

RMA Form 5

# Submission on publicly notified proposed district plan

Clause 6 of Schedule 1, Resource Management Act 1991

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To: Chief Executive, Hutt City Council

Via email to [district.plan@huttcity.govt.nz](mailto:district.plan@huttcity.govt.nz).

1. This is a submission from Rebecca Leask (and other property owners from Rakeiora Grove, Korokoro) on the Proposed Lower Hutt District Plan 2025.
2. My email address for service is [puawaitanga@gmail.com](mailto:puawaitanga@gmail.com).
3. I 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. I wish to be heard in support of my submission.
6. If others make a similar submission, I will consider presenting a joint case with them at the hearing.

## Introduction

7. This submission is from the following Hutt City homeowners whose properties are included in the re-zoning proposal:

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Denise Mendez-Kerr Rodrigo Mendez	2 Rakeiora Grove, Korokoro	deniseannekerr@gmail.com

Other residents of Rakeiora Grove are being consulted and may add their names to the submission prior to the hearing.

8. Rakeiora Grove is currently zoned as Hill Residential. The District Plan Review proposes to change this zoning to Medium Density Residential. This zoning change represents a wholesale planning change in an area that we believe has marginal viability to deliver the intended housing benefits while opening the door for significant negative impacts to the environment, local residents, Korokoro residents and the residents of Petone in general.
9. We also submit that the application of Medium Density Zoning to the area bounding Rakeiora Grove and London Road creates an unreasonable expectation about what could be viable for development, in light of matters below.
- The area impacted is as per the map:



10. Our submission is that:

- a. Certain properties within Rakeiora Grove (#22, #24, #36, #38) would not be appropriate for Medium Density as they are subject to the overlay of Significant Natural Resource Area 27 and therefore should be protected as an important area of indigenous vegetation and habitat
- b. The significance of the area to Māori needs to be considered
- c. Several properties within Rakeiora Grove would not be appropriate for Medium Density due to the natural hazard risk of land slippage (38, 36, 31, 29, 25, 24, 22 and others)
- d. Heritage should be taken into consideration – Medium Density would impact on the heritage listed property at #38 Rakeiora Grove – Taumata
- e. The area is most suited to a zoning similar to the current Hill Residential zone. Based on our understanding, that would be the Large Lot Residential zone. (Though we would be open to another zone definition if it offered similar protections to the current Hill Residential zone.)

11. We propose that these issues be addressed by removing relevant properties in Rakeiora Grove altogether from the new zoning rules and replacing with a zoning of Large Lot Residential.

12. We refer to evidence provided in a previous submission to District Plan Review PC56 (DPC56/160 – attached as part of this submission) in relation to this argument, specifically:

- a. Section 3, p.10-11 regarding the current overlay of Significant Natural Resource Area 27 (SNA27), noting impacts of up-zoning on the environment
- b. Section 4, p.12-19 regarding natural hazard risks, for an area which is demonstrably high risk, specifically in relation to landslides given steepness of the terrain, and extremely high wind zone posing limitations to development
- c. Section 5, p.20-22 regarding protection of historical heritage at #38 Rakeiora Grove and surrounds.

13. We note that the panel recommendation in response to this PC56 submission was to retain a Hill Residential Zoning for Rakeiora Grove/London Road.

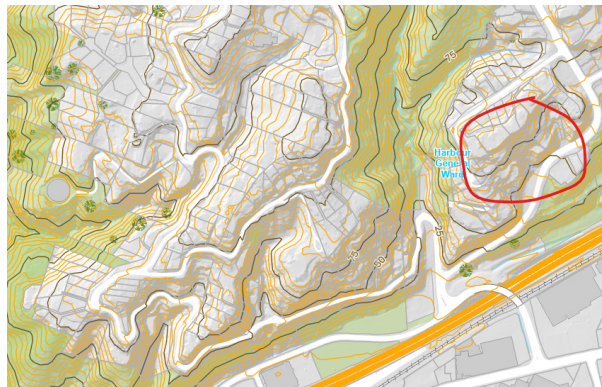
- a. In para 3.8.17 of the final report of the Independent Hearing Panel, it was noted that the area would not contribute meaningfully to housing capacity and noted the steepness of the land.

14. We submit that the zoning of Large Lot Residential is more applicable to this area.

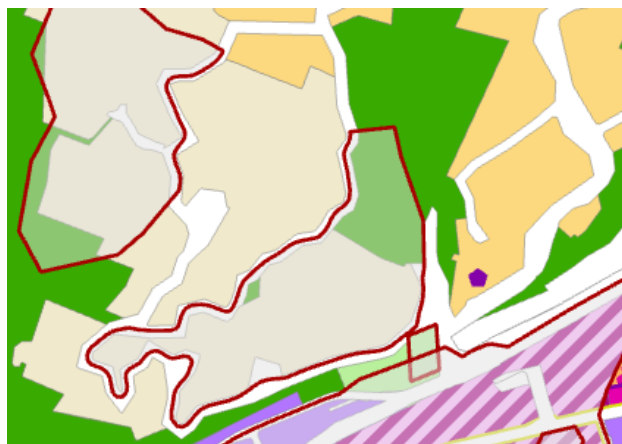
- a. The Council's intention is that Large Lot Residential zoning applies *"to areas where medium to high density development is generally inappropriate due to a*

*lack of reticulated [water](#), [wastewater](#), or [stormwater](#) services, or access constraints".*

- b. Evidence of challenges in relation to stormwater infrastructure, even with the current zoning, can be observed through frequency of burst pipes and water waste.
- c. The narrowness of the street would not allow for ease of building works, trucks etc. It is currently pushed to accommodate an ambulance let alone a fire truck if there is an emergency. (We have seen a fire truck have to back up the street from the turn around before in order to get out of the street.)
- d. There is no room for extra parking on the street for any additional dwellings, with the street down to basically one way in parts when cars are parked from number 10 upwards to 20 on both sides of the street (no yellow lines) – it is already very tight.
- e. The disruption with extra builds that could lead to extinction of the current wildlife and species to the native bush and creek would be another concern. Proximity to SNA27 is of relevance here also.
- f. There are similarities between parts of Rakeiora Grove and other areas within Korokoro which are proposed as Large Lot Residential, specifically properties on the steep hillside of Korokoro Road and Te Ahi Parera Place.



Compare this topography with other similar areas marked as Large Lot Residential:



15. We submit that there ought to be consideration of Rakeiora Grove as an area of significance to Māori, specifically in relation to the iwi connections via the property at #38 Rakeiora Grove (Taumata), and originally the surrounding land owned by Māori.
- a. Note also the heritage value of the inside of the property at #38 Rakeiora Grove, which retains the original marae within the house – built and used as a marae prior to the building of Te Tatau o te Pō in Hutt Road.



**ALSO SEE ATTACHMENT: REFERENCE – Submission DPC56/160 on District Plan change PC56 – Leask and Stewart 210920 (FINAL).pdf**



## Decisions Requested

#	Chapter	Provision	Position	Reasons	Relief sought
1	Medium Density Residential Zone - Maps	The proposed changes to apply the new Medium Density Residential zone to properties in Rakeiora Grove, specifically at #38 Rakeiora Grove, but also to be considered for surrounding properties	Oppose	<ul style="list-style-type: none"> <li>Overlay of Significant Natural Resource area 27: the up-zoning of properties included within the overlay of SNA27 would directly negate the purpose for which the overlay was established</li> </ul>	<p>To alter the District Plan changes to a zoning of Large Lot Residential for relevant properties in Rakeiora Grove.</p> <ul style="list-style-type: none"> <li>Those with SNA27 overlay (#22, 24, 38, 36 Rakeiora Grove)</li> </ul>
2	Medium Density Residential Zone - Maps	The proposed changes to apply the new Medium Density Residential zone to properties in Rakeiora Grove, specifically at #38 Rakeiora Grove, but also to be considered for surrounding properties	Oppose	<ul style="list-style-type: none"> <li>Risk and loss of amenity specific to a heritage-listed property: up-zoning of the property at #38 Rakeiora Grove, and surrounding properties, would directly negate the purpose for which the heritage listing was applied</li> </ul>	<p>To alter the District Plan changes to a zoning of Large Lot Residential for relevant properties in Rakeiora Grove.</p> <ul style="list-style-type: none"> <li>The heritage-listed property at #38 Rakeiora Grove and surrounding properties (determined based on expert input if required) that may impact the historical significance of that house</li> </ul>



