

ref: Thornton/29972

20<sup>th</sup> March 2025

Hutt City Council  
Private Bag 31912  
Lower Hutt

Via Proposed District Plan submissions

Dear Hutt City Council

## **SUBMISSION TO PROPOSED HUTT CITY DISTRICT PLAN**

This is a submission on behalf of our client Silverstream Park Christian Centre (the submitter) generally in support of the Proposed Lower Hutt District Plan 2025 (PDP) as it relates to 320 Eastern Hutt Road, 3 and 15 Reynolds Bach Drive, Stokes Valley (also known collectively as the Silverstream Retreat); however, they oppose:

- The proposed zoning of land at 320 Eastern Hutt Road, Stokes Valley as Large Lot Residential.
- The proposed Silverstream Retreat Precinct not capturing 3 or 15 Reynolds Bach Drive (Part Section 1 SO 33396 and Part Section 1050 Hutt DIST).
- The Sites and Areas of Significance to Māori (Pā Parihoro) Overlay applying to land at 320 Eastern Hutt Road, Stokes Valley.
- The proposed rezoning of General Rural over Section 1 - 5 SO 461420.
- The proposed zoning of adjacent land at No. 95 Kingsley Street, Stokes Valley (Lot 105 DP 31331) as Natural Open Space Zone.



Figure 1 - Aerial of Silverstream Retreat land (yellow); adjacent land at 95 Kingsley Street, Stokes Valley (orange) - source: Grip Maps 21/02/2025

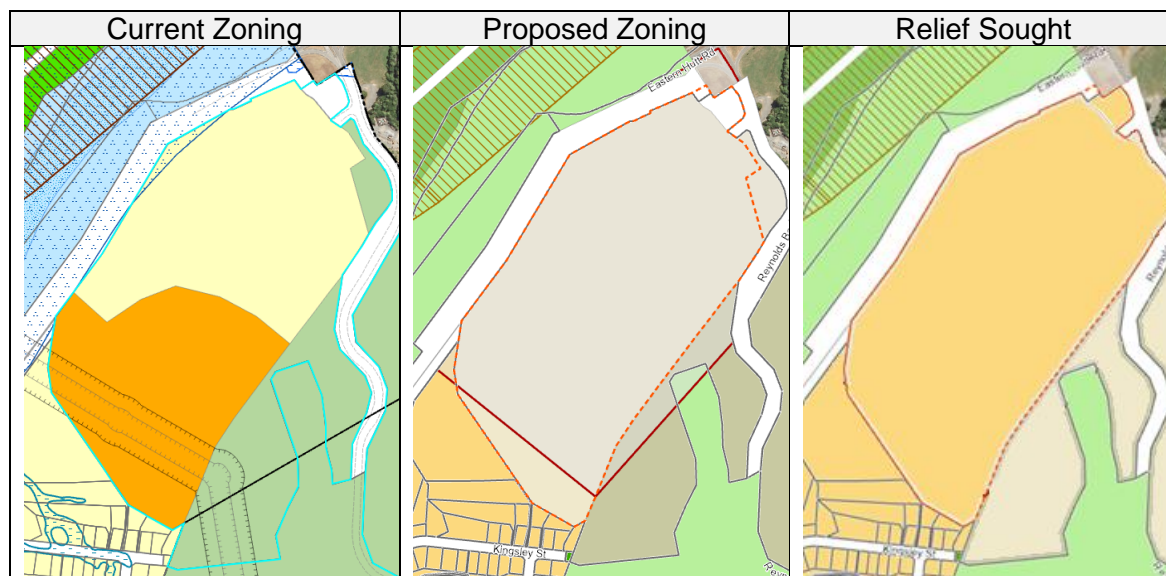
We have offered reasoning for your consideration below.

## **Rezoning 320 Eastern Hutt Road, Stokes Valley**

The majority of the site is currently zoned as Medium Density Residential under the Operative District Plan (ODP) with the upper slopes zoned Hill Residential.

