

RMA Form 5

Submission on publicly notified proposed district plan

Clause 6 of Schedule 1, Resource Management Act 1991

Privacy Statement

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To: Chief Executive, Hutt City Council

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

1. This is a submission from the **Policy Planning team of Hutt City Council** on the Proposed Lower Hutt District Plan 2025.
2. Our email address for service is district.plan@huttcity.govt.nz.
3. We could not gain an advantage in trade competition through this submission.
4. The specific provisions of the proposal that my submission relates to, my submission on those provisions, and the decisions I seek are shown in the below table. I also seek all further, alternative, necessary, or consequential relief as may be necessary to fully achieve the relief sought in this submission.
5. **We do wish to be heard in support of this submission.**
6. **If others make a similar submission, we will not consider presenting a joint case with them at the hearing.**
7. This submission has been prepared by officers of Hutt City Council's Policy Planning team. Elected officials have played no role in the preparation or approval of this submission.

8. In general, the purpose of this submission is to seek amendments for the purpose of:

- Correcting errors and inaccuracies in the Proposed District Plan as notified,
- Amending provisions to improve clarity, reduce potential areas of confusion and improve usability of the plan for plan users, and
- Ensuring a consistent approach is taken with regard to zoning of private and public land (that is, that privately owned residential and rural properties are in either a residential or rural zone and that publicly owned open space properties are in an open space zone, unless there's a specific reason for a different zone).

9. This will ensure that the hearing panel has scope, when preparing its recommendations to Council, on how to address these issues.

Shaftesbury Grove – PC58

10. Council recently made its decisions on Proposed Private Plan Change 58 (“PC58”) to the Operative District Plan. This plan change relates to a site in Shaftesbury Grove, Stokes Valley. At the time of writing this submission, that decision is still open to appeals to the Environment Court.

11. The Council, having made that decision, also needs to make an equivalent decision on the Proposed District Plan. This submission seeks solely to carry over the decision made on that plan change, adapted to the structure of the Proposed District Plan and requirements of the National Planning Standards.

12. The reasons for this are the same as the reasons for the Council’s decision on PC58, given in the hearing panel’s recommendation report:

<https://hccpublicdocs.azurewebsites.net/api/download/7210cb015bf3423eb849e753bed7dbae/districtplann/72165f2829535637f40c78021483f0c3fca70>

Yours sincerely



Alison Geddes

Director of Environment and Sustainability

Decisions Requested

| # | Chapter | Provision | Position | Reasons | Relief sought |
|---|------------|--|-----------------|---|---|
| 1 | Whole plan | General | Oppose in part | The Council is aware there may be errors within the plan that require correction to assist the implementation and application of the plan and provide plan clarity. | Correct all: <ul style="list-style-type: none"> • typos, • misspellings, • use of incorrect terms where a similar term is defined, • errors and inconsistencies in numbering, and • cross-references within the plan |
| 2 | Whole plan | General | Oppose in part | In order to provide consistency across the plan and clarity for plan users, Council seeks one spelling of Petone”, “Pito-one” or “Pito One”. No preference is provided at this stage. | Provide consistency in the spelling of “Petone”, “Pito-one” and “Pito One” throughout the Plan by the consistent use of one spelling. |
| 3 | Whole plan | Various | Oppose in part | The plan is not consistent in its reference to “reverse sensitivity effects” or simply “reverse sensitivity”. This should be consistent to clarity and certainty for plan users. The correction would also assist with the use of hyperlinks in the plan. | Rename “reverse sensitivity effects” to “reverse sensitivity” throughout the plan to be consistent with definition. |
| 4 | Whole plan | NH-P7, GRUZ-P2, RLZ-P2, LIZ-P3, GIZ-P3, REG-O2 | Support in part | The e-Plan software for the Proposed District Plan has the function of underlining terms defined in the Definitions chapter, with a pop-up appearing when a plan user clicks on those terms. For this function to work, the term used in the provisions of the plan need to match the term used in the Definitions chapter. As operational need and functional need are defined separately, they need to be written out | Replace “operational or functional need(s)” with “operational <u>need</u> or functional need” and “operational and functional need” with “operational <u>need</u> and functional need”. Note: Council is not seeking amendment to the use of ‘or’ and ‘and’ as a whole plan correction within this submission point. |

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| | | | | separately in relevant provisions for this function to work. | |
| 5 | Whole plan | General | Oppose in part | The plan is not consistent in its reference to matters of discretion. Consistency across the plan would provide clarity for plan users. | Consistently use “Matters of discretion are restricted to:”, and not “Matters of discretion are limited to”. |
| 6 | Introduction | New chapter | Request addition | The National Planning Standards require a table of contents for PDF and print versions of the plan. While the plan is primarily an e-Plan, it can be downloaded as a PDF and printed. | Insert a table of contents for PDF and print versions of the plan. |
| 7 | General Approach | Structure of the plan | Oppose in part | Error in that the PDP refers to five inter-related parts when there are only four. | Change the reference to “five inter-related parts” to “four inter-related parts” |
| 8 | General Approach | Classes of activities | Oppose in part | Clarity is sought to the explanation regarding the classes of activity. This will assist in plan interpretation. | Amend the General Approach text as follows: “All of the chapters in Part 3 - Zones, and most of the chapters in Part 2, contain rules that establish the status of an activity. Rules will generally include conditions, requirements and standards that need to be met for that <u>the rule as a whole, or a particular</u> activity status to apply. If you do not comply with a particular rule condition, requirement or standard, the activity will change to a different activity status. You will be able to determine this by reading the rule. Unless what you are proposing is a permitted activity, you will need a resource consent. <u>If any rule with an activity status of Controlled, Restricted Discretionary,</u> |

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| | | | | | <u>Discretionary, or Non-Complying applies to your activity, you will need a resource consent."</u> |
| 9 | General Approach | Identifying provisions that are relevant to your activity | Oppose in part | <p>Clarity</p> <p>The intention of this paragraph is to highlight that other chapters only apply to specifically identified locations. As proposed, it is unclear that this refers to locations that would be better described as spatially identified items rather than areas, such as heritage buildings and notable trees.</p> | <p>Amend the second paragraph under the heading as follows:</p> <p>"Other chapters only apply to overlays or other spatially identified areas <u>or items</u>. You will need to consult these chapters if your activity is within one of the chapter's overlays or other spatial areas <u>or on a site that contains a relevant item</u>."</p> |
| 10 | General Approach | Identifying provisions that are relevant to your activity | Oppose in part | <p>As HCC has not implemented provision-level filtering in the e-Plan, the paragraph is misleading and could create confusion for plan users.</p> | <p>Delete the following:</p> <p>"When using the e-plan filtered to a particular site, only the parts of the rule or standard relevant to that site will be shown."</p> <p>And amend the following:</p> <p>"In accordance with the National Planning Standards, the e-plan allows you to select a property and view the plan either in full, or filtered with only the provisions and chapters relevant to that site."</p> |
| 11 | General Approach | Legal effect of rules | Oppose | <p>While the text is correct and useful at the notification stage, it will be incorrect in the decisions version of plan and once the plan is made operative.</p> | <p>Delete paragraph and title, or update/replace with text accurate for the decisions version, appeals version, and operative version.</p> |

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| 12 | Definitions | Best practicable option | Support in part | The National Planning Standards set a specific definition that district plans are to use for “Best practicable option”. That definition relates specifically to discharges of contaminants and emission of noise. However, the proposed Light chapter also refers to best practicable options, and it may be a relevant for management of other adverse effects. Clarity is sought for this definition to clarify application of ‘Best practicable options’ to effects other than noise or discharges of contaminants. | <p>Amend as follows:</p> <p><u>“In relation to a discharge of a contaminant or an emission of noise, has the same meaning as in section 2 of the RMA (as set out below), and in relation to emissions of light or other emissions and discharges has a corresponding meaning:</u></p> <p>in relation to a discharge of a contaminant or an emission of noise, means the best method for preventing or minimising the adverse effects on the environment having regard, among other things, to—</p> <ul style="list-style-type: none"> a. the nature of the discharge or emission and the sensitivity of the receiving environment to adverse effects, b. the financial implications, and the effects on the environment, of that option when compared with other options, and c. the current state of technical knowledge and the likelihood that the option can be successfully applied.” |
| 13 | Definitions | Dripline | Oppose in part | Policies and rules in the Notable Trees chapter refer to a tree’s ‘dripline’. However, as there is no definition of this term, it is unclear how these policies and rules would apply. This should be made | <p>Add the following definition of dripline:</p> <p><u>“means the line formed when a vertical line from the outermost extent of the spread of the tree’s branches or canopy meets the ground.”</u></p> |

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| | | | | clearer by including the definition of dripline from the operative District Plan in the Definitions chapter. | |
| 14 | Definitions | Mobile commercial activity | Oppose in part | Errors and plan consistency (in relation to use of the term <i>lawfully</i>). The amendments will improve plan interpretation. | Amend as follows: means a commercial activity, operating from a vehicle of <u>or</u> trailer, that can be legally <u>lawfully</u> moved from the site via a public road. |
| 15 | Definitions | Root protection zone | Oppose in part | Policies and rules in the Notable Trees chapter refer to a tree's 'root protection area'. However, as there is no definition of this term, it is unclear how these policies and rules would apply. This should be made clearer by including the definition of root zone from the operative District Plan in the Definitions chapter. | Add the following definition of root protection zone: "means a circle surrounding a notable tree measured from the centre of the trunk, with a radius equal to 12 times the trunk diameter at 1.4m above ground level, except that the radius must be at least 2 metres and at most 15 metres." |
| 16 | Definitions | Sites and Areas of Significance to Māori | Oppose in part | Grammatical error correction. | Pluralise "site". |
| 17 | Definitions | Well-functioning urban environment, list item number 7 | Oppose in part | Grammatical error correction. | are <u>is</u> resilient to the likely current and future effects of climate change. |

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| 18 | Strategic Directions | Whole chapter | Oppose in part | The purpose of the amendment is to ensure consistency with National Planning Standards (Standard 10: Format Standard). | Change the arrangement of the identifiers for the provisions to match the format set out in the planning standards, e.g. SD-CC-O1 instead of CCSD-O1, SD-TW-O1 instead of TWSD-O1, etc. |
| 19 | Strategic Directions | UDSD-O5 | Oppose in part | Clarity Section 3.6(2)(b) of the National Policy Statement on Urban Development requires that housing bottom lines be inserted into relevant district plans. The amendment to UDSD-O5 is requested to clarify that this objective is included for that purpose. | Amend the title of UDSD-O5 to make it clear this is the housing bottom lines provision required by the NPS-UD: “Development Capacity – <u>Housing Bottom Lines</u> ” |
| 20 | Infrastructure | INF-R3 | Oppose in part | Errors and clarity Kilovolts are not a relevant threshold for gas transmission and the amendment clarifies the exclusion is not confined to gas lines over 110KV. | Amend: “Upgrading of infrastructure, excluding transport network infrastructure, and gas <u>transmission pipelines</u> and transmission lines over 110kV” |
| 21 | Infrastructure | ‘Transport infrastructure’ rule table | Oppose in part | Reflects the term defined in the plan (being ‘high natural hazard overlay’) and provides consistency with the rest of the plan. | Replace “high hazard areas” with “high natural hazard overlays”. |
| 22 | Infrastructure | INF-S2 | Oppose in part | INF-S2.9a refers to ‘Stream Corridor’ and ‘Overland Flow Path’. These are terms that are used to refer to high and medium flood hazard areas, respectively. The Natural Hazards chapter and maps of the Proposed District Plan identifies high and medium flood hazard areas through the ‘High Flood Hazard Overlay’ and ‘Medium Flood Hazard Overlay’. | Replace references to ‘Stream Corridor’ and ‘Overland Flow Path’ with ‘High Flood Hazard Area’ and ‘Medium Flood Hazard Area’, respectively. |

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| | | | | For consistency, INF-S2 should also refer to 'High Flood Hazard Overlay' and 'Medium Flood Hazard Overlay'. | |
| 23 | Infrastructure | INF-S16 | Oppose in part | <p>INF-S16.9 refers to 'Stream Corridor Overlay' and 'Overland Flow Overlay'. These are terms that are used to refer to high and medium flood hazard areas, respectively.</p> <p>The Natural Hazards chapter and maps of the Proposed District Plan identifies high and medium flood hazard areas through the 'High Flood Hazard Overlay' and 'Medium Flood Hazard Overlay'.</p> <p>For consistency, INF-S16 should also refer to 'High Flood Hazard Overlay' and 'Medium Flood Hazard Overlay'.</p> | Replace references to 'Stream Corridor Overlay' and 'Overland Flow Path' with 'High Flood Hazard Overlay' and 'Medium Flood Hazard Overlay', respectively. |
| 24 | Renewable Electricity Generation | REG-P4, REG-R4, REG-R6 | Oppose in part | Reflects the term defined in the plan (being 'high natural hazard overlay') and provides consistency with the rest of the plan. | Replace "high hazard areas" with "high natural hazard overlays". |
| 25 | Three Waters | THW-R1.2 | Oppose in part | Provides consistency with the rest of the plan. | <p>Amend the rule as follows:</p> <p>"Where:</p> <p>a. Compliance with any of the requirements of <u>is not achieved with</u> THW-R1.1 cannot be achieved."</p> |
| 26 | Three Waters | THW-R3.3 | Oppose in part | Provides consistency with the rest of the plan. | <p>Amend the rule as follows:</p> <p>"Where:</p> <p>a. The development is for:</p> |

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| | | | | | <ul style="list-style-type: none"> i. four or more residential units, or ii. a retirement village, or iii. a non-residential building with a building footprint over 200m² (excluding accessory buildings). <p>a. <u>Compliance is not achieved with THW-R3.2."</u></p> |
| 27 | Transport | TR-R2 | Support in part | Rules TR-R2.3 and TR-R2.4 set the activity status for new vehicle crossings where they are located within either Active Street Frontage Overlay A or B (as either prohibited or non-complying, respectively). As the left-hand column of the rules specifically list the City Centre Zone and Metropolitan Centre Zone as relevant zones for the rules, the rules would only apply within these zones. However, the Active Street Frontage Overlays are also located in parts of the proposed Neighbourhood Centre Zone and Local Centre Zone. These rules should be amended to ensure the rules apply to all zones with either Active Street Frontage Overlays A or B. | Amend TR-R2.3 and TR-R2.4 to include the Neighbourhood Centre Zone and Local Centre Zone as zones subject to rules TR-R2.3 and TR-R2.4, as these zones also have frontages affected by the Active Street Frontage Overlays. |
| 28 | Transport | TR-R3 | Support in part | Rearrangement is sought to the placement and framing of the condition TR-R3.2(b) to follow the convention of the rest of the plan and provide consistency. | <p>Move condition TR-R3.2(b) to rule TR-R3.1 as follows:</p> <p>1. Activity status: Permitted Where:</p> |

