

# Silverstream Spur

An overview of the  
last 50 years

Compiled by Jason Durry



# Silverstream Spur c1907



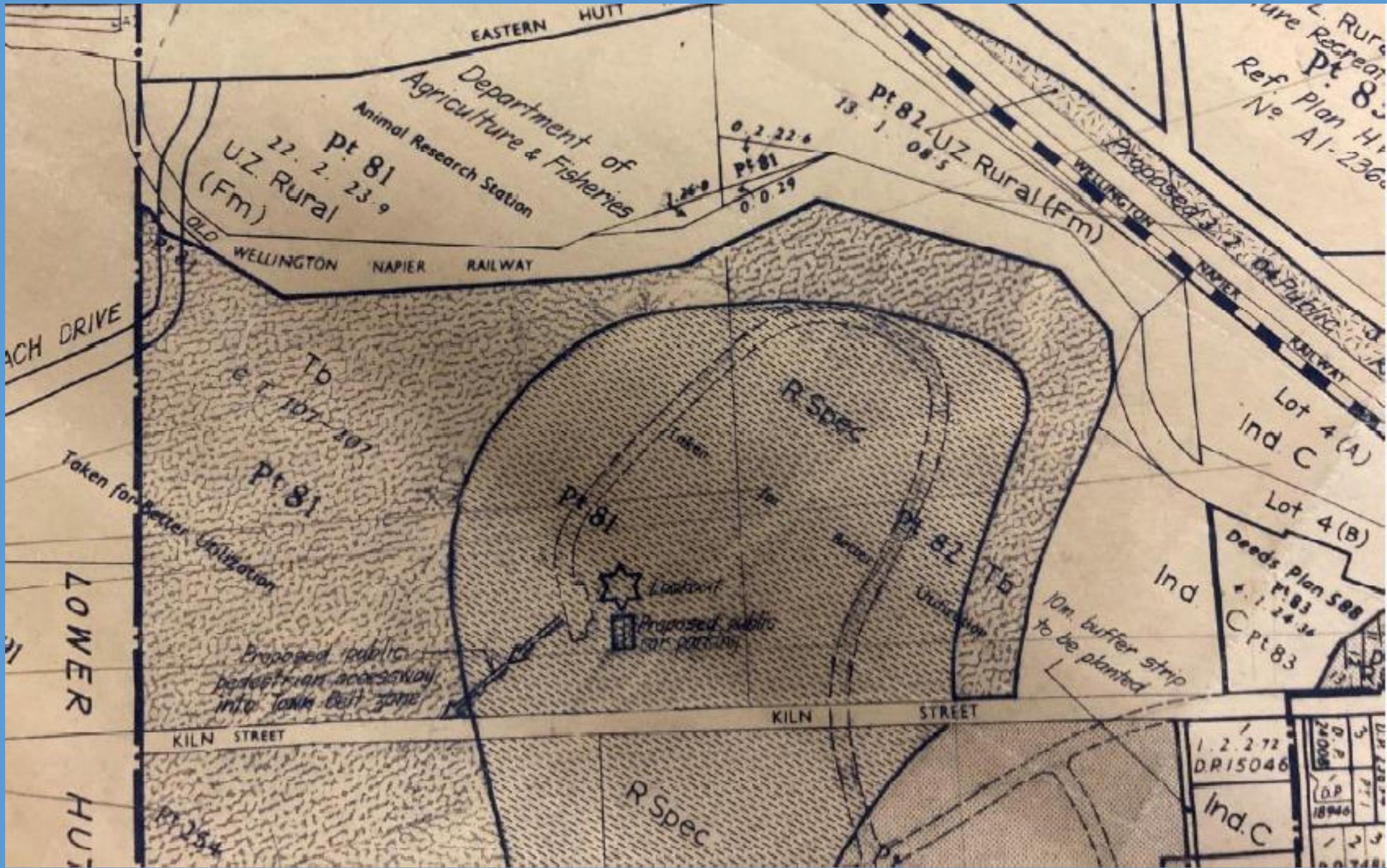
**SILVER STREAM  
RAILWAY**  
HERITAGE RAILWAY



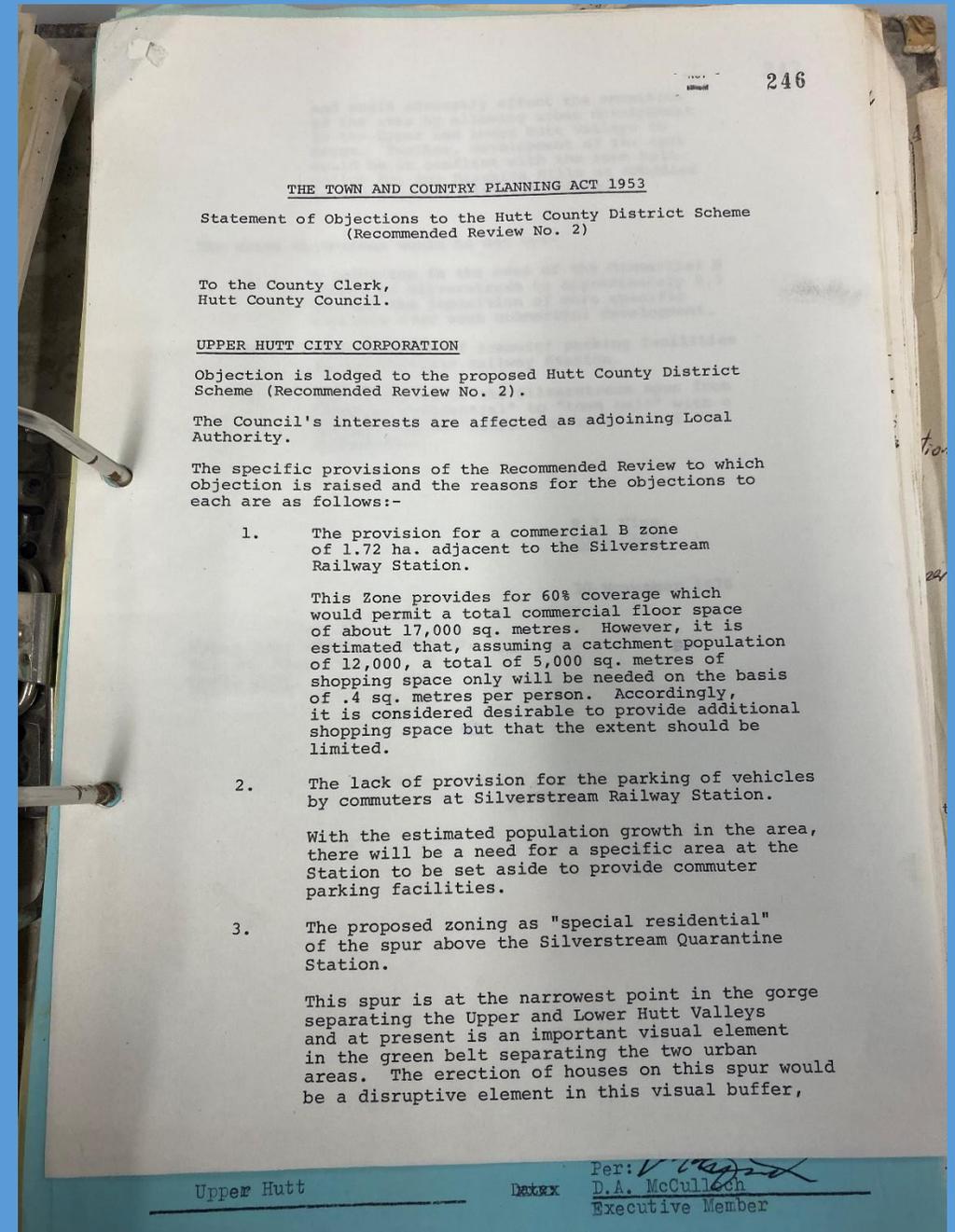
The area in red today, currently having the pine trees removed ready for replanting into natives. Many of the mature beech trees have been worked around showing what is possible for other parts of the Spur.

# 1976 Hutt County District Scheme Review.

- Proposal to zone the Spur partly as town belt, and part (over half) as Special Residential, which would have allowed for residential development to occur at the eastern (Kiln Street) end.
- A scenic lookout and an access road from Kiln Street were part of this proposal.
- The balance of land in the area including the tops of the Pinehaven hills was all proposed to be zoned as town belt.



