

DISTRICT PLAN REVIEW

Proposed Waimakariri District Plan - Submission

Clause 6 of Schedule 1, Resource Management Act 1991

Submitter details

(Our preferred methods of corresponding with you are by **email** and **phone**).

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Please select one of the two options below:

- ☒ I **could not** gain an advantage in trade competition through this submission (go to Submission details, you do not need to complete the rest of this section)
- ☐ I **could** gain an advantage in trade competition through this submission (please complete the rest of this section before continuing to Submission details)

Please select one of the two options below:

- ☐ I **am** directly affected by an effect of the subject matter of the submission that:
- A) Adversely affects the environment; and
 - B) Does not relate to trade competition or the effect of trade competition.
- ☐ I **am not** directly affected by an effect of the subject matter of the submission that:
- A) Adversely affects the environment; and
 - B) Does not relate to trade competition or the effect of trade competition.

Submission details

The specific provisions of the proposal that my submission relates to are as follows: *(please give details)*

My submission is that: *(state in summary the Proposed Plan chapter subject and provision of your submission. Clearly indicate whether you support or oppose the specific provisions or wish to have amendments made, giving reasons) (please include additional pages as necessary)*

I/we have included: _____ additional pages

I/we seek the following decision from the Waimakariri District Council: *(give precise details, use additional pages if required)*

Submission at the Hearing

I/we wish to speak in support of my/our submission

I/we do not wish to speak in support of my/our submission

If others make a similar further submission, I/we will consider presenting a joint case with them at the hearing

Signature

Of submitters or person authorised to sign on behalf of submitter(s)

Signature _____ Date _____

(If you are making your submission electronically, a signature is not required)

Important Information

1. The Council must receive this submission before the closing date and time for submissions.
2. Please note that submissions are public. Your name and submission will be included in papers that are available to the media and public. Your submission will only be used for the purpose of the District Plan review process.
3. Only those submitters who indicate they wish to speak at the hearing will be emailed a copy of the planning officers report (please ensure you include an email address on this submission form).

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):

- It is frivolous or vexatious
- It discloses no reasonable or relevant case
- It would be an abuse of the hearing process to allow the submission (or the part) to be taken further
- It contains offensive language
- It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

Send your submission to:
Proposed District Plan Submission
Waimakariri District Council
Private Bag 1005, Rangiora 7440

Email to: developmentplanning@wmk.govt.nz

Phone: 0800 965 468 (0800WMKGOV)

You can also deliver this submission form to one our service centres:

Rangiora Service Centre: 215 High Street, Rangiora

Kaipoi Service Centre: Ruataniwha Kaiapoi Civic Centre, 176 Williams Street, Kaiapoi

Oxford Service Centre: 34 Main Street, Oxford

Submissions close 5pm, Friday 26 November 2021

Please refer to the Council website waimakariri.govt.nz for further updates

The people. He tangata.

In my opinion the plan focusses too much on growth and development, and not enough on the well-being of present residents, who are actually the Council's 'clients'. They're the ones who should 'benefit' from a well-thought out and worded District Plan. Inserting the interests of the people in the 'purpose' section will result in greater clarity in situations where the effects on people need to be considered.

Noise, for example, has an effect on people, and very little effect on the natural and physical resources more generally.

Part 1 –

Purpose

CURRENTLY THE PROPOSED PLAN SAYS 'The District Plan sets out a framework for the integrated and sustainable management of natural and physical resources.'

MY SUBMISSION IS THAT after THE WORD 'resources' THE FOLLOWING WORDS SHOULD BE ADDED:

'for landowners, residents and visitors to Waimakariri District.'

In effect I am saying that decisions under the Plan need to be made with consideration for the needs and well-being of people.

Cultural and landscape values

The other area which concerns me comes under the historic, cultural and landscape values that the District has. Some of these are 'natural' – seascapes, mountains, swamps and skylines. Some are cultural and have historic associations with possibly no physical evidence – old pounamu trading routes, sites of past disasters or first church services. Some are represented by natural or planted physical objects – special trees, forests, old coastlines, geological formations. More are human-produced artefacts – graves, buildings, monuments, artworks.