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| | | | | | <ul style="list-style-type: none"> a. New activities do not exceed a motor vehicle trip generation threshold set out in Table 8: High trip generating activity thresholds, including when assessed cumulatively with all other activities which share on-site motor vehicle access, circulation, or parking, <u>and</u> b. Where the activities are located in the City Centre Zone, Metropolitan Centre Zone or the Specified High Trip Generator Exemption Overlay, no more than 10 on-site motor vehicle parking spaces are provided for the activity, <u>and</u> c. Alteration or expansion of an existing high trip generating activity does not: <ul style="list-style-type: none"> i. Increase motor vehicle trip generation by greater than 5%, ii. Alter, remove, or increase the number of, vehicle crossings which provide access to the activity, and |

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| | | | | | <div>iii. Remove the ability for vehicles to enter and exit the site in a forward direction, <u>and</u></div> <div>d. <u>The activity is not a new service station or a new drive-through activity.</u></div> <div>2. Activity status: Restricted discretionary</div> <div>Where:</div> <div>a. Compliance is not achieved with TR-R3.1, or</div> <div>b. The activity is a new service station or a new drive-through activity.</div> | | | | |
| 29 | Natural Hazards | Introduction | Oppose in part | Amendment is sought to the naming of the flood hazard overlays as the references to ‘Stream Corridor’, ‘Overland Flowpath’ and ‘Inundation Areas’ do not match classification in the supporting Wellington Water / Stantec reports. | <div>Amend the hazard ranking table in the introduction as follows:</div> <table><tr><td>Natural Hazard Overlay</td><td>Hazard Ranking</td></tr><tr><td>Wellington Fault</td><td>High</td></tr></table> | Natural Hazard Overlay | Hazard Ranking | Wellington Fault | High |
| Natural Hazard Overlay | Hazard Ranking | | | | | | | | |
| Wellington Fault | High | | | | | | | | |

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| | | | | | Stream Corridor <u>Inundation extent</u> – over 0.5m depth or 2m/s velocity (1% AEP flood event + 1.59m sea level rise) | |
| | | | | | Overland Flowpath <u>Inundation extent</u> – over 0.25m depth or 0.5m/s velocity (1% AEP flood event + 1.59m sea level rise) | Medium |
| | | | | | Slope Assessment Overlay | |
| | | | | | Liquefaction Hazard Area | Low |
| | | | | | Inundation Area <u>Inundation extent</u> – other (1% AEP flood event + 1.59m sea level rise) | |
| 30 | Natural Hazards | Introduction, under “Other | Oppose in part | Given the limitations of the e-Plan software (external links in the e-Plan must state the full name of the | Other natural hazards such as severe winds, wildfires, and ground shaking from earthquakes are primarily managed by | |

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| | | natural hazards” | | statute in order for the links to function) amendment is sought to provide clarity to plan users. | other statutory instruments or processes including the Building Act 2004, Civil Defence Emergency Management Act 2002 and the Local Government Act 1974 and 2002 , the Local Government Act 1974, and the Local Government Act 2002. |
| 31 | Natural Hazards | NH-O1 | Oppose in part | Grammatical errors | Change “reduce or avoid” to “reduces or avoids”. |
| 32 | Natural Hazards | NH-O2 | Oppose in part | Grammatical errors | Change “minimise” to “minimises”. |
| 33 | Natural Hazards | NH-P9 | Oppose in part | Reflects the term defined in the plan (being ‘high natural hazard overlay’) and provides consistency with the rest of the plan. | Replace “high hazard areas” with “high natural hazard overlays” |
| 34 | Natural Hazards | NH-R13 | Oppose in part | Amendment is sought to provide clarity that the activities captured by NH-R14 (residential apartments) are not captured by NH-R13. | Reword rule title to NH-R13 as follows: “NH-R13: New buildings and structures and the conversion of existing buildings for activities potentially sensitive to natural hazards or activities most sensitive to natural hazards, <u>other than residential apartments</u> , within the Medium Flood Hazard Overlay and High Flood Hazard Overlay” |
| 35 | Natural Hazards, Coastal Environment | NH-R19, CE-R17 | Oppose | The permitted activity arm of this rule serves no function as it does not override any other non-permitted rule, and therefore does not alter the status of any activity. | Delete rules |

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| | | | | In addition, the rule is unclear in its intent and application in that it does not require Green Infrastructure, rather just that it be done by certain parties. A rule on the matter is not required from a district plan perspective. | |
| 36 | Sites and Areas of Significance to Māori | SASM-R1, SASM-R5 | Oppose | The rules permit activities that would be permitted anyway if not for the rules and therefore serve no purpose. | Delete rules |
| 37 | Sites and Areas of Significance to Māori | SASM-R4.2 | Oppose in part | <p>Amend rule SASM-R4.2 to provide clarity.</p> <p>As worded in the Proposed District Plan, it is not clear how this rule would apply in some circumstances. Amendments are sought to clarify:</p> <ul style="list-style-type: none"> • Replacement of the word ‘activity’ with ‘unit’ to reflect the standard relates to the built structure as opposed to the activity. • The 200m² standard relates to building footprint, • The application of the rule to additions and alterations, and • What is meant by industrial/commercial zones. | <p>Replace SASM-R4.2 conditions with:</p> <p><u>“Where:</u></p> <p><u>a. For a new building of structure, it has a building footprint of no more than 200m²,</u></p> <p><u>or</u></p> <p><u>b. For additions and alterations, those additions and alterations:</u></p> <p><u>i. Are for an existing residential unit, or</u></p> <p><u>ii. Will result in a total building footprint of no more than 200m²,</u></p> <p><u>or</u></p> <p><u>iii. Are within an Industrial Zone or Commercial and Mixed Use Zone and will increase the building footprint by no more than 200m².”</u></p> |

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| 38 | Ecosystems and Indigenous Biodiversity | ECO-P3 | Oppose in part | Amendment is sought to replace “legally” with “lawfully”, thereby providing consistency with the rest of the plan and adopting the more commonly understood and used planning term. | Replace “legally” with “lawfully” |
| 39 | Ecosystems and Indigenous Biodiversity | ECO-R1 | Oppose | The rules permit activities that would be permitted, regardless of whether this rule is in place. | Delete rule |
| 40 | Natural Features and Landscapes | NFL-P4, NFL-R3, NFL-R7 | Oppose in part | Amendment is sought to replace “legally” with “lawfully”, thereby providing consistency with the rest of the plan and adopting the more commonly understood and used planning term. | Replace “legally” with “lawfully” |
| 41 | Subdivision | SUB-P24, SUB-R23 | Oppose in part | <p>Amendment is sought to SUB-R24 to provide consistency with the equivalent provisions in the Transport chapter (specifically TR-P6 Clause 3) which control land use within the Highly Constrained Roads Overlay.</p> <p>An amendment is sought to the activity status under SUB-R23 to provide consistency with the transport rule TR-R4.</p> <p>The amendments do not make the plan more onerous than already notified, rather provide consistency with the activity at the submission stage, to any land use activity at the land use stage (under the Transport provisions).</p> | <p>Amend SUB-P24 as follows:</p> <p>Only allow subdivision of land in the Highly Constrained Roads Overlay with access from a highly constrained road where:</p> <ol style="list-style-type: none"> 1. The additional transport demand created by the subdivision and enabled use and development can be safely and efficiently accommodated, and subdivision will not enable an increase in motor vehicle trips on the highly constrained roads, or 2. Any necessary improvements or upgrades to the roads are implemented prior to any additional use or development. It can be demonstrated that |

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| | | | | | <p><u>additional motor vehicle trips which are enabled by the subdivision will not worsen the safe operation of the road, or</u></p> <p>3. <u>Improvements are made to the highly constrained road to ensure additional trips which are enabled by the subdivision are accommodated safely and efficiently, and an equitable financial contribution is made for these improvements.</u></p> <p>Amend the activity status under SUB-R23 from “Discretionary” to “Non-Complying”.</p> |
| 42 | Subdivision | SUB-R4 | Oppose in part | Amendment to SUB-R4 is sought to clarify that SUB-R4 does not apply to new allotments created for infrastructure, which are otherwise captured under SUB-R5. The amendment would assist with plan interpretation in that it clarifies the relationship between the rules. | Amend the rule title as follows: “Subdivision that creates any vacant allotments (<u>other than allotments solely for infrastructure</u>)” |
| 43 | Subdivision | SUB-R5 | Oppose in part | <p>Clarity</p> <p>Amendment is sought SUB-R5 to ensure SUB-R5 only applies to vacant allotments solely for infrastructure (this is in conjunction with an amendment sought to SUB-R4). The amendment would assist with plan interpretation in that it clarifies the relationship between the rules.</p> | Amend the rule title as follows: “Subdivision that creates a new allotment <u>vacant allotments solely for infrastructure</u> ” |

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| 44 | Coastal Environment | CE-R1 | Oppose | The deletion of CE-R1 is sought on the basis it is an unnecessary duplication of CE-R3.3(a)(viii) which also provides for customary harvesting as a permitted activity. | Delete rule |
| 45 | Coastal Environment | CE-R4.1, CE-R6, CE-R7.1, CE-R7.2 | Oppose in part | Deletion of the notes to the chapter is sought on the basis that having the note specifically for only some rules in this chapter, when this is the approach for every rule in the chapter and most other district-wide chapters in the plan, is potentially more confusing than helpful to plan users. | Delete the notes to the rules |
| 46 | Coastal Environment | CE-R6, CE-R8, CE-R9, CE-R13, CE-R14 | Oppose | Deletion of the rule is sought on the basis the rule permits activities that would otherwise be permitted (as there is no other rule managing the activity) and therefore the provision of a permitted rule is not technically required. | Delete rules |
| 47 | Coastal Environment | CE-R16 | Oppose in part | Amendment is sought to the order of the specific provisions within CE-R16 to reflect the cascading activity status (being Permitted, Restricted Discretionary, Discretionary and Non-Complying). The amended cascade will ensure compliance with National Planning Standards and will be consistent with the rest of the plan. | Reorder the arms of the rule to be in the order: <ul style="list-style-type: none"> • Permitted • Restricted Discretionary • Discretionary • Non-Complying |
| 48 | Coastal Environment / Natural Hazards / Subdivision / Maps / Definitions | NH-O3, NH-P2, CE-O5, CE-P9, CE-P15, CE-R15, CE-R16, SUB-R18, SUB-R19 | Oppose in part | Clarity Some natural hazard-related provisions are specific to parts of Seaview and Petone. The areas where these provisions apply could be identified more clearly. | For provisions relating to separate treatment for natural hazard risks in “Seaview” or “Petone”, map these suburbs/areas on the plan maps as an overlay, provide appropriate definitions, |

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| | | | | | and amend provisions in chapters accordingly. |
| 49 | Earthworks | EW-P6 | Oppose in part | <p>EW-P6 refers to 'Stream Corridors' and 'Overland Flowpaths'. These are terms that are used to refer to high and medium flood hazard areas, respectively.</p> <p>The Natural Hazards chapter and maps of the Proposed District Plan identifies high and medium flood hazard areas through the 'High Flood Hazard Overlay' and 'Medium Flood Hazard Overlay'.</p> <p>For consistency, EW-P6 should also refer to 'High Flood Hazard Overlay' and 'Medium Flood Hazard Overlay'.</p> | Replace references to 'Stream Corridors' and 'Overland Flowpaths' to areas in 'High Flood Hazard Overlays' and 'Medium Flood Hazard Overlays', respectively. |
| 50 | Earthworks | EW-R6.1.a | Oppose in part | Amendment is sought to the reference to the specific hazard area referenced in the rule to provide consistency with the rest of the plan, and reflect the definition of 'Low Flood Hazard Overlay'. | <p>Amend the rule as follows:</p> <p>"The earthworks are located within the low hazard area of the <u>Low</u> Flood Hazard Overlay, or"</p> |
| 51 | Earthworks | EW-R6.1.b | Oppose in part | Reflects the terms defined in the plan and provides consistency with the rest of the plan. | <p>Amend the rule as follows:</p> <p>"The earthworks are located within a medium hazard area, or high hazard area of the Flood Hazard Overlay the <u>Medium Flood Hazard Overlay or High Flood Hazard Overlay</u> and the finished ground level upon the completion of the earthworks are the same as the natural ground level at the start of the earthworks."</p> |

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| 52 | Earthworks | EW-R2 | Oppose in part | <p>Clarity</p> <p>An amendment is sought to EW-R2 to clarify the rule is only intended to apply when EW-R1, R3, R4, or R5 do not apply. This uses the standard formula for the plan of rules using the defined phrase “not otherwise provided for”.</p> | <p>Change the rule title to:</p> <p>“Earthworks not otherwise provided for”</p> |
| 53 | Earthworks | EW-R3 | Oppose in part | <p>An amendment is sought to EW-R3 as a consequential amendment to the relief sought through the submission to EW-R2. On the basis EW-R2 is amended as sought above, the advice note within EW-R2 would no longer be required.</p> | <p>Remove the note within the rule title as follows:</p> <p>“This rule overrides Rule EW-R2 in relation to earthworks for the purposes of maintaining or constructing public walking and cycling tracks”</p> |
| 54 | Earthworks | EW-R6 | Oppose in part | <p>Reflects the terms defined in the plan (being ‘high natural hazard overlay’) and provides consistency with the rest of the plan.</p> | <p>Amend the rule title as follows:</p> <p><u>“Earthworks within Flood Hazard Overlays the Medium Flood Hazard Overlay and High Flood Hazard Overlay”</u></p> <p>and the rule body in arm EW-R6.1:</p> <p>“Where:</p> <ol style="list-style-type: none"> The earthworks are located within the low hazard area of the Flood Hazard Overlay, or The earthworks are located within a medium hazard area, or high hazard area of the Flood Hazard Overlay and, the finished ground level upon the completion of |