#	Chapter	Provision	Position	Reasons	Relief sought
3	Medium Density Residential Zone - Maps	The proposed changes to apply the new Medium Density Residential zone to properties in Rakeiora Grove	Oppose	<ul style="list-style-type: none"> <li>• Topography – high risk of land slippage</li> <li>• Lack of required infrastructure and access</li> <li>• Loss of amenity</li> </ul>	<p>To alter the District Plan changes to a zoning of Large Lot Residential for relevant properties in Rakeiora Grove.</p> <ul style="list-style-type: none"> <li>• Relevant properties in the area bounding Rakeiora Grove and London Road due to topography, risk to the environment, lack of infrastructure and access, and loss of amenity (properties at 38, 36, 31, 29, 25, 24, 22 and others)</li> </ul>
4	Sites and Areas of Significance to Māori	The provision to recognise sites and areas of significant to Māori: proposal to add consideration of this in relation to the heritage listed property Taumata at #38 Rakeiora Grove, and surrounding properties on Rakeiora Grove	Support – and Add	<ul style="list-style-type: none"> <li>• Significance of the area including and surrounding Taumata – the property at 38 Rakeiora Grive – to iwi</li> <li>• Heritage features of the property have already been established, specifically in relation to the exterior of the property and its placement on the hill in view of Petone</li> <li>• Internal heritage features of the property, specifically an original marae within the house</li> </ul>	To apply a site or area of significance to Māori to #38 Rakeiora Grove and surrounding properties (determined based on expert input if required) that may impact the historical significance of that house



## Proposed Plan Change 56: Submission from Property Owners in Rakeiora Grove, Korokoro

This submission is from the following Hutt City homeowners whose properties are included in the re-zoning proposal:

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It is also supported by the following who, although not within the designated area, are either directly impacted or represent local interests in the proposed zoning change.

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Bridget Thompson Jack Thompson	33 London Road, Korokoro	<a href="mailto:icmyworld@hotmail.com">icmyworld@hotmail.com</a>
Julie Haggie - Community Environmental Advocate	107A Maungaraki Road, Korokoro	<a href="mailto:Jujuhag@gmail.com">Jujuhag@gmail.com</a>
Hami Love	The Korokoro Love Whānau	<a href="mailto:hamilove@gmail.com">hamilove@gmail.com</a>

This submission is in three parts:

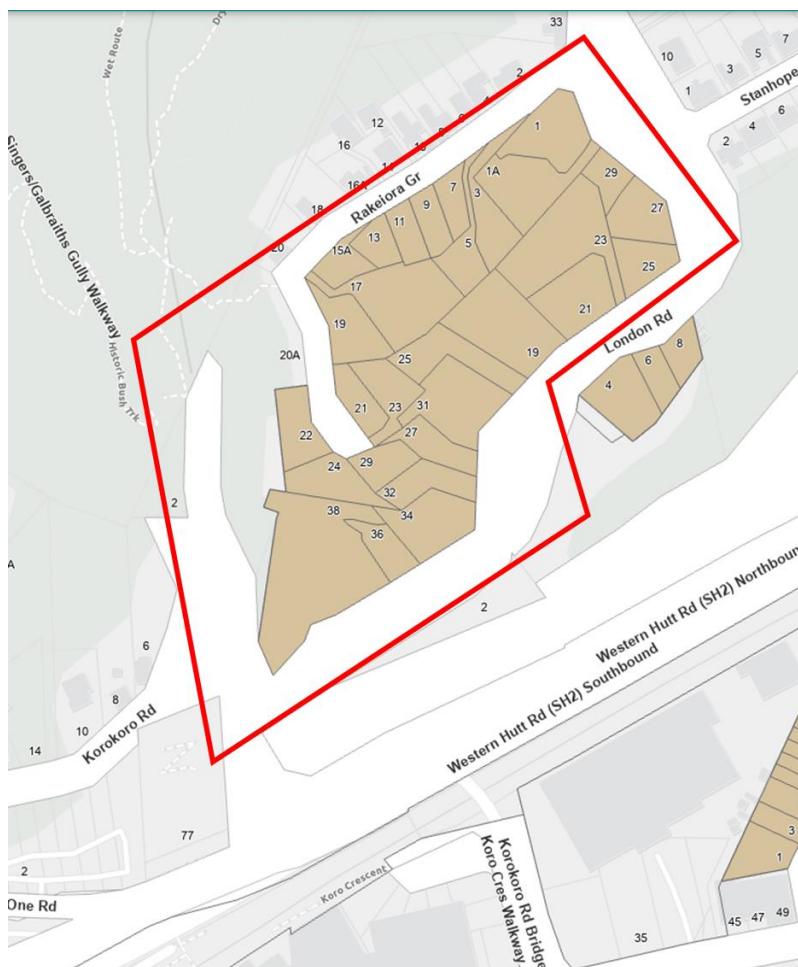
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## Supporting Information

### 1. Opening Statement

This submission is in relation to properties in Rakeiara Grove, Korokoro, which bound London Road through to the bottom of Rakeiara Grove. These properties are illustrated in the image below taken from the Hutt Zone Map.



We acknowledge that the proposed District Plan Changes by the Hutt City Council (HCC) under District Plan Change 56 (PC56) are a mandated response to Government legislation under the National Policy Statement Urban Development 2020 v2 (NPS-UD). We also acknowledge that housing intensification is a reality and required to meet future growth of the Hutt Valley and urban growth in general.

However, this submission highlights various aspects of the application of these changes to the area highlighted that do not appear to have been considered in relation to specific aspects of the area that are entitled to be considered under legislation, and in some cases, are inconsistent with the application of these requirements elsewhere.

Different aspects of this submission relate to different properties in different ways. Where possible we have highlighted those properties, but in general most issues are relevant for this block as a whole and are discussed this way. However, we believe it is also important that specific issues and specific properties are considered by Council and that “fill the block” using *street boundaries alone* should not be applied, as streets as a “natural boundary” given the terrain of the area are not appropriate.

Rakeiora Grove is currently zoned as Hill Residential. PC56 proposes to change this zoning to High Density Residential. This zoning change represents a wholesale planning change in an area that we believe has marginal viability to deliver the intended housing benefits while opening the door for significant negative impacts to the environment, local residents, Korokoro residents and the residents of Petone in general. We also submit that the application of High Density Zoning to Rakeiora Grove creates an unreasonable expectation about what could be viable for development, in light of matters below.

Our submission is that:

1. Rakeiora Grove does not fit the criteria of Policy 3 of the NPS-UD, specifically it is not within HCC-defined walking distance of a rapid transport spot
2. Certain properties within Rakeiora Grove (#22, #24, #36, #38) would not be appropriate for High or Medium Density as they are subject to the overlay of Significant Natural Resource Area 27 and therefore should be protected as an important area of indigenous vegetation and habitat
3. The significance of the area to Māori needs to be considered
4. Several properties within Rakeiora Grove would not be appropriate for High or Medium Density due to the natural hazard risk of land slippage
5. Heritage should be taken into consideration – High or Medium Density would impact on the heritage listed property at #38 Rakeiora Grove - Taumata
6. The area is most suited to the current Hill Residential zoning rather than the proposed High Density Zone or application of a Medium Density Zone

We propose that these issues be addressed by removing the properties in Rakeiora Grove and the western side of London Road altogether from the new zoning rules and maintaining the current zoning of Hill Residential. We present various concerns to support this point which we believe are relevant under both the MDRS and NPS-UD and also suggest that this is most easily achieved by acknowledging that the area does not meet the criteria of Policy 3 of the NPS-UD, avoiding the need for qualifications altogether.

