres from the house. has (7) trunks.

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.

For this reason and after much consultation over several months, I believe that the best outcome for the continued preservation of this landmark house, the tree does need to be removed.

The tree is so large with a massive canopy that reducing its size will not solve any of the problems listed above. This has been an extremely difficult decision to come to but I now believe that it is the best decision.

(Attach separate sheets if necessary)

District plan zoning

What is the District Plan zoning of the site?

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.

RULE 7.3.2(3) - N.C. REMOVAL OF A SCHEDULED TREE.

Affected persons' approvals

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

Name: Rikki Wilkman (Buildingcorp)

Address: rikki.w@bettagroup.co.nz - [REDACTED]

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. Schedule 4 of the Resource Management Act 1991(RMA) provides some guidance as to what to include.

It is a beautiful tree that I think the neighbourhood would enjoy, there are however several other very large trees on the property including a protected beech (golden) & an oak & chestnut tree among many rhododendron & azalea.

(Attach separate sheets if necessary)

The following additional Resource Consents from the Otago Regional Council are required and have been applied for: ☐ Yes ☐ No

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

Assessment of Objectives and Policies

In this Section you need to consider and assess how your application proposal aligns with the relevant objectives and policies in the District Plan relating to your activity. If your proposal is a discretionary or non-complying activity under the District Plan more attention to the assessment will be necessary as the objectives and policies of the District Plan may not always be in support of the proposed activity.

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 (tick one):



Date:

2.5.2024

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 Māori 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.

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, Dunedin 9054

IN PERSON: Customer Services Centre, Ground Floor, Civic Centre, 50 The Octagon

BY PHONE: (03) 477 4000

BY EMAIL: planning@dcc.govt.nz

There is also information on our website at www.dunedin.govt.nz

Information requirements

- Completed and Signed Application Form
- Description of Activity and Assessment of Effects
- Site Plan, Floor Plan and Elevations (where relevant)
- Written Approvals
- Payee details
- Application fee (cash, eftpos, direct credit or credit card (surcharge may apply))
- Certificate of Title (less than 3 months old) including any relevant restrictions (such as consent notices, covenants, encumbrances, building line restrictions)
- Forms and plans and any other relevant documentation signed and dated by Affected Persons

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)? ☐ 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:



Rosemary Creighton <rosie.creighton.nz@gmail.com>

Mahara 2 Fifield Street, Roslyn, Dunedin**Rikki Williams** <rikki.w@bettagroup.co.nz>

Thu, May 23, 2024 at 8:07 AM

To: Rosemary Creighton <rosie.creighton.nz@gmail.com>

To whom it may concern

I recently conducted a building inspection at 2 Fifield St in Roslyn and have been contacted by the owner over a few issues that could possibly be related to a large Pōhutukawa tree on the property.

The tree appears to be healthy and is growing very quickly. The canopy is rather large and has caused significant maintenance and repair issues. The wall on the south east elevation is constantly shaded with the canopy constantly being cut away as it is touching the wall and parts of the roof. As a result of this a large section of this wall has had to be re-clad, this comes at a significant cost as the house is a heritage listed property. The root systems appear to have caused cracking to the foundation wall, pathways and two retaining walls. The bank bordering the footpath has crumbled and will continue to do so due to roots penetrating.

The canopy is also encroaching into the nearby power lines. Allowances to have these trimmed are in place but the rate the canopy is growing they are few and far between so the owner has to take it on themselves once again at a significant cost. Where the tree is trimmed or hacked back looks unsightly from the roadside.

Although the owner does like the tree it is becoming problematic and expensive to upkeep. When this tree was planted the size and location close to the house were not thought of. The rooms on that corner of the house are constantly in the shade with the views of the harbour and city blocked out. I believe this location for the house was to maximise these views.

Due to the cost of constant maintenance to the property, the size of the tree and possible damage caused by the root system that consideration of the tree being removed should be taken.

I believe as this is a listed heritage property and a Dunedin landmark that the house should take precedence over the tree.

