

**IN THE MATTER OF: the Resource Management Act 1991 AND IN THE MATTER OF:
Proposed Plan Change 49 - Open Spaces (PC49) to the Operative Upper Hut District
Plan; and Variation 1 to PC49**

Refer to minutes No 4 and 9

Commissioners,

My understanding was that a key feature of having the Silverstream spur zoned as a Natural Open Space was to facilitate the protection and enhancement of its ecology, habitat (in particular the threatened species) and development of its current natural features as a passive recreational area.

In relation to the above objective there are some points I wish to make:-

Statement of Mr M. W.Hall dated 15 March 2024.

In Paragraph 4, Mr Hall challenges the area required for infrastructure (including Rooding) of 10 %. My understanding is that the Upper Hutt City Council requires Road Reserve to be 25 Metres wide, for road construction. I submit that this requirement should be the basis of area the infrastructure that the proposed road will occupy and not 13 metres as indicated by Mr Hall. Assuming the length of the road is 880 metres long, that results in 22,000m². Given the steep nature of the terrain a safety buffer of 50% (or possibly higher) results in the required area being 33,000m² or 3.3 hectare. This equates closer to Mr Goldwater's 3.5 hectares for vegetation removal for such infrastructure construction, and Mr Halls claim that infrastructure required is "grossly overstated" by Mr Goldwater is without foundation, It is important to bear in mind that we do not have any detailed design to test these assumptions against so at this time all we have is a hypothesis, neverthe less the assumptions made by Mr Goldwater are reasonable.

Statement by Dr V F Kessing. Dated 15 March 2023.

In paragraph 3.8, Dr Kessing goes to great lengths to downplay the value of any area of the ponga-mamaku tree fernland as having no significance warranting its inclusion in a SNA.

He further rejects the in **Paragraph 3.13**, that the “tree fern vegetation is not required for avian movement. He also contends in **Paragraph 3.14** that the “entire seral shrubland can and does form a buffer to the beech-kamahai hardwood remnants but that the entire area need not be incorporated in the SNA”. He claims his revised SNA boundary is adequate for such a buffer. He has not presented any evidence to support his representation, or that his opinions are correct and should be believed in preference to those who disagree.

What is missing in this process is specific empirical evidence on which such opinions are based, it is therefore one persons unsubstantiated view point “plucked out of thin air”.

Clearly Dr Kessing’s assertions are designed to split the current SNA into two for the purpose of permitting a road between them into the Guildford estate.

May I draw your attention to **Statement of evidence by Dr F. J.F Maseyk, of 17 November 2023** which in **Paragraph 6.6** it is stated:

“The development of a road within the Spur would result in a number of adverse effects on the SNA and surrounding ecological values including the fragmentation of habitat (and consequential disruption to ecological connectivity), increased edge effects, changes in microclimate and hydrological regimes, adverse effects on fauna due to lighting, noise, and vibration associated with the road, and potential for collisions of wildlife with vehicles”.

In addition to this statement in my own earlier evidence I drew your attention to the impact of vehicle emissions on the destruction of bird life during the construction of the Sylvan Estate, the neighbour of the spur. It has taken 20 years to recover the loss of bird life caused by construction. I know, I live there. A road through a divided spur will generate the same damage to bird life, and should not be permitted.

I expect DR Kessing to address each one of the points raised by Dr Maseyk and myself and state by way of reasoned logic (not unsubstantiated opinions) , why he considers they should be ignored and why his splitting of the SNA into two areas with a road in the middle has no consequence on the ecology and/or habitat. This he has to date failed to do.

Further more assuming the the Public’s desire for the Spur to be a Natural Open Space, becomes a reality, may I draw your attention to Dr Maseyk statement in **Paragraph 6.10**

“ I also note that the condition and species composition of Silverstream Spur is changing overtime and, with a comprehensive management and enhancement plan, will continue to improve over time and shift towards increased indigenous dominance. The location of Silverstream Spur in the landscape contributes to the potential for species lost from the Spur to recolonise or be reintroduced”.

The ecology areas described by **Dr Kessing** in his report **Paragraphs 3.8 to Paragraphs 3.14**, are ripe for such a Dr Maseyk enhancement plan and would further enhance the the entire SNA for the benefit of all, and it would be compatible with the protective conditions of a Natural Open Space zoning..

Dr Kessing’s redrawing of the boundaries of the current SNA UH070 should be rejected.

Statement by Mr N.P. Goldwater dated 8 March 2024

The specific points I wish to draw your attention to are:-

Paragraph 33 Mr Goldwater contends that :-

“Removal of 3.5 hectares of vegetation would have a moderate to high magnitude of affect, depending on what proportion of the 3.5 hectare comprises indigenous - dominated vegetation”.

Such an impact of even a moderate undesirable affect is unacceptable of such a road.

Paragraph 34 he states :-

*“It is difficult to accurately assess the level of residual effect of such a road on the Spur without further information, plans, and ecological investigations. Factors such as road width, lighting design, speed limit, and projected daily vehicle trips would also need to be taken into consideration.” **And in***

Paragraph 39 he states in regard to rezoning to Natural Open Space, he states:-

“There should be more substantial evidence to support this in terms of meeting the Ecological context criterion”

Failure to provide this detailed information on the consequences of a proposed road is irresponsible. The prime responsibility for giving this in-depth information must fall in the first instance, squarely on Guildford Timber Company Ltd. To date they have failed to do so. It is Guildford’s responsibility to justify their case for a road, and nobody else.

As regards some of the ecological surveys the Upper Hutt City Council as landowner cannot escape. It too has some responsibility in this area in discharging its responsibility to the common good of the City.

Conclusion.

I have not found any convincing argument why a proposed road will not have a significant destructive impact on the Silverstream spur.

I invite the Commissioners to confirm the existing SNA Ecological Area UH070, unaltered.

I wish to address the Commissioners.

Submitted by:-

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Dated 22/3/2024