

# SUBMISSION HUTT CITY COUNCIL DISTRICT PLAN

## David and Pauline Innes

Address for service: David & Pauline Innes  
353 Moores Valley Road  
Wainuiomata RD1

We welcome this chance to submit on the Proposed District Plan for the Hutt City.

We wish to be heard in support of this submission.

We also seek any consequential changes necessary to give effect to the relief sought in each of the individual submission points made.

We support the submission of the Wainuiomata Rural Community Association Incorporated.

We support the submission of Federated Farmers.

### Summary of Submission

1. We object to the Highly Productive Land overlay being applied to our property. This area is a fan convergence of four mountain streams full of large rocks.
2. We object to the Slope Overlay being applied to our property.
3. We object to the minimum lot size of one hectare for the Rural Lifestyle Zone on the grounds of water and air pollution.
4. We object to the minimum lot size of one hectare for the Rural Lifestyle Zone on the grounds of electricity supply and infrastructure.
5. We object to the minimum lot size of one hectare for the Rural Lifestyle Zone on the grounds of the effect on the road usage.
6. We object to the minimum lot size of one hectare for the Rural Lifestyle Zone on the grounds of the effect on rubbish collection.
7. We object to the minimum lot size of one hectare for the Rural Lifestyle Zone on the grounds of the effect on the rural character of the area.
8. We object to the minimum lot size of one hectare for the Rural Lifestyle Zone on the grounds of the adverse effects on production in the General Rural Zone.
9. We object to the application of the Rural Lifestyle Zone to the large parcels at the end of Moores Valley Road on the grounds on the effect on neighbouring properties, the effects on the road and streams.

SUBDIVISION		
Reference	Submission	Relief Sought
SUB-S1 (5)  Subdivision in Rural Residential Zone	<p>We object to the minimum lot size for Rural Residential being 1 hectare on the grounds of water and air pollution, electricity supply, road usage, rubbish collection and the rural character of the area. That is extension of services.</p> <p>We object to the large parcels at the end of Moores Valley Road being zoned Rural Residential on the grounds on the effect on neighbouring properties, the effects on the road and streams. We also object on the grounds of the effects upon the rural character of the area.</p> <p>We believe that the intention of the National Planning Standards is to limit the expansion of Rural Residential zones. It is our belief that the parcels at the end of Moores Valley Road are currently not subdivided and it is more appropriate for the area to be zoned General Rural in line with the other large parcels in the area.</p> <p>This is poor town planning. It is not in line with demand. To total area proposed for Rural Residential Zone is far in excess of what is needed. It is mainly class 6 land which is more suited to forestry. Demand for Rural Residential is being met by residents selling on average every 6 years which is half that of Residential.</p>	<p>We ask that the minimum lot size in the Rural Residential Zone is 2 hectares.</p> <p>We ask that the large parcels at the end of Moores Valley are zoned General Rural.</p>
ECO - Ecosystems and Indigenous Biodiversity		
Reference	Submission	Relief Sought
Rule ECO-R1	We support the permitted status of exotic vegetation removal in all zones.	<b>ECO-R1</b> We submit that the permitted status for removal of exotic vegetation in all zones is retained.
Rule ECO-R2	We support the permitted status of indigenous vegetation removal in the rural zones.	<b>ECO-R2</b> We submit that the permitted status from removal of indigenous vegetation in the rural zones is retained.

