

BEFORE THE INDEPENDENT HEARING PANEL

APPOINTED BY HUTT CITY COUNCIL

**IN THE MATTER** of the Resource Management Act 1991

AND

**IN THE MATTER** of Private Plan Change 58:  
12 Shaftesbury Grove, Stokes Valley - Rezoning to Medium Density Residential Activity Area

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**WRITTEN RIGHT OF REPLY**

**Joint Statement by C Tessendorf and D Kellow**

**26 September 2024**

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- (1) In response to the direction for further information provided by the hearing panel in Minutes #3 and #4 (issued on 24 September 2024) we would like to provide the following written reply.
- (2) Any further changes recommended in response to questions arising at the hearing are shown as:
- green underline or ~~green strikethrough~~ if suggested by the requestor.
  - blue underline or ~~blue strikethrough~~ if suggested by Hutt City Council.

***Consider whether a new policy could provide some direction of future decision-making on the outcomes being sought for 12 Shaftesbury Grove, and the scope for introducing such a policy at this stage of the plan change process.***

**Response by C Tessendorf (for Requestor)**

- (3) I consider that the addition of a new site specific policy would provide valuable guidance and direction for future decision making and add certainty regarding the intended outcomes especially in support of the discretionary activity status for those parts of the site not included in the identified Development Area. I therefore recommend the addition of a site specific policy to the subdivision chapter as follows:

**11.1 Issues, Objectives and Policies**

**11.1.4 Special Areas**

**Issue**

Subdivision of land in the coastal environment and in areas of ecological and historic heritage value can have adverse effects that need to be controlled.

**Objective 1**

To ensure that land in the coastal environment, areas adjoining lakes and rivers and other environmentally sensitive areas are protected from inappropriate subdivision.

**Objective 2**

Historic heritage values of identified heritage precincts and heritage items are protected from inappropriate subdivision.

## Policy

- a. To ensure that land in the coastal environment, areas adjoining rivers and lakes and other environmentally sensitive areas are not subdivided to an extent or manner where amenity values, ecological, social, cultural and recreational conditions are adversely affected.
- b. Protect the historic heritage values of heritage items and in the Heretaunga Settlement and Riddlers Crescent Heritage Precincts by managing density of development enabled by subdivision of land.
- c. Subdivision of the land identified in Appendix Subdivision 10 is managed as follows:
  - i. Require the identification of all earthworks, building platforms, roads, accesses and utility structures at the time of subdivision;
  - ii. Provide for the subdivision of land where all earthworks, building platforms, roads, accesses and utility structures are located within the development area identified in Appendix Subdivision 10;
  - iii. Only allow for the subdivision of land that enables earthworks, building platforms, roads, accesses and utility structures located outside the development area identified in Appendix Subdivision 10 where the activities or structures are required to support or enable development within the development area and to provide additional flexibility along the boundary of the development area.

- (4) I consider there is sufficient scope for the introduction of the proposed site specific policy. The proposed policy does not change the intended outcome of PC58 but provides additional guidance and certainty. It addresses concerns raised in submissions and by the Council planner in the s42A report. Greater Wellington Regional Council in their submission (DPC58/002) request the application of techniques to recognise the impacts of subdivision, use and development within and beyond the immediate development site. Other submitters (in particular Taitā College - DPC58/001, Kathryn Martin - DPC58/005 and DPC58/F002, Charlotte Heather DPC58/F002 and Friends of Horoeke Street Reserve DPC58/F007) raise concerns regarding the development of the site in general but also regarding the steeper slopes of the site in particular. The proposed additional policy will address these concerns and provide certainty that development is intended to be located within the identified Development Area.

