

Proposed District Plan Change 43

Residential and Suburban Mixed Use

Full Set of Further Submissions

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Introduction

This form is for the purpose of making a further submission on *Proposed District Plan Change 43: Residential and Suburban Mixed Use*.

More information of the Proposed Plan Change

Under Clause 8 of the First Schedule of the Resource Management Act, a further submission can only be made by:

- a) any person representing a relevant aspect of the public interest;
- b) any person that has an interest in the proposed policy statement or plan greater than the interest that the general public has; and
- c) the local authority itself.

Note: A copy of your further submission must be served on the original submitter within five working days of making a further submission to Hutt City Council.

Summary of Decisions Requested

Full Set of Submissions Received

Privacy Statement

Personal information provided by you in your further 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.

Submitter Details

First Name: **Gemma**
Last Name: **Kean**
Organisation: **GHD**
On behalf of: **Powerco Limited**
Street: **PO Box 13468, Armagh**
Suburb:
City: **Christchurch**
Country:
PostCode: **8141**
Daytime Phone: **033780926**
eMail: **gemma.kean@ghd.com**

Trade competition and adverse effects:

- ☒ I could ☐ I could not
gain an advantage in trade competition through this submission
☐ I am ☐ 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 the trade competition or the effects of trade competitions.

Wishes to be heard:

- ☒ Yes
☐ I do NOT wish to speak in support of my submission and ask that the following submission be

fully considered.

Correspondence to:

☐ Submitter

☐ Agent

☒ Both

Agent Details

Agent Name: Gemma Kean

Agent Organisation: GHD

Agent Postal Address: (mandatory) PO Box 13468, Armagh, Christchurch 8141

Agent Phone: 033780926

Agent eMail: gemma.kean@ghd.com

Submission

Question 1

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
- ☒ I have an interest in the plan change that is greater than the interest of the general public
- ☐ I represent Hutt City Council

Gives details
See attached further submission

Question 2

This further submission relates to the original submission from:

(Enter the name and address of the original submitter in the following comment box and then indicate whether you support or oppose the submission using the following check boxes).

Comments
See attached submission

- ☐ I support the submission
 - ☒ I oppose the submission
-

Question 3

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

(In the following comment box, clearly indicate the Submission Number (e.g. DPC 54/1) and the Submission Reference (e.g. 1.1) of the original submission that you support or oppose, together with any relevant provisions of the proposal. The Submission Number and Submission Reference can be obtained from the Summary of Decisions Requested).

Comments
See attached submission

Question 4

The reasons for my support or opposition are:

Comments
See attached submission

Question 5

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

(In the following comment box, detail whether you seek that the whole or part of the submission to be allowed or disallowed. If you are seeking part of the submission to be allowed/disallowed, describe which part).

Comments
See attached submission

Attached Documents

File
Powerco Further Submission Hutt CC PC43

Need Help?

Privacy Statement



**FURTHER SUBMISSION BY POWERCO LIMITED ON THE HUTT CITY PLAN
CHANGE 43- MEDIUM DENSITY RESIDENTIAL AREA AND SUBURBAN
MIXED USE**

Further submission due 21 August 2018

To: Hutt City Council
Private Bag 31-912
Lower Hutt 5040
Email: submissions@huttcity.govt.nz

From: Powerco Limited ("Powerco")
Private Bag 2061
New Plymouth
(Note that this is not the address for service)

ADDRESS FOR SERVICE:

**GHD Limited
PO Box 13468
Christchurch 8141**

Attention: Gemma Kean

**Phone: 64 3 378 0926
gemma.kean@ghd.com**

**Further submission on a Plan Change to the Hutt City Plan
Clause 8 of Schedule 1 Resource Management Act 1991**

1. Powerco's further submissions are as contained in the attached Table.
2. Powerco has an interest in the proposed plan change greater than that of the general public as an infrastructure provider in Hutt City.
3. Powerco could not gain an advantage in trade competition through this further submission.
4. If others make a similar submission, Powerco may be prepared to consider presenting a joint case with them at any hearing.
5. Powerco **does wish to be heard** in support of this submission.

Dated at Christchurch this 17th day of August 2018

Signature of person authorised to sign on behalf of Powerco Limited:



Gemma Kean

Attached: Table 1 – Further submission by Powerco Limited

Table 1 – Further Submission by Powerco Limited

Submission reference and submitter	Submitter details	Summary of submission/relief sought by the submitter	Support or oppose the submission	Reasons for support or opposition	Decision sought
DPC43/27	Mark Esdot	That the Plan Change area extends to include an additional area in Wainuiomata.	Neutral	It is Powerco's opinion that the relief sought by the submitter is outside the scope of the Plan Change and the council could consider whether it should be struck out. Extending the boundary of the Plan Change to include additional parts of Wainuiomata was not included in the notified Plan Change documents, and no assessment of the effects of the extension has been undertaken.	Note Powerco's comments.
DPC43/114	Cuttriss Consultants Ltd (David Batchelor)	<p>Cuttriss Consultants request a number of amendments to the proposed definitions, objectives and policies, however, these are in terms of residential activities.</p> <p>The submission also seeks to extend the Plan Change Area and to rezone the following areas Medium Density Residential Activity Area:</p> <ul style="list-style-type: none"> • Huia Street, Bellevue Road, Laings Road, Myrtle Street; • Laings Road, Bloomfield Terrace, Knights Road, Myrtle Street; 	Neutral	<p>It is Powerco's opinion that the rezoning sought by submitter is outside the scope of the Plan Change and the council could consider whether it should be struck out. Extending the boundary of the Plan Change to include additional Medium Density Residential Activity Areas was not included in the notified Plan Change documents, and no assessment of the effects of the extension has been undertaken.</p> <p>Powerco is neutral towards the other amendments sought by the submitter in terms of the proposed amendments to definitions, objectives and policies, as</p>	Note Powerco's comments.

		<ul style="list-style-type: none"> • Woburn Road, Myrtle Street, Laings Road, Queens Drive; • Connolly Street, Hutt River, Millis Street; • Connolly Street, Millis Street, Ropata Crescent, High Street. • Copeland Street Reserve. • Puriri Street to the Main Road roundabout along both sides of Wainuiomata Road. 		they relate to residential activities and do not affect Powerco's interests.	
DPC43/115	Chris Hay	<p>The submitter addresses the pressure that intensification will have on existing infrastructure. The submitter states that all new electricity and gas infrastructure should be undergrounded. The submitter also states that existing infrastructure assets should be removed from footpaths and berms where possible.</p> <p>No specific wording (objectives, policies or rules) is proposed to require network utilities to be undergrounded.</p>	Oppose in part	<p>Powerco opposes the submission in part as requiring all gas assets to be located underground does not take into account any technical constraints. Although the majority of Powerco's gas assets are already located underground, there are some assets which for technical reasons cannot be located underground. Therefore, it is unrealistic to include this as a provision in the Plan Change.</p> <p>Powerco opposes any requirements to relocate existing assets from their current location. In the event that existing assets require replacing or upgrading, technical requirements control where assets can be located.</p>	Reject the part of the relief sought which would require all undergrounding of infrastructure and unnecessary relocation of existing assets.
DPC43/116	David McLay	That the Plan Change area extends to include an additional area surrounding Wingate	Neutral	It is Powerco's opinion that the relief sought by submitter is outside the scope of the Plan Change and the	Note Powerco's comments.

		Railway Station as a Medium Density Residential Activity Area.		council could consider whether it should be struck out. Extending the boundary of the Plan Change to include additional area around Wingate Railway Station was not included in the notified Plan Change documents, and no assessment of the effects of the extension has been undertaken.	
DPC43/125	Ruth Fyfe	The submitter proposes to amend 4A 4.2 – Developments Standards: Rule 4A 4.2.1(b) . The submitter seeks to include an additional matter of discretion this being: <i>“the amenity value of the proposed new dwellings.”</i>	Neutral	Powerco is neutral to this submission and in particular, the amendment proposed by the submitter to 4A 4.2 – Developments Standards: Rule 4A 4.2.1(b) . The proposed additional matter of discretion in respect to amenity does not affect the ability of the Council to accept Powerco’s suggested amendments to this provision.	Powerco is neutral on whether the submitters’ relief is accepted or rejected
DPC43/145	Z Energy Limited and BP Oil Limited	Z Energy Limited and BP Oil Limited also propose several new provisions to provide for service station activities. The only provision of interest to Powerco is the following Policy proposed by Z Energy Limited and BP Oil Limited: Policy 5E 3.X <i>“Recognise the investment that existing non-residential activities have made and enable them to continue and to be maintained and upgraded”</i>	Support in part	Powerco considers the proposed amendment to be appropriate but requests that the amended wording proposed by Z Energy Limited and BP Oil Limited include the following addition to be consistent with the relief sought in Powerco’s original submission on Policy 4A 3.1 and Policy 4F 3.1 if there is scope to do so: <i>“Recognise the investment that existing non-residential activities, <u>including infrastructure</u> have made and enable them to continue and to be maintained and upgraded.”</i>	Accept the relief requested and accept the additional wording to be consistent with relief sought by Powerco.

DPC43/188	Design Network Architecture Limited	That the Plan Change area extends to include additional areas in Alicetown, Avalon, Epuni, Naenae, Stokes Valley, Taita, Wainuiomata, Waiwhetu/ Woburn and Waterloo.	Neutral	It is Powerco's opinion that the relief sought by submitter is outside the scope of the Plan Change and the council could consider whether it should be struck out. Extending the boundary of the Plan Change to include additional areas was not included in the notified Plan Change documents, and no assessment of the effects of the extension has been undertaken.	Note Powerco's comments.
DPC43/195	Linda Mead	That the Plan Change area extends to include an additional area – along Oxford Terrace from Naenae to Waterloo, and that this area be rezoned Medium Density Residential Activity Area.	Neutral	It is Powerco's opinion that the relief sought by submitter is outside the scope of the Plan Change and the council could consider whether it should be struck out. Extending the boundary of the Plan Change to include additional parts of Naenae, Epuni and Waterloo was not included in the notified Plan Change documents, and no assessment of the effects of the extension has been undertaken.	Note Powerco's comments.
DPC43/236	Housing New Zealand	<p>Housing New Zealand generally supports 4A 1 Introduction/Zone Statement, Objective 4A 2.5, Policy 4A 3.1, Rule 4A 4.1.7(a)(iv), Rule 4A 4.2.1, Rule 4A 4.2.10(a), Objective 4F 2.6, Policy 4F 3.1 and Rule 4F 4.1.7.</p> <p>Housing New Zealand seek to extend the extent of the Medium Density Residential Activity Area to Stokes Valley, Avalaon,</p>	Oppose (in part)	<p>Powerco opposes this submission (in part) and requests that the amended wording proposed by Powerco in its original submission is included in the Plan Change.</p> <p>Regarding the extent of the area subject to the Plan Change, it is Powerco's opinion that the relief sought by submitter is outside the scope of the Plan Change and the council could consider whether it should be struck</p>	Reject the submission to the extent that it supports the retention of provisions that Powerco seek amendment to, and note Powerco's comments on

		Naenae, Epuni, Waterloo, Waiwhetu, Alicetown, Woburn, Petone and Wainuiomata.		out. Extending the boundary of the Plan Change was not included in the notified Plan Change documents, and no assessment of the effects of the extension has been undertaken.	the extent of the Plan Change.
DPC43/237	Peter Cockrem	That the Plan Change area be extended to include additional areas including: Jackson Street/Cuba Street/Victoria Street in Petone and around Woburn Road/Ludlam Crescent/Woburn Station.	Neutral	Regarding the extent of the area subject to the Plan Change, it is Powerco's opinion that the relief sought by the submitter is out of the scope and the council could consider whether it should be struck out. Extending the boundary of the Plan Change to include additional areas was not included in the notified Plan Change documents, and no assessment of the effects of the extension has been undertaken.	Note Powerco's comments.
DPC43/243	Jane Johnston	That the Plan Change area be extended to include 28 Wilford Street as a Medium Density Residential Activity Area or Suburban Mixed Use Activity Area, and rezone 14, 16, 18, 20, 22, 24 and 26 Wilford Road as Medium Density Residential Activity Area.	Neutral	Regarding the extent of the area subject to the Plan Change, it is Powerco's opinion that the relief sought by submitter is outside the scope of the Plan Change and the council could consider whether it should be struck out. Extending the boundary of the Plan Change to include additional areas was not included in the notified Plan Change documents, and no assessment of the effects of the extension has been undertaken.	Note Powerco's comments.

Subject: FW: Further submission
Attachments: doc01046420180820104618.pdf

From: Max Shierlaw [<mailto:max.shierlaw@woolyarns.co.nz>]
Sent: Monday, 20 August 2018 8:05 AM
To: PC43consultation
Subject: Further submission

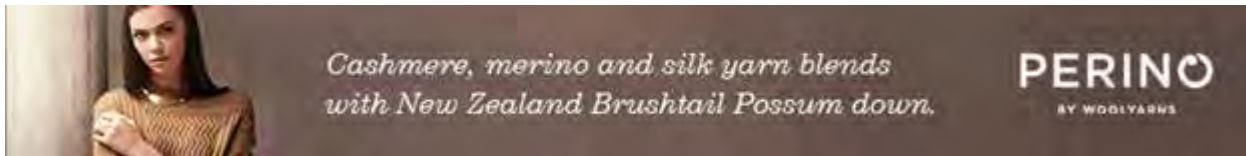
Please acknowledge receipt.

--

Max Shierlaw
Accountant



Woolyarns Limited, 25-27 Eastern Hutt Road,
P.O. Box 35-020, Lower Hutt 5041, New Zealand
Direct: (+64) 4 920 5303
FAX: (+64) 4 920 5220
Web: www.woolyarns.co.nz



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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	Last <u>SHIERLAW</u> First <u>MAX</u>	
Company/Organisation		
Contact if different		
Address	<div>Number</div> <div>Suburb</div>	
Address for Service if different	<div>City</div> <div>Postal Address</div>	<div>Postcode</div> <div>Courier Address</div>
Phone	<div>Home</div> <div>Mobile</div>	<div>Work</div>
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:

43

Title of Proposed District Plan Change:

RESIDENTIAL + SUBURBAN MIXED USE

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:

HUTT CITY COUNCIL
PRIVATE BAG 31912
LOWER HUTT 5040

(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

ALL OF IT.

(Please use additional pages if you wish)

6. The reasons for my support or opposition are:

Please give reasons:

IT WAS LATE, SO SHOULD NOT BE ALLOWED.
THE COUNCIL SHOULD NOT BE SUBMITTING ON ITS
OWN PLAN CHANGE. THEY SHOULD HAVE INCLUDED
THESE ISSUES IN THE ORIGINAL PLAN CHANGE SO
THE PUBLIC COULD MAKE SUBMISSIONS FROM THE OUTSET.

(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:

THE SUBMISSION DISALLOWED.
IF THE COUNCIL WISH TO PURSUE THESE ISSUES
WITHDRAW THE PLAN CHANGE AND START AGAIN.

(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)

M Shier

20/8/2018
Date

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.

From: Karen Blair <KBlair@burtonconsultants.co.nz>
Sent: Monday, August 20, 2018 12:36 PM
To: District Plan
Subject: Further Submission to Hutt City Council's proposed Plan Change 43
Attachments: 18j002 FINAL The Oil Companies FS on PC43 Hutt.pdf

Greetings

Please find attached, for filing, a further submission lodged on behalf of the Oil Companies BP Oil New Zealand Limited and Z Energy Limited.

All relevant submitters will be served by way of E-Mail.

Regards, Karen.



Karen Blair | Director | Principal Planner
PO Box 33-817 | Level 1, 2-8 Northcroft Street | Takapuna | Auckland 0740
DDI: 09 917 4305 | tel: 09 917 4300 | fax: 09 917 4311
Web: www.burtonconsultants.co.nz Email: kblair@burtonconsultants.co.nz

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**NOTICE OF FURTHER SUBMISSION BY THE OIL COMPANIES TO PROPOSED PLAN CHANGE 43 TO THE HUTT
CITY DISTRICT PLAN PURSUANT TO CLAUSE 8 OF THE FIRST SCHEDULE OF THE RESOURCE MANAGEMENT
ACT 1991**

To: The Chief Executive
Hutt City Council

Via email: district.plan@huttcity.govt.nz

Submitter: Z Energy Limited
PO Box 2091
WELLINGTON 6140

BP Oil NZ Limited
PO Box 99 873
AUCKLAND 1149

Hereafter, collectively referred to as "the Oil Companies"

Address for Service: BURTON PLANNING CONSULTANTS LIMITED
Level 1, 2-8 Northcroft Street
PO Box 33-817, Takapuna,
AUCKLAND 0740

Attention: Karen Blair

Phone: (09) 917-4305

Fax: (09) 917-4311

Email: kblair@burtonconsultants.co.nz

File ref: 18/002

- 1 The Oil Companies' further submissions are as contained in the attached Table.**
- 2 The Oil Companies' own and/or operate service stations within the area affected by proposed Plan Change 43, and have an interest in proposed Plan Change 43 that is greater than the interest of the general public.**
- 3 The Oil Companies wish to be heard in support of these further submissions.**
- 4 If others make similar submissions, the Oil Companies would not be prepared to consider presenting a joint case with them at any hearing.**
- 5 We confirm that all submitters subject of further submissions identified herein will be served (by E-Mail) notice of the further submission as required.**

Dated at AUCKLAND this 20th day of August 2018

A handwritten signature in blue ink, appearing to read 'Karen Blair', with a stylized flourish at the end.

Karen Blair
Authorised to sign on behalf of the Oil Companies

Submission	Relief Sought By Submitter	Position of Further Submitter	Reason For Support / Opposition
Submitter 167.1 - Karen and Richard Arlidge <div></div> <div></div>	Opposes mixed use development and seeks to only provide for residential development.	Oppose	The principle of this submission is opposed especially where the areas to be rezoned currently have a business zoning. Further, there is really no such thing as a 'pure residential zone'. The Oil Companies should not be expected to rely on existing use rights, in the event that the areas affected by Plan Change 43 are rezoned only for residential activity. The Oil Companies assets are located on strategic routes where a mix of uses is generally more common and where they can serve the public accessing those routes as well as the local residents. If mixed use zonings are not to be adopted, then the areas identified should not be able to be rezoned residential by default and should remain as currently zoned (ie: the proposed Plan Change should be rejected).
Submitter 238.81 AT Better Planning - Policy 5E 3.3 allison@atbplan.co.nz	Policy 5E 3.3 - The submitter supports the intent of the policy but raises concern over the terminology chosen.	Oppose in part	The submitter considers that noise is the key risk to residential amenity in this zone and suggests that a key method for reducing noise impacts is through acoustic insulation. The submitter seeks to add a new policy which refers to the management of effects (e.g. noise, dust and odour) generated from non-residential activities on residents within the zone. While the addition of such a policy is not necessarily opposed in principle, the key issue is its wording. Any such provision should be worded to ensure that the management of effects is anticipated from both non-residential and residential activities.
Submitter 168.19 Joanne Gallen and Kevin Doyle <div></div>	Rule 5E 4.2 Development Standards	Oppose in part	The submitters argue that it is the intention of the Medium Density Design Guide to achieve well designed residential intensification but that it is only triggered if resource consent is required. The submitters consider

			that because there are far fewer restrictions in the Suburban Mixed Use Activity Area than in the Residential Activity Areas, there will be fewer breaches and fewer situations where resource consent is required. The submitters are therefore concerned that the most dominant buildings would not necessarily have to be consistent with the design guide. The submitters seek that the rules in 5E 4.2 are amended so that construction or alteration of a building (except for an existing residential development) is a permitted activity only if it is consistent with the Medium Density Design Guide. This is opposed, to the extent that if such a change is made then it should relate to residential development only, and not commercial development [unless the Medium Density Design Guide is amended (by way of Plan Change)] to appropriately address non-residential development – eg: especially in terms of maintenance and minor upgrading of building or signage.
Submitter 261.3 Progressive Enterprise Limited (Late Submission) amacleod@propertygroup.co.nz cbrunet@propertygroup.co.nz	Policy 5E 3.4 The submitter supports this policy as it considers that it will allow consideration of broader functional and operational requirements of development, and seeks it be retained.	Support	The Oil Companies lodged submissions seeking recognition of functional and operational requirements. The Oil Companies support this submission as Policy 5E 3.4 forms part of the package of provisions relating to functional and operational need.
Submitter 147.1 and 4 NZ Fire Service claire.fell@beca.com	Policy 5E 3.4 The submitter sought to recognise and provide for operational requirements – but only of Fire and Emergency NZ and the associated infrastructure.	Support in Part	The Oil Companies support the submission in part in relation to the principle (for the reasons set out above) but oppose recognition of functional and operational requirements being limited to the Fire Service.
Submitter 261.12 Progressive Enterprise Limited (Late Submission)	Rule 5E 4.2.5 Building Frontage, Verandahs and Display Windows. This Rule requires verandahs to be provided over the footpath. The submitter considers that this standard is	Support in Part	The Oil Companies support the submission in part to the extent that functional and operational requirements should be recognised, but oppose the exemptions being limited to supermarkets.

	generally too restrictive for any future development of the Wainuiomata site and that given the size, layout and limited frontage along The Strand the requirement to construct buildings up to the front boundary would result in poor development outcomes. The submitter also considers that the requirement for at least 50% of the ground floor frontage of buildings to be display windows is not feasible for large sites or buildings like supermarkets. The submitter seeks to amend Standard 5E 4.2.5 to exclude the Wainuiomata (supermarket) site, or to otherwise address the submitter's concerns (for example, by removing the frontage and glazing requirements).		
Submitter 147.8 NZ Fire Service	Rule 5E 4.2.5 Building Frontage, Verandahs and Display Windows. The submitter seeks an exemption to this rule.	Support in Part	The Oil Companies support the submission in part to the extent that functional and operational requirements should be recognised, but oppose the exemptions being limited to NZ Fire Service buildings.
Submitter 261.12 Progressive Enterprise Limited (Late Submission)	Rule 5E 4.2.6 Parking Areas (including location and visibility) The submitter considers that while the standard may be appropriate for small, high street retail areas, it is not practicable for larger sites.	Support in Part	The Oil Companies support the submission in part to the extent that functional and operational requirements should be recognised, but oppose the exemptions being limited to supermarkets.
Submitter 168.8 Submitter 168.10 Submitter 168.12 Submitter 168.13 Submitter 168.15 Submitter 168.16 Submitter 168.18 Joanne Gallen and Kevin Doyle	Rules 5E 4.1.1 to 5E 4.1.3 (168.8) Rule 5E 4.1.4 (168.10) Rule 5E 4.2.2 (168.12) Rule 5E 4.2.3 (168.13) Rule 5E 4.2.6 (168.16) Rule 5E 4.2.7 (168.18) The submitters consider that sites within the rezoned areas that have existing residential development should be afforded the same protections as those given to an abutting residential activity area, and seeks that sites being rezoned that have existing use rights are	Oppose	It is inappropriate to apply the same controls / amenity expectations to the rezoned areas as to Residential Zones.

	categorised as being in a Residential Activity Area for the purpose of applying the rules.		
Submitter 168.11 Joanne Gallen and Kevin Doyle	Rule 5E 4.1.7 The submitters consider that Service Stations should not be a restricted discretionary activity and should be non-complying.	Oppose	The Oil Companies have a number of existing service station sites within the area affected by the Plan Change. It is entirely inappropriate to require non-complying activity consent for service stations per se, which would include many maintenance and upgrade activities.
Submitter 112.1 Warwick Johnston [REDACTED]	Medium Density Design Guide The submitter argues that Design Guides cannot be treated as rules and quotes two legal cases. The submitter considers that the design guidelines can therefore be ignored and disregarded at will and therefore are a waste of space and time if not properly reinforced as rules. Accordingly, these Design Guides should be either rewritten as Rules or deleted.	Oppose	The Medium Density Design Guide is appropriately included as a tool to good development. There is a need for flexibility within the key design elements to encourage appropriate design solutions taking into account variation in site conditions and development objectives. Accordingly turning the guidelines into rules is considered inappropriate.
Submitter 206.3 Michael Gerald Hobby and Susan Jane Willis [REDACTED]	Policy 4F 3.5 – Design Guideline The submitter sought to amend the policy requirement for development to be encouraged to be in general accordance with the design guide to require it to conform with the design guide.	Oppose	The Design Guide provides guidance and is not a rule and it is inappropriate to effectively apply it as such through the policies.

Subject: FW: Further Submission from Wellington Electricity (WELL)
Attachments: DPC43 Further Submission_WELL.pdf

From: Tim Lester [<mailto:tim.lester@edison.co.nz>]
Sent: Tuesday, 21 August 2018 10:50 AM
To: PC43consultation
Cc: Ray Hardy
Subject: Further Submission from Wellington Electricity (WELL)

To whom it may concern,

Please find attached a further submission from Wellington Electricity Lines Limited on PC43.

Please advise whether or not a copy of the further submission is required to be served on the respective original submitters by WELL, or rather that Council will serve copies via the PC43 website.

Please provide receipt of the attached further submission via return email.

