

15 March 2022

**Request for Official Information responded to under the Local Government and Official Information and Meetings Act 1987 (LGOIMA) – reference: OIR 2122-201**

I refer to your information request we received on 23 February 2022 for the following:

*For context, the developer of the extension to the Senior Citizens Hall in the Reserve has advised me that the council had told him that the plans for the drop off point at the Hall must be altered to provide a drive through road between Ocean Rd and Bluegum road "to allow buses through" (the developer's words). Of necessity this would involve alteration, trimming, pruning, and/or removal of two notable trees in the Reserve.*

- 1. Does the council currently propose, or is it considering, amending, trimming, pruning or removing any notable trees in the Bluegum Reserve as a consequence of the recent development work in the reserve?***

Any request for trimming, pruning or removal of any notable tree would trigger the requirement to obtain a resource consent under the District Plan Rules. We are not at present dealing with any such resource consent application.

At the onset of the development planning process, the applicant was advised by Council's consenting office that the large trees in the western and southern areas of the site are protected Heritage Trees, and that they cannot be modified or removed. It was further stated that any access created to Bluegum Road would need to ensure it did not disturb any trees (including being designed so that vehicles using the access do not disturb the trees) or their root system.

On receipt of the conceptual plans, council further reiterated to the applicant that the Heritage Trees on the site, including their root systems, must be protected from any modification or damage.

- 2. Will the council notify ratepayers and residents of its intentions before undertaking or considering undertaking, amendments, trimming, pruning or removing notable trees in Bluegum Reserve as a consequence of the recent development of the Reserve?***

The requirement for different levels of notification are informed by the nature and scale of the proposed activity. Council will not be able to answer this until we receive an application which clearly shows what is being proposed and the extent of trimming.

On that basis I must decline this part of your request as the information does not exist, Section 17(e) of the Act refers.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Mike Mendonça', with a stylized flourish at the end.

**Mike Mendonça**  
Acting Group Manager Place and Space  
Te Kaihautū Takiwā, Waahi hoki