## 2. Rakeiora Grove does not fit the criteria of Policy 3 of the NPS-UD

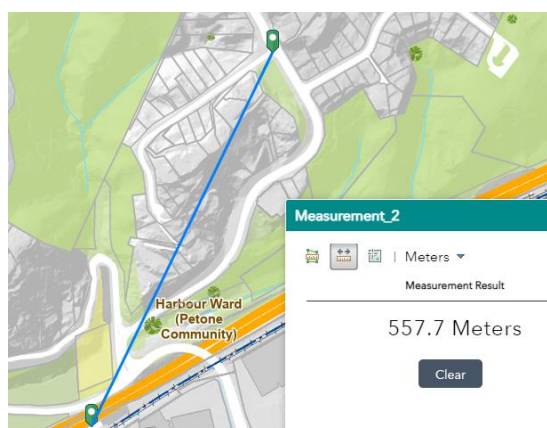
### *Why Rakeiora Grove has been included in the proposal*

We understand Rakeiora Grove has been identified as having potential for High Residential in relation to the requirement to deliver to Policy 3(c)(i) of the NPS-UD: *building heights of at least 6 storeys **within at least a walkable catchment** of the following: (i) **existing** and planned **rapid transport spots**.*

This is based on the wording in the FAQs on the HCC PC56 website as follows, and further supported by a conversation with an HCC staff member.

For the most part, areas that are currently within the **Hill Residential Activity Area** zone and the **Landscape Protection Activity Area** zone won't be affected by proposed changes to the district plan. The only exception is for areas in Western Hill suburbs that are in a walkable distance of the city centre or train stations (1200 metres and 800 metres, respectively). This includes some areas in Korokoro, Maungaraki, Normandale, Harbour View and Tirohanga.

Based on conversations with that HCC representative, the walking distance has been applied 'as the crow flies', demonstrated by this measurement (from the closest end of the Petone Station train platform). Using this method alone is not consistent with the actual walking distance nor does it consider other factors such as terrain which are within the Council's own definitions of walkable distance.



### *HCC has defined what is considered a walkable distance and what impacts walkable distance*

HCC has a level of control over what is considered a walkable distance to and from Lower Hutt's train stations, and whether this distance is the same in every direction or should be different due to differences in terrain, traffic, accessibility etc.<sup>1</sup> This is indicated by the Council statements from "Summary of new rules and what you can influence" as copied below.

What must be included in the District Plan	What can be influenced
For areas within a walkable distance of train stations, the CBD and the Petone commercial areas, residential buildings of at least six storeys must be allowed (although resource consent may be required).	<b>What is considered a walkable distance</b> to and from Lower Hutt's train stations, the CBD and Petone commercial areas. <b>Whether this distance is the same in every direction or should it be different due to differences in terrain, traffic or accessibility</b> etc.

<sup>1</sup> [Government changes to allow higher and denser housing | Have your say - Hutt City Council](#)

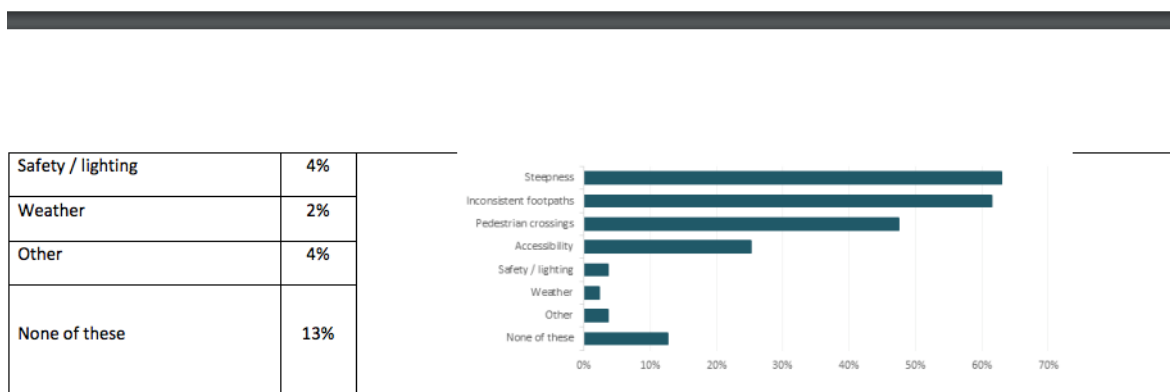
HCC has defined walkable distance for train stations to be 800m:

*...for areas in Western Hill suburbs that are in a walkable distance of the city centre or **train stations** (1200 metres and **800 metres**, respectively).<sup>2</sup>*

This has been explicitly defined in the Proposed District Plan Change 56 Volume 2 of 2, Section 32, 7.2.2 (105) – Table 8, p.28. Further, it is stated that *the distances are modified to account for the additional time taken to ascend or descend sloping paths*<sup>3</sup>.

HCC has also determined, via the Community Engagement Survey on Housing Intensification in Lower Hutt (Draft Plan Change 56) in May 2022, that walkable distance is also influenced by other factors. Specifically, steepness of the journey would impact 63% of respondents, inconsistent footpaths 61% and lack of pedestrian crossings 47% and lack of pedestrian crossings 47%<sup>4</sup>.

Which of the following, if any, impact on the distance you would walk?	
Steepness of journey	63%
Inconsistent footpaths	61%
Lack of pedestrian crossings/traffic lights	47%
Accessibility (ramps on/off footpaths etc.)	25%



*Rakeiora Grove is outside the criteria of walkable distance as defined by the HCC*

While we appreciate that whether a distance is walkable will vary from person to person, it is the HCC definition that we are referencing here.

Based on conversations with a HCC representative, the walking distance has been applied 'as the crow flies' rather than using the Council's own criteria of true walking distance and has not taken

<sup>2</sup> [District Plan Change 56: Enabling Intensification in Residential and Commercial Areas | Hutt City Council](#) – What do I need to know? – What does the plan change propose for residential zones?

<sup>3</sup> Proposed District Plan Change 56, Section 32, Appendix 4, p.169

<sup>4</sup> See pages 2-4:

[https://hccpublicdocs.azurewebsites.net/api/download/587890ba7b2542ef8532867346c3a343/\\_extcomms/055654dc76522484cbcbde348f43bc417d3](https://hccpublicdocs.azurewebsites.net/api/download/587890ba7b2542ef8532867346c3a343/_extcomms/055654dc76522484cbcbde348f43bc417d3)



into account the steepness of London Road or lack of pedestrian crossings in relation to Rakeiara Grove or the bottom of London Road.

The walking path from Platform 2 of the Petone train station goes:

- from the station across the pedestrian walkway
- across the bottom end of the Korokoro Road and London Road intersection in order to reach the footpath on the east side of London Road, a wide and busy intersection with some visibility restrictions and without a pedestrian crossing
- up the footpath on the east side of London Road
- across three lanes of London Road in order to reach Rakeiara Grove, where there is no pedestrian crossing, poor visibility and vehicles travelling both uphill and downhill at speed

Of the properties proposed as High Residential, those at the closest end of Rakeiara Grove are barely within 800m true walking distance of Platform 2 of the Petone train station (~750m).

However, London Road is steep, rising over 60 metres from the bottom of London Road to Rakeiara Grove. In the Community Engagement Survey, p.4: *The steep terrain of the western hills was noted as being more difficult to walk on, and thus impacted respondents' decisions to use public transport.*

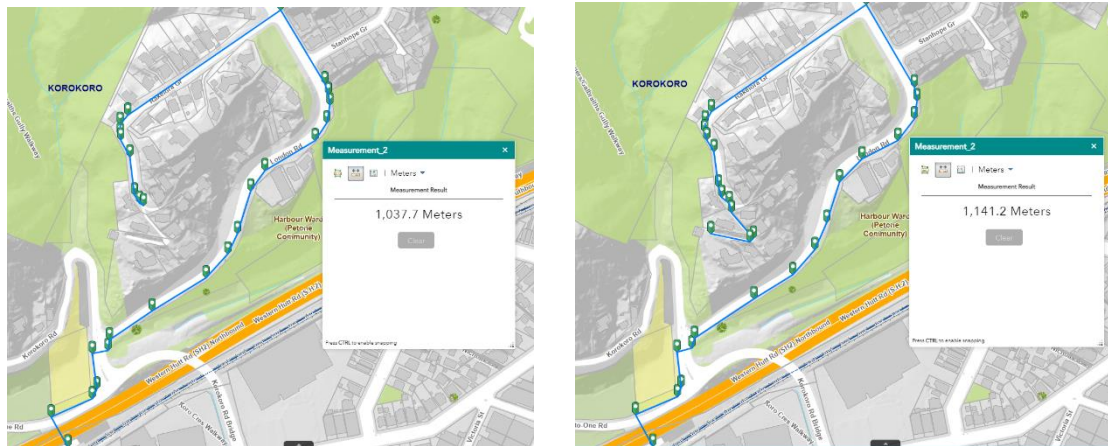
**HCC suggests that it has applied modification of distance due to slope, but this does not appear to have been done in this case.**

Additionally, there are no pedestrian crossings for either road crossing. This is particularly problematic where pedestrians, especially children, need to cross over London Road to Rakeiara Grove at the playground, a matter which has been raised with HCC councillors on previous occasions and has been of constant concern to local parents given the steep downhill grade, poor visibility and speed of vehicles.

