

Wellington Water Limited

Submission on Hutt City Council Proposed District Plan

2 May 2025



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.

1. This is a submission from Wellington Water Limited (Wellington Water) on the Proposed Lower Hutt District Plan 2025.
2. My email address for service is resourcemanagement@wellingtonwater.co.nz.
3. Wellington Water could not gain an advantage in trade competition through this submission.
4. Wellington Water seeks the relief set out in its substantive submission, including the attached table which sets out amendments sought to the provisions. Wellington Water also seeks all further, alternative, necessary, or consequential relief as may be necessary to fully achieve the relief sought in this submission. This includes any other relief that would provide for the provision of three waters services within Hutt City.
5. Wellington Water wishes be heard in support of this submission.
6. If others make a similar submission, Wellington Water will consider presenting a joint case with them at the hearing.
7. Wellington Water is willing to work with Hutt City Council in advance of the hearing.

Wellington Water works with Councils to deliver Three Waters services

8. Wellington Water Limited ('Wellington Water' or 'WW') is the Wellington region's water services provider. Wellington Water is council owned and funded by:
 - a. Wellington City Council,
 - b. Porirua City Council,
 - c. Lower Hutt City Council,
 - d. Upper Hutt City Council,
 - e. South Wairarapa District Council, and
 - f. Greater Wellington Regional Council.
9. Wellington Water provides safe and healthy drinking water, collect and treats wastewater, and ensures the stormwater network is well managed. While Wellington Water operates the three waters network, our six shareholding councils own the water infrastructure, set policies, user charges and control rates.
10. Wellington Water provides advice on council assets, and councils make policy and funding decisions through Long-Term Planning processes. Wellington Waters prioritises work to make the best use of time, funding, and resources.

Wellington Water's submission seeks to enable Three Waters Services for Hutt City Council

11. As the region's three waters services operator, Wellington Water's submission seeks to ensure that three waters services are appropriately recognised and provided for in the Proposed District Plan. Providing advice to enable Wellington Water's activities is intended to improve efficiency of operations, both for Wellington Water and Hutt City Council.
12. The assets that WW operates are both regionally significant infrastructure and specified infrastructure in accordance with the Wellington Regional Policy Statement (RPS). The importance of this infrastructure is recognised throughout the RPS, which the Proposed Hutt District Plan (PDP) must give effect to.
13. Given the recognised importance of the three waters network, WW seeks that the PDP includes objectives and policies, and appropriate activity status for the efficient and effective operation, maintenance, replacement, upgrade, removal and/or development of these networks (where effects can be appropriately managed).
14. There are many water assets that sit within the boundaries of the Hutt City Council. It is important that Wellington Water is enabled to develop, upgrade, maintain and operate the water network to provide high quality services to the district, and to the wider Wellington region. The three waters network in Lower Hutt includes:
 - a. 711km of water supply mains, 680km of wastewater pipes and 454km of stormwater pipes,
 - b. Wainuiomata Water Treatment Plant,
 - c. Waterloo Water Treatment Plant,

- d. Gear Island Water Treatment Plant,
 - e. Seaview Wastewater Treatment Plant,
 - f. 5 stormwater retention dams, and
 - g. 13 water supply stations, 48 wastewater stations and 12 stormwater pump stations.
15. The Hutt Valley is also home to the Waitwhetū aquifer, an important water source for the Wellington region. Water from Waiwhetū aquifer is abstracted from bores in Lower Hutt, which Wellington Water treats and distributes. The water for public supply is treated at the Waterloo Water Treatment plant, and is pumped to reservoirs around Hutt Valley and Wellington. The aquifer is of significant importance to Wellington's drinking water supply and therefore needs to be protected from third party actions that could have an adverse effect on it.

Wellington Water relies on designations held by Greater Wellington Regional Council and Hutt City Council

16. Wellington Water is not a requiring authority itself, but relies on designations held by Greater Wellington Regional Council in relation to drinking water, and Hutt City Council regarding water supply, wastewater and storm water.
17. The designation of these assets recognises their regional importance and helps ensure the on-going security and resilience of essential three waters services in the district. Three waters designations that have been rolled over (with some modifications) in the PDP are:

Requiring Authority: Hutt City Council

- a. HCC-08: Seaview wastewater pumping station and treatment plant
- b. HCC-09: Barber Grove wastewater pumping station
- c. HCC-10: Wakefield Street wastewater pumping station
- d. HCC-11: Wainuiomata wastewater pumping station, storage and treatment facility
- e. HCC-12: Rahui water reservoir

