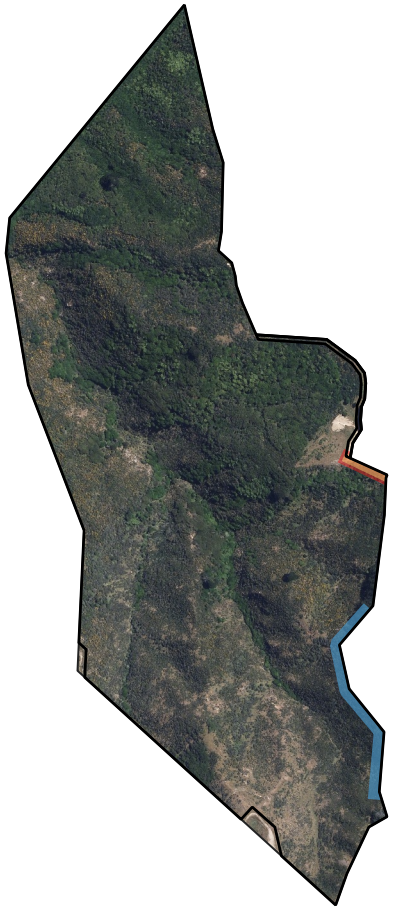
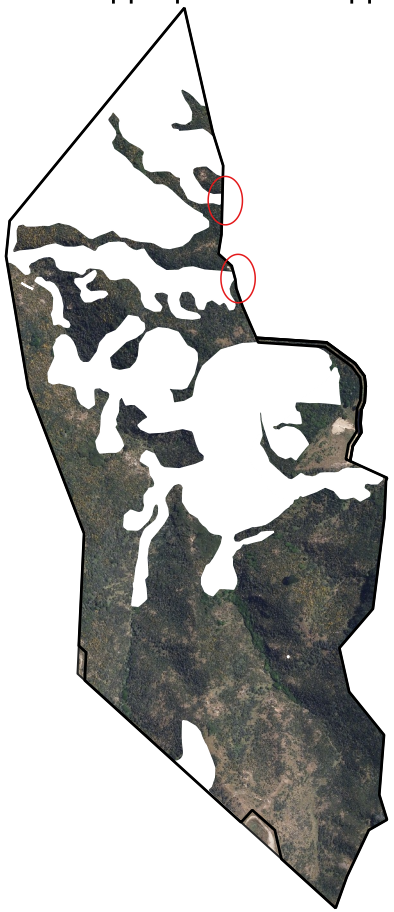
328 Hawkins Hill Road

Non Renumerated,Gradual and Ongoing
Appropriation of Opportunity by WCC





Background

33ha, therefore subdivision discretionary per WCC ODP. Accessible from a single entry point along private Hawkins Hill Road. Steep gullies, <5% flat usable areas. Previosuly a cleared farm. 1/3 regenerating native bush. the rest mostly invasive non-native pests (gorse/barberry) scrub, with native scrub emerging in some areas. Visible to city for <250m of its edge.

Ridgelines

WCC's District Plan Ridgeline and Hilltops Overlay is to protect Wellington from ridgeline development. But is demonstrably excessive in scope for that purpose.
Its actual purpose is to remove freedom to do earthworks required to enter and develop the land for rural or residential purposes .

Draft DP SNAs

WCC's Draft District Plan (DDP) SNA overlay included current native bush as well as attempted to preemptively include non-native scrub (gorse & barberry that is impossible to mistake on the aerials) and "could" become native bush in the future (by WCC obstructing use in the meantime).

Proposed DP SNAs

After an onsite visit and considerable correspondence over a year's duraction, we were 'returned' some of "not-yet native" non-native gorse & barberry.

Note that access to valuable clear areas is cut off by tiny suspiciously placed overlays.

Current State

Small consolation, as combined with the hilltop overlay, it still amounts to the same non-renumerated removal of opportunity to live on and prosper on our own property.

Hence the insistence of the return of the use of ALL areas out of the hilltop overlays that is not predominantly native bush forest.

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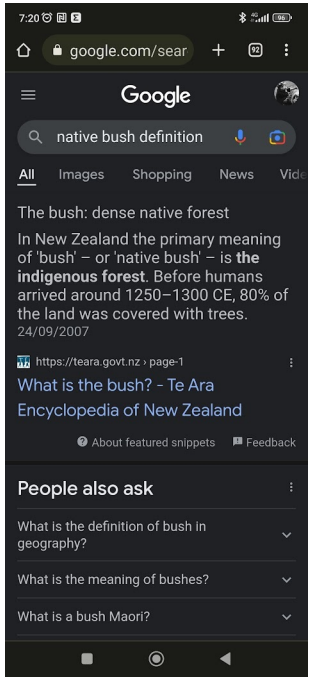
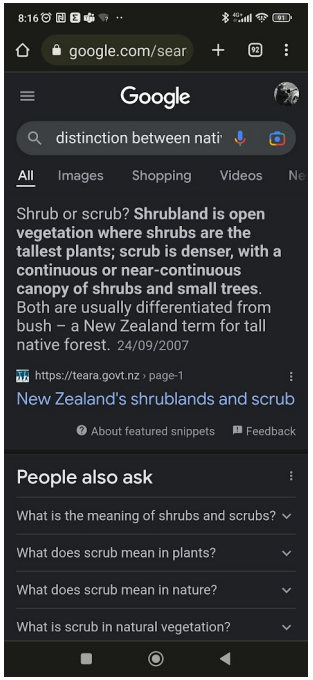
Deliberate Scope Increase to Take Away More

In addition to the Ridgeline & Hilltop Overalay and SNAs, the Property is subject to a Covenant:

> The clearance of native bush from within Lots 1 and 2, with the exception of a building site and access thereto, is expressly prohibited UNLESS such clearance is necessary to ensure the continued good health of the native bush AND THEN ONLY following written consent from Council
>
> DATED at Wellington this 24th day of December 1996

The term "Native Bush" is not defined in National Law, but is defined by authoritative NZ sources & case law:

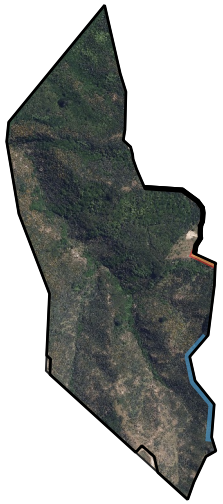




"an area containing native trees higher than six metres and the foliage and branches of those trees form a continuous canopy and includes any native vegetation beneath the trees and for a distance of 10m from the trunk of any such trees on the edge of the area of native bush".

"in ordinary language, native forest of every kind, including timber trees in New Zealand we refer to our trees as an inclusive term with the word 'bush'.... Our people call their forest 'bush', what in England might be called 'bush' or 'brushwood' is called 'scrub'."

While we respect both the SNAs and the Covenant we object to WCC deliberatly attempting to expand the Covenant's scope by include both native & non-native Scrub in the definition of the term Native Bush, and deliberate delays (of years) to permit further growth to support their desires.



Examples of Significant (in SNA) Regenerated Native Bush Forest (>6m)

Examples of pockets of non signifcant (outside of SNAs) inidigenous Scrub (<3.5m)

Many, Many Examples of Invasive Species Shrubs

328 Hawkins Hill Road

A Previously cleared Farm that is growing back
as Scrub, Predominantly Non-Native.
Not "Native Bush".

Boulevard

Glen

Hope

Cabbage

Spider Ridge

Chapel Ridge

Sentinels

Matt's Lane