

SUBMISSION ON A NOTIFIED RESOURCE CONSENT APPLICATION

FORM 13 - Pursuant to Sections 95A, 95B, 95C, 96, 127(3), 137(5)(c) and 234(4) of the Resource Management Act 1991



1 of 2

Submitter

Name	Aaron Slight
Contact Person (If different from above)	
Postal Address	7 Milford Downs, Masterton
Home Phone	
Cell Phone	021 999 701
Email	asa@slight.nz

Details of the Proposal to which this Submission Relates

Name of Applicant	G. Beatson
Address of Proposal	9 milford Downs Masterton
Application No.	RM 240079
Description of Proposal	2 - Lot Subdivision

Details of Submission

My submission:

- | | |
|--|--|
| <input type="checkbox"/> Supports the whole proposal | <input type="checkbox"/> Supports part of the proposal |
| <input checked="" type="checkbox"/> Opposes the whole proposal | <input type="checkbox"/> Opposes part of the proposal |

In the event this application is subject to a Resource Consent Hearing. Do you wish to be heard in respect of your submission?

Yes No

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

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Submission Statement

The specific parts of the Proposal that this submission relates to.

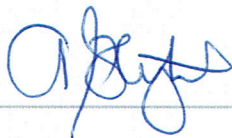
As attached via email

Decision you want the Council to make:

Grant the Consent Decline the Consent Grant the Consent with Conditions

Signature

To be signed by the submitter or person authorised to sign on behalf of the submitter.



Name Aaron Slight
Date 4.09.24

Important notes for the Submitter

1. In accordance with the Privacy Act 1993, submissions will be made available for viewing by Council and members of the public.
2. This form is for your convenience only. You may make a submission that addresses the points above in a letter or other suitable format.
3. Submissions will not be returned, so please keep a copy.
4. A copy of your submission must be sent to both Council and to the applicant.

Date: 4th September 4, 2024

To: Masterton District Council
Via Email – planningadmin@mstn.govt.nz

Submission on a Notified Resource Consent Application

Council reference	RM240068
Applicant	G Beatson
Address	9 Milford Downs, Masterton
Proposal	Two lot rural subdivision
Submission details	My submission opposes the whole proposal. I wish to be heard in respect of this submission and will consider presenting a joint case with any other submitter at a hearing.

Submission Statement

The specific parts of the proposal that this submission relates to are;

- Weighting of the Operative and Proposed District Plan (Objectives, policies and rules)
- Ability to service the proposed lots satisfactorily
- Effects on amenity and character of the rural zone
- Land Covenant

Weighting of Operative and Proposed District Plan

The Proposed Wairarapa Combined District Plan was publicly notified in October 2023. Submissions have closed however hearings have not yet been held in respect to Rural subdivision. By order of the Environment Court, the provisions of the Proposed District Plan relating to rural subdivision and land use have immediate legal effect. Both the Operative and Proposed District Plans are therefore required to be considered. In respect of this application, we consider a greater weighting should be placed on the Operative District Plan objective, policies and rules for the following reasons.

- The rural lifestyle zone is a completely new zone and is subject to a number of submissions which have questioned the new zoning. Hearings to determine these submissions have not been held and are not scheduled until early 2025.
- The new zoning and associated objectives and policies represent a significant policy shift when compared to the provisions of the operative plan. The operative plan zones this site, and surrounding properties, as rural primary production.
- The new rural lifestyle zoning has not been subject to any meaningful, independent decision making.

- There are submissions on the Proposed District Plan that oppose the Rural Lifestyle Zone in its entirety.

When considering the objective and policies of the Operative Plan there is a clear directive to avoid the creation of small lots that would not maintain an open rural character. Historically Council have not supported applications of this nature.