- (5) The proposed policy is well aligned with the intention of the private plan change which is to focus any future development of the site to the identified Development Area of the site while restricting future development outside the identified Development Area. In summary PC58 aims to:
- Enable residential development in accordance with the underlying zone provisions within the identified Development Area of the site;
  - Require the identification and management of any site specific characteristics and limitations; and
  - Limit the establishment of activities and structures outside the identified Development Area.
- (6) To provide better alignment with the newly proposed policy I also recommend a small amendment to the proposed Standard 11.2.3.2 (b) to include the word identified:

<p><b>11.2.3.2 Standards and Terms</b></p> <p>...</p> <p><b><u>(b) Any subdivision of land identified in Appendix Subdivision 10</u></b></p> <p>(i) <u>Development Area</u></p> <p style="padding-left: 40px;"><u>All earthworks, building platforms, roads, <del>private</del>-accesses and utility structures must be identified and located within the development area identified in Appendix Subdivision 10.</u></p>
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**S32AA**

*Reason*

- (7) The purpose of the new policy is to provide additional guidance for future decision making and to clarify the intended outcomes.

*Benefits and Costs*

- (8) There are benefits in providing additional certainty and guidance.
- (9) There are no additional costs.

*Risk of Acting or Not Acting if Information is Uncertain or Insufficient*

- (10) No risks around uncertain or insufficient information in relation to the proposed amendment have been identified.

*Efficiency and Effectiveness*

- (11) The efficiency of the recommended change is high because the benefits outweigh the costs.
- (12) The effectiveness of the recommended change is high because it provides additional certainty, creates clear expectations and guides future decision making.

**Response by D Kellow (for Hutt City Council)**

- (13) I support the proposed wording of Policy (c)(i) - (iii). The wording will provide adequate direction when assessing a subdivision consent application.

**Conclusion**

- (14) We agree on the proposed addition of a policy to support the discretionary activity status for any activities or structures located outside the Development Area. We also agree on the proposed wording of the policy.

***Reconsider whether some of the Plan Change provisions could be amended further, taking into account questions and matters arising at the hearing; in particular –***

- ***The management of SNA values and indigenous biodiversity, and***
- ***The management of the subdivision and development inside and outside the Development Area.***

**Response by C Tessendorf (for Requestor)**

- (15) I have considered further amendments to the plan change provisions in light of the matters addressed at the hearing.
- (16) One of the potential pathways identified at the hearing related to the introduction of a discretionary starting point for subdivision across the entire site. I do not consider this option to be appropriate for the following reasons:

- It would not provide a nuanced framework that appropriately responds to the site specific characteristics.
- The proposed additional information requirements and matters of discretion allow for a detailed and customised response to identified characteristics and limitations (including in relation to indigenous biodiversity values).
- While the restricted discretionary activity status is generally seen as more enabling it still requires the consideration of adverse effects and the potential decline of the application.
- A fully discretionary activity status would require the introduction of a much more extensive and detailed policy framework to identify intended outcomes and guide future decision making.
- I consider that there may not be sufficient scope for changing the activity status to a discretionary starting point and the introduction of a supporting policy framework at this stage of the process, since it would be a significant change to the framework as notified.

(17) In response to questions and matters arising at the hearing I would like to recommend the following further changes to the provision relating to the additional information requirements for Ecology.

### 11.2.3 Restricted Discretionary Activities

...

**(h)** Any subdivision of land identified in Appendix Subdivision 10.

C. Ecology

~~The first application for subdivision under this rule must provide an Ecological Plan for the site that is applicable to any future stages and subsequent subdivision applications. The~~ An Ecological Plan ~~must be~~ prepared by a suitably qualified person ~~and~~ addressing ~~at least~~ the following:

1. Orchid Management

- Identify ~~whether there are potential the location of~~ threatened orchids within the development area.
- Set out requirements for the management of threatened orchids, ~~should they be~~ identified on the site.

- 2. Lizard Management ~~Plan~~
  - Identify areas that require a pre-vegetation clearance monitoring survey of lizards.
  - Document any pre-vegetation clearance monitoring of lizards.
  - Identify suitable lizard relocation areas.
  - Set out requirements for any lizard relocation.
- 3. Mānuka Management
  - Review the significance and threat status of Mānuka Forest on the site;
  - Identify areas of significant Mānuka Forest on the site.
- 4. Vegetation Management
  - Identify vegetation protection measures outside the development area identified in Appendix Subdivision 10.
  - Provide details for weed and pest management on the site.
  - Identify ongoing monitoring and maintenance requirements.
- 5. Falcon Survey
  - The requirements for an on-site survey for nesting NZ falcons prior to the start of works if any vegetation clearance or earthworks are scheduled to be undertaken during the falcon nesting season.

