

From: [Euan Kyle](#)
To: [REDACTED]
Subject: RE: Plan Change 43 Decision Timeline
Date: Thursday, 8 October 2020 10:48:00 AM
Attachments: [image001.jpg](#)
[image002.jpg](#)
[FW Plan Change 43 conversation please.pdf](#)
[Re Plan Change 43.pdf](#)

08/10/2020

[REDACTED]

Dear [REDACTED]

Request for Information – Local Government Official Information and Meetings Act 1987

We refer to your official information request dated 7 August 2020 for all relevant Council communications, memos which document the decision made by the former Mayor and Deputy Mayor regarding Plan Change 43.

I would just like to apologise again for the delay in getting this information to you.

The information you have requested is enclosed.

In order to provide you with further context in terms of the information you have requested, please note that council officers involved have advised that there is no written evidence and it was part of verbal meetings that were not recorded.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Yours sincerely,

Euan Kyle

Senior Advisor, Official Information and Privacy

Hutt City Council, 30 Laings Road, Private Bag 31912, Lower Hutt 5040, New Zealand
T 04 570 6702 W www.huttcity.govt.nz

Encl

Re Plan Change 43.pdf

FW Plan Change 43 conversation please.pdf

From: Euan Kyle
Sent: Monday, 7 September 2020 4:36 PM
To: [REDACTED]
Cc: Maria Tipene
Subject: FW: Plan Change 43 Decision Timeline
Importance: High

Hi Mr [REDACTED]

I apologise for missing this request when it first came in. We are in the middle of trying to improve our LGOIMA

process and it was pure human error. I am really sorry that the service that you should expect from Hutt City Council has been lacking in this request. I am in the process of compiling the information that you requested and I will get this to you as soon as possible.

Of course you have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602 but I will endeavour to get you this information as quickly as possible.

Regards,

Euan Kyle

Senior Advisor, Official Information and Privacy

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From: Maria Tipene
Sent: Monday, 7 September 2020 4:14 PM
To: Euan Kyle
Subject: FW: Plan Change 43 Decision Timeline
Importance: High

Hi Euan

Can you please look into this one?

From: [REDACTED]
Sent: Friday, 4 September 2020 12:42 PM
To: Jo Miller
Subject: Fwd: Plan Change 43 Decision Timeline

Kia ora Jo,

The forwarded message is an enquiry I sent to Council which has not received any response. Today marks the 20th business day since the request was made, given this I would appreciate it if you could organise a response as soon as possible.

Thanks,

[REDACTED]

----- Forwarded message -----

From: [REDACTED]
Date: Fri, 7 Aug 2020 at 22:04
Subject: Plan Change 43 Decision Timeline

To: Contact <contact@huttcity.govt.nz>

Kia ora,

In an open Council briefing regarding Plan Change 43 held in late October 2019 the Acting General Manager of City Transformation made the following comment;

"It wasn't a full Council decision to delay [the Plan Change 43] decision. It was actually the decision of the previous Mayor and Deputy Mayor who decided that they wanted to leave this until on this side of the election."

This comment can be viewed at 1h51m into the stream- <https://livestream.com/huttcitycouncil/events/8875758/videos/198377614>

Can I please be provided with all relevant Council communications, memos etc which document this decision made by the former Mayor and Deputy Mayor.

Thanks,



Euan Kyle

From: Helen Oram
Sent: Tuesday, 8 September 2020 3:18 PM
To: Euan Kyle
Subject: FW: Plan Change 43 conversation please

Hi
I think it was at a meeting after this email that it was discussed between the Mayor, Drew, DB and I.

H

From: David Bassett
Sent: Wednesday, 17 April 2019 9:02 PM
To: Helen Oram
Cc: Andrew Cumming; Karen Piper
Subject: Re: Plan Change 43 conversation please

Helen

Thanks for your email. Look forward to catching up with you and Drew on Tuesday.

Enjoy your Easter break.