Regards

Tim Lester | Consenting Specialist

Edison Consulting Group
good people, great results

Mobile: +64 21 993 223 | www.edison.co.nz

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	Lester Tim	
	<small>Last</small>	<small>First</small>
Company/Organisation	Wellington Electricity Lines Limited	
Contact if different		
Address		
	<small>Number</small>	<small>Street</small>
	<small>Suburb</small>	
	<small>City</small>	<small>Postcode</small>
Address for Service if different	Postal Address Wellington Electricity Lines Limited c/- Edison Consulting Group PO Box 875 Hamilton 3240	Courier Address
Phone	<small>Home</small>	<small>Work</small>
	0219932223	
	<small>Mobile</small>	
Email	tim.lester@edison.co.nz	

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:

43

Title of Proposed District Plan Change:

Residential and Suburban Mixed Use

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: Owner and operator of the Districts Electricity Distribution Network



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

Please give details: The impacts of residential intensification of the electricity distribution network



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:

See attached table

(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

See attached table

(Please use additional pages if you wish)

6. The reasons for my support or opposition are:

Please give reasons:

See attached table

(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:

See attached table

(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)

Tim Lester

21/08/2018

Date

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.

Further Submission by Wellington Electricity Lines Limited (WELL) on the Proposed Plan Change 43 of the Hutt City District Plan

<i>Submission</i>	<i>Relief Sought By Submitter</i>	<i>Position of Further Submitter</i>	<i>Reason For Support / Opposition</i>
<p>86.2</p> <p><u>Amendment 31:</u> <u>4A 1</u> <u>Introduction/Zone Statement</u></p> <p>Powerco NZ Holdings Limited</p>	<p>Resource consent is required for three or more dwellings, for comprehensive residential developments and other specified built developments in order to</p> <ul style="list-style-type: none"> • achieve a high quality built environment; • manage the effects of development on neighbouring sites; • achieve high quality on-site living environments; and • achieve attractive and safe streets and public space; <u>and</u> • <u>integrate infrastructure with new developments</u> 	Support Submission	<p>WELL support this submission point in its entirety as the intended outcome of PC43 will result in increased electrical load being placed upon the electricity distribution network.</p> <p>It is considered that PC 43 introductory text appropriately advises plan users of the intent of the increased density provisions; and furthermore provides appropriate awareness to such users (i.e., developers, third party residents, district plan administrators) regarding the actual and or potential effects that the envisioned increased residential density will have on the existing environment.</p> <p>The submission correctly notes that infrastructure (such as the electricity distribution network) constitutes a part of the existing environment – and that residential intensification is required to consider and integrate with such infrastructure.</p>
86.4	Provide for residential activities and those non-residential activities, <u>including infrastructure</u> , that support the	Support Submission	WELL support this submission point in its entirety as the decision sought appropriately

Submission	Relief Sought By Submitter	Position of Further Submitter	Reason For Support / Opposition
<u>Amendment 38:</u> <u>Policy 4A 3.1</u> Powerco NZ Holdings Limited	community's social, economic and cultural well-being and manage any adverse effects on residential amenity.		<p>recognises that the envisioned residential density increase needs to be supported by the provision of infrastructure, and the capacity contained within the existing infrastructure.</p> <p>The submission point addresses infrastructure operational and development requirements at the higher policy level of the proposed plan change, and thus signals to applicants and administrators of the need to consult with WELL regarding the proposed development and the electricity supply network integration.</p>
86.5 <u>Amendment 55:</u> <u>Rule 4A 4.1.7 (a)</u> <u>(iv) Retirement Villages</u> Powerco NZ Holdings Limited	(iv) The capacity of the network infrastructure for water supply, wastewater, stormwater, and land transport, <u>and other infrastructure</u> to service the proposed development.	Support Submission	<p>The submission point reflects an ongoing matter for WELL in that <i>all</i> infrastructure servicing residential developments (including retirement homes) needs to be given appropriate weighting in the plan change rules.</p> <p>WELL support this submission point in its entirety as it will amend the corresponding rule to require development in the intensification areas to consider infrastructure capacity above and beyond that of just Council owned and operated infrastructure (i.e., three waters and transportation network).</p> <p>WELL supports early consultation with developers when undertaking development that has to potential to place increased load demand on the electrical supply network.</p>

Submission	Relief Sought By Submitter	Position of Further Submitter	Reason For Support / Opposition
			Mandating such consultation, via the sought amendment to Rule 4A 4.1.7 (a) (iv), is supported by WELL and is furthermore appropriate for inclusion into the District Plan via PC43.
86.6 <u>Amendment 59:</u> <u>Rule 4A 4.2.1 (b)</u> <u>(iv) Number of</u> <u>Dwellings per Site</u> Powerco NZ Holdings Limited	(iv) The capacity of the network infrastructure for water supply, wastewater, stormwater, and land transport, <u>and other infrastructure</u> to service the proposed development.	Support Submission	<p>WELL support this submission point in its entirety as it requires residential allotment intensification to consider, and provide for, electricity distribution connectivity prior to development being consented.</p> <p>As originally proposed, the rule related solely to that of Council owned infrastructure. Consistent with WELL's support of the submission point above (86.5), recognition in the rule for non-council owned infrastructure needs to be made explicit for effective regulation.</p> <p>WELL's asset managers and program delivery teams are in favour of early consultation with developers to ensure the electricity supply network, of any given area of the Lower Hutt, has the capacity to provide a secure supply of electricity to higher density residential development.</p> <p>In most instances the existing network has more than adequate capacity to cater to the increased load as envisioned under proposed</p>

Submission	Relief Sought By Submitter	Position of Further Submitter	Reason For Support / Opposition
			<p>Rule 4A 4.2.1(b)(iv) without risk; however, in the event that the network will require upgrades to existing infrastructure stemming from the increased load, the sought amendment to Rule 4A 4.2.1(b)(iv) will enable WELL to advise the prospective development of any network upgrade requirements (i.e., timing, costs etc.).</p> <p>WELL consider that the sought amendment is appropriate for inclusion with PC43, and should be accepted by Council.</p>
<p>86.7</p> <p><u>Amendment 68:</u> <u>Rule 4A 4.2.10 (a)</u> <u>(x)</u> <u>Comprehensive Residential Development</u></p> <p>Powerco NZ Holdings Limited</p>	<p>(x) The capacity of the network infrastructure for water supply, wastewater, stormwater, and land transport, <u>and other infrastructure</u> to service the proposed development.</p>	<p>Support Submission</p>	<p>WELL support this submission point in its entirety for reasons similar to those indicated above (i.e., to suitably recognise and cover community and business service infrastructure which is not owned or operated by Council).</p> <p>Further to the above, WELL note that comprehensive residential development provides for a wide range of development intensification developments (i.e., ancillary residential unit, duplex development, multiple 'townhouse' or apartment development.</p> <p>Whilst a lesser density increase such as an isolated duplex development will carry little impact in infrastructure service delivery, larger comprehensive developments will require advance consultation with WELL in order to</p>

Submission	Relief Sought By Submitter	Position of Further Submitter	Reason For Support / Opposition
			<p>provide adequate serviceability assessment and appropriate network integration requirements.</p> <p>The inclusion of the sought submission amendment will give effect to this advanced consultation.</p>
<p>86.9</p> <p><u>Amendment 102:</u> <u>Policy 4F 3.1</u></p> <p>Powerco NZ Holdings Limited</p>	<p>Provide for residential activities and those non-residential activities, <u>including infrastructure</u> that support the community's social, economic and cultural well-being and manage any adverse effects on residential amenity.</p>	<p>Support Submission</p>	<p>WELL support the submission point in its entirety.</p> <p>Although the submission point has been reasoned from the perspective of reticulated natural gas supply infrastructure provider, WELL support the fundamental reasoning behind the submission given the comparable sentiment for electricity distribution infrastructure – which similarly is not a residential activity operating in residential zones.</p> <p>By incorporating the additional text in to proposed Policy 4F 3.1, suitable notification to plan users (including district plan administrators) is provided whereby non-residential land use in the PC43 intensification areas is recognised.</p> <p>Such recognition will better enable the ongoing operation and development of such non-residential land use – such as the area's electrify distribution network.</p>

Submission	Relief Sought By Submitter	Position of Further Submitter	Reason For Support / Opposition
			Better alignment with Chapter 13 of the District Plan will also be provided.
86.10 <u>Amendment 119:</u> <u>Rule 4F 4.1.7 (a)</u> <u>(iv) Retirement Villages</u> Powerco NZ Holdings Limited	(iv) The capacity of the network infrastructure for water supply, wastewater, stormwater, and land transport <u>and other infrastructure</u> to service the proposed development.	Support Submission	<p>WELL support the submission point in its entirety.</p> <p>WELL consider that the sought decision appropriately recognises that <i>all</i> infrastructure is taken in to consideration for the development of retirement villages (in particular the capacity of the infrastructure).</p> <p>As initially proposed, Rule 4F 4.1.7 (a) (iv) limited its application to Council owned infrastructure (consisting of three waters and transportation). WELL agree with the submitter that all infrastructure needs to be explicitly considered for assessment purposes – and furthermore, that such infrastructure include electricity distribution infrastructure owned and operated by WELL.</p>
115.3 <u>Network Utility Services</u> Chris Hay	The submitter argues that in new urban intensification developments all lines, pipes and equipment for power, telecommunication and gas should be underground. The submitter suggests a standardized approach to the siting and marking of facilities and that Council places an obligation on utility providers to maintain infrastructure on Council land.	Oppose Submission	<p>Whilst the submitter does not explicitly state a desired outcome, the inference behind the submission is not supported by WELL.</p> <p>WELL seek that the submission point is rejected by Council.</p> <p>The reason for this further submission is that there are already adequate standards and</p>

Submission	Relief Sought By Submitter	Position of Further Submitter	Reason For Support / Opposition
			<p>design criteria in the District Plan requiring the undergrounding of new network utility infrastructure. Where undergrounding is not possible, overhead lines are unavoidable.</p> <p>The submission seeks to, retrospectively, have existing and future lines and equipment placed underground.</p> <p>This retrospective undertaking is not possible for existing infrastructure – and hence Council is recommended to reject this submission point</p>
<p>234.7</p> <p><u>Amendment 70:</u> <u>Note 4A 4.3</u></p> <p>KiwiRail Holdings Limited</p>	Retain Note 4A 4.3 General Rules as notified.	Support Submission (in part)	<p>WELL supports this submission point in so far as it addresses the importance of reverse sensitivity recognition in the proposed plan change, and the potential adverse effects on existing infrastructure from reverse sensitivity.</p> <p>As explained in the submission point, Kiwi Rail supports the retention of the PC43 note (amendment 70) as it directs plan users to other sections of the Plan addressing reverse sensitivity; in the case of this submission, such effects are related to transport corridors.</p> <p>WELL support this submission on principle as the intensification of residential land use within close proximity to electricity distribution facilities (i.e., the Wainuiomata Substation) has the potential to cause complaints over</p>

<i>Submission</i>	<i>Relief Sought By Submitter</i>	<i>Position of Further Submitter</i>	<i>Reason For Support / Opposition</i>
			<p>environmental matters such as ambient noise or residential amenity/character. By directing the plan user to the relevant (operative) section of the District Plan relating to reverse sensitivity, PC43 appropriately applies safeguards to the ongoing function and operation of infrastructure.</p> <p>WELL acknowledge that the Kiwi Rail submission relates to reverse sensitivity provisions contained within the General Rules: Chapter 14 of the District Plan, whilst network utility provisions are contained win Chapter 13. Subsequently, support of the Kiwi Rail submission is limited to that of the principle of PC43 linking to operative sections of the District Plan addressing residential land use and the recognition of reverse sensitivity effects.</p>

Introduction

This form is for the purpose of making a further submission on *Proposed District Plan Change 43: Residential and Suburban Mixed Use*.

More information of the Proposed Plan Change

Under Clause 8 of the First Schedule of the Resource Management Act, a further submission can only be made by:

- a) any person representing a relevant aspect of the public interest;
- b) any person that has an interest in the proposed policy statement or plan greater than the interest that the general public has; and
- c) the local authority itself.

Note: A copy of your further submission must be served on the original submitter within five working days of making a further submission to Hutt City Council.

Summary of Decisions Requested

Full Set of Submissions Received

Privacy Statement

Personal information provided by you in your further 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.

Submitter Details

First Name: **Joanne**
Last Name: **Gallen**
Street: **[REDACTED]**
Suburb: **[REDACTED]**
City: **Lower Hutt**
Country: **New Zealand**
PostCode: **5011**
Daytime Phone: **[REDACTED]**
Mobile: **[REDACTED]**
eMail: **[REDACTED]**

Trade competition and adverse effects:

☐ I could ☒ I could not

gain an advantage in trade competition through this submission

☐ I am ☐ 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 the trade competition or the effects of trade competitions.

Wishes to be heard:

☒ Yes

☐ I do NOT wish to speak in support of my submission and ask that the following submission be fully considered.

Proposed District Plan Change 43 (Residential and Suburban Mixed Use): Further Submissions from Gallen, Joanne

Correspondence to:

- ☒ Submitter
- ☐ Agent
- ☐ Both

Submission**Question 1**

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
- ☒ I have an interest in the plan change that is greater than the interest of the general public
- ☐ I represent Hutt City Council

Gives details

We are the owners of a property which the proposed District Plan Change would rezone from General Residential/Medium Density Overlay to Suburban Mixed Use.

Question 2

This further submission relates to the original submission from:

(Enter the name and address of the original submitter in the following comment box and then indicate whether you support or oppose the submission using the following check boxes).

Comments

Refer Attached

- ☒ I support the submission
 - ☒ I oppose the submission
-

Question 3

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

(In the following comment box, clearly indicate the Submission Number (e.g. DPC 54/1) and the Submission Reference (e.g. 1.1) of the original submission that you support or oppose, together with any relevant provisions of the proposal. The Submission Number and Submission Reference can be obtained from the Summary of Decisions Requested).

Comments

Refer Attached

Question 4

The reasons for my support or opposition are:

(Outline the reasons for your support/opposition in the following comment box).

Comments

Refer Attached

Question 5

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

(In the following comment box, detail whether you seek that the whole or part of the submission to be allowed or disallowed. If you are seeking part of the submission to be allowed/disallowed, describe which part).

Comments

Refer Attached

Attached Documents

File
Further Submission - Attachment A - J Gallen and K Doyle

Need Help?

Privacy Statement

Attachment A - Further Submission on Proposed District Plan Change 43 - Joanne Gallen & Kevin Doyle

4) Submitter	5) Parts	6) Reasons	7) Decision sought
Cuttriss Consultants david.batchelor@cuttriss.co.nz DPC43/114	114.19, 114.25	Oppose In our original submission we supported the changes to the Medium Density Activity Area on the basis of the current proposals, as we feel the building heights, recession planes and yards in the proposed plan change provide some degree of protection to existing dwellings. We therefore oppose any change to these parameters, in any zone. Although we accept the various submitters' expertise and understand their reasonings in relaxing the proposals in certain circumstances we feel this should be done through the resource consent process rather than as of right. Breaches of the rules can be permitted via resource consent, but the process gives the chance for the effects on the amenity of existing dwellings to be considered and mitigated on a case by case basis.	That the parts of the submissions noted in 5) pertaining to height, recession planes and yards be disallowed.
Sun Study Analysis gavin@sunstudy.co.nz DPC43/180	180.1		
Design Network planning@designnetwork.co.nz DPC43/188	188.7, 188.8, 188.23, 188.24, 188.34, 188.41, 188.42		
Boa Constructors steve.shadwell@boacon.co.nz DPC43/204	204.3, 204.10		
Solari Architects james@solariarchitects.com DPC43/205	205.4, 205.6		
NZ Institute of Surveyors adg@spencerholmes.co.nz DPC43/233	233.8		
Housing New Zealand adevine@ellisgould.co.nz DPC42/236	236.18, 236.24, 236.25, 236.30		
Peter Cockrem [REDACTED] DPC 43/237	237.3, 237.4		

Attachment A - Further Submission on Proposed District Plan Change 43 - Joanne Gallen & Kevin Doyle

4) Submitter	5) Parts	6) Reasons	7) Decision sought
Petone Planning Action Group frank_s@top.net.nz DPC43/217	217.3	Support We support the submitter's request that the Council look at properties adversely affected by zone changes on an individual basis. In particular, the plan change proposes rezoning a small number of existing residential sites from General Residential to Suburban Mixed Use, where the effects of rezoning would be disproportionately detrimental, and where some form of protection should be considered.	That the parts of the submission noted in 5) pertaining to the effects on individual properties be allowed.
Z Energy & BP Oil kblair@burtonconsultants.co.nz DPC43/145 Petone Planning Action Group frank_s@top.net.nz DPC43/217 Allison Tindale allison@atbplan.co.nz DPC43/238	145.6, 145.8, 145.9, 145.15, 145.20 217.43, 217.44 238.90	Support We support the provisions for protecting the rights of existing sites, regardless of commercial or residential, and regardless of the area in which they are currently zoned or may be rezoned. These are the same rights we expect to be applied to our own property, and we support this for all other existing sites. Although existing use rights will apply, these rights should be explicitly protected in the District Plan.	That the parts of the submissions noted in 5) pertaining to existing sites be allowed.
Housing New Zealand adevine@ellisgould.co.nz DPC43/236	236.32	Oppose Housing NZ is in the business of providing affordable housing, which we feel would definitely benefit from having to adhere to a design guide. There is a large amount of HNZ land awaiting redevelopment, which may be well suited to multi-level dwellings, and these buildings will be a driving feature of our city's intensification and landscape for the next 50 years.	That the part of the submission noted in 5) pertaining to the application of the Medium Density Residential Design Guide be disallowed.

4) Submitter	5) Parts	6) Reasons	7) Decision sought
Allison Tindale allison@atbplan.co.nz DPS43/238	238.2, 238.6, 238.29, 238.60	Support The submitter suggests quantifying minimum standards for privacy, sunlight and shading, and references a number of possible solutions. We think this is a good idea and would give a degree of certainty to property owners and a guide for resource consent decisions on rule breaches.	That the parts of the submission noted in 5) pertaining to minimum standards be allowed.
Cuttriss Consultants david.batchelor@cuttriss.co.nz DPC43/114 Solari Architects james@solariarchitects.com DPC43/205	114.34 205.1	Support The submitters refer to the omission of the CBD edge from the intensification plans. We agree that this area is a valid area for medium density residential being close to transport and services, and should be rezoned.	That the parts of the submission noted in 5) pertaining to the CBD edge be allowed.

Subject: FW: Summerset Villages (Lower Hutt) Limited - Further Submission [GREE-DMS.FID119113]
Attachments: 111262-63 (1444561-1) Summerset Villages (Lower Hutt) Limited - Further Submission on PC 43.PDF

From: Amelia Alden [<mailto:Amelia@greenwoodroche.com>]
Sent: Tuesday, 21 August 2018 3:35 PM
To: PC43consultation
Cc: Francelle Lupis
Subject: Summerset Villages (Lower Hutt) Limited - Further Submission [GREE-DMS.FID119113]

Good afternoon

Please see **attached** further submission on PC 43 on behalf of Summerset Villages (Lower Hutt) Limited.

Kind regards
Amelia

Amelia Alden | Lawyer

GreenwoodRoche
PROJECT LAWYERS

DDI +64 9 302 6113 | **M** +64 21 1876 982 | www.greenwoodroche.com

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**FURTHER SUBMISSION IN OPPOSITION TO SUBMISSIONS ON
PLAN CHANGE 43: RESIDENTIAL AND SUBURBAN MIXED USE TO
THE HUTT CITY DISTRICT PLAN**

TO: Hutt City Council (*Council*)

NAME: Summerset Villages (Lower Hutt) Limited
(*Summerset*)

Scope of further submission

- 1 This is a further submission in opposition to submissions on Plan Change 43: Residential and Suburban Mixed Use to the Hutt City District Plan (*the Plan*) (*PC 43*).
- 2 Summerset has an interest in PC 43 that is greater than the general public. Summerset has an interest in land which is potentially affected by submissions either directly or indirectly. Summerset owns the property at 32A Hathaway Avenue, Boulcott, Lower Hutt (*Site*) and has applied for resource consents to develop a retirement village at the Site.
- 3 This further submission does not relate to trade competition or the effects of trade competition.

Submission opposed

- 4 Summerset opposes the submission of Dennis Page (submitter number 139, submission point 139.2) and the submissions of the Boulcott Preservation Society (submitter number 156) and Ian and Lynette McLauchlan (submitter number 157) to the extent that they support the submission of Dennis Page (*the Submissions*).

Reason for further submission

- 5 The Submissions should be disallowed as they do not:
 - (a) promote the sustainable management of resources, achieve the purpose of the Resource Management Act 1991 (*RMA*), or give effect to Part 2 and other provisions of the RMA;

- (b) enable the social and economic wellbeing of the community in the Lower Hutt region;
 - (c) have regard to the efficient use and development of the Site;
 - (d) meet the reasonably foreseeable needs of future generations;
or
 - (e) ensure that PC 43 represents the most appropriate means of exercising the Council's functions, having regard to the efficiency and effectiveness of the provisions relative to other means.
- 6 Without limiting the generality of the above, the specific reasons why Summerset opposes the submissions include:
- (a) The future development opportunity of the Site was recently provided for through Private Plan Change 35: Rezoning of Land at Military Road / Hathaway Avenue / Boulcott Street as General Residential Activity Area with provision for a retirement village.
 - (b) The decisions requested in the Submissions may adversely affect the opportunity for future development of the Site.

Decision sought

- 7 Summerset seeks the following relief:
- (a) That those parts of the Submissions which relate to the Site be disallowed to the extent that they adversely affect the opportunity for future development of the Site.
 - (b) Such further, alternative or other consequential amendments as may be necessary to fully address Summerset's further submission as set out above.
- 8 Summerset wishes to be heard in support of this further submission.

SUMMERSET VILLAGES (LOWER HUTT) LIMITED

Summerset Villages (Lower Hutt) Limited authorises the person below to represent its further submission.

Date: **21 August 2018**

Signature



Francelle Lupis, Greenwood Roche

Address for service:

Francelle Lupis
Greenwood Roche
2 Commerce Street
PO Box 106006
AUCKLAND 1143

Telephone:

(09) 306 0495

Email:

francelle@greenwoodroche.com

Subject: FW: Hutt City Plan Change 43 - Further Submission - Housing New Zealand Corporation
Attachments: AD-004386-269-108-1 Further Submission HNZN Hutt City Plan Change 43 21 Aug 18 updated.pdf

From: Alex Devine
Sent: Tuesday, 28 August 2018 4:25:52 p.m. (UTC+12:00) Auckland, Wellington
To: District Plan
Cc: Claire Kirman; Rachel Meek
Subject: RE: Hutt City Plan Change 43 - Further Submission - Housing New Zealand Corporation

Good afternoon

In the process of serving submitters with our further submission it has come to our attention that in relation to our further submission on Submission No. 114, while the correct submission points were identified (114.3-11.6) the submitter name and identifier in the left columns were incorrect. Similarly, submission point 241.57 was incorrectly included with submitter 244. Accordingly, we **attach** an updated version of the submission which aligns the correct submission points with names.

Out of an abundance of caution we have served the relevant parties with the updated version.

Kind regards
Alex

Alex Devine SENIOR SOLICITOR

ddl, +64 9 306 1075 phone, +64 9 307 2172 fax, +64 9 358 5215 email, adevine@ellisgould.co.nz

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From: Alex Devine
Sent: Tuesday, 21 August 2018 4:50 PM
To: district.plan@huttcity.govt.nz
Cc: Claire Kirman; Kirsty Dibley
Subject: Hutt City Plan Change 43 - Further Submission - Housing New Zealand Corporation

Good afternoon

We act for Housing New Zealand Corporation.

Please find **attached** for lodgement a copy of our client's further submission on Proposed Plan Change 43: Residential and Suburban Mixed Use.

Please acknowledge receipt of this further submission.

As required by cl 8A of Schedule 1 to the RMA, we will serve the persons to which this further submission relates within 5 working days.

Kind regards
Alex

Alex Devine SENIOR SOLICITOR

ddl. +64 9 306 1075 phone. +64 9 307 2172 fax. +64 9 358 5215 email. adevine@ellisgould.co.nz

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Further Submission on Proposed District Plan Change 43 to the City of Lower Hutt District Plan

Clause 8 of Schedule 1 to the Resource Management Act 1991

To: Environmental Policy Division
Hutt City Council
Private Bag 31912
LOWER HUTT 5040

By email: district.plan@huttcity.govt.nz

Name of submitter: HOUSING NEW ZEALAND CORPORATION (“the Corporation”)

1. The Corporation makes this further submission on proposed District Plan Change 43 to the City of Lower Hutt District Plan (“**the Plan Change**”) in support of / opposition to original submissions to the Plan Change, as set out in the **attached** Schedule.
2. The Corporation is a person who has an interest in the proposal that is greater than the interest the general public has, being an original submitter on the Plan Change with respect to its interests as a Crown agency responsible for the provision of social housing and its housing portfolio in the Hutt City district. In that regard, the Corporation represents a relevant aspect of the public interest and has an interest in the Plan Change greater than the general public for a number of reasons, including (without limitation):
 - (a) The Corporation is a major landowner in the Hutt City district. The housing portfolio managed by the Corporation comprises some 3,400 dwellings. The Corporation’s role includes the efficient and effective management of social housing and the tenancies of those living in them.
 - (b) The Corporation’s housing assets form a major part of the District’s social infrastructure and particularly its affordable housing infrastructure, and it is essential that the Corporation is able to meet its responsibility of providing efficient and effective affordable and social housing for the most vulnerable members of our society. Reconfiguring this housing stock in Hutt City is a priority for the Corporation to better deliver to its responsibility of providing efficient and effective affordable and social housing. To this end, the provisions of the Plan Change have the possibility to affect the sustainable management of these housing assets.