We seek the entire site including the current portion of the Hill Residential Zone, to be rezoned Medium Density Residential to facilitate additional much needed housing.

Table 1 - ODP/PDP Zones of 320 Eastern Hutt Road, Stokes Valley



This would maintain the current zoning of the majority of the site and enable the development of the upper portion of the site to be used for housing.

A resource consent application is currently lodged with Hutt City Council (ref: RM240226) for 12 residentially sized allotments on the southern portion of the site, and previously prepared preliminary designs suggested the area could accommodate up to 29 dwellings.

The current resource consent before Hutt City Council confirms that the site is well serviced and reasonably free of any natural hazards other than slip hazards, of which slope stability will be addressed irrespective of zoning by the proposed Slope Assessment Overlay. The site is otherwise located within an urban context, close to State Highway 2 and other amenities within the wider area.

The reconsideration of the zoning would aid the Hutt City Council to meet projected growth demand of an additional 39,600 people by 2052, and the need for an additional 18,001 dwellings, of which 3,955 are needed within the Northern Catchment which includes Stokes Valley<sup>1</sup>.

Based on recent discussions with Hutt City Council's senior leadership<sup>2</sup>, the PDP is unlikely to meet the projected growth targets to enable them to opt out of the Medium Density Residential Standards (MDRS), under the proposed Resource Management (Consenting and Other System Changes) Amendment Bill before Parliament which requires Council's including Hutt City Council to demonstrate 30 years of housing growth capacity if they were to consider to opt out of the Medium Density Residential Standards (MDRS).

<sup>1</sup> Hutt City Council HBA – August 2023 ([https://wrlc.org.nz/wp-content/uploads/2024/04/HBA3-CHAPTER-3-Hutt-City\\_16.02.24.pdf](https://wrlc.org.nz/wp-content/uploads/2024/04/HBA3-CHAPTER-3-Hutt-City_16.02.24.pdf))

<sup>2</sup> Customer Advisory Group – February 2025



As per the National Policy Statement on Urban Development 2020, Policy 2 of the **National Policy Statement on Urban Development 2020** (NPS-UD) requires the Hutt City Council, as a tier 1 Council, to enable sufficient development capacity to meet expected demand for housing over the short and medium term.

To meet the definition of sufficient, the development capacity must be plan enabled, infrastructure ready, feasible and reasonably expected to be realised, and meet the expected demand plus appropriate competitiveness margin. These criteria are addressed below.

## *Plan-enabled*

As per clause 3.2(2)(a) of the NPS-UD, Hutt City Council must provide sufficient development capacity that is plan-enabled. Under clause 3.4(1) of the NPS-UD, plan enabled means land identified for growth in the medium term is zoned for housing in the PDP. To meet policy 2 of the NPS-UD the land should be rezoned Medium Density Residential in order to meet clause 3.4(1)(b) of the NPS-UD.

The site is held in one legal parcel and one record of title. Rezoning larger sites allows for cohesive medium density development in which greater yields are possible as less constraints are applicable such as existing dwellings, small sites and access etc.

The owner and applicant of the site is highly experienced in land development and real estate, increasing the likelihood that the development of housing would actually result from the rezoning.

## *Infrastructure-ready*

As per clause 3.2(2)(b) of the NPS-UD, Hutt City Council must provide sufficient development capacity is infrastructure-ready. The site already meets the definition of being infrastructure-ready under clause 3.4(3) of the NPS-UD in that there is already adequate existing development infrastructure. This includes:

- **Network infrastructure** including power, telecommunications, stormwater, wastewater and water services are already running along Eastern Hutt Road and along Reynolds Bach Drive; and
- **Transportation infrastructure** with road connections from Eastern Hutt Road and along Reynolds Bach Drive, access to the site and connectivity through the property can be easily achieved.