EW- Earthworks		
Reference	Submission	Relief Sought
Standard EW-S1  Area of earthworks	We support the submission of Federated Farmers. We submit that the earthworks volume limit is increased to 2,000m <sup>2</sup> for rural zones, similar to other district plans, to enable normal farming activities.	That the earthworks volume limit for rural zones is increased to 2,000m <sup>2</sup> per 12 months.
Standard EW-S6  Earthworks for farming tracks	We support the submission of Federated Farmers. Federated Farmers supports farm tracks not being limited by a volume, because of the narrow elongated form of tracking earthworks a volume limit is quickly consumed but would not cause the level of adverse effects on amenity nor sedimentation that a more expansive consolidated area of earthworks would.  The cut-fill face limit needs to be practical to enable tracks on steep hillsides which is where safe passage is most needed for farm vehicles.	We submit that EW-S6 for farming tracks does not have a volume limit.  We submit that the cut-fill face limit is increased to 3.5m to enable safe tracking on steep hillsides that make up the terrain of the rural zones in Hutt District.
Definition :  Earthworks	Support is given for this definition being consistent with the National Planning Standards, and the exclusion of cultivation and fence post holes.	
Objective EW-O1  Earthworks	We support the submission of Federated Farmers. The objective must be consistent with Section 5(2)(c) of the RMA which directs that adverse effects on the environment are to be avoided, remedied or mitigated. The term _____ must be replaced with _____ in order to be consistent and clear in direction on how adverse effects will be managed.  Support is given for article 1 which directs earthworks to be consistent with the underlying zone, which will enable farming earthworks to be carried out in the rural zones.	We submit that the term _____ is replaced with _____ to be consistent with Section 4 of the RMA.  We submit that article 1 is retained.
Rule EW-R4  Earthworks for maintaining or constructing farming tracks	We support the submission of Federated Farmers. We are pleased that farm tracks are a permitted activity. Farm tracks are necessary for farmers to provide for their own and worker safe passage across farm, as per Section 5(2) of the RMA. Farm tracks on farmland must be enabled by permitted status, otherwise farmers will be forced to compromise their safety.	We support the permitted status of farm tracks.  We want the tracks associated with QEII covenants to be permitted along with all necessary work on those tracks and any replacement tracks that may be required in the situation where a track might be washed out or otherwise be inaccessible.

NOISE		
Reference	Submission	Relief Sought
Noise chapter	We support the submission of Federated Farmers. We support the 'Note' on application of noise rules clause (i) that rural activities including, agricultural vehicles, machinery or equipment used on a seasonal or intermittent basis in the Rural Zones, which are a permitted activity in the relevant Rural Zone, are exempt from the noise rules and standards.	That Rural activities including, agricultural vehicles, machinery or equipment used on a seasonal or intermittent basis in the Rural Zones, which are a permitted activity in the relevant Rural Zone, are exempt from Noise rules and standards.

GRUZ – General Rural Zone		
Reference	Submission	Relief Sought
<b>GRUZ-HPLO-O1 Highly Productive Land Overlay</b>	<p>We object to the Highly Productive Land Overlay being applied to our property. Mapping this overlay is a role for the GWRC.</p> <p>The current methodology for determining the HPLO is to map Land Use Capability Levels 1, 2 &amp; 3. The underlying map data is over forty years old and is associated with analogue maps of a scale of 1:50,000. We submit that the underlying data is not fit for purpose for the mapping of land within the district.</p> <p>With regard to our property, we submit that the area shown is an area at the confluence of three streams. The underlying soil contains large rocks and it is absolutely not an area of high productive potential.</p> <p>We submit that the HPLO overlay for our property is fragmented and does not form a large meaningful area. We submit that when viewed at the proper scale (1:50,000), the area shown is virtually invisible.</p>	We ask that the HPLO overlay is removed from our property.
Natural Hazards		
<b>NH-P12</b> Slope Assessment Overlay	<p>We note that the Slope Overlay has been applied to General Rural land in the Moores Valley area but not Coast Road or Gollans Valley. We submit that the inclusion of the overlay is inconsistent. The description of the overlay indicates that it relates to the establishment of houses. The overlay is not appropriate for a General Rural property with access constraints.</p> <p>We submit that the most glaring examples of land instability are to be found on public land. In particular, we believe that the erosion on the eastern side of the Orongorongo River should be addressed with pest control.</p>	We ask that the slope overlay is removed from our property.