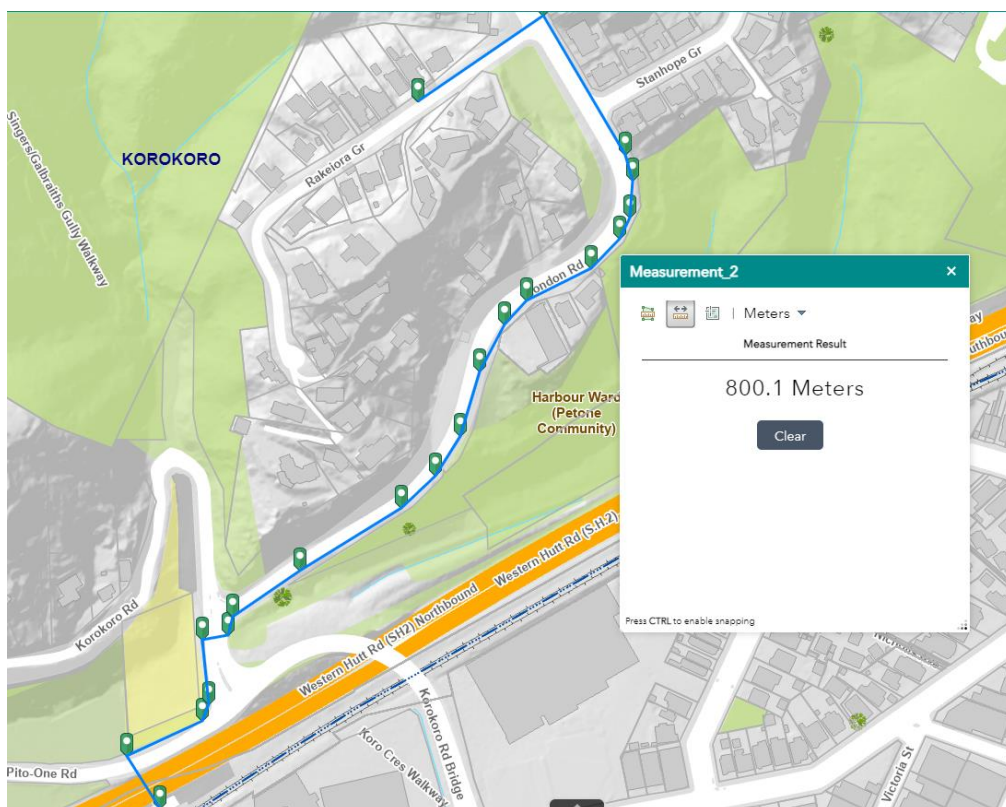




The 800m distance is exceeded shortly further on. The properties at the far end of Rakeiiora Grove are over 1km away. The following shows the distance of 1037m to the end of the cul de sac, and then to the furthest property at #38:



Properties that are clearly beyond the HCC-defined 800m are #5, 7, 9, 11, 13, 15A, 17, 19, 21, 22, 23, 24, 25, 27, 29, 31, 32, 34, 36, 38.



**Rakeiiora Grove does not fit within the HCC defined criteria of walkable distance – criteria that states 800m from a rapid transport spot adjusted for additional time to ascend/descend slopes – and therefore does not fall under Policy 3 of the NPS-UD.**

*Despite being outside the criteria, was Rakeiora Grove included to 'fill the block'?*

We note references in Section 32 to the idea of filling the block, specifically:

*The walkable catchments are then adjusted outwards to meet natural boundaries. This provides a plan that is easier to apply and provides more of a sense of natural justice by avoiding appearing arbitrary.<sup>5</sup>*

And in Appendix 3 from community engagement surveys<sup>6</sup>:

A suggestion was made to include areas partially or completely surrounded by upzoning within the same zone to ensure neighbourhood consistency.	The recommended plan change has adopted this approach in areas where it was logical to do so.	The proposed zone boundaries have been adjusted by up to a block or within 100m-200m where necessary to meet natural boundaries such as streets and public space, including "filling in" small holes surrounded by another zone.
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There are properties within this proposed High Density block that are accessed by London Road, and are in closer proximity to the train station. Potentially, these properties were identified as being within walkable distance, and the zone was then adjusted outwards to include properties in Rakeiora Grove. This appears possible given only the eastern side of Rakeiora Grove has been included.

However, if this is the case, we do not believe it is consistent with intent of the community engagement feedback as:

- (a) Using streets to define the "in fill area" is not appropriate as street boundaries alone are not a "natural boundary" due to the terrain of the land. This is evidenced by the nature of the road itself which back tracks from London Road back down the hill. Although some property boundaries do touch London Road the land is too steep for access and almost vertical in most cases.
- (b) The area is not partially nor completely surrounded by other areas being up-zoned. In fact quite the opposite, all surrounding areas are remaining Hill Residential.
- (c) There is no "hole" in zoning that needs to be filled.

If "filling the block" has occurred, then the effect is counter to the argument supporting the concept in the first place which is to produce consistency and avoid being seen as arbitrary. "Filling the block" in this context creates a sense of arbitrariness and inconsistency which is counter to the intent of infilling and fails to acknowledge the underlying conditions. Some properties on Rakeiora Grove have been included but not all. Stanhope Grove has not been identified even though it is more accessible than any of Rakeiora Grove on foot. Distance and access to Rakeiora Grove properties is quite different to access for those off London Road and yet they have been included anyway.

Application of "filling the block" is not appropriate in this case.

<sup>5</sup> Proposed District Plan Change 56 Volume 2 of 2, Section 32, Appendix 4, p.169

<sup>6</sup> Proposed District Plan Change 56 Volume 2 of 2, Section 32, Appendix 3, p.164

### 3. Protection of the natural environment - Significant Natural Resource area 27

Certain properties within Rakeiora Grove (#22, #24, #36, #38) would not be appropriate for High Density or Medium Density development as they are subject to the overlay of Significant Natural Resource area 27.

#### *About SNR27*

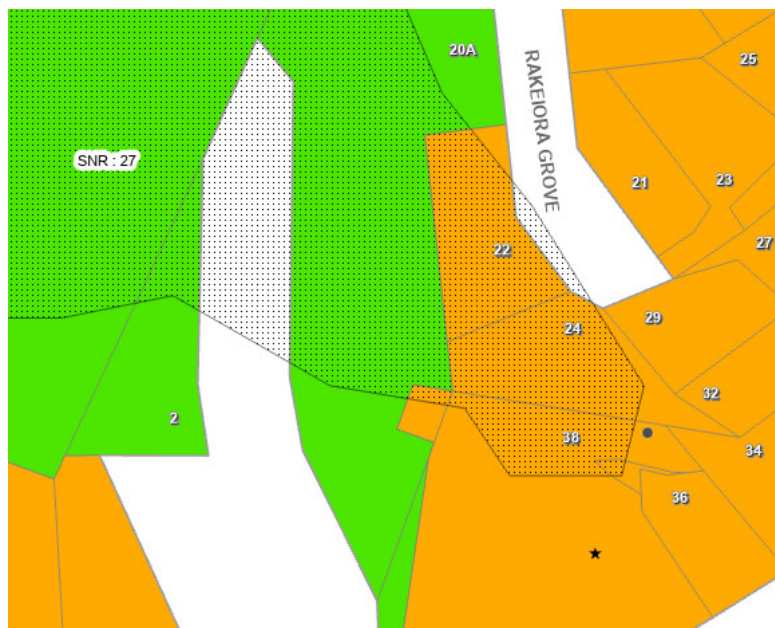
The objective of Section 14E of the District Plan is:

*To identify and protect significant natural, cultural and archaeological resources in the City from inappropriate subdivision, use and development.*

Significant Natural Resource 27 (SNR27) is the Korokoro Recreation Reserve, running across Galbraith's Gully. The reserve was created as the area is:

*Regionally representative as one of the few examples of coastal Kohekohe-Karaka forest.  
Rich bird, fish and invertebrate diversity.*

Four Rakeiora Grove properties have SNR27 as an overlay (#22, 24, 36, 38). The aerial shot below shows the significant bush cover on these properties.