## *Feasible and reasonably expected to be realised*

As per clause 3.2(2)(c) of the NPS-UD, Hutt City Council must provide sufficient development capacity that is feasible and reasonably expected to be realised. Given the demand for housing, availability of infrastructure and surrounding context being already zoned Medium Density Residential, there is no indication that development of the site for medium density would not be feasible or reasonably expected to be realised.

## *Meet expected demand plus appropriate competitive margin*

As per clause 3.2(2)(d) of the NPS-UD, Hutt City Council must provide sufficient development capacity to meet expected demand plus appropriate competitive margin. Clause 3.22 of the NPS-UD requires that in addition to expected demand, a 20% margin be applied to provide for competition.

This means not just expected demand, but also additional capacity must be applied. Given it's unlikely that this will be met by infill alone, the enabling of compatible and suitably located zonal changes will be needed such as rezoning 320 Eastern Hutt Road, Stokes Valley to Medium Density Residential Zone, in line with the directly adjacent zone to the south, and reflecting the equivalent zone which applied to the northern portion of the site under the ODP.

## **Silverstream Retreat Precinct**

The vast majority of the site operates as the Silverstream Retreat which is a unique venue for conferences, weddings and functions and provided a range of accommodation options. The site also provides a range of outdoor and recreational activities.

In addition, resource consent has been sought to expand upon these facilities including a large multi-purpose activity centre, and a smaller youth activity centre (ref: RM240225) which is partly cited on land at 3 or 15 Reynolds Bach Drive (Part Section 1 SO 33396 and Part Section 1050 Hutt DIST).

Once approved, the activity centres will expand the type of events and activities that can be accommodated at the Silverstream Retreat and provide a fantastic community asset for generations which could be used for a range of activities from being a place of worship, to holding public forums, concerts, community gatherings and indoor sports.

The ODP includes this as a Schedule Site provided for visitor accommodation, conference facilities and places of assembly as a permitted activity subject to various development standards under Rule 4F 4.2 which effectively ensure the scale of buildings is consistent with the MDRS.

However, the scheduled site under the ODP only covers the land at 320 Eastern Hutt Road and does not cover the directly adjacent land at 3 and 15 Reynolds Bach Drive.

We seek that the PDP realign the boundaries of the proposed Silverstream Retreat Precinct boundaries to cover 3 and 15 Reynolds Bach Drive, Stokes Valley also, bringing the boundary in line with the resource consent RM240225.

## **Rezoning 95 Kingsley Street, Stokes Valley**

This is ancillary to the rezoning of 320 Eastern Hutt Road and concerns adjacent Council owned land.

As noted above, a resource consent application is currently lodged over the southern part of the site for 12 residentially sized allotments. However, this is dependant on obtaining access via Kingsley Street, of which the Hutt City Council owns a freehold allotment which for all intents and purposes, is a road (but yet to be designated as road reserve, which could occur through the subdivision of 320 Eastern Hutt Road and vesting, subject to necessary support from Hutt City Council).

Hutt City Council have advised that they are not opposed to access, and in principle will support this via an application for a right-of-way easement under section 348 of the Local Government Act 1974, currently being prepared and will be likely to be lodged at the time of reading this submission.

Further, there is nothing natural about the road, and therefore the proposed zoning of Natural Open Space is inappropriate.

We therefore oppose the zoning, and instead seek that the allotment adopt the zoning of the adjacent sites being Medium Density Residential until such time as it is vested as road or otherwise designated.