- Upper Hutt City Council were one of the strongest objectors to this proposal with the submission stating:
- The *“spur is the narrowest point in the gorge separating the Upper and Lower Hutt Valleys and at present is an important visual element in the green belt separating the two urban areas. The erection of houses on this spur would be a disruptive element in this vital buffer”*.



- They went on to say that housing *“would adversely affect the amenities of the area by allowing urban development in the Upper and Lower Valleys to merge. Further, development of the spur would be in conflict with the town belt policy for the Mangaroa hills as embodied in the Regional Planning Scheme”*
- UHCC wanted the Spur zoned Town Belt *“with a designation as recreation reserve if appropriate”*

and would adversely affect the amenities of the area by allowing urban development in the Upper and Lower Hutt Valleys to merge. Further, development of the spur would be in conflict with the town belt policy for the Mangaroa Hills as embodied in the Regional Planning Scheme.

The above objections would be met by:-

1. A reduction in the area of the Commercial B zoning at Silverstream to approximately 0.5 ha. and the imposition of more specific controls over such commercial development.
2. The provision of commuter parking facilities at Silverstream Railway Station.
3. The re-zoning of the Silverstream spur from "special residential" to "town belt" with a designation as "recreation reserve" if appropriate.

R.J. Vine,  
TOWN CLERK.

30 November 1976

Upper Hutt City Corporation,  
Private Bag,  
UPPER HUTT.

- After the submissions were released in 1977, UHCC made a cross objection against the Guildford Timber Company, once more pointing out in great detail just how important of a visual amenity the Spur was and that it should be designated “*Scenic Reserve*” in the district scheme.

559

THE TOWN AND COUNTRY PLANNING ACT 1953  
 OPPOSITION TO OBJECTION/SUPPORT OF OBJECTION  
 HUTT COUNTY COUNCIL DISTRICT SCHEME REVIEW NO. 2

RECEIVED  
 25 AUG 1977  
 HUTT COUNTY COUNCIL

To the County Clerk  
 Hutt County Council

**ACKNOWLEDGED**  
 DATE 26-8-77

My name is: ..... Upper Hutt City Council,  
 ..... Private Bag,  
 ..... UPPER HUTT.

(State name of opponent or supporter and, if a person, refer to any one property owned or occupied by street and house number, valuation roll number, certificate of title reference, or description of land).

I oppose (~~xxxxxxx~~) the objection/<sup>No. 293</sup>to the Scheme made by  
 ..... Guildford Timber Company Limited  
 .....  
 on the ..... day of ..... 19 .....

The particular parts of his objection which I oppose (~~or support~~) are:  
 ..... The zoning of Section 254 on the south-east side of Kiln Street  
 ..... adjoining the Lower Hutt City boundary from 'rural town belt' to  
 ..... 'special residential.'  
 .....

My grounds for opposition (~~xxxxxxx~~) are:  
 ..... The rural town belt zoning is necessary to preserve the visual  
 ..... amenities of the prominent Silverstream spur which forms an  
 ..... essential part of the proposed system of town belts planned for  
 ..... the Upper Hutt Valley.  
 .....

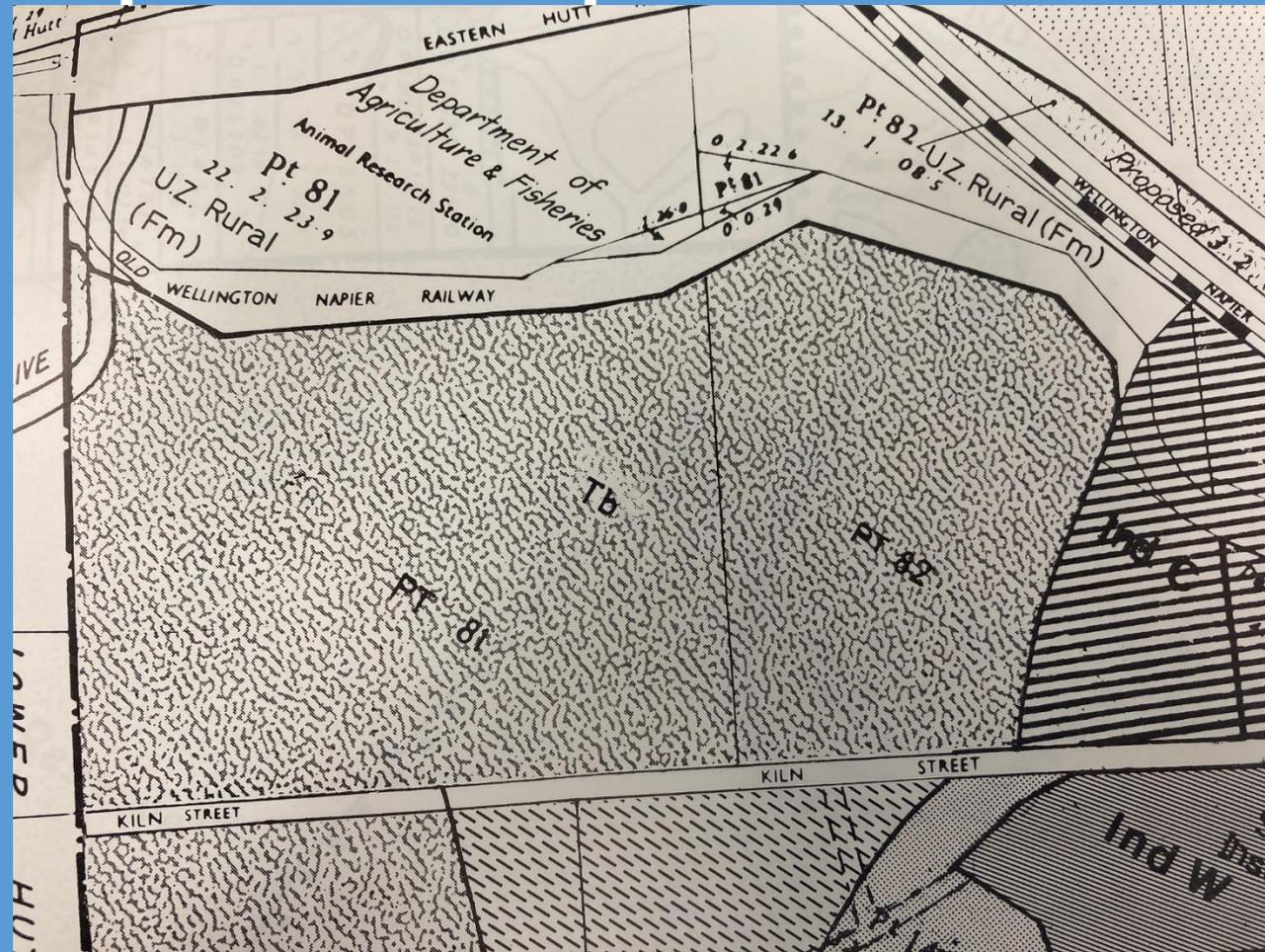
Signature ..... *R. Stone* ..... Town Clerk  
 Date: ..... 25 August 1977 .....

Address for service : ..... Private Bag,  
 ..... UPPER HUTT.

NOTE You are required to serve a copy of this form on the person whose objection you are opposing or supporting.

- By 1984 when the approved planning maps were released and adopted the Spur had been zoned in its entirety as Town Belt.

**Upper Hutt City Council succeeded in their goal to Save the Spur and keep it free from development.**



- The 31<sup>st</sup> of July 1987 began the next stage of the Spur's future, when a letter was sent from the Heretaunga Pinehaven District Community Council to Landcorp asking if the Spur was for sale and for how much.



Hutt County Council  
**Heretaunga-Pinehaven District Community Council**

PO BOX 47-077, TRENTHAM.

31 July 1987.

The Branch Manager,  
Land Corporation Ltd.,  
PO Box 5052,  
WELLINGTON.

Attention: Mr M. Ryan

Dear Sir,

KILN STREET, SILVERSTREAM PROPERTY : YOUR REFERENCE FILE 38/758

It has come to my attention that an area of land comprising a spur above Silverstream may have been passed to your Corporation for disposal. The legal description is Part Sections 81 and 82, Hutt District; Certificates of Title 107/207 and 348/185.