Regards

Get Outlook for iOS

Rikki Williams**Building Inspector**

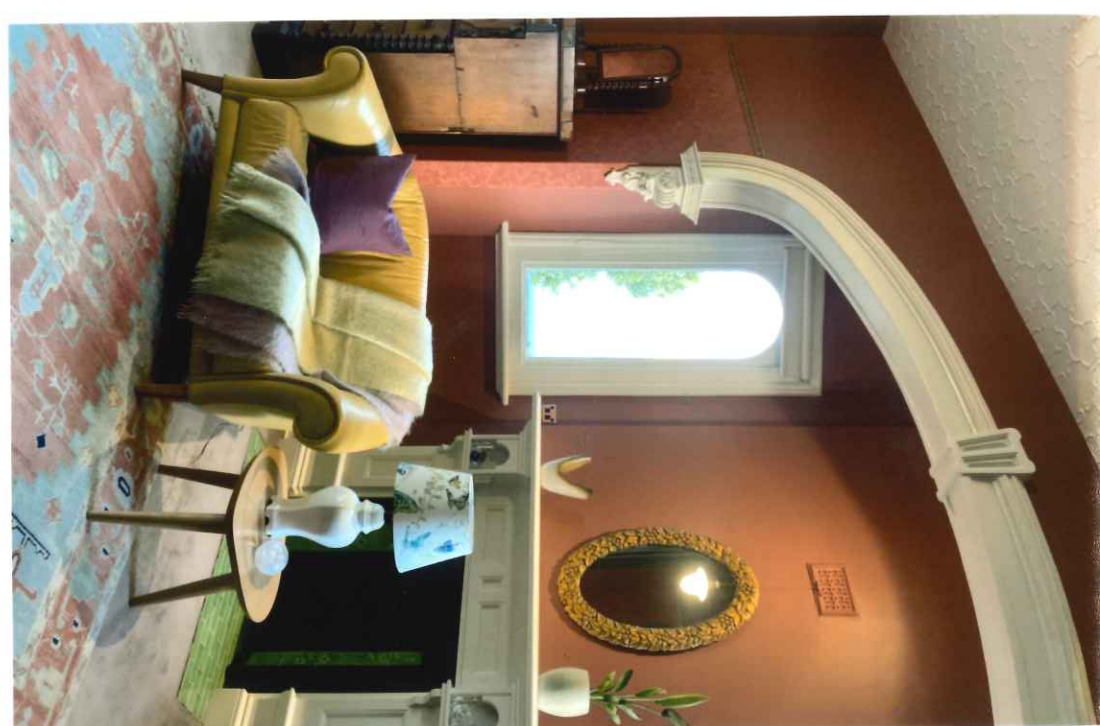
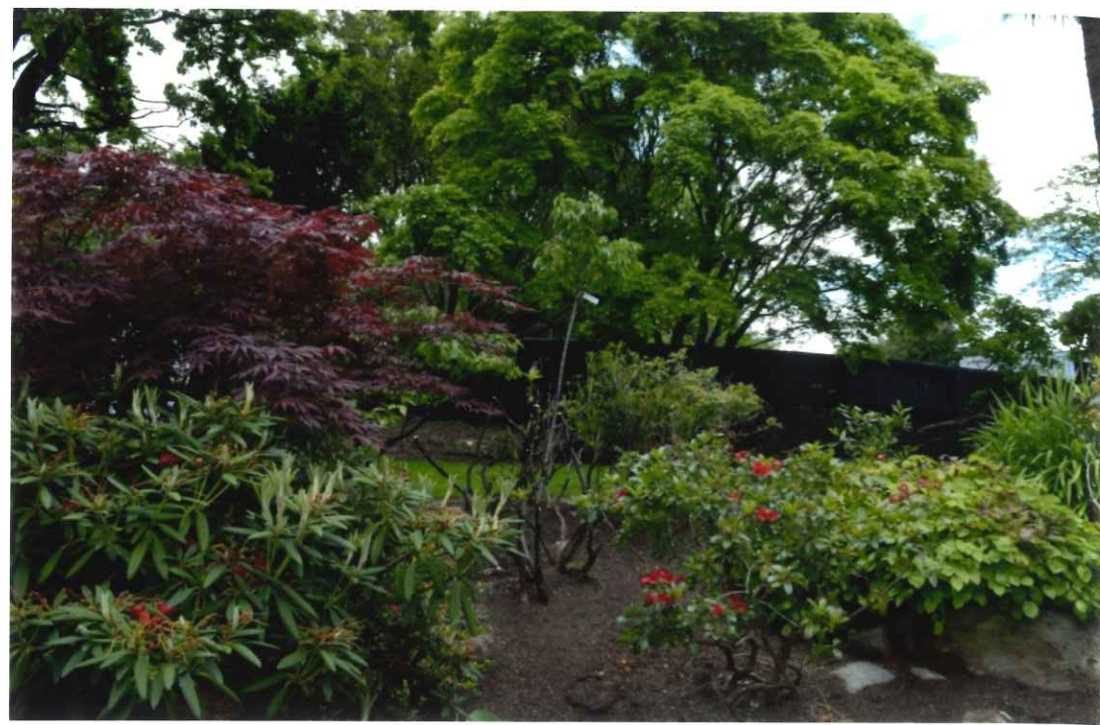
Qualified Builder | NZQA Asbestos Awareness | Diploma in Construction