3. The Corporation makes this further submission in respect of submissions by third parties to the Plan Change provisions to the extent that they directly affect the relief sought in its own submission on the Plan Change, which seeks specific amendments to the Plan Change provisions to better enable the Corporation to provide for high quality cost effective, state housing to the people in the greatest need for the duration of their need.
4. The reasons for this further submission are:
 - (a) The reasons set out in the Corporation's primary submissions on the Plan Change.
 - (b) In the case of the Primary Submissions that are opposed:
 - (i) The Primary Submissions do not promote the sustainable management of natural and physical resources and are otherwise inconsistent with the purpose and principles of the Resource Management Act 1991 ("**RMA**");
 - (ii) The relief sought in the Primary Submissions is not the most appropriate in terms of section 32 of the RMA;
 - (iii) Rejecting the relief sought in the Primary Submissions opposed would more fully serve the statutory purpose than would implementing that relief; and
 - (iv) The Primary Submissions are inconsistent with the policy intent of the Corporation's Submissions.
 - (c) In the case of Primary Submissions that are supported:
 - (i) The Primary Submissions promote the sustainable management of natural and physical resources and are consistent with the purpose and principles of the RMA and with section 32 of the RMA;
 - (ii) The reasons set out in the Primary Submissions to the extent that they are consistent with the Corporation's Submissions; and
 - (iii) Allowing the relief sought in the Primary Submissions supported would more fully serve the statutory purpose than would disallowing that relief.
 - (d) Such additional reasons (if any) in respect of each of the Primary Submissions supported or opposed as are set out in the **attached** Schedule.
5. The specific relief in respect of each Primary Submission that is supported or opposed is set out in the **attached** Schedule.

6. The Corporation wishes to be heard in support of its further submission.
7. If others make a similar submission, the Corporation will consider presenting a joint case with them at a hearing.

DATED 21 August 2018



Dr Claire Kirman / Alex Devine

Counsel for **HOUSING NEW
ZEALAND CORPORATION**

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Proposed District Plan Change 43: Residential and Suburban Mixed Use									
Summary of Decisions Requested									
Sub #	Submitter Name	Sub Ref.	Amendment / Provision	Support / Oppose (to delete)	Reason / Comment	Decision Requested	Support Oppose (HNZC)	or Allow Disallow in whole or in part	Reasons (HNZC)
DPC43/20	James Cone	20.1	Recession Planes and Boundary Setbacks in General Residential Activity Area and Medium Density Residential Activity Area	Oppose	<p>The submitter considers that in a block that was all medium density there should be good designs where cuboidal buildings meet end to end, but shading and obstructing the view of a low density house by an adjacent building is a significant impairment.</p> <p>The submitter proposes that the impairment could be allowed provided the developer takes the loss.</p> <p>The submitter proposes the following mechanics:</p> <ol style="list-style-type: none"> 1. The maximum final footprint for a building may be consented on any boundary only if the party requesting the consent also owns parcels close enough to that boundary to be affected. 2. A label for the fact of the consent will be added to the LIM and title of the affected parcels. 3. When the affected parcels have been redeveloped into medium density the label may be removed. <p>The submitter expects that being affected will cause a fall in the value of affected parcels until they are redeveloped to fit their incoming neighbour and suggests that as the benefit from the incoming neighbour goes to the developer, it should carry the loss of the affected parcels.</p>	That the impairment be allowed provided the developer takes the loss.	Oppose	Disallow	HNZC opposes any standard which would provide for consent to be granted only where the applicant also owns the adjacent allotment, with an infringed boundary.
DPC43/26	Ian Pike	26.1	Medium Density Residential Activity in the Waterloo Zone	Support	<p>The submitter is generally in favour of increasing density in the way proposed and considers that increasing housing typologies and stock volume will assist in the provision of affordable, resilient homes and provide a better owner occupied and rental market. The submitter further considers that it will attract residential development and result in people moving to Hutt City while also giving existing residents a broader range of options.</p>	<p>The submitter raises two caveats to his support:</p> <p>Significant swathes of land along Cambridge Terrace and other Hutt locations have been cleared of Housing NZ development post the Kaikoura earthquake. Priority of development options?</p> <p>Quality and character – development standards should be set so that high character homes do not site cheek by jowl alongside hastily thrown up developer-led medium density housing.</p> <p>Council-led exemplary development by Urban Plus?</p>	Oppose in part	Disallow in part	HNZC opposes this submission point to the extent that it suggests that development adjoining 'character' housing should be subject to different yard, recession plane and/or height standards than development adjoining other housing.
DPC43/41	Linda Kemp	41.1	Suburban Mixed Use Activity Area	Oppose	<p>The submitter considers that the increased height of 3 stories would not significantly increase housing supply yet would create detrimental visual effects on the environment.</p> <p>The submitter suggests that any building above 2 stories and within 1 metre of all boundaries should require consent of adjoining neighbours.</p>	<p>Maintain the status quo:</p> <p>Retain maximum building height in both activity areas at 2 stories.</p> <p>Retain the need for consent from adjoining neighbours for multiple height buildings.</p>	Oppose	Disallow	HNZC opposes any requirement for blanket notification of developments breaching the height standard, and considers that the level of certainty as to the potential adverse effect of an infringement to the height standard is not such to warrant a blanket approach.
		41.2	Medium Density Residential Activity Area	Oppose					
		41.3	10 metre building height standards	Oppose					
DPC43/42	Oliver Kemp	42.1	Suburban Mixed Use Activity Area	Oppose	<p>The submitter considers that the increased height of 3 stories would not significantly increase housing supply yet would create detrimental visual effects on the environment.</p> <p>The submitter suggests that any building above 2 stories and within 1 metre of all boundaries should require consent of adjoining neighbours.</p>	<p>Maintain the status quo:</p> <p>Retain maximum building height in both activity areas at 2 stories.</p> <p>Retain the need for consent from adjoining neighbours for multiple height buildings.</p>	Oppose	Disallow	HNZC opposes any requirement for blanket notification of developments breaching the height standard, and considers that the level of certainty as to the potential adverse effect of an infringement to the height standard is not such to warrant a blanket approach.
		42.2	Medium Density Residential Activity Area	Oppose					
		42.3	10 metre building height standards	Oppose					
DPC43/46	Dwell Housing Trust (Alison Cadman)	46.12	Add new definition for "Quality Housing"	Add definition	<p>The submitter considers that Council's Eco Design Advisor service has been very successful in helping families build and retrofit these vital principles into their homes and suggests that all developers of housing should have to take these vital factors into account when providing new supply.</p>	<p>Add a strong definition of "quality housing" to include reference to the ability for residents to keep the home warm, dry and safe affordably.</p>	Oppose in part	Disallow in part	HNZC supports the principle of providing quality housing, however, it is concerned that any mandatory specification/quantification of what is 'quality' could have unintended consequences and may not be the most efficient or effective way to achieve the outcome sought, and is best regulated in other ways (i.e. through the building code).
		46.14	Inclusionary Zoning	Support	<p>The submitter considers that the introduction of inclusionary zoning would make up for the market disincentives private development faces in providing affordability.</p>	<p>Introduce inclusionary zoning so that new developments of a certain size provide a percentage of</p>	Support in part	Allow to the extent	HNZC supports the intent of provision for affordable housing, however, retains concerns

						the dwellings as affordable (either as rentals or ownership).		consistent with HNZN's submission	regarding the effectiveness of an inclusionary zoning approach (i.e.: that would require the distribution and retention of social or affordable housing), and the unintended consequences of such an approach. HNZN considers that an overall increase in housing supply is a key aspect of addressing housing affordability. As such, plan methods which encourage house choice and capacity are crucial to achieving this outcome.
DPC43/69	Pheng Lauv	69.1	Proposed District Plan Change 43	Oppose	The submitter gives the following reasons for opposing the proposal: Residential areas would be too clustered. Surrounding views would be lost. Residential homes would be less unhealthy with nearby apartments/building walls as less air for natural air to circulate. Living area would become more of an industrial or commercial rather than residential site.	Strongly disapprove for the council authority to issue permits for building of 3 storey apartments/building within 1 metre of all boundaries without the consent of neighbours.	Oppose	Disallow	HNZN opposes any requirement for blanket notification of developments breaching the height standard, and considers that the level of certainty as to the potential adverse effect of an infringement to the height standard is not sufficient to warrant a blanket approach.
DPC43/72	Jan and Arnold Heine	72.1	Increase in area of hard surfaces	Oppose	The submitters argue that an increased number of buildings will result in a corresponding increase in areas of hard surfaces like roofs, driveways and access paths and that increasing the area of hard surfaces will put more strain on the stormwater system.	To offset the area of roofs, the areas of concrete and asphalt around these buildings are: 1. kept to a minimum, and 2. replaced with absorbent surfaces, like soil, lawns, gobi block, absorbent forms of sealing, any way at all, to get the water back into the soil and ground water, and to reduce runoff.	Oppose	Disallow	HNZN considers that the permeable surface standard appropriately manages any potential effects on the stormwater network.
DPC43/86	Powerco (GHD Limited – Gemma Kean)	86.1	Proposed District Plan Change 43	Neutral	The submitter seeks to ensure that the proposed up-zoning will not disrupt its ability to maintain, operate and upgrade its existing gas distribution assets and that suitable provision is made to enable the submitter to construct additional gas distribution infrastructure for future residential development if required. The submitter has identified Wainuiomata as a future growth area with currently insufficient capacity in the network to accommodate this growth. For all other areas the existing gas network has residual capacity to allow for the anticipated growth. Once the upgrades proposed within the next 5-10 years have been completed the growth proposed by this plan change (including Wainuiomata) can be serviced by the submitter's existing network. The submitter requests that specific mention is made of the benefits of infrastructure to the community. The submitter seeks to ensure that any District Plan changes give effect to the New Zealand Energy Strategy (NZES) (2011-2021). The submitter supports the approach of recognising the need for the provision of sufficient infrastructure and the need to address any infrastructure constraints that may exist. The submitter argues that ideally new infrastructure is constructed simultaneously with new development and that any infrastructure constraints must be addressed through upgrades or new connections. This is supported by the objectives and policies of the National Policy Statement on Urban Development Capacity 2016.	Not stated	Oppose	Disallow	HNZN opposes the submission point. In particular HNZN opposes the submission that the Plan Change give effect to the NZES, which is inappropriate in circumstances where there is no statutory requirement for the District Plan to give effect to (which in <i>King Salmon</i> terms means to "implement"), or indeed consider, the NZES.
		86.2	Amendment 31: 4A 1 Introduction/Z one Statement	Support with Amendm ent	The submitter proposes an additional clause to ensure that development in the Medium Density Residential Activity Area and the Suburban Mixed Use Activity Area allows for the proper integration of the submitter's assets.	<i>Resource consent is required for three or more dwellings, for comprehensive residential developments and other specified built developments in order to</i> <ul style="list-style-type: none"> <i>achieve a high quality built environment;</i> <i>manage the effects of development on neighbouring sites;</i> <i>achieve high quality on-site living environments; and</i> <i>achieve attractive and safe streets and public space; and</i> <i>integrate infrastructure with new developments</i> 	Oppose	Disallow	HNZN does not consider that the purpose of resource consent process for comprehensive residential developments is to integrate infrastructure with new developments – Obj 4(a) appropriately considers network infrastructure servicing/constraints.
		86.4	Amendment 38: Policy 4A 3.1	Support with Amendm ent	The submitter proposes additional wording to recognise the infrastructure needs of new development.	<i>Provide for residential activities and those non-residential activities, including infrastructure, that support the community's social, economic and cultural well-being and manage any adverse effects on residential amenity.</i>	Oppose	Disallow	HNZN do not consider the amendment sought is necessary or appropriate.
		86.6	Amendment 59: Rule 4A 4.2.1 (b) (iv) Number of Dwellings per	Support with Amendm ent	The submitter requests that the rule includes a reference to "other infrastructure" so that Council has the ability to consider whether new development can be adequately serviced by the submitter's infrastructure.	<i>The capacity of the network infrastructure for water supply, wastewater, stormwater, and land transport, and other infrastructure to service the proposed development.</i>	Oppose	Disallow	HNZN opposes this on the basis that key infrastructural constraints for residential development are appropriately identified. HNZN does not consider the addition of "catch all" ("other infrastructure" can be

			Site						justified from a s32 perspective.
		86.7	Amendment 68: Rule 4A 4.2.10 (a) (x) Comprehensive Residential Development	Support with Amendment	The submitter requests that the rule includes a reference to "other infrastructure" so that Council has the ability to consider whether new development can be adequately serviced by the submitter's infrastructure.	<i>The capacity of the network infrastructure for water supply, wastewater, stormwater, and land transport, and other infrastructure to service the proposed development.</i>	Oppose	Disallow	
		86.9	Amendment 102: Policy 4F 3.1	Support with Amendment	The submitter supports the policy as it recognises the need for non-residential activities supporting the communities' well-being and considers that its gas network is a non-residential use that supports the communities' well-being and should therefore be included.	<i>Provide for residential activities and those non-residential activities, including infrastructure that support the community's social, economic and cultural well-being and manage any adverse effects on residential amenity.</i>	Oppose	Disallow	
		86.10	Amendment 119: Rule 4F 4.1.7 (a) (iv) Retirement Villages	Support with Amendment	The submitter proposes the additional text so that the capacity of all infrastructure must be considered.	<i>The capacity of the network infrastructure for water supply, wastewater, stormwater, and land transport and other infrastructure to service the proposed development</i>	Oppose	Disallow	
DPC43/93	Nick Beswick	93.1	Comprehensive Residential Development	Oppose	The submitter considers there are insufficient restrictions proposed for comprehensive residential development and traditional infill and that there need to be strict rules regarding site and housing sizes to achieve high quality housing.	The submitter strongly opposes the Comprehensive Residential Development and Traditional Infill proposed in District Plan Change 43.	Oppose	Disallow	HNZC opposes this submission to the extent that it seeks to introduce more restrictive site or dwelling sizes, and considers that the Plan provisions already appropriately address the matters raised in the submission.
		93.2	Traditional Infill	Oppose					
DPC43/95	Robert Brathwaite	95.1	Amendment 8: Definition Comprehensive Residential Development	Oppose	<p>The submitter opposes the proposed amendments for the following reasons:</p> <p>The height of buildings (10m, 3 storey), side yard size of 1m and recession plane of 2.5m +45 degrees will significantly shade and intrude on the privacy of neighbouring 1 and 2 storey houses. Three storey houses should only be allowed where they don't shade or impact the privacy of neighbouring houses. Shading will have negative impacts on health, heating costs and property values. The recession plane of 2.5m + 45 degrees is insufficient with the average winter sun elevation in Lower Hutt being only 26 degrees. Fenced 1m yards around 3 storey buildings will become traps for weeds, moisture and rubbish.</p> <p>The plan change fails to address the issue of high earthquake risk of the region and weak ground conditions of alluvial soils of the Hutt River floodplain and these conditions will result in requiring more costly foundations for 3 storey dwellings. An assessment of the ground conditions of all targeted areas needs to be carried out and zones liable to liquefaction should be avoided.</p> <p>Alicetown and the CBD Edge have high risk of flooding and the risk is likely to be exacerbated because of climate warming and increasing frequency of high intensity rain falls.</p> <p>Infrastructure (stormwater, sewerage, car parking and capacity of roads) will need to be suitably upgraded to cope with intensification.</p>	<p>Protect neighbouring houses, especially existing houses, against shading and loss of privacy from any new two or three storey buildings by increasing the side and rear yard size to at least 3m and reducing the recession plane to a maximum of 2.5m + 35 degrees.</p> <p>Require assessment of the ground and foundation conditions of all affected areas before allowing any further building intensification.</p> <p>Remove Alicetown from Medium Density Residential and CBD Edge General Residential Larger Sites (>1400sqm) from the proposed District Plan Change, because these areas are at high risk of flooding from the Hutt River.</p>	Oppose	Disallow	HNZC opposes the submission point seeking an assessment of ground/foundation conditions as a pre-requisite to rezoning. Such matters are appropriately addressed as part of the building consent process. HNZC supports the zoning outcomes as sought in its submission.
		95.2	Amendment 20: Definition Recession Plane	Oppose					
		95.3	Amendment 68: Rule 4A 4.2.10 Comprehensive Residential Development	Oppose					
		95.4	Amendment 124: Rule 4F 4.2.2 Building Height	Oppose					
		95.5	Amendment 125: Rule 4F 4.2.3 Recession Planes	Oppose					
		95.6	Amendment 126: Rule 4F 4.2.4 Yards	Oppose					
DPC43/110	Maria Kirkland (on behalf of some members of St David's and St Matthew's Anglican Churches)	110.1	Proposed District Plan Change 43	Support	<p>The submitter wants to strongly affirm Council's leadership in recognising the scale and extent of the housing crisis and the consideration of reform and significant changes to the District Plan to facilitate more housing.</p> <p>The submitter supports more infill housing and brownfield development and recognises the need for more medium density housing and considers that warm, safe, dry and affordable housing for all is most important.</p> <p>The submitter supports the areas that have been chosen for medium-density dwellings as they are close to good services and public transport routes but would have liked to see more areas in central Lower Hutt opened up for medium density. The submitter does not support the 'Not in my backyard' mentality which is often the voice of those who previously benefited from access to affordable housing.</p> <p>The submitter's major concern is how the proposed amendments will facilitate affordable housing and while amendments to the District Plan are a step in the right direction they will not be enough to ensure housing for all residents of Lower Hutt. The submitter urges</p>	Not stated	Support in part	Allow to the extent consistent with HNZC's submission	HNZC supports this submission point and considers affordable housing should be incentivized through provision of additional capacity and choice.

					Council to consider other measures to incentivise affordable housing.				
		110.4	Affordable Housing	Not stated	<p>The submitter raises concerns regarding affordable housing and points towards recent housing developments that maximise profit.</p> <p>The submitter asks how the proposed changes will help non-profit organisations to build affordable housing, whether there are incentives or measures to encourage developers to build more “mixed model” housing.</p> <p>The submitter is concerned that a new Design Guide will promote high quality building designs and that a strong focus on aesthetics will increase the cost of building, thereby putting it out of range of those most needing it.</p> <p>The submitter believes that only relying on the market may have unfortunate and unintended consequences like continuing increase in housing costs. The submitter believes that Council should be working with affordable housing providers with a social focus to counterbalance the tendency that intensification results only in more high price homes.</p> <p>The submitter asks whether there are other things Council could be doing to incentivise affordable homes, what the role of Urban Plus is in this, whether there is any consideration/ability to specify certain percentages of each development that need to be affordable/rental and how Council is going to partner with the Government on Kiwibuild and HNZC.</p>	Not stated	Support part	in	<p>Allow to the extent consistent with the matters raised by HNZC's further submission</p> <p>HNZC supports the intent of this submission, however, it retains concerns regarding the effectiveness of a mechanism which mandates a certain % of a development be retained affordable, and unintended consequences of such an approach. In that regard, HNZC considers that an overall increase in housing supply is a key aspect of addressing housing affordability. Therefore, plan methods which encourage house choice and capacity are crucial to achieving this outcome.</p>
DPC43/114	Cuttriss Consultants Ltd (David Batchelor)	114.3	Add new definition for 'Medium Density'	Add Definition	<p>The submitter considers the addition of a definition for 'Medium Density' would provide clarity for what is desired in the Medium Density Residential Activity Area. The proposed objectives and policies rely on the understanding of what Medium Density is but the density can range between 25 to 80 dwellings per hectare which may cause uncertainty in future applications. No quantitative clarification is given in the Introduction / Zone Statement for the Medium Density Residential Activity Area.</p>	<p>Add the following definition adapted from the Ministry for the Environment 'Medium- density housing: Case study assessment methodology':</p> <p><u>Medium Density: means dwellings with an average density of less than 350m² of land per unit. It can include stand-alone dwellings, semi-detached (or duplex) dwellings, terraced housing or apartments within a building of four storeys or less.</u></p> <p><u>These can be located on either single or aggregated sites, or as part of larger master-planned developments.</u></p>	Support part	in	<p>Allow in part</p> <p>HNZC supports the intent of defining “medium density” and “low density”, however, it considers the wording proposed needs refinement. For example, both the definition of “medium density” and “low density” refer to an average density of less than 350m².</p>
		114.4	Add new definition for 'Low Density'	Add Definition	<p>The submitter seeks the addition to provide clarity for what is desired and to better inform the provisions.</p> <p>The 350m² threshold is considered to be accommodating of proposed Rule 11.2.2.1 (a) Allotment Design's exclusion of minimum lot size if the permitted standards are met while still meeting the objectives and policies of the General Residential Activity Area.</p>	<p>Add the following Definition:</p> <p><u>Low Density: means developments with an average density of less than 350m² of land per unit. It can include one and two storey detached houses which are set back from property boundary.</u></p>	Support part	in	<p>Allow in part</p>
		114.5	Add new definition for 'Housing Type'	Add Definition	<p>The submitter seeks this addition to ensure that the desired type of housing achieved. While the proposed objectives and policies rely on an understanding of the word type there is currently no indication if variation in type includes size, position, architectural style, built form, or bedroom / living number or arrangement.</p>	<p>Add the following Definition:</p> <p><u>Housing Type: means a specific combination of the architectural features, built form, number of bedrooms in each unit, and living arrangement within each unit.</u></p> <p><u>Excludes position on the site and size.</u></p>	Oppose		<p>Disallow</p> <p>HNZC does not consider that “housing type” necessarily requires definition in a district plan.</p>
		114.6	Add new definition for 'Stormwater Neutral / Neutrality'	Add Definition	<p>The proposed provisions rely on an understanding of stormwater neutral / neutrality and the definition should be adopted for clarity.</p>	<p>Add the following Definition:</p> <p><u>Stormwater Neutrality: The total site stormwater discharge post development is less than or equal to pre-development, for a set rainfall event.</u></p>	Support part	in	<p>Allow in part</p> <p>HNZC supports the intent of defining “stormwater neutrality”, however, considers that the wording proposed needs to be refined.</p>
DPC43/124	Friends of Waiwhetu Stream (Michael Ellis)	124.1	Amendment 193: Standards and Terms 11.2.2.1 (a) Allotment Design – Medium Density Residential Activity Area	Oppose	<p>The submitter does not support the proposed plan change because substantial impacts from the plan change will affect the Waiwhetu Stream negatively and increase the flood risk to nearby residents. The submitter considers that additional planning controls are needed to control stormwater runoff from new developments and that Council should commit to capital expenditure to implement complementary measures to mitigate increased stormwater runoff.</p> <p>Stormwater</p> <p>The submitter argues that the Hutt Valley has been vastly modified from pre- European times and that the removal of forest and the urban development have increased the speed and volume of runoff into waterways. The submitter considers that residential properties alongside Waiwhetu Stream are at risk of flooding and that previous attempts to manage the stream have been less than ideal resulting in severe environmental degradation of the stream which represents a constant flood hazard.</p>	<p>All new development should be hydraulically neutral, with mitigations to offset the loss of land area for water retention. Council must also commit to creating mitigating measures which reduce polluted runoff from other effects of increased housing units such as increased traffic and incorrect disposal of rubbish.</p>	Oppose		<p>Disallow</p> <p>HNZC opposes this submission on the basis that the plan already appropriately manages the effects of development in terms of stormwater.</p>
		124.2	Chapters 4A, 4F 5E and Medium Density Design Guide	Oppose	<p>Plan Change proposals that have negative impacts on the environment</p> <p>The submitter argues that as properties are redeveloped site coverage goes up and</p>				