PUBLIC ACCESS		
Reference	Submission	Relief Sought
Objective PA-O1	<p>We support the submission of Federated Farmers. The District Plan must not override landowners right to grant or deny access over their private property. The District Plan needs to be clear that access is not available across private land unless with permission from the landowner.</p> <p>Policy PA-P3 recognises that there will be circumstances where it is appropriate to restrict public access, the objective must also reflect this.</p> <p>We agree with Federated Farmers and their recommendation that the Central Hawkes Bay District Plan 2024 is looked to as a good example of a public access objective, as it reads:</p>	<p>We submit that Objective PA-O1 is amended to read:</p> <p>_____</p> <p>_____</p> <p>We ask that the council communicates with the Walking Access Commission and removes the part of the Wainuiomata Centre Track from the database.</p>
Policy PA-P3	<p>We support the submission of Federated Farmers. Federated Farmers supports a policy that provides for circumstances where public access is not appropriate and needs to be restricted.</p> <p>We agree with the list of circumstances in article a) however the addition of private property must also be included.</p> <p>There is no general right of public access across private land. Owners of private land have the right of exclusive occupation and enjoyment of that land. This right is enforceable under the provisions of the Trespass Act 1980.</p> <p>The addition of private property in Policy PA-P3 will be relevant to landowners who may need resource consent under Rules NFL-R2.2 NFL-R4.2, NFL-R7.2, NFL-R8.2, NFL-R9.2, NFL-R9.3 where Policy PA-P3 is listed as a matter of discretion. Assessing public access opportunities will be unjustified when a haybarn is over the floor area or the fence is not post-and-wire. Landowners should not be required to defend their right to deny or grant access over their private land during a resource consent application that is not really related to the subject.</p>	<p><b>PA-P3</b> We seek an additional clause in PA-P3.1 for private property as a matter where it is appropriate to restrict public access. Public access over private property is only at the landowner's permission and the District Plan must not compel public access.</p>

**From:** [Mary Spiers](#)  
**To:** [Sean Bellamy](#)  
**Subject:** [EXTERNAL] Re: Submission Incomplete - Proposed Lower Hutt District Plan  
**Date:** Monday, 5 May 2025 4:33:41 pm  
**Attachments:** [ATT00001.png](#)

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Hi Sean,

Apologies for missing this information. I can confirm:

- Could not gain an advantage in trade competition

Thanks,

Mary

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**From:** Sean Bellamy <Sean.Bellamy@huttcity.govt.nz>  
**Sent:** Monday, May 5, 2025 12:09:06 PM  
**To:** m.e.spiers@outlook.com <m.e.spiers@outlook.com>  
**Subject:** Submission Incomplete - Proposed Lower Hutt District Plan

Kia ora Mary and Samuel,

Thank you for your interest in submitting on the Proposed Lower Hutt District Plan.

**Unfortunately, your submission is incomplete and cannot be accepted until you provide the following information:**

- Trade competition. You must declare that they:
  - Could not gain an advantage in trade competition, or
  - Could gain an advantage in trade competition, and are directly affected by an effect of the plan that (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition, or
  - Could gain an advantage in trade competition, and are not so affected.

From here, you can either:

1. Update your submission and re-submit it to include the required information;  
or
2. Provide the required information via email.

Your response has been received and given the reference number PDP/479.

Please provide the required information as soon as possible. As the final submission will be provided after the deadline for submissions (5pm, 2 May 2025) it will be considered a late submission. The hearings committee will decide whether or not to

accept the submission. If you can supply the additional information I'm confident they will accept the late submission.

If you do not supply the required information before this date, your submission may not be considered.

Kind regards,

Sean Bellamy

**Sean Bellamy**

Intermediate Policy Planner

Hutt City Council, 30 Laings Road, Hutt Central, Lower Hutt 5010

**P:** 04 570 6976 **M:** **W:** [www.huttcity.govt.nz](http://www.huttcity.govt.nz)



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