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| | | | | | the earthworks are <u>is</u> the same as the natural ground level at the start of the earthworks. |
| 55 | Earthworks | EW-R10 | Oppose in part | Grammatical errors | Amend the rule title as follows: “Earthworks on <u>in</u> Sites and in Areas of Significance to Māori” |
| 56 | Earthworks | EW-S3 (and corresponding reference in EW-R2) | Oppose in part | Amendment is sought to the rule and standard to provide consistency with the rest of the plan. | Amend the standard title of EW-S3 as follows: “Existing slope angle, where outside the Slope Assessment Overlay ” Amend rule EW-R2.1.iii. as follows: iii. EW-S3: Existing slope angle (where located outside of the Slope Assessment Overlay), |
| 57 | Light | LIGHT-R1.1 | Oppose in part | The intent of the rule is that each of the standards listed in part LIGHT-R1.1a should be met in order for the rule to apply. As drafted in the Proposed District Plan, the use of ‘or’ means a proposal would only need to meet any one of the standards listed within Clause a. to comply as a permitted activity. An amendment is sought to correct the application of the standards. | Amend the rule as follows: “Where: a. The lighting complies with: i. LIGHT-S1: Light spill, or ii. LIGHT-S2: Lighting within light sensitive areas, or iii. LIGHT-S3: Sky glow, or iv. LIGHT-S4: Glare, or |

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| | | | | | <ul style="list-style-type: none"> v. LIGHT-S5: Illuminated surfaces, or <u>and</u> vi. LIGHT-S6: General standards, or b. The lighting is within a building or structure and the light does not spill outside that building or structure, or c. One of the exceptions in appendix LIGHT-APP1 applies.” |
| 58 | Noise | NOISE-APP5, row titled “Roof – Option A” | Oppose in part | <p>The standards in the rows titled “Roof – Option A” of NOISE-APP5 and NOISE-APP6 have been incorrectly swapped and applied. An amendment is sought to correct the references.</p> <p>The Internal lining standard in this row for NOISE-APP5 should be a minimum of 25kg/m², with reference to two layers of 13mm thick high-density plasterboard (and not 17kg/m² and 10mm). The insulation requirements in this NOISE-APP5 are intended to address areas that require greater insulation (than the requirements in NOISE-APP6) as it applies to an area that would typically experience a greater level of noise (the Highway and Railway Noise Overlay – High).</p> <p>In addition, this row for NOISE-APP5 should refer to a Surface mass of up to 20kg/m², aligning with the other rows in this table for roof insulation.</p> | <p>Amend the NOISE-APP5, row titled “Roof – Option A” as follows:</p> <p>“Skillion roof with light cladding</p> <p>Surface mass up to 13kg/m² <u>20kg/m²</u> of roof cladding, and</p> <p>Internal lining of minimum 17kg/m² <u>25kg/m²</u> plasterboard, such as two layers of 10mm <u>13mm</u> thick high-density plasterboard.”</p> |

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| 59 | Noise | NOISE-APP6, row titled “Roof – Option A” | Oppose in part | <p>The standards in the rows titled “Roof – Option A” of NOISE-APP5 and NOISE-APP6 have been swapped incorrectly swapped and applied. An amendment is sought to correct the references.</p> <p>The Internal lining standard in this row for NOISE-APP6 should be a minimum of 17kg/m², with reference to two layers of 10mm thick high-density plasterboard (and not 25kg/m² and 13mm). The insulation requirements in this NOISE-APP5 are intended to address areas that require lower insulation (than the requirements in NOISE-APP6) as it applies to an area that would typically experience a lower level of noise (the Highway and Railway Noise Overlay – Moderate).</p> | <p>Amend the NOISE-APP6, row titled “Roof – Option A” as follows:</p> <p>“Skillion roof with light cladding</p> <p>Surface mass up to 20kg/m² of roof cladding, and</p> <p>Internal lining of minimum 25kg/m² <u>17kg/m²</u> plasterboard, such as two layers of 13mm <u>10mm</u> thick high-density plasterboard”</p> |
| 60 | Signs | SIGN-R4 | Oppose in part | Grammatical error in that the word ‘sign’ is missing from the rule. | <p>Correct the typo by inserting the word sign as follows:</p> <p>“Where:</p> <p>a. The <u>sign</u> is not attached to...”</p> |
| 61 | Temporary Activities | TEMP-P4 | Oppose in part | Amendment is sought to the policy to provide clear references to the values to which the policy applies. This will improve clarity for plan users in terms of how the policy is applied. | <p>Amend the policy as follows:</p> <p>“Minimise the adverse effects of temporary activities on:</p> <ol style="list-style-type: none"> 1. Cultural values of listed Sites and <u>listed Sites and Areas of Significance to Māori listed in SCHED6 – Sites and Areas of Significance to Māori</u>, where those effects are unreasonable in duration or irreversible, |

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| | | | | | 2. Heritage values of listed heritage items <u>and areas listed in SCHED1 – Heritage Buildings and Structures and SCHED2 – Heritage Areas</u> , where those effects are unreasonable in duration or irreversible, ...” |
| 62 | Temporary Activities | TEMP-S1, TEMP-S2 and TEMP-S6 | Oppose in part | Amendment is sought to the standards to clarify that the matter of discretion for public access is in relation to existing public access. | Amend the matters of discretion relating to public access within TEMP-S1, TEMP-S2 and TEMP-S6 as follows: “ <u>The preservation of existing public access</u> to lakes, rivers, the coast, and public spaces, including streets.” |
| 63 | Temporary Activities | TEMP-S6 | Oppose in part | An amendment is sought to provide consistency between the plan provisions. In the first row of TEMP-S6 (which applies to most zones) the matters of discretion include “Effects from construction and demolition.” The second row (which applies to Residential Zones, Rural Zones and the Quarry Zone) only includes “Effects from construction”. Given effects from demolition are also relevant considerations for these zones, an amendment is sought to the standard. | Amend matter 8 within the matters of discretion for Residential Zones, Rural Zones, and the Quarry Zone as follows: “Effects from construction <u>and demolition.</u> ” |
| 64 | Temporary Activities | TEMP-S6 | Support in part | An amendment is sought to provide consistency between the plan provisions. TEMP-S6 is intended to allow standards-compliant buildings and structures, even if construction in and of itself is not automatically permitted in the zone. | Insert the following note to the Residential Zone, Rural Zone and Quarry Zone, as follows “ <u>Note:</u> |

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| | | | | An amendment is sought to the standard to include the Note that is provided to the Commercial zones etc, to the Residential, Rural and Quarry zones. | <u>In this standard, "relevant standards" in zones includes only the zone's standards (i.e. those numbered S1, S2, etc.), and not conditions within rules."</u> |
| 65 | Large Lot Residential Zone, Marae Zone | LLRZ-S4, MAZ-S3 | Oppose in part | Typographical error correction | Amend the standards LLRZ-S4.2 and MAZ-S3.2 as follows: Where the boundary forms part of part of a legal right of way... |
| 66 | Large Lot Residential Zone, Medium Density Residential Zone, High Density Residential Zone, Marae Zone | LLRZ-S4, MRZ-S4, HRZ-S4, MAZ-S3 | Oppose in part | Typographical error correction to change 'with' to 'width' | Amend the standards LLRZ-S4.3.e, MRZ-S4.4.e, and HRZ-S4.4.e, and MAZ-S.3.d as follows: Chimney Structures not exceeding 1.1m in with <u>width</u> on any elevation... |
| 67 | General Rural Zone | GRUZ-QZPO-R3 | Oppose in part | Typographical error correction to include the letter 'R' in context of the rule. | Amend the rule as follows: "This rule replaces GRUZ-12 <u>GRUZ-R12</u> within the Quarry Zone Protection Overlay." |
| 68 | City Centre Zone | Introduction – CCZ-PREC2 – Civic Precinct | Oppose in part | Typographical error correction to amend the plan references to provide consistency across the plan. | Amend the Introduction as follows: "...Everywhere in the precinct is also contained in either the Lower Hutt Civic Centre Heritage Area (see the Historic <u>Historical</u> Heritage chapter) or..." |
| 69 | Light Industrial Zone | LIZ-R3 | Oppose in part | An amendment is sought to the rule so that only public notification should be precluded for this rule, not limited notification. The standards referred to in this rule implement LIZ-P9, which partly relates to effects on neighbouring sites. Retaining the option | Amend the notification preclusion to preclude only public notification, not limited notification. |

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| | | | | for limited notification ensures the relevant parts of the policy can be implemented effectively. | |
| 70 | Light Industrial Zone | LIZ-R13 | Support in part | An amendment is sought to apply the permitted activity rule to recreation activities generally. In terms of effects, there is limited difference between general recreation activities and commercial recreation activities. | Amend the rule title as follows: <u>Recreation activities (including cCommercial recreation activities)</u> |
| 71 | General Industrial Zone | GIZ-R3 | Oppose in part | An amendment is sought to the rule so that only public notification should be precluded for this rule, not limited notification. The standards referred to in this rule implement GIZ-P9, which partly relates to effects on neighbouring sites. Retaining the option for limited notification ensures the relevant parts of the policy can be implemented effectively. | Amend the notification preclusion to preclude only public notification, not limited notification. |
| 72 | General Industrial Zone | GIZ-R13 | Support in part | An amendment is sought to apply the permitted activity rule to recreation activities generally. In terms of effects, there is limited difference between general recreation activities and commercial recreation activities. | Amend the rule title as follows: <u>Recreation activities (including cCommercial recreation activities)</u> |
| 73 | Heavy Industrial Zone | HIZ-R3 | Oppose in part | An amendment is sought to the rule so that only public notification should be precluded for this rule, not limited notification. The standards referred to in this rule implement HIZ-P8, which partly relates to effects on neighbouring sites. Retaining the option for limited notification ensures the relevant parts of the policy can be implemented effectively. | Amend the notification preclusion to preclude only public notification, not limited notification. |

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| 74 | Natural Open Space Zone / Open Space Zone / Sports and Active Recreation Zone | NOSZ-S3, NOSZ-S4, OSZ-S4, OSZ-S5, SARZ-S4, SARZ-S5 | Support in part | An amendment is sought to the standards titles to insert the suffix “– Adjoining Zones”. The sought changes would provide consistency with the rest of the plan and assist in plan interpretation. | Amend the tile to the standards NOSZ-S3, NOSZ-S4, OSZ-S4, OSZ-S5, SARZ-S4, SARZ-S5 as follows: <ul style="list-style-type: none"> Height in relation to boundary – <u>Adjoining zones</u> Setbacks – <u>Adjoining zones</u> |
| 75 | Designations | HCC-24 | Oppose in part | Typographical error correction. The National Planning Standards require this to be ‘Varies’, not ‘Various’. | Amend the designation hierarchy of the designation table as follows: Various <u>Varies</u> |
| 76 | Designations | KRH-01 | Support in part | The site identifier has not been completed in the designation table. | Amend site identifier of the designation table as follows: <u>The following assets are included in this designation:</u> <ul style="list-style-type: none"> <u>Melling Branch (includes stations).</u> |
| 77 | Designations | KRH-02 | Support in part | The site identifier has not been completed in the designation table. | Amend site identifier of the designation table as follows: <u>The following assets are included in this designation:</u> <ul style="list-style-type: none"> <u>Gracefield Branch</u> <u>Hutt Workshops.</u> |
| 78 | Designations | KRH-03 | Support in part | The site identifier has not been completed in the designation table. | Amend site identifier of the designation table as follows: <u>The following assets are included in this designation:</u> |

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| | | | | | <ul style="list-style-type: none"> Hutt Valley Line (includes bridges, stations and level crossings). Wairarapa Line. |
| 79 | Designations | MEDU-38, condition (d) | Oppose in part | Amendment is sought to provide consistency with the units used in the Noise chapter and National Planning Standards, and remove references to now-removed provisions of the 1995 District Plan. | <p>The following noise standards relating to non-residential activities in Noise Area 2, as contained within the Proposed District Plan, shall not be exceeded at the boundary of the site:</p> <p><u>Emissions of noise shall meet the following limits at the boundary of the site, measured and assessed in accordance with the Noise chapter of the plan:</u></p> <p>55 dBA <u>55 dB L_{Aeq} (15min)</u> 7:00am to 10:00pm 45 dBA <u>45 dB L_{Aeq} (15min)</u> 10:00pm to 7:00am.</p> |
| 80 | Designations | NZTA-03 | Oppose in part | The designation purpose is incorrect as the designated works are not a state highway. The reference to 'state highway' is an error, and the purpose should refer to 'shared path' as is provided the rollover request. | <p>Amend the designation purpose to align with the rollover request as follows:</p> <p>To construct, operate and maintain, and improve a state highway <u>shared path</u> and associated infrastructure.</p> |
| 81 | Designations | WRC-01 | Oppose in part | The site identifier is incorrect. | Amend the site identifier to align with the rollover request as follows: |

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| | | | | | Part Lot 1 DP 6860; Part Lot 1 DP 8133, Lot 2 DP 46248 <u>Lots 2 and 5 Deposited Plan 338074</u> |
| 82 | Designations | WRC-01 | Oppose in part | A minor correction is sought in that the additional information in the designation table refers to “consent” instead of “designation”. | Amend the additional information in the designation table as follows: Rollover consent <u>designation</u> , formerly designation WRC2. |
| 83 | Designations | WRC-10 | Support in part | The site identifier has not been completed in the designation table. | Amend site identifier of the designation table as follows: <u>RiverLink / Te Awa Kairangi</u> |
| 84 | Designations | WRC-10 | Oppose in part | The designation hierarchy status of “primary” is incorrect. WRC-10 has a secondary status where overlapped by HCC-04, NZTA-01, KRH-01 and WRC-09 designations. | Amend designation hierarchy status as follows: Primary <u>Varies</u> |
| 85 | Designations | WRC-11 | Support in part | The site identifier has not been completed in the designation table. | Amend site identifier of the designation table as follows: <u>RiverLink / Te Awa Kairangi</u> |
| 86 | Designations | WRC-11 | Oppose in part | The designation hierarchy status of “primary” is incorrect. WRC-11 has a secondary status where overlapped by KRH-01, and a primary status in relation to its overlap with NZTA-04. The hierarchy status should therefore be “varies”. | Amend designation hierarchy status: Primary <u>Varies</u> |
| 87 | Schedules | SCHED1 | Oppose in part | The address for item H042 (“The Glen”) is identified as 283 Muritai Road, Eastbourne, when it should be | Amend the address for H042 as follows: |

