

Minute #5 of Hearing Panel

DIRECTION FOR FURTHER INFORMATION

1. Introduction

The Hearing for Plan Change 58 was held on Monday 23rd September 2024 at the Lower Hutt Events Centre, at 30c Laings Road, Lower Hutt, and was adjourned at 3pm to enable the Requestor to prepare a written reply.

In response to directions from the Panel in Minutes #3 and #4, the written Reply was circulated on Thursday 26th September 2024, in the form of a joint statement between the planners for the Requestor, Ms Tessendorf, and the Council, Mr Kellow. The statement outlined a number of revised recommended amendments to the provisions of the plan change, including a new policy to guide decision-making.

The purpose of this minute is to respond to the advice provided in that joint statement, and to record a further direction for the provision of additional information.

2. Recommended New Policy

Through the Reply, a new policy was recommended to be inserted into the policies under Section 11.1.4 of the Subdivision chapter of the operative District Plan. Section 11.1.4 addresses the issue of the subdivision of land in the coastal environment and in areas of ecological and historic heritage value. While this appears to be an appropriate section for such a policy, given the accepted ecological values within the site, we question whether the level of detail in the recommended policy (c) is appropriate relative to the other two policies. In particular, there is neither an overall outcome expressed nor the need to identify and protect the significant ecological values of the land.

3. Information Requirements

In response to Minute #3, through the Reply, further amendments were recommended to be made to the proposed information requirement in relation to ecology matters (recommended provision 11.2.3(h)(C)). While we acknowledge the recommended changes and the important role of management plans, we question whether additional direction is required to address the notable absence of direction about the prerequisite need for a full ecological assessment of the entire site to identify the indigenous biodiversity values at the detail needed to understand where significant indigenous biodiversity on the land is to be either avoided (protected) or managed (such as through the proposed management plans). Such information, for example, would be needed to inform the final subdivision and earthworks design.

Further, we question whether more explicit direction is required to ensure the landscape management plan is appropriately integrated with the measures identified in the ecological management plans.

4. Timing and collaboration

We are seeking a response from the Requestor in regard to our outstanding questions by close of business on Monday 7th October 2024. As with the written Reply, it would facilitate matters if the response could be undertaken in collaboration with the Council's reporting planner.

5. Release of Decisions on Change 1 to the WRPS

We understand that the decisions of GWRC on Change 1 to the Wellington Regional Policy Statement (WRPS) are about to be released. Among other changes, it is expected that Change 1 will amend the policies on waterways and ecosystems, as well as respond to climate change. We further understand that, in many parts of the WRPS, the changes are quite comprehensive.

Under Section 74(2)(a)(i), regard shall be had to a proposed regional policy statement in the preparation of a change to a District Plan. The release of the decisions on Change 1 to the WRPS will occur before the release of our report on PC58, and therefore we will be obliged to consider any changes to the Regional Policy Statement of relevance to this plan change. At this point, we are simply signalling that we will making further directions as soon as possible in seeking a response from both the Requestor and the Council in the near future.

6. Correspondence

Any correspondence should be directed through the Hearing Administrator, Saritha Shetty, via email: Saritha.Shetty@huttcity.govt.nz.



Robert Schofield

Hearing Panel Chair

Dated this 1st October 2024