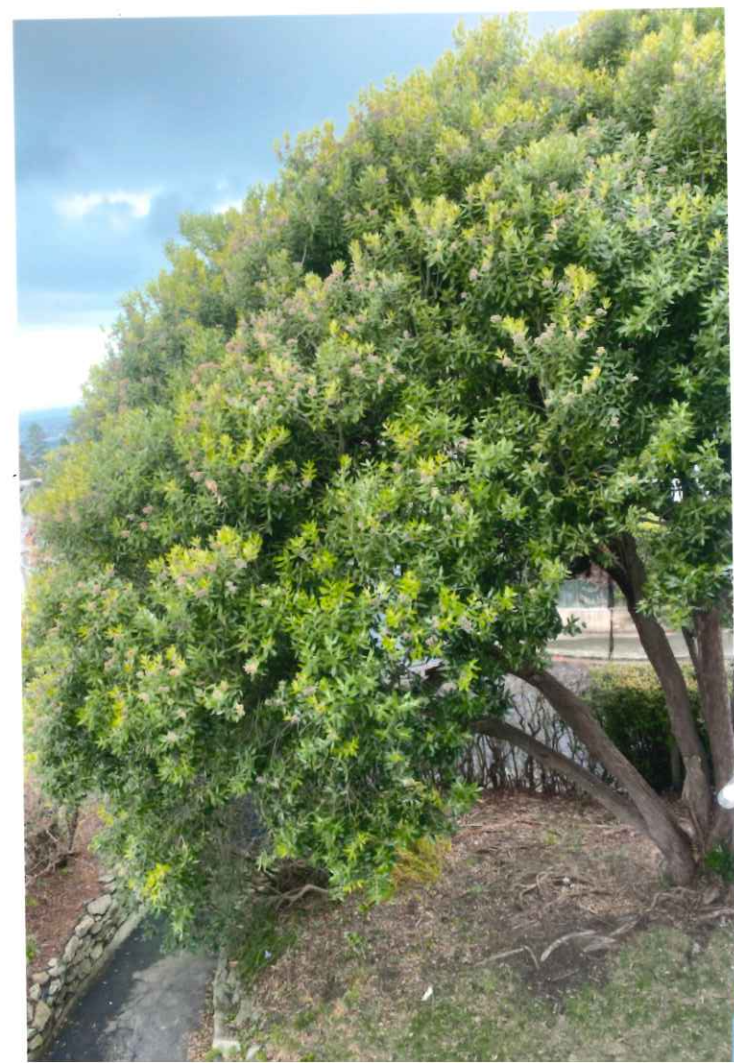
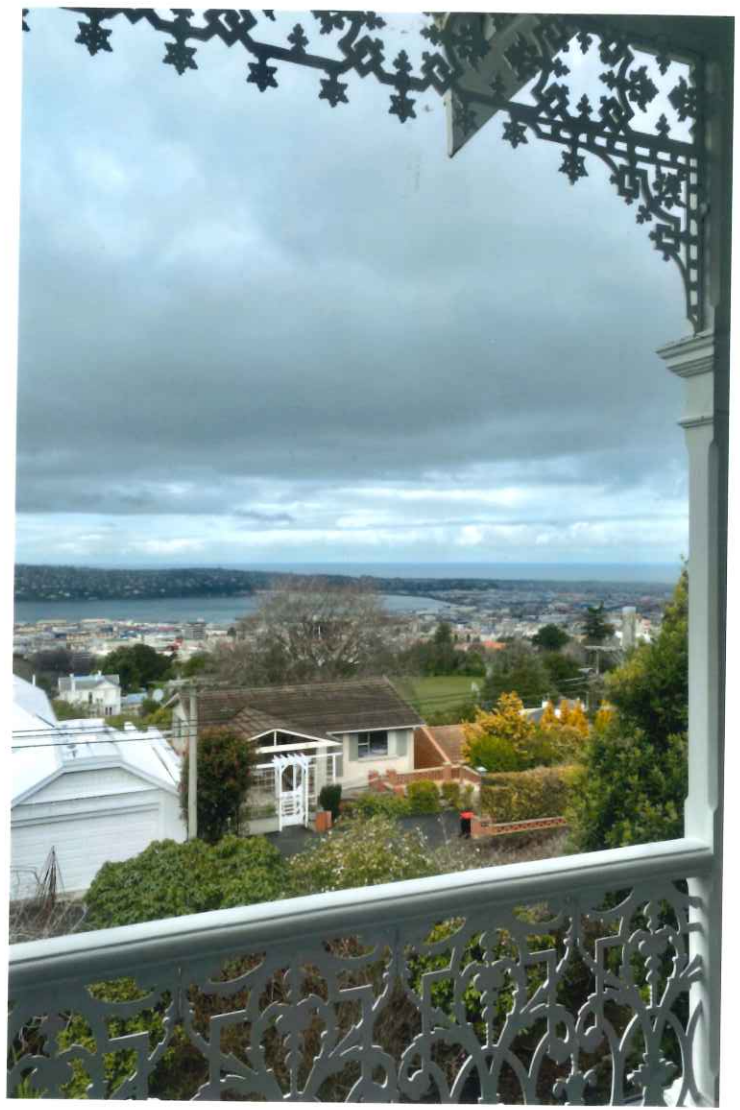
0800 422 388 | 027 217 1259

