

# 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 Ron Beernink and Glenda McCallum on the Proposed Lower Hutt District Plan 2025. Our email addresses are [ron.beernink@gmail.com](mailto:ron.beernink@gmail.com) and [glendamccallum@gmail.com](mailto:glendamccallum@gmail.com).
2. We could not gain an advantage in trade competition through this submission.
3. The specific provisions of the proposal that our submission relates to, our submission on those provisions, and the decisions we seek are shown in the below table. We also seek all further, alternative, necessary, or consequential relief as may be necessary to fully achieve the relief sought in this submission.
4. We wish to be heard in support of my submission.
5. If others make a similar submission, I will consider presenting a joint case with them at the hearing.

## Introduction

6. Our address is 42 Fitzherbert Street, Petone, and most of our submission focuses on our zone defined as a “High Residential Zone” in the proposed District Plan.
7. Our main concerns are that the proposed Plan does not address the following issues:
8. Petone and surrounding suburbs on the valley floor are shown in the proposed District Plan as having a High Flood Hazard and Medium Coastal Inundation Hazard.
9. The poor storm water infrastructure has been shown not to cope with flooding as illustrated by the photo below, taken on 8 April 2025. This despite the drains on our street having been cleared of debris a few months prior. High density building will significantly exacerbate this problem.



10. Three and higher story buildings need to go hand in hand with creating public green recreational spaces that are not impacted by shade and wind problems due to the height of these buildings. Where this is not possible, this should be compensated by creating nearby green spaces / neighbourhood garden areas that have good sun and that can provide play equipment for children as well as community vegetable gardens and fruit trees. Spaces such as these act as natural water sumps in the case of flooding.
11. High-density housing can result in a significant increase in car transport and parking unless the Plan clearly sets out objectives and rules that encourage active and public transport over private vehicle usage. The plan needs to also ensure that such housing development goes hand in hand with street design that ensures lower speeds so that people of all ages and abilities can utilise streets enjoying a safe and friendly environment.
12. Footpaths around the Hutt are already badly compromised by people turning into driveways at speed and parking over footpaths. In addition, the ongoing tolerance to people riding electric scooters and bikes on footpaths makes these more of a hostile rather than an inviting space. During construction, it tends to be the footpath that is lost, and the Council is not ensuring that effective pedestrian provision is maintained

through the construction stage. With increased residence numbers, there is a need to not only protect footpaths but also improve the state of these, which is often poor and already a risk for people who have trouble walking or are on a mobility scooter.

13. While we support high-density housing development close to public transport and the shopping areas, 3 to 6 story buildings will have a significant impact on the heritage character of Petone and other older suburbs in the Hutt Valley.
14. The plan does not recognise that the heritage industrial zone adjacent to the Petone high residential zone has the opportunity for high density housing to be built over the top of existing industrial businesses. This can help in the protection of the residential heritage streets and housing in Petone. There are examples around the world where cities allow the building of apartment blocks above small-scale industrial businesses. E.g. London's planning system encourages "intensification" of existing brownfield and light industrial areas, often through "stacked uses". See the AI generated illustration below.



15. We ask that the Plan clearly addresses the above concerns in its objectives and rules and ensures that the responsibility sits with either the developers or the Council.
16. High-density housing development must be subject to proven infrastructure capacity for storm water and sewerage.
  - a. Higher and denser housing needs to have well-defined rules to ensure that any such development is offset by easily accessible green recreational spaces that can act as natural water sumps in the case of flooding.
  - b. Ensure that street design for high density housing encourages walking and cycling over car use, as well as ensuring low speed 'shared' streets and footpaths that are safe for pedestrians of all ages and abilities as well as people on mobility scooters.
  - c. Maintain the character of the Petone heritage residential area by encouraging the use of the Petone heritage industrial area (proposed as General Industrial Zone) for

high density housing development, where this can be done within the capacity of the water, wastewater, and storm water services in that area.

A Radio New Zealand item (27 April 2025) headlined, "[Auckland councillor wants mayor to pressure government over building consents in flood-prone areas](#)" is very timely. It makes the case that building infrastructure on flood-prone land will be disastrous. Councillor Kerrin Leoni (who is standing as a Mayoral candidate) says that she wanted the government to give councils the authority to refuse consents on vulnerable land, and that the government previously told the council a national directive designed to give councils a stronger mandate to turn down such consents was coming this year. The Hutt Council needs to take the same position and make the Plan subject to the national directive.