## **Sites and Areas of Significance to Māori (SASM)**

The presence of the Pā Parihoro as a SASM on the Silverstream Retreat site at 320 Eastern Hutt Road is uncertain and lacks a sufficient evidence base to support a broad strike overlay. This is acknowledged in the description itself which states:

*A **possible** pā site in the Eastern Hutt Road/Reynolds Bach Drive area. **Little is known about this pā** apart from its name and **general location**.*

*Historians Jock McEwan and Morrie Love suggest the pā **may have been located** where the Silverstream Retreat is today, **though other locations have been proposed**. One is further north on what is now called the Silverstream Spur, overlooking Kiln Street and the Silverstream shops. Two other locations are on the true right bank of the river; one opposite the retreat and the other further north where Keith George Memorial Park is.*

Since European settlement, the site has seen significant redevelopment, including being used by the US Marine Corp as a hospital during WW2 and a wastewater treatment plant, before being developed as the Silverstream Retreat present today. Given the degree of recent development, it also remains unlikely the evidence of a pā would remain, if it ever was present.

Further, the advice conflicts with the information held by Upper Hutt City Council which states the location of the Pā Parihoro being around St. Patricks College, Silverstream as being more plausible location<sup>3</sup>. Specifically, it states that *just as the well-known Haukaretu*

<sup>3</sup> <https://www.upperhutt.govt.nz/Community/History-of-Upper-Hutt/pre1840s>

*was located on relatively flat land now known as Totara Park, it is more likely that a similar terrain would have been chosen in pre 1820 times for Pā Parihoru.*

Given the highly uncertain nature of the pā site, it seems unreasonable to map most of the site as a SASM (with a large non-specific overlay) until such time as there is more certainty.

Further, the relevant provisions appear to duplicate requirements of the Heritage New Zealand Pouhere Taonga Act 2014 for an archaeological authority. If there is a reasonable likelihood of there being evidence of pre-1900 human settlement, approvals will be required under the Heritage New Zealand Pouhere Taonga Act 2014, and therefore there is no need not be duplicated by a resource consent process.

## **Rezoning General Rural to Large Lot Residential over Section 1 - 5 SO 461420**

In addition to the rezoning of the main Silverstream Retreat at 320 Eastern Hutt Road and 3-5 Reynolds Bach Drive, the land adjacent to the east without a street address but formally identified as Section 1-5 SO 461420 is also the same ownership.

While there are no immediate plans to development this land, it is a good candidate to enable opportunity for additional residential development albeit at a lower density, given the immediate surrounds are urban in nature, and it's within such close proximity to the urban areas of Lower Hutt.

This land is not visually prominent, nor identified as having any specific scenic amenity or landscape values that would warrant the retention of the General Rural Zone.

More specifically, it is noted that much of that land is not fully serviced at present, and the description for Large Lot Residential under the PDP is that:

*The zone applies to areas where medium to high density development is generally inappropriate due to lack of reticulated water, wastewater, or stormwater services, or access constraints. These factors have contributed to a low density residential environment with a high level of natural environment features.*

While the proposed rezoning from Passive Recreation to General Rural is a positive and one which we support, it is our view that the above Large Lot Residential description of the PDP would better fit the description for this zone under the PDP and be a more appropriate zone.

It is noted that the site is within close proximity to the Silverstream Landfill. However, the designation over the same area should capture this aspect, and we'd anticipate reverse sensitivity effects would need to be addressed as part of a resource consent application, but this doesn't necessarily need to preclude the rezoning to Large Lot Residential.

Table 2 - ODP/PDP Zones of Section 1 - 5 SO 461420

Current Zoning	Proposed Zoning	Relief Sought
		

## Summary

This site at 320 Eastern Hutt Road and 3-5 Reynolds Bach Road is a logical completion of the Medium Density Residential Zone, and the sites at Section 1 - 5 SO 461420 are an idea candidate to rezone Large Lot Residential. The suggested rezoning and removal of the SASM enables development, consistent with the NPS-UD as it will add to the development capacity, satisfying Councils requirements to provide or realise development capacity along with enabling enhanced competitiveness which will assist with housing affordability, and provides greater certainty for the landowner and opportunities to develop the Silverstream Retreat into a thriving live, work, play community in a well-functioning urban environment. .

My email address for service is [Elliott.Thornton@cuttriss.co.nz](mailto:Elliott.Thornton@cuttriss.co.nz).