rikki.w@bettagroup.co.nz

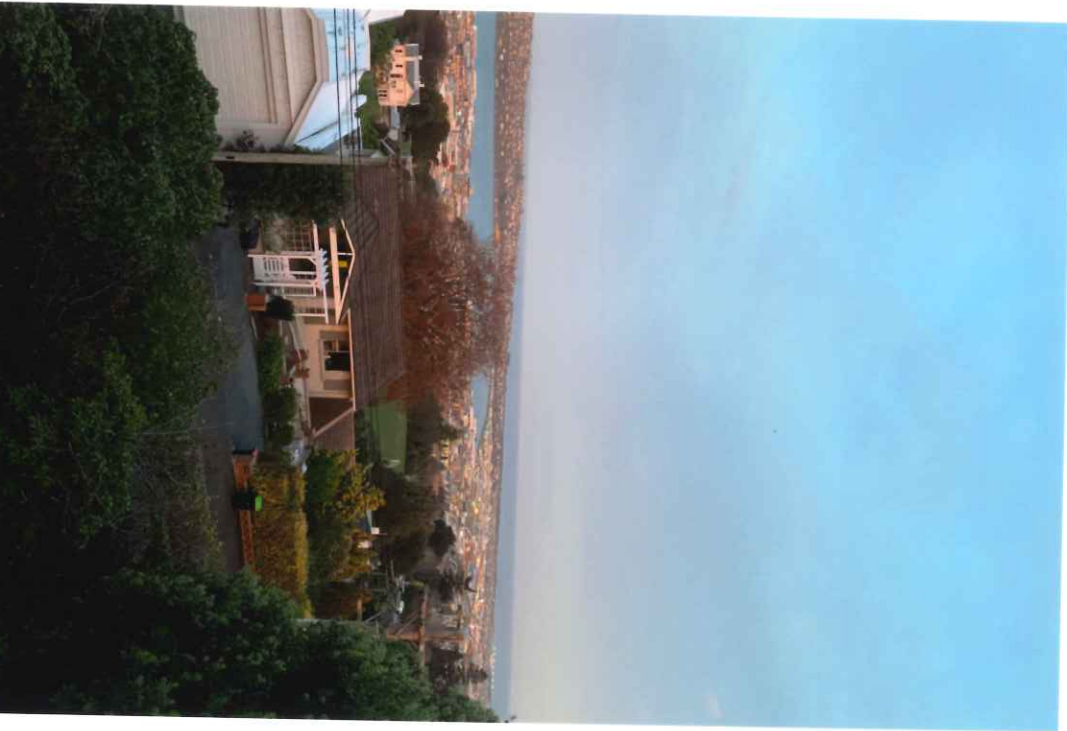
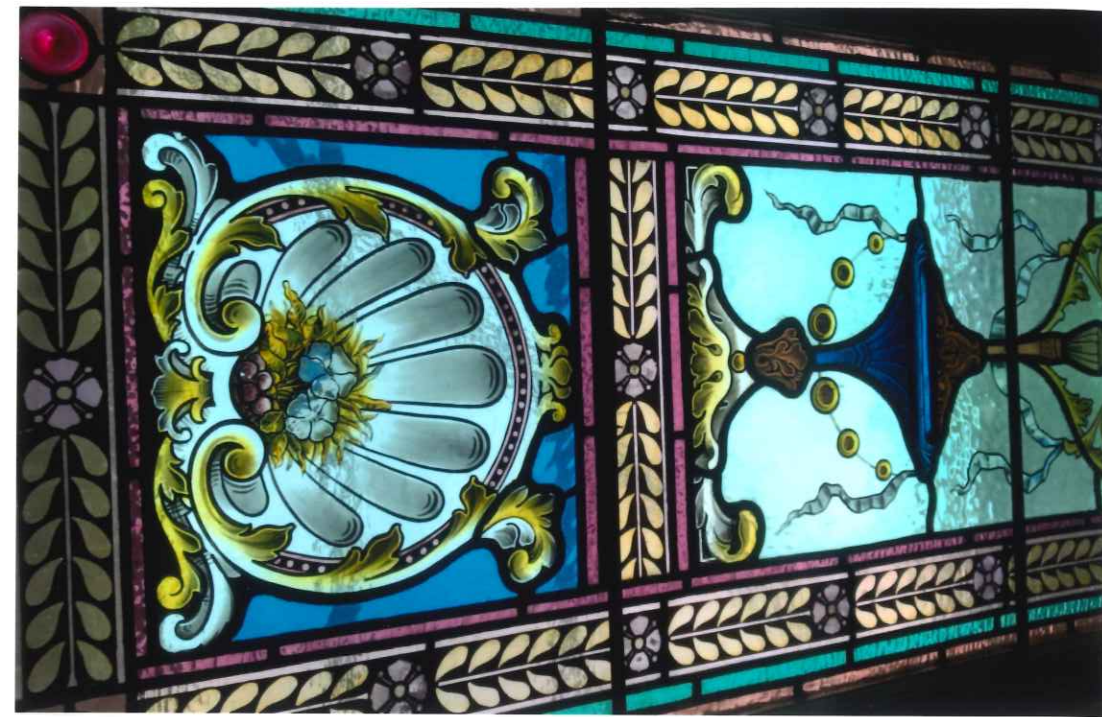