Below are decisions requested in relation to the above.

## Decisions Requested

#	Chapter	Provision	Position	Reasons	Relief sought
1	Introduction and General Provisions	Purpose	Support in part	The Resource Management Act is being replaced by two new acts. In addition, the District Plan needs to also consider the new Fast Track Approvals Act.	Delay the updating of the District Plan until the new resource management acts are passed into law. Update this chapter to ensure achievement of not just the new Resource Management Acts, but also the Fast Track Approvals Act.
2	Introduction and General Provisions	Information to be submitted with resource consent applications	Support in part	The District Plan does not provide and encourage the opportunity for feedback to be provided on what works for users and what can be improved.	Update this provision to request submitters of resource consent applications to fill in a survey and provide feedback on what worked for them and what can be improved.
3	Introduction and General Provisions	National Policy Statements and NZ Coastal Policy Statement	Support in part	No information on planned new or updated National or Coastal policy statements that may impact on the Plan.	List policies that are in the pipeline and which may impact on the Plan.
4	Introduction and General Provisions	National Environmental Standards	Support in part	No information on planned new or updated National standards that may impact on the Plan.	List standards that are in the pipeline and which may impact on the Plan.
5	Introduction and General Provisions	Regulations	Support in part	No information in how the planned new Resource Management Acts may impact on the Plan.	Include information on how this Plan will be updated as the new Resource Management Acts come into law.
6	Introduction and General Provisions	Tangata Whenua	Supported		

#	Chapter	Provision	Position	Reasons	Relief sought
7	District-wide matters	Strategic Direction	Support in part	No reference to the Hutt City Cycling and Micromobility Business Case, which builds on the Walk and Cycle the Hutt 2014-2019 strategy.	Include reference to the Hutt City Cycling and Micromobility Business Case.
8	District-wide matters	Hazards and risks / natural hazards	Support in part	Not clear why there is a focus on subdivision.	The Plan should include a focus on high-density development other subdivision, e.g. infill housing, replacing or heightening existing houses.
9	District-wide matters	Hazards and risks / natural hazards: NH-P5	Support in part	The definition of Green Infrastructure structure is too narrow.	Refer to <a href="#">Appendix A: Ensuring Green Infrastructure</a> .
10	District-wide matters	Hazards and risks / natural hazards: NH-P8	Support in part	The definition of additions to existing buildings is too narrow, for general industrial zones.	The definition should include allowing residential units to be placed over existing buildings in the general industrial zones, where this is not impacted by the risks associated with the industrial activities.
11	District-wide matters	Historical and cultural values	Supported		
12	Area-specific matters	Large lot residential zone	Support in part	This should include areas with poor water, wastewater or stormwater services, where there is no existing plan to address such shortcomings.	The definition should include “where there is no existing & funded plan to address issues with poor water, wastewater or stormwater services”. Aligned with this, change the zoning for the Petone residential area to LLRZ.



#	Chapter	Provision	Position	Reasons	Relief sought
13	Area-specific matters	Medium density residential zone	Support in part	Medium density housing development cannot be undertaken where this will impact on existing poor water, wastewater or stormwater services.	Include a policy that medium density house development shall not take place in areas where there is no existing & funded plan to address issues with poor water, wastewater or stormwater services.
14	Area-specific matters	Medium density residential zone: HRZ-P6	Support in part	The intent is good but “Encourage” is too subjective for this policy, and it does not provide information how developments need to help to achieve attractive and safe streets and public open spaces. The policy statement reads like an objective.	Refer to <a href="#">Appendix A: Ensuring attractive and safe ‘living streets’</a> for a list of recommended objectives, policies and rules.
15	Area-specific matters	High density residential zone	Support in part	It makes sense to have high density development close to the CBD and public transport, where this is not impacted by or does not impact on water, wastewater or stormwater services.  It is not clear what is meant by the Petone metropolitan centre and some suburban centres.	The plan needs to call out that high density development is subject to water, wastewater and stormwater services being able to cope with the additional load.  The plan needs to explicit identify what areas are deemed suitable and sustainable for high density development.
16	Area-specific matters	High density residential zone: HRZ-P6	Support in part	The intent is good but “Encourage” is too subjective for this policy, and it does not provide information how developments need to help to achieve attractive and safe streets and public open spaces. The policy statement reads like an objective.	Refer to <a href="#">Appendix A: Ensuring attractive and safe ‘living streets’</a> for a list of recommended objectives, policies and rules.

