



EASTBOURNE MEMORIAL RSA (Inc.)

Te Rōpū Hōia Whakamahara o Muri, o Nāianeī, ki Ōkiwi

South End Tuatoru Street, P.O.Box 41-056, Eastbourne, Wellington, New Zealand 5047
Email: eastbournememorialrsa@gmail.com.....Charities Commission Registration No. CC32948

1 April 2025

District Plan
 Hutt City Council
 30 Laings Road
 Lower Hutt 5010

Remembrance Kauri Tree – 19A Nikau Street Eastbourne 5013

I have recently been given a document – Hutt City Section 32 Evaluation -NOTABLE TREES.

This relates to a commemorative Kauri tree on the property of 19a Nikau Street Eastbourne Lower Hutt 5013. The tree was planted in 1920 as a memorial to Hugh Girdlestone who was killed in action in WW1.

In 2015 a submission was raised on Proposed District Plan Change DPC36A/19 (refer attached document) for the removal of the Kauri tree. The decision was that the Kauri tree would remain in situ.

I have been advised that this decision could be challenged again after 10 years which is 2025.

The Eastbourne Memorial RSA wants to ensure that there is no change to the current status of the tree and would challenge any submission to remove it. It is an important and significant site to the Eastbourne community.

Attached is the HCC form 'Submission on publicly notified proposed district plan change'
 If the form is incorrect for this process, please advise.

Look forward to your response and please don't hesitate to contact me.

Kind regards

EMRSA President
 Lesley Fogarty

lmfogarty3@xtra.co.nz

RMA FORM 5

Submission on publicly notified proposed district plan change

Clause 6 of Schedule 1, Resource Management Act 1991



To: Chief Executive, Hutt City Council

1. This is a submission from:

Full name	Last FOGARTY First LESLEY
Company/organisation	EASTBOURNE MEMORIAL RETURNED SERVICES ASSOC
Contact if different	
Address	Unit A Number 19 Street NHAKU STREET
	Suburb EASTBOURNE
	City LOWER HUTT Postcode 5013
Address for Service if different	Postal Address EMRSA PO BOX 41-050 EASTBOURNE WELLINGTON 5047 Courier Address
Phone	Day [REDACTED] Evening [REDACTED]
	Mobile [REDACTED]
Email	Infogarty3@xtra.co.nz

2. This is a submission on the following proposed change to the City of Lower Hutt District Plan:

Proposed District Plan Change No:

36

Title of Proposed District Plan Change:

SECTION 32 EVALUATION NOTABLE TREES

3. I ☐ could ☒ could not gain an advantage in trade competition through this submission.
(Please tick one)

4. If you could gain an advantage in trade competition through this submission:

I ☐ am ☒ am not directly affected by an effect of the subject matter of that submission that—
(a) adversely affects the environment; and
(b) does not relate to trade competition or the effects of trade competition:

(Please tick one)

Note: if you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

5. The specific provisions of the proposal that my submission relates to are:

Give details: Proposed District Plan No 36 (referred to Page 1 from 2015) attached copy
The Eastbourne Memorial RSA (Inc)
wishes to confirm our support for and
endorsement of the Hutt City Council's
existing classification of the 'notable' Eastbourne
Kauri tree 19A Nikau Street Eastbourne.

(Please use additional pages if you wish)

6. My submission is:

Include whether you support or oppose the specific provisions or wish to have them amended, and reasons for your views:

Continued protection of the tree.

Historical information.

'On 2nd October 2015 there was a
submission presented to the HCC
for the removal of the commemorative
tree.'

The tree was planted in 1920 by J H
Heenan as a memorial to Hugh

Girdlestone who was killed in action at
Passchendaele WW1.

The HCC considered the tree was
not causing damage to the property
and it remains in situ.

(Please use additional pages if you wish)

7. I seek the following decision from Hutt City Council:

Give precise details:

If a further submission was made to remove the kauri tree at 19A Nikau Street by the owner, then the EMRSA would challenge any further submissions to the HCC for the reasons stated in Section 6.

(Please use additional pages if you wish)

8. I ☒ **wish** ☐ **do not wish** to be heard in support of my submission.
(Please tick one)

9. If others make a similar submission,

I ☐ **will** ☒ **will not** consider presenting a joint case with them at the hearing.
(Please tick one)

Signature of submitter:

(or person authorised to sign on behalf of submitter)

Lilly Fogarty
President EMRSA

1 April 2025
Date

(a signature is not required if you make your submission by electronic means)

Privacy Statement

The information you provide in this submission, including your name and contact details, will be provided to other submitters and published on Hutt City Council's website. Hutt City Council is required to collect and publish this information under the Resource Management Act 1991. Your contact details will be removed from Council's website when the further submissions process has been completed, however your name will still appear in the hearing and decision reports.

You have the right to ask for a copy of any personal information we hold about you, and to ask for it to be corrected if you think it is wrong. If you'd like to ask for a copy of your information, or to have it corrected, please contact us at informationmanagementteam@huttcity.govt.nz or call 04-570-6666.