		124.3	Amendment 64: Rule 4A 4.2.6 Permeable Surface	Oppose	stormwater runoff will increase and that the removal of trees and shrubs will also increase storm runoff. The submitter concludes that increased storm runoff volumes will result in more frequent overflow discharge into the Waiwhetu Stream, thereby increasing pollution. Effects on Waiwhetu Stream The submitter points out that the largest intensification areas around Naenae, Epuni and Waterloo Railway Stations are all within the catchment area for Waiwhetu Stream and that Woburn is within the catchment because the Awamutu Stream is a tributary of the Waiwhetu Stream. The submitter considers that therefore the effects of intensification will impact the Waiwhetu Stream disproportionately. How to reduce impacts of intensification				
		124.4	Amendment 127: Rule 4F 4.2.5 Permeable Surface	Oppose	The submitter suggests that it should be mandatory for all new housing and urban development in Lower Hutt to be hydraulically neutral regarding stormwater impacts and that in order to achieve this onsite water retention and permeable/porous paving must be compulsory. Council actions to reduce stormwater runoff The submitter suggests that Council should begin using natural features that encourage water runoff into the ground, such as installing swales on roadside berms and converting unused reserve land into wetlands. The submitter further suggests that Council should invest in additional capacity for below ground infrastructure including additional capacity for wastewater storage but avoid any measures with downstream effects that exacerbate existing flood risks.				
		124.5	Amendments 166 to 187: Medium Density Design Guide	Oppose					
DPC43/125	Ruth Fyfe (on behalf of five residents/property owners)	125.2	Amendment 35: Objective 4A 2.4	Support	The submitter fully supports the objective and policies but notices the lack of a policy that addresses a reasonable level of privacy and sunlight access for residents of new development.	To introduce a policy that requires new development to achieve a reasonable level of privacy and sunlight access for future residents of the development.	Oppose	Disallow	HNZC considers that the policies already appropriately address the management of adverse effects on residential amenity.
		125.3	Amendment 42: Policy 4A 3.5	Support					
		125.9	Amendment 59: Rule 4A 4.2.1 (b)	Support with Amendment	Criteria for Restricted Discretion The submitter supports the flexibility provided by the restricted discretionary activity status for activities that don't comply with development standards and thinks the matters of discretion are generally good but would like to see a further matter added that addresses "the amenity value of the proposed new dwellings". The submitter is concerned that without this addition the needs of future residents could be overlooked and considers that Council should be able to consider the amenity values of the new dwellings for discretionary activities breaching development standards protecting amenity values. The submitter suggests that the additional matter for discretion should be added to rules concerning 'Number of Dwellings per Site', 'Site Coverage', 'Building Height', 'Accessory Buildings' and Comprehensive Residential Developments' but also to 'Recession Plane' and 'Yards' if these rules were to apply to boundaries within the site as suggested by the submitter. The submitter gives examples of proposed rules where similar provisions have been included (5E 4.1.4, 5E 4.1.5, 4A 4.2.7 and 4A 4.2.9) and states her full support for those rules.	To include "the amenity value of the proposed new dwelling" or similar as a matter of discretion for rules relating to amenity values.	Support in part	Allow in part	HNZC supports the intent of this submission point but not the specific relief sought. In that regard, HNZC considers that the matter might be more appropriately dealt with through introducing a new matter of discretion / assessment criteria about "achieving the built form / environment the zone is seeking to achieve over time".
		125.10	Amendment 60: Rule 4A 4.2.2 (b)	Support with Amendment					
		125.11	Amendment 61: Rule 4A 4.2.3 (b)	Support with Amendment					
		125.12	Amendment 66: Rule 4A 4.2.8 (b)	Support with Amendment					
		125.13	Amendment 68: Rule 4A 4.2.10 (a)	Support with Amendment					
		125.14	Amendment 65: Rule 4A 4.2.7 (b) (i)	Support					
		125.15	Amendment 67: Rule 4A 4.2.9 (b) (iii)	Support					
		125.16	Amendment 123: Rule 4F 4.2.1 (b)	Support with Amendment					
		125.17	Amendment 124: Rule 4F 4.2.2 (b)	Support with Amendment					
		125.18	Amendment 129: Rule	Support with					

			4F 4.2.7 (b)	Amendment					
		125.19	Amendment 151: Rule 5E 4.1.4 (b) (iii)	Support					
		125.20	Amendment 152: Rule 5E 4.1.5 (b) (iii)	Support					
		125.21	Amendment 43: Policy 4A 3.6	Support	Outdoor Living Space The submitter considers the inclusion of policies and rules requiring outdoor living spaces to be fantastic and supports them for several reasons. The submitter is however concerned that the proposed matter for discretion “The proximity of the site to communal or public open space that has the potential to mitigate any lack of private outdoor living space” makes it too easy for developers to opt out and that at the very least the matter should include reference to the ‘accessibility’ of the communal or public open space. The submitter is also concerned that the minimum size of outdoor living space in the Medium Density Residential Activity Area (20m ²) and the Suburban Mixed Use Activity Area (5m ²) is fairly small and would like them increased to 30m ² with a minimum dimension of 4m and 10m ² with a minimum dimension of 2m respectively. The submitter further proposes that the requirement could be reduced for one or two bedroom units so that the size of the outdoor living space relates to the size of the dwelling.	To amend the rules relating to outdoor space to include reference to the ‘accessibility’ of communal or public open space. And To raise the minimum outdoor living space requirement for the Medium Density Residential Activity Area to ‘30m ² with a minimum dimension of 4m’ and for the Suburban Mixed Use Activity Area to ‘10m ² with a minimum dimension of 2m’ while introducing reduced requirements for smaller dwellings (one and/or two bedrooms) either by way of introducing different permitted activity requirements for different size dwellings or by way of additional restricted discretionary matters.	Oppose in part	Disallow in part	HNZC supports the policies and rules requiring outdoor living spaces as included in the Plan Change.
		125.22	Amendment 108: Policy 4F 3.7	Support					
		125.23	Amendment 65: Rule 4A 4.2.7	Support					
		125.24	Amendment 65: Rule 4A 4.2.7 (b) (ii)	Support with Amendment					
		125.25	Amendment 67: Rule 4A 4.2.9	Support					
		125.26	Amendment 123: Rule 4F 4.2.6	Support with Amendment					
		125.27	Amendment 137: Objective 5E 2.4	Support					
		125.28	Amendment 137: Rule 5E 4.2.4	Support with Amendment					
		125.29	Chapter 14G	Support with Amendment	The submitter wants to highlight the importance of protecting native trees and considers that while more housing is important it should not come at the expense of native bird and insect life, the quality of ground water and the sense of place provided by native trees. The submitter considers that the few remaining mature trees need to be protected. The submitter encourages Council to revise the list of protected trees to include more native species so they cannot be felled.	To revise the list of protected trees.	Oppose in part	Disallow	HNZC supports the scheduling of trees where appropriate. In that regard, HNZC considers that trees should only be scheduled when they meet the criteria as set out in the Plan. In any event HNZC considers that revision of the list is outside the scope of this Plan Change process.
DPC43/129	Joss Opie and Louisa Jackson	129.1	Proposed District Plan Change 43	Oppose	... Only one express limit on activities requiring resource consent The submitters are concerned that no maximum limits are proposed for development that goes beyond the limits for permitted activities and that discretion would be restricted to limited matters outlined in the rules. The submitters consider this approach to be too permissive and argue that Council has an obligation to protect their interests as well as providing for new residents and developers. The submitters suggest that Council should set maximum limits on all developments subject to prior consultation with residents and that the decision-makers discretion should be unrestricted. The submitters also request that the proposed Design Guide should be significantly more prescriptive and include a set of minimum design conditions which have to be complied with. ... Rubbish The submitters raise the issue of windblown rubbish ending up in their driveway and garden and consider that any future development over the current permitted activity restrictions should have to provide enclosed, communal rubbish storage facilities and rules 5E 4.2.7 (a) and (b) should be amended accordingly.	The submitters urge Council to reconsider. If Council wishes to proceed with a plan change it should be on the basis of a substantially amended proposal	Oppose	Disallow	HNZC opposes this submission to the extent that it is inconsistent with HNZC's primary submission. HNZC considers that the matters such as screening, planting and landscaping are already appropriately addressed through the Medium Density Design Guide.

					<p>Planting</p> <p>The submitters consider that Council should rectify a lack of street trees in parts of Collingwood Street and suggest that any future development over the current permitted activity limits should have to include planting and a landscape plan which meets defined criteria should be a requirement.</p> <p>Demolition</p> <p>The submitters point out that under the proposal demolition is a permitted activity in the Suburban Mixed Use Activity Area and the Medium Density Residential Activity Area and that there are significant hazards associated with demolition including noise, traffic, dust and the potential presence of hazardous materials. The submitters consider that all demolition should require resource consent, thereby enabling Council to meet its health and safety obligations to residents and the public.</p> <p>....</p>				
DPC43/139	Dennis Page	139.1	Amendment 68: Rule 4A 4.2.10 Comprehensive Residential Development	Oppose in part	<p>The submitter opposes Plan Change 43 in part.</p> <p>While the submitter understands that a city needs growth and change/renewal he questions the drivers for this change.</p> <p>The submitter raises the issue of the optimal population size for Lower Hutt and questions that more intense developments will result in more diverse and affordable dwellings. The submitter argues that most of the current more intense developments are not cheap and affordable.</p> <p>Of particular concern to the submitter is the proposed new height limit of 10m for Comprehensive Residential Developments, the Medium Density Residential Area and the Suburban Mixed Use Area and the limited number of parameters governing its use. The submitter calculates that when applying the recession plane of 2.5m + 45degrees a building can rise up to 10m within 7.5m from an existing boundary and is concerned that this has major implications for sunlight penetration especially during winter. To illustrate his concerns the submitter provides two sets of shading diagrams compiled by a professional planner for a previous plan change.</p> <p>The submitter considers that sunlight deprivation and loss of enjoyment and amenity contribute significantly to poor social outcomes and notes that many concept drawings issued by Council when promoting PC43 were very 'idealised' and assumes that, had the drawings been more realistic with regards to shading and overlooking, less people would support the proposal.</p> <p>The submitter further notes that the recession plane limits for 10m building height do not apply for internal boundaries within a zone or for street edges and considers this to be a dismal and unacceptable proposition for the following reasons:</p> <p>Encourages uniformity.</p> <p>Creates canyons along streets for wind to funnel down and creates shading for buildings on the other side of the street.</p> <p>Internal courtyards and areas between buildings receive little or no sun.</p> <p>The submitter notes that even some real estate agents are expressing concerns and this should raise warnings that the outcomes proposed by HCC are too extreme.</p> <p>The submitter considers the Medium Density Design Guide as an attempt to mitigate the extremes of development but has no confidence that many of the good aspirations contained within it can be adequately enforced or policed. The submitter argues that the proposed Medium Density Design Guide lacks any reference to site grain, building bulk, length and density and site permeability. The submitter is deeply concerned about the proposed removal of the building length restrictions because long buildings next to and close to a boundary are dominating and imposing.</p> <p>The submitter is also concerned about the lack of serious consideration of the impact of climate change considering that Hutt City resides on a flood plain, has a high water table and has limited capacity in its infrastructure to cope with population increases.</p>	<p>Revision of Medium Density Design Guide to include provisions for site grain, bulk of buildings, site permeability and building length as additional key attributes to be assessed.</p> <p>Reinstatement of the building length/boundary set-back provisions for buildings of greater than 20m as mandated by Appendix 17 in the current District Plan for General Residential Activity Areas in the new plan (including for comprehensive residential developments if these are adopted).</p> <p>Rejection of narrow side and rear yard minimums of 1m and making these at minimum 3m each.</p> <p>Amendment of recession plane requirements to 22.5 degrees at 2.5m above boundary for any north-trending boundary (from the perspective of the existing site) between east and west (to give a 15m set-back for a 10m high building) and 45 degrees for all other directions.</p> <p>To ensure that the provisions, if adopted, for the Boulcott site currently specified in Appendix 21 do not make existing sites bounding that area materially worse off than other areas adjacent to future comprehensive or medium density residential developments.</p>	Oppose	Disallow	HNZC opposes the introduction of a building length standard (and other related provisions) and considers that the Plan Change provisions appropriately manage effects in terms of bulk and location.
DPC43/145	Z Energy Limited and BP Oil Limited (Burton Planning Consultants - Karen Blair)	145.2	Amendment 133: 5E 1 Introduction / Zone Statement	Oppose	<p>The submitters consider that the zone statement fails to recognise the potential for reverse sensitivity effects to occur when residential and commercial activities co-establish and that the zone statement focuses on promoting residential activities above ground floor and ensuring residential amenity without recognising the detrimental effects of residential activity on commercial operation and development.</p>	<p>Amend to the Introduction / Zone Statement to recognise the fact that reverse sensitivity effects¹ can occur when residential activity is located in close proximity to commercial activity. This could be achieved by making the following amendments:</p> <p><i>5E Suburban Mixed Use Activity Area 5E 1 Introduction / Zone Statement.</i></p> <p><i>The Suburban Mixed Use Activity Area applies to selected suburban centres generally located in areas of good public transport. The Suburban Mixed Use Activity Area primarily provides for the local convenience needs of surrounding residential areas including local retail, commercial services and offices</i></p>	Oppose	Disallow	HNZC does not consider amendment to the zone statement is warranted. If any amendment was to be made it should refer to compatibility of adjoining uses rather than reverse sensitivity.

						as well as residential use above ground floor. It addresses expectations of residents of higher density housing types to have easy access to a wide range of facilities and services, while recognising that residential use needs to manage the reverse sensitivity effects that can occur when it locates in close proximity to commercial activity. The Suburban Mixed Use Activity Area enables intensification and provides for medium densities...			
		145.4	Amendment 135: Objective 5E 2.2	Oppose	The submitters argue that the development standards enable an intensity of development but do not require it, whereas the objective implies that land should be efficiently used which could imply a minimum intensity. The submitters suggest that the objective should recognise that mixed use developments can generate adverse effects that need to be managed.	Amend Objective 5E 2.2 to enable medium density mixed use development rather than to require an undefined "efficient use", and to recognise that the potential adverse effects of such development must be appropriately managed. This could be achieved by making the following amendments: <u>Objective 5E 2.2</u> Land is efficiently used for Enable medium density mixed use development, while managing the adverse effects of both residential and commercial activity.	Oppose	Disallow	HNZC opposes the amendment sought by this submission point. In any event, HNZC considers that the amendments sought are in the form of policy direction rather than an objective.
		145.6	Add new Policy 5E 3.X	Oppose – the omission of critical policy themes	The submitters consider that if residential activities are allowed to encroach into business areas there should be an expectation that business activities continue to operate and/or establish and that therefore a new policy is required that recognises the investment in, the benefits of and the need to maintain and upgrade existing non- residential activities.	Add new Policy 5E 3.X to recognise the investment in existing non-residential activities, benefits they can provide to the community and the need for them to be maintained and upgraded from time to time. This could be achieved by making the following amendments: <u>Policy 5E 3.X</u> Recognise the investment that existing non- residential activities have made and enable them to continue and to be maintained and upgraded.	Oppose	Disallow	HNZC opposes this submission point, as it does not recognize the potential impacts of significant infrastructure in residential areas.
		145.7	Add new Policy 5E 3.Y	Oppose – the omission of critical policy themes	The submitters see a need to recognise, at policy level, that some types of development are different to what is provided for in the zone but nonetheless appropriately located in it and refer to service stations as an example for an activity that is provided for as a restricted discretionary activity. The submitters consider the absence of policy guidance on this issue to be inefficient and ineffective. The submitters argue that the plan change should not subjugate the validity of a business area in favour of residential amenity. The submitters consider that a new policy is required to recognise that some activities have functional or operational design requirements that preclude meeting the urban design objectives but at the same time are established and entirely appropriate within the Suburban Mixed Use Activity Area.	Add new Policy 5E 3.Y to recognise that some activities may have functional and operational requirements which preclude meeting the urban design objectives, but which are both established and entirely appropriate within the Suburban Mixed Use Activity Area. This could be achieved by making the following amendments: <u>Policy 5E 3.Y</u> Ensure the design of development makes a positive contribution to the streetscape and character of its surroundings, while having regard to the functional and operational requirements of activities.	Oppose	Disallow	HNZC opposes the introduction of a new policy seeking to “ensure the design of development makes a positive contribution to the streetscape and character of its surroundings”. Chapter 5E already contains a policy which addresses functional and operational needs.
DPC43/19 2	Henry Steele	192.1	Plans for intensification	Support with Amendm ents	The submitter would support some degree of intensification but would favour smaller geographical areas, is concerned about encouraging more commuters and dormitory aspects and considers the provisions for infrastructure are very weak. The submitter considers that Lower Hutt CBD should be the focal point, and that encouraging suburban intensive development around railway stations encourages commuters and increases the dormitory population. The submitter argues that considerable intensification has taken place over the years, and that the proposals if implemented will have impacts well beyond the sites affected. The submitter argues that there are limitations on the capacity of the wastewater network and is concerned that too much stormwater will cause flooding of properties and endanger life. The submitter is concerned that the proposed intensification will limit the amount of permeable surfaces and greenery due to small size of sections and close proximity of buildings and points out that mature trees are the most efficient in preventing run-off and absorbing water. The submitter considers that high rise buildings are beneficial in increasing intensity but minimising roof area, stormwater run-off and site area. The submitter outlines the existing problems relating to the Waiwhetu Stream and the inevitable rise in sea level from global warming/CO2 emissions and climate change and criticises that the plan change does not make provision for reducing stormwater run-off into the catchment. The submitter is concerned that several of the proposed intensification zones will increase stormwater run-off and increase flood risk adjacent to the stream.	All future development adopt principles of Low Impact Design. Upgrading stormwater capacity should not be a solution – minimise run-off and use on-site. Proposals to be stormwater neutral should apply to all new development – must use Low Impact Design. All development, big or small should have a requirement to be stormwater neutral. The proposed rules are not strong and enable most development to avoid Low Impact Design. HCC policy should be to achieve an overall reduction in stormwater run-off and Council should be taking a lead, e.g. with swales/rain gardens. Solutions to relieve pressure on sewage system will be found by investment in Low Impact Design infrastructure and processing. Rules require ensuring on-site infrastructure meets not only needs of the site but also effects on the network. Potable water infrastructure is under stress. Rainwater tanks/storage and use of grey water reduces quantity of potable water used and amount of stormwater runoff and wastewater.	Oppose	Disallow	HNZC opposes this submission point on the basis that the plan already appropriately manages the effects of development in terms of stormwater and wastewater.
	192.2	Choice of designated areas							
	192.3	Degree of intensity							
	192.4	Network infrastructure							
	192.5	Impact proposals beyond designated areas							

					<p>The submitter considers that although the 30% permeable surface requirement covers only a small proportion of the site it is fortunate that no reduction is proposed.</p> <p>The submitter suggests that the Hutt needs to become a water sensitive city.</p>				
DPC43/195	Linda Mead	195.1	Proposed District Plan Change 43	Support with Amendments	<p>The submitter thinks that increasing urban density is the best option for allowing growth and revitalising Hutt City and that the areas being considered for the new 'medium density' zones are appropriate.</p> <p>The submitter is however concerned that new three storey buildings, if not placed thoughtfully, may destroy existing homes through loss of sunlight and privacy.</p> <p>The submitter considers that the recession plane and side yard provisions are inadequate to protect from negative effects.</p> <p>The submitter argues that in the proposed plan, only developments that require resource consent are required to follow the Design Guide and proposes that all Medium Density and Comprehensive Residential Developments be restricted discretionary and required to follow the design guide, which would enable neighbours to have a say and improve the standard of development.</p> <p>The submitter also suggests that the Design Guide should mandate that buildings over 2 storeys meet the "Lifemark" standard and could ask for public "pocket" parks to be created in addition to private outdoor spaces.</p> <p>The submitter suggests that there are areas where taller houses will not shade any existing home (e.g. residential areas to the north of roads and railway lines) and suggests that all of Oxford Terrace from Waterloo to Naenae be zoned medium density residential and in addition the mixed suburban area at Epuni shops could be allowed to be four storeys high and an adjacent Housing Corporation Building may be five storeys high. The submitter considers there may be other areas that could be treated similarly.</p>	<p>That all Medium Density and Comprehensive Residential Developments be restricted discretionary and required to follow the Design Guide.</p> <p>The Design Guide should mandate that buildings over 2 storeys meet the "Lifemark" standard.</p> <p>That all of Oxford Terrace from Waterloo to Naenae be zoned medium density residential with some allowance for four storey high buildings in the mixed suburban area at Epuni.</p>	Support in part	Allow to the extent consistent with HNZC's submission	<p>HNZC supports this submission point to the extent that it seeks a higher level of intensification i.e. up to 5 levels.</p> <p>While HNZC acknowledges that tools such as the Lifemark rating system can provide education to designers operating in the market, it is concerned that requiring all buildings over 2 storeys to meet the standard may not be the most appropriate way to achieve the outcomes being sought, particularly in circumstances where the ongoing administration of the standard is not administered by Council.</p>
DPC43/206	Michael Gerald Hobby and Susan Jane Willis	206.1	Amendments 94 to 132: Chapter 4F Medium Density Residential Activity Area	Oppose	<p>The submitters do not address medium density mixed use areas, which they support, but focus on the proposed Medium Density Residential Activity Areas (MDRAAs) which they oppose. The submitters' principal objection relates to the proposed building height allowance of 10m/3 storeys which they do not see as either necessary or desirable.</p> <p>The submitters consider that the permitted activity standards and policies considerably understate matters and ignore the real effects of allowing a 3-storey building 1m from the side or rear boundary line of an adjoining single storey property.</p>	<p>Decline the provision for medium density housing allowing for 10m high / 3 storey dwellings in MDRAAs by amending development standard 4F 2.2 to read "8 metres" rather than "10 metres".</p> <p>Alternatively, if this is not agreed:</p> <p>Only allow 10m/3 storey dwellings to be built as specific bloc developments, with several constructed over a wider site area, rather than as single dwellings/units on single sections.</p> <p>Make the proposed Design Guide mandatory – or amend current 4F 3.5 so that medium density built development is not undertaken "in general accordance" with the Design Guide, but is required to be "in conformity with" the Design Guide.</p> <p><i>Amend minimum side and rear yard distances for 10m high built developments so that these are at least 2m.</i></p>	Oppose	Disallow	<p>HNZC would oppose any requirement for 3 storey buildings be built as specific block development, and considers that the bulk and location standards in the plan appropriately address any potential adverse effects of 3 storey buildings.</p>
		206.2	Amendments 123 to 131: Rules 4F 4.2 Development Standards	Oppose	<p>The submitters argue that the predominant character of dwellings in the proposed Alicetown MDRAA is that of single-storeyed stand-alone buildings on uniform sized sites. The submitters are concerned that the proposal seeks to enable construction of up to 10m as a permitted activity as long as they are not located within 2m from the front boundary and 1m from the side and rear boundaries.</p>				
		206.3	Medium Density Design Guide	Oppose	<p>The submitters do not believe that the proposed Design Guidelines will sufficiently mitigate the negative effects to meet the requirements of Policy 4F 3.6.</p> <p>The submitters support the proposed mixed use medium density areas but point out that where these have been successful they have largely reflected an existing situation and been subject to clear controls and design standards (e.g. Jackson Street).</p> <p>The submitters note that medium rise developments can be successfully integrated into existing neighbourhoods when approached as block developments of several/many units but consider that allowing for 10m dwellings within mostly 1 storey areas with the Design Guide for guidance only can only have negative effects on existing amenity values of privacy, outlook and sunlight.</p> <p>The submitters are concerned that building intensification and reduction of permeable surfaces will increase surface flooding and question whether Council intends to update drainage infrastructure.</p> <p>The submitters are also concerned about increased traffic and suggest that while Alicetown has good public transport most people prefer to own their own vehicle.</p> <p>The submitters do not see that the objectives of encouraging greater housing capacity cannot be effectively met within the current height limits of 8m/2 storeyed developments, coupled with other elements of the proposal like site coverage, permitted smaller additional dwellings etc</p>				
DPC43/210	Petone Community Board	210.1	Proposed District Plan Change 43	Oppose	<p>The submitter considers that the general drive for intensification should not conflict with the expressed drive to maintain heritage character in Petone (Petone Vision Statement and Petone 2040 Spatial Plan).</p>	<p>Reinstatement of Chapter 4A and previous Design Guide for multi-unit development.</p> <p>Addition of objectives and policies and methods to achieve maintaining heritage character in Petone as at the moment there is no specific provision to address this.</p>	Oppose	Disallow	<p>HNZC opposes the addition of objectives, policies and methods in relation to heritage character on the basis that any such introduction would require a comprehensive s32 analysis which has not been undertaken as part of this Plan Change.</p>
DPC43/217	Petone Planning Action	217.2	4A General Residential Activity Area	Not stated	<p>The submitter considers that the main sacrifices will be borne by residents to the south of redeveloped properties and the general public. The submitter considers that these sacrifices for occupants largely result from the proposed increase in site coverage,</p>	<p>That the matters raised be resolved by putting in place additional policies and rules and by redefining what is permitted, what is restricted discretionary and what</p>	Oppose	Disallow	<p>HNZC considers that the notified provisions appropriately provide for management of potential adverse effects of a development on</p>