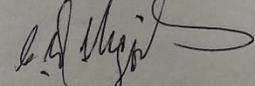
I note that the land is designated Rural Town Belt within the County's Operative District Scheme. That designation restricts its development to uses which are generally of a recreational nature - walkways and the like. At present it is simply a gorse-covered spur.

It may be that Council could see some benefit in acquiring the land.

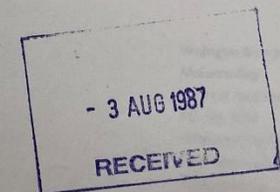
To enable me to determine whether this matter should be pursued, would you please advise me:

- (i) Is the land for sale?
- (ii) What is the Corporation's asking price?
- (iii) Any other comments which may assist me should I decide to report the matter to Council.

Yours faithfully,

  
C.W. Viggars,  
BRANCH MANAGER, ADMINISTRATION.

CWV:JKR



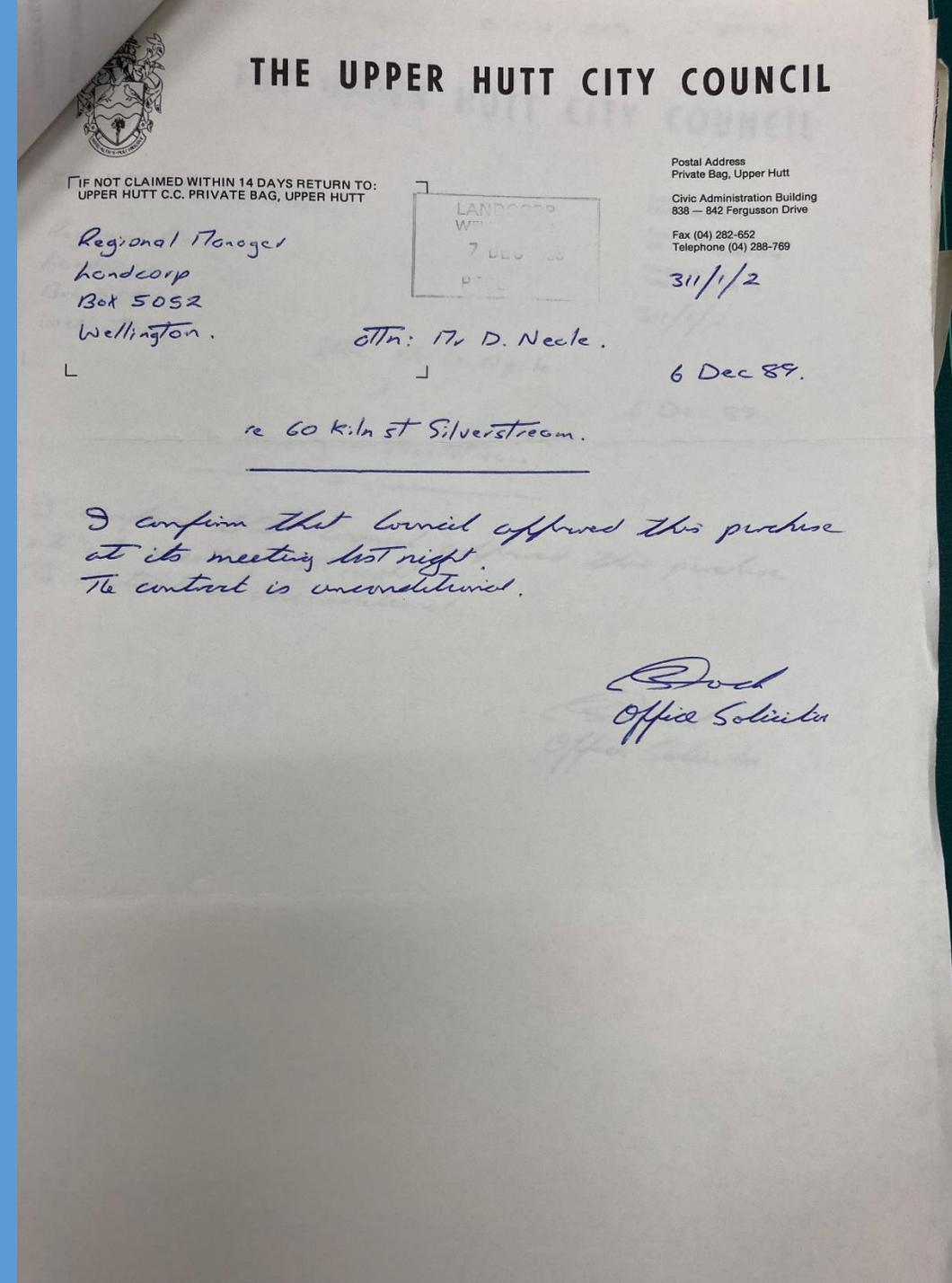
Raffin 738821

3078L

Branch Office:  
2 Field Street  
SILVERSTREAM  
Phone: 279-119  
In reply please  
quote: 163/3  
163/6/3  
Personal contact:

Mr C.W. Viggars

- In May 1989 UHCC received a copy of the valuation commissioned by them for comparison with the one commissioned by Landcorp. The figures the Valuer's eventually agreed upon was \$59,000.
- After being discussed in Council meetings during 1989 the land was approved for purchase in December 1989.



# The purchase was funded from the “Reserve Fund”.

I don't think any further reduction in price is likely to be significant as the part of the land that benefits from the second frontage is not great. I believe that \$59,000.00 represents a fair price for 35.5 hectares of land given the likely uses to which Council could put it.

The purchase could be funded from Council's Reserve Fund account. The account has funds in hand sufficient to meet the purchase.

## RESOLVED TO RECOMMEND:

1. THAT this report be received.
2. THAT Council agree to purchase the land known as Landcorp Spur being part Sections 81 and 82 as shown on Survey Office Plan 3475 at a price of \$59,000.00.



# What is a Reserve Fund?

- Not a back up fund in case other money ran out.
- Council's in NZ collected either land or money from developers that were to be used as public reserves.
- If the subdivision had land that was suitable for a reserve the developer could offer that as their reserve contribution. Usually possible with larger subdivisions
- Smaller subdivisions that did not have suitable land available were made to pay a contribution to the council's reserve fund.
- Covered by the Local Government Amendment Act 1978

**“288. Payment and use of reserves contributions—(1) The council may require the owner to enter into a bond for the due payment of the amount of any reserves contributions payable under this Part of this Act.**

**(2) The council shall apply all reserves contributions received under this Part of this Act for the following purposes:**

**(a) For the purchase of land to be held as public reserves, subject to the Reserves Act 1977, in the locality in which the land included in the scheme plan is situated and for the improvement and development as reserves of the land so purchased:**

- The recent UHCC initiated Legal Opinion attempted to say that the Spur was purchased from the councils “General Budget” rather than from separate funds.

16. The memo also stated that the *“purchase could be funded from Council's Reserve Fund”*. The Council's accounts for the year ended 31 March 1990 suggest that: (1) the Council recorded its expenditure on reserves separately, but did not use separate trust funds for that purpose (the trust funds held by the Council are listed in Note 4 to the accounts); and (2) the Spur was purchased as an item of expenditure in the Housing and Property budget (page 10), rather than the Parks and Reserves budget. Although the Silverstream Railway Society Incorporated's (**Railway**) representative, Mr Durry, has suggested that there was a separate Reserves Fund, and although

BFV62247508\3 | Page 3

[buddlefindlay.com](http://buddlefindlay.com)

**BUDDLE FINDLAY**

there is some reference to specific reserves expenditure in the Local Government Amendment Act

1978 (which is discussed below), the evidence suggests that the land was acquired from the Council's general budget rather than from separate funds held on trust for any purpose.

