

# **Proposed Private District Plan Change 47**

**Major Gardens, Kelson – Rezoning to General  
Residential Activity Area and General Recreation  
Activity Area**

**Further Submissions**



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**From:** Karen Evans <K.Evans@forestandbird.org.nz>  
**Sent:** Wednesday, October 9, 2019 4:33 PM  
**To:** Corporate Records  
**Subject:** Further sub - PC47  
**Attachments:** Forest\_and\_Bird\_PC47\_FurtherSubmission.pdf

Kia ora

Please find attached Forest & Bird's further submission on Plan Change 47.

Kind Regards  
Karen

Karen Evans  
Regional Manager, Lower North Island  
Royal Forest and Bird Protection Society of New Zealand Inc.  
DD 04 801 2210 / M 022 639 0692

Please note I work 20 hours per week – usually Tues-Fri.

You can join Forest & Bird at [www.forestandbird.org.nz](http://www.forestandbird.org.nz) or check us out at [Facebook](#) | [Forest and Bird](#)





## **Forest & Bird**

**GIVING NATURE A VOICE**

9<sup>th</sup> October 2019

### **Further submission on the Hutt City Proposed Private District Plan Change 47**

Emailed to:  
[submissions@huttcity.govt.nz](mailto:submissions@huttcity.govt.nz)

From: Forest & Bird  
PO Box 631  
Wellington 6140  
Attn: Karen Evans  
[k.evans@forestandbird.org.nz](mailto:k.evans@forestandbird.org.nz)

Royal Forest and Bird Protection  
Society of New Zealand Inc.

Head Office:  
PO Box 613  
Wellington  
New Zealand  
P: +64 4 3857374

[www.forestandbird.org.nz](http://www.forestandbird.org.nz)

### **INTRODUCTION**

1. The Royal Forest and Bird Protection Society of New Zealand (Forest & Bird) is New Zealand's largest independent conservation organisation. It is independently funded by private subscription, donations and bequests. Forest & Bird's mission is to protect New Zealand's unique flora and fauna and its habitat. Key matters of concern therefore relate to the protection of ecological values, particularly the sustainable management of New Zealand's indigenous biodiversity, natural landscapes, and publicly owned land, rivers and lakes.
2. Forest & Bird's further submission relates submissions on Hutt City Council's Proposed Private District Plan Change 47.
3. Forest & Bird could not gain an advantage in trade competition through this submission.
4. Forest & Bird wish to be heard in relation to this submission.

### **SUBMISSION**

5. Forest and Bird **supports** Greater Wellington Regional Council's submission on the proposed plan change in full.
6. Forest and Bird also **supports** the submission of Richard and Sarah Able in full.

### **REASONS**

7. Forest & Bird agrees with the submitters concerns on the effects of the plan change on biodiversity, including streams and freshwater and the potential loss of natural habitats and effects on freshwater as a result of the plan change.
8. That the amendments proposed in the plan change do not give effect to the National Policy Statement on Freshwater Management, the New Zealand Coastal Policy Statement, or the Regional Policy Statement.
9. That the rezoning of land from Rural and Hill Residential Zones to General Residential Zones will afford lower protection to the biodiversity values of these areas, and fails to implement for councils functions for the maintenance of indigenous biological diversity under s31(1)(b)(iii)..
10. That the recreational zoning proposed is insufficient to provide for protection required under s6(c) of the Act.
11. That overall the plan change will not achieve the purpose of the Act.

**RELIEF SOUGHT**

12. Forest & Bird seek that the submissions be allowed.

Karen Evans

Regional Manager

Forest & Bird

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**From:** Luke Braithwaite <Luke.Braithwaite@nzta.govt.nz>  
**Sent:** Monday, October 14, 2019 11:10 AM  
**To:** Corporate Records  
**Cc:** james@uep.co.nz; ovalrabble@googlemail.com; izzett@xtra.co.nz  
**Subject:** ATTN: Nathan Geard RE: NZ Transport Agency Further Submission on Proposed Private District Plan Change 47 – F.L.Y Building Limited – Major Gardens, Kelson - Submissions 4 & 5  
**Attachments:** NZ Transport Agency Further Submission - Proposed Private District Plan Change 47 – Major Gardens, Kelson - Submissions 4 & 5 .pdf

Good afternoon Nathan,

Please find attached the NZ Transport Agency's Further Submission on Proposed Private District Plan Change 47.