	Group (Frank Sviato)				<p>permitted accessory buildings within yards, height increase for comprehensive residential development and the removal of the building length rule and that the main impact will be loss of sunlight access.</p> <p>The submitter further considers that the main sacrifices for the community would result from the removal of recession planes to street frontages and reduced front yard requirements for comprehensive developments which can result in higher buildings and greater bulk closer to the street. The submitter suggests there should be policies and rules in place to still achieve high levels of amenity.</p> <p>The submitter is concerned that comprehensive development is proposed as a restricted discretionary activity and while the submitter wishes to see a wider range of affordable housing options available this should not come at a cost to other things valued like housing character.</p>	<p>should remain discretionary. For example, reducing the angle of the recession plane from 45° to 37.5° on southern boundaries both within activity areas and abutting activity areas will go a long way towards mitigating the loss of sunlight access during the winter months.</p> <p>Consider two other matters further. Firstly how privacy amenity is to be adequately protected when new development is to proceed. Secondly how to ensure view shafts can be maintained e.g. for dwellings along a perpendicular street if terrace type comprehensive developments are proposed along the Petone foreshore.</p>			adjoining sites and the streetscape.
		217.18	Amendment 60: Rule 4A 4.2.2 Site Coverage	Support with Amendm ents	<p>The submitter is concerned that the proposal increases the site coverage by 14% without retaining existing rules or putting in place rule changes to ensure daylight and sunlight provision is reduced to adjacent property.</p> <p>The submitter notes that the rule which provides for a 20m maximum length without step backs is removed and considers that retention of a maximum length rule is critical, particularly for places such as Petone and that without this rule sunlight provision will be adversely affected.</p> <p>The submitter considers that to comply with Policy 4A 3.5 additional mechanisms need to be put in place.</p>	<p>Develop new or retain maximum length rule.</p> <p>Change Recession Plane rule so that buildings located close to the southeast, south or southwest boundaries have to fit below 2.5m and 37.5° recession plane,</p>	Oppose	Disallow	HNZC opposes the introduction of a building length standard and considers the notified provisions appropriately manage effects in terms of bulk and location.
DPC43/227	Tara D'Sousa	227.1	Housing Capacity and Variety	Not stated	<p>The submitter understands that the objective of the proposal is to increase housing capacity and variety and considers Council needs to define variety in terms of the diversity of whanau that are in need of housing.</p> <p>The submitter argues that many homes currently on the market do not meet the needs of lower income families.</p>	<p>Amend the plan so that inclusionary zoning is integrated to provide a component of the new supply of medium density housing, to make some of these [sic] houses accessible to low-income whanau.</p> <p>To ensure that Council works closely with social housing providers to undertake some of the housing development that is planned.</p>	Support in part	Allow to the extent consistent with HNZN submission	HNZC supports the intent of providing for affordable housing, however, it retains concerns regarding the effectiveness of inclusionary zoning, and unintended consequences of such an approach. HNZN considers that an overall increase in housing supply is a key aspect of addressing housing affordability. As such, plan methods which encourage house choice and capacity are crucial to achieving this outcome.
DPC43/231	Regional Public Health (Kiri Waldgrave)	231.4	Amendment 16: Definition for Minor Additional Dwelling	Support with Amendm ent	The submitter proposes an addition that comes from a report by BBHTC who have identified the need for a wide range and variety of housing in New Zealand and a shortage of options for elderly, single people, childless couples and low-income families.	<p>Amend the Definition for Minor Additional Dwelling as follows:</p> <p><i>Minor Additional Dwelling: a dwelling that is located on the same site as and secondary to a primary dwelling and has a gross floor area that does not exceed 50m². This includes additional dwellings created by converting the interior of a dwelling such as a basement or attic, internal subdivision or partitioning, extending the existing home to accommodate a separate unit, for instance over an attached garage, or building a separate, smaller dwelling, such as a "granny flat" on the same lot.</i></p>	Support in part	Allow to the extent consistent with HNZN submission	HNZC agrees that there is a need for variety in housing choice. HNZN supports clarification of the definition provided that such amendments do result in more onerous requirements for people seeking to establish Minor Additional Dwellings.
		231.5	Add: Inclusionary Zoning	Support	<p>The submitter is concerned that while the proposed changes will allow for a range of housing types and densities, they will not ensure affordable and quality housing for higher need groups.</p> <p>The submitter considers that inclusionary zoning can be a short term solution where there is a shortage of affordable housing, and points towards the high numbers of applications for social housing in Lower Hutt as an indicator.</p> <p>The submitter argues that inclusionary zoning has a very minor impact on neighbouring properties and is beneficial when introduced for a limited time.</p> <p>The submitter provides a story where a community housing provider was able to support a low-income family into home ownership.</p>	<p>That HCC introduce inclusionary zoning for a specific time period for Comprehensive Residential Developments and Medium Density Residential Areas.</p>	Support in part	Allow to the extent consistent with HNZN submission	HNZC supports the intent of providing for affordable housing, however, it retains concerns regarding the effectiveness of inclusionary zoning, and unintended consequences of such an approach. HNZN considers that an overall increase in housing supply is a key aspect of addressing housing affordability. As such, plan methods which encourage house choice and capacity are crucial to achieving this outcome.
DPC43/233	New Zealand Institute of Surveyors Inc. – Wellington Branch (David Gibson)	233.3	Amendment 19: Definition for Permeable Surface	Support with Amendm ent	The submitter supports the inclusion of porous and permeable paving as a permeable surface but considers that some guidance is needed as to what constitutes permeable paving.	The term " <i>porous or permeable paving</i> " needs clarification / explanation or cross reference to a further definition of these terms.	Support in part	Allow in part	HNZC may support this submission point subject to more detail being provided.
		233.5	Add new Definition for Stormwater Neutrality	Support with Amendm ent	The submitter suggests the inclusion of a definition for Stormwater Neutrality and considers that the proposed definition would confirm the principle of stormwater neutrality to avoid confusion and arguments.	<p>Add a definition for Stormwater Neutrality:</p> <p><i>Stormwater Neutrality: The total stormwater discharge rate post development is less than or equal to the pre-development discharge rate from the site, for a set rainfall event.</i></p>	Support in part	Allow in part	HNZC supports the intent of defining "stormwater neutrality", however, considers that the wording proposed needs to be refined.
		233.9	Amendment	Support	The submitter considers that the District Plan should provide an option for either a	Amend Rule 4F 4.2.5 as follows:	Support in part	Allow in part	HNZC supports the intent of providing for

			127: Rule 4F 4.2.5 Permeable Surface	with Amendment	minimum permeable area, or to undertake a stormwater neutrality analysis.	<i>Construction or alteration of a building or structure is a permitted activity if A minimum of 30% of the site area is a permeable surface or the development must achieve stormwater neutrality.</i>	part		flexibility / optionality in how the rule is applied.
DPC43/234	KiwiRail Holdings Limited (Pam Butler)	234.1	Proposed District Plan Change 43	Support with Amendment	<p>The submitter is the State-Owned Enterprise responsible for the management and operation of the national railway network.</p> <p>The submitter has taken an active interest in safeguarding its operations from reverse sensitivity and refers to a 40m wide buffer strip on both sides of railway lines that was introduced recently by Plan Change 39 Transport. Within this buffer certain noise and vibration standards apply to new noise sensitive activities.</p> <p>The submitter is now seeking a further amenity control by introducing a 5m setback for all new building development adjacent to operational railway corridor boundaries to manage the interface between rail activities and adjoining activities. The submitter considers that the intensification of infrastructure in the rail corridor and adjacent land-use activities will result in increasing pressure on the interface.</p> <p>The submitter refers to Part 2 of the Resource Management Act 1991 with regards to finding a balance between ensuring the efficient utilisation of the rail network and facilitating adjacent development without compromising the safety of people and communities.</p> <p>The submitter considers that the plan change provisions provide for significantly more development potential on residential land which will increase the number of people near operational rail corridors and therefore subject to greater safety risks.</p> <p>The submitter argues that trespass is a common problem in managing the rail corridor.</p> <p>The submitter argues that a 5m setback of structures from the rail network would allow for access and maintenance of those structures without requiring access to the rail corridor thereby ensuring people's health and wellbeing through good design.</p> <p>The submitter considers that a setback is the most efficient method of ensuring that intensification does not result in additional safety issues for activities adjacent to the rail corridor, whilst not restricting the ongoing operation and growth of activity within the rail corridor</p>	Not stated	Oppose	Disallow	HNZC opposes this submission point as it is contrary to HNZN's submission seeking to enable greater residential densities in existing urban areas. HNZN considers that a setback is an unnecessary and overly restrictive burden for landowners, without a corresponding restriction on KiwiRail. There are more balanced and less onerous ways in which KiwiRail could manage potential interface issues.
		234.2	Amendment 31: 4A 1 Introduction / Zone Statement	Seek Amendment	The submitter considers that the proposed amendment to the Introduction / Zone Statement provides introductory support for setback design control.	<p>Amend Introduction / Zone Statement as follows:</p> <p>...</p> <p><i>Resource consent is required for three or more dwellings, for comprehensive residential developments and other specified built developments in order to</i></p> <ul style="list-style-type: none"> <i>achieve a high quality built environment;</i> <i>manage the effects of development on neighbouring sites including on land transport corridors (i.e. rail);</i> <i>achieve high quality on-site living environments; and</i> <i>achieve attractive and safe streets and public space.</i> <p>...</p>			
		234.3	Amendments 32 to 37: Objectives 4A 2.1 to 4A 2.6 Add New Objective 4A 2.X	Seek Amendment	The submitter proposes the addition of a new objective to support a 5m setback to operational railway corridors.	<p>Add new Objective 4A 2.X:</p> <p><u>Objective 4A 4.2.X</u></p> <p><u>Built development is located and designed to address amenity and safety issues arising from the operation of land transport networks (including rail).</u></p>			
		234.4	Amendments 38 to 48: Policies 4A 3.1 to 4A 3.11 Add New Policy 4A 3.X	Seek Amendment	The submitter proposes the addition of a new policy supporting a 5m setback to operational railway corridors.	<p>Add new Policy 4A 3.X:</p> <p><u>Policy 4A 3.X</u></p> <p><u>Manage the effects of built development on operational land transport networks (including rail) by requiring sufficient setbacks.</u></p>			
		234.5	Amendments 49 to 69: Rules 4A 4.1.1 to 4A	Seek Amendment	The submitter proposes the addition of a new rule and RDA criteria supporting a setback to operational railway corridors.	<p>Add new Rule 4A 4.2.X</p> <p><u>Rule 4A 4.2.X</u></p> <p><u>Construction or alteration of any building is a permitted activity if it is:</u></p> <p><u>Set back at least 5 metres from any boundary which</u></p>			

					<p><u>adjoins an operational railway line.</u></p> <p><u>Any activity which does not comply with the condition for a permitted activity under the above Rule is a Restricted Discretionary Activity (RDA).</u></p> <p><u>Discretion is restricted to:</u></p> <p><u>The effects on the operation of the railway network</u></p> <p><u>Whether the reduced setback from the rail corridor will enable buildings to be maintained without requiring access above, over, or on the rail corridor.</u></p>			
		234.6	Amendment 68: Rule 4A 4.2.10	Seek Amendm ent	<p>The submitter proposes to amend the proposed rule for Comprehensive Residential Development by adding a development standard and RDA criteria supporting a setback to operational railway corridors.</p>	<p>Amend Rule 4A 4.2.10 as follows:</p> <p><u>Comprehensive Residential Developments are restricted discretionary activities if they comply with the following development standards:</u></p> <p>...</p> <p><u>(vii) Any building is set back at least 5m from any boundary which adjoins an operational railway line.</u></p> <p><u>Discretion is restricted to:</u></p> <p>...</p> <p><u>The effects on the operation of the railway network</u></p> <p><u>Whether the reduced setback from the rail corridor will enable buildings to be maintained without requiring access above, over, or on the rail corridor.</u></p>		
		234.9	Amendment 94: 4F 1 Introduction / Zone Statement	Seek Amendm ent	<p>The submitter considers that the proposed amendment to the Introduction / Zone Statement provides introductory support for setback design control.</p>	<p>Amend Introduction / Zone Statement as follows:</p> <p>...</p> <p><u>The Medium Density Residential Activity Area aims to increase the capacity and choice of housing within certain identified neighbourhoods as well as increasing the vitality of suburban centres. It recognises the needs of people in medium density living environments in particular to be close to amenities such as open space, public transport and day to day shopping. Reverse sensitivity effects on adjoining activities are addressed.</u></p> <p>...</p>		
		234.10	Amendments 95 to 101: Objectives 4F 2.1 to 4F 2.7 Add New Objective 4F 2.X	Seek Amendm ent	<p>The submitter proposes the addition of a new objective to support a 5m setback to operational railway corridors.</p>	<p>Add new Objective 4F 2.X:</p> <p><u>Objective 4F 2.X</u></p> <p><u>Built development is located and designed to address amenity and safety issues arising from the operation of land transport networks (including rail).</u></p>		
		234.11	Amendments 102 to 112: Policies 4F 3.1 to 4F 3.11	Seek Amendm ent	<p>The submitter proposes the addition of a new policy supporting a 5m setback to operational railway corridors.</p>	<p>Add new Policy 4F 3.X:</p> <p><u>Policy 4F 3.X</u></p> <p><u>Manage the effects of built development on operational land transport networks (including rail) by requiring sufficient setbacks.</u></p>		
		234.12	Amendments 113 to 131: Rules 4F 4.1.1 to 4F 4.2.9	Seek Amendm ent	<p>The submitter proposes the addition of a new rule and RDA criteria supporting a setback to operational railway corridors.</p>	<p>Add new Rule 4F 4.2.X</p> <p><u>Rule 4F 4.2.X</u></p> <p><u>(a) Construction or alteration of any building is a permitted activity if it is:</u></p> <p><u>(i) Set back at least 5 metres from any boundary which adjoins an operational railway line.</u></p> <p><u>Any activity which does not comply with the condition for a permitted activity under the above Rule is a Restricted Discretionary Activity (RDA).</u></p> <p><u>Discretion is restricted to:</u></p> <p><u>The effects on the operation of the railway network</u></p> <p><u>Whether the reduced setback from the rail corridor will enable buildings to be maintained without requiring access above, over, or on the rail corridor.</u></p>		

		234.1 4	Amendment 133: 5E 1 Introduction / Zone Statement	Seek Amendm ent	The submitter considers that the proposed amendment to the Introduction / Zone Statement provides introductory support for setback design control.	Amend Introduction / Zone Statement as follows: ... <i>The Suburban Mixed Use Activity Area primarily provides for the local convenience needs of surrounding residential areas including local retail, commercial services and offices as well as residential use above ground floor. It addresses expectations of residents of higher density housing types to have easy access to a wide range of facilities and services while managing any reverse sensitivity effects i.e. on land transport networks (i.e. rail).</i> ...			
		234.1 5	Amendments 134 to 138: Objectives 5E 2.1 to 5E	Seek Amendm ent	The submitter proposes the addition of a new objective to support a 5m setback to operational railway corridors.	Add new Objective 5E 2.X: <u>Objective 5E 2.X</u> <u>Built development is located and designed to address amenity and safety issues arising from the operation of land transport networks (including rail).</u>			
		234.1 6	Amendments 139 to 147: Policies 5E 3.1 to 5E 3.9	Seek Amendm ent	The submitter proposes the addition of a new policy supporting a 5m setback to operational railway corridors.	Add new Policy 5E 3.X: <u>Policy 5E 3.X</u> <u>Manage the effects of built development on operational land transport networks (including rail) by requiring sufficient setbacks.</u>			
		234.1 7	Amendments 148 to 164: Rules 5E 4.1.1 to 5E 4.2.8 Add New Rule 5E 4.2.X	Seek Amendm ent	The submitter proposes the addition of a new rule and RDA criteria supporting a setback to operational railway corridors.	Add new Rule 5E 4.2.X <u>Rule 5E 4.2.X</u> <u>Construction or alteration of any building is a permitted activity if it is:</u> <ul style="list-style-type: none"> <u>Set back at least 5 metres from any boundary which adjoins an operational railway line.</u> <u>Any activity which does not comply with the condition for a permitted activity under the above Rule is a Restricted Discretionary Activity (RDA).</u> <u>Discretion is restricted to:</u> <ul style="list-style-type: none"> <u>The effects on the operation of the railway network</u> <u>Whether the reduced setback from the rail corridor will enable buildings to be maintained without requiring access above, over, or on the rail corridor.</u> 			
DPC43/23 8	Allison Tindale – AT Better Planning Ltd.	238.2	Minimum Standards	Not stated	The submitter argues that currently there are no minimum standards for privacy, shading and lighting which residents could be confident will be maintained indefinitely. The submitter suggests that information on what could be appropriate minimum standards for privacy, sunlight and shading is available from Australia and England and refers to and quotes from the 'NSW 2016 Draft Medium Density Design Guide' and the 'British 2011 Building Research Establishment (BRE) document Site Layout Planning for Daylight and Sunlight: A guide to good practice'. The submitter considers that minimum standards for lighting and solar access may need to be higher in a New Zealand context and that consequences arising from a loss of sunlight access may be higher than elsewhere. The submitter refers to a 2018 report 'A Stocktake of New Zealand's Houses, The Auckland Design Manual, The Cement and Concrete Association of New Zealand 2013 Guidelines for the Design of Multi-Storey Apartment Buildings in New Zealand' and 'Hutt City Council's 2013 guidance material on Passive Solar Design, Eco-Design Advisor Series No. 4'.	Not stated	Oppose in part	Disallow in part	Oppose to the extent inconsistent with relief sought in HNZN's primary submission.
		238.4	Consistency with the Kapiti Coast District Council Replacement Plan	Not stated	The submitter refers to the decision version of the "Kapiti Coast Replacement District Plan" and suggests that similar policy elements regarding residential building design and residential amenity should apply. The submitter gives several examples of policies from the decision version and outlines why these are considered preferable.	Amend policies to be more consistent with those used in the Replacement Kapiti Coast District Plan	Oppose in part	Disallow in part	Oppose to the extent inconsistent with relief sought in HNZN's primary submission.
		238.5	Discretion to consider Amenity	Not stated	The submitter considers the proposed matter of discretion "The effects on the amenity of the surrounding residential area" to be vague and argues it should be specified whether this covers consideration of effects on private amenities of adjacent occupants (e.g. sunlight access, privacy, outlook/visual dominance, noise and light disturbance), visual effects on the street scene (e.g. from building design, storage, advertisement, landscaping) and other effects on public amenity (e.g. accessibility of facilities, sense of vitality,	Clarify the range of amenity effects which could be considered for developments which fall under the Restricted Discretionary activity status. Make the range of amenity effects which could be considered for various activities and developments which have a Restricted Discretionary activity status	Support in part	Disallow	While HNZN agrees that accessibility of facilities, sense of vitality and availability are amenities to be considered, amenity values are defined in the RMA. As such, there is no need to particularize further by a definition in a plan.

					availability of public transport). The submitter suggests an appendix which explains what could be covered in an amenity assessment. The submitter is concerned that unless the matter of discretion clearly refers to certain aspects it may be narrowly interpreted.	more consistent.			
	238.6	Need permitted standard regarding privacy	for	Not stated	The submitter is concerned that the proposed provisions provide a low degree of protection of privacy for existing residents. The submitter acknowledges that there is only limited protection under the existing provisions but considers the proposed provisions introduce higher threats to privacy. The submitter argues that whilst many two-storey dwellings built in compliance with current standards would overlook adjacent properties, the visual intrusiveness is likely to increase with the number of units facing a side or rear garden. The submitter considers that privacy within dwellings is particularly sensitive and that many design guides suggest methods to avoid direct overlooking of habitable rooms. The submitter concludes that, whilst the provision of high levels of privacy between properties is generally unachievable in more dense residential areas, it is appropriate to prevent highly intrusive levels of overlooking.	Consideration of a new permitted standard for privacy. This particularly applies to the General Residential Activity Area, where resident expectations regarding privacy would be higher.	Oppose	Disallow	HNZC opposes this submission point and considers other standards in the Plan appropriately address privacy concerns. The addition of further standards unnecessarily will compromise the Plan's ability to enable greater capacity and choice in the Hutt City.
	238.7	Discretion consider Natural Hazards	to	Not stated	The submitter supports the inclusion of discretion to consider hazards for Retirement Villages and Comprehensive Residential Developments but raises concern over the suggested terminology. The submitter considers the wording has the potential to limit discretion and suggests alternative wording. The submitter argues that areas of high natural hazard risk should include areas with a 1% or more annual chance from flooding from overtopping of rivers and streams or stormwater ponding and overloading of drainage systems, areas with a medium to high risk of liquefaction and areas less than 0.5m above existing sea level. The submitter refers to a submission and the decision on Plan Change 29 (Petone West), the '2010 New Zealand Coastal Policy Statement', Hutt City Council's 'Urban Growth Strategy 2014', the '2015 Regional Land Evaluation Map for Wellington' and a paper titled 'Estimating Co-Seismic Subsidence in the Hutt Valley Resulting from Rupture of the Wellington Fault, New Zealand'.	Amend wording of matter of discretion to: Whether the site is subject to any hazards, including being within any natural hazard overlay area. <u>The appropriateness of the proposed use, buildings and site design taking into account the hazard risks of the site or immediately surrounding area, including being within any natural hazard overlay area.</u>	Oppose in part	Disallow in part	Oppose to the extent inconsistent with relief sought in HNZN's primary submission.
	238.8	Discretion to consider Design Guide	to	Not stated	The submitter supports the inclusion of discretion to consider design for some activities such as Retirement Villages and Comprehensive Residential Developments but raises concern over the proposed wording. The submitter considers that the matter of discretion should focus on design on its own right, rather than the use of supplementary guidance in a design guide. The submitter suggests that discretion to consider design and appearance should be expanded to include medium and large-scale developments in the Medium Density Residential and Suburban Mixed Use Activity Areas, which would require these activities to be restricted discretionary activities.	It is requested that this matter of discretion relating to design guides be amended to: <u>Design and appearance, taking into account consistency with the Medium Density Design Guide.</u> It is also requested that discretion to consider urban design, as well as the proposed Medium Density Design Guide be extended to medium to large scale residential and mixed-used developments in the Medium Density Residential Activity Area and Suburban Mixed Use zone.	Oppose in part	Disallow in part	Oppose to the extent inconsistent with relief sought in HNZN's primary submission.
	238.2 8	Amendment 39: Policy 4A 3.2		Support with Amendm ent	The submitter supports the principle of enabling a diverse range of housing types and densities but notes the potential for policies and objectives to clash in relation to the enablement of new development and the provision/maintenance of amenity.	Policy is adjusted to impose some type of upper restriction on the extent that new development will be enabled. For example: <u>Enable a diverse range of housing types and densities, subject to effects on amenity being sufficiently managed, so as to provide a reasonable level of privacy and sunlight access for future residents in new development and residents of adjoining sites.</u>	Oppose in part	Disallow in part	Oppose to the extent inconsistent with relief sought in HNZN's primary submission.
	238.3 1	Amendment 44: Policy 4A 3.7		Support with Amendm ent	The submitter supports the intent of the policy but considers that the language suggests these features are voluntary and not requirements.	Policy is amended to have a stronger design focus. For example: Encourage high quality built development to contribute to attractive and safe streets and public open spaces with by providing for buildings which avoid excessive visual dominance and that address the streets and or public open spaces. minimise visual dominance and encourage passive surveillance.	Oppose in part	Disallow in part	Oppose to the extent inconsistent with relief sought in HNZN's primary submission.
	238.3 2	Amendment 45: Policy 4A 3.8		Support with Amendm ent	The submitter supports the intent of the policy but considers that the policy should be strengthened and that the design guide is only a guide and therefore any part of the guide that is considered essential should be incorporated in the provisions.	Provide for Encourage well-designed medium density built development including and comprehensive residential development that is in general accordance with the Medium Density Design Guide.	Oppose in part	Disallow in part	Oppose to the extent inconsistent with relief sought in HNZN's primary submission.