Requiring Authority: Greater Wellington Regional Council

- f. WRC-03: Waterloo Interchange water supply pumping station
 - g. WRC-04: Hutt to Wainuiomata three waters pipelines
 - h. WRC-05: Haywards Hill water supply pumping station
 - i. WRC-06: Haywards Hill water supply reservoirs
 - j. WRC-07: Waione Street water supply pumping station
18. WRC-08: Wainuiomata - Orongorongo Water Collection and Conservation Area and Treatment Plant
19. In addition to the designation rollovers, notices of requirement proposing designations for the following existing assets are also included in the PDP:

Requiring Authority: Hutt City Council:

- a. HCC-25: Esplanade Central Wastewater Pumpstation
- b. HCC-26: Esplanade West Wastewater Pumpstation
- c. HCC-27: Wellington Road Wastewater Pumpstation
- d. HCC-28: Marine Parade Wastewater Pumpstation
- e. HCC-29: Te Mome Stormwater Pumpstation
- f. HCC-30: Kingsley Water Supply Reservoir
- g. HCC-31: Manor Park Water Supply Reservoir
- h. HCC-32: Gracefield Water Supply Reservoir
- i. HCC-33: Maungaraki Water Supply Reservoir
- j. HCC-34: Point Howard Water Supply Reservoir
- k. HCC-35: Rata Street Water Supply Reservoir
- 20. HCC-36: Taita Water Supply Reservoir
- 21. HCC-37: Normandale Water Supply Reservoir
- 22. HCC-38: Gawler Grove Water Supply Reservoir

Decisions Requested

Amendments sought to the provisions are identified with underlining for additions and ~~strike through~~ for deletions.

#	Chapter	Provision	Position	Reasons	Relief sought
1	Infrastructure	Objectives INF-O1-INF-O3	Support in part	Wellington Water supports the Infrastructure objectives. The objectives recognise the value of infrastructure, and that functional and operational infrastructure requirements should be recognised when considering the adverse effects of development. However, we note there is no objective relating to protecting infrastructure from reverse sensitivity effects (see below).	Retain objectives as notified.

#	Chapter	Provision	Position	Reasons	Relief sought
2	Infrastructure	New Objective	Support	<p>WW infrastructure is of critical importance to the Hutt Valley community. It delivers drinking water throughout the city, manages stormwater effects and ensures that wastewater is managed. It is important that these assets are protected from effects of third party activities.</p> <p>Reverse sensitivity effects have the potential to constrain assets operated by WW. Reverse sensitivity refers to the vulnerability of an existing lawfully established activity to other activities in the vicinity which are sensitive to adverse environmental effects; these may be generated by such existing activity, thereby creating the potential for the operation of existing activity to be constrained.</p> <p>As an example, WW is seeking to avoid incompatible activities being located in proximity to the Seaview wastewater treatment plant, that could further restrict or compromise its activities.</p> <p>WW seeks inclusion of a new objective that recognises the need to manage reverse sensitivity effects on its assets.</p>	<p>Add a new objective that seeks to protect infrastructure (particularly three waters infrastructure) from effects of third parties. For example:</p> <p><u><i>The function and operation of infrastructure is protected from the adverse effects, including reverse sensitivity effects, of subdivision, use and development.</i></u></p>

#	Chapter	Provision	Position	Reasons	Relief sought
3	Infrastructure	INF-P1	Support in part	WW generally supports this objective, but notes the policy does not recognise the maintenance of existing quality of life (as it only references enhancement). Infrastructure also provides benefits regarding resilience which should be recognised.	Amend INF-P1 as follows: <i>Recognise the social, economic, cultural and environmental benefits that infrastructure provide, including:</i> <ol style="list-style-type: none"> 1. <i>Enabling <u>maintenance and enhancement</u> of the quality of life and standard of living for people and communities,</i> 2. <i>Providing for public health, and safety, <u>and resilience</u></i> 3. <i>Enabling businesses to function,</i> 4. <i>Enabling growth and development,</i> 5. <i>Enabling the transportation of freight, goods and people,</i> 6. <i>Providing a lifeline during emergencies, and</i> 7. <i>Enabling the effective, safe, secure and efficient transmission of electricity.</i>
4	Infrastructure	INF-P5	Oppose in part	WW recognises the need to manage adverse effects of infrastructure. However, it queries the need for a specific policy that requires the effects to be managed. Furthermore, it considers that the requirement to avoid, remedy or mitigate adverse effects “as far as practicable” potentially sets the more stringent obligation to manage effects for infrastructure than would apply to other activities.	Delete INF-P5, or amend as follows: <i><u>Provide for infrastructure while appropriately avoiding, remedying or mitigating</u> Avoid, remedy, or mitigate the adverse effects of infrastructure, as far as practicable, including effects on:</i> <ol style="list-style-type: none"> 1. <i>Natural and physical resources,</i> 2. <i>Amenity values,</i> 3. <i>Natural hazard and climate change risks,</i> 4. <i>Identified features and values within any specified overlay,</i> 5. <i>Any other matter of national importance,</i> 6. <i>The safe and efficient operation of other infrastructure, and</i> 7. <i>The health, well-being and safety of people and communities.</i>