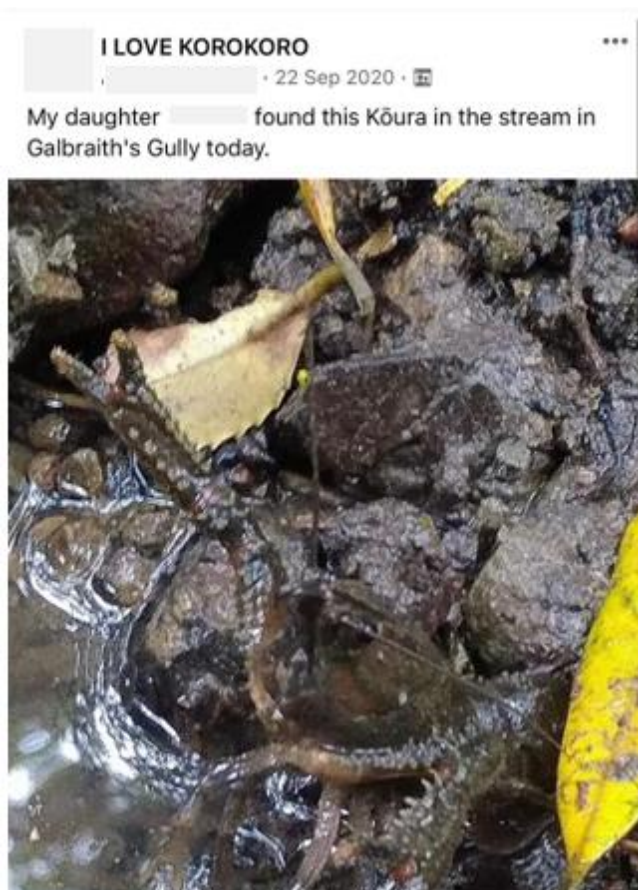


### *Impacts of up-zoning on the environment*

Any subdivision or further development of these properties, as proposed in PC56, would be counter to the clear objective of Section 14E of the District Plan to protect this area of unique habitat from damage or destruction.

In order to subdivide or develop, trees would need to be removed from the protected area. This impacts flora and fauna, including loss of habitat for birds and lizards. Geckos have been sighted in the area which are an “absolutely protected species” under Section 3 of the Wildlife Act 1953. Native geckos, even those once considered common, are declining in the wild. A recent threat assessment conducted by the Department of Conservation (“Conservation status of New Zealand reptiles, 2021”) found that of the 135 taxa assessed, 49 were Threatened, 67 At Risk and just five Not Threatened.

These properties are on a steep bank, leading down to the stream Tuara-whatī-o-te Mana in Galbraith’s Gully – development could impact runoff to the stream as well as polluting the stream during construction. Thanks to past efforts of Council and local residents, the stream was assessed in 2020 as being in “a healthy state” by freshwater scientist Amanda Valois<sup>7</sup>. The stream is home to freshwater crayfish, various species of native fish and eels. Any High Density or Medium Density development in proximity to the stream would be a considerable threat to the status of this Significant Natural Resource.



<sup>7</sup> As referenced in Korokoro News 2020

#### 4. Natural Hazard Risk

Several properties within Rakeiora Grove would not be appropriate for High Density or Medium Density due to risk of land slippage.

##### *Known risks of landslide in Hutt City*

Landslides are identified as a risk in the current District Plan, Section 14H Natural Hazards, 14H1.1.1(c). The significance of this risk is such that zones have been created to deal with them and to “provide the necessary conditions of compliance”, including the current Hill Residential Activity Area that applies to all of Korokoro:

*Any proposed subdivision and development in steep areas will be managed to reduce vulnerability from landslide hazards which can be triggered by earthquakes or by excessive rainfall. **The steep slopes will be identified as Hill Residential Activity Areas, Landscape Protection Residential Activity Areas and Passive Recreation Activity Areas to provide the necessary conditions of compliance.***

*The **conditions of compliance manage those aspects of proposed subdivision or development which can increase the susceptibility of a slope to landslides. This includes conditions on vegetation clearance, removal of topsoil, excavation, and earthworks.** Before subdivision can occur, details are to be provided on topography, contour heights, cut and fill work, access, sewage and stormwater disposal, and an assessment of the subdivision in relation to any existing or potential natural hazards. The hazard assessment is to be carried out by an appropriately qualified and experienced person.*

*When development in those areas susceptible to landslide is undertaken, slope stabilisation and appropriate building setbacks will be required. The New Zealand Building Code requires such precautionary measures are taken, as well as the provision for retaining walls, and foundation strengthening.*

The current District Plan includes specific clauses for Hill Residential zones in order to mitigate the risks associated with earthworks (in Section 14I):

*14I 2.2.1 (b)(i) – Consideration must be given to adverse effects on visual amenity values, and the value of the site as a visual backdrop to the city.*

*14I 2.2.1 (b)(ii) – Earthworks in these activity areas should be designed to retain the natural topography and protect natural features.*

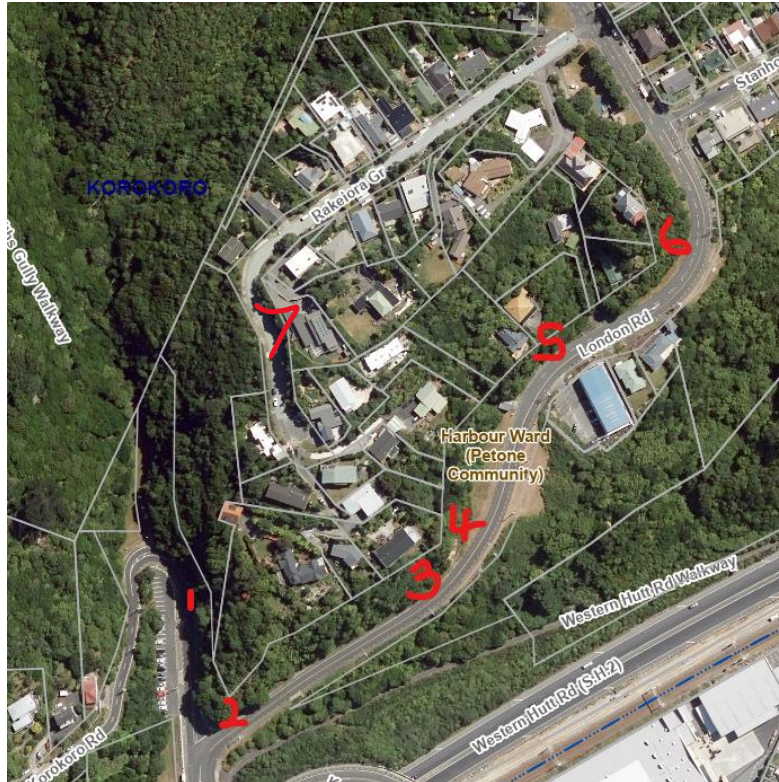
Through its current zoning as Hill Residential, Rakeiora Grove has already been identified as an area with high risk of landslide for which mitigation actions need to prevail. These mitigations / protections would be completely removed if the area was to be up-zoned from Hill Residential. Along the London Road edge of the proposed area there is an especially high risk of major slips, higher than many other places in Korokoro which are remaining as Hill Residential.

##### *Evidence of landslide risk*

The risk of landslide for the area we are discussing is real.

The recent rains resulted in multiple slips around Korokoro. A regular occurrence which is only going to get worse as extreme weather events increase due to climate change. Most of the properties discussed in this submission bordering the west side of London Road have been impacted by multiple slips over the years due to the steep hillside.

The slips indicated below, with accompanying pictures, occurred just this winter. Several were directly on the slopes of the Rakeiara Grove properties discussed and smaller slips occurred on Rakeiara Grove itself. The slip at location #6 is an especially worrying one as the whole side of the hill has slumped. Although it is difficult to see in a photo, it took out a lawn area above and a fence whose posts can be seen buried in the dirt.



