

**SECTION 42A REPORT FOR:**

**Hearing Commissioners**

**IN THE MATTER OF:**

**Proposed Private District Plan Change 54:**

**Rezoning of land that forms part of Boulcott's Farm Heritage Golf Club from General Recreation Activity Area to General Residential Activity Area and remove the Secondary River Corridor Overlay.**

**PREPARED BY:**

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Incite**

**REVIEWED BY:**

**Stephen Davis  
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Hutt City Council**

**REPORT DATED:**

**3 December 2021**

**DATE OF HEARING:**

**31 January 2022 to 8 February 2022**

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## **EXECUTIVE SUMMARY**

On 23 October 2020, Boulcott's Farm Heritage Golf Club (BFHGC) formally requested a change to the City of Lower Hutt District Plan (District Plan). Following the receipt of further information, Hutt City Council resolved to accept the plan change request and instructed officers to commence the process for a private plan change, as set out in the First Schedule of the Resource Management Act 1991 (RMA). The Plan Change request is referred to as Proposed Private District Plan Change 54 (PC54).

In brief, the private plan change seeks to change the zoning of approximately 1.6 hectares of land within BFHGC's golf course that is situated to the west of Kingston and Allen Streets, Boulcott, from General Recreation Activity Area to General Residential Activity Area, and remove the Secondary River Corridor overlay that applies to the land.

No site-specific provisions are sought, and as such no changes to the objectives, policies, rules or standards to the General Residential Activity Area chapter are proposed.

The private plan change request contains expert assessment on Transportation, Contaminated Soil and Infrastructure Effects, as well as consultation that was undertaken and possible development scenarios should the land be rezoned.

The proposed private plan change request was notified on 20 April 2021, with submissions closing on 21 May 2021.

The summary of submissions was notified on 15 June 2021, with further submissions closing on 29 June 2021.

A total of 16 submissions (including one late submission) and one further submission were received.

The following report contains an overall analysis of Private Plan Change 54 in terms of:

- The plan change documentation, including all accompanying expert reports;
- The submissions and further submissions on the plan change;
- Expert reports commissioned by the Council;
- The Policy Framework;
- Section 32 of the RMA;

- Part 2 of the RMA.

### **Primary Issues**

From an analysis of PC54 and the submissions received the following have been raised as the key issues of relevance to the Plan Change.

1. The appropriateness of rezoning the land from General Recreation Activity Area to General Residential Activity Area;
2. The environmental effects resulting from the Plan Change;
  - a. Amenity Effects
  - b. Traffic Effects
  - c. Flooding/Stormwater Effects;
  - d. Other Infrastructure Effects;
  - e. Public Access and Recreation Effects;
  - f. Vegetation Effects; and
  - g. Contaminated Land Effect;
3. The policy framework of the Private Plan Change; and in particular:
  - a. The appropriateness and consistency with the District Plan, the Regional Policy Statement for the Wellington Region 2013, the National Policy Statement on Urban Development 2020, as well as other non-RMA Hutt City strategies; and
  - b. The appropriateness in achieving the purpose of Part 2 of the RMA.

### **Recommendation**

On the basis of this report it is my recommendation, prior to hearing from the submitters, that PC54 as lodged by BFHGC be approved without amendment. I consider that rezoning the land is appropriate to achieve the objectives of the District Plan, the Regional Policy Statement, the strategic direction provided in the Hutt City Urban Growth Strategy 2012-2032, the National Policy Statement on Urban Development 2020 and the purpose of the RMA.

**CONTENTS**

- 1. Purpose of Report ..... 4
- 2. Introductory Statement..... 4
- 3. Background ..... 4
- 3.1 Overview of the Private Plan Change ..... 5
- 3.2 Report Structure ..... 6
- 4. The Site and Surrounding Area ..... 6
- 5. Public Consultation Process ..... 6
- 6. Statutory Framework..... 7
- 7. Matters to be Considered by the Council..... 8
- 8. Part 2 and Section 32 of the RMA ..... 10
- 8.1 Section 5 ..... 11
- 8.2 Section 6 – Matters of National Importance..... 11
- 8.3 Section 7 – Other Matters ..... 11
- 8.4 Section 8 – Treaty of Waitangi..... 11
- 8.5 Section 32 – Consideration of Appropriateness ..... 12
- 9. Form of PC54..... 13
- 10. Matters Raised in Submissions and for Evaluation ..... 13
- 11. Relevant Policy Framework ..... 13
- 11.1 National Policy Statements ..... 14
- 11.2 National Planning Standards ..... 15
- 11.3 Regional Policy Statement..... 16
- 11.4 Wellington Regional Plans ..... 17
- 11.5 District Plan – Objectives and Policies..... 18
- 11.6 Other Hutt City Council Strategies and Plans ..... 18
- 12. Evaluation of PC54 ..... 20
- 12.1 The Appropriateness of Rezoning the Land from General Recreation Activity Area to General Residential Activity Area ..... 21
- 12.2 The Appropriateness of Removing the Secondary Flood Overlay from the Land ..... 22
- 12.3 The Environmental Effects Should the Land be Rezoned..... 22
- 12.4 Section 32 ..... 28
- 12.5 Achieving Part 2 of the RMA..... 28
- 13. Recommendation ..... 28

**APPENDICES**

- 1 Recommended Decisions on Submissions
- 2 Submitter Map
- 3 Relevant District Plan Objectives and Policies
- 4 Traffic Engineering Evidence
- 5 Land Development Engineering Evidence

## 1. PURPOSE OF REPORT

- (1) The purpose of this report is to:
  - a) Provide the context and background to Private Plan Change 54 (PC54) to the operative City of Lower Hutt District Plan (District Plan) including the statutory framework relevant for considering a request for a private plan change;
  - b) Summarise the public submission process that has occurred for PC54;
  - c) Provide an analysis of PC54 against the statutory framework under the Resource Management Act 1991 (RMA), including the submission and further submission received; and
  - d) Seek the Hearing Panel's recommended decision on PC54 to the District Plan

## 2. INTRODUCTORY STATEMENT

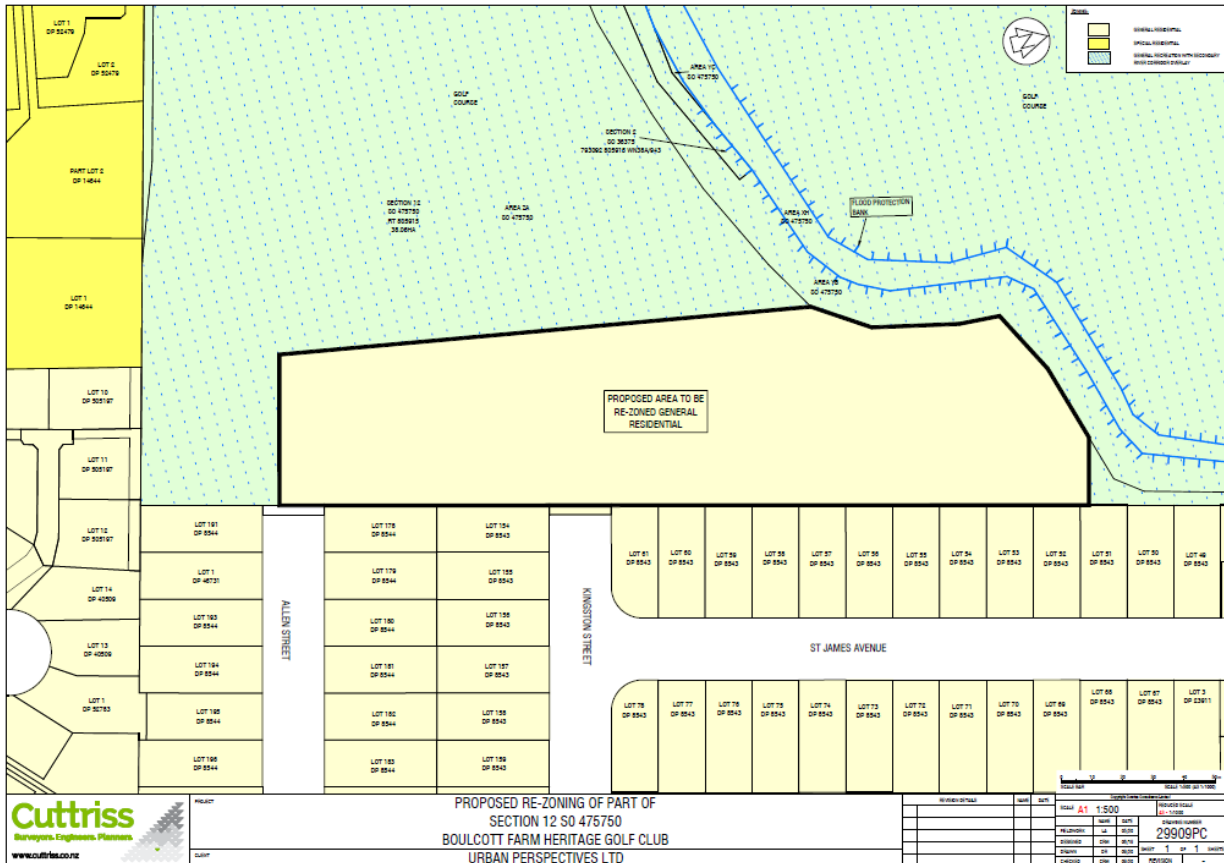
- (2) My name is Tom Anderson. I am a Principal Planner at and a Director of Incite, a resource management consulting firm. I hold a Bachelor of Science and a Master of Planning (with Distinction), both from the University of Otago. I am a full member of the New Zealand Planning Institute, am a former Chair of the Wellington Branch Committee of that institute. I am also a member of the Resource Management Law Association. I am an Independent Commissioner, certified under the Ministry for the Environment's *Making Good Decisions* programme.
- (3) I have 14 years professional experience. Throughout my career I have experienced the full spectrum of RMA matters, including district and regional consent applications, district and regional plan policy development, notices of requirement, feasibility/strategy studies and iwi/community consultation, as well as Council and Environment Court hearings.
- (4) I have been engaged by Lower Hutt City Council (the Council) to provide planning evidence and recommendations on PC54. I have been involved with PC54 since the request was lodged with the Council in October 2020.
- (5) I am familiar with the site and the surrounding area, having visited it a number of times throughout this process.
- (6) I have read and am familiar with the Code of Conduct for Expert Witnesses (Section 7 of the Environment Court Practice Note 2014). My evidence has been prepared in compliance with that code. In particular, unless I state otherwise, this evidence is within my area of expertise and I have not omitted to consider any material facts known to me that might alter or detract from the opinions I express.
- (7) I have specifically relied on the expertise of the following advisors, who have been engaged by the Council for PC54:
  - Harriet Fraser, Traffic Engineer, Harriet Fraser Transportation Consultancy Limited; and
  - Ryan Rose, Land Development Engineer, Envelope Engineering Limited.

## 3. BACKGROUND

- (8) A request for a Private Plan Change was submitted by Boulcott's Farm Heritage Golf Club (BFHGC) via their planning consultant, Dan Kellow of Urban Perspectives, on 23 October 2020.
- (9) Further information in relation to the request was sought on 4 November 2020, and was supplied by Mr Kellow on 1 February 2021.
- (10) The request was then accepted by the Council, and was subsequently notified on 20 April 2021, with submissions closing on 21 May 2021. The summary of submissions was notified on 15 June 2021, with further submissions closing on 29 June 2021.

### 3.1 Overview of the Private Plan Change

- (11) PC54 seeks to the private plan change seeks to change the zoning of approximately 1.6 hectares of land within BFHGC's golf course that is situated to the west of Kingston and Allen Streets, Boulcott (shown in Figure 1 below), from General Recreation Activity Area to General Residential Activity Area, and remove the Secondary River Corridor overlay that applies to the land.
- (12) No site-specific provisions are sought, and as such no changes to the objectives, policies, rules or standards to the General Residential Activity Area chapter are proposed.



- (13) The Plan Change Request states that it has been made for the following main reasons<sup>1</sup>:
  - *The rezoning would assist with Council meeting its housing needs under the National Policy Statement for Urban Development 2020 (NPSUD);*
  - *The rezoning allows for Council to meet the growth targets set out in the Urban Growth Strategy;*
  - *The proposed zoning is consistent with the adjoining residential area;*
  - *The General Residential Activity Area allows for a variety of housing forms;*
  - *The site can be developed in a manner that allows stormwater discharge to be fully accommodated on site;*
  - *The land that is the subject of the Request is now protected from flooding;*
  - *The site provides a logical extension to urban development; and*

<sup>1</sup> Section 3.1 of the Plan Change Request

- *The plan change would allow the golf club to continue to function with minor modifications to the course layout.*

### 3.2 Report Structure

- (14) In this report, I provide an overview of the site and surrounding area, the public consultation process, the relevant statutory framework for the consideration of PC54, an evaluation of the Plan Change against that framework (including consideration of matters raised in submissions) and finally my recommendation.
- (15) Attached as appendices to this report are:
- Appendix 1 – Recommended Decisions on Submissions;
  - Appendix 2 – Submitter Map;
  - Appendix 3 – Relevant District Plan Objectives and Policies;
  - Appendix 4 – Traffic Engineering Evidence; and
  - Appendix 5 – Land Development Engineering Evidence.

## 4. THE SITE AND SURROUNDING AREA

- (16) The site and surrounding area are accurately described in Section 1 of the Plan Change Request. This is summarised as follows:
- The land is currently used as part of the BFHGC golf course, and as such is characterised by an open grass area, interspersed with trees. The topography is relatively flat with small undulations. It is situated in the southeastern corner of the golf course, and adjoins Allen Street and Kingston Street, as well as a number of properties located on St James Avenue, Boulcott.
  - All adjoining land to the west and north forms part of the golf course and is zoned General Recreation Activity Area. Adjoining land to the south is also part of the golf course, and includes the car park facility and greenkeepers buildings and areas. South of this are properties used for residential purposes (zoned General Residential Activity Area) and accessed from Bobbio Court and Military Road. Likewise, the land to the east is zoned General Residential Activity Area, is used for residential purposes, and is accessed from Allen Street, Kingston Street and St James Avenue. These properties are characterised as standalone houses on allotments typically between 500m<sup>2</sup> and 600m<sup>2</sup> in size. The adjoining and surrounding General Residential Activity Area land is relatively flat.
  - Te Awa Kairangi/Hutt River is located approximately 430m northwest of the land.
  - A constructed stop bank has been designed to integrate with the golf course, and is located near the northwestern corner of the land. The purpose of the stop bank is to protect the General Residential Activity Area from Te Awa Kairangi/Hutt River flood events.
- (17) For context, the golf course is not publicly accessible. The land is privately owned, and there is instruction provided at all course entrances that all visitors to the course must report to reception.

## 5. PUBLIC CONSULTATION PROCESS

- (18) PC54 was publicly notified on 20 April 2021. 15 submissions were received before submissions closed on 21 May 2021. One late submission was received, which the Council agreed to accept.
- (19) The summary of submissions was notified on 15 June 2021, and one further submission was received before further submissions closed on 29 June 2021. No late further submissions were received.
- (20) The 16 submitters are:

Submission Number	Name	Position	Wish to be heard
DPC54/001	James Brodie	Support	No
DPC54/002	Paul and Kerry Gillan	Oppose	No
DPC54/003	Danny Langstraat	Oppose	Yes
DPC54/004	Hutt City Council – Parks and Recreation Division	Neutral	Yes
DPC54/005	Robert Chisholm	Oppose	Yes
DPC54/006	Craig Burnett and Keryn Davis	Oppose	No
DPC54/007	Steve Machirus	Oppose	No
DPC54/008	Jennifer Butler for St James Ave Collective	Oppose	Yes
DPC54/009	Paul Laplanche	Oppose	No
DPC54/010	David Cody for St James Ave Collective	Oppose	Yes
DPC54/011	Henry Clayton and Margaret Waghorn	Support	Yes
DPC54/012	Wendy MacDougall	Oppose	Yes
DPC54/013	Long Young	Oppose	Yes
DPC54/014	Roger Harvey	Oppose	Yes
DPC54/015	Charlie Lee	Oppose	Yes
DPC54/016 (late)	Amy and Alastair Sidford	Oppose	Yes

(21) The further submitter is:

Submission Number	Name	Position
DPC54/FS001	Robert Chisholm	Confirms submitters position in DPC54/005

(22) A summary of the submissions and further submission is provided in Appendix 1, this includes my recommendation on whether the points made in the submissions should be accepted, accepted in part or rejected. Appendix 2 contains a map showing the submitters locations in relation to the PC54 land.

(23) Of the submissions received, two support PC54, one is neutral and thirteen are opposed. The further submission also opposed PC54.

(24) The matters raised in submissions are detailed at paragraph (59) of this report.

## 6. STATUTORY FRAMEWORK

(25) Once an application for a private plan change has been accepted by the Council under Clause 25(2)(b) of the RMA, Part 2 of the First Schedule to the RMA applies.

(26) Clause 29 of the First Schedule to the RMA is applicable. This is reproduced in full as follows:

### 29 Procedure under this Part

(1) *Except as provided in subclauses (1A) to (9), Part 1, with all necessary modifications, shall apply to any plan or change requested under this Part and accepted under clause 25(2)(b).*

(1A) *Any person may make a submission but, if the person is a trade competitor of the person who made the request, the person's right to make a submission is limited by subclause(1B)*

(1B) *A trade competitor of the person who made the request may make a submission only if directly affected by an effect of the plan or change that—*

*(a) adversely affects the environment; and*

- (b) *does not relate to trade competition or the effects of trade competition.*
  - (2) *The local authority shall send copies of all submissions on the plan or change to the person who made the request.*
  - (3) *The person who made the request has the right to appear before the local authority under clause 8B.*
  - (4) *After considering a plan or change, undertaking a further evaluation of the plan or change in accordance with section 32AA, and having particular regard to that evaluation, the local authority—*
    - (a) *may decline, approve, or approve with modifications the plan or change; and*
    - (b) *must give reasons for its decision.*
  - (5) *In addition to those persons covered by clause 11, the local authority shall serve a copy of its decision on the person who made the request under clause 21.*
  - (6) *The person who made the request, and any person who made submissions on the plan or change, may appeal the decision of the local authority to the Environment Court.*
  - (7) *Where a plan or change has been appealed to the Environment Court, clauses 14 and 15 shall apply, with all necessary modifications.*
  - (8) *Where a plan or change has been appealed to the Environment Court, the person who made the request under clause 21 has the right to appear before the Environment Court.*
  - (8A) *If the decision to change a plan is subject to the grant of an application to exchange recreation reserve land under section 15AA of the Reserves Act 1977, the local authority must advise the person who requested the plan change that—*
    - (a) *the plan change is subject to a decision by the administering body on the application to exchange the recreation reserve land; and*
    - (b) *the decision on the exchange will be made under the Reserves Act 1977 after the time allowed for appeals against the decision on the plan change has expired and any appeals have been completed.*
  - (9) *With the agreement of the person who made the request, the local authority may, at any time before its decision on the plan or change, initiate a variation under clause 16A.*
- (27) Under this clause, because the plan change is a private request, Council is able to, and is obliged to, consider PC54 in its entirety and is not restricted to considering just those matters raised in submissions. The reason for this difference from Council initiated plan changes, is that a private plan change is not a Council agreed position. There is also no legal requirement for the Council to respond to submissions directly as a result (clause 29(4) vs clause 10) although the submissions received are a relevant matter for the Council to consider as part of the decision making process.
- (28) After reaching a decision, Council must publicly notify the decision. Public notice of Council's decision will be given as soon as practicable, following completion of all administrative tasks.