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5	Infrastructure	INF-P9	Oppose in part	INF-P9-2 specifies that related buildings, structures or earthworks of are of a scale and design that do not significantly increase natural hazard risk in high flood overlays. WW seeks the proposed amendment to INF-P9-3, to ensure there is consistency between -2 and -3.	<p>Amend INF-P9 as follows:</p> <p><i>Provide for new or upgraded infrastructure in natural hazard overlays where:</i></p> <ol style="list-style-type: none"> <i>1. There is a functional need or operational need for the infrastructure to be in that location,</i> <i>2. Related buildings, structures or earthworks are of a scale and design that do not significantly increase natural hazard risk in High Flood Hazard Overlays and Medium Flood Hazard Overlays, and</i> <i>3. Increases in natural hazard risk in identified high natural hazard overlays (<u>other than in High Flood Hazard Overlays</u>) are avoided.</i>

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6	Infrastructure	INF-P11	Oppose in part	<p>The definitions of functional need and operational need set a high bar for infrastructure to be located within areas of “High, Very High and Outstanding Coastal Natural Character”, it is not clear why an additional requirement be met that there is also “no practicable alternative locations or solutions” must also be met.</p> <p>WW also considers that the location requirements of new infrastructure may require assets to be located, from time to time, in areas that have High, Very High or Outstanding Coastal Natural Character. The strict avoidance requirements may not always be able to be met. Therefore, an amendment is proposed to enable a pathway where appropriate (noting that a functional or operational need would need to be established for the asset to be located in that location).</p>	<p>Amend INF-P11 as follows:</p> <p><i>Provide for new or upgraded infrastructure in areas of High, Very High and Outstanding Coastal Natural Character where:</i></p> <ol style="list-style-type: none"> <i>1. There is a functional need or operational need for the infrastructure to be in that location and there are no practicable alternative locations or solutions,</i> <i>2. Adverse effects on the identified values of the Outstanding Coastal Natural Character Area are avoided <u>to the extent practicable</u>,</i> <i>3. Significant adverse effects on the identified values of the High and Very High Coastal Natural Character Areas are avoided <u>to the extent practicable</u>, and</i> <i>4. Other adverse effects on coastal natural character are avoided, remedied, or mitigated.</i>

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7	Infrastructure	INF-P12	Oppose in part	Refer to the reasons for INF-P11.	<p>Amend INF-P12 as follows:</p> <p><i>Provide for new or upgraded infrastructure in Outstanding Natural Features and Outstanding Natural Landscapes where:</i></p> <ol style="list-style-type: none"> <i>1. There is a functional need or operational need for the infrastructure to be in that location and there are no practicable alternative locations or solutions,</i> <i>2. Adverse effects on the identified values of the Outstanding Natural Feature and Outstanding Natural Landscape where located in the Coastal Environment are avoided <u>where practicable,</u></i> <i>3. Significant adverse effects on the identified values of Outstanding Natural Feature and Outstanding Natural Landscape where located outside the Coastal Environment are avoided <u>where practicable,</u> and</i> <i>4. Other adverse effects on Outstanding Natural Features and Outstanding Natural Landscapes are avoided, remedied or mitigated.</i>
8	Infrastructure	INF-P14	Oppose in part	Wellington Water considers that point 2 provides adequate protection for the active street frontage overlay area. Point 1 does not adequately recognise the importance of enabling infrastructure where it is required for three water service delivery.	<p>Amend INF-P14 as follows:</p> <p><i>Provide for new or upgraded infrastructure in the Active Street Frontage Overlay where:</i></p> <ol style="list-style-type: none"> <i>1. There is a functional need or operational need for the infrastructure to be in that location,</i> <i>2. Significant adverse effects on pedestrian amenity, comfort and safety, and visual amenity are avoided,</i> <i>3. Other adverse effects are avoided, remedied, or mitigated, and</i> <i>4. It is consistent with the urban design outcomes for the zone or precinct in which it is located.</i>

