

Transmittal

To : The Panel
Porirua City SNA Review
Attention : Ash Morton-Adair
Copy : Mayor, Porirua City Council
By : E-mail
From : Samantha Montgomery Limited
Graeme Walker
Date : 25 November 2022
Re : SNA102, 3A SOLWAY PLACE,
Porirua PDP 53

Regretfully we must reject Minute 53 as it again seeks to place false information on record.

We understand the Panel's task is to identify and record areas of natural significance, yet it continually rejects information relevant to that process in order to (apparently) justify a pre-determined outcome.

We did not review, or participate in the 31 August 2022 joint statement prepared by Boffa Miskell in conjunction with Mr Goldwater (or his representative), nor view it prior to it going to the Panel. The **Panel** directed Messrs Goldwater and Fuller to prepare a joint statement and forward directly to them. We were not given an opportunity to review or comment on the Joint Statement.

Items 12 and 13 of Minute 53 state otherwise and are *incorrect and misleading*.

Following the initial Fuller report, and prior to the joint inspection we laid roading tape from the Solway Place frontage up through Areas 8 and 5 to show the widespread and dense nature of invasive weed. In central Area 5 it is not possible to progress through the dense weed growth.



After receiving the Joint Statement we quizzed Stephen Fuller as to why this area was omitted and he advised that they did not inspect the area - "we ran out of time".

Following that advice we sought information of the extent of infestation and the requirement for repetitive and total spraying to rid the site of this material.

Prior to the involvement of Boffa Miskell we had not heard of, much less sighted climbing asparagus, and the Wildlands' inspections remained silent on the severity of this matter notwithstanding the difficulty in imaging how they may have missed it...

So this is not 'another crack of the whip' it is new information.

It is information arising from a Joint Statement that the Panel instructed, so it's difficult to imagine why the Panel might approve such a measure if it is not prepared to consider the outcomes.

By silencing documentation of this issue the Panel is less constrained in what it can term "significant natural vegetation".

The Panel's approach in this regard is a process more suited to land alienation than definition of ecological value.



New weed growth is springing up comprehensively both on this site and the balance of SNA 102 (being Porirua City Council Reserve) and both areas are likely to become, not pristine bush, but an undesirable wilderness

Minute 53 recommends we obtain a Resource Consent to spray the weed - a process which will kill most of the bush they (appear to be) designating significant' and 'natural'.

Once the bush is sprayed and killed - and this is the recommendation of Minute 53 - how can it meet the criteria for SNA?

For the record, we see no point in spraying under the proposed designation as the land loses commercial value - why would any owner seek to exacerbate that problem.

There is no part of Policy 23 which requires, or foresees that the Panels' recommendation for area-wide spraying to kill existing bush would fulfil these Policy 23 goals,

With respect to natural justice - a key Panel requirement - Minute 53 defines this as a 'fair crack of the whip'.

Consider :-

- Wildland's initial assessment was made remotely so the failure to identify widespread blackberry and climbing asparagus is not surprising.
- During the actual site inspection Wildland's omitted a huge area of dense blackberry - hence our further submission. Minute 53 suggests this was further inspection was an act of kindness - rather it was an expectation that the Panel's advisors should have done the work properly in the first place.
- Required independent review at a cost of \$9,000 simply to confirm that which everybody already knew.
- Information gathered at that cost, now rejected.
- Unlike the Minute 53 suggestion that this process commenced in late 2021, Council correspondence denying property owners the right to work on and maintain their own land was issued (apparently) in October 2020 - more than two years, and your advice is it will be a further year. Even this is kind - initial Council moves commenced in 2013 under a different name, so landowners have been constrained in some form now for 10 years.

Additionally, the following unresolved matters....

- Council sign off on buildings from two adjacent properties which cross the boundary
- The dumping of waste matter cleared from the road frontage inside the property (taken to be Council's contractor - disputed but under discussion.
- Failure to advise as part of the initial 'consultation' as required by Policy 23 - correspondence with Council CEO unanswered.
- Correspondence to neighbours advising they planned to make our land a 'public reserve' with 'native plantings'. No satisfactory explanation received.
- Diversion of stormwater from the Council Reserve above causing overland flow and discharge to the Solway Place frontage, apparently without consent (under discussion).

Is this - as the Panel describes it - a "fair crack of the whip"?

If the Panel is sincere in this definition then surely natural justice - a base requirement in these deliberations - has not been served.

If the Panel is weary of continuing correspondence - and we surely are - then it need only adhere properly and fully to its brief.

That purpose is not achieved by Minutes, delivered as Tablets from the Mount, that are both incorrect and incomplete.

Rejecting our correspondence does not alter the fact and we have asked Council that these correspondences be placed

As previously advised, if there is any member of the Panel - even just one - who has an interest in meaningful outcomes, we would be happy to take them on a brief inspection of the issues raised.

Kind Regards

Graeme Walker
for *Samantha Montgomery Limited*

