BEFORE THE INDEPENDENT HEARINGS PANEL FOR HUTT CITY COUNCIL

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of the Hutt City Council Proposed District Plan

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RIGHT OF REPLY EVIDENCE OF Cristal Bennett

ON BEHALF OF HUTT CITY COUNCIL

Hearing 7 – Other topics Hearing: Notable Trees Chapter (NT)

12 November 2026

1.0 INTRODUCTION

1.1 My name is Cristal Bennett. I am the Pou Whakamahere Kaupapa Here at Hutt City Council.

1.2 This right of reply addresses matters raised in Minute #22, dated 29 October 2026 regarding Mr Stephen Phillips submission on Notable Trees (Day 2 of Hearing 7) of the Proposed District Plan.

1.3 Unless otherwise stated below, the findings and recommendations in my section 42A report and rebuttal evidence remain unchanged.

2.0 QUALIFICATIONS, EXPERIENCE AND CODE OF CONDUCT

2.1 My qualifications and experience are set out in my section 42A report for the Notable Trees chapter. I confirm that I have read, and agree to comply with, the Code of Conduct for Expert Witnesses.

3.0 RESPONSE TO MR PHILLIPS

3.1 Mr Phillips raised matters relating to:

- Tree #110 (a Kauri at 19/19A Nikau Street, Eastbourne);
- Tree #116 (a Kauri at 23 Nikau Street, Eastbourne);
- An additional tree Mr Phillips identified at 11A Nikau Street, Eastbourne; and
- A commemorative tōtara tree near HW Shortt Park, Eastbourne (located on Council berm).

ORIGINAL SUBMISSIONS

3.2 In submission point 124.1, Mr Phillips sought the retention of tree #110. He described it as being planted in memory of Hugh Girdlestone and located at 11A Nikau Street rather than 19/19A Nikau Street.

3.3 Council's arborist advised that no tree at 11A Nikau Street can be identified from the description and location provided by Mr Phillips. Council records also do not show a scheduled tree at that address in the Operative District Plan.

3.4 In submission point 124.2, Mr Phillips supported the retention of the Kauri at 23 Nikau Street, planted in memory of H. Marsden.

3.5 In submission point 124.3, Mr Phillips requested that a Mānuka/Kānuka tree near the southern entrance to HW Shortt Park is added to Schedule 3. The tree subsequently assessed at this location is recorded as a Tōtara.

Tree #110

3.6 I acknowledge the commemorative significance of the Eastbourne memorial trees.

3.7 Schedule 3 of the Proposed District Plan identifies tree #110 as a Kauri tree at the rear of 19/19A Nikau Street. The same species and location of this tree is similarly listed as #77 in Appendix 14G of the Operative District Plan, on Lot 30 DP 981.

3.8 Council's records state that the tree was planted by J. H. Heenan in 1920 in memory of Hugh Girdlestone.

Tree #116

3.9 Submission point 124.2 concerns tree #116, a memorial Kauri at 23 Nikau Street.

3.10 Tree #116 is listed in Schedule 3 of the Proposed District Plan. It was also listed as tree #78 in Appendix 14G of the Operative District Plan.

3.11 Both plan records state that Sir Joseph H. Heenan planted the tree in August 1919 in memory of H. Marsden.

3.12 Mr Phillips also referred to a missing memorial plaque. The available material indicates that the historic plaque shown in Image 1 relates to Hugh Girdlestone - the Kauri located at 19/19A Nikau Street, rather than the Kauri at 23 Nikau Street. Image 2 shows the Kauri at 23 Nikau Street; no plaque or associated fence is visible in that image.

3.13 The two scheduled Kauri trees are reported to have scientific value because of their location well south of the species' natural range. At the hearing, Mr Phillips referred to a book titled *Half a World Away: Eastbourne in Wartime 1899-1928* by Julia Stuart.

That book refers to the trees, and notes that have reportedly been used for scientific sampling, including tree-ring and radiocarbon work.

COMMEMORATIVE TŌTARA NEAR HW SHORTT PARK

3.14 Mr Phillips identified a commemorative tree near HW Shortt Park associated with his relative, Brian George Phillips, who was killed at El Alamein in 1942.

3.15 The tree is a Tōtara located on the Council road reserve near the southern entrance to HW Shortt Park. Its memorial plaque remains in place.

3.16 Council commissioned an arboricultural assessment of the tree against the STEM criteria. The tree received a total score of only 93, which unfortunately does not meet the STEM threshold of 100 that Council has set for species indigenous to Lower Hutt. Its form and future growth are constrained by overhead power lines, which require ongoing pruning. The assessment is attached as Appendix 1.