## **7. MATTERS TO BE CONSIDERED BY THE COUNCIL**

- (29) Section 74 of the RMA states that the Council shall prepare and change the District Plan in accordance with its functions under s31, the provisions of Part 2 and its duty under s32.
- (30) Under s74, when preparing or changing a plan, a territorial authority is required to have regard to:
  - (b) *any –*
    - (i) *management plans and strategies prepared under other Acts*



- (31) I consider that the following Hutt City Council documents prepared under the Local Government Act 2002 to be relevant:
- Urban Growth Strategy 2012 – 2032;
  - Environmental Sustainability Strategy 2015-2045;
  - Walk and Cycle The Hutt 2014-2019; and
  - Reserves Strategic Directions 2016-2026;
- (32) Under s74(2A) a territorial authority:
- must take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of a region.*
- (33) There are no relevant iwi management plans.
- (34) Section 75(3) of the RMA requires that district plans must give effect to –
- (a) *any national policy statement; and*
  - (b) *any New Zealand coastal policy statement; and*
  - (ba) *a national planning standard*
  - (c) *any regional policy statement”*
- and under s75 (4), district plans must not be inconsistent with –
- (b) *a regional plan for any matter specified in section 30(1)*
- (35) The decision in Long Bay-Okura Great Parks Society Incorporated v North Shore City Council (Decision A 078/2008), and amended in High Country Rosehip Orchards Ltd and Ors v Mackenzie DC<sup>2</sup> reflects the changes made by the Resource Management Amendment Act 2005 and sets out the mandatory requirements for district plan (changes) as being:
- A. *General requirements*
1. *A district plan (change) should be designed to accord with, and assist the territorial authority to carry out its functions so as to achieve, the purpose of the Act.*
  2. *When preparing its district plan (change) the territorial authority must give effect to any national policy statement or New Zealand Coastal Policy Statement.*
  3. *When preparing its district plan (change) the territorial authority shall:*
    - (a) *have regard to any proposed regional policy statement;*
    - (b) *give effect to any operative regional policy statement;*
    - (c) *have regard to the extent to which the plan needs to be consistent with the plans of adjacent territorial authorities*
  4. *In relation to regional plans:*
    - (a) *the district plan (change) must not be inconsistent with an operative regional plan for any matter specified in section 30(1) [or a water conservation order]; and*
    - (b) *must have regard to any proposed regional plan on any matter of regional significance etc.;*
  5. *When preparing its district plan (change) the territorial authority must also:*
    - *have regard to any relevant management plans and strategies under other Acts, and to any relevant entry in the Historic Places Register and to various fisheries*

<sup>2</sup> Pages 17-18 of [2011] NZEnvC 387

*regulations; and to consistency with plans and proposed plans of adjacent territorial authorities;*

- *take into account any relevant planning document recognised by an iwi authority; and*
- *not have regard to trade competition;*

6. *The district plan (change) must be prepared in accordance with any regulation and any direction given by the Minister for the Environment.*

7. *The requirement that a district plan (change) must also state its objectives, policies and the rules (if any) and may state other matters.*

**B. Objectives [the section 32 test for objectives]**

8. *Each proposed objective in a district plan (change) is to be evaluated by the extent to which it is the most appropriate way to achieve the purpose of the Act.*

**C. Policies and methods (including rules) [the section 32 test for policies and rules]**

9. *The policies are to implement the objectives, and the rules (if any) are to implement the policies;*

10. *Each proposed policy or method (including each rule) is to be examined, as to whether it is the most appropriate method for achieving the objectives of the district plan by:*

- (a) *identifying other reasonably practicable options for achieving the objectives; and*
- (b) *assessing the efficiency and effectiveness of the provisions in achieving the objectives, including:*

(i) *identifying, assessing and quantifying (where practicable) the benefits and costs of the environmental, economic, social and cultural effects anticipated from the implementation of the provisions, including opportunities for economic growth and employment; and*

(ii) *assessing the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods; and*

- (c) *if a national environmental standard applies and the proposed rule imposes a greater prohibition or restriction than that, then whether that greater prohibition or restriction is justified in the circumstances.*

**D. Rules**

11. *In making a rule the territorial authority must have regard to the actual or potential effect of activities on the environment.*

12. *There are special provisions for rules about contaminated land.*

13. *There must be no blanket rules about felling of trees in any urban environment.*

**E. Other statutes**

14. *Finally territorial authorities may be required to comply with other statutes.”*

(36) The above summary has been amended to also reflect the 2013 amendment to the RMA.

## **8. PART 2 AND SECTION 32 OF THE RMA**

(37) Part 2 (sections 5 – 8) of the RMA state the purpose and principles of the Act. Part 2 is overarching and the assessments under other sections of the Act are subject to it. In order to approve the request, the Hearings Panel must be able to conclude that the request will promote the sustainable management of natural and physical resources, which is the purpose of the Act outlined in Section 5.

(38) I summarise and assess the sections under Part 2 as follows:

### 8.1 Section 5

(39) The purpose of the Act is to *promote the sustainable management of natural and physical resources*. Sustainable management is defined under the Act as:

*Managing the use, development and protection of natural and physical resources in a way or at a rate, which enables people and communities to provide for their social, economic and cultural wellbeing and for their health and safety while –*

- (a) *sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) *safeguarding the life supporting capacity of air, water, soil, and ecosystems; and*
- (c) *avoiding, remedying or mitigating any adverse effects of activities on the environment”.*

(40) The District Plan was developed under the RMA and meets its purpose. The Council is required to ensure that all proposed changes to the Plan will also result in outcomes that meet the purpose of the RMA.

### 8.2 Section 6 – Matters of National Importance

(41) Section 6 sets out a number of matters of national importance to be recognised and provided for. Of these, I consider that the following is relevant:

- (b) *the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:*

(42) Whether the proposal has recognised and provided for this matter is addressed in this report

### 8.3 Section 7 – Other Matters

(43) Section 7 of the Act sets out a number of other matters that must be had particular regard to. Of these, I consider the following are relevant:

- (b) *the efficient use and development of natural and physical resources;*
- (c) *the maintenance and enhancement of amenity values;*
- (f) *maintenance and enhancement of the quality of the environment; and*
- (g) *any finite characteristics of natural and physical resources.*

(44) Whether the proposal has particular regard to these matters is addressed at the conclusion of this report.

### 8.4 Section 8 – Treaty of Waitangi

(45) Section 8 of the Act requires the Council to take into account the principles of the Treaty of Waitangi.

(46) I note that Te Runanga Toa Rangatira and the Port Nicholson Block Settlement Trust/Wellington Tenth Trust were consulted by the requestor prior to the request being accepted by Council<sup>3</sup>. Neither Iwi organisation has made a submission on the plan change.

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<sup>3</sup> See Appendix 3 to the Plan Change Request

## 8.5 Section 32 – Consideration of Appropriateness

- (47) Section 32 of the Act requires the Council to evaluate the proposed change and decide whether it is necessary and the most appropriate way to achieve the purpose of the Act, and, whether having regard to their efficiency and effectiveness, the policies, rules, or other methods are the most appropriate for achieving the objectives of the Plan.
- (48) In particular, section 32(1) requires that, before the Council publicly notifies a proposed district plan, it must:
- (a) *examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act; and*
  - (b) *examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by—*
    - (i) *identifying other reasonably practicable options for achieving the objectives; and*
    - (ii) *assessing the efficiency and effectiveness of the provisions in achieving the objectives; and*
    - (iii) *summarising the reasons for deciding on the provisions;*
- (49) The evaluation report must also contain a level of detail that:
- (c) *corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.*
- (50) When assessing efficiency and effectiveness of the provisions in achieving the objectives of the proposed plan change the report must under s32(2):
- (a) *identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for—*
    - (i) *economic growth that are anticipated to be provided or reduced; and*
    - (ii) *employment that are anticipated to be provided or reduced; and*
  - (b) *if practicable, quantify the benefits and costs referred to in paragraph (a); and*
  - (c) *assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.”*
- (51) Where a plan change proposes to amend a District Plan, the examination under s32(3)(b) must relate to:
- (a) *The provisions and objectives of the amending proposal; and*
  - (b) *The objectives of the existing proposal to the extent that those objectives –*
    - (i) *are relevant to the objectives of the amending proposal; and*
    - (ii) *would remain if the amending proposal were to take effect.”*
- (52) In the above, the term “existing proposal” refers to the existing plan provisions.
- (53) The requestor submitted a section 32 evaluation as part of the request.
- (54) The Council is required to undertake a further evaluation of the plan change in accordance with s32AA before making a decision under clause 29(4) of Schedule 1 of the RMA. S32AA is set out below:
- (1) *A further evaluation required under this Act—*
    - (a) *is required only for any changes that have been made to, or are proposed for, the proposal since the evaluation report for the proposal was completed (the changes); and*
    - (b) *must be undertaken in accordance with section 32(1) to (4); and*

- (c) *must, despite paragraph (b) and section 32(1)(c), be undertaken at a level of detail that corresponds to the scale and significance of the changes; and*
- (d) *must—*
- (i) *be published in an evaluation report that is made available for public inspection at the same time as the ... decision on the proposal, is publicly notified; or*
- (ii) *be referred to in the decision-making record in sufficient detail to demonstrate that the further evaluation was undertaken in accordance with this section.*
- (2) *To avoid doubt, an evaluation report does not have to be prepared if a further evaluation is undertaken in accordance with subsection (1)(d)(ii)."*

(55) This s42A report sets out my evaluation of the request and includes consideration of:

- The matters raised in submissions;
- The Council expert evidence commissioned as part of the assessment of the request; and
- The wider statutory and non-statutory policy framework.

(56) These are addressed in sections 10, 11 and 12 of this report.

## **9. FORM OF PC54**

(57) The plan change request is limited to changing the zoning of the area marked in Figure 1 of this report from General Recreation Activity Area to General Residential Activity Area, and to remove the Secondary River Corridor Overlay from this land.

(58) No changes to any other District Plan provisions (Objectives, Policies, Rules or Standards) were requested.

## **10. MATTERS RAISED IN SUBMISSIONS AND FOR EVALUATION**

(59) The matters raised in submissions received fall into the following topic areas:

- Need for additional residentially zoned land;
- Property values;
- Traffic;
- Flooding/stormwater;
- Wastewater;
- Urban development and amenity;
- Public access and recreation;
- Vegetation; and
- Contaminated Land.

(60) Since the close of further submissions, the requestor has considered the matters raised in submissions and provided additional information with regard to stormwater/flooding

## **11. RELEVANT POLICY FRAMEWORK**

(61) The District Plan sits within a wider framework of both statutory and non-statutory policy documents, which are set out as follows.

## 11.1 National Policy Statements

- (62) Under s74(1)(ea) of the RMA, Council must prepare and change the District Plan in accordance with any relevant National Policy Statements. In addition, under s75(3)(a) of the RMA, a district plan must give effect to any national policy statement. There are currently five national policy statements that have effect, being:
- National Policy Statement on Electricity Transmission 2008 (NPS-ET);
  - New Zealand Coastal Policy Statement 2010 (NZCPS);
  - National Policy Statement for Renewable Electricity Generation 2011 (NPS-REG);
  - National Policy Statement on Urban Development 2020 (NPS-UD); and
  - National Policy Statement for Freshwater Management 2020 (NPS-FM).
- (63) For PC54, I consider that the only relevant national policy statement is the NPS-UD. In coming to this conclusion, I reviewed the NPS-FM, particularly in regard to stormwater management. However the NPS-FM does not provide direction to territorial local authorities and district plans, rather it directs regional councils, regional policy statements and regional plans.
- (64) There are also two proposed national policy statements, which cover the topic areas of indigenous biodiversity and highly productive land. I do not consider these to be relevant to PC54, as the site is not identified as containing any outstanding or significant natural areas, nor is it identified as highly productive land. Further, these proposed national policy statements do not have any legal effect.

### National Policy Statement on Urban Development

- (65) The NPS-UD is focused on having well-functioning urban environments. It identifies Hutt City Council as being within a *Tier 1 urban environment* and as a *Tier 1 local authority*<sup>4</sup>.
- (66) The NPS-UD requires local authorities to provide sufficient development capacity to meet the demand for housing in the short, medium and long term as well as enabling development.
- (67) The NPS-UD requires councils to appropriately plan for growth and ensure a well-functioning urban environment for all people, communities and future generations. District Plans must make room for growth both 'up' and 'out' and rules should not unnecessarily constrain growth. Well-functioning urban environments are defined in Policy 1 of the NPS-UD as:

*Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum:*

- (a) *have or enable a variety of homes that:*
- (i) *meet the needs, in terms of type, price, and location, of different households; and*
  - (ii) *enable Māori to express their cultural traditions and norms; and*
- (b) *have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and*
- (c) *have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and*
- (d) *support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and*
- (e) *support reductions in greenhouse gas emissions; and*
- (f) *are resilient to the likely current and future effects of climate change.*

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<sup>4</sup> Stated in NPS-UD Appendix: Tier 1 and tier 2 urban environments and local authorities

- (68) As a Tier 1 local authority Hutt City Council must develop and implement a Future Development Strategy (FDS), in accordance with the direction of the NPS-UD. The purpose of an FDS, as stated in Section 3.13 of the NPS-UD is:
- (a) *to promote long-term strategic planning by setting out how a local authority intends to:*
    - (i) *achieve well-functioning urban environments in its existing and future urban areas; and*
    - (ii) *provide at least sufficient development capacity, as required by clauses 3.2 and 3.3, over the next 30 years to meet expected demand; and*
  - (b) *assist the integration of planning decisions under the Act with infrastructure planning and funding decisions.*
- (69) An FDS is yet to be developed by the Council so it is not known whether the area subject to the plan change request would be identified as an area for future development. Given the site is adjacent to an existing General Residential Area, and can be serviced with infrastructure, in my view it is a candidate for inclusion as a future development area under an FDS.
- (70) For PC54 (and other private plan change requests) Policy 8 of the NPS-UD is a relevant consideration. Policy 8 states:
- Local authority decisions affecting urban environments are responsive to plan changes that would add significantly to development capacity and contribute to well functioning urban environments, even if the development capacity is:*
- (a) *unanticipated by RMA planning documents; or*
  - (b) *out-of-sequence with planned land release.*
- (71) The proposal will add to the development capacity of Hutt City Council.
- (72) The plan change request provides an assessment of the request against the NPS-UD.
- (73) Overall, I consider PC54 to be consistent with, and in no way contrary to, the NPS-UD, as it is providing for urban development capacity at a time when capacity is needed.
- (74) I also note that on 19 October 2021, during the processing of PC54, the Minister for the Environment introduced the *Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill* (the Bill) which is to amend the RMA to *rapidly accelerate the supply of housing where the demand for housing is high*<sup>5</sup>. It also has implications for the NPS-UD, by bringing forward timing as to when NPS-UD provisions must be implemented by Councils.
- (75) The intent of the Bill is to require Tier 1 territorial authorities identified under the NPS-UD to amend their residentially zoned land to incorporate specific *Medium Density Residential Standards*, unless that residentially zoned land is subject to a heritage or hazard overlay. This is proposed to be achieved by way of a specific plan change, which are to be notified by August 2022, with the provisions having immediate legal effect.
- (76) The first reading of the Bill occurred on 26 October 2021, submissions closed on 16 November 2021, with a report to the Environment Committee provided on 2 December 2021.
- (77) The Bill does not have any legal effect, and as such I cannot consider it any further. Should PC54 be approved by Council and the subject land be rezoned to General Residential Activity Area, then it would be subject to any future plan changes that Council may be required to undertake should the Bill be passed into law.

## 11.2 National Planning Standards

- (78) Also under s74(1)(ea) of the RMA, Council must prepare and change the District Plan in accordance with a national planning standard.

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<sup>5</sup> General Policy Statement of the *Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill*



- (79) One national planning standard exists, being released in November 2019.
- (80) I understand that as PC54 is a proposed change to the Operative District Plan, it does not need to have regard to the National Planning Standard.

### 11.3 Regional Policy Statement

- (81) Under Section 75(3)(c) of the Resource Management Act 1991 a District Plan must give effect to any Regional Policy Statement.
- (82) Under s59 of the RMA, the purpose of a regional policy statement is:
- to achieve the purpose of the Act by providing an overview of the resource management issues of the region and policies and methods to achieve integrated management of the natural and physical resources of the whole region.*
- (83) The Regional Policy Statement for the Wellington Region (RPS) became operative on 24 April 2013 and postdates the District Plan. However, the General Residential Activity Area provisions of the District Plan were reviewed under Plan Change 43, which was notified in 2017 and made operative on 23 February 2021. As such, the General Residential Activity Area provisions have been considered against the RPS.
- (84) I consider that the following RPS provisions are relevant to PC54:

#### Fresh Water

*Objective 8 Public access to and along the coastal marine area, lakes and rivers is enhanced*

*Objective 12 The quantity and quality of fresh water:*

- (a) meet the range of uses and values for which water is required;*
- (b) safeguard the life supporting capacity of water bodies; and*
- (c) meet the reasonably foreseeable needs of future generations.*

*Objective 13 The region's rivers, lakes and wetlands support healthy functioning ecosystems.*

*Policy 40: Safeguarding aquatic ecosystem health in water bodies*

*Policy 42: Minimising contamination in stormwater from development*

*Policy 43: Protecting aquatic ecological function of water bodies*

*Policy 53: Public access to and along the coastal marine area, lakes and rivers*

#### Natural Hazards

*Objective 19: The risks and consequences to people, communities, their businesses, property and infrastructure from natural hazards and climate change effects are reduced.*

*Objective 21: Communities are more resilient to natural hazards, including the impacts of climate change, and people are better prepared for the consequences of natural hazard events.*

*Policy 29: Avoiding inappropriate subdivision and development in areas at high risk from natural hazards.*

*Policy 51: Minimising the risks and consequences of natural hazards.*

#### Regional Form, Design and Function

*Objective 22 A compact well designed and sustainable regional form that has an integrated, safe and responsive transport network and:*

- (e) urban development in existing urban areas, or when beyond urban areas, development that reinforces the region's existing urban form;*
- (g) a range of housing (including affordable housing)*



- (h) *integrated public open spaces;*
- (k) *efficiently use existing infrastructure (including transport network infrastructure);*

*Policy 31: Identifying and promoting higher density and mixed-use development.*

*Policy 33: Supporting a compact, well designed and sustainable regional form.*

*Policy 55: Maintaining a compact, well designed and sustainable regional form.*

*Policy 58: Co-ordinating land use with development and operation of infrastructure.*

*Policy 67: Maintaining and enhancing a compact, well designed and sustainable regional form.*

#### *Resource Management with Tangata Whenua*

*Objective 23: The region's iwi authorities and local authorities work together under Treaty partner principles for the sustainable management of the region's environment for the benefit and wellbeing of the regional community, both now and in the future.*

*Objective 24: The principles of the Treaty of Waitangi are taken into account in a systematic way when resource management decisions are made.*

*Objective 25: The concept of kaitiakitanga is integrated into the sustainable management of the Wellington region's natural and physical resources.*

*Objective 26: Mauri is sustained, particularly in relation to coastal and fresh waters.*

*Objective 28: The cultural relationship of Māori with their ancestral lands, water, sites, wāhi tapu and other taonga is maintained.*

*Policy 66: Enhancing involvement of tangata whenua in resource management decision-making – non-regulatory.*

*Policy 48: Principles of the Treaty of Waitangi – consideration*

*Policy 49: Recognising and providing for matters of significance to tangata whenua – consideration*

## 11.4 Wellington Regional Plans

- (85) Under s74(2)(b)(ii) of the RMA, when preparing or changing the District Plan, Council shall have regard to any proposed regional plan in regard to any matter of regional significance or for which the regional council has primary responsibility under Part 4 of the RMA (which in part outlines the functions of regional councils under the RMA).
- (86) In addition, under s75(4)(b) of the RMA the District Plan must not be inconsistent with a regional plan for any matter specified in s30(1) of the RMA (which outlines the functions of regional councils under the RMA).
- (87) There are five operative regional plans and one proposed regional plan for the Wellington Region. The five operative plans relate to air quality management, the coastal marine area, freshwater management, soil management and the management of discharges to land. The Proposed Natural Resources Plan consolidates the five operative plans into a single regional resource management plan. Currently, it is in the appeal stage to the Environment Court.
- (88) For PC54, the only potential cross over between the function of Hutt City Council and Greater Wellington Regional Council (GWRC) relates to stormwater management. PC54, if accepted, would result in the General Residential Activity Area provisions of the District Plan applying to the site. These provisions include stormwater management, which are provided in accordance with the Proposed Natural Resources Plan.