		238.3 4	Amendment 47: Policy 4A 3.10	Support with Amendm ent	The submitter supports the intent of the policy but is concerned that the term 'stormwater neutral' may be open to interpretation and suggests that Council clarifies the term, including how it should be calculated. The submitter considers it important to control stormwater effects on smaller infill sites as well and suggests that development which exceeds the permitted baseline for permeable surfaces should be required to be stormwater neutral.	Define what is meant by stormwater neutrality. Add to the policy <u>Require new residential development that results in a reduction in permeable surfaces below 30% to be stormwater neutral.</u>	Oppose part, Support part	in in	Disallow to the extent inconsistent, Allow to the extent consistent with matters raised by HNZC	HNZC supports the intent of defining "stormwater neutrality", however, opposes amendments to the policy on the basis that that the Plan already appropriately addresses potential adverse effects of development on stormwater.
		238.3 5	Amendment 48: Policy 4 A 3.11	Support with Amendm ent	The submitter supports the intent of the policy but considers the wording should be amended to include all new residential development.	Manage medium density residential development in areas of high natural hazard risk. <u>Define what is 'high natural hazard risk'</u>	Oppose part	in	Disallow in part	Oppose to the extent inconsistent with relief sought in HNZC's primary submission.
		238.3 9	Amendment 59: Rule 4A 4.2.1 Number of Dwellings per Site	Support with Amendm ent	The submitter supports the principle of allowing a second dwelling as a permitted activity but considers that a suitable conceptual framework should be developed that guides what limitations should apply. The submitter supports the restricted discretionary activity status for three or more dwellings and the intent of the matters of discretion, but requests rewording for greater precision. The submitter argues that the term 'positive effects' is overly vague and that it is unbalanced to refer to all positive effects but exclude all negative effects that aren't specifically listed.	Retain the ability to create a second dwelling as a permitted activity. Amend the wording of matters of discretion for three or more dwellings to the following: <u>Discretion is restricted to:</u> <u>The effects on the amenity of adjacent properties, including effects on privacy. Lighting and shading.</u> <u>The effects on the amenity of the surrounding residential area, the streetscape and adjoining public space.</u> <u>Whether the site is subject to any hazards, including being within any natural hazard overlay area. The appropriateness of the proposed use, buildings and site design taking into account the hazard risks of the site or surrounding area, including being within any natural hazard overlay area.</u> <u>The capacity of the network infrastructure for water supply, wastewater, stormwater and land transport to service the proposed development.</u> <u>Any positive effects. Contribution of proposal to meeting local housing need.</u> <u>(v) Design and appearance, taking into account cConsistency with the Medium Density.</u>	Oppose		Disallow	HNZC opposes this submission point on the basis that the plan already appropriately addresses potential adverse effects of development that this submission point seeks to address.
		238.4 0	Amendment 60: Rule 4A 4.2.2 Site Coverage	Support with Amendm ent	The submitter does not raise objection to the 40% permitted site coverage limit but considers that this limit will significantly hinder the ability to create second dwellings as a permitted activity. The submitter refers to average house and lot sizes, and argues that Council needs a strong policy framework that deals with the tension between encouraging second dwellings and maintaining a 40% site coverage limit. The submitter raises no objection to consideration of the Medium Density Design Guide where the site coverage limit is breached for a second dwelling but considers it could be difficult to require general compliance.	New policy which explains the intent of the site coverage limit.	Oppose part	in	Disallow in part	Oppose to the extent inconsistent with relief sought in HNZC's primary submission.
		238.4 1	Amendment 61: Rule 4A 4.2.3 Building Height	Support with Amendm ent	The submitter supports the permitted height limit of 8m but considers that a staggered approach would better reflect anticipated heights and would allow the consideration of a wider range of effects for heights which are not anticipated by the plan. The submitter considers it unclear why specific potential effects on the amenity of adjacent properties are specified in the matters of discretion for building height but not for other standards. The submitter argues that the consideration of privacy and shading effects should not be limited to adjoining properties and that it is important to be able to consider the visual effects on the streetscape regardless of whether the site contains one or more dwellings.	Retention of permitted building height of 8m Council consider a staggered approach to building height, such as: Buildings up to 8m is a permitted activity. Buildings between 8m and 12m is a restricted discretionary activity. Buildings above 12m is a discretionary activity. Amend as follows: <u>Construction or alteration of a building that exceeds the maximum height of 8m but is no higher than 12m is a restricted discretionary activity. Discretion is restricted to:</u> <u>(a) The effects on the amenity of adjacent properties, including effects on privacy, lighting and shading.</u> <u>(b) The effects on the privacy of adjoining properties.</u> <u>(c) The effects on shading of adjacent properties</u> <u>(d) The effects on the visual amenity of the surrounding residential area, the streetscape</u>	Oppose part	in	Disallow in part	Oppose to the extent inconsistent with relief sought in HNZC's primary submission.

					<p>and adjoining public space.</p> <p>(e) <u>Design and appearance, taking into account consistency with the Medium Density Design Guide where the proposal involves two or more dwellings on one site.</u></p> <p><u>Construction or alteration of a building that exceeds a height of 12m is a discretionary activity.</u></p>			
238.4 2	Amendment 62: Rule 4A 4.2.4 Recession Plane	Support with Amendm ent	The submitter supports the removal of recession plane rules from road boundaries, because it would allow for two-storey dwellings to be constructed closer to the road, and from internal boundaries, because it was intended by Council in its previous review and would allow attached housing types to comply with recession plane rules.	Amend matters of discretion <i>Discretion is restricted to:</i> (a) <i>The effects on the amenity of adjacent properties, including effects on privacy, lighting and shading.</i> (b) <i>The effects on the privacy of adjoining properties.</i> (c) <i>The effects on shading of adjacent properties</i> (d) <i>The effects on the visual amenity of the surrounding residential area, the streetscape and adjoining public space.</i> (v) <u>Design and appearance, taking into account consistency with the Medium Density Design Guide where the proposal involves two or more dwellings on one site.</u>	Oppose in part	Disallow in part	Oppose to the extent inconsistent with relief sought in HNZC's primary submission.	
238.4 3	Amendment 63: Rule 4A 4.2.5 Yards	Support with Amendm ent	The submitter supports the removal of the yard rule for internal boundaries because this provides for semi-detached and terrace housing. The submitter raises no objection to the removal of the 5m front yard setback for garages but considers that Council needs to monitor the effects of this change and that appropriate responses may sit outside the District Plan.	Matters of discretion for breaches of the yard rule be amended to: <i>Discretion is restricted to:</i> (a) <i>The effects on the amenity of adjacent properties, including effects on privacy, lighting and shading.</i> (b) <i>The effects on the privacy of adjoining properties.</i> (c) <i>The effects on the visual amenity of the surrounding residential area, the streetscape and adjoining public space.</i> (d) <u>Design and appearance, taking into account consistency with the Medium Density Design Guide where the proposal involves two or more dwellings on one site.</u>	Oppose in part	Disallow in part	Oppose to the extent inconsistent with relief sought in HNZC's primary submission.	
238.4 4	Amendment 64: Rule 4A 4.2.6 Permeable Surface	Support with Amendm ent	The submitter supports the intent of the rule and considers it important to control drainage effects from a reduction in permeability. The submitter requests that the application of the rule is extended beyond new buildings to include other changes to site layout that affect permeability.	Rule be amended as follows: <i>Construction or alteration of a building is a permitted activity if:</i> a. <i>A minimum of 30% of the site area is a permeable surface.</i> (b) <u>Creation of new hard-surface areas such as concrete driveways and garden paving is a permitted activity if a minimum of 30% of the site area is a permeable surface.</u> (c) <u>Construction or alteration of a building or hard-standing area that does not meet the above permitted permeable surface requirements is a restricted discretionary activity.</u>	Oppose in part	Disallow in part	Oppose to the extent inconsistent with relief sought in HNZC's primary submission.	
238.4 5	Amendment 65: Rule 4A 4.2.7 Outdoor Living Space	Support with Amendm ent	The submitter supports the rule and considers it important that residents have access to private outdoor space. The submitter considers the proposed size of 50m2 to be reasonable for typical dwelling sizes, but suggests a lower limit is more appropriate for smaller dwellings	Consideration is given to a lower permitted development standard for outdoor living spaces, specifically for small dwelling units up to 75sqm. Allowance is provided for communal or shared outdoor spaces, especially for smaller scale residential developments. This could help in the creation of semi-detached, terraced, dual-occupancy and manor homes, which have an external appearance similar to a detached dwelling	Oppose in part	Disallow in part	Oppose to the extent inconsistent with relief sought in HNZC's primary submission.	
238.4 6	Amendment 68: Rule 4A 4.2.10 Comprehensiv e Residential	Support with Amendm ent	The submitter supports the rule because it has the potential to significantly contribute to housing growth. The submitter is concerned about the proposed site coverage limit of 60% especially in the absence of landscaping standards and that it would result in buildings and hard-standing areas covering almost the entire site. The submitter considers that residential areas should	Site coverage and landscaping provisions be made generally consistent with those in the Christchurch Replacement District Plan as decided by the Independent Hearing Panel. It is requested that	Oppose in part	Disallow in part	Oppose to the extent inconsistent with relief sought in HNZC's primary submission.	

			Development	<p>not be dominated by hard-surfaces and should retain a proportion of green space.</p> <p>The submitter notes that calculation of site coverage tends to be higher when calculated for individual lots versus calculation across entire sites.</p> <p>The submitter supports the introduction of stormwater neutrality as a development standard but considers it to be unclear how the requirement is to be satisfied. The submitter suggests some alternative wording.</p> <p>The submitter seeks clarification as to whether the 'development standards' are intended to create a higher permitted baseline for comprehensive residential developments or whether they identify the limits of building scale that could be assessed as restricted discretionary.</p> <p>The submitter considers that allowance for 10m building height can have advantages (e.g. opportunity for increasing housing supply) and disadvantages (e.g. potential for additional loss of privacy and light). The submitter refers to the shading diagrams/ modelling prepared by Sun Study Analysis for Hutt City Council.</p> <p>The submitter raises concern over the wording of discretionary matter (viii).</p>	<p><i>The site coverage does not exceed 60%-50%.</i></p> <p>That a landscaping standard is introduced of <u><i>A minimum of 20% of the site shall be provided for landscaping</i></u></p> <p>Amendment to standard for stormwater neutrality to require proof that this standard is met, prior to the construction of development.</p> <p>Matters of discretion be amended as follows</p> <p>(a) <u><i>The effects on the amenity of adjacent properties, including effects on privacy, lighting and shading.</i></u></p> <p>(b) <u><i>The effects on the visual amenity of the surrounding residential area.</i></u></p> <p>(c) <u><i>Appropriateness of The extent to which the site layout and any proposed landscaping ensure adverse effects will be contained within the site where possible, avoiding or minimising impacts on adjacent streets and public spaces or adjoining residential sites.</i></u></p> <p>(d) <u><i>Whether the site is subject to any hazards, including being within any natural hazard overlay area. The appropriateness of the proposed use, buildings and site design taking into account the hazard risks of the site or surrounding area, including being within any natural hazard overlay area.</i></u></p> <p>(e) <u><i>The capacity of the network infrastructure for water supply, wastewater, stormwater and land transport to service the proposed development</i></u></p> <p>(f) <u><i>Design and appearance, taking into account consistency with the Medium Density Design Guide.</i></u></p>			
	238.47	Amendment 69: Rule 4A 4.2.11 Demolition	Support with Amendment	<p>The submitter partly supports this rule. The submitter considers it appropriate to identify demolition as a permitted activity but is concerned that it could result in the demolition of sites of significant historical value which are not identified in the District Plan. The submitter argues that the list of protected buildings has remained largely unchanged since the plan was notified in 1995 and refers specifically to Petone.</p> <p>The submitter considers that it is appropriate to use a blanket-ban on the demolition of buildings built pre-1930 as a permitted activity. The submitter does not support the long-term use of blanket bans but considers that in this case there is insufficient information available to decide which buildings built 1930 deserve regulatory protection against demolition.</p> <p>The submitter argues that the ability to demolish buildings of potentially high heritage value without resource consent would hinder Council's ability to negotiate development designs that are sympathetic to existing heritage values and considers that design guidance is not sufficient to address this issue.</p>	<p>Amendment be reworded as follows:</p> <p><u><i>The demolition of a building built in 1930 or later is a permitted activity</i></u></p> <p><u><i>The demolition of a built pre-1930 is a discretionary activity.</i></u></p> <p>This is likely to require consequential actions to other parts of the District plan in terms of Mapping the location of pre-1930 dwellings Identification of the above as an interim position, until a detailed review of heritage resources has been undertaken. This could use a similar mechanism to that used by Christchurch City Council in Policy 9.1.2.2.5, which requires the Council to initiate a plan change within 6 years of the plan becoming operate, which updates the Councils list of significant ecological areas.</p> <p>If it is not acceptable to have a blanket plan on the demolition of all pre-1930 buildings as a permitted activity across the District, it is considered that this restriction be considered for areas known to have a concentration of housing of this age, such as Petone, Ava and Alicetown. This would be akin to a similar provision used by Wellington City Council for pre-1930 buildings in 7 neighbourhoods.</p>	Oppose	Disallow	HNZC opposes the introduction of any demolition control tied to a particular date, without any analysis confirming that such an approach is the most effective and efficient method to achieve the protection of significant built environment values, given the potentially significant impact that such a control could have on achieving other objectives of the Plan (particularly relating to growth).
	238.52	Amendment 99: Objective 4F 2.5	Support with Amendment	<p>The submitter partly supports the objective. The submitter considers the reference to high quality and amenity to be appropriate but recommends that the policy is amended to be more specific about what type and level of amenity can be expected.</p>	<p>Amend policy along line suggested</p> <p><u><i>Built development is of high quality and provides a good level of on-site amenity for residents as well as residential amenity for adjoining properties and the street.</i></u></p>	Oppose in part	Disallow in part	Oppose to the extent inconsistent with relief sought in HNZN's primary submission.
	238.55	Amendment 102: Policy 4F 3.1	Support with Amendment	<p>The submitter partly supports the objective. The submitter supports the reference to providing for activities and managing residential amenity but considers that adverse effects of new development could extend beyond residential amenity.</p>	<p>Amend policy as follows</p> <p><u><i>Provide for residential activities and those non-residential activities that support the community's social, economic and cultural well-being. and Manage</i></u></p>	Oppose in part	Disallow in part	Oppose to the extent inconsistent with relief sought in HNZN's primary submission.

					<i>any adverse effects on residential amenity and visual amenity of the surrounding residential area.</i>			
238.5 6	Amendment 103: Policy 4F 3.2	Support with Amendm ent	The submitter partly supports the policy. The submitter considers the efficient use of land and the provision of a supportive policy framework to be appropriate, but sees potential for this policy to clash with other policies regarding amenity.	Amend policy <i>Enable the efficient use of land by providing for a diverse range of housing types at medium densities, subject to the maintenance of a reasonable level of sunlight access and privacy for existing and future residents.</i>	Oppose part	in part	Disallow in part	Oppose to the extent inconsistent with relief sought in HNZN's primary submission.
238.5 7	Amendment 104: Policy 4F 3.3	Support with Amendm ent	The submitter supports the principle of managing building bulk, but considers that the policies are vague as to anticipated outcomes and provide a weak level of protection of residential amenity.	Policy is reworded to provide stronger direction on the management of building bulk, form and design.	Oppose part	in part	Disallow in part	Oppose to the extent inconsistent with relief sought in HNZN's primary submission.
238.5 8	Amendment 105: Policy 4F 3.4	Support with Amendm ent			Oppose part	in part	Disallow in part	
238.5 9	Amendment 106: Policy 4F 3.5	Support with Amendm ent	The submitter raises objection to the term 'encourage' and considers that the Design Guide should be more than encouraged. The submitter considers the policy to be inconsistent with Objective 4F 2.5 and proposes several alternative policies which focus on design.	Amend Policy <i>Provide for Encourage well-designed medium density built development that is in general accordance with the Medium Density Design Guide</i>	Oppose part	in part	Disallow in part	Oppose to the extent inconsistent with relief sought in HNZN's primary submission.
238.6 0	Amendment 107: Policy 4F3.6	Support with Amendm ent	The submitter supports reference to maintaining a reasonable level of privacy and sunlight access and suggests the policy could be combined with other policies. The submitter considers it to be unclear what a reasonable level of privacy and sunlight access is and refers to the '2015 Apartment Design Guidelines for NSW'.	Not stated.	Oppose part	in part	Disallow in part	Oppose to the extent inconsistent with relief sought in HNZN's primary submission.
238.6 2	Amendment 109: Policy 4F 3.8	Support with Amendm ent	The submitter supports the intent of the policy but considers the language to be misleading.	Policy is reworded to have a stronger design focus. For example: <i>Encourage Built development to contribute to attractive and safe streets and public open spaces with by providing for buildings which avoid excessive visual dominance and that address the streets and or public open spaces. minimise visual dominance and encourage passive surveillance.</i>	Oppose part	in part	Disallow in part	Oppose to the extent inconsistent with relief sought in HNZN's primary submission.
238.6 4	Amendment 111: Policy 4F 3.10	Support with Amendm ent	Not stated.	Policy be more strongly worded to require stormwater neutrality in particular circumstances, such a reduction in permeable surfaces below 30% or larger scale development (e.g. 10 or more units). An explanation is provided for stormwater neutrality. Suggested reworded is <i><u>Require new residential development that results in a reduction in permeable surfaces below 30% to be stormwater neutral.</u></i> <i><u>Require residential developments of 10 or more units to be stormwater neutral.</u></i>	Oppose part	in part	Disallow in part	Oppose to the extent inconsistent with relief sought in HNZN's primary submission.
238.6 5	Amendment 112: Policy 4F 3.11	Support with Amendm ent	The submitter supports the intent of the policy but considers that the wording should be amended to include all new residential development.	<i>Manage medium density residential development in areas of high natural hazard risk.</i> Define what is 'high natural hazard risk'.	Oppose part	in part	Disallow in part	Oppose to the extent inconsistent with relief sought in HNZN's primary submission.
238.6 9	Amendment 120: Rule 4F 4.1.8 All Other Activities	Oppose	The submitter considers that the non-complying activity status for other activities is not justified by the proposed policies and objectives, and suggests that the activity status be amended to discretionary or that a new policy is proposed which discourages other activities. The submitter refers to other District Plans and argues that many commercial activities would have no greater impact than some of the activities identified as restricted discretionary. The submitter consider that the inability to consider design aspects for medium to large scale residential developments is inconsistent with the approach proposed for the General Residential Activity Area, and anticipates that two or three storey high medium density residential developments would struggle to comply with other permitted activity standards.	New activity status is identified for multiple housing development. For example, <i><u>Five or more dwellings per site are a restricted discretionary activity.</u></i> <i>Discretion is restricted to:</i> <i>(i) <u>The effects on the amenity of adjacent properties. Including effects on privacy, lighting and shading arising from any breach of permitted building standards.</u></i> <i>(ii) <u>The effects on the amenity of the surrounding residential area, the streetscape and adjoining public space.</u></i> <i>(iii) <u>Contribution of proposal to meeting local housing need.</u></i> <i>(iv) <u>Design and appearance, taking into account consistency with the Medium Density Design Guide.</u></i>	Oppose part	in part	Disallow in part	Oppose to the extent inconsistent with relief sought in HNZN's primary submission.
238.7	Amendment	Support	The submitter is concerned that a permitted site coverage of 60% leaves little scope for	It is requested that a new permitted standard be	Oppose			HNZN opposes the introduction of permitted

		0	123: Rule 4F 4.4.2.1 Site Coverage	with Amendm ent	green landscaping and on-site carparking at ground level. The submitter argues that it is possible for privacy effects to extend beyond immediately adjacent properties and that section 95 of the RMA is sufficient to limit notification to only those neighbours adversely affected.	created for landscaping <i>A minimum of 10% of the site shall be provided for green landscaping</i> Matters for discretion for breaches of the permitted standard for site coverage is amended to: (i) <i>The effects on the amenity of adjacent properties including effects on privacy, lighting and shading.</i> (ii) <i>The effects on the privacy of adjoining properties.</i> (iii) <i>The effects on the amenity of the surrounding residential area, the streetscape and adjoining public space.</i> (iv) <i>Design and appearance, taking into account cConsistency with the Medium Density Design Guide.</i>			landscaping standard on basis that other provisions appropriately manage potential adverse effects in terms of privacy, amenity, streetscape etc.
		238.7 1	Amendment 124: Rule 4F 4.2.2 Building Height	Support with Amendm ent	The submitter considers that a permitted building height of 10m has advantages (e.g. opportunity for increased housing supply and providing certainty to developers) and disadvantages (potentially decreasing levels of lighting for existing properties). The submitter considers that the retention of the existing recession plane rules may not be sufficient to prevent loss of sun light. The submitter considers that the potential adverse effect on neighbour amenity should be recognised and either accepted as necessary or rejected and changes made to permitted standards to allow for a merit assessment. The submitter refers to and quotes a decision by Wellington City Council from 2010. The submitter is concerned over the wording of the matters for discretion and argues that resource consent could be submitted for three, four or more storey development and that privacy and shading effects from buildings over 10m could extend beyond immediately adjoining properties.	Matters of discretion be reworded as follows (i) <i>The effects on the amenity of adjacent properties, including effects on privacy, lighting and shading.</i> (ii) <i>The effects on the privacy of adjoining properties.</i> (iii) <i>The effects on shading of adjoining properties.</i> (iv) <i>The effects on the visual amenity of the surrounding residential area, the streetscape and adjoining public space.</i> (v) <i>Appropriateness of site layout and any proposed landscaping.</i> (vi) <i>Design and appearance, taking into account cConsistency with the Medium Density Design Guide.</i>	Oppose in part	Disallow in part	Oppose to the extent inconsistent with relief sought in HNZN's primary submission.
		238.7 2	Amendment 125: Rule 4F 4.2.3 Recession Planes	Support with Amendm ent	The submitter supports the use of a recession plane rule but considers that this rule hinders the ability to construct three storey buildings on a typical plot as a permitted activity. The submitter suggests it may be appropriate to provide a different recession plane rule to allow future detached dwellings to be positioned closer together. The submitter refers to the 2014 Discussion Document on Providing for Residential Growth in Eponi, Waterloo and the CBD Edge. The submitter argues that it is more appropriate to allow for buildings to be built closer to side boundaries, where they have been designed to have a low reliance on light from side-facing windows. The submitter suggests an alternative that would allow for reduced gaps between buildings over time as sites are progressively redeveloped: <i>Construction or alteration of a building is a permitted activity if the following recession plane requirements are being met:</i> <i>2.5m +45° from all side and rear boundaries.</i> (ii) <i>The following exception to the side recession plane is provided where there are no dwellings existing (at the date of plan change being operative) within 8m of the site, or where there is such a dwelling, it is demonstrated that new development would not result in more than a 10% loss of solar access to this dwelling.</i> <i>a) For parts of buildings up to 8m - side setback of 2m b) For parts of buildings above 8m - side setback of 5m</i> <i>No recession planes are required from side or rear boundaries within the Medium Density Residential Activity Area where there is an existing or proposed common wall between two buildings. No recession planes are required from road boundaries and existing or proposed internal boundaries within a site.</i> The submitter raises concern over the wording of the proposed matters of discretion.	It is requested that matters of discretion be amended to: (i) <i>The effects on the amenity of adjacent properties, including effects on privacy, lighting and shading.</i> (ii) <i>The effects on the privacy of adjoining properties.</i> (iii) <i>The effects on shading of adjoining properties.</i> (iv) <i>The effects on the visual amenity of the surrounding residential area, the streetscape and adjoining public space.</i> (v) <i>Appropriateness of site layout and any proposed landscaping.</i> (vi) <i>Design and appearance, taking into account cConsistency with the Medium Density Design Guide.</i>	Oppose in part	Disallow in part	Oppose to the extent inconsistent with relief sought in HNZN's primary submission.
		238.7 4	Amendment 128: Rule 4F 4.2.6 Outdoor Living Space	Support with Amendm ent	The submitter generally supports the rule and considers that all residential units should have access to some type of outdoor living space. The submitter suggests that the creation of specific provisions for communal outdoor space that is limited to the residents of a specific development be considered.	Not stated.	Support in part, Oppose in part	Allow in part, Disallow in part	HNZN supports this submission point to the extent that it is suggesting that there should be flexibility in how outdoor living space is provided for, but opposes it to the extent that it seeks the introduction of an additional provision addressing a similar matter because this is inconsistent with HNZN's primary

								submission which seeks to remove constraints on urban growth and better enable intensification. Adding additional controls where already managed by another standard does not facilitate that.
238.7 5	Waste Storage	New Amendm ent	The submitter requests that the use of a permitted standard for waste storage facilities be considered, particularly for larger developments.	New development standard is created for waste storage.	Oppose	Disallow	HNZC opposes the introduction of additional permitted activity standards for waste storage.	
238.7 6	Amendment 133: 5E 1 Introduction / Zone Statement	Support with Amendm ent	The submitter refers to her argument for greater discretion to consider urban design and considers that the restricted ability of officers to consider urban design is contrary to the stated expectation that new development will be designed to a high standard.	It is requested that the zone statement be amended to have a stronger urban design focus. Specifically, it should allow for a greater consideration of urban design.	Oppose in part	Disallow in part	Oppose to the extent inconsistent with relief sought in HNZC's primary submission.	
238.7 9	Amendment 136: Objective 5E 2.3	Support with Amendm ent	The submitter considers that the wording provides weak direction about the scale and quality of new development and suggests two alternatives.	Objective is amended to have a stronger design focus.	Oppose in part	Disallow in part	Oppose to the extent inconsistent with relief sought in HNZC's primary submission.	
238.8 1	Amendment 141: Policy 5E 3.3	Support with Amendm ent	The submitter supports the intent of the policy but raises concern over the terminology chosen. The submitter considers that noise is the key risk to residential amenity in this zone and suggests that a key method for reducing noise impacts is through acoustic insulation.	New policy which refers to the management of effects (e.g. noise, dust and odour) generated from non-residential activities on residents within the zone.	Oppose	Disallow	HNZC opposes the introduction of this new policy on the basis that the activities anticipated by the zone are unlikely to generate effects such as dust and odour. HNZC further opposes any blanket requirement for residential activities to acoustically attenuate.	
238.8 2	Amendment 144: Policy 5E 3.6	Support with Amendm ent	The submitter considers the policy should be reworded to put a stronger emphasis on the need for good design.	Encourage medium density Provide for well- designed built development <u>including medium density housing</u> which is to be in general accordance with the Medium Density Design Guide.	Oppose	Disallow	HNZC opposes these amendments and supports retention of the policy as proposed by the Plan Change.	
238.8 4	Amendment 146: Policy 5E 3.8	Support with Amendm ent	The submitter considers that the policy should be reworded to put a stronger emphasis on the need for good design.	Encourage high Quality built development that positively contributes to the visual quality and interest of streets and public open spaces. through Active street frontages and buildings right on the road	Oppose	Disallow	HNZC opposes these amendments and supports retention of the policy as proposed by the Plan Change.	
238.8 6	Amendment 151: Rule 5E 4.1.4 Residential Activities – Multiple Housing Developments	Support with Amendm ent	Not stated.	Request for new activity status for multiple housing developments <i>Five or more dwellings per site are a restricted discretionary activity.</i> <i>Discretion is restricted to:</i> <i>(i) The effects on the amenity of adjacent properties. Including effects on privacy, lighting and shading arising from any breach of permitted building standards.</i> <i>(ii) The effects on the amenity of the surrounding area, the streetscape and adjoining public space.</i> <i>(iii) Contribution of proposal to meeting local housing need.</i> <i>(iv) Design and appearance, taking into account consistency with the Medium Density Design.</i> It is also suggested that the Council reconsider whether permitted activities for existing dwellings in the Suburban Mixed Use zone should include residential activities at ground level, especially as these properties would benefit from existing use rights for residential activities.	Oppose	Disallow	HNZC opposes the introduction of restricted discretionary activity status for five or more dwellings per site. Adding additional constraints on residential development will not assist in facilitating urban growth or encourage housing choices.	
238.8 9	Amendment 157: Rule 5E 4.2.1 Building Height	Support with Amendm ent	The submitter raises concern as to the wording of the matter of discretion. The submitter argues that resource consent may be received for three or four storey development and suggests that parts of the Suburban Mixed Use zone may be suitable for development above 10m subject to the management of effects. The submitter considers that effects on privacy and light/shading could extend beyond the immediately adjacent property.	Amend matters of discretion for breaches of the permitted height limit <i>Discretion is restricted to:</i> <i>(i) The effects on the amenity of adjacent properties, including privacy, lighting and shading.</i> <i>(ii) The effects on the privacy of adjoining properties.</i> <i>(iii) The effects on shading of adjoining properties.</i>	Oppose in part	Disallow in part	Oppose to the extent inconsistent with relief sought in HNZC's primary submission.	