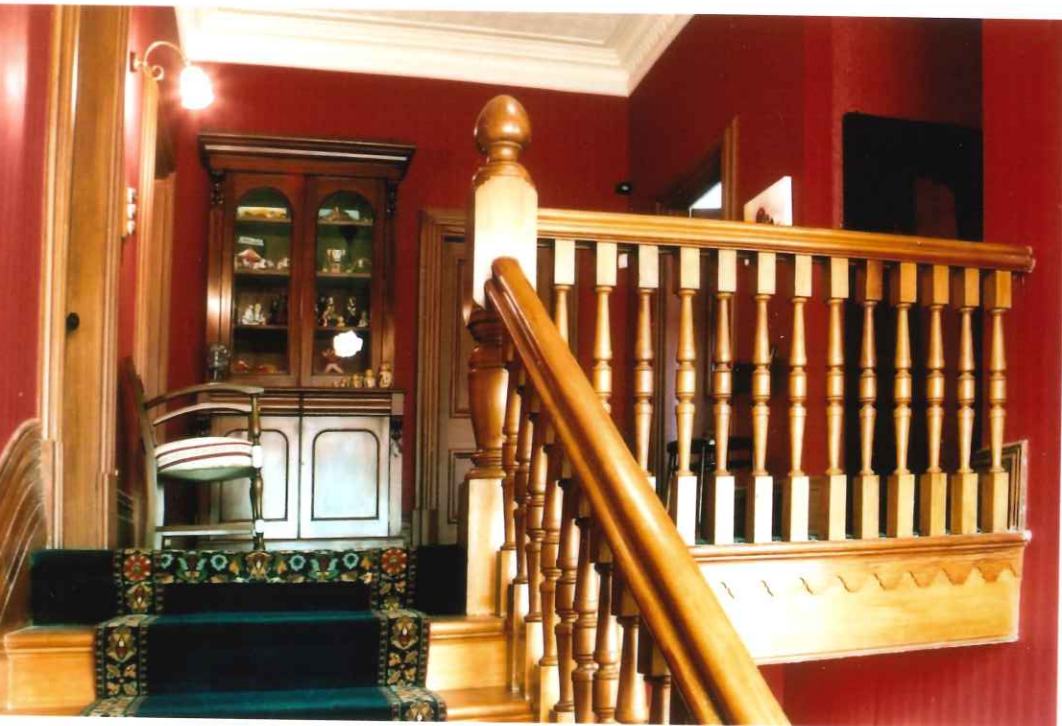
Here at Betta Group we care for your privacy. That is why we have taken appropriate measures to ensure that the data you have provided to us is always secure. If you have any questions related to GDPR compliance or data protection, please contact our Data Protection Officer.