3.17 I acknowledge the tree's commemorative significance. However, based on the STEM assessment, I do not recommend adding it to Schedule 3.

3.18 The tree is on Council-administered road reserve. Council's Maintenance and Renewal Manager has confirmed that the Parks and Reserves team intends to retain and maintain it as an urban street tree under the Urban Forest Plan 2011.

CONCLUSION

3.19 The evidence confirms that trees #110 and #116 are scheduled memorial Kauri associated with the Eastbourne community. I recommend that their listings in Schedule 3 remain unchanged.

3.20 The available Council records do not identify a scheduled tree at 11A Nikau Street corresponding with the tree described by Mr Phillips. I therefore make no recommendation to amend Schedule 3 in relation to that address.

3.21 The commemorative Tōtara near HW Shortt Park has community and historical values, but received a STEM score of 93, below the Council's threshold of 100 for species indigenous to Lower Hutt. I therefore do not recommend adding it to Schedule 3.

3.22 Notwithstanding that recommendation in 3.21, Council intends to retain and maintain the Tōtara at Shortt Park, as an urban street tree under the Urban Forest Plan 2011.



Image 1: Old memorial sign at 19/19A Nikau St. Source: (News article dated March 16, 2016[1]).



Image 2: Kauri at 23 Nikau St.

[1] https://www.stuff.co.nz/dominion-post/news/local-papers/hutt-news/77943095/neighbours-angry-with-eastbourne-rsa-over-protected-ww1-kauri



Image 3. Totara at Shortt Park (Oroua St).

Cristal Bennett

Hutt City Council

12 November 2026

APPENDIX 1: HW Shortt Park Tree STEM Evaluation

Lower Hutt - STEM Tree evaluations

Full Tree Evaluation Score Sheet

Date: 7th February 2026

Location: Council road reserve tree. This commemorative tree is growing on the eastern side of HW Shortt recreation ground near the southern gate. It is the southern-most tree in the avenue of Pohtukawa trees directly opposite 107, Oroua St, Eastbourne.

Assessor: Dave Aitchison (Arbortech Services Ltd)

Total points scored:

Species: ***Podocarpus totara*** **– Totara**

Native/Exotic: ***Native***

Photographs:





Height – 6m Spread – 6m Volume formulae – hemisphere

Background information / Site information/ General comments:

This tree was planted in ??? by Eastbourne Borough Council as a commemorative tree for councillor Brian George Phillips who was killed at El Alamein in 1942. At the time of assessment, I have been unable to determine the exact date of planting. The size and growth of the tree would indicate a tree of around 30-50 years old. Whether this tree was planted at the same time as the memorial plaque of 1942 is presently unknown. For the purpose of this STEM report I have assumed it is around 40 Years old.

It has a single trunk that has developed with competing leaders at a height of 2m. The lower canopy has been pruned to lift away from kerb and road creating a v shape crown development. Directly above the tree are 11Kv & 400v Power lines that will limit the height of the tree to its present dimensions to ensure it does not exceed the legal growth limit zones and impact on these overhead lines. As a direct result the tree will require ongoing pruning regimes throughout its life that will impact on its natural form and growth habit.

Overall, the tree is healthy but with a stunted growth development for a tree of this age. Its natural growth form will always be limited by the planted location.

Condition Evaluation

Points	3	9	15	21	27	**Score**
Form	Poor	Moderate	Good	Very good	Specimen	3
Occurrence	Predominant	Common	Infrequent	Rare	Very Rare	15
Vigour/Vitality	Poor	Some	Good	Very good	Excellent	9
Function	Minor	Useful	Important	Significant	Major	9
Age (yrs.)	10yrs. +	20yrs. +	40yrs. +	80yrs.+	100yrs. +	15
				Subtotal Points		51

Amenity Evaluation

Points	3	9	15	21	27	**Score**

Stature (m)	3 to 8	9 to 14	15 to 20	21 to 26	27+	3
Visibility (km)	0.5	1	2	4	8	3
Proximity	Forest	Parkland	Group 10+	Group3+	Solitary	15
Role	Minor	Moderate	Important	Significant	Major	15
Climate	Minor	Moderate	Important	Significant	Major	3
				Subtotal Points		39

Notable Evaluation

Recognition		Local	District	Regional	National	International	
Points		3	9	15	21	27	**Score**
Stature	**Feature**						
	Form						
Historic	**Age 100+**						
	Association						
	Commemoration						3
	Remnant						
	Relict						
Scientific	**Source**						
	Endangered						
					Subtotal Points		3

Total Points <u>93</u>