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| | | | | 283A Muritai Road, Eastbourne. No changes are made to the designation extent. | 283 <u>283A</u> Muritai Road, Eastbourne |
| 88 | Schedules | SCHED3 | Oppose in part | Notable tree #124 is identified as a Fraxinus species. This tree is a Liquidamber. | Correct the species of notable tree #124 to Liquidamber. |
| 89 | Schedules | SCHED3 | Oppose in part | Notable tree #219 is identified as a Kahikatea. This tree is a Totara. | Correct the species of notable tree #219 to Totara. |
| 90 | Schedules | SCHED3 | Neutral | <p>The Proposed District Plan identifies a Monterey Pine at 24 Wainuiomata Road, Wainuiomata as a notable tree (#194). As of the writing of this submission, risk assessments are being undertaken in relation to the tree. These types of assessments can result in trees being removed or altered to the point that they no longer achieve a STEM score that warrants identification as a notable tree.</p> <p>If this is the outcome of the risk assessments for notable tree #194, the tree should be removed from SCHED3.</p> | Remove notable tree #194 from SCHED3 (subject to confirmation the tree has been either removed or altered to the point that it no longer achieves a STEM score of 120). |
| 91 | Maps | Text description of maps | Oppose in part | <p>Part 4 – Appendices of the Proposed District Plan includes a ‘Maps’ chapter that describes the maps of the District Plan.</p> <p>The formatting of this chapter should be improved through:</p> <ul style="list-style-type: none"> • Adding bullet points for the list of zones, • Consistent capitalisation of zone names, • Adding bullet points for sub-areas of the Fault Location Area, and | <p>Correct the formatting issues within the maps section of the plan as follows:</p> <ul style="list-style-type: none"> • Adding bullet points for the list of zones, • Consistent capitalisation of zone names, • Adding bullet points for sub-areas of the Fault Location Area, and |

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| | | | | <ul style="list-style-type: none"> Adding a second-level of bullet points to the list of sub areas inside the Civic Precinct. No change in content is sought. | <ul style="list-style-type: none"> Adding a second-level of bullet points to the list of sub areas inside the Civic Precinct. |
| <i>Maps submission points – for images of the areas affected by the submission points see Appendix 4</i> | | | | | |
| 92 | Maps | Highly Constrained Roads Overlay | Oppose in part | Correct a mapping error | Redraw the Highly Constrained Roads Overlay boundary at 26 Waitohu Road so that the boundary aligns with the side and rear property boundary of 26 Waitohu Road and does not encompass any area of the property. |
| 93 | Maps | Active Frontage Overlay | Oppose in part | <p>The Proposed District Plan includes an Active Street Frontage Overlay. The chapters for the proposed City Centre, Metropolitan Centre, Local Centre and Neighbourhood Centre Zones include provisions that intend to protect the frontages of the streets within the overlay as attractive pedestrian-focussed environments.</p> <p>However, on the Proposed District Plan maps the overlay would also apply to the following properties that are in the Mixed Use Zone:</p> <ul style="list-style-type: none"> 125-135 Dowse Drive, Maungaraki, 60 Knights Road, Hutt Central, Ss Peter and Paul School, Hutt Central, and 45-49 Hutt Road, Petone. <p>As the Mixed Use Zone does not include any provisions that address the Active Street Frontage</p> | <p>Remove the Active Street Frontage Overlay from the frontages of properties in the Mixed Use Zone, including:</p> <ul style="list-style-type: none"> 125-135 Dowse Drive, Maungaraki, 60 Knights Road, Hutt Central, Ss Peter and Paul School, Hutt Central, and 45-49 Hutt Road, Petone. |

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| | | | | Overlay, the overlay should not apply to frontages of properties in the Mixed Use Zone. | |
| 94 | Maps | Civic Precinct | Oppose in part | In order to provide consistency in the plan mapping and improve usability, an amendment is sought to the south-western precinct boundary of the Civic Precinct to match the boundary of the City Centre Zone (as opposed to being within the Open Space Zone as notified). | Redraw the south-western boundary of the Civic Precinct boundary to match the boundary of the City Centre Zone |
| 95 | Maps | Natural Open Space Zone, Open Space Zone, and General Rural Zone – 122, 122N, 124, 130, 160, 204, 205, 206, 260, 1119, and 1201 Coast Road, Wainuiomata | Oppose | Property boundaries updated by LINZ after maps being drawn have resulted in zone boundary misalignment with the property boundary at 122, 122N, 124, 130, 160, 204, 205, 206, 260, 1119, and 1201 Coast Road, Wainuiomata. | Realign the boundaries of the Natural Open Space Zone, Open Space Zone, and General Rural Zones at 122, 122N, 124, 130, 160, 204, 205, 206, 260, 1119, and 1201 Coast Road, Wainuiomata to match the property boundaries. |
| 96 | Maps | Medium Density Residential Zone – 101 Meremere Street, Wainuiomata | Oppose | 101 Meremere Street, Wainuiomata has been vested with Hutt City Council as a Local Purpose Reserve. Under the Proposed District Plan this property is in the Medium Density Residential Zone. The Open Space Zone is a more appropriate zone given the property's status as a Local Purpose Reserve. | Rezone 101 Meremere Street, Wainuiomata to the Open Space Zone. |

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| 97 | Maps | Medium Density Residential Zone – 102 Meremere Street, Wainuiomata | Oppose | <p>102 Meremere Street, Wainuiomata has been vested with Hutt City Council as a Scenic Reserve. Under the Proposed District Plan this property is in the Medium Density Residential Zone.</p> <p>The Natural Open Space Zone is a more appropriate zone given the property's status as a Scenic Reserve.</p> | Rezone 102 Meremere Street, Wainuiomata to the Natural Open Space Zone. |
| 98 | Maps | Rural Lifestyle Zone – 57 Stockdale Street, Wainuiomata | Oppose | <p>Under the Proposed District Plan, 57 Stockdale Street, Wainuiomata is in the Rural Lifestyle Zone. Under the operative District Plan, this property is in the Hill Residential Activity Area (most analogous to the Large Lot Residential Zone). In addition, this property adjoins properties proposed to be included in the Large Lot Residential Zone.</p> <p>The Large Lot Residential Zone is a more appropriate zone for the property.</p> | Rezone 57 Stockdale Street, Wainuiomata to the Large Lot Residential Zone. |
| 99 | Maps | All layers | Oppose in part | <p>The functions of territorial authorities under the RMA (s31 of the Act) relate to subdivision, use and development landward of mean high water springs (MHWS). The control of activities in the coastal marine area (seaward of mean high water springs, to the outer limits of the territorial sea) is a function of regional councils (s30 of the Act).</p> <p>The Proposed District Plan map cannot define the coastal marine area boundary and so does not include the coastal marine area boundary. However, the online viewer is published with information that is not part of the plan but provides context. This includes a 'coastal margin' layer. This is an</p> | Truncate all map layers to only apply to areas within the TA boundaries, landward of the Coastal Marine Area boundary. |

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| | | | | <p>informational layer that gives an indication of the location of MHWS and the area 10m landward.</p> <p>However, some zones and overlays of the Proposed District Plan extend over this marker of MHWS and into the coastal marine area. Different zones and overlays overlap to different degrees and in different places.</p> <p>This may result in plan users getting the impression that resource consent is required from HCC under rules that apply within those overlays, where this is not the case. In addition, plan users may get the impression that an activity is permitted under rules that apply within those overlays, when they actually need resource consent from the regional council.</p> | |
| 100 | Maps | Jackson Street Character Transition Precinct | Oppose in part | An amendment is sought to correct a GIS processing error – the Precinct boundary does not match heritage area boundary. Amendment is sought to extend the Jackson Street Character Transition Precinct to cover 354, 358, and 362-364 Jackson Street (the gap between this precinct and the heritage area). | Amend the mapping of the Jackson Street Character Transition Precinct to extend the Jackson Street Character Transition Precinct to cover 354, 358, and 362-364 Jackson Street (the gap between this precinct and the heritage area). |
| 101 | Maps | Open Space Zone - 8, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 36, 38, 40, 42, and 44 Harry | Oppose | Amendment is sought to correct GIS processing errors at 8, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 36, 38, 40, 42, and 44 Harry Martin Lane, Wainuiomata. The Open Space Zone was mistakenly applied to private property. The areas should be zoned Medium Density Residential Zone. | Rezone the areas of Open Space Zone at 8, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 36, 38, 40, 42, and 44 Harry Martin Lane, Wainuiomata, to Medium Density Residential Zone. |

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| | | Martin Lane, Wainuiomata | | | |
| 102 | Maps | Open Space Zone – 2, 4, and 6 Harry Martin Lane, Wainuiomata, and nearby road reserve, and road reserve of Parkway, Wainuiomata directly northeast of 57, 59, 61, 63, 65, 67, 69, and 71 Grovedale Square, Wainuiomata | Oppose | Amendment is sought to correct a GIS processing error. The zone boundary overlaps private property slightly at 2, 4, and 6 Harry Martin Lane, Wainuiomata, and the boundary between the Open Space Zone and Medium Density Residential Zone requires amendment to be on the centreline of Parkway. | <p>Minor corrections to the zoning at 2, 4, and 6 Harry Martin Lane, Wainuiomata, from Open Space Zone to Medium Density Residential Zone.</p> <p>And</p> <p>Move the boundary between Medium Density Residential Zone and the Open Space Zone on the opposite side of Parkway to be the centreline of Parkway (being the nearby road reserve, and road reserve of Parkway, Wainuiomata directly northeast of 57, 59, 61, 63, 65, 67, 69, and 71 Grovedale Square, Wainuiomata).</p> |
| 103 | Maps | Open Space Zone - 33 Grovedale Square, Wainuiomata | Oppose | Amendment is sought to correct a GIS processing error – the zone boundary does not match the property boundary at 33 Grovedale Square, Wainuiomata. | Realign the boundary between Medium Density Residential Zone and Open Space Zone to match the property boundary at 33 Grovedale Square, Wainuiomata. The entire property should be zoned Medium Density Residential Zone, |

| # | Chapter | Provision | Position | Reasons | Relief sought |
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| 104 | Maps | Open Space Zone – 1 Mary Huse Grove, Manor Park | Oppose | Amendment is sought to correct a GIS processing error - Open Space Zone mistakenly applied to private property at 1 Mary Huse Grove, Manor Park. | Rezone 1 Mary Huse Grove, Manor Park from Open Space Zone to Medium Density Residential Zone. |
| 105 | Maps | Open Space Zone and High Density Residential Zone - 75, 105A, and 105B Woburn Road, Woburn | Oppose | Amendment is sought to correct a GIS processing error – Boundary of Open Space Zone and High Density Residential Zone does not match property boundary at 75, 105A, and 105B Woburn Road, Woburn. | Realign the boundary of Open Space Zone and High Density Residential Zone at 75, 105A, and 105B Woburn Road, Woburn, to match the property boundary. |
| 106 | Maps | Natural Open Space Zone - 509 and 510 Marine Drive, Sunshine Bay | Oppose | Amendment is sought to correct a GIS processing error – Natural Open Space Zone mistakenly applied to private property 509 and 510 Marine Drive, Sunshine Bay. | Rezone 509 and 510 Marine Drive, Sunshine Bay from Natural Open Space Zone to Large Lot Residential Zone. |
| 107 | Maps | Natural Open Space Zone – 9 Haven Grove, Naenae | Oppose | Amendment is sought to correct a GIS processing error – Natural Open Space Zone mistakenly applied to private property at 9 Haven Grove, Naenae. | Rezone 9 Haven Grove, Naenae from Natural Open Space Zone to Medium Density Residential Zone. |
| 108 | Maps | Natural Open Space Zone – 16 Huia Road, Days Bay (part of site) | Oppose | Amendment is sought to correct a GIS processing error – Natural Open Space Zone mistakenly applied to private property at 16 Huia Road, Days Bay (part of site. Refer Appendix 4 for the area to be rezoned. | Rezone the portion of the property at 16 Huia Road, Days Bay zoned Natural Open Space Zone to Large Lot Residential Zone. |

| # | Chapter | Provision | Position | Reasons | Relief sought |
|--|---------|---|----------|--|---|
| 109 | Maps | Natural Open Space Zone – 1A Mackenzie Road, Eastbourne | Oppose | Amendment is sought to correct a GIS processing error – Natural Open Space Zone mistakenly applied to private property at 1A Mackenzie Road, Eastbourne. | Rezone 1A Mackenzie Road, Eastbourne from Natural Open Space Zone to Large Lot Residential Zone. |
| 110 | Maps | Natural Open Space Zone – 24 Akatea Road, Korokoro | Oppose | Amendment is sought to correct a GIS processing error – Natural Open Space Zone mistakenly applied to private property at 24 Akatea Road, Korokoro. | Rezone 24 Akatea Road, Korokoro from Natural Open Space Zone to Medium Density Residential Zone. |
| 111 | Maps | Natural Open Space Zone – 27 Matuhi Street, Tirohanga | Oppose | Amendment is sought to correct a GIS processing error – Natural Open Space Zone mistakenly applied to private property at 27 Matuhi Street, Tirohanga. | Rezone 27 Matuhi Street, Tirohanga from Natural Open Space Zone to Large Lot Residential Zone. |
| 112 | Maps | Natural Open Space Zone – 29 Tiroiti Grove, Stokes Valley | Oppose | Amendment is sought to correct a GIS processing error – Natural Open Space Zone mistakenly applied to private property at 29 Tiroiti Grove, Stokes Valley. | Rezone 29 Tiroiti Grove, Stokes Valley from Natural Open Space Zone to Medium Density Residential Zone. |
| 113 | Maps | Natural Open Space Zone – 2B Waitohu Road, York Bay | Oppose | Amendment is sought to correct a GIS processing error – Natural Open Space Zone mistakenly applied to private property at 2B Waitohu Road, York Bay. | Rezone the part of the site at 2B Waitohu Road, York Bay zoned Natural Open Space Zone to General Rural Zone. |
| <i>Submission points relating to Proposed Private Plan Change 58 to the Operative District Plan: Rezoning of 12 Shaftesbury Grove, Stokes Valley</i> | | | | | |

| # | Chapter | Provision | Position | Reasons | Relief sought |
|-----|-------------|---|---------------------|--|---|
| 114 | Subdivision | <p>New provision SUB-Pxxx, “Subdivision of land within the Shaftesbury Grove Development Precinct”</p> <p>insert after SUB-P26, “Subdivision of land within the Gas Transmission Pipeline Corridor”</p> | Request addition | Implementation of PC58 Amendment 2 – See discussion in introduction. | <p>Insert:</p> <p>“SUB-Pxxx: Subdivision of land within the Shaftesbury Grove Development Precinct</p> <p>Enable urban development through the subdivision of land in the Shaftesbury Grove Development Precinct in a manner that protects the land’s significant ecological values by:</p> <ul style="list-style-type: none"> i. Providing for the subdivision of land within the Development Sub-area of the Precinct; and ii. Only allowing for the subdivision of land in the Non-development Sub-area of the Precinct where the subdivision is required to support or enable development within the Development Sub-area, and the land’s significant ecological values are maintained or enhanced.” |
| 115 | Subdivision | <p>New provision SUB-Rxxx, “Subdivision of land within the Shaftesbury</p> | Request addition | Implementation of PC58 Amendments 3, 4, 5, and 6 – see discussion in introduction. | Insert the rule shown in Appendix 1 to this submission. |