Cheers

Sent from my Samsung Galaxy smartphone.

----- Original message -----

From: Helen Oram <Helen.Oram@huttcity.govt.nz>
Date: 17/04/19 6:23 PM (GMT+12:00)
To: David Bassett <David.Bassett@huttcity.govt.nz>
Cc: Andrew Cumming <Andrew.Cumming@huttcity.govt.nz>, Karen Piper <Karen.Piper@huttcity.govt.nz>
Subject: RE: Plan Change 43 conversation please

Hi David
I hope you are enjoying your holiday!

This is the first time I have got to my computer, so apologies for the lateness of my reply.

I understand that you have talked to Kathryn Stannard, and now understand why I was trying to reach you.

I am arranging a meeting for us to talk on Tuesday when you are back.

Cheers
Helen

From: David Bassett
Sent: Wednesday, 17 April 2019 8:01 AM
To: Helen Oram

Cc: Andrew Cumming; Karen Piper
Subject: Re: Plan Change 43 conversation please

Helen

Can this wait until next Tuesday as I am holiday with family and friends in the Far North? In addition I am having difficult getting positive cell phone coverage.

Regards

Sent from my Samsung Galaxy smartphone.

----- Original message -----

From: Helen Oram <Helen.Oram@huttcity.govt.nz>
Date: 16/04/19 8:46 AM (GMT+12:00)
To: David Bassett <David.Bassett@huttcity.govt.nz>
Cc: Andrew Cumming <Andrew.Cumming@huttcity.govt.nz>, Karen Piper <Karen.Piper@huttcity.govt.nz>
Subject: Plan Change 43 conversation please

Hi David
Hope you are having good weather!

Drew and I need to have an urgent conversation with you about Plan Change 43 – when is the best time to reach you please?

Thanks
Helen

Euan Kyle

From: David Bassett
Sent: Friday, 30 August 2019 9:25 AM
To: Jo Miller; Ray Wallace
Cc: Helen Oram
Subject: Re: Plan Change 43

Jo

Thanks for your email together with Helen Oram's benefits/problems document.

I am not going to relitigate my concerns that I discussed with you and Ray at separate meetings last week, but I do have a number of concerns in terms of Helen's document which will no doubt play a significant part in formulating your view on this matter. For example Helen makes no mention of Council's processes in developing this Plan Change which are critically important. As I highlighted in my discussions last week, I hold the view this Plan Change is flawed in terms Council's processes and if it is ever challenged, I believe Council will have real difficulties defending it. I can understand why Helen has not discussed this aspect in her paper as she has had little, if any, involvement in the Plan Change prior to her appointment as Acting General Manager.

You are well aware of my views and recommended actions, as is Ray, therefore I will leave it with you both to discuss at your meeting later today. Sorry I can't be with you at today's meeting.

Happy to discuss further if you so wish.

Regards

Sent from my Samsung Galaxy smartphone.

----- Original message -----

From: Jo Miller <Jo.Miller@huttcity.govt.nz>
Date: 29/08/19 6:10 PM (GMT+12:00)
To: Ray Wallace <Ray.Wallace@huttcity.govt.nz>, David Bassett <David.Bassett@huttcity.govt.nz>
Cc: Helen Oram <Helen.Oram@huttcity.govt.nz>
Subject: Plan Change 43

Dear Mayor & Deputy Mayor

At last week's mayor/ce catch up you requested that I consider the current CPC43 application and whether it was feasible/sensible to proceed with this in its current form or pause and wrap it up into a wider district plan review. Separately, Deputy Mayor wanted advice around his own ability to participate in cpc43 discussion/decision (preferred) in view of acknowledged objections to cpc43 from Mrs Bassett and Mr B junior. I have asked for an opinion on the second point – this note covers the first issue.

What I hadn't appreciated when we spoke last week was that the cpc43 hearing is taking place next week on 2-5 September, with a hearing decision anticipated late October for consideration by full council in November. So it would be extremely late in the day to make this decision, particularly when over \$1 million NZD expenditure has been incurred to date.

