

Submission on Hutt City Proposed District

Clause 6 of Schedule 1, Resource Management Act 1991

To: Chief Executive, Hutt City Council Via email to district.plan@huttcity.govt.nz.

1. This is a submission from the Manor Park and Haywards Residents Community Incorporated Society ("The Association") on the Proposed Lower Hutt District Plan 2025 ("PDP").
2. Our email address for service is manorparkcommunity@gmail.com and we ask that correspondence please be cc'd to ben@cuee.nz.
3. We cannot gain an advantage in trade competition through this submission.
4. We are directly affected by an effect of the subject matter of the submission that:
 - (a) Adversely affects the environment, and
 - (b) Does not relate to trade competition or the effects of trade competition.
5. The specific provisions of the proposal that my submission relates to are set out in the table below and any provision that affects development and activities at 30 Benmore Cres. Broadly, we seek that the PDP provisions only allow development and land use activities at 30 Benmore Cres that complement our existing residential neighbourhood. 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.
6. We wish to be heard in support of our submission.
7. If others make a similar submission, we will consider presenting a joint case with them at the hearing.
8. The association was established to represent shared community interests arising from concerns about development at 30 Benmore Cres. Residents are particularly concerned the PDP may allow for land use development and activities that result in incompatible and inappropriate adverse effects on the existing residential community, including industrial and waste management related activities. Residents are disappointed that the local RMA planning framework, including the ODP provisions, has allowed numerous piecemeal resource consents to be approved for 30 Benmore Cres that has enabled considerable adverse effects to occur on our community. This continues to lead to adverse social impacts on the local community. The association acknowledges that some type of urban development may be appropriate at 30 Benmore Cres if it is planned in a coordinated way with the community involved.

Decisions Requested

| # | Chapter | Provision | Position | Reasons | Relief sought |
|----|--------------------------------|----------------------------|-------------------------------------|---|--|
| 1. | ALL CHAPTERS | ALL PROVISIONS | Support each provision as notified. | The association is interested in all provisions that will or may affect the Haywards and Manor Park Community, particularly provisions relating to 30 Benmore Cres and surrounds. | Retain all provisions as notified, except as sought to be amended in this submission. |
| 2. | Strategic Direction Objectives | UDSD-O2 or a new Objective | Oppose | The strategic objectives do not provide a specific outcome about ensuring existing residential areas are protected from incompatible activities nearby. It is appropriate, in some locations such as Manor Park, for residential character to be protected from nearby land uses that adversely affect an existing community. | Protect existing residential communities from incompatible land use and development. |
| 3. | Maps | Natural Hazard Mapping | Oppose | The natural hazard maps, namely the flood hazard management overlay affecting 30 Benmore Cres, is not accurate given the significant earthworks undertaken at this property. | Amend the natural hazard overlay to more accurately reflect the natural hazards affecting 30 Benmore Cres, namely natural hazard risk. |

| # | Chapter | Provision | Position | Reasons | Relief sought |
|----|---------------|--|----------|--|---|
| 4. | Maps | Mapping of 30 Benmore Cres Legal Description SEC 1 SO 49390 | Support | <p>We support retention of the existing rural general zoning, subject to amendments identified in this table below.</p> <p>We would also support an alternative zone, such as a new special purpose zone, that:</p> <ul style="list-style-type: none"> • promotes the retention and enhancement of natural character, open space, and recreation values • contemplates residential or mixed-use development provided such development and ongoing land use compliments the adjoining residential neighbourhood. <p>ODP provisions relating to cleanfill activities are inadequate.</p> | <p>Retain rural general zone for 30 Benmore Cres; or</p> <p>Rezone some or all of 30 Benmore Cres to a new bespoke zone, or multiple “split” zones that contemplate a mix of open space, rural-lifestyle, residential, and commercial mixed-use activities; and prohibits industrial or commercial waste management related activities, including recovery parks.</p> |
| 5. | Rural General | GRUZ-R16 | Oppose | The activity status for landfills and cleanfills should be non-complying | Amend the activity status for landfills and cleanfills to non-complying |
| 6. | Rural General | GRUZ-R17 | Oppose | The activity status for solid waste transfer stations should be non-complying. Also, it is unclear is meant by a “solid waste transfer station”. | Delete rule or amend the activity status for Solid Waste Transfer Stations to non-complying. |

| # | Chapter | Provision | Position | Reasons | Relief sought |
|----|--|------------|----------|---|---|
| 7. | Zone chapters applying to 30 Benmore Cres (if not Rural General) | Rules | Oppose | <p>Cleanfills, landfills and waste transfer stations are not compatible with nearby established residential activities.</p> <p>The activity status for cleanfills, landfills and solid waste transfer stations, located within 500m of a residential zone, should be non-complying.</p> | Classify cleanfills, landfills and solid waste transfer stations, located within 500m of a residential zone, non-complying. |
| 8. | Zone Chapters | New policy | Oppose | The PDP does not include any policy to provide explicit direction to avoid landfills, waste transfer stations, and waste recover park activities within 400m of an existing residential zone. | Introduce a new policy that directs prevention or avoidance of landfills, waste transfer stations, and waste recover park activities within 400m of an existing residential zone. |
| 9. | The Zone Chapter provisions that apply to 30 Benmore Cres | | | | <p>Insert a new policy as follows, or like:</p> <p>“Require activities to be compatible with residential activities within adjoining Residential Zones”</p> |

| # | Chapter | Provision | Position | Reasons | Relief sought |
|---------|-------------------|--------------------|----------|--|---|
| 10 . | Noise & Vibration | NOISE-R1, R2, R5 | Oppose | Recent experience has demonstrated that the permitted noise construction / noise standards set out in the Operative District Plan (which appear to be 'rolled over' into the PDP) are not satisfactory, and do not implement the relevant objectives and policies. | <p>Amend the noise and vibration rules and standards so that:</p> <p>Use of heavy vehicles / machinery should include a standard that ensures noise and vibration is monitored on the site boundary, with HCC being able to require results of the monitoring at its discretion.</p> <p>Vibration is not discernible on any residential land outside the subject development site.</p> <p>Any discernible vibration on land outside the subject development site is a discretionary activity.</p> |
| 11 . | Definitions | Temporary Activity | Oppose | Construction activities, or at least some construction activities (for example that result in vibration effects) should not be classified as 'temporary activity'. | Amend definition to exclude 'construction activities' from being captured in the definition of 'temporary activity'. |