We welcome the opportunity to discuss the contents of our submission with council officers, the applicant and primary submitters.

If you have any further questions, please do not hesitate to contact me on (04) 978 2643 or [luke.braithwaite@nzta.govt.nz](mailto:luke.braithwaite@nzta.govt.nz).

Ngā mihi,

**Luke Braithwaite** / Consultant Planning Advisor  
**Consents & Approvals / Transport Services**  
DDI (04) 978 2643  
E [luke.braithwaite@nzta.govt.nz](mailto:luke.braithwaite@nzta.govt.nz) / W [nzta.govt.nz](http://nzta.govt.nz)  
Waka Kotahi NZ Transport Agency  
**Wellington Office** / The Majestic Centre  
Level 5/100 Willis St, Wellington, 6011, New Zealand



Find the latest transport news, information, and advice on our website:  
[www.nzta.govt.nz](http://www.nzta.govt.nz)

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Level 5, Majestic Centre  
100 Willis Street  
PO Box 5084, Lambton Quay  
Wellington 6145

T 64 4 894 5200  
F 64 4 894 3305  
[www.nzta.govt.nz](http://www.nzta.govt.nz)

New Zealand Transport Agency Reference: 2019-648

14 October 2019

Nathan Geard  
Hutt City Council  
Private Bag 31912  
**LOWER HUTT 5040**

Sent via email: [submissions@huttcity.govt.nz](mailto:submissions@huttcity.govt.nz)

Dear Nathan,

**Proposed Private District Plan Change 47 – Major Gardens, Kelson: NZ Transport Agency Further Submission**

Attached is the New Zealand Transport Agency's further submission on the Publicly Notified Proposed Plan Change from F.L.Y Building Limited.

We welcome the opportunity to discuss the contents of our submission with the Council Officers, the Applicant and the primary submitters.

If you have any further questions, please do not hesitate to contact Luke Braithwaite on (04) 978 2643, [luke.braithwaite@nzta.govt.nz](mailto:luke.braithwaite@nzta.govt.nz).

Yours sincerely

Luke Braithwaite  
Consultant Planning Advisor

CC: F.L.Y Building Limited  
C/- James Beban (Urban Edge Limited)  
Sent via email: [james@uep.co.nz](mailto:james@uep.co.nz)

Richard and Sarah Able  
Sent via email: [ovalrabble@gmail.com](mailto:ovalrabble@gmail.com)

Trevor Norman Izzett  
Sent via email: [izzett@xtra.co.nz](mailto:izzett@xtra.co.nz)

**FORM 5, Clause 8 of First Schedule, Resource Management Act 1991**

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**Further Submission on Proposed Private District Plan Change 47 – F.L.Y  
Building Limited – Major Gardens, Kelson**

**To:** Nathan Geard  
Hutt City Council  
Private Bag 31912  
**LOWER HUTT 5040**

Via email: [submissions@huttcity.govt.nz](mailto:submissions@huttcity.govt.nz)

**From:** New Zealand Transport Agency  
PO Box 5084  
**WELLINGTON 6145**

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The NZ Transport Agency (Transport Agency) is marking this further submission in accordance with Clause 8 of Schedule 1 of the Resource Management Act 1991.

The Transport Agency has an interest in Proposed Plan Change 47 (Major Gardens, Kelson) that is greater than the interest the general public for reasons including the following:

- The Transport Agency has an interest as a provider of infrastructure that is potentially affected by the relevant submissions
- The Transport Agency made an original submission on matters raised or affected by those submissions.

The Transport Agency's position in relation to specific submissions is identified within the table included in Schedule 1 (attached). Generally, the Transport Agency is seeking to ensure that development allows for the use of all modes of transport including walking, cycling and public transport. This supports the intended outcomes of the Regional Land Transport Plan 2015-2021.

We welcome the opportunity to work with the primary submitters and the Council to resolve our concerns.

The Transport Agency seeks the relief laid out in Schedule 1, including any consequential relief required to give effect to our requests.



The Transport Agency does not wish to be heard in support of this further submission.