In terms of protection of these values, currently some of these 'special items' are publicly-managed by the Council, the Regional Council or the Department of Conservation – and others are privately owned and managed. All contribute to the 'story' of the District, and lead to it being an attractive and sustainable place to live, work and visit, even though the cost of doing so is carried by their owners.

There is no particular difficulty in managing the items of public significance when items and locations are in 'public' ownership, but there can be problems with the private ownership and management of assets which contribute to the public good.

Owners of Heritage or Landscape value items are, in effect, paying double for values they represent. Their rates and taxes are paying for one set, which happen to be publicly-owned, and the owners themselves are providing a similar range public benefit from their own pockets by looking after their privately-owned items.

If the rules are too strict and expensive to comply with, then the obvious rational choice for their owners is to put a match to them, or to let them rot away. Below I suggest that the District Plan be worded so that it wouldn't be inconsistent with the District Plan for the LTP to offer to 'assist' with the protection of Heritage and Landscape items.

Those privately-owned cultural and historical assets are often of equal or greater significance to the general 'public good' than many of the publicly-owned items.

Ultimately the District Plan needs to be 'enabling' with respect to the protection and enhancement of the privately-owned heritage, cultural and landscape values which give the District much of its character and cultural identity.

Yes, my wife and I are the owners of a Heritage-listed property in Kaiapoi (cottage at 5 Meadow Street) – but that means that we have done a lot of thinking about what is involved. Apart from the maintenance of a building which was built before the days of 'permanent' materials (and yet is one of the oldest buildings in the District), it is difficult to comply with residential tenancy requirements (drafts, heating, insulation etc).

It is notable that in the Sites and Areas Significant to Maori (SASM) section of the Proposed Plan there is a

detailed section (SASM-P4) facilitating activities relevant to that heading. It comes across as an ‘enabling’ document, not prescriptive.

Yet all the Policies in the Heritage (HH) and Notable Tree (TREE) sections are only prescriptive, with no ‘enabling’ clauses.

To maintain consistency, and to help lead to the best outcomes for the District and its people, new sections should be inserted in the Heritage and in the Notable Trees sections on similar lines to the one in the SASM section.

In addition the Proposed Plan should make reference to Section 36AAB (1) of the RMA noting that the Council may remit charges for applications which may have a positive effect on Heritage and Landscape values.

PROPOSAL

Insert new section in the Heritage Policy section as follows:

HH-P9 *Recognise the historic and contemporary values of heritage and landscape in the District and:*

facilitate opportunities to provide information about these values

provide opportunities for these values to be recognised

manage earthworks involving disturbance of soils in Heritage sites through the implementation of a Heritage New Zealand Pouhere Taonga authorised accidental discovery protocol and opportunity for cultural monitoring;

assist with the maintenance, restoration or enhancement of Heritage items

where an application is for an activity which will protect or enhance heritage, landscape or environmental values the Council will give consideration under Section 36AAB of the Act for a remission of any part of any charge that would otherwise be payable.

Insert new section in the Notable Trees section as follows:

TREE-P6 *Recognise the social and landscape values of notable trees in the District and:*

facilitate opportunities to provide information about these values

provide opportunities for these values to be recognised

manage earthworks involving disturbance of soils in the vicinity of Notable Trees so as to reduce threats to their wellbeing

assist with the maintenance, restoration or enhancement of Notable Trees

where an application is for an activity which will protect or enhance heritage, landscape or environmental values the Council will give consideration under Section 36AAB of the Act for a remission of any part of any charge that would otherwise be payable.

Worded like this (particularly the use of the word ‘assist’) the Council is not committed to any financial contribution towards the maintenance and preservation of Heritage and landscape values on private property, but the plan would give it the opportunity to do so, as it can for the preservation of SASM values.

And a more personal submission

The description of our property at 5 Meadow Street (HH036) is not particularly accurate, and whoever wrote it did not speak to us as owners. If the researcher had visited they would have seen construction evidence which dates the main part of the cottage to probably the early 1860’s, the first part of the rear extension to the last decade of the 19th century and the remainder of the rear extension (as noted, but there was no demolition) to 1989. The present land title boundary is a recent one – Council records will show that we made a boundary adjustment with our neighbours at Number 3 about 15 years ago.