**2 Slips at Point (1):**





**Slip at Point (2):**



**Slips at Point (3):**





**Slip at Point (4):**



**Slip at Point (5):**



**Slip at Point (6):**





### View of Slips at Points (3)(4)(5) from Hutt Rd:



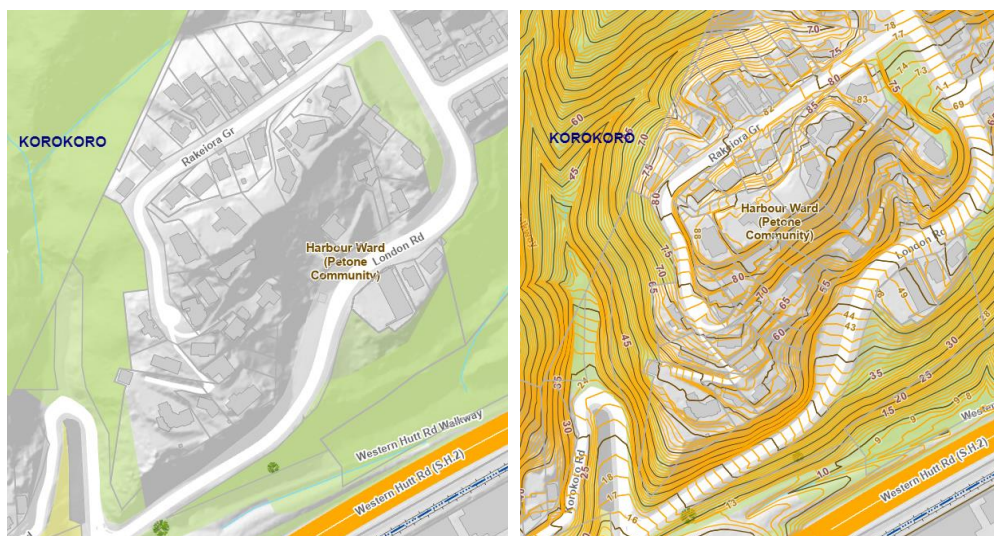
### Slips at Point (7) – on Rakeiora Grove itself

Note these are 'permeants' - slip zones that slough rock year round, rain, shine, earthquakes or otherwise.





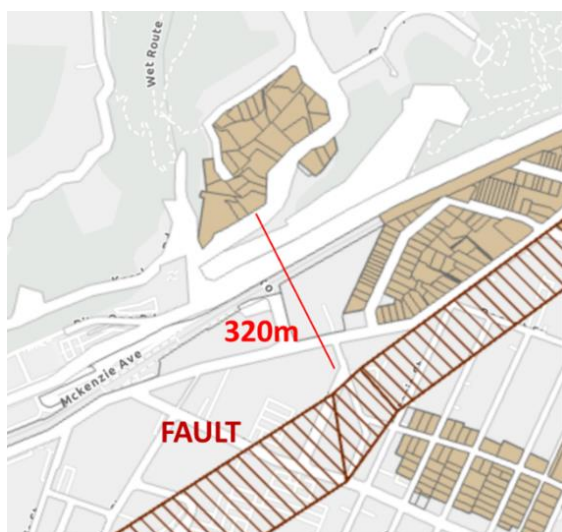
The slopes around the Rakeiara Grove section are steep, ranging from 45 degrees to almost vertical in some places, this terrain is indicated by the dark grey and dense orange contours on the maps below. This also highlights the natural boundary presented by the hillside on the west side of London Road and the inaccessibility to these properties from London Road.



#### Earthquake Risk

The area is in close proximity to the Wellington Fault line with all properties proposed to be rezoned within 500m of the fault line. Earthquakes, in addition to rainfall, are a key trigger for landslides. The risk of earthquakes to properties, the hill side and safety of local residents needs to be considered but there is *also* a risk of significant impact **to the entire suburb**.

There are only **three** roads into the entire suburb, Korokoro Road, London Road and Maungaraki Road at the top of the hill. Korokoro Road has been regularly recognised as unstable and prone to landslides with a major slip occurring just this year which completely blocked it. Maungaraki Road is also narrow and vulnerable and only provides access to neighbouring Maungaraki, which also could be impacted in a similar way in a major event. This leaves London Road as the **main access way** for the entire suburb, any development that increases a risk of blocking this access during a major event presents a significant risk to residents. This should be considered when applying zoning changes.



### *Avoid development in areas prone to landslide*

In reference to the GNS Science Consultancy Report 2016/74 (May 2016), Review of Hazard Information for Hutt City,<sup>8</sup> there is clear evidence that there is significant risk of landslide with steep slopes, especially when linked to development<sup>9</sup>:

***The construction of earth dams, irrigation, building construction, services (i.e. stormwater, wastewater etc.), or pilings for houses can act as preparatory factors in the development of landslides....***

*Landslides can have a wide range of underlying causes, but there are generally two dominant triggers – rainfall and earthquakes. Landslides can be divided into four groups when determining the probability of a landslide occurring on a site. These groups include: rainfall-induced, earthquake-induced, endogenetic (no external trigger), and pre-existing landslides. Approximately 90% of all landslides are triggered by a rainfall event (NIWA, MWH, GNS and BRANZ, 2012)....*

*Riddolls (1977), Lawrence et al. (1982) and Brown and Associates (2005) have all reported on slope stability issues in the Hutt Valley. The reports consistently identified the relationship between the angle of the slope and the landslides – i.e. the steeper the slope the more likely it is that landslides will occur....*

*Brabhakaran et al. (1994) discusses slope stability in the Hutt Valley, highlighting the impact of slope angle and its influence on the susceptibility of slopes to landslides. The greater the slope angle, the more susceptible a slope is.*

A clear mitigation action in that report is to **avoid development in landslide prone areas** on the Western Hills<sup>10</sup>:

Neighbourhood	Hazard	Mitigation Options				
		Engineering	Building	Planning	Emergency Management	Infrastructure
Wainuiomata	Landslide	Slope reinforcement Drainage Rock-bolting Shot-crete Revegetation	Foundation design Storm-water design	Plan to avoid development in landslide prone areas Measuring and monitoring	Recovery plans Road closures Evacuation plans	Storm-water design Location of utilities
	Subsidence	Remedy land		Limit development Managed retreat	Response plans	
Waterloo	Ground Shaking	Foundation requirements Compliance with building standards	Foundation requirements Compliance with building standards		Response and Recovery plans	Design of utilities
Western Hills	Fault		Foundation requirements Compliance with building standards	Fault hazard avoidance zone	Response and Recovery plans	Design of utilities
	Landslide	Slope reinforcement Drainage Rock-bolting Shot-crete	Foundation design Storm-water design	Plan to avoid development in landslide prone areas Measuring and monitoring	Recovery plans Road closures Evacuation plans	Storm-water design Location of utilities

<sup>8</sup> Hutt City Council DOC/16/75159: [681120d247826f614df1843114e3edc25c4c](https://publicdocs.azurewebsites.net/681120d247826f614df1843114e3edc25c4c) (hccpublicdocs.azurewebsites.net)

<sup>9</sup> Ibid. Section 2.5, p.25

<sup>10</sup> Ibid, section 5.8.5

### *Precedent in other cities within Greater Wellington Region*

In a Residential and Rural Chapter Review report for Upper Hutt City in 2020<sup>11</sup>, a need was identified for specific resource consent rules and geotechnical assessment where there is a high slope hazard<sup>12</sup>:

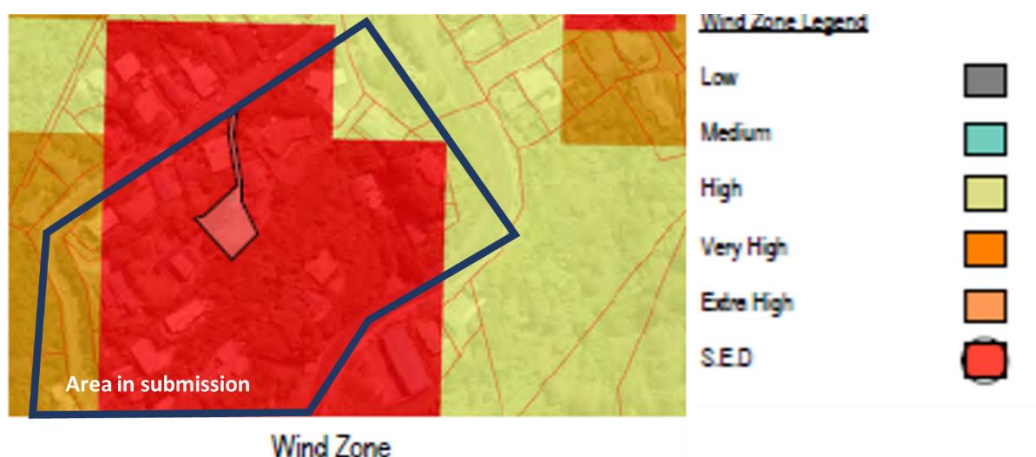
*...ground with slope angle greater than 26 degrees would require a specific stability assessment from a geo-professional prior to development.*

In that report, to serve as an example, areas marked as having high slope hazard were recommended for lower density<sup>13</sup>. This is similar to the rules applied under Hutt City's current District Plan for properties in Hill Residential zone. These rules would no longer apply if the proposed up-zoning went ahead.