						<p>(iv) <i>The effects on the amenity of the surrounding residential area, the streetscape and adjoining public space.</i></p> <p>(v) <i>Design and appearance, taking into account consistency with the Medium Density Design Guide.</i></p>			
		238.90	Amendment 158: Rule 5E 4.2.2 Recession Planes	Support with Amendment	<p>The submitter is concerned about the proposed recession plane rule for existing residential properties which are proposed for inclusion in the Suburban Mixed Use zone.</p> <p>The submitter considers that these residents are unlikely to have expected the proposed dramatic change.</p> <p>The submitter considers that the proposed absence of building separation requirements could have a significantly detrimental effect on the private amenity of existing houses located in the Suburban Mixed Use zone.</p>	<p>Exclude existing houses from the Suburban Mixed Use Activity Area or</p> <p>Amend the proposed recession plane and yard rules so that the recession plane and yard rules which are proposed for sites adjacent the Medium Density Activity Area, also apply to these properties.</p>	Oppose	Disallow	HNZC opposes this submission point because creating additional constraints for residential development will not assist in facilitating urban growth or encourage housing choices.
DPC43/240	Ian Bowman	240.1	Proposed District Plan Change 43	Oppose in part	<p>The submitter considers that from a heritage perspective the proposed medium density housing may have a negative impact on Alicetown and Naenae. The submitter has identified one house in Alicetown that should be listed in the District Plan and is concerned that by the time this happens the immediate surroundings may have changed from single housing to higher density which may not be compatible.</p> <p>The submitter sees a contradiction in proposing a medium density zone in Alicetown before the potential value and need for a character overlay has been assessed.</p> <p>The submitter argues that the area proposed for medium density in Naenae was designed by Plischke and is a nationally significant historic area and that the Naenae town centre should be listed.</p> <p>The submitter refers to the Jacob's report and questions the scoring system in relation to heritage.</p>	Not stated	Oppose	Disallow to the extent inconsistent with HNZC's primary submission	HNZC supports the zoning as identified in the maps in its submission. Any identification of heritage should follow the scheduling process set out in the District Plan.
DPC43/241	Greater Wellington Regional Council (Michelle Flawn)	241.4	Stormwater Management in Urban Development	Support with Amendment	<p>The submitter addresses the impact of urban development and the effects of impervious surfaces on the management of stormwater and watercourses.</p> <p>The submitter acknowledges that the Plan Change has provisions to meet flooding and consequential public health concerns but notes that there are no provisions to address the contaminant load of stormwater and the effects on water quality.</p> <p>The submitter acknowledges the tension between the need to provide for urban growth (as required by the NPS-UDC) and the need to maintain or improve water quality (as required by the NPS-FM) but considers that the present subdivision and development design is not delivering the maintenance or improvement of water quality and that a step change in managing stormwater is required. The submitter considers that this step change is unlikely to be achieved without a significant change in urban form and water management systems.</p> <p>The submitter suggests that best practice in managing the impacts of impervious surfaces and resulting contaminant generation is Water Sensitive Urban Design (WSUD).</p> <p>The submitter considers that, in order to meet the requirements of the NPS-FM, the Plan Change needs to address effects of urban stormwater on water quality and that this could be achieved by incorporating some of the principles of WSUD in the policy framework for developments which require resource consent.</p> <p>The submitter requests a set of provisions to meet these concerns, including a new definition for Water Sensitive Urban Design and additions and changes to the proposed objectives, policies and rules and the Design Guide relating to the maintenance and improvement of water quality. The exact wording of the requested changes can be found below.</p>	Not stated	Oppose in part	Disallow to the extent inconsistent with HNZC submission	HNZC is not opposed to the incorporation to water sensitive design principles for stormwater management, however, HNZC considers that any amendments should acknowledge and reflect that such a design approach may not reflect sustainable development of the environment in all cases (in other words, that there are instances where such an approach will have adverse impacts on other values (including socio-economic wellbeing)).
		241.5	Hazard Management	Support with Amendment	<p>The submitter considers that the approach of the plan change to natural hazards (avoidance of identified areas and consideration and management where specific natural hazard overlays are not in place) does not adequately reflect the intention of RPS Policy 29 (avoid inappropriate development and land use in areas of high risk from natural hazards). The submitter argues that this test does not preclude development as there are measures which can be undertaken to allow the development to avoid risk or for the development to be appropriate for the level of risk.</p> <p>The submitter argues that the wording in some of the provisions does not clearly reflect the distinction between the hazard and the risk and suggests that the outcome in Objectives 4A 2.6 and 4A 2.7 should be to reduce the risk from natural hazards as significance is not defined. The submitter further suggests that Policy 4A 3.11 should direct towards avoidance rather than management of development in high risk areas. The exact wording of the requested changes can be found below.</p>	Not stated	Oppose	Disallow	HNZC opposes this submission point and considers that the current approach taken by the Plan appropriately gives effect to the relevant RPS Policy and enables a balanced consideration of the issues of hazard risk, natural hazard management and urban growth. To 'avoid' built development within such areas would not be the most effective or efficient means to achieve the objectives.
		241.6	Design Guide	Support with Amendment	<p>The submitter notes that there is clear and concise guidance on design elements which contribute to achieving objectives and policies in the RLTP and RPS.</p> <p>The submitter notes and supports the reference to the Design Guide as a matter of discretion throughout the proposed rules but is concerned that the rules require 'consistency' with the design guide. The submitter appreciates that the wording intends to allow for innovative ideas and changing practices but is concerned that it leaves a lot of</p>	Not stated	Oppose in part	Disallow in part	Oppose to the extent inconsistent with relief sought in HNZC's primary submission.

					discretion to the consent process and the willingness of a developer. The submitter suggests that the Guide could be more directive in the wording as to the desired outcomes. The submitter asks for further consideration of any elements in the Design Guide that could be included as matters of discretion or development standards. The actual amendments and additions suggested can be found below.				
		241.10	Add new Definition for Water Sensitive Urban Design	New Amendment	Not stated	Add Definition for Water Sensitive Urban Design as follows: <i>Water Sensitive Urban Design (WSUD): WSUD is an approach to water management in towns and cities that integrates the processes in natural water systems with the built environment to address water quality and water quantity issues and improve amenity and resilience.</i>	Oppose in part	Disallow in part	HNZC opposes this submission point and considers that if it is to be defined, it should align with the definition proposed in the National Planning Standards.
		241.13	Amendment 37: Objective 4A 2.6	Support with Amendment	The submitter supports the objective as it gives effect to RPS Objectives 19 and 21 and Policy 29 and requests amendment to clarify the outcome is to reduce the risk of the hazard. The submitter considers that significant is not needed as risk encompasses significant and it is not defined and not consistent with the RPS policy wording.	Amend Objective 4A 2.6 as follows: <i>Objective 4A 2.6 Built development is located and designed to manage significant-reduce the risk from natural hazards.</i>	Oppose	Disallow	HNZC opposes this submission point and considers that the current approach ("managing significant risk") taken by the Plan appropriately gives effect to the relevant RPS policy.
		241.14	Add new Objective 4A 2.X	New Amendment	The submitter considers that provisions to implement the NPS-FM for the maintenance and improvement of water quality are required.	Add new Objective 4A 2.X: <i>Objective 4A 2.X Built development is located and desired to achieve the maintenance or improvement of water quality.</i>	Oppose	Disallow	HNZC opposes the introduction of this proposed objective, and considers that it is very difficult to assess how location of development can achieve maintenance or improvement of water quality.
		241.16	Amendment 44: Policy 4A 3.7	Support with Amendment	The submitter supports policies to encourage development that addresses the street and requests policy direction for the maintenance and improvement of water quality for built development.	Amend Policy 4A 3.7 as follows: <i>Policy 4A 3.7 Encourage high quality built development to contribute to the maintenance or improvement of water quality by incorporating principles of water sensitive urban design and to contribute to attractive</i> ...	Oppose in part	Disallow in part	Oppose to the extent inconsistent with relief sought in HNZC's primary submission.
		241.20	Amendment 48: Policy 4A 3.11	Support with Amendment	The submitter supports the intention but considers that inappropriate development in areas of high risk from natural hazards should be avoided in accordance with RPS Policy 29 and requests rewording to remove potential confusion between risk and hazard. The submitter argues that most areas in the Hutt Valley have adequate protection from identified areas of high hazard, which allows the development to be appropriately designed and located for the level of risk.	Amend Policy 4A 3.11 as follows: <i>Policy 4A 3.11 Manage—Avoid medium density residential development in areas of high risk from natural hazards risk.</i>	Oppose in part	Disallow in part	HNZC opposes this proposed amendment and seeks retention of the policy wording as proposed by the Plan Change.
		241.23	Amendment 59: Rule 4A 4.2.1 Number of Dwellings per Site	Support with Amendment	The submitter particularly supports matters of discretion (ii), (iv) and (vi) as these are in accordance with RPS Policies 29, 51 and 52, and the NPS-UDC. The submitter considers that the ability to provide safe access to the site in a hazard event should be considered when assessing the appropriateness of increased density of development on a site.	Amend Rule 4A 4.2.1 as follows: Either add new matter of discretion <i>(vii) The ability to provide safe access to the site.</i> Or, add <i>(iii) Whether the site is-and its access are subject to any hazards ...</i>	Oppose in part	Disallow in part	Oppose to the extent inconsistent with relief sought in HNZC's primary submission.
		241.25	Amendment 68: Rule 4A 4.2.10 Comprehensive Residential Development	Support with Amendment	The submitter argues that a development standard that addresses the effects of urban stormwater on water quality should be added to meet the requirements of the NPS-FM. The submitter notes and supports standard (vi) and matters of discretion (ix), (x) and (xi) as these are in accordance with RPS Policies 29, 51 and 52, and the NPS-UDC. The submitter supports enabling discretion in relation to how the site is served by infrastructure and asks that parking and availability of pedestrian access ways should be consider a matter for discretion to support RLTP Policy E7.	Amend Rule 4A 4.2.10 as follows: Add a new development standard <i>(vii) The development must achieve the management or improvement of water quality.</i> Either add new matter of discretion <i>(xii) The ability to provide safe access to the site.</i> Or, add <i>(ix) Whether the site for the Comprehensive Residential development is-and its access are subject to any hazards ...</i> A new matter of discretion <i>(xii) The extent and availability of parking and pedestrian access ways.</i>	Oppose in part	Disallow in part	Oppose to the extent inconsistent with relief sought in HNZC's primary submission.
		241.30	Amendment 92: Policy 4A 5.7.1.1	Support with Amendment	The submitter notes that the primary and secondary river corridors are areas of high hazard in which development should be limited and considers that adding the qualifier of 'inappropriate' to the policy allows for structures and buildings which do not increase the flood risk from natural hazards.	Amend Policy 4A 5.7.1.1 as follows: <i>Discourage-any-Avoid inappropriate new buildings and structures or additions to existing buildings and structures ...</i>	Oppose in part	Disallow in part	Oppose to the extent inconsistent with relief sought in HNZC's primary submission.
		241.35	Amendment 101: Objective 4F	Support with Amendment	The submitter supports the objective as it gives effect to RPS Objectives 19 and 21 and Policy 29 and requests amendment to clarify the outcome is to reduce the risk of the hazard. The submitter considers that significant is not needed as risk encompasses significant and it is not defined and not consistent with the RPS policy wording.	Amend Objective 4F 2.7 as follows: <i>Objective 4F 2.7 Built development is located and designed to manage</i>	Oppose in part	Disallow in part	Oppose to the extent inconsistent with relief sought in HNZC's primary submission.

		2.7				<i>significant reduce the risk from natural hazards.</i>			
		241.3 6	Add New Objective 4F 2.X	New Amendm ent	The submitter considers provisions to implement the NPS-FM for the maintenance and improvement of water quality are required.	Add new Objective 4F 2.X: <u>Objective 4F 2.X</u> <u>Built development is located and desired to achieve the maintenance or improvement of water quality.</u>	Oppose	Disallow	HNZC opposes the introduction of this new objective, and considers that it is very difficult to assess how location of development can achieve maintenance or improvement of water quality.
		241.3 8	Amendment 109: Policy 4F 3.8	Support with Amendm ent	The submitter supports policies to encourage development that addresses the street and requests policy direction for the maintenance and improvement of water quality for built development.	Amend Policy 4F 3.8 as follows: <u>Policy 4F 3.8</u> <u>Encourage high quality built development to contribute to the maintenance or improvement of water quality by incorporating principles of water sensitive urban design and to contribute to attractive...</u>	Oppose in part	Disallow in part	Oppose to the extent inconsistent with relief sought in HNZN's primary submission.
		241.4 1	Amendment 112: Policy 4F 3.11	Support with Amendm ent	The submitter supports the intention but considers that inappropriate development in areas of high risk from natural hazards should be avoided in accordance with RPS Policy 29 and requests rewording to remove potential confusion between risk and hazard. The submitter argues that most areas in the Hutt Valley have adequate protection from identified areas of high hazard, which allows the development to be appropriately designed and located for the level of risk.	Amend Policy 4F 3.11 as follows: <u>Policy 4F 3.11</u> <u>Manage—Avoid medium density residential development in areas of high risk from natural hazards risk.</u>	Oppose in part	Disallow in part	HNZC opposes this and seeks retention of the policy wording as proposed by the Plan Change.
		241.4 9	Add New Objective 5E 2.X	New Amendm ent	The submitter considers provisions to implement the NPS-FM for the maintenance and improvement of water quality are required.	Add new Objective 5E 2.X: <u>Objective 5E 2.X</u> <u>Built development is located and desired to achieve the maintenance or improvement of water quality.</u>	Oppose	Disallow	HNZC opposes the introduction of this proposed objective, and considers that it is very difficult to assess how location of development can achieve maintenance or improvement of water quality.
		241.5 1	Amendment 145 to 146: Policies 5E 3.7 to 5E 3.8	Support with Amendm ent	The submitter supports policies to encourage development that addresses the street providing visual amenity and safety benefits. The submitter requests policy direction for the maintenance and improvement of water quality for built development.	Amend Policy 5E 3.8 as follows: <u>Policy 5E 3.8</u> <u>Encourage high quality built development to contribute to the maintenance or improvement of water quality by incorporating principles of water sensitive urban design and to contribute to attractive</u> ...	Oppose	Disallow	HNZC opposes this proposed amendment and considers that the existing proposed policy is appropriate.
		241.5 7	General	Support with Amendm ent	The submitter supports the introduction of design guidelines for high quality medium density developments as this supports the RPS outcomes and RLTP key improvement area. The submitter suggests that the achievement of the overall objectives of the Plan Change through use of the Design Guide may be assisted by more directive wording of some of the guidance.	Retain general aim of the provision but consider changes in wording to be more directive of desired outcomes. Consider whether any aspects of the guidance could be development standards or a separate matter of discretion for certainty of outcome.	Oppose in part	Disallow in part	Oppose to the extent inconsistent with relief sought in HNZN's primary submission.
DPC43/24 4	Annette Ruck	244.1	Chapter Medium Density Residential Activity Area Height and density of housing	4F Oppose	The submitter considers that the design guide is vague and that dwellings of 3 storeys are too high for the local neighbourhoods cited and only belong in the central area. The submitter is concerned that the new Medium Density proposal would not allow for room to play, gardens, car parking and storage sheds for new dwellings and would adversely change the low density nature of the area. The submitter considers that no minimum lot size and 60% site coverage will result in overcrowded spaces and that the removal of minimum car parking requirements means more cars parked in the streets. The submitter is also concerned about the extra stress on stormwater, sewerage and fresh water supplies and that there will be no space for rubbish bins if no side and rear yards are required. The submitter considers that buyers of expensive town houses will not want to share or tend a communal garden and that rooftop gardens are ridiculous because the roofs could not cope with the weight of water and the growth of weeds would be an eyesore. The submitter argues that there are no provisions for fire escapes on three storeyed dwellings.	To remove the provision for medium density housing in the suburbs of Hutt City.	Oppose	Disallow	HNZC opposes this submission point on the basis that requiring fire escapes for three storey dwellings is not appropriately an RMA matter. HNZN supports the zoning outcomes as sought in its submission.
DPC43/24 7	Petone 2040	247.1	Proposed District Plan Change 43	Oppose	The submitter argues that the Petone Vision Statement and the Petone 20140 Spatial Plan highlight the importance of the heritage character of Petone and any plans for intensification need to not conflict with this.	Reinstatement of Chapter 4A Addition of objectives and policies and methods to achieve maintaining heritage character in Petone. Recognise 'Traditional Character (Housing) Areas' within boundaries identified in the P2040 Petone Spatial Plan (page 103 and ref image in the submission) as Special Residential with a 'Petone Traditional Housing' zone. New Objectives and Policies sought: Objective: Recognise, protect and, where possible enhance the traditional character values of the identified Petone Traditional Housing zone.	Oppose	Disallow	HNZC opposes the addition of objectives, policies and methods in relation to heritage character on the basis that any such introduction would require a comprehensive s32 analysis which has not been undertaken as part of this Plan Change.

						<p>Policy: Development should:</p> <p>Be consistent with the defining characteristics of the area including maintaining the lot pattern and grain of housing.</p> <p>Be compatible with the site layout, site size and geometry, building form, height and design characteristics of the area.</p> <p>Avoid cumulative adverse effects on the character of the area.</p> <p>Be designed so it does not dominate or adversely affect the traditional character of the street setting.</p> <p>Reflect the characteristic separation of original dwellings including their relationship to the street.</p> <p>Ensure that any car parking or signage, lighting requirements do not adversely affect the traditional character of the area or the relationship of a building with the street.</p> <p>Ensure that the front and side elevations (including roofs) of new buildings and structures are consistent or sympathetic with the design, fenestration, materials and finishes of neighbouring dwellings.</p> <p>Demonstrate consistency with the medium density design guide (note as amended below).</p> <p>Encourage the protection and ongoing maintenance of the zone.</p> <p>e) Develop specific design guidance (amend PC43 MDDG or refresh the existing guide) or provide Assessment Criteria to address new development, infill/ intensification in the Petone Traditional Housing zone such that the prevailing street historic street character and consistency with traditional housing patterns is achieved.</p> <p>Activity Status:</p> <p>Discretionary: Demolition or removal of existing dwellings on a front, corner or through site.</p> <p>Restricted Discretionary: Alterations and additions within the front one- third of the building footprint and forward of the front building line to 1850's colonial cottages, 1920's railway workers housing and bungalows/villas north of Jackson St on a front, corner or through site within the zone.</p> <p>Permitted: Rear extensions or development within the rear two-thirds of the footprint and not generally visible from the public street front.</p> <p>Restricted Discretionary: Amalgamation of up to two Lots.</p> <p>Discretionary: Amalgamation of three or more Lots.</p>			
		247.2	Amendment 59: 4A 4.2.1 Numbers of Dwellings per Site	Oppose	The submitters consider that at present 4A 2.3 and 4A 2.4 ensure fully discretionary status for Petone, Moera, Alicetown and the Eastern Bays and that this should remain. The submitter considers it must be possible to refuse or control consent through adequate notification protocol giving the community the opportunity to be involved.	<p>Reinstatement of full discretionary status for multi-unit and comprehensive developments in Petone and Moera and preferably in Alicetown and the Eastern Bays as well.</p> <p>Management of the need to be able to refuse consent and the need to protect these areas and their quality and character from intensified development that would detract from the established quality and character.</p>	Oppose in part	Disallow in part	Oppose to the extent inconsistent with relief sought in HNZN's primary submission.
DPC43/26 2	Carolyn Hawken	262.1	Amendment 6: Definition for Communal Carparking	Oppose	The submitter is concerned about a lack of parking in a lot of the areas proposed to change and suggests that each new home should provide 2 car-parking spaces per one-bedroom unit resulting in 2 parks per 1-bedroom unit, 4 parks per 2-bedroom unit, 6 parks per 3-bedroom unit and that this might eliminate tenants parking on curbs and grass lawns.	Ensure car-parking rule is enforced. Each new building should provide a minimum of 1 park per number of bedrooms in the property.	Oppose	Disallow	HNZN opposes the introduction of additional carparking standards. Requiring one carpark per bedroom will create inefficient use of valuable land resource.
DPC43/26 3	Hutt City Council (District Plan Division)	263.1	Amendment 56: Rule 4A 4.1.8 All Other Activities	Support with Amendment	The submitter argues that Rule 4A 4.1.8 as proposed by the plan change could unintentionally capture a potentially vast range of activities as non-complying activities and that the amended wording of Rule 4A 4.1.8 as proposed by the submission would result in any non-residential activity that is not specifically provided for as permitted, restricted discretionary or discretionary to be a non-complying activity while residential activities	<p>Make the following change to Amendment 56: Rule 4A 4.1.8 All Other Activities:</p> <p><i>Rule 4A 4.1.8 All Other Non-Residential Activities</i></p> <p><i>(a) All other activities not listed above are non-</i></p>	Oppose in part	Disallow in part	Oppose to the extent inconsistent with relief sought in HNZN's primary submission.

(Late Submission)				would be permitted. The submitter notes that the above issue was recently identified by the Environment Court in the appeal hearing for proposed Plan Change 36.	complying activities. Non- residential activities not specifically provided for as permitted, restricted discretionary or discretionary activities are non-complying activities.			
	263.3	Amendment 120: Rule 4F 4.1.8 All Other Activities	Support with Amendment	The submitter argues that Rule 4F 4.1.8 as proposed by the plan change could unintentionally capture a potentially vast range of activities as non-complying activities and that the amended wording of Rule 4F 4.1.8 as proposed by the submission would result in any non-residential activity that is not specifically provided for as permitted, restricted discretionary or discretionary to be a non-complying activity while residential activities would be permitted. The submitter notes that the above issue was recently identified by the Environment Court in the appeal hearing for proposed Plan Change 36.	Make the following change to Amendment 120: Rule 4F 4.1.8 All Other Activities: <i>Rule 4F 4.1.8 All Other Non-Residential Activities</i> (a) All other activities not listed above are non-complying activities. Non- residential activities not specifically provided for as permitted, restricted discretionary or discretionary activities are non-complying activities.	Oppose in part	Disallow in part	Oppose to the extent inconsistent with relief sought in HNZN's primary submission.
	263.5	Amendment 155: Rule 5E 4.1.8 All Other Activities	Support with Amendment	The submitter proposes that the wording of Rule 5E 4.1.8 should be amended to be in line with the proposed wording for rules 4A 4.1.8 and 4F 4.1.8. The submitter argues that the initial intention of the rule to capture any activities not provided for as permitted or restricted discretionary activities as non-complying activities is still supported and appropriate because the Suburban Mixed Use Activity Area already provides for a wider range of activities. The submitter notes that the above issue was recently identified by the Environment Court in the appeal hearing for proposed Plan Change 36.	Make the following change to Amendment 155: Rule 5EA 4.1.8 All Other Activities: <i>Rule 5E 4.1.8 All Other Activities</i> (a) All other activities not listed above are non-complying activities. Activities not specifically provided for as permitted, or restricted discretionary activities are non-complying activities.	Oppose in part	Disallow in part	Oppose to the extent inconsistent with relief sought in HNZN's primary submission.
	263.7	Amendments to Planning Maps – D4	Support with Amendments	The submitter argues that the proposed changes to planning map D4 reflect the intention and outcome of operative Plan Change 49 which rezones part of the former Copeland Street Reserve from General Recreation Activity Area to General Residential Activity Area - Medium Density while rezoning two properties at 51 and 53 Hall Crescent from General Residential Activity Area to General Recreation Activity Area. The submitter notes that Plan Change 49 became operative on 5 June 2018 and therefore the outcome of Plan Change 49 could not have been included in the notification version of proposed Plan Change 43.	Amend Planning Map D4 to reflect the outcome of operative Plan Change 49 to rezone the southern part of former Copeland Street Reserve to General Residential Activity Area – Medium Density and 51 and 53 Hall Crescent to General Recreation Activity Area. Zone the southern part of former Copeland Street Reserve to Medium Density Residential Activity Area to be in line with surrounding zoning and reflect the General Residential - Medium Density zoning of Plan Change 49.	Support in part	Allow to the extent consistent with HNZN's primary submission	HNZN supports the integration of outcomes from PC49 into PC43, however considers that the zoning adopted should be consistent with the zoning outcomes as sought in its primary submission.