## 11.5 District Plan – Objectives and Policies

- (89) PC54 would rezone the site from General Recreation Activity Area to General Residential Activity Area with amendments to the District Plan Maps.
- (90) The objectives and policies relating to the General Residential Activity Area are relevant to the consideration of this Plan Change. In addition, the relevant existing objectives and policies of the District Plan relating to the Earthworks and Transport chapters are also relevant to the extent that if rezoned these provisions would apply in the case of implementation of residential activities on the land.
- (91) The relevant Objectives and Policies of the District Plan are attached in Appendix 3. In summary, these objectives and policies cover the following matters:

### General Residential Activity Area

- Housing capacity and variety is increased, at a pattern consistent with a low to medium density built environment;
- The built environment provides high quality on-site amenity for residents and high quality residential amenity for adjoining properties and the street;
- Built development is adequately serviced by network infrastructure or addresses any network infrastructure constraints on the site; and
- Built development is located and designed to manage significant risk from natural hazards.

### Transport

- The transport network is integrated with land-use patterns, and facilitates and enables urban growth;
- Adverse effects from the transport network on the adjacent environment are managed; and
- The transport network is safe and efficient, and provides for all transport modes.

### Earthworks

- Earthworks maintain natural features, and do not adversely affect visual amenity, cultural or historical site values; and
- Earthworks do not adversely affect flood protection structures.

## 11.6 Other Hutt City Council Strategies and Plans

- (92) The request for PC54 considered the following non-statutory Hutt City Council strategies.
- Urban Growth Strategy 2012 – 2032; and
  - Environmental Sustainability Strategy 2015 – 2045.
- (93) I consider these to be the most relevant non-statutory strategies and that they should be given regard to in the consideration of this plan change. As stated in paragraph (31), I also consider the following Hutt City Council strategies to be relevant:
- Walk and Cycle The Hutt 2014-2019; and
  - Reserves Strategic Directions 2016-2026.
- (94) One submitter has raised the Hutt City Council Urban Forest Plan 2009. I have reviewed this Plan, and note that it is a management document for trees in public open space<sup>6</sup>. Further, it specifically states that legal protection for trees on private land is applied through Resource Management Act processes or covenants. The trees on the site are within private land, are not

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<sup>6</sup> Page 17 of the Urban Forest Plan

subject to any protection under the District Plan, and are not subject to any specific covenants. As such, I do not consider that the Urban Forest Plan is relevant in regard to this plan change.

### **Urban Growth Strategy 2012- 2032**

- (95) The Hutt City Council Urban Growth Strategy 2012 – 2032 (the UGS) was prepared under the Local Government Act 2002 and reflects the Council’s strategy for directing growth and development within the City to 2032. The UGS will only be given statutory weight through future District Plan changes.
- (96) The UGS sets out the Council’s vision for urban growth which is that *Hutt City is the home of choice for families and innovate enterprise*. To realise this vision, goals are stated, which include *capacity and demand for great living and a thriving commercial sector* which is specified as meaning *the city is a sought after location for residential and business development and we have space to accommodate growth*. *The city offers homes, an environment and amenities that nourish families and provide great New Zealand living* (my emphasis included with underline).
- (97) The UGS also includes growth targets, which are that *at least 110,000 people live in the city by 2032 and an increase of at least 6,000 in the number of homes in the city by 2032*. The UGS seeks to achieve this growth through a mixture of intensification, apartment living and greenfield development. On this, I understand that the latest Statistics New Zealand population for Hutt City is 112,000, which indicates that growth is happening at a faster rate than what the UGS anticipated.
- (98) It is stated in the UGS that Council intend to *increase the supply of land available for Greenfield development*<sup>7</sup>. The basis for this was the New Zealand Productivity Commission’s report into housing affordability, which identifies land price escalation as a result of greenfield scarcity as a key component of housing unaffordability, along with urban planning practices that tightly limit land supply.
- (99) The UGS states that there is modest amount of greenfield land in Hutt City, but regardless it will potentially meet half of the city’s housing growth through to 2032. The identified greenfield land in the UGS is in Kelson and Wainuiomata.
- (100) The UGS also identifies that cycleway development is an important aspect of making Hutt City an attractive place to residents, and is increasingly considered core infrastructure in many cities. It is noted that Council intends to develop a comprehensive cycling network that links all key population centres and provides access through the city. This is relevant to PC54 given the submission point concerning public access and recreation.

### **Environmental Sustainability Strategy 2015 – 2045**

- (101) The Hutt City Council Environmental Sustainability Strategy 2015 – 2045 (the ESS) was prepared to guide Council decision-making and outlines an increased focus on good environmental management and care.
- (102) Focus Area 3 of the strategy is *Transport*. It is identified in that walking and cycling links can assist in the reduction of emissions, and like the UGS, notes that Council intends to develop a comprehensive cycling network that links all key population centres and provides access through the city.
- (103) Focus Area 4 of the strategy is *Land-Use*, which includes housing. The Strategy acknowledges that all development has an impact on the environment and focuses on urban form and development to minimise environmental effects, noting low energy use, improved warmth, recycling of greywater, and sustainable urban development systems. These matters are not implemented through the strategy, but shape how Council makes decisions on its statutory documents, such as the District Plan.

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<sup>7</sup> Page 24 of the UGS

(104) The Strategy also states that the city's environmental amenity is aided by a range of outdoor public open space, including the river, and acknowledges their important for the community's wellbeing, particularly in providing recreational opportunities. Access and proximity to nature is seen as a key element in defining the 'liveability' of the city.

### **Walk and Cycle The Hutt 2014-2019**

(105) Walk and Cycle The Hutt 2014-2019 was prepared to inform Council decision-making to achieve a safe and integrated transport system that prioritises active travel as central to making Hutt City a great place to live, work and play.

(106) Objective 5.1 of the strategy is *safe and integrated networks for commuting and recreational purposes* which includes prioritising the key routes for safe walking and cycling, including being to *complete the protected arterial route through the city i.e. the River Trail and a shared path on Cambridge Terrace linking back to the Hutt River via the 'Rail Trail' to Seaview and the Waiwhetu Stream route; and cycleways on Knights Road and Waterloo Road.*

(107) A map is provided of the key routes in Appendix 3 to the strategy.

### **Reserves Strategic Directions 2016-2026**

(108) The Reserves Strategic Direction 2016-2026 sets a vision of *a reserve network that is valued for protecting the natural environment and public open space, the benefits it brings to the city and its role in contributing to the health and wellbeing of the people and the natural environment of our city.*

(109) The vision is to be achieved by five key strategies, which are:

- Protection and enhancement of the reserve network;
- Protecting and nurturing our environment using sustainable practices;
- Connected reserves and natural areas;
- Quality reserves, programmes and collaboration; and
- Engagement, participation and collaboration.

(110) Of relevance to PC54 is Strategic Direction 3: Connected Reserves and Natural Areas. The priorities under this strategic direction are to provide all weather paths through reserves to connect neighbourhoods and streets, and provide short cuts for pedestrians, as well as improved access over stopbanks to connect residential areas to The Hutt River/Te Awa Kairangi and the Hutt River Trail.

## **12. EVALUATION OF PC54**

(111) This section of my report provides an overall analysis of PC54 with respect to:

- The plan change documentation, including all accompanying expert reports;
- The submissions and further submissions made on the plan change;
- Expert reports commissioned by the Council from:
  - Harriet Fraser, Traffic (Appendix 4); and
  - Ryan Rose, Land Development Engineering (Appendix 5);
- The policy framework, as set out above;
- Section 32 of the RMA, and
- Part 2 matters under the RMA.

(112) Having considered and assessed all these matters, I consider the key issues in respect of the request are:

- The appropriateness of rezoning the land from General Recreation Activity Area to General Residential Activity Area;
- The appropriateness of removing the Secondary Flood Overlay from the land;
- The environmental effects should the land be rezoned, being:
  - Amenity Effects
  - Traffic Effects
  - Flooding/Stormwater Effects;
  - Other Infrastructure Effects;
  - Public Access and Recreation Effects;
  - Vegetation Effects; and
  - Contaminated Land Effects;
- Achieving Part 2 of the RMA

### 12.1 The Appropriateness of Rezoning the Land from General Recreation Activity Area to General Residential Activity Area

(113) Submissions that raised the appropriateness of the proposed rezoning included DPC54/001, DPC54/002, DPC54/006, DPC54/007, DPC54/008, DPC54/009, DPC54/010, DPC54/011, DPC54/012, DPC54/013, DPC54/014, DPC/015 and DPC/016.

(114) Matters raised in submissions in support included:

- *The need for additional housing land in Hutt City.*
- *The plan change will enable people to enjoy living and raising families in the area, which is well located near schools, playgrounds and recreation areas. Would like the area to be welcoming for families, where kids can walk and scoot to the great local schools and facilities.*
- *Shocked by the dramatic increase in house prices in our area in recent years.*

(115) Matters raised in submissions in opposition included:

- *The plan change is not driven by the National Policy Statement on Urban Development, but by the need of the applicant to remain financially viable.*
- *There is no 'strong national direction' in pushing residential subdivision into using up a green recreational space that was unintentionally released as a by-product of the GWRC flood protection re-alignment works for housing stock.*
- *Any housing developed will not be affordable for the average person given the high average value of the area.*
- *HCC has an obligation to ensure green spaces and recreational areas are preserved for future generations. The area provides habitat for bird life, and provides a great community asset.*
- *If the plan change is granted, caveats are necessary to limit the scale and style of development allowed, maximizing green space in consultation with the affected parties.*

(116) In my view, the UGS establishes the need for land to be rezoned for residential purposes in Hutt City, as it states that the Council intends to increase the supply of land available for greenfield development. This is reinforced by the subsequently released NPSUD, which identifies Hutt City Council as a Tier 1 local authority noting that there is an urgent need for additional housing in Hutt City.

- (117) I consider Policy 8 of the NPSUD to be of most relevance. This policy is provided at paragraph (70) of this report, and requires local authority decisions on urban environments to be *responsive to plan changes that would add significantly to development capacity and contribute to well-functioning urban environments*.
- (118) PC54 will, in my view, add to Hutt City's development capacity and contribute to a well-functioning urban environment. The modelled yield provide in the Plan Change Request identifies potentially 63 dwellings could result from PC54. This modelled yield is provided at a greater density than what the existing residential development pattern in the area is, and therefore provide for a greater variety of homes than what is traditionally offered in the area. Further, the location is in close walking proximity to existing public transport stops and services, as well as local amenities including schools, shops and services. These factors, in my view, mean that PC54 can provide for a well-functioning urban environment as defined in Policy 1 and sought in Policy 8 of the NPSUD.
- (119) The Plan Change request provided an assessment of effects on the General Recreation Activity Area land<sup>8</sup>. By way of a summary:
- The golf course can be modified to accommodate the loss of the PC54 land;
  - The golf course is privately owned with access only for members, guests and green fee paying golfers; and
  - As such the amount of General Recreation Activity Area land that the general public can access will not be diminished.
- (120) Rezoning the land will reduce the quantum of General Recreation Activity Area zoned land in Hutt City. In this instance, the recreation use of the land in question is as a private golf course, and therefore from a recreation perspective does not benefit as wide a range of people as public open space does.

## 12.2 The Appropriateness of Removing the Secondary Flood Overlay from the Land

- (121) A submission that raised the appropriateness of removing the Secondary Flood Overlay was DPC54/002. This submission raised the following matter:

*The Secondary River Corridor Overlay is technically redundant, but it is questionable to remove it.*

- (122) It is stated in the Plan Change request that *the secondary river corridor overlay is now redundant due to the [GWRC] having undertaken extensive works to improve flood protection in this area. These works mean the site is protected from flooding of the Hut River to a 230 cumec flood standard with climate change, equivalent to a 440-year return period flood standard.*
- (123) Appendix 3 to the Plan Change request includes correspondence from GWRC Officers, which included comments from officers in the Flood Protection Department. The statement made in the Plan Change request is not questioned in this correspondence. I also note that no submission was received by GWRC.
- (124) Based on this, I consider that removing the Secondary River Corridor Overlay from the site is appropriate. Retaining the Secondary River Corridor Overlay over the land when it is redundant is inefficient and can create unnecessary planning restrictions relating to the land.

## 12.3 The Environmental Effects Should the Land be Rezoned

- (125) In the following I address the likely environmental effects resulting from PC54.

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<sup>8</sup> Section 6.3 of the Plan Change Request

## **Amenity Effects**

- (126) Submissions that raised amenity matters included DPC54/002, DPC54/003, DPC54/006, DPC54/007, DPC54/008, DPC54/009, DPC54/010, DPC54/011, DPC54/012, DPC54/013, DPC54/014, DPC/015 and DPC/016.
- (127) Submission points in support included:
- *Considers the plan change to be good urban design, as it places houses near to good public transport routes and existing facilities.*
- (128) Submission points in opposition included:
- *Loss of land values due to a 'borrowed view' of the golf course.*
  - *An intense development here is not in keeping with the recreational and residential makeup of the area.*
  - *Residents of both Kingston and Allen St will also lose, due to the streets becoming a busier thoroughfare. The dead ends have allowed for community gatherings, which fosters community spirit and neighbourly care. This will be lost.*
- (129) Policy 6 of the NPSUD notes that, in terms of amenity, changes to urban environments *may detract from amenity values appreciated by some people, but improve amenity values appreciated by other people, communities, and future generations, including by providing increased and varied housing densities and types, and are not, of themselves, an adverse effect.*
- (130) The direction stated in Policy 6 of the NPSUD needs to be considered in the context of s7(c) in Part 2 of the RMA, which states:
- In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to...the maintenance and enhancement of amenity values.*
- (131) In my view, what this means is change in urban environments should be expected, but it must be managed in a way which provides for people's amenity.
- (132) I consider that this management is achieved through the existing General Residential Activity Area provisions in the District Plan. In particular, Objective 4A 2.4 states that:
- Built development provides high quality on-site amenity for residents as well as high quality residential amenity for adjoining properties and the street.*
- (133) In my view, the subsequent policies, rules and standards in the District Plan that relate to Objective 4A 2.4 provide for development within the General Residential Activity Area that achieves high quality on site amenity for residents and adjoining properties.
- (134) PC54 can result in positive amenity effects, particularly for those who reside in any dwellings which may be constructed.
- (135) Overall, while PC54 enables a change in use of the subject land, development of the land in accordance with the District Plan will provide for existing, as well as future, amenity.
- (136) In terms of concerns that PC54 will result in a loss of land values, my understanding is that there is long established principle that land values are not an explicitly effect under the RMA. Land values can be influenced by many factors, including land supply and amenity values. Specifically considering land values in addition to amenity effects would essentially result in a 'double counting' of the matter.

## **Traffic Effects**

- (137) Submissions that raised the traffic matters included DPC54/002, DPC54/003, DPC54/006, DPC54/007, DPC54/008, DPC54/009, DPC54/010, DPC54/011, DPC54/012, DPC54/013, DPC54/014, DPC/015 and DPC/016.
- (138) Submission points in support included:

- *Consider that the plan change will give rise to increase traffic. Already concerned about speed of cars on Kingston and Allen St, and encourage Council and developers to consider how to make those streets safer through speed reduction techniques.*

(139) Submission points in opposition included:

- *Increased traffic volumes would be difficult to manage;*
- *Increased traffic flows on Kingston Street and St James Ave, and potentially Allen St if it is to be used as an access, will prove too great for these already busy streets, which are narrow, with vehicles parked on road, often opposite each other, making driving difficult.*
- *Existing number of vehicle movements at peak times are currently only just manageable. Access to High Street from Kingston Street (or Stellin St) can be difficult at any time. Peak times are very slow with queues the norm. Same issue applies for traffic accessing State Highway 2 from St James Ave and Kingston St via Taita Drive.*
- *Questions the predicted increase in daily traffic volumes, considers current wait times at High St intersections longer than the times suggested.*
- *Considers local roading network as already at a peak, almost unmanageable (resulting from greatly increased residential building growth in the entire Hutt Valley region). Adding further congestion would appear detrimental to the entire community.*
- *Considers Cardno Traffic Report which formed part of the request to be woefully inadequate. Concerned that the Daily Traffic Volumes are from 2015, and that considers traffic volumes would have risen since then. Wants a new traffic flow study undertaken by the applicant. Also concerned that the survey undertaken at section 2.3 of the Report is not robust as it was undertaken during the middle of the day during Level 2 restrictions.*
- *If development was to proceed, modification would be necessary to the Kingston/High St intersection. Considers this intersection to be dangerous. Does not want rate payers footing the bill for any modifications if the issue is caused by development.*

(140) In order to make an assessment of traffic effects, I have relied on the evidence of Ms Fraser. Ms Fraser recommends that the additional traffic activity associated with PC54 can be safely accommodated subject to two mitigation measures being implemented at the intersection of High Street and Kingston Street. These are the extension of no stopping lines on High Street to the southwest of the intersection with Kingston Street, and the widening of the flush median to at least 3.3m on High Street at the Kingston Street intersection, to support vehicles turning right out of Kingston Street).

(141) In terms of implementing such measures, I have considered whether this is appropriate to do through measures within PC54, or best considered at the resource consent stage. In this regard, I have been advised by Charles Agate, Transport Asset and Planning Lead at Hutt City Council. Mr Agate stated that Ms Fraser's recommended changes to the road layout typically occur as part of the engineering approval during the resource consent stage. He also advised that for the extension of the yellow lines, a Council Traffic Resolution would be required, but noted that if the need for the lines was a safety issue, they can be installed and resolution retrospectively. The flush median would not require a Council Traffic Resolution.