D M Holdings 2023 Ltd
PO Box 2474, South Dunedin 9044

6 August 2024

Rosie Creighton
2 Fifield Street
Roslyn
Dunedin



Arborist Report for Pohutukawa Tree Removal (DCC Scheduled tree T454)

Introduction

This report is our assessment of the Pohutukawa (*Metrosideros excelsa*) tree located at 2 Fifield Street. The assessment was requested due to concerns regarding potential damage to the foundation of the house and significant obstruction of a view from a bedroom window.

Site and Context

- Location of Tree: Eastern yard, near the house's foundation
- Proximity to Structure: 2-3m from the foundation of the house
- View Affected: Second floor bedroom window on the Eastern side of the house

Observations and Findings

House Foundation

Upon inspection, it is evident that the Pohutukawa tree's root system has grown in close proximity to the house's foundation. The following issues were observed:

- Root Intrusion: Significant roots structure has been noted around the foundation. The roots are likely exerting pressure on the foundation walls, potentially compromising the structural integrity of the building.
- Notable also is the disused underground diesel tank to the immediate East of the tree, and the underground drainage within the dripline of the tree

Obstruction of View

The Pohutukawa tree's expansive canopy has grown to a size that significantly obstructs the view from the bedroom window. This blockage impacts the visual amenity of the living space and reduces natural light entering the room.

Tree Health

- Condition: The tree is in overall good health with no significant signs of disease or pest infestation. The foliage is lush, and the tree appears vigorous.
- Structural Integrity: The tree has a stable trunk and root system; however, its proximity to the foundation and the potential for further growth poses ongoing risks. The root system has severed arterial roots and exposed root both sides.
- Height reduction pruning is unlikely to be successful as the tree has matured past a height that could be successfully pruned to the second-floor windows and retain sufficient canopy to ensure the trees health.

Recommendations

Given the issues outlined, removal of the tree would alleviate key considerations:

- Foundation Integrity: The removal of the tree will alleviate the pressure on the foundation, preventing further structural damage.
- View Enhancement: Removing the tree will restore the significant view from the bedroom window, enhancing the property's living environment.
- Risk Management: Although the tree is healthy, its growth poses a future risk to the building, civil services, and the property's aesthetics.

