SUBMISSION HUTT CITY COUNCIL DISTRICT PLAN
Wainuiomata Rural Community Association Incorporated

Address for service: Wainuiomata Rural Community Association Incorporated
29 Sunny Grove Wainuiomata 5014
Ph (04) 9768509
wainuiomata.rural@gmail.com

Addendum

1. This Addendum has been hampered by the intermittent failures of the District Plan Portal on the Hutt City Council website.

2. WRCAI strongly objects to the fact that the Proposed District refers to multiple overlays, and purports to make rules that relate to those overlays, while, at the same time failing to provide any information to inform those who might be potentially affected. The Association has received feedback from members who have expressed confusion about how the Proposed District Plan might affect them. Where HCC has drafted overlays, it should have made these available with clear caveats as to their status. WRCAI would have been in a better position to address multiple parts of the Proposed District Plan had its members been able to engage with the proposal and been aware of the potential to affect their properties. WRCAI strongly objects to any rules being formulated and determined in relation to the following:

   2.a) Highly Productive Land

   2.b) Sites of Significance to Maori

   2.c) Outstanding Natural Landscapes and Features

   2.d) Significant Natural Areas

   2.e) Coastal Environment and Coastal Natural Character

3. WRCAI has recently been made aware of features of the Earthworks Chapter and how it affects rural properties. However, aside from a brief period, the Earthworks Chapter has been completely unavailable. WRCAI wishes to be absolutely clear on this issue. WRCAI was barely able to engage successfully with the Earthworks Chapter in the Proposed District Plan over the days prior to the hearing and questions the validity of the Hearings Process continuing when the basic information relating to those hearings is not consistently unavailable.

4. WRCAI understands that specific rules have been set for public access tracks and cycle tracks. WRCAI believes that tracks within QEII covenants should be placed within this category. Activities associated with QEII covenants are governed by the QEII stated purpose and are subject to a very high level of ecological monitoring.

5. WRCAI understands that there is no reference to earthworks associated with fences in the Earthworks Chapter. The only direct reference to earthworks for fences appears to be an exclusion of holes formed for fence posts in the definition of earthworks. As it currently stands GWRC exempts fences from earthworks restrictions but not

tracks. HCC does not exempt fences or tracks. WRCAI understands that, nationally, earthworks associated with fences generally do not require resource consents. Where there are requirements they generally are limited to Section 6 of the RMA.

5.a) The Earthworks Chapter needs to clarify whether a cutting for a fence is considered to be a farm track.

5.b) The exclusion of holes for fence posts from the definition of earthworks does not clarify the situation for the earth movements that are not fence post holes. Rural fences often require earthworks along the line of the fence as well as post holes.

5.c) References to slope require clarification. A method for measuring a slope needs to be spelled out. The Landcare Research Institute Slope Data is not suitable for determining slope for the purpose of this chapter.

5.d) Wainuiomata was surveyed by Henry Jackson in the 1850s. Wainuiomata rural property boundaries are notorious for not being particularly aligned with topography. Slope should not be a factor requiring a resource consent for boundary fences. An apparent restriction against earthworks near a boundary needs to be clarified as to its effect for a fence.

5.e) Fences, particularly boundary fences, should be exempt from resource consent requirements unless there is a compelling reason to restrict. The wording of the Fencing Act 1978 along with the examples of most districts suggest that boundary fence construction should be considered a fundamental property right.

5.f) The Slope Overlay has been applied to a number of General Rural properties in Moores Valley. This is inconsistent with other parts of the district. The Earthworks Chapter is far more restrictive for General Rural properties in Moores Valley as a result. This overlay should be removed for these properties.

5.g) WRCAI understands that the Earthworks Chapter employs set absolute figures for thresholds that trigger resource consents. WRCAI believes that thresholds should be proportional. This is particularly true given that the Proposed District Plan proposes to greatly increase the differential between minimum subdivision size for Rural Lifestyle and General Rural. As it stands, proportionally, the restrictions for General Rural far exceeds those for Rural Lifestyle. This is contrary to the stated purpose of the National Planning Standards and is contrary to the National Policy Statement for Highly Productive Land. That is to say, that the restrictions disproportionately restrict areas assumed to be areas for productive activities. The area threshold of 1000m2 should not be applied to fencelines and fence maintenance tracks.

6. A map has been prepared showing the parts of the Wainuiomata North area that have been rezoned from General Rural in the ODP to Rural Lifestyle in the PDP.

Relief Sought

A) **Fences and fence maintenance tracks are exempt from a requirement for a resource consent.**

B) **Fencing and fence maintenance tracks are included within the definition of minor earthworks.**

C) **The effects of the Slope Overlay is highly inconsistent in the rural areas and should not be applied to any General Rural property.**

D) **Tracks within Queen Elizabeth II National Trust covenants are aligned with the rules for public access tracks and cycle tracks. QEII and landowners to inform HCC of intended works prior to commencement.**

Craig Innes,

Chairman

Wainuiomata Rural Community Association Inc.

WRCAI_Changes_ODP_PDP


Wainuiomata_North_Rural_Lifestyle_PDP
Wainuiomata_North_General_Rural_ODP
Wainuiomata_North_Rural_Residential_ODP
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