(18) The addition of the words ‘at least’ to the requirements would clarify that there may be other issues or topics that need to be addressed by the Ecological Plan. Deleting the word ‘Plan’ from point ‘2. Lizard Management Plan’ provides consistency with the other requirements. I do not consider these amendments to be of a significance that requires a s32AA evaluation.

(19) In response to the discussions concerning the proposed matters of discretion for ecology I recommend the following amendment.

- 11.2.3.1 Matters in which Council has restricted its discretion**
- ...
- (g) Any subdivision of the land identified in Appendix Subdivision 10.
- ...
- (xvi) Ecology

~~Any measures proposed to avoid or manage adverse effects on significant indigenous biodiversity values on the site in accordance with the Ecological Plan for the site.~~

~~The application of the effects management hierarchy as follows:~~

~~— Avoid adverse effects on significant indigenous biodiversity where practicable;~~

~~— Minimise other adverse effects on significant indigenous biodiversity where avoidance is not practicable;~~

~~— Remedy other adverse effects where they cannot be avoided or minimised;~~

~~— Only consider biodiversity offsetting for any residual adverse effects that cannot otherwise be avoided, minimised or remedied; and~~

~~— Only consider biodiversity compensation after first considering biodiversity offsetting.~~

- (20) The main matter of contention at the hearing was whether the proposed MoD sufficiently gives effect for and allows for the consideration of the relevant provisions of the NPS-IB. It is my understanding that the inclusion of the effects management hierarchy was interpreted as providing the only framework and replacing the requirements of the NPS-IB. While this was not the intention, I accept that this may not be clear enough. I therefore recommend the deletion of the effects management hierarchy from the matter of discretion. I also recommend to add the word 'avoid' and to delete the reference to the Ecological Plan. I consider that the amended and shortened version avoids confusion and aligns well and thereby gives effect to the NPS-IB while also providing sufficient flexibility to allow for the implementation of potential future changes to the NPS-IB.
- (21) As outlined in my evidence I do not consider the inclusion of the NPS-IB by reference to be necessary or beneficial. It would tie the site specific provisions to the current version of the NPS-IB rather than allowing for the relevant version at the time of subdivision. Since the operative District Plan does not give effect to the NPS-IB and, according to the statement by Mr Geard at the hearing, Hutt City Council is not intending to incorporate SNA and give effect to the NPS-IB in their full plan review,



any future subdivision application will need to consider and give effect to the requirements of the NPS-IB.

### **S32AA**

#### *Reason*

- (22) The purpose of the changes to the matter of discretion is to ensure alignment with the requirements of the NPS-IB to avoid and/or manage adverse effects. It addresses the unintended interpretation that the effects management hierarchy is proposed to replace the requirements of the NPS-IB.

#### *Benefits and Costs*

- (23) There are benefits in avoiding ambiguity while retaining the necessary flexibility to respond to higher order guidance at the time of subdivision.
- (24) There are no additional costs.

#### *Risk of Acting or Not Acting if Information is Uncertain or Insufficient*

- (25) No risks around uncertain or insufficient information in relation to the proposed amendment have been identified. It is noted that the proposed provision will allow for any future application to be assessed against the relevant higher order document at that time. This is not considered to provide appropriate flexibility rather than creating uncertainty.

#### *Efficiency and Effectiveness*

- (26) The efficiency of the recommended change is high because the benefits outweigh the costs.
- (27) The effectiveness of the recommended change is high because the proposed wording aligns with the current requirements of the NPS-IB and allows for the application of the relevant higher order guidance at the time of subdivision.

#### **Response by D Kellow (for Hutt City Council)**

- (28) The proposed change results in a broad matter of discretion that will allow an assessment to take into account the adverse effects that the NPS-IB requires to be

avoided or managed. I agree with the minor changes to the ecology information requirement in 11.2.3 (h) (C).