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9	Infrastructure	INF-R2 INF-R3	Support in part	When WW undertakes pipe repairs, this opportunity is sometimes used to install a larger capacity pipe to enable growth. Under the proposed district plan this is considered an upgrade rather than maintenance and would trigger the need for resource consent even where the effects of the upgrade are no different from a replacement. The additional consent requirements for upgrades under INF-R3 may restrict this ability to increase the capacity of the three waters network within the identified areas.	Amend rules INF-R2 and/or INF-R3 to provide for upgrades that have the same effects as a repair or maintenance activities as a permitted activity. One option would be to include “minor upgrade” in INF-R2 where a minor upgrade has the same effect as maintenance or repair of three waters infrastructure.
10	Infrastructure	INF chapter rule table	Support in part	The requirements for earthworks differ depending on the zone. This is problematic for linear infrastructure, which can traverse multiple zones. This means that if an activity spans multiple zones, it becomes unclear which earthworks provision (or provisions) will apply.	WW seeks amendments to provide an exception for its activities in relation to the zoning-related restrictions for INF rules.
11	Infrastructure	INF-R10, INF-R9, INF-R6, INF-R5, INF-R4, INF-R3	Oppose	Non-complying activities for these rules may apply to three water assets. We consider that this does not align with INF-O1, that the benefits of infrastructure should be recognised and provided for. WW therefore considers that a discretionary activity status should apply for three-waters assets.	Amend non-complying activity status to discretionary for three waters assets.

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12	Three Waters	New Objective	Support in part	<p>WW considers that the importance of the Waiwhetū Aquifer should be recognised through inclusion of a new objective (i.e. not just the introduction). WW therefore is seeking the addition of a new objective that ensure protection of the Aquifer, enabling the Council to seek information on potential source water risks through resource consent applications.</p> <p>WW notes that under ss 43 and 45 of the Water Services Act 2021 the Council is required to provide information regarding source protection including to the Water Services Regulator Taumata Arowai. The proposed objective aligns with these obligations as both recognise the importance of source protection for drinking water.</p>	<p>New Objective:</p> <p><u>Protect the Waiwhetū aquifer from the adverse effects of urban development and adverse effects of existing infrastructure.</u></p>
13	Three Waters	THW-P1, THW-P2, THW-R1, THW-R2, THW-R4	Support in part	The Wellington Water Regional Standard for Water Services, December 2021 have been updated. WW considers that the most recent version should be reflected in the Plan.	All references to the Wellington Water Regional Standard for Water Services, December 2021, Version 3.0 should be updated to refer to Wellington Water Regional Standard for Water Services, December 2021, Version 3.1

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14	Hazards and risks	Natural Hazards, Natural Hazard Overlay table	Support in part	<p>Any reference to 1% AEP should include reference to inclusion of climate change. Climate change is an umbrella term that covers sea level rise and rainfall. Both of these are considered when evaluating the 1% AEP, so it is more accurate to refer to climate change rather than sea level rise.</p> <p>Sea level rise is one component of climate change, but the equation also includes rainfall.</p>	Any reference to 1% AEP should include reference to inclusion of climate change rather than sea level rise.
15	Hazards and risks	Natural Hazards, Natural Hazard Overlay table	Support	WW is supportive of the calculations for 1% AEP flood event + 1.59m sea level rise. We consider that this reflects the effects of climate change and consequent hazard risk evaluations.	Retain calculations in the Natural Hazard Overlay Table as notified.
16	Hazards and risks	Natural Hazards, Natural Hazard Overlay table	Oppose	Currently there is no definition of AEP in the Plan, which could lead to confusion for plan users.	<p>New definition:</p> <p><u>Annual Exceedance Probability (AEP) is the probability of a flood occurring in a single year.</u></p>

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17	Zones	Heavy Industrial Zone	Support	<p>The area covering and surrounding the Seaview Wastewater Treatment Plant is zoned in the operative District Plan as a special business activity area. Under the proposed District Plan this area would change to 'Heavy Industrial Zone.' The proposed Heavy Industrial Zone provides an environment dedicated to industrial industries with potentially significant adverse effects including odour. These activities are less likely to result in reverse sensitivity effects on the Seaview Wastewater Treatment Plant.</p> <p>WW therefore supports the new heavy industrial zone and associated provisions, as these will help protect its assets from reverse sensitivity effects.</p>	Retain the Heavy Industrial Zone as notified.
18	Designations	Refer to list of designations at paragraphs 17 and 18 of this submission	Support	WW supports the inclusion of new and rolled over designations for the assets Wellington Water operates on behalf of the Hutt City Council and Greater Wellington Regional Council.	Confirm the designations identified at paragraphs 17 and 18 of this submission.
19	Earthworks	Introduction	Support	WW supports the Infrastructure chapter regulating earthworks for infrastructure activities as this is easier to follow for plan users.	Retain the statement that confirms that the provisions that relate to earthworks for infrastructure are contained in the Infrastructure chapter.