(142) On the basis of this advice, I am satisfied that traffic matters can be appropriately provided for at resource consent stage.

### **Flooding/Stormwater Effects**

(143) Submissions that raised the flooding/stormwater matters included DPC54/002, DPC54/003, DPC54/006, DPC54/007, DPC54/008, DPC54/009, DPC54/010, DPC54/012, DPC54/013, DPC54/014, DPC/015 and DPC/016.

(144) These submissions, all of which were, in opposition stated that:



- *There appears to be several sites within the land which have very low basins that would be of great benefit for secondary defence in any major flood in the area.*
- *Trees in the area help absorb water, and if the trees are removed for development, more water would lie.*
- *Development of the site could potentially result in flooding.*
- *The current stormwater system is already at/over capacity. Does not consider soak pits to be appropriate, and that the testing undertaken as part of the application does not give an accurate picture of the year round drainage performance.*
- *Considers that the runoff from roading will result in large quantities of stormwater, which the current system will not be able to deal with.*
- *Concerned tree removal would compromise the stop bank, as well as result in a loss of aesthetics and green spaces for current residents.*
- *Concerned soak pits will clog up over time, reducing their effectiveness.*

(145) There were no submission points in support.

(146) In respect of flooding/stormwater effects, I have relied on the evidence of Mr Rose. Mr Rose considers that there are no obvious stormwater issues that would preclude the plan change and the ongoing residential use of the land from proceeding.

### **Other Infrastructure Effects**

(147) Submissions that raised the other infrastructure matters included DPC54/002, DPC54/003, DPC54/006, DPC54/007, DPC54/008, DPC54/009, DPC54/010, DPC54/012, DPC54/013, DPC54/014, DPC/015 and DPC54/016. All submissions were in opposition. The submissions included:

- *Concerned that wastewater mitigation (collection units and pumps on each new dwelling) are not effective, or appropriately regulated.*
- *Do not want sewage discharged into the Hutt River or coming to surface in residential areas.*

(148) In order to assess other infrastructure effects, I have again relied on the evidence of Mr Rose. Mr Rose makes the following conclusions:

- There are no obvious wastewater issues that would preclude PC54;
- There are no obvious potable issues that would preclude PC54;
- There are no obvious utility (electricity and telecommunications) issues that would preclude PC54.

### **Public Access and Recreation Effects**

(149) Public access and recreation matters was raised in submission DPC54/004 (Hutt City Council Parks and Recreation Division). The neutral submission stated that:

- *Public access and recreation opportunities should become matters of control/discretion at subdivision stage. This change is critical for maintaining the ability to create a cohesive network of paths and linkages from the river to the surrounding residential area and maintain access to and from the stopbank if a walking/biking path is constructed.*
- *The stop bank Melling track has the potential to extend through the proposed zone change connecting Allen St and/or Kingston St to Te Awa Kairangi. Notes that residential activities have increasingly intensified resulting in a decrease in private outdoor living space and considers this ultimately leads to an increase in the demand for public open space.*

- *Preserving opportunities to create connections to open space the requirement for developing new open space is lowered and more land can be used for residential purposes.*
  - *Recreation opportunities, quality open space, and connection to Te Awa Kairangi are important in creating a vibrant, active city and promote the key priority of effectively planning for growth in our city as identified in the Draft LTP.*
- (150) There were no submission points in support or opposition. However, it is noted that during the Plan Change Requestor's consultation with GWRC, GWRC officers stated:
- GWRC seeks to encourage public access along the stopbank network and would like to see future public access along either the stopbank or the 5m access strip adjacent to the stopbank as part of the Hutt City Council walk/cycle trail network. We seek that any proposed development facilitates this access. Suitable fencing is also likely to be required as the area is currently part of the Boulcott Golf Course.<sup>9</sup>*
- (151) I note that the only recreation opportunity currently explicitly provided for on the stop bank is golf. As stated earlier in paragraph (17) of this report, there is no public access currently provided through the course.
- (152) Appendix 10 of the Plan Change Request include an Encumbrance Instrument registered on the BFHGC Record of Title. Under this Encumbrance Instrument, BFHGC is the Encumbrancer and GWRC is the Encumbrancee. My understanding of this instrument is that essentially should BFHGC as landowners decide to sell or change the use of the GWRC administered stop bank areas within BFHGC land, the stop bank must be transferred to GWRC. The instrument also includes provision relating to an Area B which I understand is outside of the Plan Change Area, but dissuades GWRC from promoting or instigating the construction of a public walkway.
- (153) Submission DPC54/004 outlines that development of a walking/bike path along the stop bank could potentially be developed. This aligns with the direction provided in Strategic Direction 3 of the Reserves Strategic Directions 2016-2026, which as stated in paragraph (x) above includes provision of *all weather paths through reserves to connect neighbourhoods and streets, and provide short cuts for pedestrians, as well as improved access over stopbanks to connect residential areas to The Hutt River/Te Awa Kairangi and the Hutt River Trail*. I note that the stopbank is not a Hutt City Council Reserve, but private land, and that through the Encumbrance Instrument, should BFHGC sell the land, it would have to be to GWRC.
- (154) I agree with the submitted that at a macro level there could be benefits to providing public access from the Plan Change area to the stopbank to facilitate recreation opportunities.
- (155) However, given the presence of the encumbrance, such opportunities are limited to the stopbank only where it is directly adjacent to the Plan Change area, rather than connecting in with wider walking, cycling and recreation opportunities (as sought through Walk and Cycle The Hutt 2014-2019, the UGS and the Environmental Sustainability Strategy 2015-2045). Further, I note that the map in Appendix 3 to Walk and Cycle The Hutt 2014-2019 does not identify a connection through BFHGC.
- (156) On balance, while I consider that connectivity is a matter that should always be considered in urban development, in this instance I do not see a benefit of including a bespoke connectivity provision in PC54, given that the stopbank does not link to a wider network and therefore does not provide wider connectivity as sought in the various Council strategies.

### **Effects on Existing Vegetation**

- (157) Submissions that raised the vegetation matters regarding existing vegetation included DPC54/002, DPC54/005, DPC54/006, DPC54/007, DPC54/008, DPC54/009, DPC54/010, DPC54/012, DPC54/013, DPC54/014, DPC/015, DPC54/016 and DPC54/FS001.
- (158) The submissions, all of which were in opposition stated:

<sup>9</sup> Appendix 3 of the Plan Change Request

- *Concerned tree removal would compromise the stop bank, as well as result in a loss of aesthetics and green spaces for current residents.*
  - *No provision has been made in the plan change for the 30 native trees and 30+ exotic trees on the site, including no identification of the mature Tōtara on site that could live for another 200 years.*
  - *The Hutt City Council Urban Forest Plan 2010 supports my submission that the trees and vegetation on Site 54 are protected and to be considered first at every level of development. The Urban Forest Plan sets out a way to manage and enhance the trees for everyone's benefit.*
  - *The trees on Site 54 are mature and spectacular, and have been carefully tended for up to 60 years. The trees support birds, insects, an above-ground biota and a significant rhizosphere. Hutt City ratepayers have subsidized these trees and the environment, and we have a say in their future.*
- (159) The existing trees located within the PC54 area are not protected under the District Plan or under any other form of protection. Further, they form a small proportion of the trees which exist across the entirety of the BCFGF golf course. If PC54 is accepted, it is likely to result in a number of those trees within the plan change area being removed.
- (160) In terms of the effect that the trees have on the stop bank, I note that as part of the Plan Change Request, Greater Wellington Regional Council, who administer the stop bank, were consulted. As part of this consultation the boundary of the plan change area was deliberately setback 5m from the bottom of the stopbank. Greater Wellington Regional Council did not subsequently submit on PC54. As such I am of the view that should the trees be removed, they will not compromise the stop bank.

### **Contaminated Land Effects**

- (161) There was one submission (DPC54/005, which was in opposition to PC54) that raised contaminated land matters. This stated:
- Household rubbish was dumped on the site from the earliest days of settlement on the back boundary of the golf course. A thorough test of the dump area would clear it of any concerns about contaminants, paints, garden chemicals and asbestos.*
- (162) The land in question is not identified as potentially contaminated on the Greater Wellington Regional Council Selected Land Use Register. However this does not mean that the land is definitely not contaminated. It only identifies contamination that is known about it.
- (163) The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NESCS) also requires consideration for this matter. The NESCS applies to all land on which any activity listed on the Hazardous Activities and Industries List (HAIL). The HAIL categories include:
- A10 Persistent pesticide bulk storage or use including sport turfs, market gardens, orchards, glass houses or spray sheds.*
- I Any other land that has been subject to the intentional or accidental release of a hazardous substance in sufficient quantity that it could be a risk to human health or the environment.*
- (164) Appendix 10 to the Plan Change request includes comment from a contaminated land expert, outlining that in their view HAIL category A10 is not applicable to the plan change area.
- (165) In any instance, should any soil disturbance occur on the site, regardless of its zoning, the NESCS is potentially applicable. This process occurs under the resource consent process, and is not a matter for the consideration of PC54.

## 12.4 Section 32

(166) I have reviewed the s32 analysis provided by the Plan Change Requestor and agree with it. As I recommend no changes to the provisions, no s32AA analysis is required.

## 12.5 Achieving Part 2 of the RMA

(167) I have set out what I consider to be the relevant RMA Part 2 clauses at paragraphs (39) to (46)<sup>10</sup> of this report.

(168) On the basis of evidence available to me at the time of writing this report, it is my view that PC54 would meet the purpose of the RMA and the relevant principles. This is for the reasons that:

- Te Runanga Toa Rangatira, the Tenths Trust and Port Nicholson Settlement Block Trust have not raised any matters of concern;
- Using the land for residential purposes is efficient, given it directly adjoins land zoned General Residential Activity Area, and is well located for residential services, public transport and other key urban amenities. Residential land is a finite resource, and PC54 will help address the identified shortage of residential land in Hutt City;
- While the plan change will enable a change to the current environment, the provisions in the General Residential Activity Area chapter of the District Plan provide for the maintenance and enhancement of amenity values and the quality of the environment; and
- The vegetation (and fauna) that exists within the plan change land is not identified in any planning documents as being significant.

(169) Overall, I consider that PC54 will provide for the sustainable management of the subject land, in a way that provides for people and communities social, economic and cultural well-being.

## 13. RECOMMENDATION

(170) On the basis of the evidence and information available to it at this time, I consider that the Hearings Panel should make the following recommendation to Council:

Pursuant to Clause 29(4) of Schedule One of the Resource Management Act 1991, Council **approves** Private Plan Change 54 in accordance with the reasons set out in the report above.

Report prepared by:



Tom Anderson  
**Planning Consultant, acting for Hutt  
City Council**

Report reviewed by:



Stephen Davis  
**Intermediate Policy Planner,  
Hutt City Council**

3 December 2021

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<sup>10</sup> For completeness, these clauses were s5, s6(b), s7(b), s7(c), s7(f), s7(g) and s8.

## **Appendix 1**

### **Recommended Decisions on Submissions**

## Recommended Decisions on Submissions

DPC54/001 James Brodie					Officer Recommendation
Sub. Ref.	Topic	Position	Decision Requested	Comments	
1.1	Whole of Plan Change	Support	Approve the Plan Change	Submitter comments on: <ul style="list-style-type: none"> <li>• Need for additional housing land in Hutt City.</li> <li>• The Plan appears to have a minimal effect on existing householders.</li> <li>• The proposal provides flexibility to the gold club in determining future funding options, assuring the viability of an important Lower Hutt recreational asset.</li> </ul>	Accept in part

DPC54/002 Paul and Kerry Gillan					Officer Recommendation
Sub. Ref.	Topic	Position	Decision Requested	Comments	
2.1	Residents Equity	Oppose	Reject the Plan Change	Submitter comments on: <ul style="list-style-type: none"> <li>• Land values in the affected area are a premium, due to properties having a 'borrowed view' of the golf course and afternoon sun. Notes that there was never a guarantee of the views, but it was always accepted as a given.</li> <li>• Council has received additional rates due to the properties higher valuation.</li> <li>• House owners in the affected area will ensure a very substantial financial loss to the equity in their property if the proposal is accepted.</li> </ul>	Reject
2.2	Traffic	Oppose	Reject the Plan Change	Submitter comments on: <ul style="list-style-type: none"> <li>• Increased traffic volumes would be difficult to manage, and provides an estimate of additional vehicle movements.</li> <li>• States that increased traffic flow on Kingston Street and St James Ave,</li> </ul>	Accept in part

				<p>and potentially Allen St if it is to be used as an access, will prove to great for these already busy streets, which are narrow, with vehicles parked on road, often opposite each other, making driving difficult.</p> <ul style="list-style-type: none"> <li>• Considers existing number of vehicle movements at peak times to be only just manageable. Access to High Street from Kinston Street (or Stellin St) can be difficult at any time. Peak times are very slow with queues the norm. Same issue applies for traffic accessing State Highway 2 from St James Ave and Kingston St via Taita Drive.</li> <li>• Questions the predicted increase in daily traffic volumes in PC54 proposal, considers current wait times at High St intersections longer than the times suggested.</li> <li>• Considers local roading network as already to be at a peak, almost unmanageable (resulting from greatly increased residential building growth in the entire Hutt Valley region). Adding further congestion would appear detrimental to the entire community.</li> <li>• Considers Cardno Traffic Report which formed part of the application to be woefully inadequate. Concerned that the Daily Traffic Volumes are from 2015, and that considers traffic volumes would have risen since then. Wants a new traffic flow study undertaken by the applicant. Also concerned that the survey undertaken at section 2.3 of the Report is not robust as it was undertaken during the middle of the day during Level 2 restrictions.</li> <li>• Notes if development was to proceed, modification would be necessary to the Kingston/High St intersection. Considers this intersection to be dangerous. Does not want rate payers footing the bill for any modifications if the issue is caused by development.</li> </ul>	
2.3	Flooding/ Stormwater	Oppose	Reject the Plan Change	<p>Submitter comments on:</p> <ul style="list-style-type: none"> <li>• The Secondary River Corridor Overlay, notes that the overlay is technically redundant, but questionable to remove it.</li> <li>• Notes that the Council and Regional Council have spent vast sums on flood protection in this area.</li> <li>• States that the proposed land is protected by a flood bank, but considers there to be several sites within the land which have very low basins that would be of great benefit for secondary defence in any major flood in the area.</li> </ul>	Reject

				<ul style="list-style-type: none"> <li>• Questions the results of testing done on water drainage, as it occurred in dry weather and does not reflect the reality. Notes the ground does drain, but after heavy rain water pools in lower ground and can take up to several days to clear.</li> <li>• Trees in the area help absorb water, and if the trees are removed for development, more water would lie.</li> <li>• Considers development of the site could potentially result in flooding.</li> <li>• Notes that current stormwater system is already at/over capacity. Does not consider soak pits to be appropriate, and that the testing undertaken as part of the application does not give an accurate picture of the year round drainage performance.</li> <li>• Considers that the runoff from roading will result in large quantities of stormwater, which the current system will not be able to deal with.</li> <li>• Concerned tree removal would compromise the stop bank, as well as result in a loss of aesthetics and green spaces for current residents. Further, concerned that tree removal would remove their ability to act as a sponge for water in the area.</li> <li>• Concerned soak pits will clog up over time, reducing their effectiveness.</li> </ul>	
2.4	Wastewater	Oppose	Reject the Plan Change	<p>Submitter comments on:</p> <ul style="list-style-type: none"> <li>• Notes the advice in the application from Wellington Water Limited concerning capacity of the wastewater network, and considers that a detailed feasibility report is required to determine the effectiveness of the mitigation strategy proposed.</li> <li>• Concerned that the mitigation (collection units and pumps on each new dwelling) are effective, and how such units are regulated.</li> <li>• Does not want sewage discharged into the Hutt River or coming to surface in residential areas.</li> </ul>	Reject
2.5	Urban Development and Amenity	Oppose	Reject the Plan Change	<p>Submitter comments on:</p> <ul style="list-style-type: none"> <li>• Does not consider that the proposal is driven by the National Policy Statement on Urban Development, but by the need of the applicant to remain financially viable.</li> <li>• Is sure there is not a 'strong national direction' in pushing residential subdivision into using up a green recreational space that was</li> </ul>	Reject



				<p>unintentionally releases as a by-product of the GWRC flood protection re-alignment works for housing stock.</p> <ul style="list-style-type: none"> <li>• Notes more affordable housing may well be needed, but an intense development here is not in keeping with the recreational and residential makeup of the area.</li> <li>• Considers any housing developed will not be affordable for the average person given the high average value of the area.</li> <li>• A premium price was paid to enjoy the vista and space of living next to a golf course. The plan change will result in a financial loss to properties directly adjoining the plan change area.</li> <li>• Residents of both Kingston and Allen St will also lose, due to the streets becoming a busier thoroughfare. The dead ends have allowed for community gatherings, which fosters community spirit and neighbourly care. This will be loss.</li> <li>• This is not the area for affordable housing. Considers other places to be better suited, as they would not affect existing residential properties or use up green space.</li> <li>• Considers HCC has an obligation to ensure green spaces and recreational areas are preserved for future generations. Considers that the area provides habitat for bird life, and provides a great community asset. Considers Council, alongside funding through Sports Funding or Recreation Aotearoa, support the plan change applicant so that the plan change does not need to proceed and green space can be retained.</li> <li>• If the plan change is granted, considers caveats are necessary to limit the scale and style of development allowed, maximizing green space in consultation with the affected parties.</li> </ul>	
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DPC54/003 Danny Langstraat					Officer Recommendation
Sub. Ref.	Topic	Position	Decision Requested	Comments	
3.1	Stormwater	Oppose	Reject the Plan Change	<p>Submitter comments on:</p> <ul style="list-style-type: none"> <li>• Notes that current stormwater system is already at/over capacity. Does not consider soak pits to be appropriate, and that the testing undertaken</li> </ul>	Reject