- (29) I note the language of NPS-IB clause 3.10 refers to avoiding or managing adverse effects on a SNA whereas clause 3.16 (Indigenous Biodiversity outside an SNA) refers to managing any 'significant' and 'all other' adverse effects on indigenous biodiversity. Under the current SNR/SNA the site appears to have areas of indigenous biodiversity within and outside of the mapped SNR/SNA and a reassessment of the site is likely to have the same outcome.
- (30) Because the NPS-IB is so directive, and is a higher order document, I consider there is unlikely to be uncertainty due to the proposed matter of discretion including the wording "...significant indigenous biodiversity values..." but I make the following observations. The wording of the matter of discretion does not qualify adverse effects as having to be 'significant' which is appropriate. However, inclusion of the word 'significant' is unnecessary since the NPS-IB relates to SNA's as well as indigenous biodiversity outside of SNA's. Indigenous biodiversity does not have to be classed as significant to require adverse effects to be managed nor do the effects have to be significant due to clause 3.16 (1) and (2).
- (31) I note that neither Section 6(b) of the RMA nor the NPS-IB uses the word 'values' but the RPS and RPS PC1 (Policy 24B) do incorporate the word 'values'. I am not sure that the word 'values' adds anything to the matter of discretion so I recommend it is removed to remain consistent with the Section 6(b) and the NPS-IB.

### **11.2.3.1 Matters in which Council has restricted its discretion**

...

(g) Any subdivision of the land identified in Appendix Subdivision 10.

...

(xvi) Ecology

Any measures proposed to avoid or manage adverse effects on significant indigenous biodiversity values on the site in accordance with the Ecological Plan for the site.

The application of the effects management hierarchy as follows:

~~— Avoid adverse effects on significant indigenous biodiversity where practicable;~~

~~— Minimise other adverse effects on significant indigenous biodiversity where avoidance is not practicable;~~

~~— Remedy other adverse effects where they cannot be avoided or minimised;~~

~~— Only consider biodiversity offsetting for any residual adverse effects that cannot otherwise be avoided, minimised or remedied; and~~

~~— Only consider biodiversity compensation after first considering biodiversity offsetting.~~

**Conclusion**

(32) We agree on the proposed further changes to the additional information requirement for ecology.

(33) With regards to the recommended further changes to the matter of discretion for ecology we agree on the combined changes to the wording of the policy.

***Any other matters arising during the hearing –***

- ***Changes to the matter of discretion for transport recommended by Mr Kellow.***

**Response by C Tessendorf (for Requestor)**

(34) I have considered the further amendment proposed by Mr Kellow at the hearing in relation to the matter of discretion for transport. Mr Kellow recommended to align the proposed matter with the wording of the existing matter of discretion in the Transport chapter of the District Plan. I consider the proposed change to the matter of discretion to be acceptable and therefore recommend the following further amendment.

**11.2.3.1 Matters in which Council has restricted its discretion**

...

(g) Any subdivision of the land identified in Appendix Subdivision 10.

...

(viii) Utilities Servicing and Access

The provision of utilities servicing, including street lighting, telecommunications, gas and electricity.

~~The provision of vehicular, pedestrian and cycle access via public roads, footpaths and cycleways and the provision of private accesses.~~

(ix) Transport

The provision of vehicular, pedestrian and cycle access via public roads, footpaths and cycleways and the provision of private accesses.

For subdivisions that exceeds the high trip generator thresholds specified in Appendix Transport 2 ~~any measures proposed in accordance with the Integrated Transport Assessment for the site the effects of the activity on the transport network including impacts on on-street parking.~~

- (35) I do not consider these amendments to be of a significance that requires a further s32AA evaluation but refer back to the s32AA evaluation provided in my evidence.

**Response by D Kellow (for Hutt City Council)**

- (36) The amendment shown above is what I proposed so is supported.

**Conclusion**

- (37) We agree on the proposed further amendment to the matter of discretion for transport as outlined above.