Dated at Wellington this **14<sup>th</sup> day of October 2019**



Kathryn Barrett  
**Principal Planner, Transport Services**

Pursuant to an authority delegated by New Zealand Transport Agency

Address for service:    NZ Transport Agency  
                                 Level 5, 100 Willis Street  
                                 PO Box 5084  
                                 Lambton Quay  
                                 **WELLINGTON 6145**

Contact Person:        Luke Braithwaite  
Telephone Number:    (04) 978 2643  
E-mail:                   [luke.braithwaite@nzta.govt.nz](mailto:luke.braithwaite@nzta.govt.nz)

**Schedule 1:** NZ Transport Agency's Further Submission

Submitter number	Submitter name	Submission content relevant to this further submission	Support or oppose	Reason	Relief sought
4	Richard and Sarah Able	To prevent cyclist and pedestrian connections to Liverton Road from the proposed development.	Oppose	The Transport Agency supports development that has consideration given to all modes of transportation. It is understood the concerns of submitters 4 & 5 (residents of Liverton Road) stem from the current standard of Liverton Road which the submitters have identified would not be able to safely support additional vehicular, cycling or foot traffic.	Should the Hutt City Council approve the proposed plan changed the Transport Agency seeks the following relief:  a) To retain a pedestrian and cyclist connection to Liverton Road.
5	Trevor Norman Izzett			<p>The Transport Agency is concerned that the relief sought by the submitters will result in poor connectivity with sole reliance on vehicular access for those on Liverton Road.</p> <p>Not providing a pedestrian / cycling connection to Liverton Road would prevent permeability of the wider area and prevent Liverton Road residents pedestrian / cycling access to schools, the community centre, local shops and public transport within Kelson.</p>	

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**From:** Richard Able <ovalrabble@googlemail.com>  
**Sent:** Tuesday, October 15, 2019 11:19 AM  
**To:** Corporate Records  
**Cc:** Nathan Geard  
**Subject:** Fwd: Proposed Private District Plan Change 47 - Further Submission - Richard & Sarah Able  
**Attachments:** RMA FORM 6 - R S Able 151019.pdf

Dear Nathan

Please find attached our further submission regarding proposed change 47 in response to NZTA's submission.

Best regards

Richard and Sarah Able

RMA FORM 6

# Further Submission on publicly notified Proposed District Plan Change

Clause 8 of the First Schedule, Resource Management Act 1991



To: Chief Executive, Hutt City Council

1. **This is a further submission from:**

Full Name	<i>Last</i> <i>First</i>	
Company/Organisation		
Contact if different		
Address	<i>Number</i> <i>Street</i>	
	<i>Suburb</i>	
	<i>City</i>	<i>Postcode</i>
Address for Service if different	<i>Postal Address</i>	<i>Courier Address</i>
Phone	<i>Home</i>	<i>Work</i>
	<i>Mobile</i>	
Email		

2. This is a **further submission** in support of or opposition to a submission on the following proposed change to the City of Lower Hutt District Plan:**Proposed District Plan Change No:**

**Title of Proposed District Plan Change:**


## 3. I consider that under Clause 8 of the First Schedule of the Resource Management Act I may make a further submission because:

☐

I represent a relevant aspect of the public interest

*Please give details:*

☐

I have an interest in the Proposed Plan Change that is greater than the interest of the general public

*Please give details:*

☐

I represent Hutt City Council

4. I support or oppose the submission of:

*Name and address of original submitter and submission number of original submission:*

*(Please use additional pages if you wish)*

5. The particular parts of the submission I support or oppose are:

*Clearly indicate which parts of the original submission you support or oppose, together with any relevant provisions of the proposal*

*(Please use additional pages if you wish)*

6. The reasons for my support or opposition are:

*Please give reasons:*

*(Please use additional pages if you wish)*

7. I seek that the whole or part *[describe part]* of the submission be allowed or disallowed:

*Please give precise details:*

*(Please use additional pages if you wish)*

8. I ☐ **wish** ☐ **do not wish** to be heard in support of my submission

*(Please tick one)*

9. If others make a similar submission,

I ☐ **will** ☐ **will not** consider presenting a joint case with them at the hearing.

*(Please tick one)*

Signature of submitter  
(or person authorised to sign  
on behalf of submitter)

	<i>Date</i>
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*A signature is not required if you make your submission by electronic means*

Personal information provided by you in your submission will be used to enable Hutt City Council to administer the submission process and will be made public. You have the right under the Privacy Act 1993 to obtain access to and to request correction of any personal information held by the Council concerning you.