Objectives 13.3.2 (h) of the Operative District Plan is quite clear that any allotments below the minimum standards in the Rural Zone shall *avoid* the outcomes detailed in i.-viii. The proposed subdivision will not maintain the open rural character of the Rural Zone (ii) and is likely unable to satisfactorily (and reliably) dispose of effluent (vii) and will likely lead to ad hoc development that create adverse effects on rural character and amenity (viii). Objective 18.3.2(i) has not been referenced at all in the application. This objective states: "Protect the quality, character and values of the Wairarapa rural environment from the cumulative effects of intensification by limiting subdivision below the rural minimum area standards to situations where there are special circumstances that would not create a precedent." It is our view that the proposed subdivision would create a precedent which would in turn result in an intensification of the surrounding environment beyond what is considered acceptable for a rural zone. The Proposed Plan could not be considered a special circumstance in this case given it has not been subject to any meaningful decision making as part of the Proposed Plan hearing and submission process.

Ability to service the proposed lots

The application does not contain a detailed site investigation which would determine whether or not any new lot could satisfactorily dispose of wastewater and stormwater on site. For this reason, it is unclear whether Rule 21.1.2(e)(iii) of the Operative Plan and Standard SUB-S4 and SUB-S5 of the Proposed Plan can be complied with. We know that the clay soils in this area are not good for drainage which is further confirmed by several failing sewage systems in Ardsley Lane where these systems are used. Our own experience when we built on our property showed that there was no drainage on site. Our house has a soak pit for one side of roof water and a field drain for the other of which neither really works. If it wasn't for 27 Milford Downs having a lake, our site would be wetter than it is. I have maintained the novaflo underground drains since moving into number 7, this has been via replacing junction fittings and water jetting blockages. The water jetting has also included jetting up into number 9 property to unblock silt. I also maintain the lake outlet from number 27 lake and when it blocks up it is at risk of going through Don Todd's (27 Milford) sheds and Garage. Only this year I have had to dig up junctions at number 27 and replaced because water was flooding through his chicken coop and making its way over land to the lake. I have also added an open drain on the North side of my property to get rid of water from number 9 southern boundary. The NPS-HPL assessment that was provided with the application also notes the property as having 'poor subsoil drainage'. Existing Council sewer services in the immediate area are unable to accommodate any additional connections which has also been previously confirmed by Council Engineers when building my house as they did not want me joining the system, even though I have Sewage disposal rights attached to my Title.

There has been no reference to the Masterton groundwater community drinking protection area which is located on this site (and within the wider Rural Lifestyle Zone). On-site wastewater systems within this

area require a Greater Wellington Regional Council resource consent (as noted in the GWRC submission on the proposed plan).

In respect to roading and traffic, if further subdivision is permitted (with a consequential increase in pedestrian numbers) in the Milford Downs area, Council will then come under pressure to upgrade the roading corridor to include residential type services such as curb and channel, footpaths and streetlights. Who then pays for this? The lack of these things gives us our rural feel. The proposed entrance to this property is on a crest of a hill and on a blind corner so will immediately add danger to road users.

Effects on amenity and character of the rural zone

The Milford Downs area, while not used for large scale primary production activities, does display characteristics of the rural zone. The 1ha sites provide for open spaces with a private, rural feel and number 9, the property in question grazes sheep and is surrounded by 8 wire fences and NO boundary planting. The rural 'feel' is further influenced by the exclusion of footpaths and streetlights. Pedestrians can amble along with dogs and children as the few residents give way happily. This is the second application for subdivision, it feels we are creating a precedent. Allowing further subdivision which will cumulatively remove the existing rural character and amenity values currently present. The proposed 5000m² lots will display characteristics more like a large residential site, leaving no rural features or characteristics.

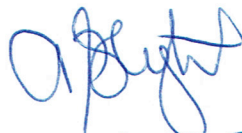
Land Covenant

Number 9 Milford Downs, myself at number 7 and other neighbours have a Land Covenant attached to their Title. "No Lot shall be further subdivided without the further consent"

When purchasing our property this small sentence adding huge value to the seller and was worth paying for. The personal value of this small sentence gave us confidence in investing in the Masterton district, if we hadn't of found a property like this we were moving from the area.

Decision requested

We want Council to ~~decline~~ decline the consent in its entirety.


A.T. Slight