The specific relief sought is listed in Attachment 1. The submitter is not a trade competitor. The submitter wishes to be heard in relation to this submission to assist the Hearing Panel.

Yours faithfully



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## Attachment 1

Chapter / Sub-part	Specific provision – matter	Position	Reason for Submission	Decisions requested / relief sought
Large Lot Residential Zone over 320 Eastern Hutt Road, Stokes Valley	Zone	Oppose	<p>The retention and expansion of Medium Density Residential Zone would:</p> <ul style="list-style-type: none"> <li>- Is located within an existing urban context;</li> <li>- Enable between 12 – 29 dwellings well located to amenities and services, already within an urban context and serviced by infrastructure; and</li> <li>- Aid in meeting the Hutt City Council's projected housing demand over the next 30 years.</li> </ul>	Rezoned as Medium Density Residential Zone
Large Lot Residential Zone over 3 and 5 Reynolds Bach Drive, Stokes Valley	Zone	Support with amendments	The rezone from Passive Recreation to Large Lot Residential is a better reflection of the use of the land, however we seek this be amended to Medium Density Residential.	Rezoned as Medium Density Residential Zone

			<p>The expansion of Medium Density Residential Zone would:</p> <ul style="list-style-type: none"> <li>- Is located within an existing urban context;</li> <li>- Enable between 12 – 29 dwellings well located to amenities and services, already within an urban context and serviced by infrastructure; and</li> </ul> <p>Aid in meeting the Hutt City Council's projected housing demand over the next 30 years.</p>	
General Rural Zone over Section 1 - 5 SO 461420	Zone	Support with amendments	<p>The rezone from Passive Recreation to General Rural is a better reflection of the use of the land, however we seek this be amended to Large Lot Residential.</p> <p>The expansion of Large Lot Residential Zone would:</p> <ul style="list-style-type: none"> <li>- Is located within an existing urban context;</li> <li>- Enable additional dwellings well located to amenities and services, already within an urban context, but reflect the infrastructure capacity constraints; and</li> </ul>	Rezoned as Large Lot Residential Zone

			Aid in meeting the Hutt City Council's projected housing demand over the next 30 years.	
Natural Open Space Zone over 95 Kinglsey Street, Stokes Valley	Zone	Oppose	<ul style="list-style-type: none"> <li>- The site is essentially a road, and does not exhibit any of the characteristics of being either natural or used for open space purposes.</li> <li>- The zoning would make it more difficult to facilitate a driveway access for additional housing at 320 Eastern Hutt Road, Stokes Valley.</li> </ul>	Remove all zoning OR Rezone to Medium Density Residential Zone
Silverstream Retreat Precinct over 3 and 5 Reynolds Bach Drive, Stokes Valley	Silverstream Retreat Precinct	Support with Amendments	3 and 5 Reynolds Bach Drive, Stokes Valley are integral aspects of the conference and place of assembly uses associated with the main Silverstream Retreat site with the Activity Centre and Youth Activity Centre proposed on RM240225.	Expand Silverstream Retreat Precinct
Sites and Areas of Significance to Māori (SASM) Overlay over 320 Eastern Hutt Road, Stokes Valley	SASM Overlay	Oppose	<ul style="list-style-type: none"> <li>- The presence of a pā is uncertain and highly speculative.</li> <li>- The site has a significant history of redevelopment, dating from the US Marine</li> </ul>	Remove the SASM overlay from 320 Eastern Hutt Road, Stokes Valley

			<p>Corp Hospital during WW2, a wastewater treatment plant, to the current use today as the Silverstream Retreat.</p> <ul style="list-style-type: none"> <li>- Iwi had the first right of refusal under the Treaty Settlement and they did not take up the offer suggesting it was of limited significance.</li> <li>- This provision effectively duplicates Archaeological Authority requirements under the Heritage New Zealand Pouhere Taonga Act 2014.</li> </ul>	
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