#	Chapter	Provision	Position	Reasons	Relief sought
17	Area-specific matters	High density residential zone: HRZ-P8	Oppose	It is not clear what the intent is here. It goes without saying that housing design is done to meet standard needs. Also, how does this accommodate needs for disabled people? The policy statement reads like a vague objective.	At a minimum, this policy needs to call out the needs of disabled people.
18	Area-specific matters	High density residential zone: HRZ-P8	Oppose	The statement makes no sense: why provide for developments that do not meet permitted activity status? What is deemed as high-quality development?	Policy statement to be rewritten with reference to what is deemed high-quality development.
19	Area-specific matters	High density residential zone: HRZ-P9	Support in part	Higher buildings in the Hutt CBD make sense, but this statement needs to be clear what the boundary is for “areas around the Lower Hutt City Centre” as this can be misinterpreted as suburbs around the city centre.	Policy statement to be rewritten to be specific about what areas around the Lower Hutt City Centre.



#	Chapter	Provision	Position	Reasons	Relief sought
20	Area-specific matters	High density residential zone: HRZ-S1	Support in part	<p>It is not clear what is meant by “Matters of discretion”.</p> <p>In particular for item 2, high density housing development cannot be undertaken where this will impact on the capacity of the existing poor water, wastewater or stormwater services. This is not a matter of discretion.</p>	<p>Include a policy that high density house development shall not take place in areas where there is no existing &amp; funded plan to address issues with poor water, wastewater or stormwater services.</p> <p>Remove the reference to the Petone metropolitan centre as most of this is identified as High Flood Hazard and there is no agreed plan and funding to address this. Even if the Three Waters reform is agreed by local Councils, then it will likely still take 3-5 years for this to be implemented and address the flooding risks.</p> <p>Aligned with this, change the zoning for the Petone residential area to LLRZ.</p>
21	Area-specific matters	High density residential zone: HRZ-S7	Support in part	The minimum permeable surface area of a sit should not just reflect the ground size but also the height of the development. E.g. 10% increase per level (over 2 levels).	Change item 1 to reflect that the minimum permeable surface area of a site is 30%, with an increase of x% per each additional level (over 2 levels).
22	Area-specific matters	General industrial zone: GIZ-01	Support in part	The zone should allow for high-density housing development.	Change the objective to state that high-density housing development can be allowed where this does not impact or is impacted by the primary commercial activities; e.g. parking, noise, water services.

#	Chapter	Provision	Position	Reasons	Relief sought
23	Area-specific matters	General industrial zone: GIZ-04	Support	It is a good objective to ensure the general industrial area is healthy, safe, attractive and accessible	
24	Area-specific matters	General industrial zone: GIZ-05	Support in part	Main routes for the industrial area should avoid access roads from residential areas.	Change the objective to state that the industrial area should be accessible from arterial routes and not use access roads from residential areas.
25	Area-specific matters	General industrial zone: GIZ-P2	Oppose	As is evident from the House of Good Fortune cafe in the Petone industrial area, the policy needs to allow for such activities.	Change the policy to allow for cafes where this helps to serve local industrial businesses and adjacent residential and shopping areas.
26	Area-specific matters	General industrial zone: GIZ-P2	Oppose	The space above low rise industrial premises should be able to be utilised for residential development.	Change the policy to allow for residential development above industrial premises where this does not impact on water / wastewater / stormwater services, safety, car parking, noise.
27	Area-specific matters	General industrial zone: GIZ-P10	Support in part	Often footpaths in these general industrial areas are hostile to pedestrians due to vehicles parking over them.	Include in the policy the objective that pedestrians can safely use footpaths and that measures are in place to ensure that vehicles do not obstruct footpaths.
28	Area-specific matters	General industrial zone: GIZ-P10	Support in part	The objective to ensure on-site landscaping is great, but one only has to look at the Petone industrial area to see that there is no effort to do so.	The objective should be that space is provided for the Council to provide landscaping including for example micro-forest sections that can act as water sumps in the case of flooding.