				<p>as part of the application does not give an accurate picture of the year round drainage performance.</p> <ul style="list-style-type: none"> <li>• Considers that the runoff from roading will result in large quantities of stormwater, which the current system will not be able to deal with.</li> <li>• Concerned tree removal would compromise the stop bank, as well as result in a loss of aesthetics and green spaces for current residents. Further, concerned that tree removal would remove their ability to act as a sponge for water in the area.</li> <li>• Concerned soak pits will clog up over time, reducing their effectiveness.</li> </ul>	
3.2	Wastewater	Oppose	Reject the Plan Change	<p>Submitter comments on:</p> <ul style="list-style-type: none"> <li>• Notes the advice in the application from Wellington Water Limited concerning capacity of the wastewater network, and considers that a detailed feasibility report is required to determine the effectiveness of the mitigation strategy proposed.</li> <li>• Concerned that the mitigation (collection units and pumps on each new dwelling) are effective, and how such units are regulated.</li> <li>• Does not want sewage discharged into the Hutt River or coming to surface in residential areas.</li> </ul>	Reject
3.3	Traffic	Oppose	Reject the Plan Change	<p>Submitter comments on:</p> <ul style="list-style-type: none"> <li>• Considers Cardno Traffic Report which formed part of the application to be woefully inadequate. Concerned that the Daily Traffic Volumes are from 2015, and that considers traffic volumes would have risen since then. Wants a new traffic flow study undertaken by the applicant. Also concerned that the survey undertaken at section 2.3 of the Report is not robust as it was undertaken during the middle of the day during Level 2 restrictions.</li> <li>• Notes if development was to proceed, modification would be necessary to the Kingston/High St intersection. Considers this intersection to be dangerous. Does not want rate payers footing the bill for any modifications if the issue is caused by development.</li> </ul>	Accept in part
3.4	Urban Development	Oppose	Reject the Plan	Submitter comments on:	Reject

	and Amenity		Change	<ul style="list-style-type: none"> <li>• Does not consider that the proposal is driven by the National Policy Statement on Urban Development, but by the need of the applicant to remain financially viable.</li> <li>• Is sure there is not a 'strong national direction' in pushing residential subdivision into using up a green recreational space that was unintentionally releases as a by-product of the GWRC flood protection re-alignment works for housing stock.</li> <li>• Notes more affordable housing may well be needed, but an intense development here is not in keeping with the recreational and residential makeup of the area.</li> <li>• Considers any housing developed will not be affordable for the average person given the high average value of the area.</li> <li>• A premium price was paid to enjoy the vista and space of living next to a golf course. The plan change will result in a financial loss to properties directly adjoining the plan change area.</li> <li>• Residents of both Kingston and Allen St will also lose, due to the streets becoming a busier thoroughfare. The dead ends have allowed for community gatherings, which fosters community spirit and neighbourly care. This will be loss.</li> <li>• This is not the area for affordable housing. Considers other places to be better suited, as they would not affect existing residential properties or use up green space.</li> <li>• Considers HCC has an obligation to ensure green spaces and recreational areas are preserved for future generations. Considers that the area provides habitat for bird life, and provides a great community asset. Considers Council, alongside funding through Sports Funding or Recreation Aotearoa, support the plan change applicant so that the plan change does not need to proceed and green space can be retained.</li> <li>• If the plan change is granted, considers caveats are necessary to limit the scale and style of development allowed, maximizing green space in consultation with the affected parties.</li> </ul>	
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<b>DPC54/004</b>				<b>Hutt City Council – Parks and Recreation Division (officer submission)</b>		<b>Officer Recommendation</b>	
<b>Sub.</b>	<b>Topic</b>	<b>Position</b>	<b>Decision</b>	<b>Comments</b>			

Ref.			Requested		
4.1	Public Access and Recreation	Neutral	If approved, recommends changes to the proposal making public access and recreation opportunities matters of control/discretion for subdivision consent at this site.	<p>Submitter comments on:</p> <ul style="list-style-type: none"> <li>The recommend changes are critical for maintaining the ability to create a cohesive network of paths and linkages from the river to the surrounding residential area and maintain access to and from the stopbank if a walking/biking path is constructed.</li> <li>Note that the HRT stop bank Melling track has the potential to extend through the proposed zone change connecting Allen St and/or Kingston St to Te Awa Kairangi. Notes that residential activities have increasingly intensified resulting in a decrease in private outdoor living space and considers this ultimately leads to an increase in the demand for public open space.</li> <li>Considers that by preserving opportunities to create connections to open space the requirement for developing new open space is lowered and more land can be used for residential purposes.</li> <li>Considers that recreation opportunities, quality open space, and connection to Te Awa Kairangi are important in creating a vibrant, active city and promote the key priority of effectively planning for growth in our city as identified in the Draft LTP.</li> </ul>	Reject

DPC54/005 Robert Chisholm					Officer Recommendation
Sub. Ref.	Topic	Position	Decision Requested	Comments	
5.1	Trees	Oppose	A notable tree analysis be undertaken	<p>Submitter comments on:</p> <ul style="list-style-type: none"> <li>The subject site has been used to grow spectacular trees.</li> <li>No provision made in the plan change for the 30 native trees and 30+ exotic trees on site.</li> <li>Considers that the applicant has been subsidised through rating on the understanding that the amenity provided by the trees would benefit the City.</li> <li>No identification of the mature Tōtara on site that could live for another 200 years.</li> </ul>	Reject

				<ul style="list-style-type: none"> <li>No identification of "Tōtara alley".</li> </ul>	
5.2	Site History	Not Stated	A thorough test of a "dump area" to clear any concerns about contaminants, paints, garden chemicals, and building and roofing asbestos.	<p>Submitter comments on:</p> <ul style="list-style-type: none"> <li>Considers that household rubbish was dumped from the earliest days of settlement on the back boundary of the golf course.</li> </ul>	Accept in part

DPC54/006 Craig Burnett and Keryn Davis					Officer Recommendation
Sub. Ref.	Topic	Position	Decision Requested	Comments	
6.1	Stormwater	Oppose	Reject the Plan Change	<p>Submitter comments on:</p> <ul style="list-style-type: none"> <li>Notes that current stormwater system is already at/over capacity. Does not consider soak pits to be appropriate, and that the testing undertaken as part of the application does not give an accurate picture of the year round drainage performance.</li> <li>Considers that the runoff from roading will result in large quantities of stormwater, which the current system will not be able to deal with.</li> <li>Concerned tree removal would compromise the stop bank, as well as result in a loss of aesthetics and green spaces for current residents. Further, concerned that tree removal would remove their ability to act as a sponge for water in the area.</li> </ul> <p>Concerned soak pits will clog up over time, reducing their effectiveness.</p>	Reject
6.2	Wastewater	Oppose	Reject the Plan Change	<p>Submitter comments on:</p> <ul style="list-style-type: none"> <li>Notes the advice in the application from Wellington Water Limited concerning capacity of the wastewater network, and considers that a detailed feasibility report is required to determine the effectiveness of the</li> </ul>	Reject

				<p>mitigation strategy proposed.</p> <ul style="list-style-type: none"> <li>Concerned that the mitigation (collection units and pumps on each new dwelling) are effective, and how such units are regulated.</li> </ul> <p>Does not want sewage discharged into the Hutt River or coming to surface in residential areas.</p>	
6.3	Traffic	Oppose	Reject the Plan Change	<p>Submitter comments on:</p> <ul style="list-style-type: none"> <li>Considers Cardno Traffic Report which formed part of the application to be woefully inadequate. Concerned that the Daily Traffic Volumes are from 2015, and that considers traffic volumes would have risen since then. Wants a new traffic flow study undertaken by the applicant. Also concerned that the survey undertaken at section 2.3 of the Report is not robust as it was undertaken during the middle of the day during Level 2 restrictions.</li> </ul> <p>Notes if development was to proceed, modification would be necessary to the Kingston/High St intersection. Considers this intersection to be dangerous. Does not want rate payers footing the bill for any modifications if the issue is caused by development.</p>	Accept in part
6.4	Urban Development and Amenity	Oppose	Reject the Plan Change	<p>Submitter comments on:</p> <ul style="list-style-type: none"> <li>Does not consider that the proposal is driven by the National Policy Statement on Urban Development, but by the need of the applicant to remain financially viable.</li> <li>Is sure there is not a 'strong national direction' in pushing residential subdivision into using up a green recreational space that was unintentionally releases as a by-product of the GWRC flood protection re-alignment works for housing stock.</li> <li>Notes more affordable housing may well be needed, but an intense development here is not in keeping with the recreational and residential makeup of the area.</li> <li>Considers any housing developed will not be affordable for the average person given the high average value of the area.</li> <li>A premium price was paid to enjoy the vista and space of living next to a golf course. The plan change will result in a financial loss to properties</li> </ul>	Reject

				<p>directly adjoining the plan change area.</p> <ul style="list-style-type: none"> <li>Residents of both Kingston and Allen St will also lose, due to the streets becoming a busier thoroughfare. The dead ends have allowed for community gatherings, which fosters community spirit and neighbourly care. This will be loss.</li> <li>This is not the area for affordable housing. Considers other places to be better suited, as they would not affect existing residential properties or use up green space.</li> <li>Considers HCC has an obligation to ensure green spaces and recreational areas are preserved for future generations. Considers that the area provides habitat for bird life, and provides a great community asset. Considers Council, alongside funding through Sports Funding or Recreation Aotearoa, support the plan change applicant so that the plan change does not need to proceed and green space can be retained.</li> </ul> <p>If the plan change is granted, considers caveats are necessary to limit the scale and style of development allowed, maximizing green space in consultation with the affected parties.</p>	
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DPC54/007 Steve Machirus					Officer Recommendation
Sub. Ref.	Topic	Position	Decision Requested	Comments	
7.1	Stormwater	Oppose	Reject the Plan Change	<p>Submitter comments on:</p> <ul style="list-style-type: none"> <li>Notes that current stormwater system is already at/over capacity. Does not consider soak pits to be appropriate, and that the testing undertaken as part of the application does not give an accurate picture of the year round drainage performance.</li> <li>Considers that the runoff from roading will result in large quantities of stormwater, which the current system will not be able to deal with.</li> <li>Concerned tree removal would compromise the stop bank, as well as result in a loss of aesthetics and green spaces for current residents. Further, concerned that tree removal would remove their ability to act as a sponge for water in the area.</li> </ul>	Reject

				Concerned soak pits will clog up over time, reducing their effectiveness.	
7.2	Wastewater	Oppose	Reject the Plan Change	<p>Submitter comments on:</p> <ul style="list-style-type: none"> <li>Notes the advice in the application from Wellington Water Limited concerning capacity of the wastewater network, and considers that a detailed feasibility report is required to determine the effectiveness of the mitigation strategy proposed.</li> <li>Concerned that the mitigation (collection units and pumps on each new dwelling) are effective, and how such units are regulated.</li> </ul> <p>Does not want sewage discharged into the Hutt River or coming to surface in residential areas.</p>	Reject
7.3	Traffic	Oppose	Reject the Plan Change	<p>Submitter comments on:</p> <ul style="list-style-type: none"> <li>Considers Cardno Traffic Report which formed part of the application to be woefully inadequate. Concerned that the Daily Traffic Volumes are from 2015, and that considers traffic volumes would have risen since then. Wants a new traffic flow study undertaken by the applicant. Also concerned that the survey undertaken at section 2.3 of the Report is not robust as it was undertaken during the middle of the day during Level 2 restrictions.</li> </ul> <p>Notes if development was to proceed, modification would be necessary to the Kingston/High St intersection. Considers this intersection to be dangerous. Does not want rate payers footing the bill for any modifications if the issue is caused by development.</p>	Accept in part
7.4	Urban Development and Amenity	Oppose	Reject the Plan Change	<p>Submitter comments on:</p> <ul style="list-style-type: none"> <li>Does not consider that the proposal is driven by the National Policy Statement on Urban Development, but by the need of the applicant to remain financially viable.</li> <li>Is sure there is not a 'strong national direction' in pushing residential subdivision into using up a green recreational space that was unintentionally releases as a by-product of the GWRC flood protection re-alignment works for housing stock.</li> <li>Notes more affordable housing may well be needed, but an intense development here is not in keeping with the recreational and residential makeup of the area.</li> </ul>	Reject



				<ul style="list-style-type: none"> <li>• Considers any housing developed will not be affordable for the average person given the high average value of the area.</li> <li>• A premium price was paid to enjoy the vista and space of living next to a golf course. The plan change will result in a financial loss to properties directly adjoining the plan change area.</li> <li>• Residents of both Kingston and Allen St will also lose, due to the streets becoming a busier thoroughfare. The dead ends have allowed for community gatherings, which fosters community spirit and neighbourly care. This will be loss.</li> <li>• This is not the area for affordable housing. Considers other places to be better suited, as they would not affect existing residential properties or use up green space.</li> <li>• Considers HCC has an obligation to ensure green spaces and recreational areas are preserved for future generations. Considers that the area provides habitat for bird life, and provides a great community asset. Considers Council, alongside funding through Sports Funding or Recreation Aotearoa, support the plan change applicant so that the plan change does not need to proceed and green space can be retained.</li> </ul> <p>If the plan change is granted, considers caveats are necessary to limit the scale and style of development allowed, maximizing green space in consultation with the affected parties.</p>	
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<b>DPC54/008 Jennifer Butler for St James Ave Collective</b>					<b>Officer Recommendation</b>
<b>Sub. Ref.</b>	<b>Topic</b>	<b>Position</b>	<b>Decision Requested</b>	<b>Comments</b>	
8.1	Stormwater	Oppose	Reject the Plan Change	Submitter comments on: <ul style="list-style-type: none"> <li>• Notes that current stormwater system is already at/over capacity. Does not consider soak pits to be appropriate, and that the testing undertaken as part of the application does not give an accurate picture of the year round drainage performance.</li> <li>• Considers that the runoff from roading will result in large quantities of stormwater, which the current system will not be able to deal with.</li> <li>• Concerned tree removal would compromise the stop bank, as well as</li> </ul>	Reject

				<p>result in a loss of aesthetics and green spaces for current residents. Further, concerned that tree removal would remove their ability to act as a sponge for water in the area.</p> <p>Concerned soak pits will clog up over time, reducing their effectiveness.</p>	
8.2	Wastewater	Oppose	Reject the Plan Change	<p>Submitter comments on:</p> <ul style="list-style-type: none"> <li>Notes the advice in the application from Wellington Water Limited concerning capacity of the wastewater network, and considers that a detailed feasibility report is required to determine the effectiveness of the mitigation strategy proposed.</li> <li>Concerned that the mitigation (collection units and pumps on each new dwelling) are effective, and how such units are regulated.</li> </ul> <p>Does not want sewage discharged into the Hutt River or coming to surface in residential areas.</p>	Reject
8.3	Traffic	Oppose	Reject the Plan Change	<p>Submitter comments on:</p> <ul style="list-style-type: none"> <li>Considers Cardno Traffic Report which formed part of the application to be woefully inadequate. Concerned that the Daily Traffic Volumes are from 2015, and that considers traffic volumes would have risen since then. Wants a new traffic flow study undertaken by the applicant. Also concerned that the survey undertaken at section 2.3 of the Report is not robust as it was undertaken during the middle of the day during Level 2 restrictions.</li> </ul> <p>Notes if development was to proceed, modification would be necessary to the Kingston/High St intersection. Considers this intersection to be dangerous. Does not want rate payers footing the bill for any modifications if the issue is caused by development.</p>	Accept in part
8.4	Urban Development and Amenity	Oppose	Reject the Plan Change	<p>Submitter comments on:</p> <ul style="list-style-type: none"> <li>Does not consider that the proposal is driven by the National Policy Statement on Urban Development, but by the need of the applicant to remain financially viable.</li> <li>Is sure there is not a 'strong national direction' in pushing residential subdivision into using up a green recreational space that was unintentionally releases as a by-product of the GWRC flood protection re-</li> </ul>	Reject

				<p>alignment works for housing stock.</p> <ul style="list-style-type: none"> <li>• Notes more affordable housing may well be needed, but an intense development here is not in keeping with the recreational and residential makeup of the area.</li> <li>• Considers any housing developed will not be affordable for the average person given the high average value of the area.</li> <li>• A premium price was paid to enjoy the vista and space of living next to a golf course. The plan change will result in a financial loss to properties directly adjoining the plan change area.</li> <li>• Residents of both Kingston and Allen St will also lose, due to the streets becoming a busier thoroughfare. The dead ends have allowed for community gatherings, which fosters community spirit and neighbourly care. This will be loss.</li> <li>• This is not the area for affordable housing. Considers other places to be better suited, as they would not affect existing residential properties or use up green space.</li> <li>• Considers HCC has an obligation to ensure green spaces and recreational areas are preserved for future generations. Considers that the area provides habitat for bird life, and provides a great community asset. Considers Council, alongside funding through Sports Funding or Recreation Aotearoa, support the plan change applicant so that the plan change does not need to proceed and green space can be retained.</li> </ul> <p>If the plan change is granted, considers caveats are necessary to limit the scale and style of development allowed, maximizing green space in consultation with the affected parties.</p>	
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DPC54/009 Paul Laplanche					Officer Recommendation
Sub. Ref.	Topic	Position	Decision Requested	Comments	
9.1	Stormwater	Oppose	Reject the Plan Change	<p>Submitter comments on:</p> <ul style="list-style-type: none"> <li>• Notes that current stormwater system is already at/over capacity. Does not consider soak pits to be appropriate, and that the testing undertaken as part of the application does not give an accurate picture of the year</li> </ul>	Reject

				<p>round drainage performance.</p> <ul style="list-style-type: none"> <li>• Considers that the runoff from roading will result in large quantities of stormwater, which the current system will not be able to deal with.</li> <li>• Concerned tree removal would compromise the stop bank, as well as result in a loss of aesthetics and green spaces for current residents. Further, concerned that tree removal would remove their ability to act as a sponge for water in the area.</li> </ul> <p>Concerned soak pits will clog up over time, reducing their effectiveness.</p>	
9.2	Wastewater	Oppose	Reject the Plan Change	<p>Submitter comments on:</p> <ul style="list-style-type: none"> <li>• Notes the advice in the application from Wellington Water Limited concerning capacity of the wastewater network, and considers that a detailed feasibility report is required to determine the effectiveness of the mitigation strategy proposed.</li> <li>• Concerned that the mitigation (collection units and pumps on each new dwelling) are effective, and how such units are regulated.</li> </ul> <p>Does not want sewage discharged into the Hutt River or coming to surface in residential areas.</p>	Reject
9.3	Traffic	Oppose	Reject the Plan Change	<p>Submitter comments on:</p> <ul style="list-style-type: none"> <li>• Considers Cardno Traffic Report which formed part of the application to be woefully inadequate. Concerned that the Daily Traffic Volumes are from 2015, and that considers traffic volumes would have risen since then. Wants a new traffic flow study undertaken by the applicant. Also concerned that the survey undertaken at section 2.3 of the Report is not robust as it was undertaken during the middle of the day during Level 2 restrictions.</li> </ul> <p>Notes if development was to proceed, modification would be necessary to the Kingston/High St intersection. Considers this intersection to be dangerous. Does not want rate payers footing the bill for any modifications if the issue is caused by development.</p>	Accept in part
9.4	Urban Development and Amenity	Oppose	Reject the Plan Change	<p>Submitter comments on:</p> <ul style="list-style-type: none"> <li>• Does not consider that the proposal is driven by the National Policy Statement on Urban Development, but by the need of the applicant to</li> </ul>	Reject