- But they missed one minor detail

<b>CITY OF UPPER HUTT</b>			
<b>STATEMENT OF EXPENDITURE AND REVENUE</b>			
<b>HOUSING AND PROPERTY</b>			
<b>FOR THE YEAR ENDED 31 MARCH 1990</b>			
<b>Actual 1988/89</b>		<b>Actual 1989/90</b>	<b>Budget 1989/90</b>
	<b>EXPENDITURE</b>		
107,566	Pensioner Housing	122,728	124,387
51,605	Staff and other housing	64,131	65,922
<u>159,171</u>		<u>186,859</u>	<u>190,309</u>
	<b>CAPITAL EXPENDITURE</b>		
	Land Purchase	52,235	52,235
	<b>LOAN EXPENDITURE</b>		
120,000	General Property	1,250	1,250
406,000	Pensioner Housing	442,750	442,750
<u>526,000</u>		<u>444,000</u>	<u>444,000</u>
	<b>LOAN CHARGES</b>		
26,443	Interest	28,281	33,964
21,968	Principal	22,582	16,156
<u>48,411</u>		<u>50,863</u>	<u>50,120</u>
<u>733,582</u>	<b>TOTAL EXPENDITURE</b>	<u>733,957</u>	<u>736,664</u>
	<b>LESS CHARGES AND COSTS RECOVERED</b>		
	Special Fund Receipts	52,235	52,235
166,323	Pensioner Housing Rental	224,725	221,049
119,210	Staff & other Housing Rental	169,024	132,000
511,000	Loan Funds	444,000	444,000
15,000	Subsidy		
<u>811,533</u>	<b>TOTAL COSTS RECOVERED</b>	<u>889,984</u>	<u>849,284</u>
<u>(77,951)</u>	<b>NET CONTRIBUTION TO RATES</b>	<u>(156,027)</u>	<u>(112,620)</u>

The notes on pages 16 and 17 form part of, and should be read in conjunction with these financial statements.

- One of the Special Funds being the Reserve Fund Contributions

Reserve Fund shown in the Special Funds. Despite requests, details of incomings and outgoings for the 1989-1990 Financial year have not been made available.

**CITY OF UPPER HUTT**  
**NOTES TO BALANCE SHEET**

<b>Note 5</b>	<b>Special Fund Balances</b>	<b>1988/89</b>	<b>1989/90</b>
	7,101 Aerial Photography Fund		10,344
	12,300 Salary Contingency		61,099
	209,794 Reserve Fund Contribution		346,906
	Retiring Gratuities		16,427
	2,136 Lemchen Amenities		2,397
	571,178 Plant Renewal		908,359
	90,899 Maintenance in Perpetuity		93,365
	(6,194) River Road		(4,926)
	142,442 Amenities Fund		214,619
	122,375 Building Maintenance		60,000
	91,853 Pedestrian Footbridge		139,082
	42,695 Elections		18,238
	3,736 Computer Funds		62,941
	51,700 Renewal Stormwater Rider Mains		75,461
	Office Furniture Maintenance		9,958
	(331,912) Joint Capital Ventures		(542,690)
	991,529 Property Accounts		1,163,762
	Excess General Fund		184,166
	Local Body Stocks		60,557
	<u>2,002,632</u>		<u>2,880,065</u>

### *A Slide from the last meeting*

- Zoned Town Belt when purchased, by the time UHCC commissioned the reports and subsequent resource consent application to itself for the aborted forestry project, the Spur had morphed into its current zoning of Rural Hill and Residential Conservation. This can be further narrowed down to between July 1991 and December 1993 from research undertaken so far.
- UHCC say on their “***Southern Growth Area***” website the land was rezoned “***in the mid 1990s***”, although this information was likely taken from the report commissioned on the disposal in 2014 rather than any research undertaken by Council staff.
- This is an area that will be researched in greater detail in the coming weeks.

# Upper Hutt Leader March 10 1992

## PROPOSED DISTRICT SCHEME (REVISED)

- Fergusson Drive and Station Crescent intersection amend boundary line in Council carpark.
- Station Crescent T3 underlying zoning Commercial D.
- T3 to east of Station Crescent underlying zoning to be Commercial D.
- Correct Map 2 as follows:
  - (a) change zoning of land on northern side of Kiln Street from Residential Conservation to Rural B (restricted) and record its designation as R7 (Scenic Reserve).
  - (b) alter boundaries between: 1. Residential General and Residential Conservation land; and 2. Residential General and Industrial A land both on southern side of Kiln Street to conform with approved Survey Plans.
- R8 Fergusson Drive underlying zoning Industrial A.
- Amend road boundary at intersection of Fergusson Drive and Main Street and King Street.



SCALE 1:5000

0 100 200 300 400 500 M

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UPPER HUTT CITY  
 PROPOSED DISTRICT PLANNING SCHEME REVIEW NO. 4

MAP  
 2

RE: SYLVAN HEIGHTS SUBDIVISION KILN STREET

In response to your fax. note dated 20th Feb we submit the planning map amended to recognise the approved scheme of subdivision. We also fax. a copy of the scheme plan showing the zone deliniation.

As discussed with you, we explained that we have no records of any notification in our rate account of any District Scheme Review and obviously missed the public notification in the Evening Post. We are more than alarmed to note the rezoning of the Council owned land adjacent to our property from Town Belt to Res. Conservation, the latter permitting residential subdivision. Even though we are out of time, we formally lodge our objection to this zoning.

This matter has consequential effects with respect to our development and cost sharing arrangements with Council already agreed upon and based on Council officer assurances now shown to be incorrect.

We are more than just a little surprised that bearing in mind the obvious ramifications for our development that we were not served with individual notification of the changes proposed.

We seek your assistance to obtain legal standing with respect to our objection.

LAND PROFESSIONAL LTD  
177 HILL ROAD BELMONT LOWER HUTT TELEPHONE 455-748

The Town Planner  
Upper Hutt City Council  
Private Bag  
UPPER HUTT

21th Feb 1992

Dear Sir,

RE: SYLVAN HEIGHTS SUBDIVISION KILN STREET

In response to your fax. note dated 20th Feb we submit the planning map amended to recognise the approved scheme of subdivision. We also fax. a copy of the scheme plan showing the zone deliniation.

As discussed with you, we explained that we have no records of any notification in our rate account of any District Scheme Review and obviously missed the public notification in the Evening Post. We are more than alarmed to note the rezoning of the Council owned land adjacent to our property from Town Belt to Res. Conservation, the latter permitting residential subdivision. Even though we are out of time, we formally lodge our objection to this zoning.

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We are more than just a little surprised that bearing in mind the obvious ramifications for our development that we were not served with individual notification of the changes proposed.

We seek your assistance to obtain legal standing with respect to our objection.

Yours faithfully,  
P.P. LAND PROFESSIONAL LTD

H.S. WYATT.

Dear Sir,

In reply to your letter received by Facsimile on Friday, 21 February, I can advise that the notation of the land to the north of your subdivision zoned Residential Conservation is incorrect and will be altered, also the eastern boundary of your subdivision where it adjoins the Residential General zone is to be altered in order that it conforms with the actual survey.

I regret these errors caused you concern and appreciate you bringing them to our attention.

UPPER HUTT  
CITY COUNCIL

828-842 Ferguson Drive,  
Upper Hutt  
Picane Bag Upper Hutt  
Tel (041) 5288 709  
Fax (041) 5282 652

Mr W.S. Wyatt,  
Land Professional Ltd.,  
197 Hill Road,  
Belmont,  
LOWER HUTT

Ref: 360/21/002  
RGB/pj

Contact: Mr Birkinshaw

25 February 1992

Dear Sir,

In reply to your letter received by Facsimile on Friday, 21 February, I can advise that the notation of the land to the north of your subdivision zoned Residential Conservation is incorrect and will be altered, also the eastern boundary of your subdivision where it adjoins the Residential General zone is to be altered in order that it conforms with the actual survey.

I regret these errors caused you concern and appreciate you bringing them to our attention.

Yours faithfully,

  
R.G. Birkinshaw  
CITY PLANNER

MEMORANDUM TO:

HIS WORSHIP THE MAYOR  
CHIEF EXECUTIVE  
CITY SOLICITOR

350/21/002  
Ref: 827/14/17  
RCB/pj

25 February 1982

ERRORS TO ZONING MAP 2 - REVIEW NO. 4

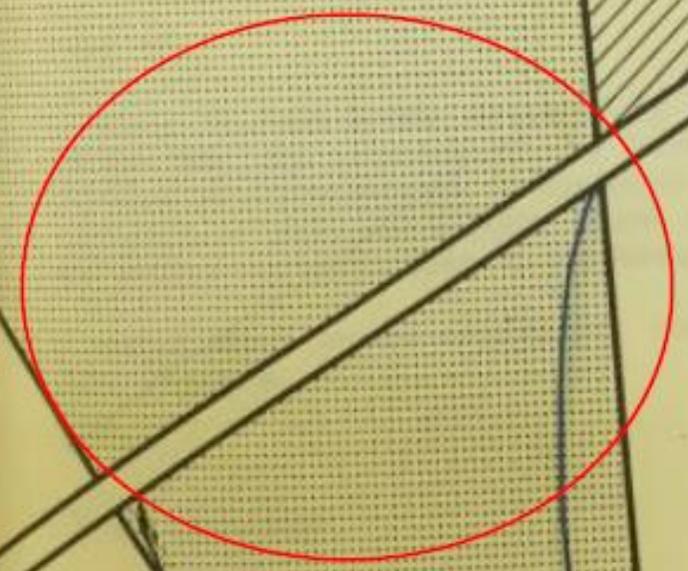
Two errors were found on Zoning Map 2 by Mr Warwick Wyatt and a third error was found by the City Surveyor when checking the original two errors.