**Corinna Tessendorf**  
Principal Planner, Urban Edge Planning Ltd  
Acting for the Requestor



**Dan Kellow**  
Planning Consultant  
Acting for Hutt City Council

## Appendix 1 Recommended Amendments and Further Amendments to PC58 as Notified

The following shows the amendments proposed by PC58 as notified and includes any proposed further amendments.

Any amendments proposed by PC58 as notified are shown as black underline.

Any amendments recommended by the private plan change requestor in response to submissions are shown as red underline and ~~red strikethrough~~.

Any further amendments recommended by the private plan change requestor in response to questions arising at the hearing are shown as green underline or ~~green strikethrough~~.

Any further amendments recommended by Hutt City Council in response to questions arising at the hearing are shown as blue underline or ~~blue strikethrough~~.

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### AMENDMENT 0

*Rezoning of the site*

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Rezone the site at 12 Shaftesbury Grove from Hill Residential Activity Area and General Recreation Activity Area to Medium Density Residential Activity Area.

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### NEW AMENDMENT 1A

*Chapter 11 – Subdivision*

*Add site specific Policy*

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## 11.1 Issues, Objectives and Policies

### 11.1.4 Special Areas

#### Issue

Subdivision of land in the coastal environment and in areas of ecological and historic heritage value can have adverse effects that need to be controlled.

#### Objective 1

To ensure that land in the coastal environment, areas adjoining lakes and rivers and other environmentally sensitive areas are protected from inappropriate subdivision.

#### Objective 2

Historic heritage values of identified heritage precincts and heritage items are protected from inappropriate subdivision.

#### Policy

- a. To ensure that land in the coastal environment, areas adjoining rivers and lakes and other environmentally sensitive areas are not subdivided to an extent or manner where amenity values, ecological, social, cultural and recreational conditions are adversely affected.

- b. Protect the historic heritage values of heritage items and in the Heretaunga Settlement and Riddlers Crescent Heritage Precincts by managing density of development enabled by subdivision of land.
- c. Subdivision of the land identified in Appendix Subdivision 10 is managed as follows:
- i. Require the identification of all earthworks, building platforms, roads, private accesses and utility structures at the time of subdivision;
  - ii. Provide for the subdivision of land where all earthworks, building platforms, roads, private accesses and utility structures are located within the Development Area identified in Appendix Subdivision 10;
  - iii. Only allow for the subdivision of land that enables earthworks, building platforms, roads, private accesses and utility structures located outside the Development Area identified in Appendix Subdivision 10 where the activities or structures are required to support development within the Development Area and to provide additional flexibility along the boundary of the development area.

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## AMENDMENT 1

### Chapter 11 – Subdivision

#### Add site specific Restricted Discretionary Activity & Information Requirements

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## 11.2.3 Restricted Discretionary Activities

...

**(h)** Any subdivision of land identified in Appendix Subdivision 10.

In addition to the standard information requirements of s88(3) of the RMA the following information requirements shall also apply:

The following information requirements must be provided by the first application for subdivision under this rule and is applicable to any future stages and subsequent subdivision applications.

Where subsequent subdivision applications deviate from the management plans and information previously provided, the appropriate revisions, addendums or further information to the initial management plans and information shall be provided.

**A.** Stormwater

~~The first application for subdivision under this rule must provide a Stormwater Management Plan for the site that is applicable to any future stages and subsequent subdivision applications. The A Stormwater Management Plan must be prepared by a suitably qualified person and covering the following:~~

1. Existing site evaluation
  - Topography
  - Geotechnical and soil conditions
  - Existing stormwater network
  - Existing hydrological features

- Stream and river locations
  - Flooding and Flowpaths locations
  - Ecological and environmental areas
2. Development summary and planning context
  3. Proposed development including:
    - Location and area
    - Site layout and urban form
    - Location and extent of earthworks
  4. Stormwater management including:
    - Principles of stormwater management
    - Proposed site specific stormwater management and treatment
    - Hydraulic connectivity and downstream impacts
    - Asset ownership
    - Ongoing maintenance requirements
    - Implementation of stormwater network

#### B. Geotechnical

~~The first application for subdivision under this rule must provide a Geotechnical Assessment for the site that is applicable to any future stages and subsequent subdivision applications. The A Geotechnical Assessment must be~~ prepared by a suitably qualified person confirming that:

- The resulting allotments are able to accommodate the intended use and development.
- The risk from any ~~slope instability~~ geohazards can be avoided, remedied or mitigated.
- The subdivision will not increase or accelerate ~~land instability~~ the risk from ~~geohazards~~ on the site or adjoining properties.