				<p>remain financially viable.</p> <ul style="list-style-type: none"> <li>• Is sure there is not a 'strong national direction' in pushing residential subdivision into using up a green recreational space that was unintentionally releases as a by-product of the GWRC flood protection re-alignment works for housing stock.</li> <li>• Notes more affordable housing may well be needed, but an intense development here is not in keeping with the recreational and residential makeup of the area.</li> <li>• Considers any housing developed will not be affordable for the average person given the high average value of the area.</li> <li>• A premium price was paid to enjoy the vista and space of living next to a golf course. The plan change will result in a financial loss to properties directly adjoining the plan change area.</li> <li>• Residents of both Kingston and Allen St will also lose, due to the streets becoming a busier thoroughfare. The dead ends have allowed for community gatherings, which fosters community spirit and neighbourly care. This will be loss.</li> <li>• This is not the area for affordable housing. Considers other places to be better suited, as they would not affect existing residential properties or use up green space.</li> <li>• Considers HCC has an obligation to ensure green spaces and recreational areas are preserved for future generations. Considers that the area provides habitat for bird life, and provides a great community asset. Considers Council, alongside funding through Sports Funding or Recreation Aotearoa, support the plan change applicant so that the plan change does not need to proceed and green space can be retained.</li> </ul> <p>If the plan change is granted, considers caveats are necessary to limit the scale and style of development allowed, maximizing green space in consultation with the affected parties.</p>	
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<b>DPC54/010</b>					<b>David Cody for St James Ave Collective</b>		<b>Officer Recommendation</b>
<b>Sub. Ref.</b>	<b>Topic</b>	<b>Position</b>	<b>Decision Requested</b>	<b>Comments</b>			

10.1	Stormwater	Oppose	Reject the Plan Change	<p>Submitter comments on:</p> <ul style="list-style-type: none"> <li>Notes that current stormwater system is already at/over capacity. Does not consider soak pits to be appropriate, and that the testing undertaken as part of the application does not give an accurate picture of the year round drainage performance.</li> <li>Considers that the runoff from roading will result in large quantities of stormwater, which the current system will not be able to deal with.</li> <li>Concerned tree removal would compromise the stop bank, as well as result in a loss of aesthetics and green spaces for current residents. Further, concerned that tree removal would remove their ability to act as a sponge for water in the area.</li> </ul> <p>Concerned soak pits will clog up over time, reducing their effectiveness.</p>	Reject
10.2	Wastewater	Oppose	Reject the Plan Change	<p>Submitter comments on:</p> <ul style="list-style-type: none"> <li>Notes the advice in the application from Wellington Water Limited concerning capacity of the wastewater network, and considers that a detailed feasibility report is required to determine the effectiveness of the mitigation strategy proposed.</li> <li>Concerned that the mitigation (collection units and pumps on each new dwelling) are effective, and how such units are regulated.</li> </ul> <p>Does not want sewage discharged into the Hutt River or coming to surface in residential areas.</p>	Reject
10.3	Traffic	Oppose	Reject the Plan Change	<p>Submitter comments on:</p> <ul style="list-style-type: none"> <li>Considers Cardno Traffic Report which formed part of the application to be woefully inadequate. Concerned that the Daily Traffic Volumes are from 2015, and that considers traffic volumes would have risen since then. Wants a new traffic flow study undertaken by the applicant. Also concerned that the survey undertaken at section 2.3 of the Report is not robust as it was undertaken during the middle of the day during Level 2 restrictions.</li> </ul> <p>Notes if development was to proceed, modification would be necessary to the Kingston/High St intersection. Considers this intersection to be dangerous. Does not want rate payers footing the bill for any modifications if the issue is caused by development.</p>	Accept in part

10.4	Urban Development and Amenity	Oppose	Reject the Plan Change	<p>Submitter comments on:</p> <ul style="list-style-type: none"> <li>• Does not consider that the proposal is driven by the National Policy Statement on Urban Development, but by the need of the applicant to remain financially viable.</li> <li>• Is sure there is not a 'strong national direction' in pushing residential subdivision into using up a green recreational space that was unintentionally releases as a by-product of the GWRC flood protection re-alignment works for housing stock.</li> <li>• Notes more affordable housing may well be needed, but an intense development here is not in keeping with the recreational and residential makeup of the area.</li> <li>• Considers any housing developed will not be affordable for the average person given the high average value of the area.</li> <li>• A premium price was paid to enjoy the vista and space of living next to a golf course. The plan change will result in a financial loss to properties directly adjoining the plan change area.</li> <li>• Residents of both Kingston and Allen St will also lose, due to the streets becoming a busier thoroughfare. The dead ends have allowed for community gatherings, which fosters community spirit and neighbourly care. This will be loss.</li> <li>• This is not the area for affordable housing. Considers other places to be better suited, as they would not affect existing residential properties or use up green space.</li> <li>• Considers HCC has an obligation to ensure green spaces and recreational areas are preserved for future generations. Considers that the area provides habitat for bird life, and provides a great community asset. Considers Council, alongside funding through Sports Funding or Recreation Aotearoa, support the plan change applicant so that the plan change does not need to proceed and green space can be retained.</li> </ul> <p>If the plan change is granted, considers caveats are necessary to limit the scale and style of development allowed, maximizing green space in consultation with the affected parties.</p>	Reject
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DPC54/011 Henry Clayton and Margaret Waghorn					Officer Recommendation
Sub. Ref.	Topic	Position	Decision Requested	Comments	
11.1	Whole of Plan Change	Support	<p>Approve the Plan Change.</p> <p>Work with the developers of additional housing in the area to consider ways to manage traffic impacts, and to lower vehicle speeds on Kingston and Allen St to keep these as safe suburban streets.</p>	<p>Submitter comments on:</p> <ul style="list-style-type: none"> <li>The plan change will enable people to enjoy living and raising families in the area, which is well located near schools, playgrounds and recreation areas.</li> <li>Acknowledge that the plan change will impact neighbours views.</li> <li>Consider that the plan change will give rise to increase traffic. Already concerned about speed of cars on Kingston and Allen St, and encourage Council and developers to consider how to make those streets safer through speed reduction techniques.</li> <li>Would like the area to be welcoming for families, where kids can walk and scoot to the great local schools and facilities.</li> <li>While acknowledging the impacts of the plan change, considers that there is a housing supply crisis and more houses need to be built for families to live in. Note that the development alone will not solve the housing crisis, but can help. We cannot continue to say 'yes we need more houses, but just not this development'.</li> <li>Shocked by the dramatic increase in house prices in our area in recent years.</li> <li>Considers plan change to be good urban design, as it places houses near to good public transport routes and existing facilities.</li> </ul>	Accept

DPC54/012 Wendy MacDougall					Officer Recommendation
Sub. Ref.	Topic	Position	Decision Requested	Comments	
12.1	Stormwater	Oppose	Reject the Plan Change	<p>Submitter comments on:</p> <ul style="list-style-type: none"> <li>Notes that current stormwater system is already at/over capacity. Does not consider soak pits to be appropriate, and that the testing undertaken as part of the application does not give an accurate picture of the year</li> </ul>	Reject



				<p>round drainage performance.</p> <ul style="list-style-type: none"> <li>• Considers that the runoff from roading will result in large quantities of stormwater, which the current system will not be able to deal with.</li> <li>• Concerned tree removal would compromise the stop bank, as well as result in a loss of aesthetics and green spaces for current residents. Further, concerned that tree removal would remove their ability to act as a sponge for water in the area.</li> </ul> <p>Concerned soak pits will clog up over time, reducing their effectiveness.</p>	
12.2	Wastewater	Oppose	Reject the Plan Change	<p>Submitter comments on:</p> <ul style="list-style-type: none"> <li>• Notes the advice in the application from Wellington Water Limited concerning capacity of the wastewater network, and considers that a detailed feasibility report is required to determine the effectiveness of the mitigation strategy proposed.</li> <li>• Concerned that the mitigation (collection units and pumps on each new dwelling) are effective, and how such units are regulated.</li> </ul> <p>Does not want sewage discharged into the Hutt River or coming to surface in residential areas.</p>	Reject
12.3	Traffic	Oppose	Reject the Plan Change	<p>Submitter comments on:</p> <ul style="list-style-type: none"> <li>• Considers Cardno Traffic Report which formed part of the application to be woefully inadequate. Concerned that the Daily Traffic Volumes are from 2015, and that considers traffic volumes would have risen since then. Wants a new traffic flow study undertaken by the applicant. Also concerned that the survey undertaken at section 2.3 of the Report is not robust as it was undertaken during the middle of the day during Level 2 restrictions.</li> </ul> <p>Notes if development was to proceed, modification would be necessary to the Kingston/High St intersection. Considers this intersection to be dangerous. Does not want rate payers footing the bill for any modifications if the issue is caused by development.</p>	Accept in part
12.4	Urban Development and Amenity	Oppose	Reject the Plan Change	<p>Submitter comments on:</p> <ul style="list-style-type: none"> <li>• Does not consider that the proposal is driven by the National Policy Statement on Urban Development, but by the need of the applicant to</li> </ul>	Reject

				<p>remain financially viable.</p> <ul style="list-style-type: none"> <li>• Is sure there is not a 'strong national direction' in pushing residential subdivision into using up a green recreational space that was unintentionally releases as a by-product of the GWRC flood protection re-alignment works for housing stock.</li> <li>• Notes more affordable housing may well be needed, but an intense development here is not in keeping with the recreational and residential makeup of the area.</li> <li>• Considers any housing developed will not be affordable for the average person given the high average value of the area.</li> <li>• A premium price was paid to enjoy the vista and space of living next to a golf course. The plan change will result in a financial loss to properties directly adjoining the plan change area.</li> <li>• Residents of both Kingston and Allen St will also lose, due to the streets becoming a busier thoroughfare. The dead ends have allowed for community gatherings, which fosters community spirit and neighbourly care. This will be loss.</li> <li>• This is not the area for affordable housing. Considers other places to be better suited, as they would not affect existing residential properties or use up green space.</li> <li>• Considers HCC has an obligation to ensure green spaces and recreational areas are preserved for future generations. Considers that the area provides habitat for bird life, and provides a great community asset. Considers Council, alongside funding through Sports Funding or Recreation Aotearoa, support the plan change applicant so that the plan change does not need to proceed and green space can be retained.</li> </ul> <p>If the plan change is granted, considers caveats are necessary to limit the scale and style of development allowed, maximizing green space in consultation with the affected parties.</p>	
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<b>DPC54/013</b>					<b>Long Young</b>		<b>Officer Recommendation</b>	
<b>Sub. Ref.</b>	<b>Topic</b>	<b>Position</b>	<b>Decision Requested</b>	<b>Comments</b>				

13.1	Stormwater	Oppose	Reject the Plan Change	<p>Submitter comments on:</p> <ul style="list-style-type: none"> <li>Notes that current stormwater system is already at/over capacity. Does not consider soak pits to be appropriate, and that the testing undertaken as part of the application does not give an accurate picture of the year round drainage performance.</li> <li>Considers that the runoff from roading will result in large quantities of stormwater, which the current system will not be able to deal with.</li> <li>Concerned tree removal would compromise the stop bank, as well as result in a loss of aesthetics and green spaces for current residents. Further, concerned that tree removal would remove their ability to act as a sponge for water in the area.</li> </ul> <p>Concerned soak pits will clog up over time, reducing their effectiveness.</p>	Reject
13.2	Wastewater	Oppose	Reject the Plan Change	<p>Submitter comments on:</p> <ul style="list-style-type: none"> <li>Notes the advice in the application from Wellington Water Limited concerning capacity of the wastewater network, and considers that a detailed feasibility report is required to determine the effectiveness of the mitigation strategy proposed.</li> <li>Concerned that the mitigation (collection units and pumps on each new dwelling) are effective, and how such units are regulated.</li> </ul> <p>Does not want sewage discharged into the Hutt River or coming to surface in residential areas.</p>	Reject
13.3	Traffic	Oppose	Reject the Plan Change	<p>Submitter comments on:</p> <ul style="list-style-type: none"> <li>Considers Cardno Traffic Report which formed part of the application to be woefully inadequate. Concerned that the Daily Traffic Volumes are from 2015, and that considers traffic volumes would have risen since then. Wants a new traffic flow study undertaken by the applicant. Also concerned that the survey undertaken at section 2.3 of the Report is not robust as it was undertaken during the middle of the day during Level 2 restrictions.</li> </ul> <p>Notes if development was to proceed, modification would be necessary to the Kingston/High St intersection. Considers this intersection to be dangerous. Does not want rate payers footing the bill for any modifications if the issue is caused by development.</p>	Accept in part

13.4	Urban Development and Amenity	Oppose	Reject the Plan Change	<p>Submitter comments on:</p> <ul style="list-style-type: none"> <li>• Does not consider that the proposal is driven by the National Policy Statement on Urban Development, but by the need of the applicant to remain financially viable.</li> <li>• Is sure there is not a 'strong national direction' in pushing residential subdivision into using up a green recreational space that was unintentionally releases as a by-product of the GWRC flood protection re-alignment works for housing stock.</li> <li>• Notes more affordable housing may well be needed, but an intense development here is not in keeping with the recreational and residential makeup of the area.</li> <li>• Considers any housing developed will not be affordable for the average person given the high average value of the area.</li> <li>• A premium price was paid to enjoy the vista and space of living next to a golf course. The plan change will result in a financial loss to properties directly adjoining the plan change area.</li> <li>• Residents of both Kingston and Allen St will also lose, due to the streets becoming a busier thoroughfare. The dead ends have allowed for community gatherings, which fosters community spirit and neighbourly care. This will be loss.</li> <li>• This is not the area for affordable housing. Considers other places to be better suited, as they would not affect existing residential properties or use up green space.</li> <li>• Considers HCC has an obligation to ensure green spaces and recreational areas are preserved for future generations. Considers that the area provides habitat for bird life, and provides a great community asset. Considers Council, alongside funding through Sports Funding or Recreation Aotearoa, support the plan change applicant so that the plan change does not need to proceed and green space can be retained.</li> </ul> <p>If the plan change is granted, considers caveats are necessary to limit the scale and style of development allowed, maximizing green space in consultation with the affected parties.</p>	Reject
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DPC54/014 Roger Harvey					Officer Recommendation
Sub. Ref.	Topic	Position	Decision Requested	Comments	
14.1	Stormwater	Oppose	Reject the Plan Change	<p>Submitter comments on:</p> <ul style="list-style-type: none"> <li>Notes that current stormwater system is already at/over capacity. Does not consider soak pits to be appropriate, and that the testing undertaken as part of the application does not give an accurate picture of the year round drainage performance.</li> <li>Considers that the runoff from roading will result in large quantities of stormwater, which the current system will not be able to deal with.</li> <li>Concerned tree removal would compromise the stop bank, as well as result in a loss of aesthetics and green spaces for current residents. Further, concerned that tree removal would remove their ability to act as a sponge for water in the area.</li> </ul> <p>Concerned soak pits will clog up over time, reducing their effectiveness.</p>	Reject
14.2	Wastewater	Oppose	Reject the Plan Change	<p>Submitter comments on:</p> <ul style="list-style-type: none"> <li>Notes the advice in the application from Wellington Water Limited concerning capacity of the wastewater network, and considers that a detailed feasibility report is required to determine the effectiveness of the mitigation strategy proposed.</li> <li>Concerned that the mitigation (collection units and pumps on each new dwelling) are effective, and how such units are regulated.</li> </ul> <p>Does not want sewage discharged into the Hutt River or coming to surface in residential areas.</p>	Reject
14.3	Traffic	Oppose	Reject the Plan Change	<p>Submitter comments on:</p> <ul style="list-style-type: none"> <li>Considers Cardno Traffic Report which formed part of the application to be woefully inadequate. Concerned that the Daily Traffic Volumes are from 2015, and that considers traffic volumes would have risen since then. Wants a new traffic flow study undertaken by the applicant. Also concerned that the survey undertaken at section 2.3 of the Report is not robust as it was undertaken during the middle of the day during Level 2</li> </ul>	Accept in part

				<p>restrictions.</p> <p>Notes if development was to proceed, modification would be necessary to the Kingston/High St intersection. Considers this intersection to be dangerous. Does not want rate payers footing the bill for any modifications if the issue is caused by development.</p>	
14.4	Urban Development and Amenity	Oppose	Reject the Plan Change	<p>Submitter comments on:</p> <ul style="list-style-type: none"> <li>• Does not consider that the proposal is driven by the National Policy Statement on Urban Development, but by the need of the applicant to remain financially viable.</li> <li>• Is sure there is not a 'strong national direction' in pushing residential subdivision into using up a green recreational space that was unintentionally releases as a by-product of the GWRC flood protection re-alignment works for housing stock.</li> <li>• Notes more affordable housing may well be needed, but an intense development here is not in keeping with the recreational and residential makeup of the area.</li> <li>• Considers any housing developed will not be affordable for the average person given the high average value of the area.</li> <li>• A premium price was paid to enjoy the vista and space of living next to a golf course. The plan change will result in a financial loss to properties directly adjoining the plan change area.</li> <li>• Residents of both Kingston and Allen St will also lose, due to the streets becoming a busier thoroughfare. The dead ends have allowed for community gatherings, which fosters community spirit and neighbourly care. This will be loss.</li> <li>• This is not the area for affordable housing. Considers other places to be better suited, as they would not affect existing residential properties or use up green space.</li> <li>• Considers HCC has an obligation to ensure green spaces and recreational areas are preserved for future generations. Considers that the area provides habitat for bird life, and provides a great community asset. Considers Council, alongside funding through Sports Funding or Recreation Aotearoa, support the plan change applicant so that the plan change does not need to proceed and green space can be retained.</li> </ul> <p>If the plan change is granted, considers caveats are necessary to limit the scale</p>	Reject

				and style of development allowed, maximizing green space in consultation with the affected parties.	
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DPC54/015 Charlie Lee					Officer Recommendation
<b>Wish to be heard? Yes</b>					
Sub. Ref.	Topic	Position	Decision Requested	Comments	
15.1	Stormwater	Oppose	Reject the Plan Change	<p>Submitter comments on:</p> <ul style="list-style-type: none"> <li>Notes that current stormwater system is already at/over capacity. Does not consider soak pits to be appropriate, and that the testing undertaken as part of the application does not give an accurate picture of the year round drainage performance.</li> <li>Considers that the runoff from roading will result in large quantities of stormwater, which the current system will not be able to deal with.</li> <li>Concerned tree removal would compromise the stop bank, as well as result in a loss of aesthetics and green spaces for current residents. Further, concerned that tree removal would remove their ability to act as a sponge for water in the area.</li> </ul> <p>Concerned soak pits will clog up over time, reducing their effectiveness.</p>	Reject
15.2	Wastewater	Oppose	Reject the Plan Change	<p>Submitter comments on:</p> <ul style="list-style-type: none"> <li>Notes the advice in the application from Wellington Water Limited concerning capacity of the wastewater network, and considers that a detailed feasibility report is required to determine the effectiveness of the mitigation strategy proposed.</li> <li>Concerned that the mitigation (collection units and pumps on each new dwelling) are effective, and how such units are regulated.</li> </ul> <p>Does not want sewage discharged into the Hutt River or coming to surface in residential areas.</p>	Reject
15.3	Traffic	Oppose	Reject the Plan Change	<p>Submitter comments on:</p> <ul style="list-style-type: none"> <li>Considers Cardno Traffic Report which formed part of the application to</li> </ul>	Accept in part