- i) The ex: Hutt County Green Belt area bounded yellow on the attached map should be designated (R7) Scenic Reserve and not Residential Conservation.
- ii) The boundary between the Residential General and the Residential Conservation Zones should be as per survey and as shown on the attached plan.
- iii) The boundary of Foodstuffs Industrial A land should be as per survey and as shown on the attached plan.

These errors will simply be altered on the Zoning Map.

R.G. Birkinshaw  
CITY PLANNER

Faint traces of the yellow highlighter used to mark the Spur referred to in the memo as "the area bounded in yellow on the attached map"



# Rezoning Recap

- District Scheme review started in 1991
- Error on consultation Maps discovered by neighbouring property owner in February 1992
- Undertaking to correct the errors given by the City Planner
- Correction published in the Upper Hutt Leader March 1992
- UHCC now state on their website:

be required before any such development could proceed...the land is best suited to passive reserve uses...". The land was subsequently re-zoned in the mid-1990s to a mix of 16.5 ha Rural Hill Zone and 18.5ha Residential Conservation Zone.

# Forestry Era 1993-2001

- Resource Consent applied for in January 1994
- A 20 meter wide visual and debris stop barrier to be planted in native vegetation around the perimeter of the Spur, which never occurred.
- Access to the site for harvesting to be provided from Reynolds Bach Drive. No further roading was to be provided additional to the existing tracks and required upgrades.
- “Significant tracts” of existing native vegetation was to be retained and protected from damage
- Consent was granted in March 1994

- The Forestry project reports and consent application documents mention at length the visual amenity of the Spur, along with its current (at that time) and future recreation potential. It even states that *“Upon harvesting in approximately 30 years (2024), if the site is not replanted for a further harvest, then it should be returned to native bush. This would ensure the landscape and amenity value of the site is continued”*

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Chairman & Members,

**PROPOSED SILVERSTREAM FORESTRY PROJECT**

■ Purpose of the Report

Members will recall that last year the Council considered a proposal to develop its property at Silverstream for forestry purposes, using labour supplied by the Rimutaka Prison. Staff were instructed to report back to the Committee on the financial and planning implications of the proposal.

■ The Project

The firm of Arbor Forest Management Limited was commissioned to prepare a feasibility study of the proposal, and the conclusions of the study have now been received. The report concluded that the property is suitable for forestry use and could be viably developed for this purpose as is detailed later in this report. The site is approximately 35 hectares and currently contains the following vegetation: regenerating radiata pine - 6 hectares, regenerating native bush - 3 hectares, miscellaneous scrub (predominately gorse and manuka) - 26 hectares. The Consultant's report proposes that the principal areas of regenerating radiata pine and native bush on the property be retained and that the balance be planted in radiata pine with the exception of a 4 hectare area on the northern end of the property, which is proposed to be planted in eucalyptus for aesthetic reasons. It is proposed that the eucalyptus be tended as a commercial forest, but no allowance has been made in the financial analysis for its harvest value in recognition of the fact that the Council of the day may not wish to harvest this particular area for visual reasons. A full copy of the report from Arbor Forest Management Limited can be made available to any member wishing to see the document.

Following receipt of the Consultant's report, I have discussed the practical implications of the project with the General Manager of Rimutaka Prison and can confirm that he is still keen to be involved in the project. The prison inmates who would be involved in the project would have a minimum security classification and be eligible for community parole. They would be fully supervised by Prison personnel.

■ Financial Viability

The Consultants report shows that based on current costs and current rates of return on forestry operations, the proposal is a financially viable one. The cash flow projections for the proposal (expressed in current dollar value terms) shows that a total cash investment of approximately \$60,000 is required to finance the project over the thirty year term of the project, with the peak investment period being in the first three years of the project when a total of approximately \$21,000 is required. The remaining \$39,000 is required over the next twenty-seven years.

- Prisoners from Rimutaka were utilised beginning in April 1994 to clear and plant 3.5ha by July 1994
- Lack of experience and will to do the work resulted in only 17.5ha completed by August 1996.
- Tenders were call to try and expedite the process and the winning tender only achieved a further 0.8ha before the contractor abandoned the work.
- The Upper Hutt Employment Trust then completed the work in September 1997
- Some maintenance of the plantings was undertaken until Septmber 1998 before this work was also abandoned
- Some effort was made to reinvigorate the project in 1999 but the project was effectively given up on.

- Reports produced by consultants in 2001 painted “a fairly gloomy picture of our forestry block as an investment”
- A further report was put together by council staff looking at the financial implications for the council from essentially doing nothing.
- A major financial risk to council existed should any fire on the Spur spread to neighbouring properties.
- A scheme was put together where the council would abandon the forestry project to relinquish any financial implications from the land, and in particular the firefighting levy charged to commercial forests.

- A report was put to council in December 2001 that explored 4 options for the Spur :
- **Sell the land with the Forest.** *“If retention of control over the visual amenity is not a priority for Council, sale is recommended”*
- **Sell the Forest only, retaining the land.** *“It is considered though, that it would be very difficult, if not impossible to achieve a sale”*
- **Remove the trees and “farm” the land.** *“It would also have to be acknowledged that farming is not a good fit with Council Activities”*
- **Change the status of the land and forest.** *“This approach would leave full control of the visual nature of the Spur and all activity thereon in the hands of Council”*

3. FUTURE OF SILVERSTREAM FORESTRY

(350/80/005)

Report from the Director of Community Facilities dated 22 November 2001 (refer agenda pages 171-182).

M.P.C. 28

(Policy Committee 5/12/01)

RESOLVED TO RECOMMEND

1. That the report be received.
2. That the forestry operation be discontinued.
3. That, in the light of Council's original rationale for purchasing the Spur, a Variation to the District Plan be undertaken to rezone the land as "Open Space" and that it be managed as a reserve, with public access as of right.

- This recommendation was adopted at a Policy Committee meeting on the 5<sup>th</sup> of December 2001, followed by resolution at a full council meeting on the 12<sup>th</sup> of Devember.
- By the 20<sup>th</sup> of December a letter had been sent to the fire service informing them of the decision to remove any financial implication from an insurance standpoint.



Civic Administration Building  
833-842 Ferguson Drive,  
Upper Hut  
Private Bag 907, Upper Hut  
Tel: (04) 627-2169  
Fax: (04) 528-2052  
Email: [office@uhcc.govt.nz](mailto:office@uhcc.govt.nz)  
Website: [www.upperhuttcity.com](http://www.upperhuttcity.com)

National Rural Fire Officer  
National Rural Fire Authority  
P O Box 2153  
WELLINGTON

File: 350/80/5

20 December 2001

Dear Sir

#### DISCONTINUANCE OF SILVERSTREAM FORESTRY OPERATION

Council has been concerned for some time at the financial viability of its small forest at Silverstream and last week passed a resolution to discontinue the forestry operation. It further resolved to initiate a Variation to the District Plan to rezone the land as 'Open Space' and to manage the land as a reserve with public access as of right.

The main reasons for this decision were:

1. That the land on which the trees had been planted, was originally purchased to preserve the green approach to the City, and that felling the forest would have an adverse impact on the visual amenity of the area.
2. That the original intention behind entering into the forestry project was to use prison labour, which had not proven to be sustainable.
3. That the financial viability of the forestry operation was less than satisfactory, given the unavailability of prison labour, the uncertainty over future log prices and increases to annual costs.