### *Extremely High Wind*

Council maps suggest a "Very High Wind Zone" under NZS3604 across almost all of Korokoro **but** a more precise map provided as part of a recent building consent for a new dwelling in the area shows a rating under NZS3604 of **over 60m/s** requiring a "**Special Engineering Design**", the highest bracket in the country. The engineering costs for this new moderately sized single-story dwelling were substantial, let alone any attempt at a building under NPS-UD Policy 3 or MDRS.

The risks associated with an extremely high wind area do not seem to have been considered in the re-zoning to High Density at all. As well as the dangers this presents to any new residents or existing residents it is particularly misleading for developers.



**In summary:**

**Up-zoning Rakeiora Grove from Hill Residential would result in removal of protections and risk mitigation provisions in the District Plan in relation to natural hazard risks, for an area which is demonstrably high risk.**

<sup>11</sup> [photofile.xlsx \(upperhuttcity.com\)](#)

<sup>12</sup> [ibid Section 2.1.2 p.6](#)

<sup>13</sup> Ibid Section 7, Table 2, p.53

## 5. Protection of Historical Heritage - #38 Rakeiara Grove

High Density or Medium Density would impact the heritage listed property at #38 Rakeiara Grove. – Taumata.

*#38 Rakeiara Grove is a heritage-listed building under the District Plan*

38 Rakeiara Grove, “Taumata”, is an original homestead in Korokoro, built around 1916 by Rīpeka Wharawhara Love and Wī Hapi Pakau Love, descendants of two prominent Te Ati Awa families. Zoning this property and surrounding property as High Density is inconsistent even with government guidance on protection of historic heritage. Council have limited even the smallest of changes to this property, even those which are more in keeping with its history, so it is extremely inconsistent to now zone this property as High Density and included in the *only* area in Korokoro to be considered for a zone change.

The below photo was taken during the 1916 Anzac Day celebrations from Petone station, looking back towards 38 Rakeiara Grove “Taumata”, the Love Homestead. This illustrates the significance of the homestead and the untouched nature, even then, of Galbraith’s Gully which is visible to the left of the flagpole (*Photo courtesy of NZ History (NZ Government, nzhistory.govt.nz).*)





The heritage value of this home has been recognised, and is protected under the District Plan, Section 14F, Appendix Heritage 2.



In the recent (November 2021) Heritage Inventory Assessment for the property, the evaluation showed:

- a High level of significance in relation to: people (association with Ripeka Love); architectural style including a marae incorporated into the house; **surroundings of the building are important to understanding the significance of the place**; integrity and authenticity; and being a good representative of its type.
- A Moderate level of significance in relation to: association with its place in history; contributes to our understanding of residential building practices; technological value; its age; rarity – large intact homesteads are uncommon in the area.

*Up-zoning would impact the heritage value and amenity for this property*

It is important to note the specific mention in the above assessment of the significance of not just the house but its surroundings.

Taumata sits lower on the hill than its neighbouring houses. Any development of properties at #22, 24, 34 and 36 beyond their current footprint and height would substantially overshadow the house and surrounds. Development of #38 itself through subdivision would also significantly impact.

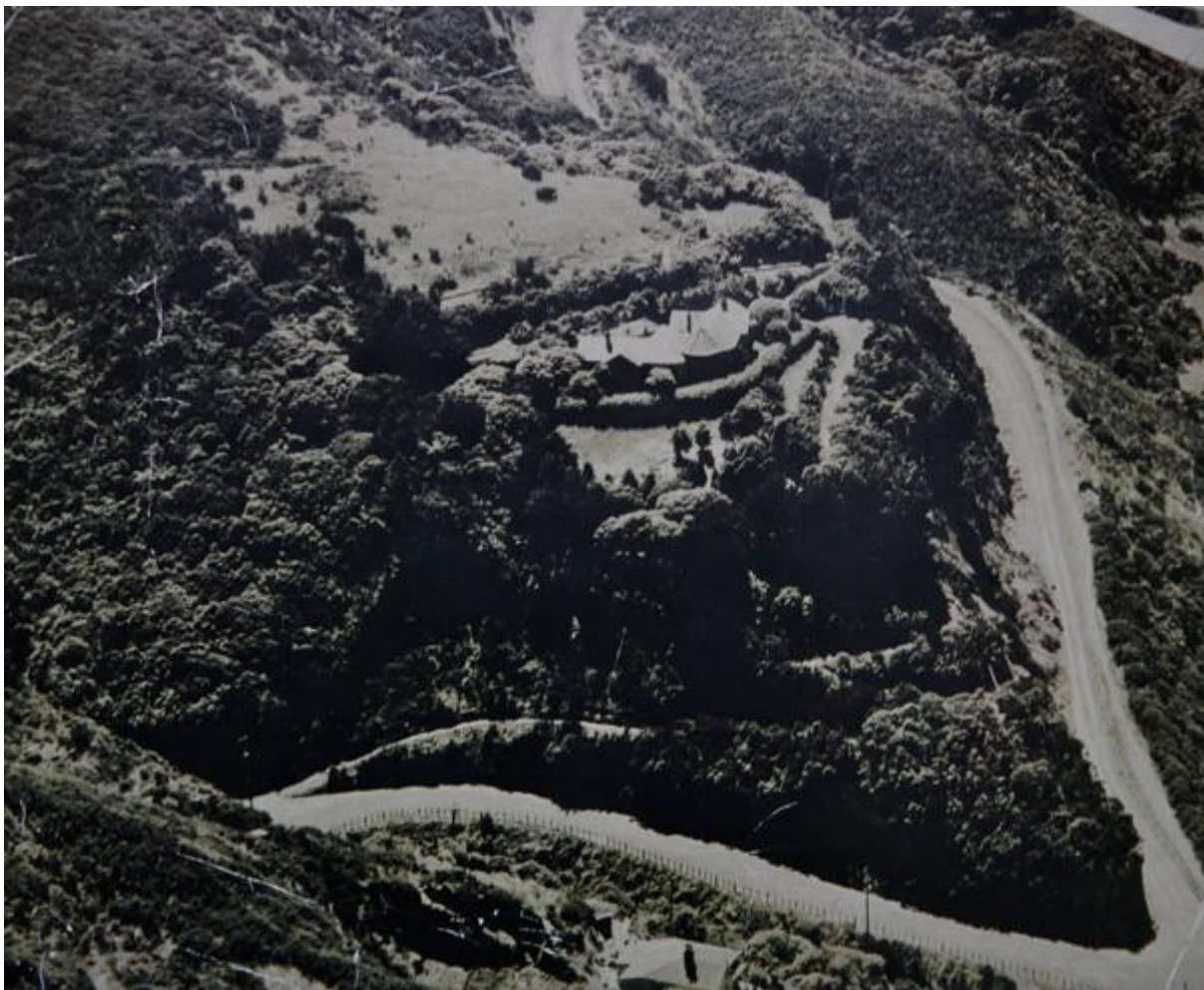
The house can still be seen prominently from Petone - if this were abutted up against a high density area that would change the context of its surroundings.





#### *Land Slip Risk for Taumata*

The original access to the Taumata homestead was via the bottom of Korokoro Road as illustrated in the photo below. This access was lost due to landslips during the Wahine storm and instead access changed to be via Rakeiara Grove when that was built.