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Proposed District Plan Change 43 (Residential and Suburban Mixed Use): Further Submissions

Please click on one or more of the following tabs to begin your submission.

Once you have finished please save your work and "return home" to then submit your document to us by pressing the "submit" button.

[Submitter Details](#)[Further Submission Form](#)[My Supporting Documents](#)[Submit](#)

Introduction

This form is for the purpose of making a further submission on *Proposed District Plan Change 43: Residential and Suburban Mixed Use*.

[More information of the Proposed Plan Change](#)

Under Clause 8 of the First Schedule of the Resource Management Act, a further submission can only be made by:

- a) any person representing a relevant aspect of the public interest;
- b) any person that has an interest in the proposed policy statement or plan greater than the interest that the general public has; and
- c) the local authority itself.

Note: A copy of your further submission must be served on the original submitter within five working days of making a further submission to Hutt City Council.

[Summary of Decisions Requested](#)

[Full Set of Submissions Received](#)

Privacy Statement

Personal information provided by you in your further 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.

Submitter Details

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First Name: *

Last Name: *

Organisation:

On behalf of:

Postal Address:

If your address is not found please enter your full address for service below.

Suburb:

City:

Country:

Post Code:

Daytime Phone:

Mobile:

Email: *

To update your email address please go to "My Account"

Trade competition and adverse effects: ☐ I could ☒ I could not
Gain an advantage in trade competition through this submission

Would you like to present your submission in person at a hearing? *

☒ Yes

☐ I do NOT wish to speak in support of my submission and ask that the following submission be fully considered.

Additional requirements for hearing:



Correspondence to:

☒ Submitter ☐ Agent ☐ Both

Save Submitter Details

Save Details

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Proposed District Plan Change 43 (Residential and Suburban Mixed Use): Further Submissions

Please click on one or more of the following tabs to begin your submission.

Once you have finished please save your work and "return home" to then submit your document to us by pressing the "submit" button.

[Submitter Details](#)[Further Submission Form](#)[My Supporting Documents](#)[Submit](#)[Save Answers](#)

Question 1

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
☒ I have an interest in the plan change that is greater than the interest of the general public
☐ I represent Hutt City Council

Gives details

I live in one of the designated areas for Medium Density Residential Intensification, namely Epuni.

Question 2

This further submission relates to the original submission from:

(Enter the name and address of the original submitter in the following comment box and then indicate whether you support or oppose the submission using the following check boxes).

*

DPC43/24

Christopher Lvsacht

Lower Hutt 5010

*

Question 3

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

(In the following comment box, clearly indicate the Submission Number (e.g. DPC 54/1) and the Submission Reference (e.g. 1.1) of the original submission that you support or oppose, together with any relevant provisions of the proposal. The Submission Number and Submission Reference can be obtained from the Summary of Decisions Requested).

*

Submission Number DPC43/24

Reference 24.1

I support the submitter's concern that:
".... shading and related impacts such as wind tunnelling will be increased compared to the existing provisions due to greater ground coverage and thereby greater air space being taken up."



Question 4

The reasons for my support or opposition are:

(Outline the reasons for your support/opposition in the following comment box).

*

My reason for supporting this concern is that it is a physical reality that wind-flows through a smaller channel are correspondingly stronger than through a larger channel, and that we live in an environment where winds are already strong enough to be detrimental to family recreation and some garden plants, without being artificially increased by narrow gaps between taller buildings. I expressed this concern orally at Council meetings.



Question 5

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

(In the following comment box, detail whether you seek that the whole or part of the submission to be allowed or disallowed. If you are seeking part of the submission to be allowed/disallowed, describe which part).

*

I certainly seek that this part, and indeed all other parts, of the submission be allowed.

Save Answers

[Return to top of this form](#)

Subject: FW: Further Submission DPC43/140
Attachments: Further Submission.pdf

From: Richard Arlidge
Sent: Tuesday, 4 September 2018 4:24:35 p.m. (UTC+12:00) Auckland, Wellington
To: District Plan; Desmond Darby
Subject: Further Submission DPC43/140

Please find attached our 'further submission' in respect to the above.

Desmond, you are included in this email, as we understand you have to be served also.

Cheers
Karen & Richard Arlidge

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	Last <u>Archie</u> First <u>Richard & Karen</u>	
Company/Organisation		
Contact if different		
Address	[Redacted]	
Suburb	[Redacted]	
City	<u>Lower Hutt</u>	
Postcode		
Address for Service if different	Postal Address	Courier Address
	[Redacted]	[Redacted]
Phone	Home	Work
	[Redacted]	[Redacted]
	Mobile	
	[Redacted]	
Email	[Redacted]	

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:

43

Title of Proposed District Plan Change:

As above

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:

See DPC 43 / 167

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: DEC 43 / 140

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

Desmond Darcy (representing 96 signatories)

[REDACTED]

[REDACTED] L/Huttson

(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

SEE ATTACHED

(Please use additional pages if you wish)

6. The reasons for my support or opposition are:

Please give reasons:

SEE ATTACHED

(Please use additional pages if you wish)

7. We seek that the whole or ~~part (describe part)~~ of the submission be allowed or disallowed:

Please give precise details:

SEE ATTACHED

(Please use additional pages if you wish)

8. We ☒ wish ☐ do not wish to be heard in support of my submission

(Please tick one)

9. If others make a similar submission,

We ☒ 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)

[Signature] [Signature] Date 4/9/18

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.

Further Submissions of Richard & Karen Arlidge in Support of DPC 43/140**(A) Amenity Effects**

We concur and support the submission that the proposal will detrimentally impact amenity values on the six (a) – (f) matters noted, but particularly in respect to the Medium Density and General Residential locales. The erection of 10m high/three-storey developments have every potential to be deleterious to amenity values by dominating the landscape through being out of keeping in both scale and proportion with the existing built form and character of the existing housing stock, while also severely impacting privacy and general light and air penetration. Council's claim that it will "maintain and enhance amenity values" through careful management and good design with the introduction of the likes of "outdoor living space requirements" when they propose up to 10m high development with patent shading issues and increasing permissible site coverage (in, say, General Residential, from currently 35% to potentially 60%) is nothing short of derisory.

(B) Other District Plans

We concur and support the submission that this scale of proposed development is not endorsed elsewhere without strict controls in place and that we know of no other District Plan anywhere that permits the scale of development potentially envisaged in a 'General Residential' context. In such an activity area, the vast majority of New Zealander's expect development of a scale and form that aligns with a low density/low rise paradigm. A 10 metre high/three-storey development is patently incompatible with that paradigm.

(C) Misleading Imagery

We concur and support the submission that the imagery and drawings used by Council are deceptive and misleading. For example the potential shading models used in relation to Copeland Street appear to be based on a development that could not be erected in that form; are positioned on the allotment that doesn't align with what is generally anticipated; and, are of a site coverage that appears to be 50%, as opposed to the up to 60% that may be permissible.

(D) The Need for the Plan Change

We concur and support the submission that the Council has failed to adequately justify the loss in amenity values by valid societal needs, particularly when reviewing its own statements in Volume 2 under "Hutt City Growth Context." The anticipated growth appears "aspirational" and wishful thinking and there is lack of justification that such growth is needed; wanted; desired; or, indeed, likely, when the corollary has a significant detrimental impact on amenity values; other infrastructure; society at large; and, not least, the environment. And where is the justification that three-storey development is actually needed, wanted or desired, and more particularly in an environment that is subject to seismic events; generally poor underlying ground conditions; potential liquefaction; and, inundation and tsunami? The proposed plan change is akin to applying a sledgehammer to a walnut that, moreover, has not yet proved itself ready for eating.

(E) & (F) Infrastructure

We concur and support the submission that there are unresolved infrastructure issues in the targeted areas and beyond. Particularly of note is the lack of attention to the likes of car parking, with some underlying inherent view that public transport is more than adequate and cars will not be the preferred mode of transport in years to come. Already in areas around the peripheral of the City and the likes of Kings Crescent, Marina Grove and Pretoria Street amongst others, parking is becoming problematic in everyday life.

(G) Other Growth Options

We concur and support the submission that there are other opportunities, such as within the CBD, which appears imminently suited to the introduction of higher density residential uses. There can be no question that the CBD is in desperate need of rejuvenation and that this should be given priority over reducing prevailing residential amenity values by increasing permissible building heights and site coverage allowances. With a CBD that is patently struggling, where is the sense and economic justification to create suburban centre retail and office accommodation, other than it being a fanciful whim that it will somehow prove economic and well patronised? The creation of such facilities, wherein the City is arguably already oversupplied with office and retail space, does not in itself markedly improve residential accommodation capacity - being the purported objective of the scheme change.

In its introduction (viz. "8." Volume 2) the Council acknowledges that it has yet to fully investigate other greenfield opportunities, yet in its haste and desire to adopt yet to be proven or necessary aspirational growth objectives, it is prepared to introduce changes that will undoubtedly have far reaching negative implications.

Subject: FW: Further submission Plan Change 43
Attachments: P2040 further submission.pdf; P2040 - PC43 further submission schedule final.xlsx

From: [REDACTED]
Sent: Friday, 7 September 2018 4:05:03 p.m. (UTC+12:00) Auckland, Wellington
To: District Plan
Cc: 'Spatial Plan Petone'
Subject: Further submission Plan Change 43

Further submission and attached schedule which I understand has been cleared for filing today.

Tom Bennion

On behalf of P2040

Further submission - Clause 8 of Schedule 1 to the Resource Management Act 1991

To: Environmental Policy Division

Hutt City Council

Private Bag 31912

LOWER HUTT 5040

By email: district.plan@huttcity.govt.nz

1. Identity of submitter

Petone 2040 makes this further submission. Its details are set out in its original submission (Submitter reference DPC43/247).

2. The further submission concerns

Proposed District Plan Change 43 to the City of Lower Hutt District Plan ("the Plan Change") in support of / opposition to a number of original submissions to the Plan Change, as set out in the attached Schedule.

3. Nature of Interest

Petone 2040 is a community led and council supported spatial plan advisory group in the Hutt City district and is an original submitter on the Plan Change. In that regard, Petone 2040 represents a relevant aspect of the public interest and has an interest in the Plan Change greater than the general public.

4. Submissions supported / opposed

P2040 supports / opposes submissions to the Plan Change, as set out in the attached Schedule.

5. Parts supported opposed

P2040 supports / opposes parts of the submissions to the Plan Change, as set out in the attached Schedule.

6. Reasons

P2040 reasons for support / opposition of parts of the submissions to the Plan Change, are set out in the attached Schedule.

As stated in the original submission, Petone and Alicetown are two excellent examples of traditional housing areas in Lower Hutt which have been left in almost original state. Having these two suburbs side by side creates a wonderful old-world entrance into the more modern city of Lower Hutt showing how the city has changed over time. By retaining the character of Alicetown the potential is for it to grow as Petone has with a vibrant suburban village centre, creating more jobs and bringing people into the area and to Lower Hutt.

Retaining and investing in these traditional character areas of Hutt City will enhance the place for the future.

7. Outcomes sought

Implementation / rejection of parts of the submissions to the Plan Change, are set out in the attached Schedule.

As stated in the original submission, P2040 seeks reinstatement of full discretionary status for multi-unit and comprehensive developments in Petone and Moera and preferably in Alicetown and the Eastern Bays as well.

Management of the need to be able to refuse consent and the need to protect these areas and their quality and character from intensified development that would detract from the established quality and character.

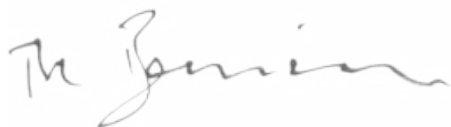
Generally, amend the Design Guide to provide additional objectives, guidelines and illustrations that support the protection and enhancement of traditional housing character areas.

8. Wish to be heard

P2040 wishes to be heard on this further submission.

9. Joint submission

P2040 would consider being heard with others if they have similar submissions.



TH Bennion

on behalf of Petone 2040 Group

FURTHER SUBMISSION - PROPOSED DISTRICT PLAN CHANGE 43

IDENTIFICATION OF SUBMITTER				P2040 FURTHER SUBMISSION			
Sub. Ref.	Amendment & Provision	Support / Oppose	Relevant part of submission	Decision Required	Support or Oppose submitter	Allow / Disallow whole or in part	Reasons
134	Mark Reid and Janice Hastie		Reason/Comment				
134.1	Proposed District Plan Change 43	Oppose PC43	The submitters consider that this type of housing will not fit in to the old style housing that is characteristic of Alicetown and Petone.	P2040 request a character overlay for Alicetown	Support	Allow	P2040 note the heritage character of Alicetown will be lost if PC43 goes ahead without a character overlay.
136	Anna Nelson and George Buurman		Reason/Comment	Decision Required			
		Oppose PC43	Adverse Effects - Visual Amenity The submitters consider that the bulk and dominance effects of the proposal would adversely affect the outlook from existing properties. The submitters argue that Alicetown is full of quaint single storeyed decades old villas and bungalows and point towards recently consented out of character town houses. The submitters fear that adverse bulk and dominance effects and reduced visual amenity will reduce house values in affected streets.	P2040 request a character overlay for Alicetown	Support	Allow	P2040 note the heritage character of Alicetown will be lost if PC43 goes ahead without a character overlay.
			Adverse Effects – Neighbourhood The submitters are concerned that the proposed buildings will not align with the character of the neighbourhood and despite the proposed Design Guide have no faith in Council planners due to previous experiences. Other Concerns The submitters further consider that: • Council should listen when residents are strongly opposed to a District Plan change. • Council has a misperception that it is mainly older people opposing the change. • Alicetown is one of the most historic and expensive areas in Lower Hutt. • Council should not dismiss applications that do not use planning jargon. 103 • Council should not ruin Alicetown’s historic character by approving the plan change.				
137	Chris McLaughlin		Reason/Comment	Decision Required			
		Oppose PC43	Alicetown specifically The submitter describes the special character of Alicetown and its nice old homes and does not understand why this area with the best houses has been selected. The submitter is concerned that the proposed changes will destroy the suburb and bring even more people, putting more pressure on already busy and aged roading, water and other infrastructure. The submitter argues that the soil in Alicetown is not the most stable and building foundations for 10m buildings would not be cheap and that Alicetown is a medium risk tsunami zone and not highly resilient from climate change.	Include character overlay for Alicetown	Support	Allow	P2040 note the heritage character of Alicetown will be lost if PC43 goes ahead without a character overlay.
144	Rosslyn McLachlan						
		Oppose PC43	The submitter is an Alicetown resident and has concerns regarding the plan change for the Alicetown are only. The submitter considers that the proposed change has the potential to significantly change the feel and the character of the Alicetown area with high buildings overlooking residential dwellings and busy traffic, and that three storeys will change the ambience of the area.	P2040 request a character overlay for Alicetown	Support	Allow	P2040 note the heritage character of Alicetown will be lost if PC43 goes ahead without a character overlay.
210	Petone Community Board		Reason comment	Decision Required			

210.5	Amendment 59: Rule 4A 4.2.1 Number of Dwellings per Site	Oppose	The submitter considers this to be a significant shift as the current rules ensure full discretionary status for multi unit development (including comprehensive development and retirement villages) in Petone and Moera (and Alicetown and Eastern Bays) and suggests it should stay this way. The submitter considers it must be possible to refuse consent for developments that can change the character of areas and the community should have the right to be involved.	a) Reinstatement of full discretionary status for multi unit and comprehensive developments and retirement villages in at least Petone and Moera and preferably in Alicetown and the Eastern Bays as well. b) An activity status that sends a clear message that all effects of intensification will be considered, and that provides the 189 ability to be able to refuse consent (for example, cumulative effects of a cluster of intensive developments at present would not be able to be taken into account), and recognise the need to protect these areas and their quality and character from intensified development that would detract from the established quality and character.	Support	Allow	P2040 note the heritage character of Alicetown will be lost if PC43 goes ahead without a character overlay.
			Reason comment	Decision Required			
210.6	Amendments 166 to 187: Medium Density Design Guide	Oppose in PC43	The submitter considers that the Design Guide as notified is inadequate and does not provide adequate guidance when new multi unit or comprehensive developments are added into existing neighbourhoods.	An adequate Design Guide.	Support	Allow	P2040 note the heritage character of Alicetown will be lost if PC43 goes ahead without a character overlay.
204	BOA Constructors Architects Ltd (Stephen Shadwell)		Reason Comment	Decision required	Support or Oppose submitter		
			The submitter is a Petone based architect who has designed many houses in the region. The submitter supports the plan change in principle but only where it has no detrimental effect on the environment, heritage or existing amenity and endorses the submission from HASP group [DPC43/255].		Support	Allow	P2040 note the heritage character of Alicetown will be lost if PC43 goes ahead without a character overlay.
		Oppose in part PC43	The submitter believes that every site should be able to support a permitted activity but where a development has the potential to effect the surrounding environment in a more than minor way the design should be subject to controls or guidelines that are Not stated 180 clear and can be interpreted objectively and consistently.	Adequate Design Guide	Support	Allow	P2040 note the heritage character of Alicetown will be lost if PC43 goes ahead without a character overlay.
204.11	When Design Guide is triggered in SMU	Oppose this part of PC43	The submitter points out that assessment against the Design Guide will only be triggered if resource consent is required and that the Design Guide does not promote particularly onerous design ideals and concludes that therefore assessment against the Design Guide should be triggered for all new buildings and major alterations in SMU (similar to the Central Commercial and Petone Mixed Use Activity Area).	Make Design Guide assessment mandatory in SMU.	Support	Allow	P2040 note the heritage character of Alicetown will be lost if PC43 goes ahead without a character overlay.

204.13	When resource consent is not required and Design Guide is not triggered in MDR	Oppose this part of PC43	The submitter agrees in general that where no resource consent is required there should be no requirement for assessment against the Design Guide in MDR but considers there are situations where boundary standards are breached but neighbours approval is given and therefore no resource consent is required and consequentially not requiring a design Guide assessment might lead to unfortunate design consequences.	Make Design Guide assessment mandatory for non-minor breaches in MDR which are judged to have an effect beyond the immediate neighbours, even when affected parties give approval.	Support	Allow	P2040 note the heritage character of Alicetown will be lost if PC43 goes ahead without a character overlay.
204.14	Recession Planes in MDR	Support in part	The submitter provides figures from the Design Guide and his own examples to demonstrate that in many situations the permitted building height cannot be achieved due to the proposed recession planes. The submitter considers that resource consent will frequently be triggered for three storey houses in MDR and opposing neighbours may be able prevent development and development will be driven more by cooperation between neighbours (or developers buying multiple sites) than by the proposed changes to the District Plan and notes that making recession planes more permissive is unlikely to have a material effect for narrow sites. The submitter considers that there is a gap between anticipated changes and the actual revised standard and that there are areas where the anticipated medium density vision is desirable but will be difficult to achieve, which may not always be a bad thing. The submitter gives Central Terrace in Alicetown as an example where the existing character would be lost if too many medium density buildings were developed.	P2040 support character overlay Alicetown.	Support	Allow	P2040 note the heritage character of Alicetown will be lost if PC43 goes ahead without a character overlay.
204.15	Another Design Guide	Support in part	The submitter considers that the proposed Design Guide is a worthwhile document that will make a positive contribution to promoting and preserving design quality and amenity. The submitter points out that there are several Design Guides relating to different chapters of the District Plan that are similar in parts but differently formatted and suggests that Council should consolidate all Design Guides into one document.	Consolidate all Design Guides into one document with chapters broken into covering common and specific elements.	Support	Allow	P2040 note the heritage character of Alicetown will be lost if PC43 goes ahead without a character overlay.
240	Ian Bowman		Reason comment	Decision required			
240.1	Proposed District Plan Change 43	Oppose PC43 in part	The submitter considers that from a heritage perspective the proposed medium density housing may have a negative impact on Alicetown and Naenae. The submitter has identified one house in Alicetown that should be listed in the District Plan and is concerned that by the time this happens the immediate surroundings may have changed from single housing to higher density which may not be compatible. The submitter sees a contradiction in proposing a medium density zone in Alicetown before the potential value and need for a character overlay has been assessed. The submitter argues that the area proposed for medium density in Naenae was designed by Plischke and is a nationally significant historic area and that the Naenae town centre should be listed. The submitter refers to the Jacob's report and questions the scoring system in relation to heritage	P2040 support a character overlay for Alicetown	Support	Allow	P2040 note the heritage character of Alicetown will be lost if PC43 goes ahead without a character overlay.
255	Charlotte Phillips (late sub)		Reason comment	Decision required			
	Residential intensification in Alicetown	Oppose PC43	Alicetown is a quiet suburb with one or two storey character family dwellings with established gardens.	P2040 support a character overlay for Alicetown	Support	Allow	P2040 note the heritage character of Alicetown will be lost if PC43 goes ahead without a character overlay.
225.1	Hutt Architects Solo Practitioners (Matthew ter Borg)		Reason comment	Decision required			

			<p>The submitter accepts the need for the population density of Lower Hutt to increase and considers that Lower Hutt is changing from an urban centre of its own right to a commuting community and therefore the existing family housing needs to be supplemented by smaller households which will affect the nature of the built environment over time. The submitter considers that while living closer together raises fears of loss of privacy, noise and crowding it also brings new possibilities of learning to be more caring communities and point towards the Wellington CBD as a positive example. The submitter argues that the way increased density is to be achieved is critical for its success and suggests there are other methods than those proposed. The submitter gives the example of developing larger Housing New Zealand sites comprehensively as exemplars and incentivising high quality through non-district plan measures. The submitter is concerned with quality of living environments and considers it essential that judgements are made by people with appropriate skills and experience. The submitters argue that quality is important irrespective of the scale of development. The submitter is concerned that allowing greater density on sites will result in uneven individual development at the detriment of the larger area and argues that there are areas with distinctive qualities which need protection or improvement. The submitter suggests that the suburban mixed use activity areas and some precincts need individual attention by way of an Urban Design exercise which includes all aspects of the area or centre. The submitter considers that heritage aspects are not considered adequately, especially in the Design Guide. The submitter recommends that Council:</p> <ol style="list-style-type: none"> 1. Considers what is used as best practice by other cities. 2. Creates Urban Design proposals for specific areas of the city. 3. Reviews their expert skill base. 4. Establishes a list of Heritage buildings, sites and areas. 5. Reviews the criteria for awarding funding and development incentives. 6. Looks at other approaches to increase liveable higher densities in the Hutt. 	To engage appropriately qualified Architects to judge the proposals that need Resource Consent.	Support	Allow	P2040 would be in support of a panel that included a qualified architect to assess resource consents of intensified sites i.e HNZ
DPC43/183	David Bernard Robinson	Amendment & Provision	Reason/Comment	Decision required	Support or Oppose submitter	Allow / Disallow whole or in part	Reasons
183.4		Demolition of Buildings: Amendment 164: Rule 5E 4.2.8 Demolition	<p>The submitter considers there are deficiencies relating to the Heritage New Zealand Act for the following reasons: a. Under the proposed rules (including Amendments 69 and 164) demolition is a permitted activity requiring no consent. b. Reference to Chapters 14E and 14F in the demolition rules is inadequate. c. It results in demolition of any building that is not listed being permitted. d. This is contrary to the statutory obligation under HNZ Act with regards to archaeological sites. e. Sec42 of the HNZ Act prohibits any person from modifying or destroying an archaeological site if that person knows or ought reasonably to have suspected that it is an archaeological site, without consent from Heritage New Zealand. f. It is a criminal offence to do so. There is nothing in the plan rules that will alert persons to their obligations under the HNZ Act. g. Plan Change 43 creates a substantial risk to preservation of heritage unless obligations under the HNZ Act are recognised by Council. The default position of permitted activity is unsafe. h. At the very least Amendments 69 and 164 need to be modified to ensure Council officers and applicants are not misled by rules encouraging ignorant breach and potential loss of important history.</p>	P2040 support change to Amendment 164	Support	Allow in part.	To provide clear guidance through the District Plan using the 2014 Heritage NZ act around heritage buildings and areas. Oppose Amendment 164