The existing plantation will not be maintained or harvested and the trees will not be pruned or thinned. Over time public tracks will be developed and it is likely that these will form part of an integrated walkway network. A detailed reserve management plan will now be prepared, and steps will be taken to process the District Plan Variation next year.

I would be grateful for confirmation from the National Rural Fire Authority, that the area will no longer be defined as 'commercial forest' in terms of the Fire Service Act 1975.

Yours faithfully

  
Jenny Bentley

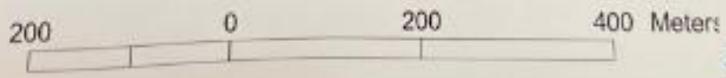
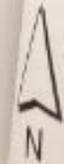
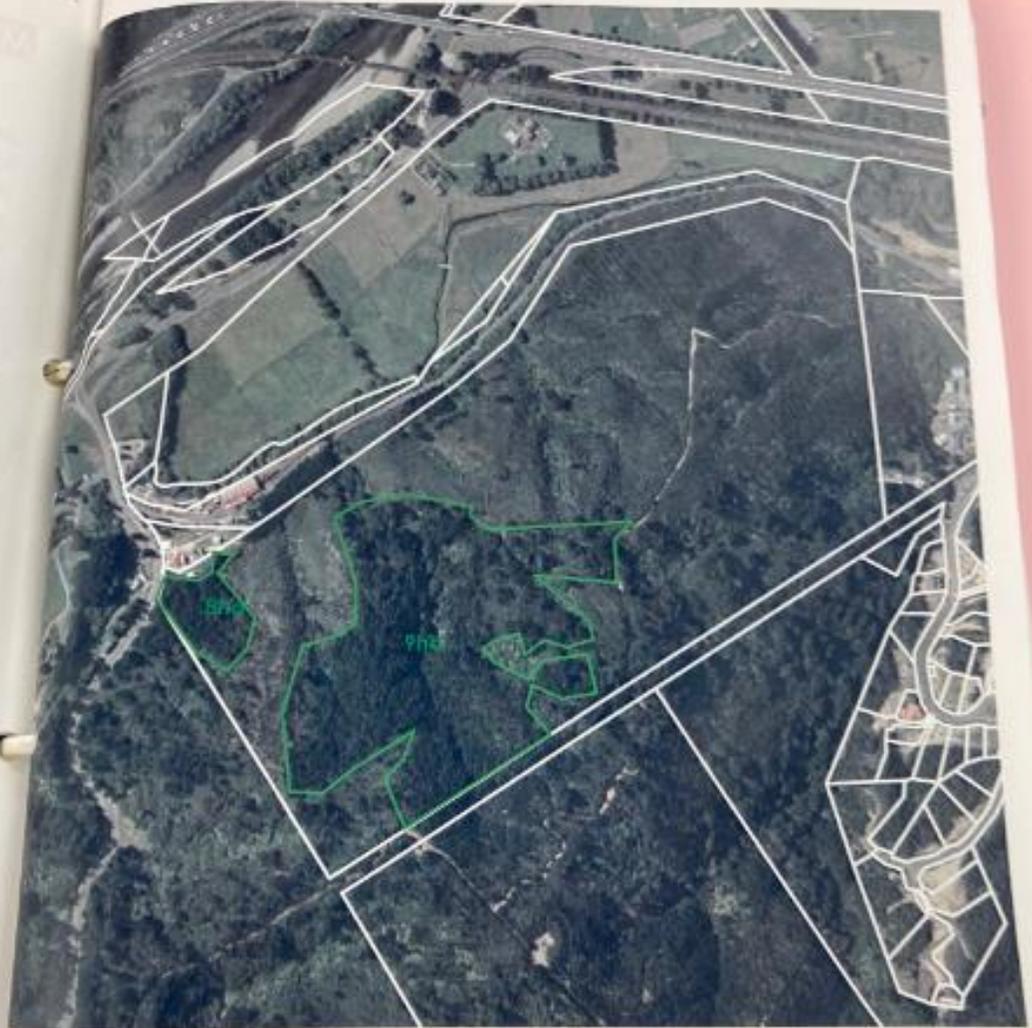
COMMUNITY FACILITIES

BY JB 5-2-02

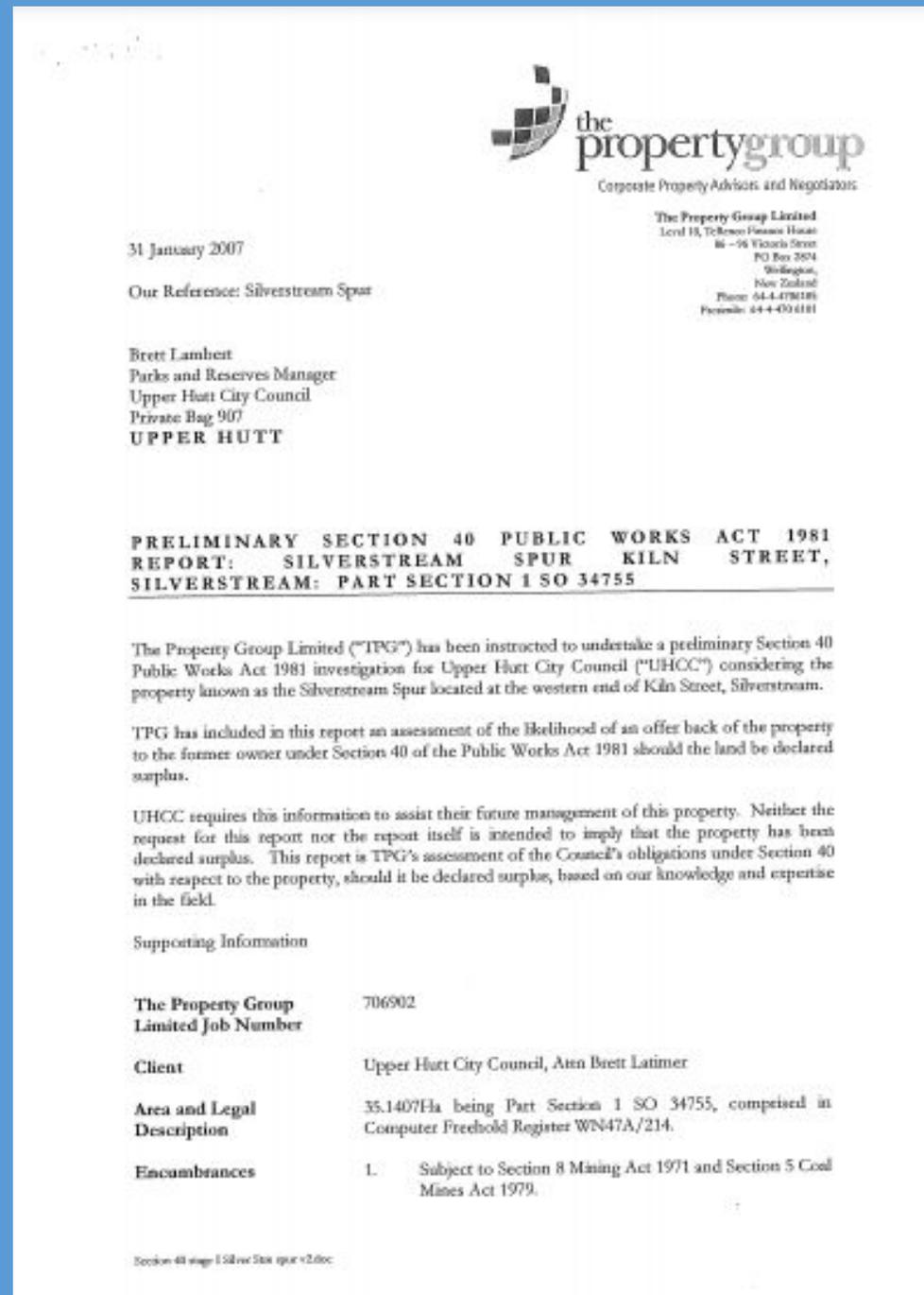
# Post Forestry Era

- Management plan developed, an undertaking and finance put forward to clear the pine trees using volunteer labour
- Some work was undertaken before the contract was relinquished as the project was too large.
- Further investigation was undertaken by council into the removal of 9.8ha or regenerating pines in 2005 but was deemed cost prohibitive