## Appendix A: Ensuring Green Infrastructure

The following question was submitted to Google Gemini AI:

*What are the objectives, policies and rules that the Lower Hutt District Plan should spell out to ensure Green infrastructure that includes public spaces, community gardens, and the use of micro-forests to offset residential and commercial developments (in particular multi-story developments), and to protect against the impact of climate change (in particular flooding).*

The AI generated answer below was produced by research of worldwide District Plans and information on the 'living streets' concept.

### Overall Vision:

Lower Hutt's green infrastructure is a connected, multifunctional network of natural and semi-natural spaces that enhances biodiversity, provides accessible and valued public amenities, supports community well-being, effectively manages urban stormwater, mitigates climate change impacts, and contributes to a healthy, resilient, and attractive city.

### Objectives (Desired Outcomes for Green Infrastructure):

1. **Integrated Green Network:** To establish and maintain a comprehensive and connected network of green infrastructure throughout the district, linking public and private green spaces, waterways, and coastal areas.
2. **Enhanced Ecological Health:** To protect, restore, and enhance indigenous biodiversity and ecological processes within urban areas through the provision and management of green infrastructure elements like micro-forests and native planting.
3. **Climate Change Resilience:** To significantly improve the district's resilience to climate change impacts, particularly by utilising green infrastructure for effective stormwater management, flood mitigation, and urban cooling.
4. **Quality Public and Community Spaces:** To provide a diverse range of high-quality, accessible, safe, and attractive public open spaces and facilitate community gardens that meet the recreational, social, and cultural needs of residents.
5. **Offsetting Development Impacts:** To ensure that new residential and commercial developments, especially multi-story buildings which increase density and reduce permeable ground space, appropriately contribute to, retain, or provide green infrastructure to offset their environmental footprint and maintain local amenity.
6. **Sustainable Stormwater Management:** To manage urban stormwater closer to its source through nature-based solutions integrated into the built environment, reducing pressure on grey infrastructure and improving water quality.

### Policies (How to Achieve the Objectives):

1. **Identify and Protect Existing Green Infrastructure:** Policies should identify and protect significant existing public and private green infrastructure, including mature trees, vegetated riparian margins, wetlands, parks, and large private gardens, through appropriate zoning and rules.
2. **Require Green Infrastructure Provision in New Development:** Mandate the provision of green infrastructure within new developments, proportional to their scale and potential impact, with a particular focus on developments that increase impervious surfaces (e.g., multi-story buildings, large parking areas).
3. **Promote Water Sensitive Urban Design (WSUD):** Require the incorporation of WSUD principles and features, such as rain gardens, permeable paving, green roofs, and swales, into development design and public realm upgrades to manage stormwater runoff and reduce flood risk.
4. **Facilitate the Establishment of Community Gardens and Micro-Forests:** Support the creation of community gardens and micro-forests on suitable public or communal land through clear pathways in the Plan and potentially incentivise their inclusion in larger private developments.
5. **Develop Offsetting Mechanisms for Development Impacts:** Establish clear requirements for developments to offset the loss of on-site green space or the increase in impervious area. This could include requirements for on-site green infrastructure provision, contributions to a dedicated green infrastructure fund for off-site projects (e.g., micro-forests, park upgrades), or mechanisms like transferable development rights linked to green space protection elsewhere.
6. **Enhance Connectivity of Green Spaces:** Require development and infrastructure projects to maintain and enhance pedestrian, cycle, and ecological connections between green spaces and the wider green network.
7. **Ensure Multifunctionality of Green Infrastructure:** Encourage green infrastructure elements to serve multiple purposes, such as combining stormwater management with recreational space or integrating biodiversity planting with urban cooling benefits.
8. **Require High-Quality Design for Public Spaces:** Mandate high standards for the design of public open spaces to ensure they are attractive, accessible, safe, and functional for diverse community uses, incorporating principles of CPTED (Crime Prevention Through Environmental Design).
9. **Prioritise Nature-Based Solutions for Flood Protection:** Require consideration and prioritisation of nature-based solutions (e.g., restoring wetlands, enhancing riparian planting, creating detention basins with ecological value) as part of flood protection and river management strategies.
10. **Support Climate Change Adaptation through Design:** Policies should direct that urban design and green infrastructure provision actively contribute to climate change adaptation goals, such as increasing tree canopy cover for cooling, providing shade, and creating floodable open spaces in appropriate areas.