## 6. Other Comments

*Acknowledging development is needed, but this area is neither needed to meet sufficiency of development, nor suitable*

We appreciate the need for increased housing to meet demand nationally (and specifically in Lower Hutt), but understand that the Housing and Building Capacity Assessment completed for the Hutt<sup>14</sup> identified a realisable capacity of only 11 dwellings in all of Korokoro. The cost of servicing the area highlighted in this submission to support High Density or even Medium Density does not seem a good return on investment for ratepayers, nor a viable proposition for developers. Expansion in Korokoro is also not required to meet sufficiency demand given the small capacity available.

And, critically, we submit the proposed area in Rakeiora Grove is unsuitable for a higher level of development (High or Medium) and should remain Hill Residential.

*Removal of current amenity*

We also would like to highlight that the home owners submitting this submission as well as those across all of Korokoro highly value the residential amenity and natural hillside environment that has been carefully curated and managed by Council for many years.

Korokoro has benefited from the Council's careful consideration and management of the sun and outdoor spaces through protections offered by Hill Residential Zoning. This re-zoning at the entrance to the suburb would destroy current amenity in the local area and be dramatically different to the surrounding suburb. For example, Hill Residential provides for 1000m<sup>2</sup> blocks which has seen Korokoro be subject to strict application of this rule during consent processes – the removal of this protection for a small pocket of the overall suburb appears incongruous.

This change would make a small number of properties in the suburb vulnerable to a loss of significant amenity due to topography in a way that would not apply to the same extent on the flat.

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<sup>14</sup> [Housing and Business Capacity Assessment Chapter 3 with Appendices \(wrlc.org.nz\), p.18](#)

## Conclusion

### *NPS-UD Does not apply*

Rakeiora Grove does not fit within the HCC defined criteria of walkable distance of 800m from a rapid transport spot, adjusted for additional time to ascend/descend slopes, and therefore does not fall under Policy 3 of the NPS-UD.

### *MDRS and NPS-UD Qualifying Matters*

The Act provides for various qualifying matters as noted in Plan Change 56 - Section 32 Evaluation Part 3.3 25 Table 4, which allows the Council to reduce requirements **of both the MDRS (Medium Density) and Policy 3 of the NPS-UD (High Density)**. This submission has outlined how the designated area is **not appropriate for High Density or Medium Density** and that Council can vary from MDRS and NPS-UD due to the various provisions allowed for. A summary of these is provided below:

#### *(a) The preservation of the natural character of the coastal environment ...*

The area of Galbraith's Gully and Significant Natural Resource 27 is recognised by Council as "*one of the few examples of coastal Kohekohe-Karaka forest*". As a coastal environment its natural character should be preserved.

#### *(b) The protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development.*

The ridge line that runs through the middle of the designated area is visible to all in Petone. Current property nestles into the hill but development under MDRS/NPS-UD would see an obvious and imposing image against the skyline, impacting the scenic character and amenity of the area. The river, the harbour, and the hills either side of the valley form the essence of the Hutt Valley, they are outstanding natural features and landscapes that should be protected from inappropriate development. Auckland Council have specifically allowed for the protection of ridge lines as a Qualifying Matter within PC 78 Section 32 "Ridgeline Protection", we submit that Hutt Council should do the same.

#### *(c) The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna.*

Again, Significant Natural Resource 27 applies in this case. It represents an area of significant indigenous vegetation and fauna which is already identified by the Council as needing protection.

#### *(e) The relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.*

We understand that the Korokoro Love Whānau, who have long standing ties to the area and continue to live locally, have made a submission due to the impact to an area significant to Maori. We request Council consider their submission as a qualifying matter. In assigning the High Density zone it appears that Council have not considered the impact to local Māori or the Love whānau's special relationship to the area (especially 38 Rakeiora Grove "Taumata") at all.

#### *(f) The protection of historic heritage from inappropriate subdivision, use, and development.*

38 Rakeiora Grove, "Taumata", is the original homestead in Korokoro and it, along with neighbouring property, is part of the area assigned as High Density, completely disregarding the historic heritage

which has been protected by the Council until this change. Taumata and surrounding property form an important part of Korokoro's historic heritage and should be protected.

*(h) The management of significant risks from natural hazards*

Landslides, slips, earthquakes and strong winds are risks within the designated area. The terrain is steep and unstable. Any further development poses a risk to current residents as well as residents of any new development. Removal of vegetation, cutting into the hillside and other development activities will contribute to the instability of the area. The land in this area should be protected from development to manage the significant risks posed by these natural hazards.

*Open space provided for public use, but only in relation to land that is open space.*

The designated area borders the London Road playground. An important open space regularly used by families in the neighbourhood. This playground slopes down from Rakeiora Grove parallel with London Road, dugout from the hill on its southern side. Property adjacent to the playground sits quite some height above the playground. Development of properties adjoining the playground would result in buildings that tower over the open space impacting sun, visual amenity and enjoyment of the area by the public.

**We believe these qualifying matters are grounds for keeping the Hill Residential Zoning but also propose that these risks would most easily be mitigated by removing the properties in Rakeiora Grove and western side of London Road from the new zoning rules on the basis of not meeting the criteria for Policy 3, avoiding the need for qualifications altogether.**

## Decisions sought from Hutt City Council

The specific provisions of the proposal that our submission relates to are:	Our submission is that:	We seek the following decisions from Hutt City Council:
The proposed changes to apply the new High Density Residential zone to properties in Rakeiora Grove.	<p>Application of the High Density zone is inappropriate due to:</p> <ul style="list-style-type: none"> <li>• Not walkable distance</li> <li>• Overlay of Significant Natural Resource area 27</li> <li>• Topography – high risk of land slippage</li> <li>• Loss of amenity</li> <li>• Risk and loss of amenity specific to a heritage-listed property</li> </ul> <p>A change to Medium Density would also be inappropriate for the same reasons.</p>	To maintain the current zoning of Hill Residential to properties accessed via Rakeiora Grove.

In the case that the above submission is not accepted:

The specific provisions of the proposal that our submission relates to are:	Our submission is that:	We seek the following decisions from Hutt City Council:
District Plan Sections 14H – Natural Hazards 1.1.1 (c)	<p>The protections that are currently applied to Hill Residential properties related to the risk of landslide due to steep slopes are specifically to reduce the “level of vulnerability experienced by people and their property in hazard prone areas” (14H 3).</p> <p>The removal of these protections for the properties in Rakeiora Grove and western side of London Road would lead to an unacceptable level of risk for HCC.</p>	To alter the proposed District Plan changes to ensure the <u>current protections</u> that are applied to Hill Residential properties at 14H 1.1.1(c), in relation to risk of natural hazards (landslide), will continue to be applied to the properties in Rakeiora Grove and western side of London Road.



The specific provisions of the proposal that our submission relates to are:	Our submission is that:	We seek the following decisions from Hutt City Council:
District Plan Section 14I – Earthworks 2.2.1(b)(i) and 2.2.1(b)(ii)	<p>The protections that are currently applied to Hill Residential properties related to earthworks are specifically to retain natural topography, protect natural features and to retain the value of these sites as a visual backdrop to the city.</p> <p>The removal of these protections for the properties in Rakeiora Grove and western side of London Road would allow development in direct opposition to these goals.</p>	<p>To alter the proposed District Plan changes to ensure the current protections that are applied to Hill Residential properties at 14I, in relation to earthworks, will continue to be applied to the properties in Rakeiora Grove and western side of London Road.</p> <p>Specifically:</p> <p>2.2.1(b)(i) Consideration must be given to adverse effects on visual amenity values, and the value of the site as a visual backdrop to the city.</p> <p>2.2.1(b)(ii) The extent the proposed earthworks will alter the natural topography. Earthworks in these activity areas should be designed to retain the natural topography and protect natural features.</p>
District Plan Section 14E – Significant Natural Resources: Significant Natural Resource area 17 (SNR27)	The up-zoning of properties included within the overlay of SNR27 would directly negate the purpose for which the overlay was established.	To maintain the current zoning of Hill Residential to properties with the SNR27 overlay (#22, 24, 38, 36 Rakeiora Grove).
District Plan Section 14F – Heritage Buildings and Structures: Heritage listing for the property at #38 Rakeiora Grove	To up-zoning of the property at #38 Rakeiora Grove, and surrounding properties, would directly negate the purpose for which the heritage listing was applied.	To maintain the current zoning of Hill Residential to the heritage-listed property at #38 Rakeiora Grove and surrounding properties (determined based on expert input if required) that may impact the historical significance of that house.