

SUBMISSION 207

To: Upper Hutt City Council
Name of submitter: Jessica Ryan
Address: 143a Colletts Rd, Mangaroa, Upper Hutt 5371
Ph: 0212506156
Email: jess@miromiro.com

This is a submission on the change proposed to the following plan:
Plan Change 50 - Rural (the proposal):

I do not stand to gain commercial advantage from my submission.

I wish to be heard in support of my submission.

In my submission I wish to address several points;

1) Rural Produce Definition Retail

The definition of Rural Produce Retail is limited to “produce grown on a property”. Putting aside the ambiguity this does not allow for sale of produce grown by neighbours, or a small amount of complementary product not grown on the property.

I wish to Oppose/Amend

Decision Sought

I suggest amending the definition to read: means the sale of rural produce predominantly grown on, or in the immediate vicinity of a property, including products manufactured from that produce. No more than 20%, by value of the produce or products sold, can be imported onto the property. This is inconsistent with the general nature of this activity and is unnecessarily limiting.

2) Setbacks

Specific Provision Standard GRUZ S2 Standard RPOZ S2 Standard RLZ-S2

Submission

The standards for setbacks in the General Rural, Rural Production and Rural Lifestyle Zones default to the Settlement Zone setbacks for sites less than 1.5ha. This is a 5m road boundary and 3m other boundary setback. I consider that this setback is both too small and unnecessary for blocks in these Zones

I wish to Oppose/Amend

Decision Sought

Change the relevant part of the Setback standards for the General Rural, Rural Production and Rural Lifestyle zones to read: Sites of less than 0.5ha in the [Insert zone] shall comply with the setback standards of the Settlement zone in SETZ-S2. A primary consideration for people living in all three zones is privacy and separation from neighbours and having neighbours 3m from your boundary without regard to the location of your own curtilage has the potential to be significantly adverse. Likewise the scheme of PC50 provides for small lots in all three zones which are likely adjacent to functioning farms. Small setbacks will inevitably lead to reverse sensitivity issues.

Properties envisaged in these zones will typically have plenty of room to provide a boundary separation of 12m (effectively be 40m wide at building platform). I accept that very small lots may have difficulties and hence suggest that the default to the Settlement Zone setbacks occurs for sites of 0.5ha or smaller.

3) Home Business in Policy RPOZ-P1 Rural Production Rule RPOZ-R7 Zone Standard RPOZ-S8

Submission

The scheme for home business in the rural production zone provides policy encouragement for such activities RPOZ- P1 and provides for constrained home business as a permitted activity (RPOZ- R7 and RPOZ-S8. However the activity then defaults to being a discretionary activity without guidance to discretion.

I consider that this is unnecessarily constraining and not reflective of the extent of rural residential subdivision of the zone which has occurred as a result of council planning over the past 40 years. I suggest that the default should be a Restricted Discretionary activity similar to rule GRUZ-R18. However an additional restriction should be included to protect highly productive soil.

I wish to Oppose/Amend

Decision Sought

Include a new Restricted Discretionary Rule: Home business, ancillary to residential activities carried out on the site, which do not meet permitted activity standards

Council will restrict its discretion to, and may impose conditions on:

- a. Loss of areas of highly productive soil for primary production.
- b. External storage.
- c.. The number of non-resident workers employed on the site.
- d. The creation of dust, light, noise, vibration or other nuisance.
- e. Appearance of buildings.
- f. Size, number of, location and appearance of signs.
- g. Car parking, traffic and pedestrian safety and the efficient functioning of the roading network.
- h. Financial contributions.

4) Settlement Zone Objective SETZ-01 Industrial Activities Rule SETZ-R12

Submission

Objective SETZ-01 provides support for “light industry” as part of the purpose of this zone. Rule SETZ-R12 provides a mechanism for consenting industrial uses (without the qualifier light) as a restricted discretionary activity. Separate provision is made for rural industry and home business.