### Rules (Specific Requirements and Standards):

1. **Minimum On-Site Green Space/Permeable Area Ratios:**

- a. Set minimum percentages of a development site (particularly for residential and commercial zones, with higher requirements or specific standards for multi-story developments) that must be provided as permeable ground cover or dedicated green space.
  - b. Require a minimum proportion of landscaped area within car parking lots.
- 2. **Street Tree Planting:**
  - a. Mandate the planting of street trees along road frontages for new developments, specifying minimum tree size at planting and requiring provisions for healthy growth (e.g., minimum soil volumes, appropriate species).
- 3. **Stormwater Management Requirements (WSUD Rules):**
  - a. Require developments that exceed a certain threshold of impervious area to implement specific WSUD measures (e.g., rain gardens, swales, or on-site detention/retention with ecological features) designed to manage a specified rainfall event on-site before discharging into the public network.
  - b. Set standards for the design and maintenance of required WSUD features.
  - c. Require permeable paving for specified areas like overflow parking or low-traffic zones.
- 4. **Protection of Significant Vegetation and Ecological Features:**
  - a. Rules requiring resource consent for the removal of identified significant trees or the disturbance of mapped ecological areas (e.g., wetlands, riparian planting) on a site.
  - b. Specify required setbacks from waterways with appropriate vegetation planting.
- 5. **Provision of Communal Open Space in Multi-Unit Developments:**
  - a. Require a minimum area per dwelling unit or a percentage of site area to be provided as shared communal open space in multi-story residential or mixed-use developments, with requirements for landscaping, seating, and accessibility.
- 6. **Community Garden/Micro-Forest Provision (Triggered by Development):**
  - a. For large developments or subdivisions, rules could trigger a requirement to either provide a designated area suitable for a community garden or plant a micro-forest of a specified size and density on-site or contribute financially to a council-managed fund for off-site provision.
  - b. Specify standards for site suitability (e.g., sunlight access, soil depth) for potential garden areas.
- 7. **Building Controls Supporting Green Infrastructure:**
  - a. Rules facilitating or requiring green roofs or walls on new large buildings or as part of significant renovations, potentially linked to height or setback concessions.
  - b. Controls on building design to ensure adequate sunlight access to communal open spaces and potential garden areas.

8. **Financial Contributions/Development Contributions:** Rules within the relevant development contributions policy (which is linked to the District Plan) requiring financial contributions from developments towards the provision or enhancement of public green infrastructure and stormwater management assets.
9. **Land Dedication:** Rules in subdivision zones requiring the dedication of a percentage of the subdivision area as public open space, particularly prioritising areas with ecological value, flood management potential, or connectivity benefits.

Implementing these objectives, policies, and rules will provide a strong framework within the Lower Hutt District Plan to ensure green infrastructure is not just an afterthought but a fundamental component of urban development and climate resilience planning.

## Appendix B: Ensuring attractive and safe ‘living streets’

The following question was submitted to Google Gemini AI:

*What are the objectives, policies and rules that the Lower Hutt District Plan should spell out to ensure attractive and safe 'living streets'?*

The answer below was produced by researching existing District Plans and information on the ‘living streets’ concept.

### Objectives (Desired Outcomes for Living Streets):

1. **People-Centred Environments:** To create street environments where pedestrians, cyclists, and residents feel welcome, safe, and comfortable, fostering social interaction and community activity.
2. **Enhanced Streetscape Quality:** To ensure living streets are aesthetically pleasing, well-maintained, and contribute positively to the character and identity of the surrounding neighbourhood.
3. **Improved Safety and Accessibility:** To design and manage streets to significantly reduce vehicle speeds and conflicts, providing safe and easy access for people of all ages and abilities.
4. **Promotion of Active Transport:** To encourage walking, cycling, and other forms of active transport by making living streets attractive, safe, and well-connected parts of the wider transport network.
5. **Increased Green Infrastructure:** To integrate significant planting, street trees, and other green elements that enhance biodiversity, manage stormwater, improve air quality, and contribute to the visual amenity and comfort of the street space.
6. **Reduced Dominance of Vehicles:** To minimise the negative impacts of vehicle traffic, such as speed, noise, and visual clutter, allowing the street space to be primarily for people.
7. **Support for Local Character:** To ensure the design of living streets reflects and enhances the unique local character of different neighbourhoods within Lower Hutt.