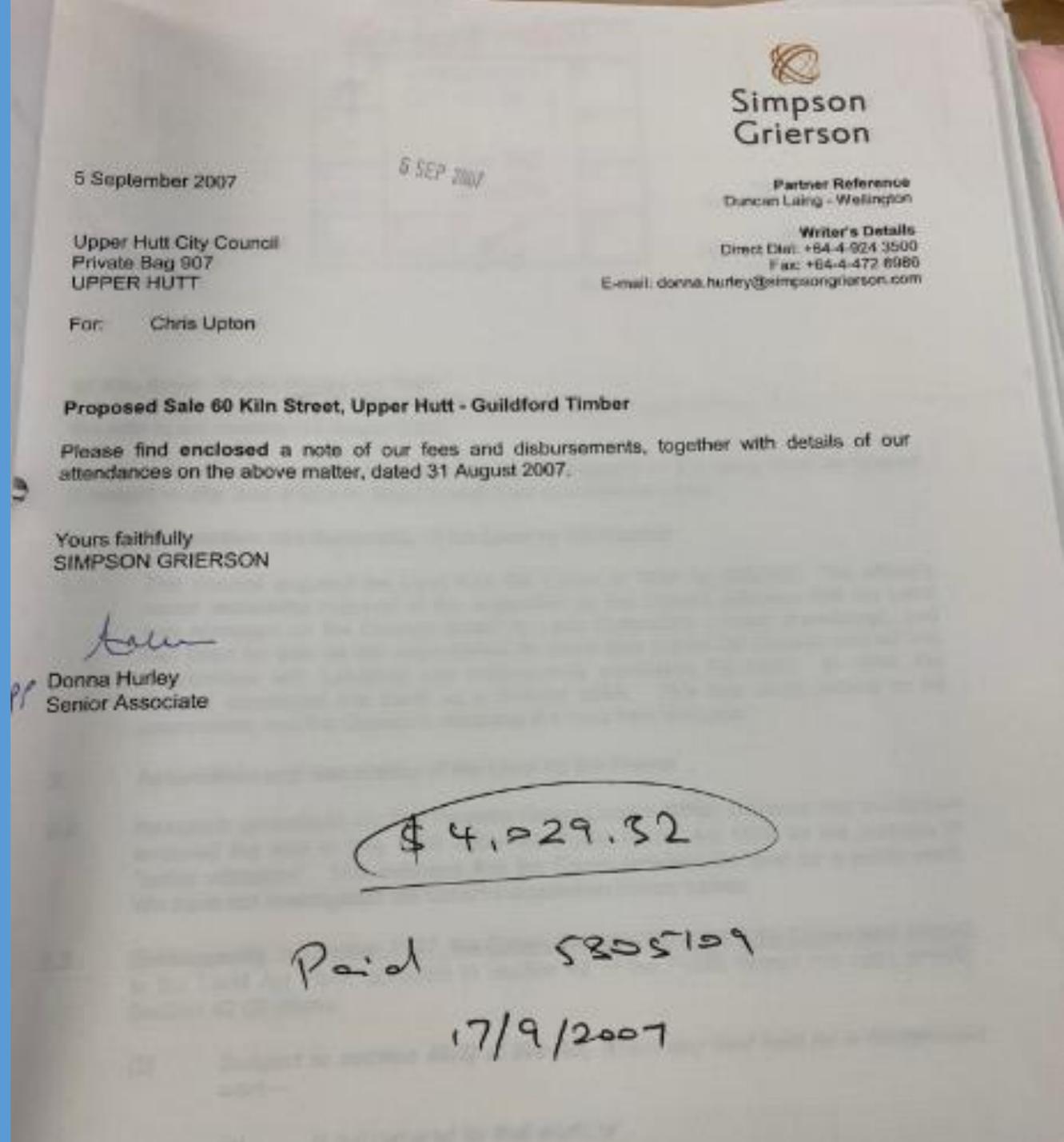
# Silverstream Spur Reserve Regenerating Pines



- By 2007 it seemed the Spur had really fallen out of favour with UHCC. The abandoned forestry project would be costly to clean up so perhaps disposal might be a good idea after all.
- Two reports were commissioned to look at any requirement that the land had to be offered back to its former owners.
- The report states that "the council had no particular purpose when the land was purchased" showing that it was poorly researched.



- However this was not the only work going on at this time behind closed doors.
- Various other valuations, reports and analysis were commissioned by the then CEO, with the outcome looking like a sale to the Guildford Timber company, who at that stage had a signed offer on the table



# AGREEMENT FOR SALE AND PURCHASE OF REAL ESTATE

This form is approved by the Real Estate Institute of New Zealand Inc and by Auckland District Law Society

Eighth Edition 2006

July 2007

DATE  
ENDORSE

THE UPPER HUTT CITY COUNCIL

PURCHASER: THE GUILDFORD TIMBER COMPANY LIMITED (or its Nominee)

PROPERTY ADDRESS: 40 Kila Street, Upper Hutt ("the Property")

TYPE:  FREE SIMPLE LEASEHOLD  ~~FREEHOLD~~  ~~LEASEHOLD~~  ~~LEASEHOLD~~  ~~LEASEHOLD~~

DESCRIPTION (if none is deleted see s1(1)(b))

Lot/Flat/Unit: part section 1 Survey Office Plot 34755

DP: Unique Identifier or CT: WN47A/214

AMOUNT OF PURCHASE PRICE

Purchase price: \$1,674,000.00

One million six hundred and seventy four thousand dollars

Second purchase price: \$ 100,000.00 (One hundred thousand dollars)

Method of purchase price to be paid or satisfied as follows:

By payment in cleared funds on the settlement date

In the manner described in the Further Terms of Sale

Interest rate for late settlement: 10 % p.a.

POSSESSION

Settlement date (clause 3.4) on the date of settlement

CONDITIONS (clause 8.0)

State condition: LIM required:  Yes/No

Other: DIA Consent required:  Yes/No

Other required: Land Acquire date:

FINANCES (if any)

State of loan: Nil

Rate: Term: Right of renewal:

MODE OF PRIVATE TREATY

Licensed Real Estate Agency

I agree that the vendor sells and the purchaser purchases the property, and the chattels listed in Schedule 1, on the terms set out above and in the General Terms of Sale and any Further Terms of Sale

Sol Date: 4/07/07 4:00:11

## OTHER TERMS OF SALE

Not included



SCHEDULE 1

List all chattels included in the sale (strike out or add as applicable)

~~None~~ Fixed floor coverings Blinds Curtains Drapes Light fittings

Chattels:

WARNING (This warning does not form part of this agreement)

Read the information set out on the back page before signing.

Signature of vendor(s):

Signature of purchaser(s):  
The Guildford Timber Company Limited  
per: *[Signature]*

- The next report known to be produced by UHCC was after they officially declared the Spur surplus and decided to look at options for selling of the land.
- This was in response to the 17 objections to the sale of the Spur land
- It is interesting to note that the title of the document again refers to the Spur as Reserve Land.

Report

## Disposal of Silverstream Spur Reserve Land Assessment of Concerns Raised

Prepared for Upper Hutt City Council

Prepared by Beca Ltd (Beca)

15 December 2014



# The MOU (Memorandum of Understanding)

- After so much opposition to the proposed sale, Council devised a scheme to give away the entire Spur, for areas of GTC land that was unsuitable for housing, had no access, and had draft SNA designations.
- This MOU and Swap had no consultation and was signed with little opportunity for the public to make any comment on it, being presented and discussed during public excluded parts of council meetings.
- UHCC spent tens of thousands of dollars obtaining valuations for the Spur, yet ultimately the MOU amounted to nothing

# Infrastructure Acceleration Fund Application

- In August 2021 UHCC held a public excluded meeting to discuss the application for central government funding to enable the construction of a road/infrastructure corridor on the Silverstream Spur.
- The application would have included costings and designs including the proposed location for the road and utility infrastructure
- The application made it past the first round as most applications did and after more work it was declined by Kaianga Ora

# Plan Change 49 Round 1 (2021)

- As part of the rolling review of the District plan, Council staff put out for consultation a Open Spaces Plan Change seeking to rezone specific areas of the city into 3 types of open space zones.
- However the Silverstream Spur was deemed “out of scope”

**7.9.27** Of particular relevance is the Southern Growth Area within Pinehaven, which has also been identified within the Open Space Strategy. At this point in time, there is uncertainty over the future development form of this area, and how the growth area will be addressed. Due to the uncertainty over this area and the direction from Council, the zoning of this area is considered to be out of scope and will be considered in a future plan change.