Where to send your submission

- By email (preferred): district.plan@huttcity.govt.nz
- By post: Hutt City Council, Private Bag 31912, Lower Hutt 5040
- In person: At the Hutt City Council Customer Service Centre, 30 Laings Road, Lower Hutt

Copy Submission for Removal of
Kauri tree 2015

DPC36A/

Proposed District Plan Change

Clause 6 of the First Schedule, Resource Management Act 1991

To: Chief Executive, Hutt City Council

1. This is a submission from:

Full name	Last: diederich	First: SINEAD AND MATT
Company/organisation		
Contact at different		
Address	Number: 19A Street NIKAU	
	Suburb: EASTBOURNE	
	City: LOWER HUTT	
Address for Service	Postal Address	Postcode: 5013
at different	Courier Address	
Phone	Day	Evening
Fax		Mobile
Email		

2. This is a submission on the following proposed change to the City of Lower Hutt District Plan:

Proposed District Plan Change No:

36

Title of Proposed District Plan Change:

NOTABLE TREES AND VEGETATION REMOVAL PROVISIONS

3. The specific provisions of the proposal that my submission relates to are: (Please give details)

RETENTION OF KAURI TREE ON PROTECTED TREES LIST

(If your submission does not fit in the above box please use this form as the cover page and use additional pages)

4. My submission is: (Include whether you support or oppose the specific provisions or wish to have them amended, and reasons for your views)

REMOVE THE TREE FROM THE LIST. REASONS (A) DAMAGE TO PROPERTY INCLUDING GARAGE ROOF. PATHWAYS (B) MAJOR INTERFERENCE WITH SUNLIGHT (C) MESS (D) POOR CONDITION (E) INSURANCE QS (F) TOO LARGE FOR THE GARDEN

(If your submission does not fit in the above box please use this form as the cover page and use additional pages)

5. I seek the following decision from Hutt City Council: (Give precise details)

REMOVE THE TREE FROM THE PROTECTED TREES LIST OR COUNCIL TO PAY FOR PRUNING, ONGOING MAINTENANCE AS WELL AS REPAIRS TO DAMAGED PROPERTY

(If your submission does not fit in the above box please use this form as the cover page and use additional pages)

6. I ☒ wish ☐ do not wish to be heard in support of my submission.

(please tick one)

7. If others make a similar submission,

I ☒ will ☐ will not consider presenting a joint case with them at the hearing.

(please tick one)

Signature of submitter:

(a signature is not required if you make your submission by electronic means)

2.10.2015

Date

Copy

19A Nikau Street

110.	19/19A Nikau Street, Eastbourne LOT 30 DP 981 Rear of property.	Kauri (<i>Agathis australis</i>)	Commemorative tree. 'Planted by JH Heenan in 1920 as a memorial to Hugh Girdlestone, who was killed in action at Passchendaele.' STEM Score: 123	Existing
111.	19 Nikau St, Eastbourne LOT 30 DP 981 One of five Nikau Palms at the rear of the property. This is the western most tree, by the stairs.	Nikau Palm (<i>Rhopalostylis sapida</i>)	Mature specimen. Around 100 years old. Likely to be a remnant specimen. STEM Score: 144	Proposed
112.	19 Nikau St, Eastbourne LOT 30 DP 981 One of five Nikau Palms at the rear of the property. This is located 1m to the east of the western most tree by the stairs.	Nikau Palm (<i>Rhopalostylis sapida</i>)	Estimated age of around 80 years. STEM Score: 123	Proposed
113.	19 Nikau St, Eastbourne LOT 30 DP 981 One of five Nikau Palms at the rear of the property. This is the tallest of the five trees, located closest to the house.	Nikau Palm (<i>Rhopalostylis sapida</i>)	Tallest specimen in the group of five. Straight upright stem with good frond development. Estimated age well over 100 years old. STEM Score: 150	Proposed
114.	19 Nikau St, Eastbourne LOT 30 DP 981 One of five Nikau Palms at the rear of the property. This is the smallest of the five trees, on the northern side of the group.	Nikau Palm (<i>Rhopalostylis sapida</i>)	Smallest specimen in the group of five. Highly likely to be a seedling growth from the main parent trees. Estimated to be around 60 years old. STEM Score: 114	Proposed
115.	19 Nikau St, Eastbourne LOT 30 DP 981 One of five Nikau Palms at the rear of the property. This is the northernmost tree with an accentuated lean on its main trunk.	Nikau Palm (<i>Rhopalostylis sapida</i>)	Tall specimen. Estimated age around 80 years. STEM Score: 114	Proposed
116.	23 Nikau Street, Eastbourne LOT 34 DP 981 Front of property.	Kauri (<i>Agathis australis</i>)	Commemorative tree. 'Planted by Sir Joseph H. Heenan of Wellington in August 1919 as a memorial to H. Marsden who was killed at Passchendaele.' STEM Score: 123	Existing
117.	301 Normandale Road, Normandale LOT 16 DP 53631 Below Old Coach Road, on southern boundary adjacent to residential driveway.	Macrocarpa (<i>Cupressus macrocarpa</i>)	Large specimen with spreading dominant canopy. Remnant tree from group that was planted between 1890 and 1900 as part of farm landscaping for shelter purposes. STEM Score: 132	Existing
118.	301 Normandale Road, Normandale LOT 16 DP 53631 Closest to the Old Coach Road boundary fence line, above gully on northern aspect.	Macrocarpa (<i>Cupressus macrocarpa</i>)	Large specimen with spreading dominant canopy. STEM Score: 132	Existing
119.	301 Normandale Road, Normandale LOT 16 DP 53631 Northern most specimen, growing directly below Old Coach Road location.	Macrocarpa (<i>Cupressus macrocarpa</i>)	Largest specimen on site with wide spreading canopy. STEM Score: 138	Existing