Helen Oram has very helpfully compiled a list of benefits / problems with adopting a different approach and this is set out below. I'm also conscious that cpc43 has so far been determined by full council, and any change now would

require a decision of full council, which makes any change of approach now practically impossible as well as, I would suggest, inadvisable. Happy to discuss at our catch up tomorrow, and thought this would be useful in advance.

John Hoyle in coms has worked up the following speaking notes below in attached email if my typing skills are up to it, which you may find useful.

Regards, JO

(apols no signature box)

From: Helen Oram
Sent: Wednesday, 28 August 2019 6:16 PM
To: Jo Miller
Subject: Plan Change 43

Hi Jo
Here are my thoughts around Plan Change 43 – carrying on or withdrawing and incorporating into a full District Plan review.

I have tried to be completely objective about the matter.

Benefit of withdrawing the Plan Change & incorporating into the full District Plan review:

- Diffuses opposition in the short term
- We will be seen to responding to a certain sector of the community
- Defers the issue to a later date and look at the issues around housing intensification with new eyes

Keep going with the Plan Change:

- The Plan Change is looking to help free up land for intensification – if it is approved, it has the potential to help with the housing crisis, and complement our homelessness work.
- National Policy Statement on Urban Development Capacity directs Council’s to create sufficient capacity for development expected in the short, medium and long term (3, 10 and 30 years) in its District Plans. That is, in three years we must have a certain amount of land available as ready to build on (meaning zoned, and serviced) – this Plan Change – if it gets approved, will help to release land so that we have sufficient capacity, and will help to comply with the National Policy Statement. We wouldn’t be able to comply if we left this Plan Change until the review of the entire District Plan.

Note: The government is looking to change this National Policy Statement (and the new one is out for consultation currently, but it will build on, rather than remove this requirement).

- There has been engagement with the community over Plan Change 43 over several years, including most recently correspondence around the hearing, a Friends of Submitters service we set up to talk to our community, etc. I believe it would be very confusing for people if this long process was suddenly stopped.
- The whole process for this plan change has cost us in the order of \$1m+ - this money would be completely wasted if we cancelled the plan change and incorporated it into the District Plan review process because we would need to start again with all the experts reports, etc (they would be too old to use again).
- The Plan Change proposes to introduce a medium density design guide, which we currently don’t have. This guide is designed to encourage good design. Without this in place, the planners are concerned, with the current development pressures, there will be piecemeal design across the city.

Background:

The purpose of the proposed plan change is to increase Lower Hutt's housing capacity and provide a wider range of options for housing styles/sizes at medium densities in the urban area.

This could include low-rise apartments and terraced houses in areas that have good access to public transport, shopping, parks and schools, but also minor additional dwellings (this is what used to be called "granny flats" – I can't remember the UK terminology) on smaller sites that don't have the potential for traditional infill – this will help to allow people to add a tiny house to rent/house their parents or teenagers!!

The Plan Change reviews the rules in the "normal" residential zone, called the *General Residential Activity Area* and proposes the introduction of two new zones:

- medium density residential development and
- suburban mixed use in targeted areas.

The plan change also proposes introducing a new Medium Density Design Guide.

There are nine targeted areas for the new zones, being Stokes Valley, Taita, Naenae, Avalon/Park Avenue, Epuni, Waterloo, Alicetown, Waiwhetu/Woburn and Wainuiomata.

There are about 20 people who have asked to be heard in relation to the Plan Change Hearing (there were around 260 submissions).

Key dates:

- Plan Change hearing: 2-5 September 2019
- A hearing decision is required by late October
- Council will meet to discuss the panel's decision in November
- Hearings on the submissions start on 2 September for three days.
- There are 30 working days to lodge appeals to the Environment Court on the decision.

Please let me know if you need me to write something up in more detail, or more formally.

Cheers
Helen