				<p>be woefully inadequate. Concerned that the Daily Traffic Volumes are from 2015, and that considers traffic volumes would have risen since then. Wants a new traffic flow study undertaken by the applicant. Also concerned that the survey undertaken at section 2.3 of the Report is not robust as it was undertaken during the middle of the day during Level 2 restrictions.</p> <p>Notes if development was to proceed, modification would be necessary to the Kingston/High St intersection. Considers this intersection to be dangerous. Does not want rate payers footing the bill for any modifications if the issue is caused by development.</p>	
15.4	Urban Development and Amenity	Oppose	Reject the Plan Change	<p>Submitter comments on:</p> <ul style="list-style-type: none"> <li>• Does not consider that the proposal is driven by the National Policy Statement on Urban Development, but by the need of the applicant to remain financially viable.</li> <li>• Is sure there is not a 'strong national direction' in pushing residential subdivision into using up a green recreational space that was unintentionally releases as a by-product of the GWRC flood protection re-alignment works for housing stock.</li> <li>• Notes more affordable housing may well be needed, but an intense development here is not in keeping with the recreational and residential makeup of the area.</li> <li>• Considers any housing developed will not be affordable for the average person given the high average value of the area.</li> <li>• A premium price was paid to enjoy the vista and space of living next to a golf course. The plan change will result in a financial loss to properties directly adjoining the plan change area.</li> <li>• Residents of both Kingston and Allen St will also lose, due to the streets becoming a busier thoroughfare. The dead ends have allowed for community gatherings, which fosters community spirit and neighbourly care. This will be loss.</li> <li>• This is not the area for affordable housing. Considers other places to be better suited, as they would not affect existing residential properties or use up green space.</li> <li>• Considers HCC has an obligation to ensure green spaces and recreational areas are preserved for future generations. Considers that</li> </ul>	Reject



				<p>the area provides habitat for bird life, and provides a great community asset. Considers Council, alongside funding through Sports Funding or Recreation Aotearoa, support the plan change applicant so that the plan change does not need to proceed and green space can be retained.</p> <p>If the plan change is granted, considers caveats are necessary to limit the scale and style of development allowed, maximizing green space in consultation with the affected parties.</p>	
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DPC54/016 Amy and Alastair Sidford (late submission)					Officer Recommendation
Sub. Ref.	Topic	Position	Decision Requested	Comments	
16.1	Stormwater	Oppose	Reject the Plan Change	<p>Submitter comments on:</p> <ul style="list-style-type: none"> <li>Notes that current stormwater system is already at/over capacity. Does not consider soak pits to be appropriate, and that the testing undertaken as part of the application does not give an accurate picture of the year round drainage performance.</li> <li>Considers that the runoff from roading will result in large quantities of stormwater, which the current system will not be able to deal with.</li> <li>Concerned tree removal would compromise the stop bank, as well as result in a loss of aesthetics and green spaces for current residents. Further, concerned that tree removal would remove their ability to act as a sponge for water in the area.</li> </ul> <p>Concerned soak pits will clog up over time, reducing their effectiveness.</p>	Reject
16.2	Wastewater	Oppose	Reject the Plan Change	<p>Submitter comments on:</p> <ul style="list-style-type: none"> <li>Notes the advice in the application from Wellington Water Limited concerning capacity of the wastewater network, and considers that a detailed feasibility report is required to determine the effectiveness of the mitigation strategy proposed.</li> <li>Concerned that the mitigation (collection units and pumps on each new dwelling) are effective, and how such units are regulated.</li> </ul> <p>Does not want sewage discharged into the Hutt River or coming to surface in residential areas.</p>	Reject

16.3	Traffic	Oppose	Reject the Plan Change	<p>Submitter comments on:</p> <ul style="list-style-type: none"> <li>• Considers Cardno Traffic Report which formed part of the application to be woefully inadequate. Concerned that the Daily Traffic Volumes are from 2015, and that considers traffic volumes would have risen since then. Wants a new traffic flow study undertaken by the applicant. Also concerned that the survey undertaken at section 2.3 of the Report is not robust as it was undertaken during the middle of the day during Level 2 restrictions.</li> </ul> <p>Notes if development was to proceed, modification would be necessary to the Kingston/High St intersection. Considers this intersection to be dangerous. Does not want rate payers footing the bill for any modifications if the issue is caused by development.</p>	Accept in part
16.4	Urban Development and Amenity	Oppose	Reject the Plan Change	<p>Submitter comments on:</p> <ul style="list-style-type: none"> <li>• Does not consider that the proposal is driven by the National Policy Statement on Urban Development, but by the need of the applicant to remain financially viable.</li> <li>• Is sure there is not a 'strong national direction' in pushing residential subdivision into using up a green recreational space that was unintentionally releases as a by-product of the GWRC flood protection re-alignment works for housing stock.</li> <li>• Notes more affordable housing may well be needed, but an intense development here is not in keeping with the recreational and residential makeup of the area.</li> <li>• Considers any housing developed will not be affordable for the average person given the high average value of the area.</li> <li>• A premium price was paid to enjoy the vista and space of living next to a golf course. The plan change will result in a financial loss to properties directly adjoining the plan change area.</li> <li>• Residents of both Kingston and Allen St will also lose, due to the streets becoming a busier thoroughfare. The dead ends have allowed for community gatherings, which fosters community spirit and neighbourly care. This will be loss.</li> <li>• This is not the area for affordable housing. Considers other places to be better suited, as they would not affect existing residential properties or use up green space.</li> </ul>	Reject

				<ul style="list-style-type: none"> <li>Considers HCC has an obligation to ensure green spaces and recreational areas are preserved for future generations. Considers that the area provides habitat for bird life, and provides a great community asset. Considers Council, alongside funding through Sports Funding or Recreation Aotearoa, support the plan change applicant so that the plan change does not need to proceed and green space can be retained.</li> </ul> <p>If the plan change is granted, considers caveats are necessary to limit the scale and style of development allowed, maximizing green space in consultation with the affected parties.</p>	
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DPC54/FS001 Robert Chisholm					Officer Recommendation
Sub. Ref.	Topic	Position	Decision Requested	Comments	
FS1.1	Trees	Oppose	Assess the Hutt City Council Urban Forest Plan 2010, and save the trees on the site.	The Hutt City Council Urban Forest Plan 2010 applies to the trees and vegetation on the site of PC54, and describes protection of trees as a critical public interest. The Urban Forest Plan sets out a way to manage and enhance the trees for everyone's benefit.	Reject

## **Appendix 2**

### **Submitter Map;**



### Location of Submitters Properties in relation to PD54 land

Please note, due to scale, the above Map does not include submitters locations from the following:

- Pukatea Street, Eastbourne
- 30 Laings Road (Hutt City Council Parks and Recreation Division)

## **Appendix 3**

### **Relevant District Plan Objectives and Policies**



## **Relevant District Plan Objectives and Policies**

### Chapter 4A: General Residential Activity Area

- Objective 4A 2.1 Residential Activities are the dominant activities in the General Residential Area*
- Objective 4A 2.2 Housing capacity and variety are increased*
- Objective 4A 2.3 Built development is consistent with the planned low to medium density built environment and is compatible with the amenity levels associated with low to medium density residential development.*
- Objective 4A 2.4 Built development provides high quality on-site amenity for residents as well as high quality residential amenity for adjoining properties and the street.*
- Objective 4A 2.5 Built development is adequately serviced by network infrastructure or addresses any network infrastructure constraints on the site.*
- Objective 4A 2.6 Built development is located and designed to manage significant risk from natural hazards.*
- Policy 4A 3.1 Provide for residential activities and those non-residential activities that support the community's social, economic and cultural well-being and manage any adverse effects on residential amenity.*
- Policy 4A 3.2 Enable a diverse range of housing types and densities.*
- Policy 4A 3.3 Enable the efficient use of larger sites and combined sites by providing for comprehensive residential developments.*
- Policy 4A 3.4 Manage the effects of built development on adjoining sites and the streetscape and minimise visual dominance on adjoining sites by controlling height, bulk and form of development and requiring sufficient setbacks.*
- Policy 4A 3.5 Require built development to maintain a reasonable level of privacy and sunlight access for adjoining sites.*
- Policy 4A 3.6 Require built development to provide useable and accessible outdoor living space to provide for outdoor amenity.*
- Policy 4A 3.7 Encourage high quality built development to contribute to attractive and safe streets and public open spaces by providing for buildings that address the streets and public open spaces, minimise visual dominance and encourage passive surveillance.*
- Policy 4A 3.9 Require rainwater tanks and a minimum area of permeable surface in order to assist with the management of stormwater runoff created by development.*
- Policy 4A 3.10 Require comprehensive residential development to be stormwater neutral and encourage comprehensive residential development to contribute to the maintenance or improvement of water quality.*
- Policy 4A 3.11 Discourage medium density residential development in areas of high risk from natural hazards unless the development mitigates the risk from the natural hazard.*
- Policy 4A 3.12 Promote floor levels for new development to be above the 100 year (ARI) flood extent, where sufficient information is available.*

### Chapter 14(a): Transport

- Objective 14A 3.1 A safe, efficient, resilient and well-connected transport network that is integrated with land use patterns, meets local, regional and national transport needs, facilitates and enables urban growth and economic development, and provides for all modes of transport.*
- Objective 14A 3.2 Adverse effects from the construction, maintenance and development of the transport network on the adjacent environment are managed.*

- Objective 14A 3.4 Adverse effects on the safety and efficiency of the transport network from land use and development that generate high volumes of traffic are managed.*
- Objective 14A 3.5 Adverse effects on the safety and efficiency of the transport network from on-site transport facilities (vehicle access, parking, manoeuvring and loading facilities) are managed.*
- Policy 14A 4.1 Additions and upgrades to the transport network should seek to improve connectivity across all modes and be designed to meet industry standards that ensure that the safety, efficiency and resilience of the transport network are maintained.*
- Policy 14A 4.2 Land use, subdivision and development should not cause significant adverse effects on the connectivity, accessibility and safety of the transport network, and, where appropriate, should:*
- seek to improve connectivity within and between communities; and*
  - enable walking, cycling and access to public transport.*
- Policy 14A 4.3 The transport network should be located and designed to avoid, remedy or mitigate adverse effects on the adjacent environment.*
- Policy 14A 4.5 Any activity that is a High Trip Generator must be assessed on a case by case basis. Adverse effects of High Trip Generators on the safety and efficiency of the transport network should be managed through the design and location of the land use, subdivision or development.*
- Policy 14A 4.6 Vehicle access, parking, manoeuvring and loading facilities should be designed to standards that ensure they do not compromise the safety and efficiency of the transport network.*
- Policy 14A 4.7 The transport network, land use, subdivision and development should provide for all transport modes.*

#### Chapter 14(j): Earthworks

##### 14I 1.1 Natural Character

- Objective To ensure that earthworks are designed to maintain the natural features that contribute to the City's landscape.*
- Policy*
- (a) To ensure that earthworks are designed To ensure that earthworks are designed to be sympathetic to the natural topography.*
  - (b) To protect significant escarpments, steep hillside areas, and the coastal area by ensuring that earthworks are designed to retain the existing topography, protect natural features, and prevent erosion and slips.*

##### 14I 1.2 Amenity, Cultural and Historical Values

- Objective To ensure earthworks do not affect adversely the visual amenity values, cultural values or historical significance of an area, natural feature or site.*
- Policy*
- (b) That rehabilitation measures be undertaken to mitigate adverse effects of earthworks upon the visual amenity values.*
  - (d) To recognise the importance of cultural and spiritual values to the mana whenua associated with any cultural material that may be disinterred through earthworks and to ensure that these values are protected from inappropriate earthworks.*

##### 14I 1.4 Primary and Secondary River Corridors

- Objective To ensure earthworks in the Primary or Secondary River Corridor of the Hutt River do not affect adversely flood protection structures.*



*Policy*

- (a) *To ensure that earthworks in the Primary or Secondary River Corridor have no more than minor adverse effects on flood protection structures.*

## **Appendix 4**

# **Traffic Engineering Evidence**

**In the matter of**      The Resource Management Act 1991

**And**

**In the matter of**      Proposed Private District Plan Change 54 to the City of  
Lower Hutt District Plan: Boulcott's Farm Heritage Golf  
Club – Rezoning part of the site from General Recreation  
Activity Area to General Residential Activity Area

**Between**                **Boulcott's Farm Heritage Golf Club Inc.**

Applicant

**And**                      **Hutt City Council**

Regulatory Authority

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**Brief of evidence of Harriet Barbara Fraser**

**Date:** 3 December 2021

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## INTRODUCTION

- 1 My full name is Harriet Barbara Fraser. I am a traffic engineer and transportation planner operating under the business name of Harriet Fraser Traffic Engineering & Transportation Planning.
- 2 I am providing evidence on behalf of Hutt City Council (**Council**).

## Qualifications and experience

- 3 I hold the qualification of Chartered Professional Engineer and Chartered Member of Engineering NZ. I hold a Bachelor of Civil Engineering degree from Imperial College, University of London and a Master's degree of Science in Transportation Planning and Engineering awarded with distinction by the University of Leeds.
- 4 My background of experience includes over 28 years consultancy experience in traffic and transportation matters, initially in the UK and Hong Kong. From August 1998 to August 2012, I worked as a Transportation Planner in Lower Hutt in the firm of Traffic Design Group Limited (now Stantec) practicing as a transportation planning and traffic engineering specialist throughout New Zealand. Since September 2012 I have been working as a sole practitioner in the field of transportation planning and traffic engineering.
- 5 I am a certified Hearing Commissioner, having completed the MFE Making Good Decisions training and have also been appointed as a Development Contribution Commissioner.
- 6 Harriet Fraser Traffic Engineering & Transportation Planning is a traffic engineering practice specializing in providing traffic engineering and transportation planning services with regard to Resource Management Act 1991 applications for developments and subdivisions assisting either the Applicant or the council as a consultant adviser. This includes the preparation and review of resource consents, plan changes and structure plans for inclusion in District Plans either on behalf of private developers or the council.

## **Code of conduct**

- 7 I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note. I agree to comply with this code. The evidence in my statement is within my area of expertise, except where I state that I am relying on the evidence of another person. I have not omitted to consider material facts known to me that might detract from the opinions I express.

## **Involvement with the proposal**

- 8 I have been engaged by Council as consultant traffic engineer to assist with processing the application. In preparing this statement of evidence I have reviewed:

8.1 The Application lodged with the Council on 23 October 2020 and have paid particular attention to the transportation assessment prepared by Cardno and dated 4 February 2021.

8.2 Submissions lodged by other parties.

- 9 I have also read the evidence of Tom Anderson, and consulted with Council's Transport Asset and Planning Lead, Charles Agate in preparing this statement of evidence. I rely on that evidence where I have stated so.

- 10 I am familiar with this part of the Hutt City road network and visited the local streets several times while preparing this brief of evidence.

## **SCOPE OF EVIDENCE**

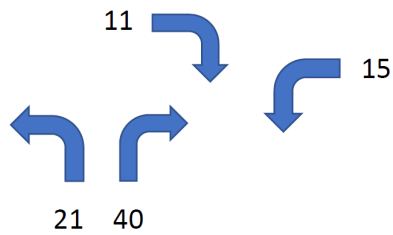
- 11 My brief of evidence addresses the following matters:
- 11.1 Review of the Traffic Impact Assessment included in the application.
- 11.2 Review of transport matters raised in the submissions.

## REVIEW OF TRAFFIC IMPACT ASSESSMENT (TIA)

- 12 Section 1 of the Cardno TIA provides an introduction to the assessment. The proposal is to rezone approximately 1.2 hectares of the golf course from General Recreation Activity Area to General Residential Activity Area. The land proposed for rezoning is adjacent to both Allen Street and Kingston Street as shown in Figure 1 of the TIA.
- 13 In Section 1.2 it is noted that the report does not include any transportation effects within a possible subdivision, nor any detailed design within a possible subdivision. I agree that this is the appropriate approach for assessing the traffic effects of the proposed plan change.
- 14 Table 1 of the TIA includes the following daily traffic flows:
- 14.1 Fairway Drive, north of High Street, 15,735vpd (2015)
  - 14.2 High Street, north of Kingston Street, 18,425vpd (2015)
  - 14.3 High Street, south of Military Road, 18,142vpd (2017)Add
- 15 The 2015 count for High Street, north of Kingston Street, was factored to provide an estimate of typical peak hour traffic flows on this section of High Street in 2020. The estimates included weekday morning peak hour flows of 1,490vph (8am-9am) and weekday evening peak hour flows of 1,700vph (4pm-5pm). I undertook a traffic count of traffic flows on this section of High Street between 8am and 9am on Tuesday 16 November 2021 and counted 1,503 vehicle movements. As such, I consider that the 2020 traffic flow estimates are likely to be representative of current traffic conditions on the section of High Street to the north of Kingston Street.
- 16 I note that no similar assessment has been undertaken of the traffic flows on Fairway Drive in the vicinity of the intersection with Taita Drive.
- 17 I undertook a traffic count of traffic flows at the intersection of Fairway Drive and Taita Drive between 8am and 9am on Thursday 18 November 2021 and counted 1,490 vehicle movements on Fairway Drive on the

bridge side of the intersection. During the survey I also noted the following:

- 17.1 77 vehicles turning out of Taita Drive (S) of which 75 turned left and two went straight ahead. No vehicles turned right out;
  - 17.2 84 vehicles turned into Taita Drive (S) of which 78 turned right in, four straight ahead and two turned left in;
  - 17.3 Vehicles turning left out of and right into Taita Drive (S) were able to do so with little delay;
  - 17.4 During the survey queues built back from the High Street intersection and on occasion went through the intersection. I expect that some of the traffic turning to and from Taita Drive (S) is 'rat-running' traffic avoiding the congestion at the roundabout;
  - 17.5 Due to the congestion at times through traffic gave way to turning traffic; and
  - 17.6 At times there were queues on Taita Drive (N).
- 18 My expectation is that drivers accessing the local road network from the local catchment of streets close to the area of the proposed plan change, will make route choices to avoid the use of the High Street/ Fairway Drive intersection at peak times.
- 19 Figure 5 of the TIA shows estimated turning counts at the High Street intersection with Kingston Street during the weekday inter-peak period. I consider that the weekday peak hour periods are the key times to assess the traffic effects of the proposed plan change. I undertook weekday morning intersection turning counts at the intersection of High Street/ Kingston Street and these are shown in Figure 1.



**Figure 1: High Street/ Kingston Street Vehicle Turning Volumes 8-9am**

- 20 Section 2.4 of the TIA provides a description of the existing local roads. I agree with these descriptions apart from the road width on Kingston Street. The road width varies with a width of 6.7m close to High Street and elsewhere of 6.9m. I also disagree with the statement in Section 2.4.9 of the TIA that the flush median on High Street enables vehicles to make a right turn out of Kingston Street in two movements. During the traffic surveys I did not observe a single vehicle making the right turn out in two parts. I did observe cars signalling to turn right and then changing their mind and turning left, presumably to perform a u-turn further along High Street or at the roundabout with Fairway Drive. Some vehicles had to wait up at least 30 seconds to turn out onto High Street.
- 21 Section 2.5 of the TIA discusses road safety based on reported data from 2016 to 2019. I note the following key points from the analysis:
- 21.1 no reported crashes at the High Street/ Kingston Street intersection;
  - 21.2 two non-injury crashes at the Taita Drive/ Fairway Drive intersection involving drivers on the Taita Drive southern approach not stopping at the stop sign; and
  - 21.3 a non-injury crash on Allen Street.
- 22 I have checked the Waka Kotahi crash database for any crashes in 2020 and to date in 2021 for the intersections of High Street/ Kingston Street and Taita Drive/ Fairway Drive. There have been three reported non-injury crashes at or close to the High Street/ Kingston Street intersection. Of these one involved a vehicle turning right into Kingston



Street being hit by a northbound vehicle on High Street. There has been a serious injury and a non-injury crash reported at the Fairway Drive/ Taita Drive intersection. Both crashes involved vehicles turning from the northern approach on Taita Drive.