Proposed Action Plan

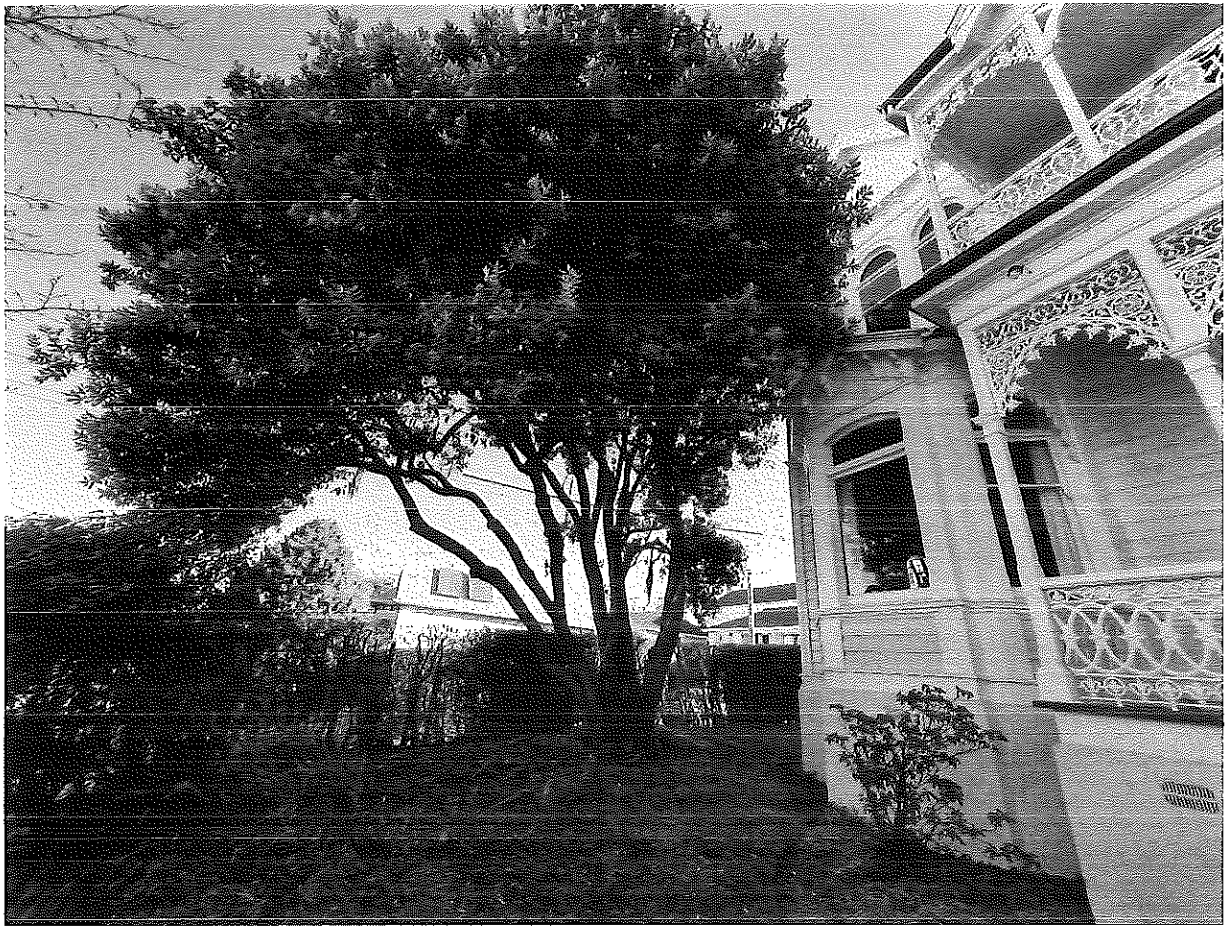
- Removal: Engage a DCC approved arborist to safely and efficiently remove the Pohutukawa tree.
- Stump Grinding: After removal, stump grind to prevent potential new growth and return surface to level garden.
- Foundation Assessment: Ensure a LBP assesses the foundation to evaluate and repair any damage sustained.

Attachments

- Photographs of the tree
- Diagram showing the tree's location relative to the house

Prepared by:

D M Holdings 2023 Ltd
info@dmholdings.co.nz
03 479 2774



Viewing Southwest – Note building foundation and 2nd floor bedroom window view obstruction



Viewing North – Note powerlines



Viewing East – Note powerlines



Tree location

Exposed roots northern side of tree



Severed exposed roots – South side clay bank

Response to 2GP - Dunedin District Plan

Rule 7.8 Assessment of Non-complying Activities

Relevant objectives and policies

Objective	Response
<i>Objective 7.2.1 - The contribution made by significant trees to the visual landscape and history of neighborhoods is maintained.</i>	The subject property at 2 Fifield Street, Roslyn, Dunedin, (legally described as Lot 2 DP 308 (RT OT139/139)) is listed as Historic Place Category 2 by Heritage New Zealand. An excerpt from the statement of significance is as follows: “Mahara is one of a pair of elegant timber mansions in Dunedin designed by E.W. Walden in 1905 and built for prominent businessman Andrew Lees’ daughters. Of enormous aesthetic appeal, architectural grandeur and historical associations, Mahara makes a significant contribution to our understanding of turn-of-the century residences and Dunedin’s elite.” (Heritage New Zealand, 2023) It is acknowledged that the Pohutukawa (<i>Metrosideros excelsa</i>) located at 2 Fifield Street, Roslyn, is an element which contributes to the visual landscape of the immediate street. However, the ongoing risk to an item of heritage significance which itself contributes to the visual landscape, outweighs the visual contribution of the tree in this instance.
<i>Objective 2.4.1 - The elements of the environment that contribute to residents' and visitors' aesthetic appreciation for and enjoyment of the city are protected and enhanced.</i> <i>These include:</i> <i>a) important green and other open spaces, including green breaks between coastal settlements;</i> <i>b) trees that make a significant contribution to the visual landscape and history of neighbourhoods;</i>	Located on a prominent corner at Fifield and Tweed Streets, Mahara is a featured building within the immediate vicinity. As indicated above, the building forms a pair with the neighboring mansion, known as ‘Leebank’. It is considered that the Pohutukawa tree contributes to the visual landscape, however, there is little evidence that the tree contributes to the history of the neighbourhood or the listed property itself (as it was not planted at the time of building). On balance, it is considered that the Pohutukawa

