

Addendum Report to Hearings' Commissioner Mr. William (Bill) Smith on a Resource Consent Application

This addendum is provided by the Reporting Planner, Holly Jenkins, in response to the Applicant's evidence, as requested by the Hearings' Commissioner, Mr William (Bill) Smith.

The following addendum will only discuss those matters of the Application which have changed through the submission of the Applicant's evidence. All other assessments and conclusions of my original s42A report, dated 16 June 2023 remain as reported.



**Holly Jenkins,
Consultant Planner - RMA Consents**

29 June 2023

Date

This report was peer reviewed by the following signatory:



**Kaylee Kolkman,
Team Leader - RMA Consents**

29 June 2023

Date

The Proposal

1. The proposal remains as originally described at paragraphs 1 – 7 of the application, however as altered by the Applicant – Ms Christine Niblock, the ratio of replacement planting is to be 1:1 within the Brentwood Avenue road corridor, with an additional 10 trees planted within the grassed area of the Brentwood Reserve.
2. At paragraph 5.9 of the Proposal section of Ms Niblock's evidence it is stated that trees would be removed in one stage, with replacement trees occurring as soon as practicably possible and goes on to discuss that the removal of the trees will allow for Council's Roding Department to undertake a thorough assessment of the condition of the footpath and consider options for a permanent repair solution. Ms Niblock notes that there are no immediate commitments and due process will be followed once the condition of the carriageway has been assessed.
3. Ms Niblock has also accepted the variation to the planting palette in accordance with Appendix 3A of my s42A report.

Reasons for Consent

4. The reasons for consent remain unchanged. Resource consent is required under Rule TREE-R6 – Removal of any Public Trees – Discretionary Activity.

Actual and Potential Effects on the Environment (s104)

Character and Amenity Effects

5. I agree with and adopt the assessment made by Ms Niblock in paragraphs 7.7 and 7.8 of her evidence, and consider character and amenity effects in this regard will be upheld by the change to the replacement ratio.
6. In her evidence Ms Niblock has discussed the timing of the replacement. While it has always been clear that to fully rectify the identified health and safety, and property damage issues, the footpath infrastructure would need to be repaired, it was my understanding this would occur completely independently of the trees being replaced. Ms Niblock's evidence suggests that the trees will be removed, and then Council's Roding Department will review the condition of the road reserve and identify and implement a repair solution, and then the replacement species would be planted.
7. While I appreciate there is a need to mitigate the potential for physical repairs to the road reserve do not harm the health of the trees, I consider in the context of this application there is also a need to balance the timing in which this occurs to ensure the character and amenity of the environment is not reduced on a longer term duration.
8. On this basis I have recommended a condition of consent which provides time for the Applicant and Council Departments to identify and plan for remedial works, and carry out all tree removal, remedial and replacement works within a suitable timeframe. I consider this condition enables balance between character and amenity effects, and timely health and safety remediation.

9. I maintain my position that the proposal will result in a no more than minor effect on the character and amenity of the environment in the immediate future. I also consider this effect will continue to reduce over time to a less than minor effect once vegetation is matured.

Ecological Effects

10. In her evidence, Ms Niblock has included further comment from Suitable Qualified and Experience Arborist - Mr Redfern. Mr Redfern considers the replacement ratio and additional replacement trees within the reserve, will adequately compensate the loss of the mature trees from the road reserve over time. I accept and adopt Mr Redfern's assessment and consider ecological effects to be no more than minor.

Effects Summary

11. Taking into account the assessments made in my s42A report and above, overall I consider the effects of the proposal on the environment will be no more than minor.

Relevant Policy Statements, Plans or Proposed Plans (s104(1)(b))

12. I maintain all assessments and conclusions reached in my s42A report. No further assessment is considered necessary.

Part 2 of the RMA

13. I maintain all assessments and conclusions reached in my s42A report. No further assessment is considered necessary.

Conclusion and Recommendations

14. The application proposes to remove 34 public trees from Brentwood Avenue Road Reserve and replace these trees with new public trees at a ratio of 1:1 with an additional 10 trees planted within Brentwood Reserve.
15. For the reasons discussed in my s42A report and above, the proposal is considered to have no more than minor effects on the environment. All other assessments and conclusions reached in my s42A report are maintained.
16. For completion, I attach as Appendix 1 a full suite of proposed conditions of consent with the only change from my original s42A report being those changes put forward by the Applicant.