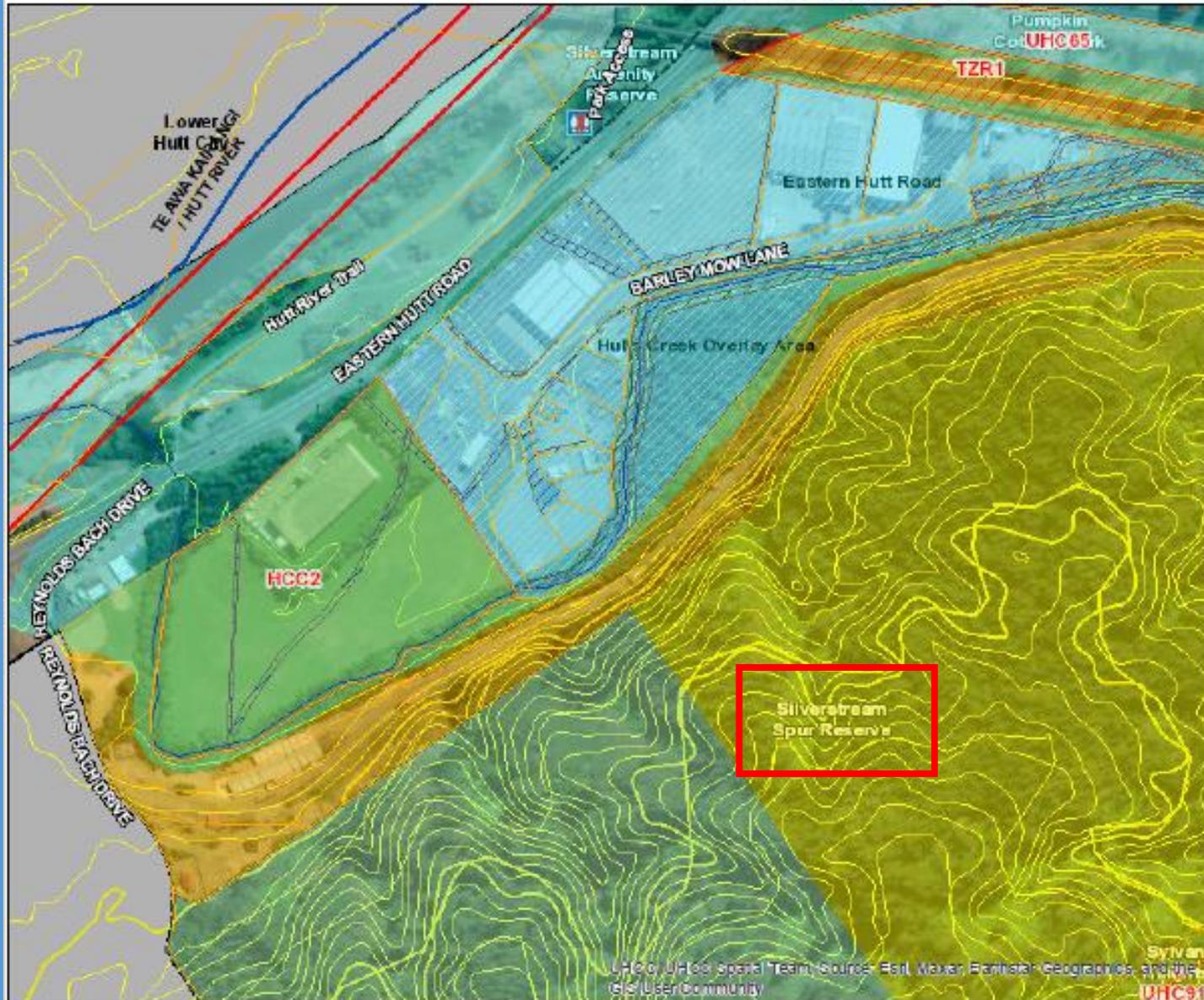
- 11 submissions specifically requested that the Spur be zoned as a form of Open Space, with a large amount of supporting evidence presented including a number of petitions.
- 45 Further submissions in support of these original submissions were also presented, at least 6 specifically objecting to the construction of a road on the Spur, with one (GTC) opposing any parts of submissions which sought to restrict development of the Spur.

# Plan Change 49 Round 2 (2022)

- Proposal to Rezone the entire Spur as Natural Open Space
- Allow provision of a road/infrastructure corridor of any size, shape and area, on any part of the Spur.
- Depending on the area the road/infrastructure corridor could be located it may be possible for it to be undertaken without requiring any further consultation.
- Initial work by council on the variation talked of the road being in a known location and of known size requiring a different set of rules, but this was changed to now allowing it to occur anywhere on the Spur.

- Happy to answer any questions you may have, either during the question session at the end of the meeting, or after the meeting or via email: [gm@silverstreamrailway.org.nz](mailto:gm@silverstreamrailway.org.nz)
- Making a submission is very important, please let the council know your feelings on this proposal.
- Reaching a conclusion on this matter will allow the community to get on and enjoy the land that was purchased for it all those years ago, without the threat of development hanging over it any more.
- UHCC still refer to the Spur as a reserve on their district plan maps, currently available on their website.

# Upper Hutt City Council Map



Property	Zones	Water Services
Land Parcels	Residential	Water Pump
Titles	Residential Conservation	Water Meter
Easement	Residential Hill	Water Fitting
District Plan	Rural Lifestyle	Water Pipe
Heritage Features	Rural Valley Floor	Service Connection
Noble Trees	Rural Hill	Rider Main
Fruit Band	Rural Hill	Stormwater
Pylons	Rural Hill	Stormwater Pumpstation
High Voltage Lines	Blue Mountains	Manhole
Urban Tree Groups	Business Commercial	Manhole
Protected Ridgeline	Business Industrial	Sump
Rivers	Special Activity	Inlet
300 yr Flood Extent Hutt River	Open Space	Outlet
Designations	Proposed Plan Changes	Stormwater Node
General	Natural Hazards (PD47): Wellington Fault Band	Stormwater Pipe
State Highway	Distributed	Sump Lead
Railway	Uncertain - constrain	Stormwater Open Channel
Utilities	Uncertain - poorly contained	Stormwater Connection Pipe
Southern Hills	Well defined	Abandoned Stormwater Pipe
Visual	Well defined (extension)	Wastewater
Landscape	SNAs & Landscapes:	Wastewater Pumpstation
Ecological	Draft Significant Natural Area	Wastewater Pump
Rotorua Flood Hazard Extent	Outstanding Natural Feature Landscape	Manhole
Dachment Overlay	Special Amenity Landscape	Manhole
Stream Corridor	Rural-Residential Review:	Valve
Overflow Path	High Pest Risk (Coffey, 2019)	Chamber
Ponding Area	Medium Liquefaction Risk (Coffey, 2019)	Pump
Mangrove Flood Hazard Extent	Water Services	Wastewater Node
Erosion Hazard	Property Drainage	Trunk Main
River Corridor	Sewer	Wastewater Pipe
Overflow Path	Stormwater	Wastewater Connection Pipe
Ponding Area	Water	Abandoned Wastewater Pipe
Sub-Zones	Water	Abandoned Node
CBD Boundary	Water Hydrant	Other
Centres Overlay	Fire Service Valve	Cemetery
Speedway Area	Water Valve	Pits & Internments
Other Sub-Zones	Service Valve	Contours
	UHC Reservoir	
	Private Reservoir	
	Water Pumpstation	



Property boundaries may not be survey-accurate, and can only be verified by a licensed cadastral surveyor. Cadastral information is derived from Land Information New Zealand. Crown Copyright Reserved. This map is drawn on the New Zealand Transverse Mercator projection, using New Zealand Geodetic Datum 2000. The wind zone data may not be used to determine the wind zone or speed for design purposes or a building consent application. Wind zone or speed must be determined by applying the methodologies in NZS 3604:2011 Timber framed buildings or AS/ NZS 1170 Structural Design Actions Part 2: 2002 Wind Actions.

Scale to A4  
1:4,000

0 45 90 m

Date: 9/5/2022