#### C. Ecology

~~The first application for subdivision under this rule must provide an Ecological Plan for the site that is applicable to any future stages and subsequent subdivision applications. The An Ecological Plan must be~~ prepared by a suitably qualified person ~~and~~ addressing ~~at least~~ the following:

1. Orchid Management
  - Identify ~~whether there are potential~~ the location of threatened orchids within the development area.
  - Set out requirements for the management of threatened orchids, ~~should they~~ ~~be~~ identified on the site.

## 2. Lizard Management Plan

- Identify areas that require a pre-vegetation clearance monitoring survey of lizards.
- Document any pre-vegetation clearance monitoring of lizards.
- Identify suitable lizard relocation areas.
- Set out requirements for any lizard relocation.

## 3. Mānuka Management

- Review the significance and threat status of Mānuka Forest on the site;
- Identify areas of significant Mānuka Forest on the site.

## 4. Vegetation Management

- Identify vegetation protection measures outside the development area identified in Appendix Subdivision 10.
- Provide details for weed and pest management on the site.
- Identify ongoing monitoring and maintenance requirements.

## 5. Falcon Survey

- The requirements for an on-site survey for nesting NZ falcons prior to the start of works if any vegetation clearance or earthworks are scheduled to be undertaken during the falcon nesting season.

## D. Landscape and Visual

~~The first application for subdivision under this rule must provide a Landscape Management Plan for the site that is applicable to any future stages and subsequent subdivision applications. The A~~ Landscape Management Plan ~~must be~~ prepared by a suitably qualified person ~~and provide providing~~ the following landscaping details:

- Street trees and amenity planting.
- Fencing and planting treatments at the boundary with Fenchurch Grove properties.
- Planting to mitigate earthworks and retaining structures.
- Reserve and open space design ~~including recreation tracks.~~
- Roads, pedestrian and cycle linkages ~~within the site and to the wider access network.~~
- Stormwater design and associated planting.

## E. Transport

~~For any subdivision that exceeds the high trip generator thresholds specified in Appendix Transport 2 an Integrated Transport Assessment prepared by a suitably qualified person.~~



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## AMENDMENT 2

Chapter 11 – Subdivision

*Add site specific Matters of Discretion*

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### 11.2.3.1 Matters in which Council has restricted its discretion

...

**(g) Any subdivision of the land identified in Appendix Subdivision 10.**

(i) Amenity Values

The extent to which any earthworks proposal will affect adversely the visual amenity values of the area, and the extent to which replanting, rehabilitation works or retaining structures are included as part of the proposal to mitigate adverse effects. Earthworks should not result in the permanent exposure of excavated areas or visually dominant retaining structures when viewed from adjoining properties or public areas, including roads.

Any measures proposed to mitigate potential adverse landscape and visual effects in accordance with the Landscape Management Plan for the site.

(ii) Existing Natural Features and Topography

The extent to which the proposed earthworks reflect natural landforms and are sympathetic to the natural topography.

Any measures proposed to mitigate potential adverse landscape and visual effects in accordance with the Landscape Management Plan for the site.

(iii) Historical or Cultural Significance

The extent to which the proposed earthworks will affect adversely land and features which have historical and cultural significance.

(iv) Construction Effects

The management of construction effects, including traffic movements and hours of operation.

The extent to which proposed earthworks have adverse short term and temporary effects on the local environment.

(v) Engineering Requirements

The extent of compliance with NZS 4431:2022 (Engineered Fill Construction for Lightweight Structures).

The extent of compliance with NZS 4404:2010 (Land Development and Subdivision Infrastructure).