### Policies (How to Achieve the Objectives):

1. **Prioritise Pedestrian and Cyclist Movement:** Policies should direct that the design and allocation of space within designated living streets give priority to the needs and safety of pedestrians and cyclists over vehicular traffic.
2. **Implement Traffic Calming Measures:** Require the use of physical design elements such as reduced road widths, surface treatments, curves, raised intersections, and integrated landscaping to effectively lower vehicle speeds.



3. **Promote Shared Space Design:** Where appropriate, encourage or require shared surface treatments that blur the traditional separation between road and footpath, signalling to drivers that pedestrians have priority and demanding lower speeds and increased driver caution.
4. **Enhance Street Greenery and Landscaping:** Require a high standard of landscaping, including the planting of appropriate street trees, garden beds, and potentially integrated rain gardens or other water-sensitive urban design (WSUD) features to increase permeable surfaces and visual appeal.
5. **Control Vehicle Access and Parking:** Limit through traffic on living streets where necessary to maintain a low-speed, people-friendly environment. Policies should guide the provision of parking to be carefully integrated, potentially shared, or restricted to ensure it does not dominate the streetscape.
6. **Require High-Quality Materials and Furniture:** Specify the use of durable, attractive, and contextually appropriate materials for paving, street furniture (benches, bins, bike racks), and lighting to enhance the street's aesthetic and functionality.
7. **Foster Active Street Frontages:** Encourage or require new developments and significant renovations adjacent to living streets to orient buildings and entrances towards the street, with windows and active uses at ground level to improve natural surveillance and interaction.
8. **Ensure Appropriate Lighting Design:** Policies should require lighting that provides a high level of safety and visibility for all users during the evening, while also contributing to the street's character and avoiding light pollution.
9. **Integrate Art and Cultural Elements:** Encourage the incorporation of public art, cultural markers, and other elements that reflect the local community and enhance the street's attractiveness and sense of place.
10. **Adopt a Flexible and Adaptive Approach:** Allow for flexibility in the specific design solutions for individual living streets to respond to unique site conditions and community aspirations, potentially through a master planning or co-design process guided by the District Plan's objectives and policies.

#### **Rules (Specific Requirements and Standards):**

1. **Maximum Vehicle Speed Limit:** Specify a low maximum enforceable speed limit (e.g., 10 km/h or 20 km/h) within designated living street areas.
2. **Traffic Management Device Specifications:** Set technical standards for the design and placement of traffic calming devices (e.g., height and length of speed tables, width of chicanes, size of entry treatments).
3. **Shared Surface Design Standards:** Where shared surfaces are used, rules could specify minimum clear zones for movement, requirements for tactile paving to assist visually impaired users, and specifications for surface materials to differentiate them from standard roads.
4. **Street Tree Planting Requirements:** Mandate the planting of street trees at specified intervals, require minimum soil volumes and pit sizes to ensure tree health, and provide guidance or a list of appropriate species for different contexts.

5. **Permeable Surface Ratios:** Set minimum requirements for the percentage of permeable surface area within the streetscape to assist with stormwater infiltration.
6. **Building Setback and Interface Controls:** Rules could limit the height and length of solid fences at the street boundary, require minimum percentages of glazing or active openings on ground floor street-facing facades, or specify maximum building setbacks to maintain a consistent street edge.
7. **Parking Bay Design and Location:** Define specifications for the design of on-street parking bays (if permitted), potentially requiring them to be integrated with landscaping or set slightly apart from the main pedestrian flow.
8. **Outdoor Seating and Display Zones:** In appropriate mixed-use areas, define zones within the street space where businesses can place outdoor seating, tables, or displays, subject to maintaining clear paths for pedestrian movement.
9. **Lighting Standards:** Specify minimum lux levels for different areas of the street (e.g., pathways, intersections) and potentially standards for light colour temperature and pole height.
10. **Consent Triggers:** Define activities or developments that would trigger a resource consent requirement, allowing Council to assess them against the living street objectives and policies (e.g., new vehicle crossings onto a living street, significant alterations to a building's street-facing facade, subdivision creating new lots fronting a living street).
11. **Identification of Living Streets:** The plan should clearly identify on planning maps or in associated schedules which streets or areas are designated as 'living streets' or are intended to become living streets, to ensure clarity for developers and residents.