| # | Chapter | Provision | Position | Reasons | Relief sought |
|-----|---------------------------------|--|------------------|--|--|
| | | Grove Development Precinct” Insert after SUB-R21, “Subdivision of land in the Riverbank Precinct of the City Centre Zone” | | | |
| 116 | Subdivision | New provision SUB-APPxxx, “Matters of discretion and information requirements for rule SUB-Rxxx” Insert, under a new “Appendices” heading, after the standards. | Request addition | Implementation of PC58 Amendments 3, 4, 5, and 6 – see discussion in introduction. | Insert the appendix shown in Appendix 2 to this submission. |
| 117 | Medium Density Residential Zone | Introduction | Request addition | Plan usability – as precincts are associated with zones, it would be useful to mention the precinct in the zone even though all related provisions are in the subdivision chapter. | Add the following to the end of the introduction: “MRZ-PRECxxx: Shaftesbury Grove Development Precinct |

| # | Chapter | Provision | Position | Reasons | Relief sought |
|-----|-----------------------------------|--|------------------|--|--|
| | | | | | The Shaftesbury Grove Development Precinct provides bespoke management of subdivision for an area in Shaftesbury Grove, Stokes Valley to enable urban development while protecting the land's significant ecological values. The relevant policies and rules for this precinct are found in the Subdivision chapter." |
| 118 | Maps | Large Lot Residential Zone – 12 Shaftesbury Grove, Stokes Valley | Oppose in part | Implementation of PC58 Amendment 1 – See discussion in introduction. | Rezone 12 Shaftesbury Grove (Lot 1 DP 507600) from Large Lot Residential Zone to Medium Density Residential Zone |
| 119 | Maps (including text description) | New provision – Shaftesbury Grove Development Precinct | Request addition | Implementation of PC58 Amendment 7 – See discussion in introduction. | <p>Add a new precinct called "Shaftesbury Grove Development Precinct", covering 12 Shaftesbury Grove (Lot 1 DP 507600) with two sub-areas:</p> <ul style="list-style-type: none"> • "Development Sub-area", corresponding to the area shown as "Development Area" in the map in Appendix 3 to this submission, and • "Non-development Sub-area", corresponding to the remainder of 12 Shaftesbury Grove. |

Appendix 1: PC58 Shaftesbury Grove Subdivision Rule

SUB-Rxxx: Subdivision of land within the Shaftesbury Grove Development Precinct

Medium Density Residential Zone – Shaftesbury Grove Development Precinct

1. **Activity Status:** Restricted Discretionary

Where:

- a. All earthworks, building platforms, roads, private accesses, and utility structures are identified and located within the Development Sub-area of the Precinct.

Matters of discretion are restricted to:

- 1. The matters in Appendix SUB-APPxxx.

Information requirements:

Applications made under this rule must include the information required by Appendix SUB-APPxxx.

Medium Density Residential Zone – Shaftesbury Grove Development Precinct

2. **Activity Status:** Discretionary

Where:

- a. Compliance is not achieved with SUB-Rxxx.1

Information requirements:

Applications made under this rule must include the information required by Appendix SUB-APPxxx.

Appendix 2: PC58 Shaftesbury Grove Subdivision

Appendix

SUB-APPxxx: Matters of discretion and information requirements for rule SUB-Rxxx.

For applications under rule SUB-Rxxx.1, matters of discretion are restricted to:

1. Amenity Values

- a. The extent to which any earthworks proposal will affect adversely the visual amenity values of the area, and the extent to which replanting, rehabilitation works or retaining structures are included as part of the proposal to mitigate adverse effects. Earthworks should not result in the permanent exposure of excavated areas or visually dominant retaining structures when viewed from adjoining properties or public areas, including roads.
- b. Any measures proposed to mitigate potential adverse landscape and visual effects in accordance with the Landscape Management Plan for the site.

2. Existing Natural Features and Topography

- a. The extent to which the proposed earthworks reflect natural landforms and are sympathetic to the natural topography.
- b. Any measures proposed to mitigate potential adverse landscape and visual effects in accordance with the Landscape Management Plan for the site.

3. Historical or Cultural Significance

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

4. Construction Effects

- a. The management of construction effects, including traffic movements and hours of operation.
- b. The extent to which proposed earthworks have adverse short term and temporary effects on the local environment.

5. Engineering Requirements

- a. The extent of compliance with NZS 4431:2022 (Engineered Fill Construction for Lightweight Structures).
- b. The extent of compliance with NZS 4404:2010 (Land Development and Subdivision Infrastructure).

6. Erosion and Sediment Management

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

7. Design and Layout

- a. The design and layout of the subdivision, including the size, shape and position of any lot, any roads or the diversion or alteration to any existing roads, access, passing bays, parking and manoeuvring standards, and any necessary easements.
- b. Any measures proposed to mitigate potential adverse effects of subdivision, earthworks and development upon the steeper hillsides, gullies, and streams outside the identified Development Area.

8. Utilities Servicing

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

9. Transport

The provision of vehicular, pedestrian and cycle access via public roads, footpaths and cycleways and the provision of private accesses. In addition, for subdivisions that exceed the high trip generator thresholds specified in Table 8 of the Transport chapter, the matters of discretion in rule TR-R3.2.

10. Stormwater Management

- a. The provision of stormwater control and disposal and any measures proposed to manage and treat stormwater in accordance with the Stormwater Management Plan for the site.
- b. The extent of compliance with the Wellington Water Regional Standard for Water Services December 2021.

11. Wastewater

- a. The provision of wastewater systems and any measures proposed to utilise off-peak network capacity through on-site storage and timed wastewater release.
- b. The extent of compliance with the Wellington Water Regional Standard for Water Services December 2021.

12. Water Supply

- a. The provision of a reticulated water supply network and any measures proposed to achieve an adequate domestic and fire-fighting water supply.
- b. The extent of compliance with the Wellington Water Regional Standard for Water Services December 2021.

13. Natural Hazards

The avoidance or mitigation of natural hazard risks.

14. Regionally Significant Network Utilities

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

15. Geotechnical

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

16. Ecology

Any measures proposed to avoid or manage adverse effects on indigenous biodiversity on the site.

17. Other Matters

Those matters described in ss 108 and 220 of the Resource Management Act 1991.

Applications under rule SUB-Rxxx must include the following information for the first subdivision of the site (Lot 1 DP 507600) to achieve an integrated design response, which is also applicable to any future stages and subsequent subdivision applications:

1. Stormwater

A Stormwater Management Plan prepared by a suitably qualified person covering the following:

- a. Existing site evaluation:
 - i. Topography
 - ii. Geotechnical and soil conditions
 - iii. Existing stormwater network
 - iv. Existing hydrological features
 - v. Stream and river locations
 - vi. Flooding and flow paths locations
 - vii. Ecological and environmental areas
- b. Development summary and planning context
- c. Proposed development including:
 - i. Location and area
 - ii. Site layout and urban form
 - iii. Location and extent of earthworks
- d. Stormwater management, including:
 - i. Principles of stormwater management
 - ii. Proposed site-specific stormwater management and treatment
 - iii. Hydraulic connectivity and downstream impacts
 - iv. Asset ownership
 - v. Ongoing maintenance requirements

vi. Implementation of stormwater network

2. Geotechnical

A Geotechnical Assessment prepared by a suitably qualified person confirming that:

- a. The resulting allotments can accommodate the intended use and development
- b. The risk from any geohazards can be avoided, remedied, or mitigated
- c. The subdivision will not increase or accelerate the risk from geohazards on the site or adjoining properties

3. Ecology

A full ecological assessment of the Precinct that:

- a. Identifies indigenous biodiversity values in the Precinct
- b. Identifies the appropriate level of management or avoidance depending on the significance of the indigenous biodiversity
- c. Provides management plans addressing at least the following:
 - i. Orchid Management
 - 1. Identify the location of threatened orchids within the Development Sub-area
 - 2. Set out requirements for the management of threatened orchids identified on the site
 - ii. Lizard Management
 - 1. Identify areas that require a pre-vegetation clearance monitoring survey of lizards
 - 2. Document any pre-vegetation clearance monitoring of lizards
 - 3. Identify suitable lizard relocation areas
 - 4. Set out requirements for any lizard relocation
 - iii. Mānuka Management
 - 1. Review the significance and threat status of Mānuka Forest on the site
 - 2. Identify areas of significant Mānuka Forest on the site
 - iv. Vegetation Management

1. Identify vegetation protection measure in the Non-development Sub-area of the Precinct.
2. Provide details for weed and pest management on the site.
3. Identify ongoing monitoring and maintenance requirements.

v. Falcon Survey

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

4. Landscape and Visual

A Landscape Management Plan prepared by a suitably qualified person taking into consideration the findings and recommendations of the ecological assessment and management plans required under C. Ecology and providing the following landscaping details:

- a. Street trees and amenity planting
- b. Fencing and planting treatments at the boundary with Fenchurch Grove sites
- c. Planting to mitigate earthworks and retaining structures
- d. Reserve and open space design including recreation tracks
- e. Roads, pedestrian, and cycle linkages within the Precinct and to the wider access network
- f. Stormwater design and associated planting

5. Transport

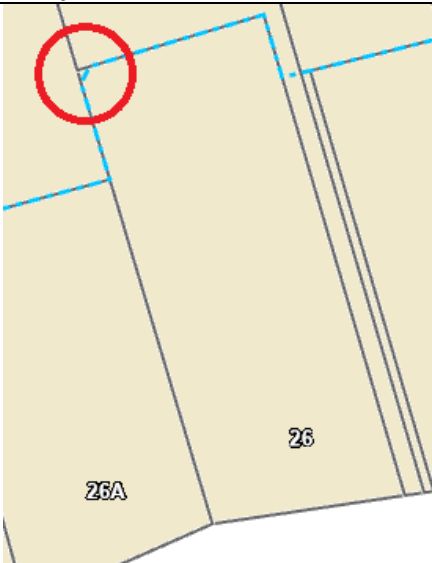
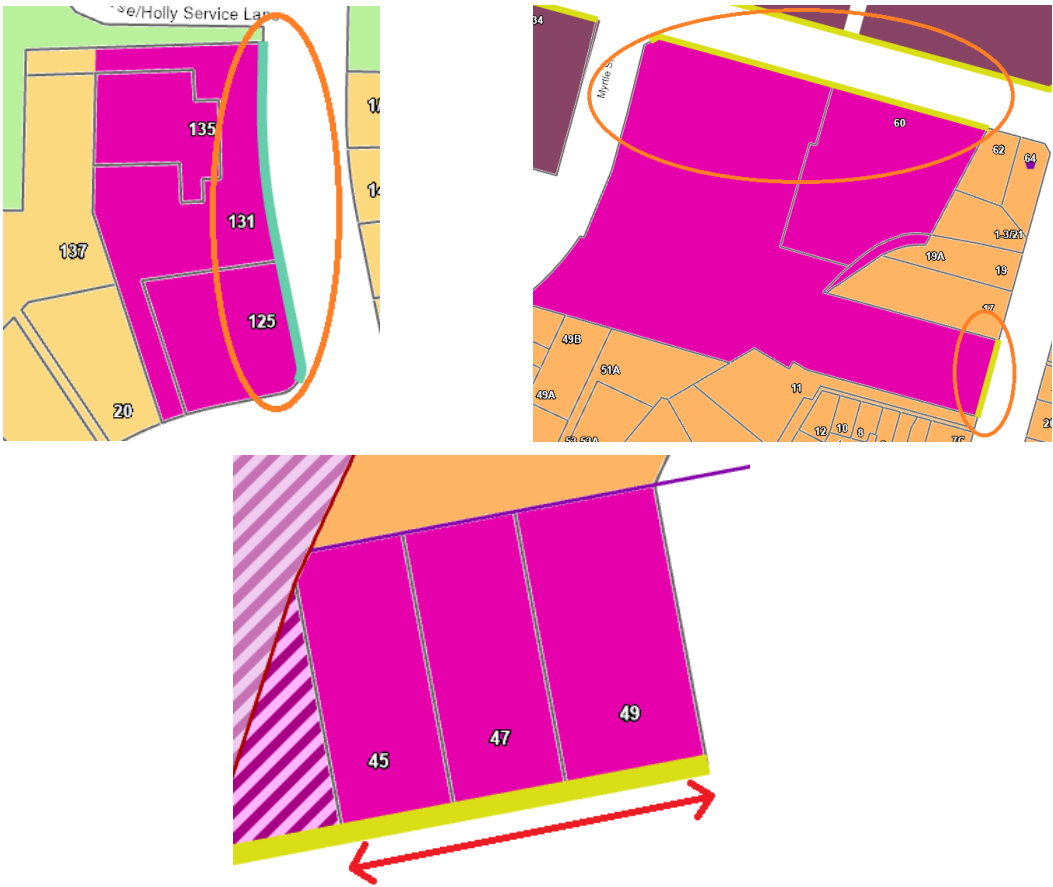
For any subdivision that exceeds the high trip generator thresholds specified in Table 8 of the Transport chapter, the information required by rule TR-R3.2.

For subsequent subdivisions that deviate from the management plans and information previously provided for the first subdivision, appropriate revisions, addendums, or further information to the initial management plans and information must be provided.

