

## **Section 32AA Evaluation of amendments sought in submission of Stride, Investore, Oyster or Argosy on Plan Change 56 to the Hutt City District Plan.**

Section 32AA of the Resource Management Act 1991 (**RMA**) requires a further evaluation of any changes that have been made to, or are proposed for, a proposed Plan Change since the original evaluation report for the proposed Plan Change was completed.

This evaluation must be undertaken in accordance with section 32(1) to (4) of the RMA. The section 32AA evaluation of the recommended changes made in response to submissions of Stride, Investore, Oyster or Argosy on the Plan Change 56 (**PC 56**) is provided below.

This section 32AA evaluation addresses the amendments requested in the submissions of Stride, Investore, Oyster or Argosy on the following matters:

- High Density Residential zoning in Moera.
- General Business Activity Area Building Height.
- Special Business Activity Area Building Height.
- Natural Hazards Introduction and Tsunami overlay and consequential changes.
- Natural hazards Objective 14H 1.1, Policy 14H 1.1, Policies 14H 1.8, 1.3, and 1.4 Rule 14H 2.10.

The scale and significance of the amendments proposed by Stride, Investore, Oyster or Argosy is relatively minor in the context of PC 56, and this additional evaluation is appropriate relative to the scale and significance of the amendments proposed.

The purpose of the proposed plan change is to meet the Council's obligations under the Resource Management Act 1991 (**NPSUD**) to implement Policies 3 and 4 of the National Policy Statement on Urban Development and to incorporate the Medium Density Residential Standards (**MDRS**). The plan change also updates provisions relating to financial contributions and makes several other supporting and consequential changes, including to area wide strategic objectives and policies, definitions, subdivision standards, natural hazards, historic heritage sites and buildings, wind, and other chapters. The plan change also proposes significant changes to the district plan maps, including the pattern of activity areas, and new and updated natural hazard and heritage overlays.

### ***High Density Residential zoning in Moera***

The Argosy submission seeks for greater intensification to be enabled in Moera, including amendment to the zoning maps to apply the High Residential Activity Area to the residential properties between 39 Randwick Road and Barber Grove.

Applying the High Residential Activity Area to the residential properties between 39 Randwick Road and Barber Grove is the most appropriate way to achieve the objectives of PC56 because it would provide the benefits summarised below. The relevant objectives proposed under PC 56 include Objective 4G 2.1, and Objective 4G 2.3, provide for a variety of housing types and sizes that respond to housing needs and demand.

This requested amendment is efficient and effective in achieving these objectives as the benefits, outweigh the potential costs.

The benefits of the requested amendment include:

- Achieving greater consistency with Policy 3(d) of the NPS-UD.
- Providing greater residential development capacity.

- Providing for additional residential development in an area with:
  - o a wide range of commercial and community services including a library, primary school, and parks.
  - o a high level of recreational amenity to support High Density Residential development with access to the Hutt River corridor.
  - o a high-quality active transport connection to the Lower Hutt City Centre, which is within short cycling distance.
- The provisions of the High Density Residential Area provide for a greater level of development than the MDRS.

The potential costs of this amendment include any potential adverse amenity effects of taller residential buildings. This cost is outweighed by the benefits of the amendment because the properties proposed to be rezoned are adjacent to roads, the Hutt River and the General Business Activity Area, and so any adverse amenity effects are likely to be low.

The 'other reasonably practicable option' for achieving the objectives of the Hutt City District Plan and PC56 is retaining the General Residential Activity Area between 39 Randwick Road and Barber Grove. However, for the reasons set out above this option would be less efficient and effective in achieving the objectives than the recommended amendment.

#### ***General Business Activity Area Building Height***

The Oyster submission seeks a maximum permitted height of 22m for 75 Wainui Road.

Applying a maximum permitted height of 22m for 75 Wainui Road is the most appropriate way to achieve the purpose of PC56 because it would provide the benefits summarised below.

This requested amendment is efficient and effective in achieving the purpose of PC56 as the benefits outweigh the potential costs. The benefits of the requested amendment include:

- Providing greater development capacity for business land in accordance with policies 1 and 2 of the NPSUD, to support the increased residential intensification provided for by Policy 3 and incorporating the MDRS.
- There is limited potential for adverse effects on residential amenity from the increased building height because the site at 75 Wainui Road is separated from any residential properties by the Waiwhetu Stream.

The potential costs of the requested amendment include a potential for adverse amenity effects of taller buildings. This cost is outweighed by the benefits of the amendment because the site does not adjoin any residential properties.

The 'other reasonably practicable options' for achieving the objectives of the Hutt City District Plan and PC56 is retaining the 12m building height, or imposing a different permitted height between 12m and 22m. However, for the reasons set out above and because this would constrain development capacity for business, these options would be less efficient and effective in achieving the objectives than the recommended amendment.

#### ***Special Business Activity Area Building Height***

The Argosy submission seeks amendment to the Special Business Activity Area to change the permitted maximum building height from 20m to 22m.