By implementing a comprehensive suite of objectives, policies, and rules tailored to the 'living street' concept, the Lower Hutt District Plan can provide the necessary framework to guide future development and street upgrades towards creating more attractive, safe, and vibrant public spaces that truly enhance the quality of life for residents.

## Appendix C: Allowing for Residential Housing above low-rise Industrial Premises

The following question was submitted to Google Gemini AI:

*What are the objectives, policies and rules that the Lower Hutt District Plan should spell out to allow attractive residential housing to be built above existing commercial low-rise premises in a way that does not compromise safety, security, infrastructure services such as waste water and storm water, limited parking for residents while maintaining existing parking and vehicle access for commercial premises, noise control, and at the same time ensures green spaces including community gardens.*

The answer below was produced by researching existing District Plans.

### I. Overarching Objectives:

These are the broad goals the District Plan aims to achieve regarding mixed-use development.

- **Objective 1: Integrated and Vibrant Mixed-Use Environments:** To foster the development of attractive and sustainable mixed-use areas where residential and commercial activities can coexist harmoniously, contributing to vibrant local centres.
- **Objective 2: Efficient Use of Existing Infrastructure:** To maximize the efficient use of existing infrastructure by encouraging higher-density residential development in established commercial areas.
- **Objective 3: High-Quality Residential Amenity:** To ensure that residential units built above commercial premises provide a high level of amenity for residents, including safety, security, and access to green spaces.
- **Objective 4: Maintaining Commercial Viability:** To ensure that new residential development does not unduly compromise the viability and accessibility of existing commercial activities.
- **Objective 5: Sustainable Environmental Outcomes:** To promote sustainable development practices, including the provision of green spaces and responsible management of infrastructure services.

### II. Specific Policies and Rules:

These translate the objectives into concrete actions and regulations.

#### A. Building Design and Amenity:

- **Policies:**

- **Policy 1.1: Quality Design Standards:** Encourage high-quality architectural design for upper-level residential units that complements the existing commercial character while providing a distinct residential identity.
- **Policy 1.2: Independent Residential Access:** Require separate and secure access points for residential units to ensure resident safety and security and minimize conflict with commercial operations.
- **Policy 1.3: Adequate Residential Amenity:** Ensure sufficient internal living space, natural light, ventilation, and private outdoor space (e.g., balconies, roof terraces) for residential units.
- **Policy 1.4: Noise Mitigation Measures:** Require appropriate noise insulation and design features to mitigate potential noise transfer between commercial and residential uses.
- **Policy 1.5: Visual Amenity:** Encourage designs that enhance the visual appearance of the streetscape and avoid negative impacts on the amenity of surrounding areas.

- **Rules:**

- **Rule 1.1.1:** Minimum floor area and ceiling height standards for residential units.
- **Rule 1.2.1:** Requirement for dedicated and lockable residential entrances separate from commercial entrances.
- **Rule 1.3.1:** Minimum dimensions for private outdoor spaces (e.g., balcony depth and area).
- **Rule 1.4.1:** Minimum sound transmission class (STC) rating for walls and floors separating commercial and residential spaces.
- **Rule 1.5.1:** Design guidelines addressing building materials, facade treatment, and integration with the existing context.

#### B. Safety and Security:

- **Policies:**

- **Policy 2.1: Fire Safety:** Ensure that building designs incorporate appropriate fire safety measures for both residential and commercial components, including separate fire exits and alarm systems where necessary.
- **Policy 2.2: Structural Integrity:** Require structural assessments to ensure existing commercial buildings can safely support additional residential levels.
- **Policy 2.3: Crime Prevention Through Environmental Design (CPTED):** Encourage design features that enhance natural surveillance, territorial reinforcement, and access control to improve resident security.