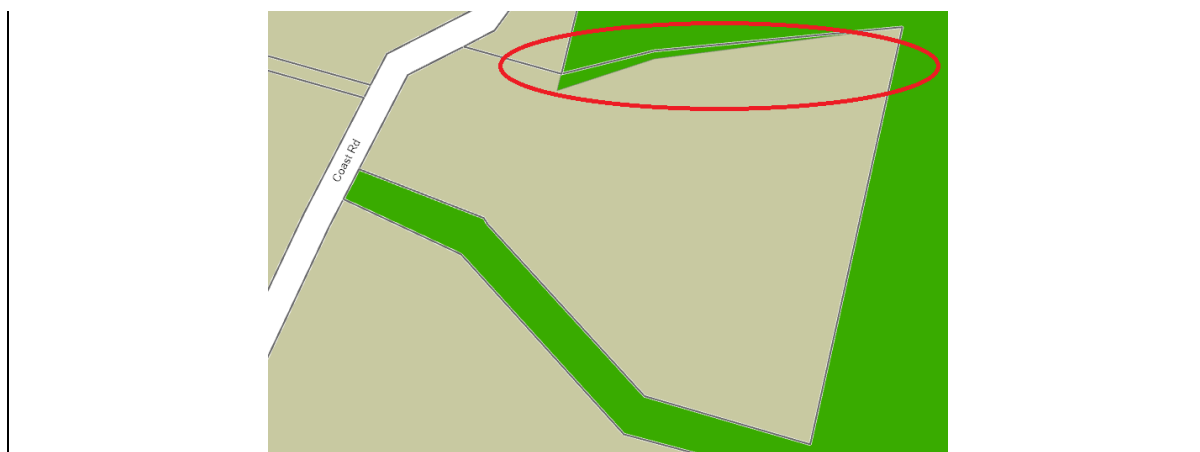
Appendix 3: PC58 Shaftesbury Grove Plan Change Areas



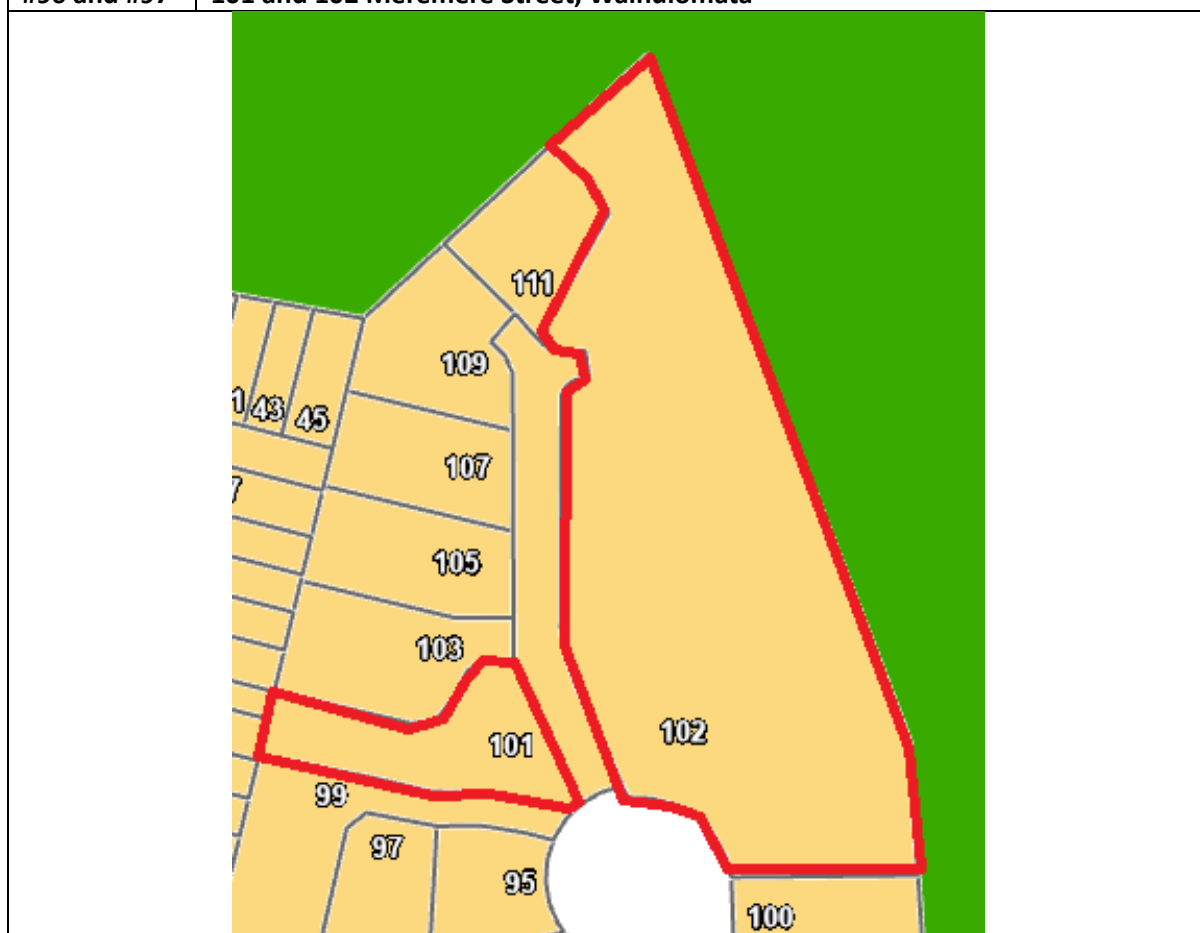
Appendix 4: Map images for submission points

| | |
|-----|---|
| #92 | 26 Waitohu Road, York Bay |
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| #93 | 125-135 Dowse Drive, Maungaraki 60 Knights Road, Hutt Central Ss Peter and Paul School, Hutt Central 45-49 Hutt Road, Petone |
| |  |

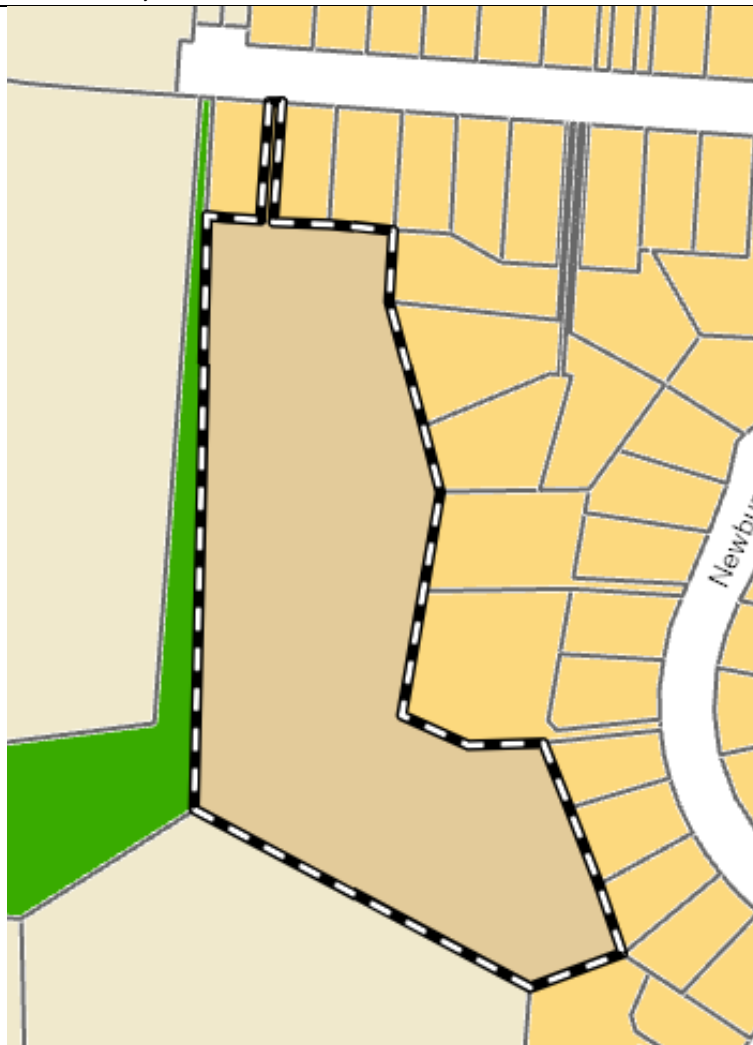




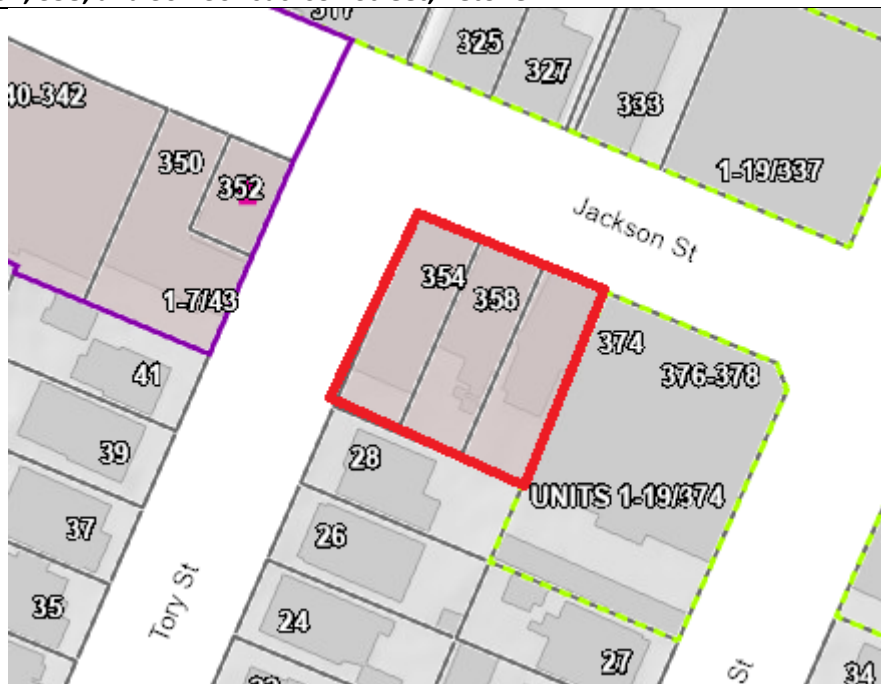
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|-------------|--|
| #96 and #97 | 101 and 102 Meremere Street, Wainuiomata |
|-------------|--|

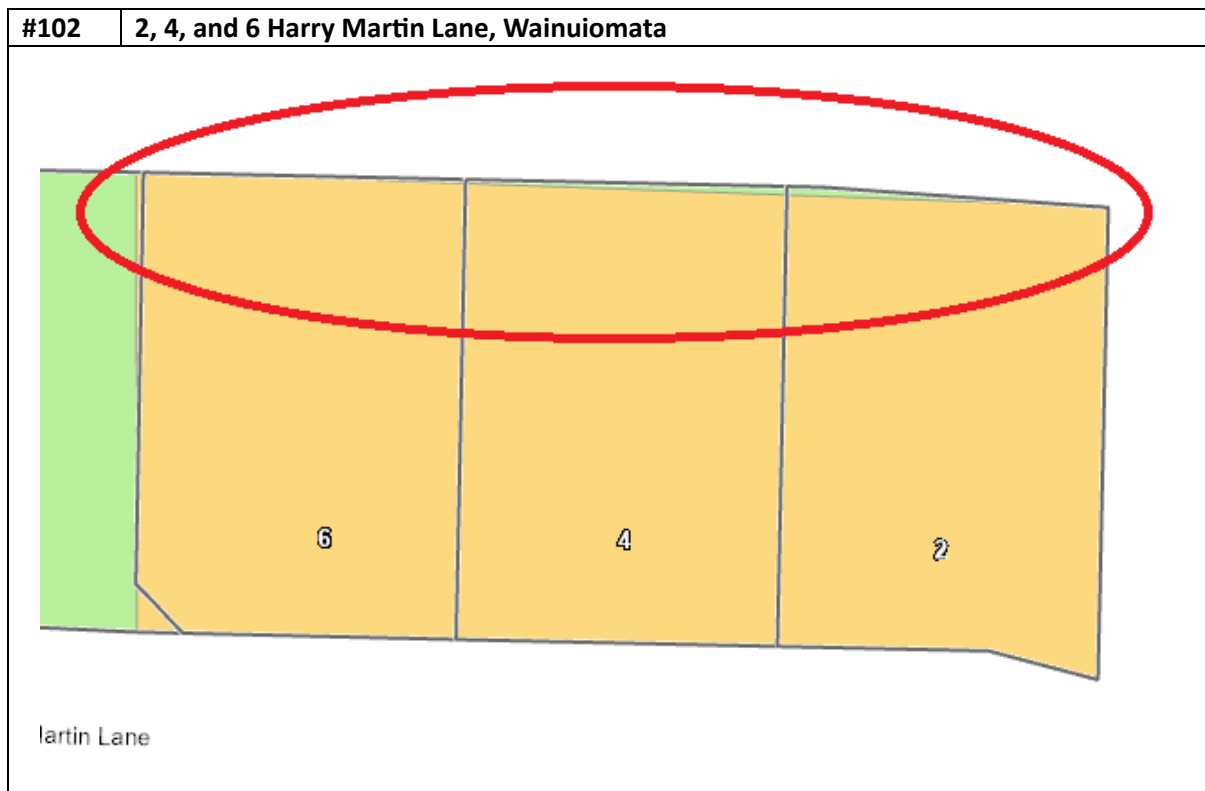
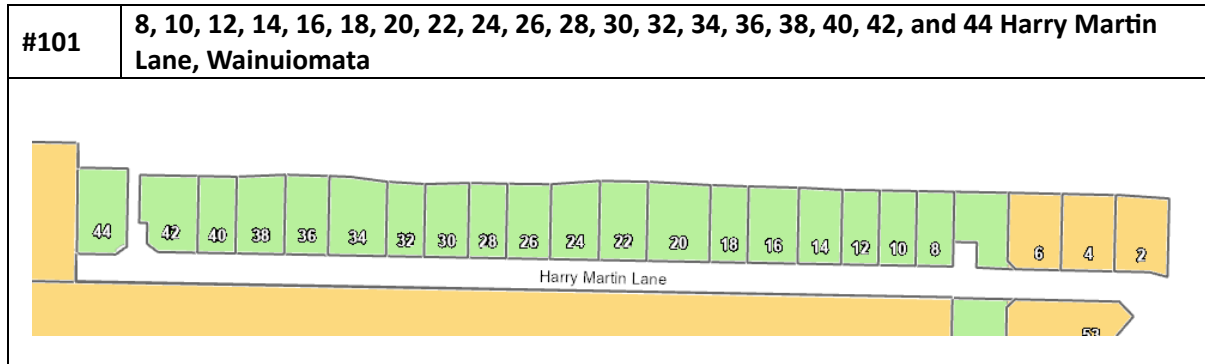