I wish to Oppose/Amend

Decision Sought

Provide more appropriate controls for industrial activities in the Settlement Zone.. The restrictions on discretion for “Industry” are less onerous than those for “home business” The inclusion of industrial activities without qualification within this zone allows for a less restrictive consenting path with fewer controls than in the general industrial zone. Two examples are: The restrictions for restricted activity approval in the industrial zone provide better protection for adjacent residential activity. High impact activities such as hazardous activities are identified as discretionary activities in the General Industrial Zone with significant guidance for discretion. In the Rural Settlement Zone they are restricted discretionary.

5) Settlement Zone Standards Site Coverage

Submission

The Rural Settlement Zone allows controlled activity subdivision to 2000m² (without a larger average lot size) MacLaren Street already is made up of lots of 800-1200m². Both the controlled activity standard and the existing situation in MacLaren result in sections where overdevelopment can lead to significant amenity effects for neighbours. This is particularly the case with the liberal identification of permitted activities in the zone and 3m boundary setbacks.

I wish to Oppose/Amend

Decision Sought

Include a 30% site coverage standard for permitted activities in the Rural Settlement Zone Sections of this size are most analogous to the Residential Hill and Residential Conservation Precinct of the General Residential Zone (Precinct 2). This precinct has a 30% site coverage standard.

6) Berketts Farm Precinct proposal.

Submission

This proposal does not fit with UHCCs current zoning and development restrictions. It is vague as it only shows a very basic map and there is no discussion around access ways. It is also inaccurate with the numbers stated. In the written text it says it is up to 100 allotments. The numbers on the map add up to 105 sites?

By definition, naming this a 'precinct' when it is situated in a rural zone surrounded by farms and lifestyle properties, carries connotations of exclusivity which does not sit comfortably.

There are a number of specific areas of concern;

a) Traffic -the increase in traffic from approximately 100 homes will be enormous, and that's on roads that are already not fit for purpose. It will further compromise the transport networks in both directions in and out of the valley, not only for Whitemans Valley Rd, but many others in the surrounding area. This does not align with TP-S9 -Traffic generation for any site shall not exceed:

1. 100 vehicle movements per day in the General rural, Rural production, Rural lifestyle zones.
2. 250 vehicle movements per day in the Settlement zone.

b) Safety -the roads through much of the valley are narrow, and combined with the current speed limits, are already a safety issue for walkers (often with dogs or children), cyclists and horse riders. Many roads have very narrow or no berms. Maybe Council is planning to implement moving the fencing on existing properties to the correct setbacks, and creating safe walking tracks?

c) Access -this site would not align with TP-S10 Subdivision in General rural, Rural production or Rural lifestyle and Settlement Zones

The maximum number of allotments accessed via a right of way or private road must

1. be no more than six; and
2. comply with the widths in Appendix C, Figure 1 (Road Design Standards - Urban) of the Code of Practice for Civil Engineering Works

d) Water movement -as the majority of these sections sit in elevated positions, it seems likely that there is the possibility of waste water seeping down into, and contaminating the Mangaroa River.

I wish to Oppose/Amend

Decision Sought

Taking all the above concerns into account, I would hope to see this subdivision either entirely taken off the table, or modified to include a decreased number of sections, and conforming with the minimum size of 4 Ha that currently applies.

With the ongoing, and undoubtedly escalating effects of climate change that we are already feeling locally and globally, I strongly feel that UHCC should be showing bold leadership in encouraging community resilience. Mangaroa Farms is a good example of this.

We will without doubt, become more reliant on local food sources, for both the people of Upper Hutt and adjacent areas. To be allowing (or even encouraging) productive and fertile land to be used for higher density housing is I feel, extremely short sighted of this current Council.

Further, owners of properties located in rural Upper Hutt that are topographically unsuitable for sustainable agriculture or horticultural use, could be incentivised to reforest with native plantings for climate change mitigation.

Jessica Ryan
Signature of submitter

Date 17 November 2023