23 Based on this local crash data, there is a possibility that increased traffic flows on High Street are beginning to result in crashes occurring at or near to the Kingston Street intersection with High Street.

24 Section 2.5.3 of the TIA provides an assessment of the adequacy of the available sight lines at the intersection of Kingston Street and High Street. In Section 7, the TIA concludes that the recommended sight distances at intersections are all met.

25 I disagree, in my view the review of the available sightlines for vehicles turning out of Kingston Street onto High Street should be the Safe Intersection Sight Distance (SISD) and Minimum Gap Sight Distance (MGSD), not the Stopping Sight Distance (SSD). In a 50km/h speed environment the SISD is 97m and the MGSD is 69m. I consider that both these sight lines are achieved looking from Kingston Street towards the north, albeit that on occasion it may be necessary to let a bus clear the bus stop. This is a momentary effect which I consider acceptable. Looking towards the south, I consider that there is the potential for a kerbside parked car to reduce the available sight line to around 60m, which is less than both the SISD and the MGSD.

26 I recommend that the no stopping lines along the High Street frontage from Kingston Street towards the south are extended to protect the sight line, at least to provide the MGSD of 69m and ideally to accommodate the SISD of 97m.

27 Section 4 of the TIA forecasts the traffic activity associated with the residential development of the land that is proposed to be rezoned for residential purposes. I agree that the weighted average trip generation rates included in Table 4 are appropriate for use in the forecasting.

28 It has been estimated that around 100 existing residential properties access High Street via Kingston Street. I counted around 90vph turning

to and from Kingston Street during the weekday morning peak. As such, I consider the assumption around the existing use of Kingston Street to be valid. The counts from my weekday morning peak hour traffic count align well with the estimated traffic activity associated with 100 households during the weekday morning peak hour included in the TIA.

29 The TIA assumes that all the potential additional traffic associated with the rezoning will be travelling to and from Kingston Street. Given that Fairway Drive provides ready access to SH2, I consider that a proportion of trips will travel to and from Fairway Drive via the southern section of Taita Drive. As such the traffic effects at the High Street/ Kingston Street intersection have likely been overestimated, and no assessment has been included of the traffic effects at the Taita Drive/ Fairway Drive intersection.

30 Section 5 of the TIA discusses the District Plan requirements. I agree that if the site is developed with 60 or more dwellings on one resource consent application, that an integrated transport assessment of the proposed development would be needed as the high trip generator threshold in Chapter 14A would be triggered.

31 The TIA does not include consideration of the alignment of the proposed plan change with the objectives and policies of the Transport Chapter of the District Plan. I discuss this later in my evidence.

32 The modelled traffic delays included in Table 7 of the TIA for the weekday morning peak are well aligned with my observation of delays during my recent survey. With this level of delay, I observed a number of drivers change their mind from making a right turn to a left turn from Kingston Street onto High Street. With a comprehensive residential development on the site the forecast average delay for a vehicle turning right out of Kingston Street is assessed to increase from 29s to 37s in the weekday morning peak and from 38s to 48s in the weekday evening peak. These levels of delay have an associated level of service of E which can be expected to result in driver frustration and greater risk taking regarding moving into gaps in the traffic flow.

- 33 In Section 7, the TIA concludes that the proposed rezoning will result in no adverse traffic effects. I disagree, the increase in forecast delay for vehicles turning right out of Kingston Street and onto High Street at peak times is likely to result in driver frustration and increased risk taking. The adverse effect is compounded by the restrictions to sight lines towards the southwest. I note that the assessed delays do not include any growth in traffic flows on High Street. Ongoing residential growth can be expected to result in increases in traffic flows on High Street.
- 34 I recommend that the flush median through the intersection is widened such that a vehicle turning right out of Kingston Street can comfortably and safely make the turn out in two stages.
- 35 I comment on the alignment of the proposed rezoning with the relevant District Plan objectives and policies for transport in the following table:

District Plan Transport Objective/ Policy	Comment on Alignment
<p><b>Objective 14A 3.1</b> – A safe, efficient, resilient and well-connected transport network that is integrated with land use patterns, meets local, regional and national transport needs, facilitates and enables urban growth and economic development, and provides for all modes of transport.</p>	<p>The site is well located for access to the road network (local and regional), bus services and recreational cycle paths in the area.</p>
<p><b>Objective 14A 3.2</b> – Adverse effects from the construction, maintenance and development of the transport network on the adjacent environment are managed.</p>	<p>The construction traffic effects associated with the construction of the internal transport network will be assessed as part of a future resource consent application. I anticipate that construction traffic effects can be managed.</p>

District Plan Transport Objective/ Policy	Comment on Alignment
<p><b>Objective 14A 3.3</b> – Reverse sensitivity effects on the transport network from sensitive activities are managed.</p>	<p>The site does not have frontages onto or close to busy transport links.</p>
<p><b>Policy 14A 4.2</b> – Land use, subdivision and development should not cause significant adverse effects on the connectivity, accessibility and safety of the transport network, and, where appropriate, should:</p> <ul style="list-style-type: none"> <li>• seek to improve connectivity within and between communities; and</li> <li>• enable walking, cycling and access to public transport.</li> </ul>	<p>The additional traffic could result in adverse safety effects at the intersection of Kingston Street and High Street as a result of the combination of increased delays and a restricted sightline to/ from the southwest on High Street.</p> <p>The site is well positioned for access to the walking, cycling and bus network.</p>
<p><b>Policy 14A 4.5</b> – Any activity that is a High Trip Generator must be assessed on a case by case basis. Adverse effects of High Trip Generators on the safety and efficiency of the transport network should be managed through the design and location of the land use, subdivision or development.</p>	<p>If the site were developed with 60 or more dwellings, the high trip generator threshold would be triggered and a traffic assessment required.</p>
<p><b>Policy 14A 4.6</b> – Vehicle access, parking, manoeuvring and loading facilities should be designed to standards that ensure they do not compromise the safety and efficiency of the transport network.</p>	<p>This would be addressed during the resource consent stage.</p>
<p><b>Policy 14A 4.7</b> – The transport network, land use, subdivision and development should provide for all transport modes.</p>	<p>The site is well positioned for access to the walking, cycling and bus network as well as the local and regional road network.</p>

**Table 1: Alignment with District Plan Transport Objectives & Policies**

36 As such, my only concern is with regard to the safety of the intersection between High Street and Kingston Street.

### COMMENTS ON SUBMISSIONS

37 I have read the submissions which include traffic and transport matters. I summarise these submissions and comment on them in the table below.

<b>Submission Point</b>	<b>Comment</b>
Concern regarding existing vehicle speeds on Kingston and Allen Streets.	The crash history does not indicate a problem with vehicle speeds. Additional traffic flows will require vehicles to give way to each other more frequently to move around parked cars. This can be expected to reduce vehicle speeds.
Concern regarding the ability of the existing local streets to accommodate additional traffic flow given narrow carriageway width and kerbside parked cars.	NZS4404:2010 provides for parked cars to reduce the trafficable carriageway width to a single lane width when the road provides access to up to 100 houses. The only section of the local street network that could be regularly expected to carry traffic associated with more than 100 houses is Kingston Street, between Allen Street and High Street. The driveways along this section provide two-way passing opportunities. Council may separately consider the addition of no stopping lines along this section as part of the obligation to more actively manage on-street parking in response to the NPS Urban Development 2020.
Existing challenges with accessing High Street and Fairway Drive at peak times.	From my on-site observations, I consider that the key matter is the right turn out of Kingston Street onto High Street. Drivers making this turn are seeking a gap in both traffic flows on High Street and the sight line towards the southwest is typically restricted by parked cars. I consider that the proposed rezoning and associated additional

Submission Point	Comment
	traffic activity triggers the need for safety improvements at this intersection.
Concern that the current wait times at the High Street/ Kingston Street has been underestimated.	My on-site observation of the vehicle delays during the weekday morning peak were similar to the modelled average delay. Given that the modelled delays will be average delays, some drivers may have to wait considerably longer than the delay reported in the assessment. Also, the variability in delay increases as the level of service deteriorates.
Concern regarding the existing level of congestion at peak times.	I agree that there is traffic congestion at the High Street/ Fairway Drive roundabout at peak times of traffic activity. For the key traffic movements to and from SH2 and Hutt CBD, the proposed site for rezoning can be accessed via either Fairway Drive or High Street without needing to travel through the roundabout. I do not consider that the proposed plan change will result in a significant additional adverse traffic effect on the existing roundabout.
Concern regarding the use of count data from 2015 and an off-peak traffic survey.	The 2015 counts have been factored up to represent 2020 traffic levels. Based on my check of the November 2021 weekday morning peak hour traffic flows, I am comfortable that the estimated 2020 counts provide a reasonable estimate of existing traffic activity. I agree with the submitters that the use of an off-peak traffic count is not useful and for that reason undertook my own observations during the weekday morning peak.

Submission Point	Comment
Safety concerns regarding the High Street/ Kingston Street intersection.	I agree with the submitter that safety issues are emerging at the Kingston Street intersection with High Street. I consider this to be a result of the combination of increasing traffic flows on High Street, rat-running through the side streets during peak hours to avoid queues at the High Street/ Fairway Drive roundabout, the restricted sight line to/from southwest on High Street and the need for drivers turning right onto High Street to find a gap in both traffic flows. I recommend that the flush median through the intersection is widened such that a vehicle turning right out of Kingston Street can comfortably and safely make the turn out in two stages and that no stopping restrictions are extended on High Street to increase the sight line to/from the southwest.

**Table 2: Comment on Submissions**

## **RECOMMENDATIONS**

38 I consider that the additional traffic activity associated with the proposed rezoning can be safely accommodated subject to the following mitigation at the intersection of High Street and Kingston Street:

38.1 The extension of no stopping lines on High Street to the southwest of the intersection with Kingston Street to provide a permanent unobstructed sight distance of at least 69m and ideally 97m for a driver turning out of Kingston Street; and

38.2 The widening of the flush median, to at least 3.3m, through the intersection to support vehicles turning right out of Kingston Street being able to make the turn in two stages.

**Date:** 3 December 2021

Harriet Fraser

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**Harriet Barbara Fraser**



## **Appendix 5**

# **Land Development Engineering Evidence**

**BEFORE THE INDEPENDENT HEARING PANEL APPOINTED TO  
MAKE RECOMMENDATIONS ON PROPOSED PLAN  
CHANGE 54 TO THE HUTT CITY DISTRICT PLAN**

**IN THE MATTER**

of the Resource  
Management Act  
1991 (the Act)

**AND**

**IN THE MATTER**

of a hearing by the  
Hutt City Council on  
Proposed Plan  
Change 54 to the  
Hutt City District  
Plan

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**STATEMENT OF EVIDENCE OF RYAN HENARE ROSE FOR THE HUTT  
CITY COUNCIL**

**3 December 2021**

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## **Qualifications and Experience**

- 1 My full name is Ryan Henare Rose
- 2 I am a Land Development Engineer. I have a Masters of Engineering Science (Water and Wastewater Treatment) from the University of New South Wales and a Bachelor of Engineering in Environmental Engineering with Honours from Massey University, and am an Engineering New Zealand member.
- 3 I am currently a Senior Engineer and Business Development Manager for Envelope Engineering in Wellington. Prior to this I managed the Wellington Water Ltd Land Development team for 3 years.
- 4 I have worked in land development and engineering in both the public and private sectors for 19 years.

## **Code of Conduct**

- 5 I confirm that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2014 and confirm that I have complied with it in preparing this evidence. I confirm that the issues addressed in this evidence are within my area of expertise, except where I have indicated that I am relying on others' opinions. I have not omitted material facts known to me that might alter or detract from my evidence.

## **Scope of Evidence**

- 6 I have read the Proposed Plan Change 54 (PC54) that was notified by the Hutt City Council (HCC) on 20 April 2021. I have also read the submissions and further submissions that relate to my area of expertise.
- 7 I have received a copy of an updated stormwater report (dated October 2021) that the applicant has prepared to respond to a

number of the submissions. This report elaborates on and clarifies the stormwater report submitted as part of the overall plan change sought.

8 This evidence is prepared to assist the section 42A report writer and support the decision-makers in the hearings panel for PC54.

9 I have been asked to provide evidence in relation to engineering matters, and in particular submissions related to:

a. Three waters servicing, and

b. Services (power and telecommunications)

### **Summary of Evidence**

10 This statement of evidence is in regards to the areas of three waters servicing and other services. This evidence states that while there have been a number of submissions on the servicing of the development, none of them have changed my opinion that there are no servicing reasons that would preclude the plan change.

### **Involvement in Plan Change 54**

11 Envelope Engineering has not been previously involved in the preparation or planning for this Plan Change.

12 I have been engaged by HCC to provide evidence in the areas of there waters and services.

13 In undertaking these works I have had several discussions with Wellington Water Ltd and Hutt City Council staff to gather further information of the area and the networks.

### **Response to Submissions**

14 Submissions related to infrastructure are listed in the table below, with the infrastructure item that they mention.

Submission	Wastewater	Stormwater	Water Supply	Services
2	Yes	Yes	No	No
3	Yes	Yes	No	No
6	Yes	Yes	No	No
7	Yes	Yes	No	No
8	Yes	Yes	No	No
9	Yes	Yes	No	No
10	Yes	Yes	No	No
12	Yes	Yes	No	No
13	Yes	Yes	No	No
14	Yes	Yes	No	No
15	Yes	Yes	No	No

15 The majority of the submissions related to infrastructure are very general and point to the lack of capacity in the existing infrastructure networks, and the lack of trust in the proposed solutions.

16 As can be seen in the table above the submissions focus on the stormwater and wastewater issues.

17 A number of the submissions appear to be copies of the same document (presumably shared amongst neighbours).

#### *Wastewater*

18 The proposed wastewater system will discharge into the existing wastewater lines available in both Kingston and Allen Streets.

- 19 As per the advice from Wellington Water to the Plan Change proponent there will be a requirement to attenuate the wastewater flow to compensate for a lack of downstream capacity. This has become a frequent requirement in urban development areas in Hutt City (for example all of Wainuiomata) and the Wellington Water document Regional Standard for the Design of Water Services (2019) has a mechanism for approval of these systems.
- 20 While the actual solution can be dealt with at consent stage the applicant has mentioned the use of individual pumpstations. These are becoming very commonplace around the country. The smallest available package pumpstations have over 24 hours storage for a normal sized house, and it is a requirement of Wellington Water that there is an audible and visual alarm if these have a fault, thus any overflows are very rare.
- 21 I do not agree with the submission stating that this solution has not been successfully utilised elsewhere. There are large areas both locally and nationally where these pump stations are a standard solution. The fact that they are a pressurised solution and do not rely on gravity offer a number of added positives that would in fact reduce the chance of unwanted discharges. I have been personally involved in a number of subdivisions in Wainuiomata, Hutt City that have had these installed and they are working well.
- 22 The controls for these systems have advanced in recent years and can now be set to run based on downstream system capacity, rather than time as is currently suggested by the applicant. It is understood that Wellington Water is currently writing guidance around these operating regimes.
- 23 The design and installation of these systems is covered under current Wellington Water and Hutt City Council subdivision and consenting rules and hence can be managed at the Resource Consent stage.
- 24 In summary there are no obvious wastewater issues that would preclude this plan change and none of the submissions have raised any issues that change my viewpoint.

## *Stormwater*

- 25 The proposed stormwater system involves disposal of stormwater to soakage on the site. This is due to the fact that Wellington Water have advised that the existing system is over capacity in the street.
- 26 The applicant has undertaken soakage testing across the site over two occasions. The results have shown that suitably sized soakage pits can be constructed in the Plan Change areas.
- 27 Submissions raised a number of concerns in regards to the proposed stormwater system.
- 28 The first point made was that there will be a loss of flood storage area as localised depressions will be filled in. While this is true the Greater Wellington Regional Council Flood Management team have confirmed that if there is flood water on that side of the flood barrier, it is either the result of a catastrophic breach or the flood is greater than their design storm. In either of these cases the minor loss of localised flood storage will be insignificant.
- 29 The further point raised was that there is standing flooding in the area in winter and that the soakage tests do not represent the true picture. The second round of soakage testing was undertaken on the 30<sup>th</sup> of September 2021 and shows similar soakage rates to the original tests. Through this it appears that the soakage is relatively stable throughout the year. It should be noted that further soakage testing will be required at both resource consent and building consent stages to verify this.
- 30 It was raised that the proposed soakage would not account for road runoff. The application does not state how stormwater from the road would be managed, however it is normal that where soakage is used that there are soakpits constructed in road reserve that service the road area. This would be a normal consideration as part of the resource consent process.
- 31 There were a number of submissions that stated that the soakpits will fail over time. This is correct however with the correct design this can be minimised. This is also why the applicant has suggested that

the soakpits be designed with a capacity equal to 150% of the required volume. This extra capacity will maximise the time that elapses before the soakpits are required to be re-excavated and cleared out.

32 There was a point raised in regards to the removal of trees adjacent to the stopbanks and if this would destabilise the stopbank. This is outside my area of expertise and as such I have not commented on this claim.

33 Further to the above comment re tree removal it was stated that the removal of these trees would result in more standing water. This is again outside the area of my expertise, except to say that if the soakage discussed above is designed and constructed correctly that there will be no large amounts of standing water.

34 In summary there are no obvious stormwater issues that would preclude this plan change and none of the submissions have raised any issues that change my viewpoint.

#### *Potable Water*

35 The applicant's plan is to connect to the existing 40mm and 50mm potable water stubs in Kingston Street and Allen Street. It is likely that some upsizing of these mains will be required to meet the minimum flow and pressure requirements. This work will be investigated and designed at resource consent stage.

36 There were no submissions received in regards to potable water supplies.

37 In summary, there are no obvious water supply issues that would preclude this plan change.

#### *Chorus and Wellington Electrical*

38 The applicant has approached both Chorus and Wellington Electricity in regards to this plan change.

39 Chorus have advised that they can provide services to the area via their existing infrastructure. The costs to extend their existing



network would be at the applicants cost at the time of resource consent.

- 40 Wellington Electricity have advised they can supply 50 new houses from their current infrastructure. The costs to extend their existing network would be at the applicants cost at the time of resource consent. They have stated that anything above this would result in an upgrade to the HV system feeding the area and a transformer. This would also be at the applicants cost at the time of resource consent if they were to apply for more than 50 units.
- 41 In summary, there are no obvious utility services issues that would preclude this plan change.

### **Conclusion**

- 42 There are no obvious wastewater supply issues that would preclude this plan change and none of the submissions have raised any issues that change my viewpoint.
- 43 There are no obvious stormwater supply issues that would preclude this plan change and none of the submissions have raised any issues that change my viewpoint.
- 44 There are no obvious potable water supply issues that would preclude this plan change and none of the submissions have raised any issues that change my viewpoint.
- 45 In summary, there are no obvious utility services issues that would preclude this plan change.

Dated 3 December 2021

**Ryan Henare Rose**