Amending the maximum permitted height of the Special Business Activity Area to 22m is the most appropriate way to achieve the purpose of PC56, because it would provide the benefits summarised below.

This requested amendment is efficient and effective in achieving the purpose of PC56 as the benefits outweigh the potential costs, including any potential adverse effects of moderately taller buildings on amenity values. The benefits of the requested amendment include:

- Providing greater development capacity for business land in accordance with policies 1 and 2 of the NPSUD to support the increased residential intensification provided for by Policy 3 and incorporating the MDRS.
- Providing a level of consistency in building heights across the district plan, and hence improved plan usability, as this is the same height provided for in large parts of the Suburban Mixed Use and General Business Activity Areas under PC56, rather than providing a number of different but similar heights across the plan.

The potential costs of the requested amendment are insignificant because:

- It is a moderate change in height of 2 metres, and
- The Special Business Activity Area does not adjoin, and is spatially separate from any residential areas so there is limited potential for adverse effects from taller buildings.

The 'other reasonably practicable option' for achieving the objectives of PC56 is retaining the 20m building height. However, for the reasons set out above and because this would constrain development capacity for business, this option would be less efficient and effective in achieving the objectives than the recommended amendment.

### ***Natural Hazards Introduction and Tsunami overlay and consequential changes***

The following amendments are recommended in accordance with the Argosy submission:

- amending the natural hazards introduction to delete the tables of respective hazard rankings of natural and coastal hazards.
- renaming the tsunami and coastal inundation overlays around the information they are based on, (for example '1:100 year event at current MHWS' rather than 'high', 'medium', or 'low'.)
- making consequential changes to the policies and provisions of the natural hazard chapter that refer to coastal hazards to reflect the changes to the overlays recommended above.

These recommended changes are set out in the marked-up version of the PC56 Natural Hazards Chapter provided with this section 32AA evaluation.

These amendments are the most appropriate way to achieve the objectives of PC56 including Objective 14H 1.1, because they would provide the benefits summarised below.

These requested amendments are efficient and effective in achieving the objectives as the benefits, outweigh the potential costs. The benefits of the requested amendments include:

- removing an inconsistency in the way different natural hazards are treated which has the potential to mislead. This inconsistency has the potential to impose inappropriate costs on to property owners and the public.
- ensuring that the overlays and provisions accurately reflect the relative probability of different natural hazard events including tsunami.

- ensuring that the corresponding policies and rules enable different natural hazards to be addressed in ways appropriate to the specific risks posed by that natural hazard.

The potential costs of the requested amendments include that the natural and coastal hazards provisions will be less simple. This cost is outweighed by the benefits of the amendments providing more clarity as to the extent of hazard risk and reducing the risk of misleading property owners and the public.

The 'other reasonably practicable option' for achieving the objectives of the Hutt City District Plan and PC56 is retaining the relevant PC56 Natural Hazards provisions as notified. However, for the reasons set out above this option would be less efficient and effective in achieving the objectives than the recommended amendments.

***Natural hazards Objective 14H 1.1, Policy 14H 1.1, Policies 14H 1.8, 1.3, and 1.4 Rule 14H 2.10.***

The Investore, Argosy, and Oyster submissions seek amendments to the natural hazards provisions including Objective 14H 1.1, Policy 14H 1.1, Policies 14H 1.8, 1.3, and 1.4 Rule 14H 2.10. to appropriately balance providing for development with addressing natural hazard risk, and to provide additional clarity. The specific wording changes are set out in Appendix A of the Statement of Evidence of Joe Jeffries.

These amendments are the most appropriate way to achieve the objectives of PC56 including Objective 14H 1.1, because they would provide the benefits summarised below.

These requested amendments are efficient and effective in achieving the objectives as the benefits, outweigh the potential costs. The benefits of the requested amendments include:

- ensuring that the natural hazards provisions do not conflict with each other, are internally consistent, and clear. This is achieved, in part, by ensuring that Objective 14H 1.1 states an outcome that is relevant to all provisions of the chapter including those that are enabling of development where the hazard can be appropriately mitigated but not necessarily reduced.
- achieving an appropriate balance between providing for development and addressing natural hazard risk by:
  - o ensuring that the scale of development provided by the underlying zoning is not limited where the hazard can be adequately mitigated by other measures, while providing council with discretion to limit the scale of development where that is the best means of addressing the natural hazard risk.
  - o providing additional clarity by specifying that Policies 14H 1.8, 1.3, and 1.4 apply to the "addition to the building". This avoids an inappropriate interpretation of the provisions which may constrain development in a way that is not intended.
  - o providing additional clarity by specifying that Rule 14H 2.10 only applies to the "new" commercial activities. This avoids an inappropriate interpretation of the provisions which may constrain development in a way that is not intended.

The requested amendments will reduce the extent to which the provisions in PC 56 limit development capacity by providing greater clarity on provisions which may constrain development.

The 'other reasonably practicable option' for achieving the objectives of PC56 is retaining the relevant PC56 Natural Hazards provisions as notified. However, for the reasons set out above this option would be less efficient and effective in achieving the objectives than the recommended amendments.