

28th September, 2017

Nathan Keenan
Senior Consents Planner
Wellington City Council
WELLINGTON

Dr. Alexander Kouzminov
33 Karamu Street, Ngaio
WELLINGTON 6035

Dear Nathan Keenan

RE: Proposed Development 128 Trelissick Crescent, Ngaio

Regarding a request for a multi-unit development at 128 Trelissick Crescent, Ngaio, which will adversely affect many local properties, vegetation and ecological value of the area, cause potential erosion and landscape character, land stability, and that these effects could accumulate to become major effects, I would like to oppose the application on the subdivision proposed.

The specific provisions of the proposed subdivision that my submission is that:

1. The extensive construction including subdivision of the land, proposed subdivision of the land (Wellington City Council ref: SR 393294), with 17 subdivision and multi-unit development, considerable destruction of the native bush area and around and natural habitats of birds and animals and consequently facilities which will be elevated, will heavily affect local properties and natural areas by the following adverse effects, including: (a) Visual, (b) Landscape, (c) Amenity effects, which should be considered under the *Resource Management Act 1991* (the hereinafter the Act).
2. The extensive construction and transferring the subdivided land from the open to the residential zone including lost of currently existed visual, landscape and amenity values, demolishing of the considerable biological value with many native bush trees, birds, animals, soil microorganisms species which comprise an unique and green local environment close and around that site (128 Trelissick Cres) will inevitably undermine its value.
3. The extensive construction including the dominating adverse visual effects of new dwellings proposed, the proximity of other houses on Ngaio Gorge Road, or/and change of the land character will affect on the amenity and neighbours houses' privacy currently existed.
4. Contamination, disruption of ground-water ways, storm-water, and waste ceased from Lots.
5. Slips of the ground, safety and stability of the land close to the site (128 Trelissick Cres).
6. Sun.
7. Precautionary principle as a separate concern is to be taken into account under Section 105 of the Act because relevant factors under Section 104(1) of the Act (e.g. any actual and potential effects on the environment) should be taken into account as I argue that the Act is about risks avoidance. For example, see cases in *McIntyre and others v. the Christchurch City Council*, and in *Telecom* [1996] NZRMA289, and in *Shirley Primary School v. Telecom Mobile Communications Limited* [1999] NZRMA66.

8. The extensive changes to the natural landforms within 128 Trelissick Cres and related potential adverse effects in the event of any major seismic or/and climate-related event should be also considered under the *Civil Defence and Emergency Management Act 2002* which specifies that

“[...] local government agencies [...] have a key role in planning and preparing for emergencies and for response and recovery in the event of emergency...”.

The *Civil Defence and Emergency Management Act 2002* also requires that

“Local authorities must:

- plan and provide for civil defence emergency management within their district”.

9. Regarding Item No. 8 (above) I think that necessary discussion of the Wellington City Council with the Ministry of Civil Defence & Emergency Management would be required before any extensive changes to the natural landforms with the 128 Trelissick Crescent site.
10. Currently the area, which will be extensively subdivided, is an open area and belongs to a green belt of Wellington. This area is an open area of considerable biological value with many native bush trees, birds and animals and which comprise a unique and green environment for the city. The extensive construction work planned including subdivision of the land and its transferring from the open rural to a residential zone, and as a consequence the inevitable lost of native habitat of the area which will be affected, should be addressed to attention of the *Royal Forest and Bird Protection Society of New Zealand*.

I look forward to your response.

Yours faithfully,

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