c) <i>built heritage, including nationally recognised built heritage;</i> d) <i>important visual landscapes and vistas;</i> e) <i>the amenity and aesthetic coherence of different environments; and</i> f) <i>the compact and accessible form of Dunedin.</i>	tree detracts from the visual connection of the nationally recognised heritage building which is a significant element for aesthetic appreciation. Potential ongoing impacts to this significant heritage building as a result of the Pohutukawa tree will be significant. See assessment under (ii.) below for further detail.
<i>Avoid the removal of a scheduled tree (except as provided for in Policy 7.2.1.1) unless:</i> <i>I. 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;</i>	The location of the Pohutukawa tree in relation to Mahara currently poses risk to the safety of those who require access for maintenance purposes. Due to the close proximity, scaffolding required by the relevant work safety regulations cannot be achieved, and will hinder any maintenance works to be undertaken to the heritage item.
<i>li. the tree poses a substantial risk to a scheduled heritage building or scheduled heritage structure;</i>	As noted previously, the subject property is listed as Historic Place Category 2 by Heritage New Zealand. As indicated within both a building inspection report, as well as the provided Arborist Report (DM Holdings, 6 August 2024), the root systems of the Pohutukawa have resulted in cracking to the foundations, pathways and retaining walls. The close proximity of the root system to these elements will result in a compromise of the structural integrity of the significant heritage building. In addition, the dense canopy of the Pohutukawa results in both external and internal risk factors to the heritage building. Branch contact with the significant carved wooden paneling of the facade and paint will result in visible disrepair to the streetscape. Internally, reduced sunlight and airflow to the south-eastern corner of the heritage building, resulting in further risk impacts such as mould and/or rising damp. Mould within the upper main bedroom located to this corner is already apparent. In essence, the replaceable Pohutukawa is

	posing severe risk and irreversible damage to an item of national significance.
<i>lii. there is a moderate to significant risk to buildings;</i>	As included above, accompanying reports indicate that the root system of the Pohutukawa tree has resulted in cracking of nearby foundations to the heritage building. The tree is posing significant risk to the ongoing structural integrity of the building. Ongoing maintenance to the heritage building will also be hindered as scaffolding may no longer be erected nearby as a result of the tree's location.
<i>lv. the removal of the tree is necessary to avoid significant adverse effects on existing infrastructure and network utilities;</i>	As indicated via building inspection (Rikki Williams, dated 23 May 2024), the root system of the Pohutukawa tree has resulted in damage to surrounding footpaths. In addition, its canopy encroaches into nearby power lines. Therefore without ongoing maintenance and pruning of the tree's canopy (which would cause unreasonable financial burden to any owner of the property), the tree will result in adverse impacts to the surrounding power network. It is important to note that the tree has previously undergone maintenance in this regard, to mitigate potential impacts to the surrounding power infrastructure. In 2020, following significant encroachment of the canopy into the power infrastructure located on Fifield St, Aurora completed a substantial pruning. Further to above this, general trimming to reduce contact/damage to the house has also been undertaken.
<i>V. removal of the tree will result in significant positive effects in respect of the efficient use of land; or</i>	The removal of the Pohutukawa tree will mitigate irreversible damage to an item of national significance which contributes to the aesthetic character of Dunedin. Its removal will also ensure that any unreasonable financial burden resulting from damage caused by the tree to the heritage building is lessened, and crucial maintenance works to the building can continue for many years to come.

X. 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 (Policy 7.2.1.2).

The removal of the Pohutukawa tree will significantly enhance the visual connection between the streetscape and a building of national heritage significance.

Mahara makes a notable contribution to understanding of early twentieth century housing and prosperous members of Dunedin society, and its longevity as an item of national heritage significance to be enjoyed by all aesthetically, outweighs any adverse effects of the loss of the Pohutukawa tree.