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| #98 | 57 Stockdale Street, Wainuiomata |
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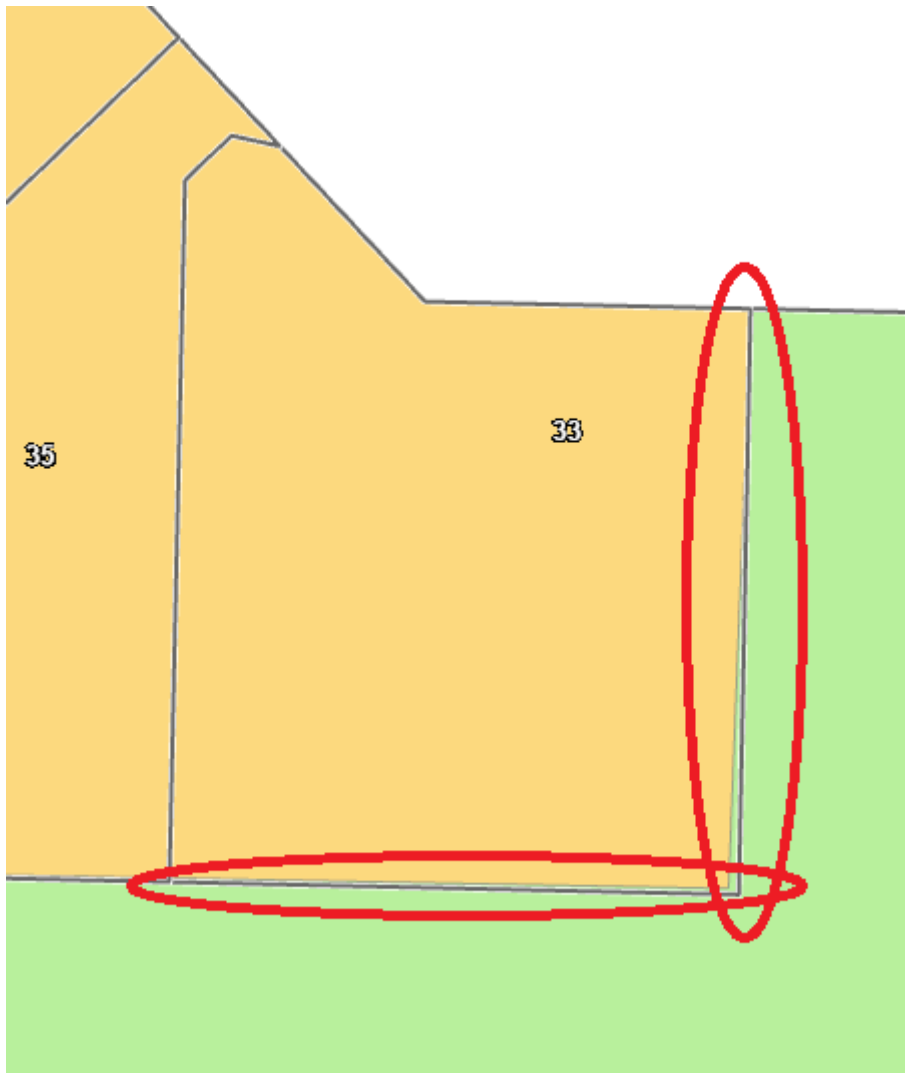


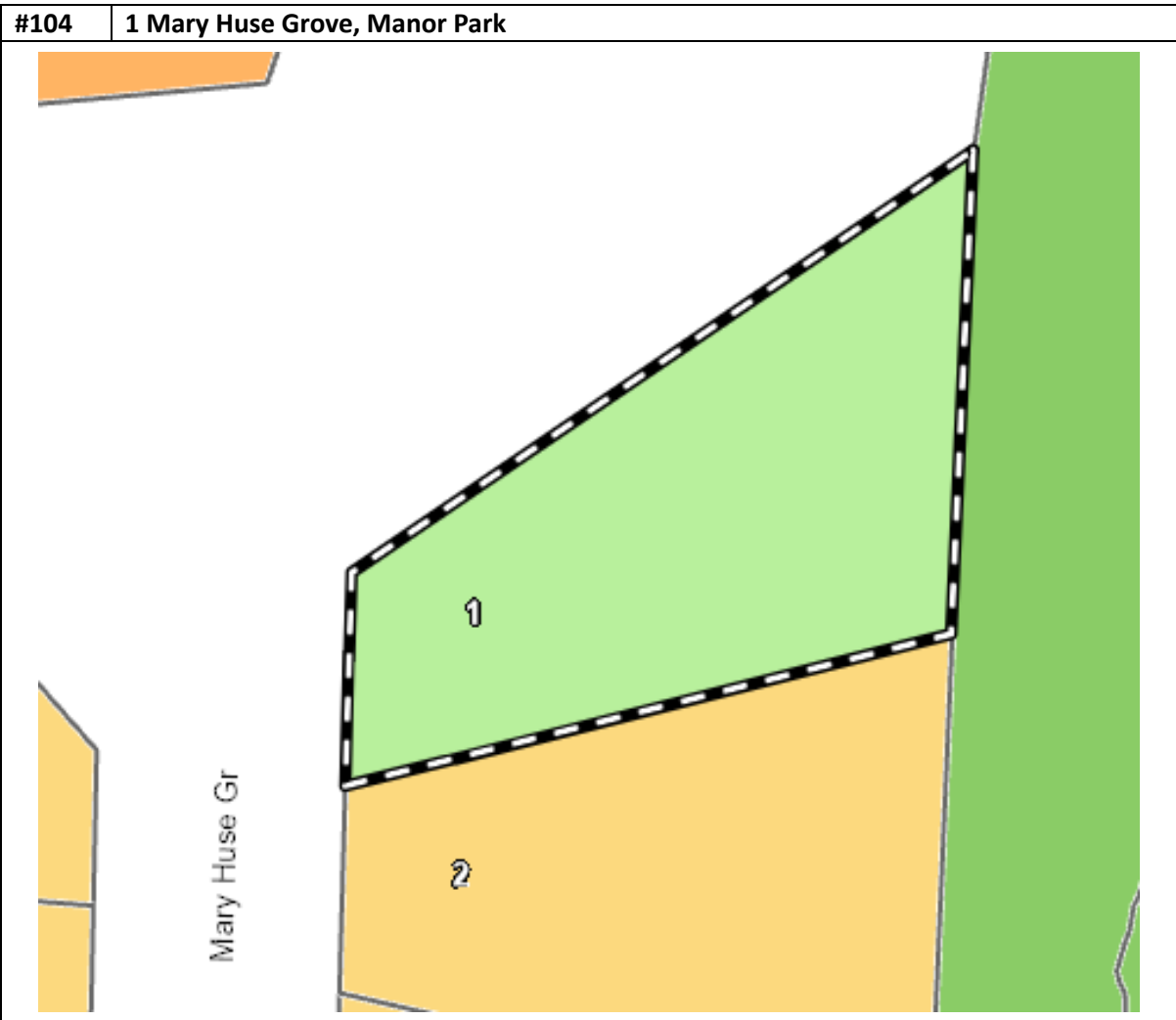
| | |
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| #100 | 354, 358, and 362-364 Jackson Street, Petone |
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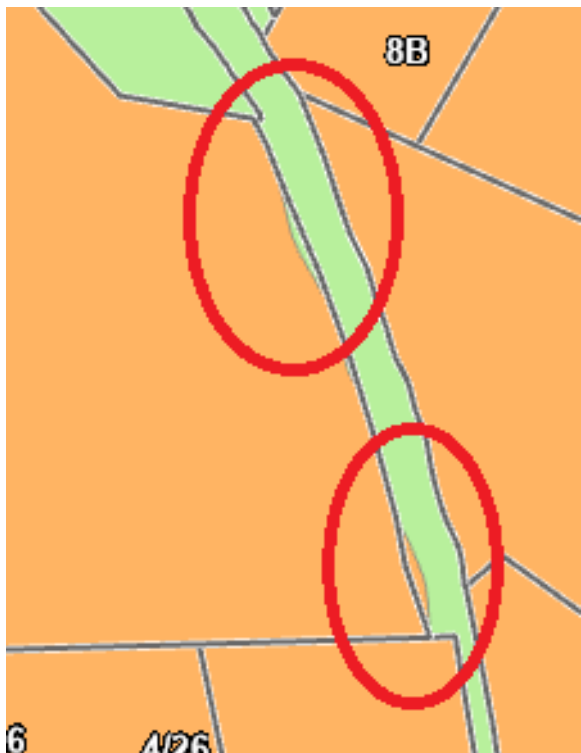
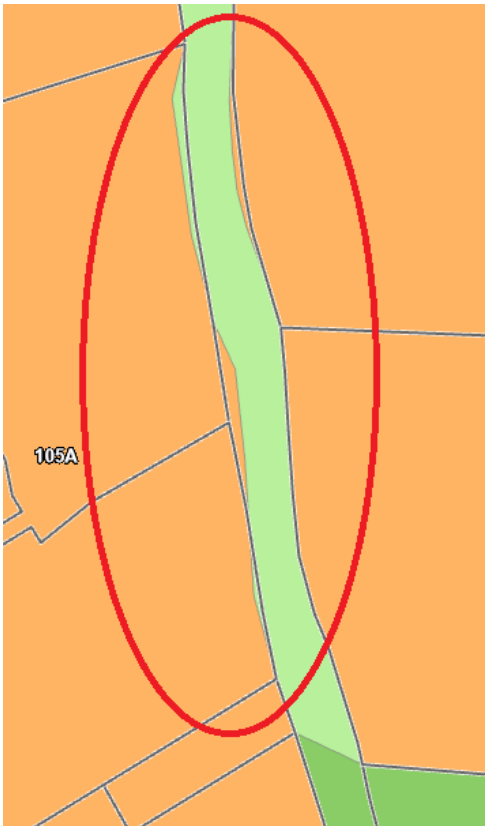


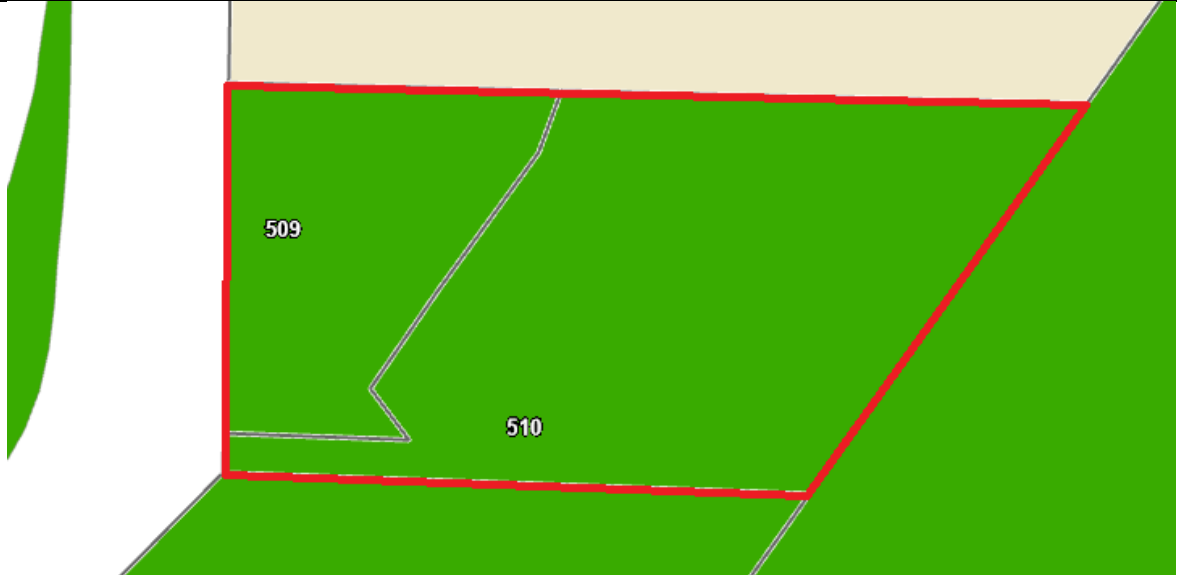


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| #103 | 33 Grovedale Square, Wainuiomata |
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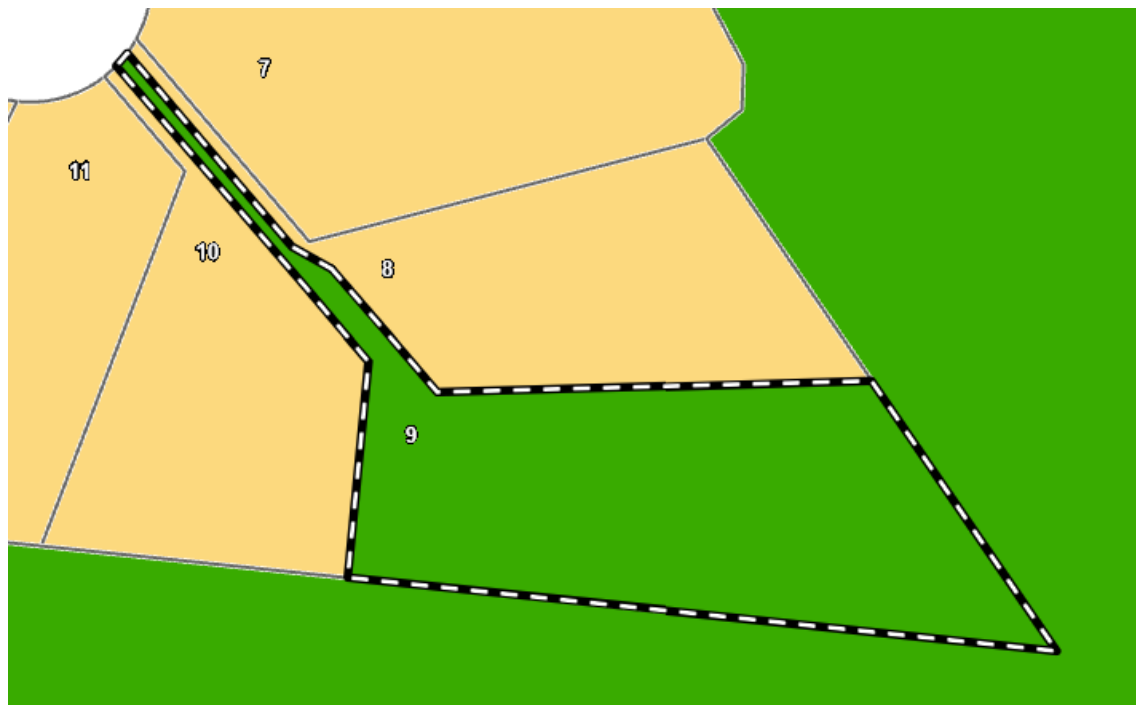