(vi) Erosion and Sediment Management

The extent of compliance with the “Erosion and Sediment Control Guidelines for the Wellington Region 2002” and “Small Earthworks – Erosion and Sediment Control for small sites” by Greater Wellington Regional Council.

(vii) Design and Layout

The design and layout of the subdivision, including the size, shape and position of any lot, any roads or the diversion or alteration to any existing roads, access, passing bays, parking and manoeuvring standards, and any necessary easements.

Any measures proposed to mitigate potential adverse effects of subdivision, earthworks and development upon the steeper hillsides, gullies and streams outside the identified development area.

(viii) Utilities Servicing ~~and Access~~

The provision of utilities servicing, including street lighting, telecommunications, gas and electricity.

~~The provision of vehicular, pedestrian and cycle access via public roads, footpaths and cycleways and the provision of private accesses.~~

(ix) Transport

~~The provision of vehicular, pedestrian and cycle access via public roads, footpaths and cycleways and the provision of private accesses.~~

~~For subdivisions that exceeds the high trip generator thresholds specified in Appendix Transport 2 any measures proposed in accordance with the Integrated Transport Assessment for the site the effects of the activity on the transport network including impacts on on-street parking.~~

(x) Stormwater Management

The provision of stormwater control and disposal and any measures proposed to manage and treat stormwater in accordance with the Stormwater Management Plan for the site.

The extent of compliance with the Wellington Water Regional Standard for Water Services December 2021.

(xi) Wastewater

The provision of wastewater systems and any measures proposed to utilise off-peak network capacity through on-site storage and timed wastewater release.

The extent of compliance with the Wellington Water Regional Standard for Water Services December 2021.

(xii) Water Supply

The provision of a reticulated water supply network and any measures proposed to achieve an adequate domestic and fire-fighting water supply.

The extent of compliance with the Wellington Water Regional Standard for Water Services December 2021.

(xiii) Natural Hazards

The avoidance or mitigation of natural hazard risks.

(xivii) Regionally Significant Network Utilities

The design and layout of the subdivision where any lot may affect the safe and effective operation and maintenance of and access to regionally significant network utilities (excluding the National Grid) located on or in proximity to the site.

The outcome of consultation with the owner and operator of regionally significant network utilities (excluding the National Grid) located on or in proximity to the site.

(xiv) Geotechnical

Any measures proposed to provide appropriate foundations for future buildings within the subdivision and to manage the risk from ~~slope instability geohazards~~ on the site and on adjoining properties from any earthworks or site development works, in accordance with the Geotechnical Assessment for the site.

(xvi) Ecology

Any measures proposed to ~~avoid or~~ manage adverse effects on ~~significant~~ indigenous biodiversity ~~values~~ on the site ~~in accordance with the Ecological Plan for the site.~~

~~The application of the effects management hierarchy as follows:~~

~~— Avoid adverse effects on significant indigenous biodiversity where practicable;~~

~~— Minimise other adverse effects on significant indigenous biodiversity where avoidance is not practicable;~~

~~— Remedy other adverse effects where they cannot be avoided or minimised;~~

~~— Only consider biodiversity offsetting for any residual adverse effects that cannot otherwise be avoided, minimised or remedied; and~~

~~— Only consider biodiversity compensation after first considering biodiversity offsetting.~~

(xvii) Those matters described in Section 108 and 220 of the Resource Management Act 1991.

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## AMENDMENT 3

*Chapter 11 – Subdivision*

*Add site specific Standards and Terms*

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### 11.2.3.2 Standards and Terms

...

**(b) Any subdivision of land identified in Appendix Subdivision 10**

(i) Development Areas

All earthworks, building platforms, roads, private accesses and utility structures must be ~~identified~~ and located within the development area identified in Appendix Subdivision 10.

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## AMENDMENT 4

Chapter 11 – Subdivision

Add site specific Discretionary Activity

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### 11.2.4 Discretionary Activities

...

- (o)** Any subdivision of land identified in Appendix Subdivision 10 that does not comply with the Standards and Terms in 11.2.3.2 (b)(i)(1).

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## AMENDMENT 5

Chapter 11 – Subdivision

Add new Appendix Subdivision 10

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