- **Rules:**

- **Rule 2.1.1:** Compliance with relevant building codes and fire safety regulations for mixed-use buildings.
- **Rule 2.2.1:** Requirement for structural engineering reports confirming the suitability of existing structures.
- **Rule 2.3.1:** Guidelines promoting CPTED principles in building and site design.

### C. Infrastructure Services:

- **Policies:**

- **Policy 3.1: Wastewater and Stormwater Capacity:** Ensure that existing wastewater and stormwater infrastructure has sufficient capacity to accommodate increased residential density or require upgrades where necessary.
- **Policy 3.2: Sustainable Water Management:** Encourage water-efficient fixtures and practices in new residential developments.
- **Policy 3.3: Waste Management:** Provide clear guidelines for waste collection and storage for both residential and commercial uses, ensuring separation and efficient management.

- **Rules:**

- **Rule 3.1.1:** Requirements for infrastructure capacity assessments and potential developer contributions towards upgrades.

- **Rule 3.2.1:** Standards for water-efficient fixtures in residential units.
- **Rule 3.3.1:** Requirements for dedicated waste storage areas for residential and commercial components.

#### **D. Parking and Vehicle Access:**

- **Policies:**

- **Policy 4.1: Limited Residential Parking:** Acknowledge the location within existing commercial areas and allow for reduced residential parking requirements, recognizing access to public transport and local amenities.
- **Policy 4.2: Maintaining Commercial Parking and Access:** Protect existing parking spaces and vehicle access necessary for the ongoing operation of commercial premises.
- **Policy 4.3: Encouraging Sustainable Transport:** Promote walking, cycling, and the use of public transport for residents.

- **Rules:**

- **Rule 4.1.1:** Specific reduced parking ratios for residential units built above commercial premises, potentially based on unit size and proximity to public transport.
- **Rule 4.2.1:** Restrictions on the loss or encroachment of existing commercial parking and loading areas.
- **Rule 4.3.1:** Requirements for bicycle parking and end-of-trip facilities for residents.

#### **E. Noise Control:**

- **Policies:**

- **Policy 5.1: Managing Noise Sensitivity:** Recognize the inherent noise generated by commercial activities and implement measures to mitigate its impact on residential amenity.
- **Policy 5.2: Reverse Sensitivity:** Manage potential reverse sensitivity issues where new residential development may place unreasonable restrictions on existing lawful commercial activities due to noise complaints.

- **Rules:**

- **Rule 5.1.1:** Noise limits at the residential boundary, potentially varying by time of day.
- **Rule 5.1.2:** Requirements for acoustic assessments and mitigation measures (e.g., building insulation, operational restrictions for commercial activities near residential boundaries).
- **Rule 5.2.1:** Provisions acknowledging the existing commercial environment and setting expectations for residents regarding potential noise levels.

## **F. Green Spaces and Community Gardens:**

- **Policies:**

- **Policy 6.1: Integrating Green Spaces:** Encourage the incorporation of green spaces within or adjacent to mixed-use developments, such as communal gardens, green roofs, and landscaping.
- **Policy 6.2: Supporting Community Gardens:** Facilitate the establishment of community gardens on suitable publicly or privately owned land within or near mixed-use areas.
- **Policy 6.3: Enhancing Public Realm:** Promote high-quality landscaping and greening of the public realm in mixed-use areas.

- **Rules:**

- **Rule 6.1.1:** Incentives or requirements for incorporating green roofs or communal garden spaces in new developments above a certain size.
- **Rule 6.2.1:** Zoning provisions or overlays that identify suitable locations for community gardens and outline the consent process.
- **Rule 6.3.1:** Guidelines for streetscape planting and landscaping requirements for new developments.

## **G. Implementation and Assessment Criteria:**

- The District Plan should also outline how these policies and rules will be implemented and the criteria that will be used to assess resource consent applications for residential development above commercial premises. This could include:



- Clear application requirements.
- Assessment matters that Council will consider.
- The use of urban design panels for complex proposals.
- Potential for requiring Urban Design Assessments.

By clearly articulating these objectives, policies, and rules, the Lower Hutt District Plan can provide a robust framework for enabling attractive residential housing above existing commercial low-rise premises while carefully managing the potential challenges and ensuring positive outcomes for both residents and businesses.