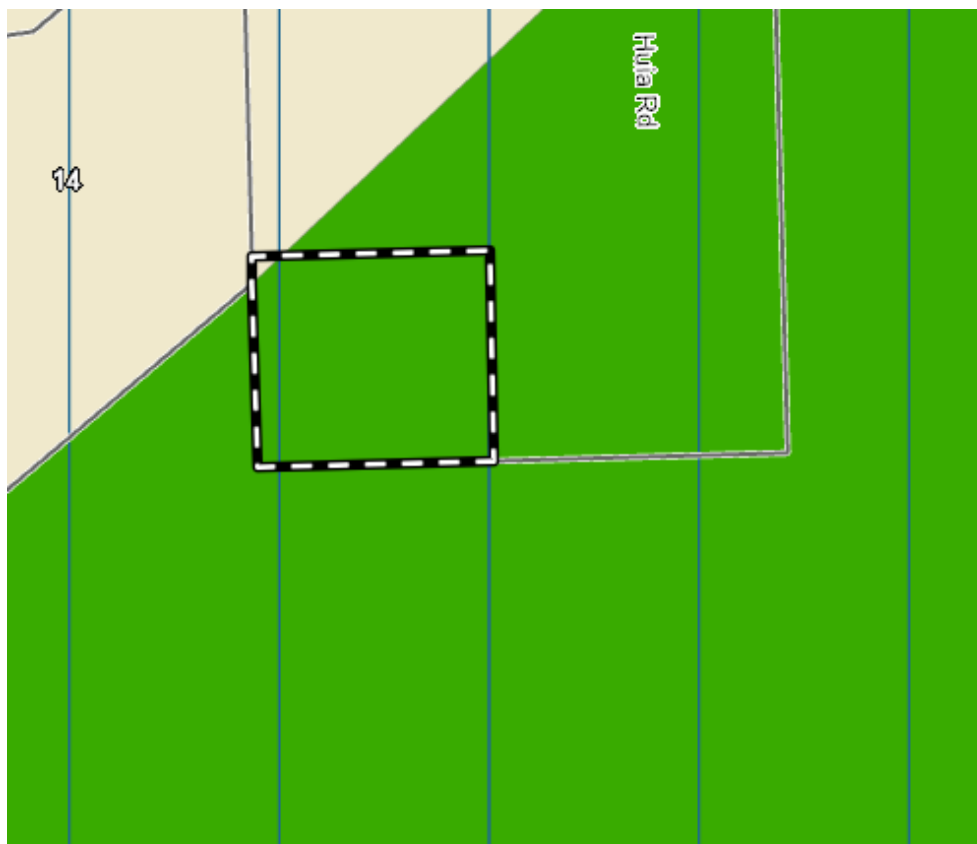
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| #105 | 75, 105A, and 105B Woburn Road, Woburn |
|  <p>This map shows a section of Woburn Road. Parcel 8B is labeled in the upper right, and parcel 6 is labeled in the lower left. Two red ovals are drawn on the road, highlighting specific areas. The road itself is shown in light green, while the surrounding land is orange.</p> |  <p>This map shows a section of Woburn Road. Parcel 105A is labeled on the left side. A red oval is drawn on the road, highlighting a specific area. The road itself is shown in light green, while the surrounding land is orange.</p> |

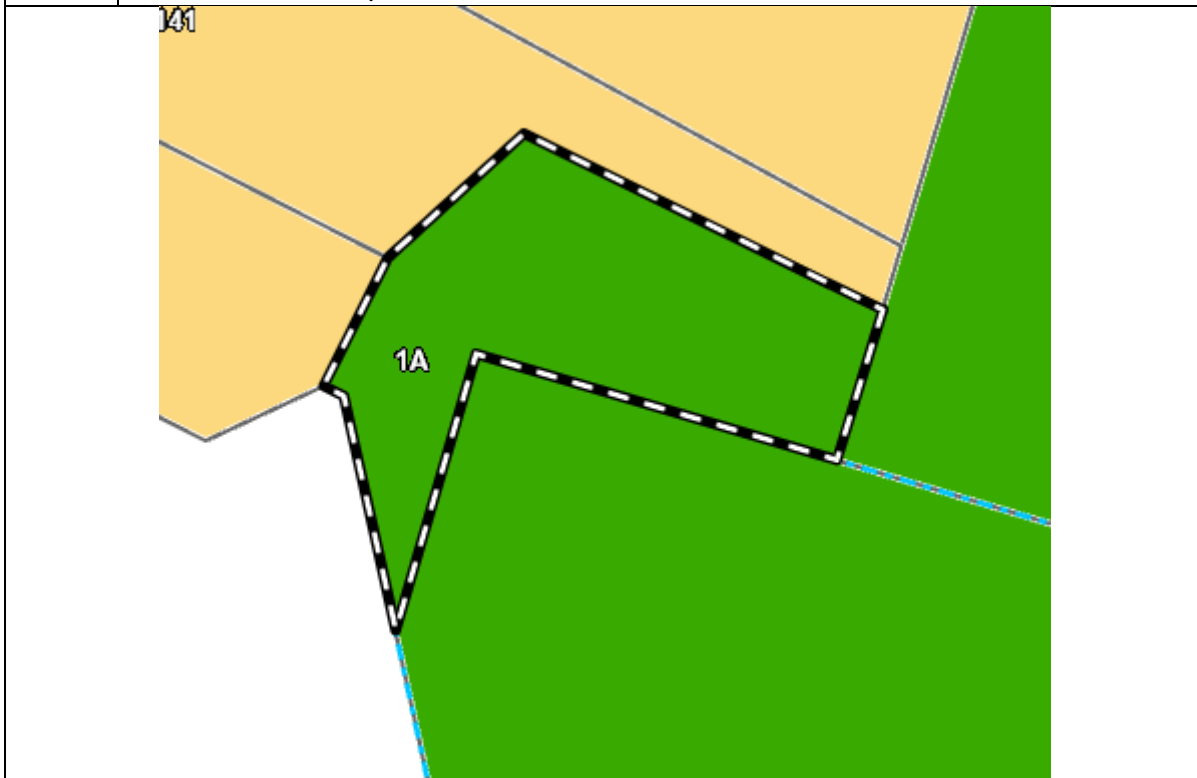
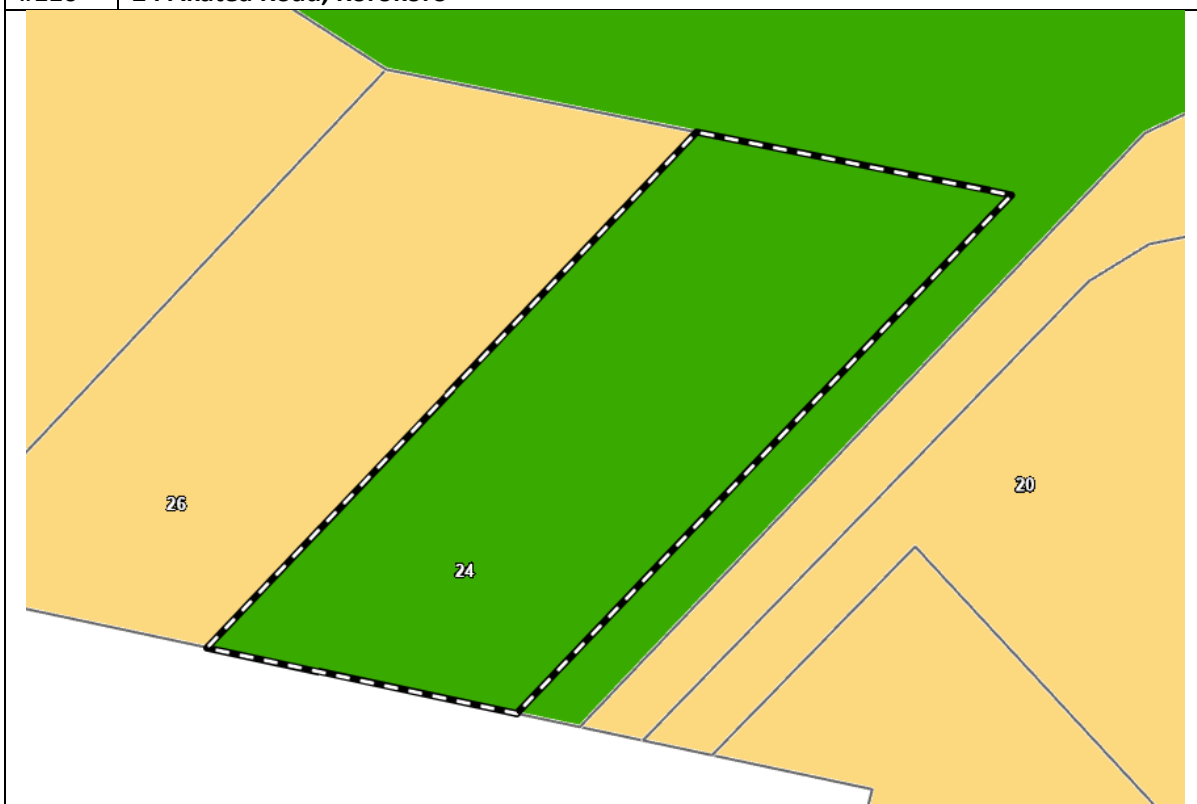
| | |
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| #106 | 509 and 510 Marine Drive, Sunshine Bay |
|  <p>This map shows a section of Marine Drive. Parcels 509 and 510 are labeled. A red line outlines a specific area that encompasses both parcels. The area within the red line is green, while the surrounding land is a light tan color.</p> | |

#107 9 Haven Grove, Naenae

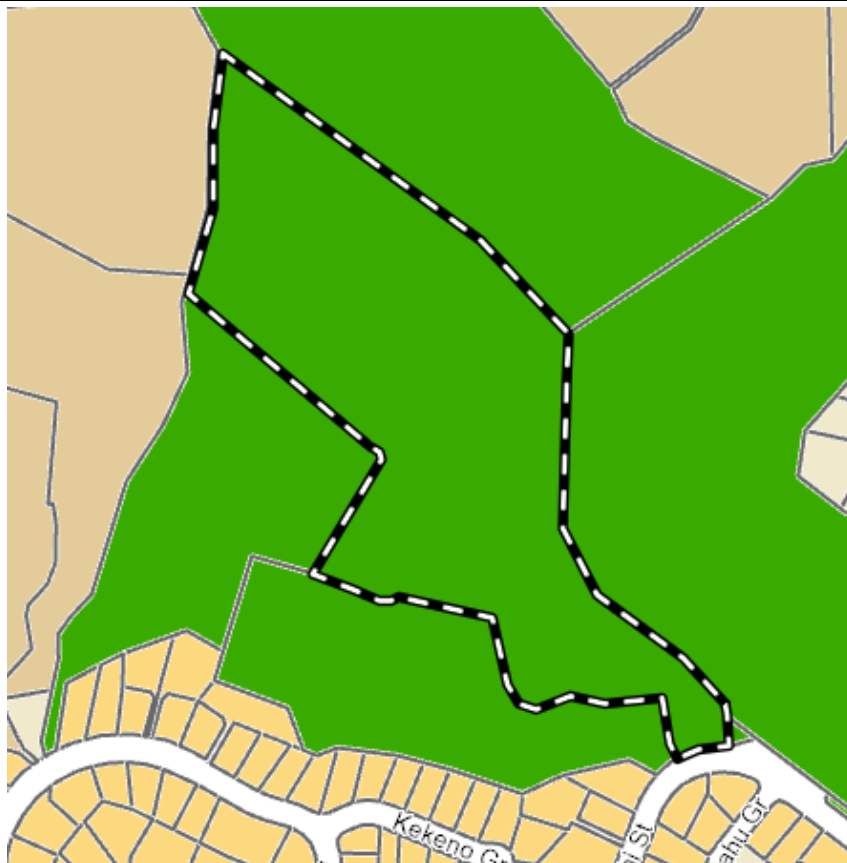


#108 16 Huia Road, Days Bay

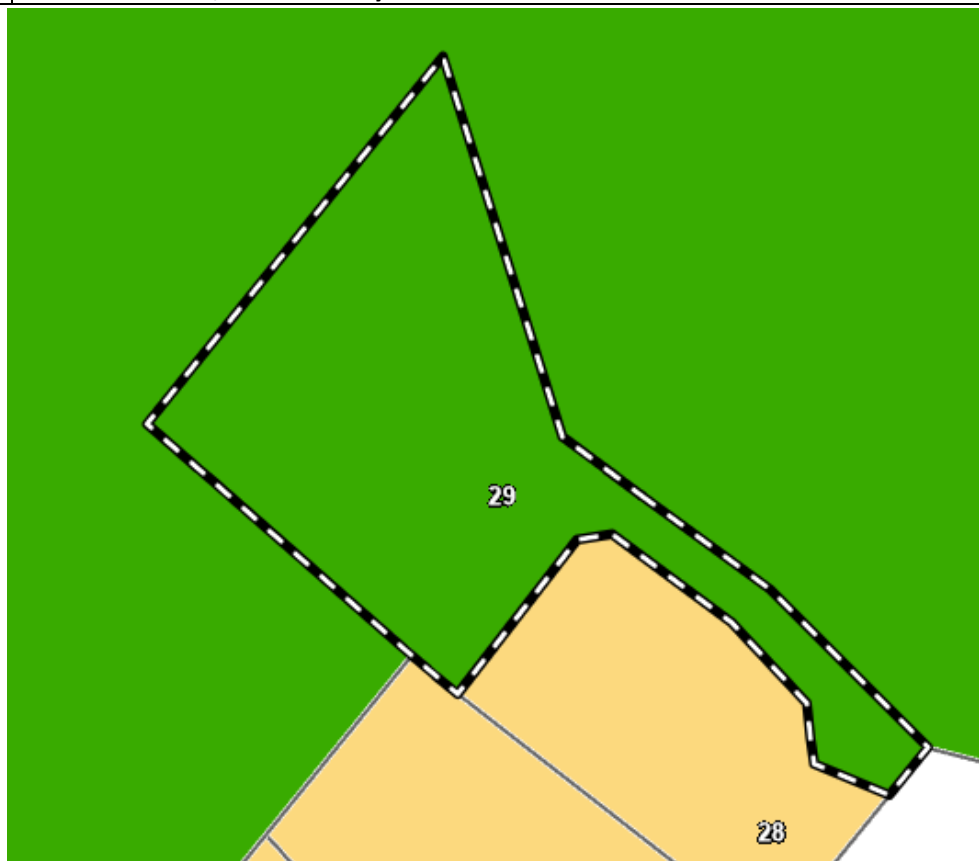


#109 **1A Mackenzie Road, Eastbourne****#110** **24 Akatea Road, Korokoro**

| | |
|------|-----------------------------|
| #111 | 27 Matuhi Street, Tirohanga |
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| #112 | 29 Tiroiti Grove, Stokes Valley |
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| #113 | 2B Waitohu Road, York Bay |
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