

RMA Form 5

Submission on publicly notified proposed district plan

Clause 6 of Schedule 1, Resource Management Act 1991

Privacy Statement

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If your submission does not include your name and an address for service, it will be rejected.

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To: Chief Executive, Hutt City Council

Via email to district.plan@huttcity.govt.nz.

1. This is a submission from GO architecture ltd c/- Paula Clarke on the Proposed Lower Hutt District Plan 2025.
2. My email address for service is paula@go-arch.co.nz
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 do 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

My company works with many homeowners, predominantly seeking to undertake renovation work to their residential properties throughout Te Awa Kairangi. We also work with property owners seeking to construct a new home on their property.

We see issues where the District Plan may lead to excessive bureaucratic costs in relation to the scale and type of work being undertaken and we seek to ensure that the District Plan provides a reasonable balance between protecting the environment, without creating excessive costs to owners who would be better spending the money on ensuring their homes are healthy and well built.

It is important to us that the rules are clear and easy to interpret as we need to ensure we provide accurate advice early on in a project.

We also follow best practice design approaches and have to make our designs buildable and in accordance with Building Code requirements. We see where various District Plans can have perverse outcomes for the quality of housing that is ultimately provided, and we seek to minimise these in the proposed District Plan.

Additionally, we look for areas that may cause confusion where there are different approaches in different parts of the plan or from different councils or the Government. Where there is complexity and arbitrary difference, this may lead to confusion and a high chance of people inadvertently undertaking work that they should not.

The District Plan should seek to avoid these issues and to play a positive part in providing high quality housing including the ability for normal homeowners to understand and abide by the rules, without being unexpectedly caught out.

The changes highlighted below all relate to these themes as outlined above and seek to reduce perverse outcomes, minimise unnecessary applications and enable homeowners to have a good quality overall outcome that does not negatively impact the environment or their neighbours.

Decisions Requested

#	Chapter	Provision	Position	Reasons	Relief sought
1	INTERPRETATION Definitions	Building Footprint	Support with amendment	<p>The definition of a building footprint includes the area of all eaves. This is a different way of measuring the footprint than the historical norm (Pre MDRS). This definition encourages poor house design in regards to protection from the weather and from overheating that is provided for by eaves on a roof. This will lead to more leaky buildings and buildings that overheat.</p> <p>The consequences of the definitions in the district plan need to be taken into account for the long term health of the residents of Hutt City. This has also had the effect of making some of the existing site coverage provisions more restrictive than they were previously as the definition of a building footprint has changed.</p>	<p>The definition should be updated to add in the line:</p> <p>This excludes up to 0.6m of eaves measured from the outside edge of the spouting.</p>
2	INTERPRETATION Definitions	Earthworks	Support with amendment	<p>I do not think that the definition for earthworks is clear enough particularly in defining the difference between 'gardening' and other earthworks.</p>	<p>As this makes the difference between requiring resource consent or not, in some cases there should be a clear line between what would be considered a raised garden bed that is permitted versus a garden retaining wall that would require a consent. This could be in the form of a maximum height, or a requirement for it to only contain fill with no cut or a similar method to ensure there is a clear definition that can be relied upon.</p>

#	Chapter	Provision	Position	Reasons	Relief sought
3	INTERPRETATION Definitions	Minor Earthworks	Support with amendment	Gardening and garden beds should be added to the definition of minor earthworks –	E.g. raised garden beds of up to 500mm in height, with no alteration to the underlying ground.
4	District Wide Matters ENERGY, INFRASTRUCTURE AND TRANSPORT Three Waters	Throughout	Support with amendments	<p>I support the approach to ensure management of stormwater throughout Te Awa Kairangi, however, I note there is reference to specific versions of current documents as written by Greater Wellington Regional Council and Wellington Water.</p> <p>I acknowledge this is important as it needs to be clear what would be compliant, however this does mean that if new approaches are approved by these other bodies then these would not be able to be used in the future without applying for a resource consent.</p> <p>I appreciate the hyper links to the documents, this is very helpful and user friendly. It would be good to also have a link that goes to the website from which these documents are sourced however.</p>	Amend the references to these documents to say in accordance with xxx document dated xxx, or in accordance with any additional approved methods that may be added in subsequent revisions of these documents. For example, if Wellington water added an 'approved method #5' then this would be able to be used without needing to seek a resource consent – BUT if the documents are amended to reduce or restrict the baseline rules then these restrictions would not apply as there needs to be certainty that the approved documents may be used.
5	District Wide Matters ENERGY, INFRASTRUCTURE AND TRANSPORT Transport	Table 4: Design requirements for driveways: Seal	Support with correction	Typo where it says "there" it should read "where"	Correct the typo

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6	District Wide Matters ENERGY, INFRASTRUCTURE AND TRANSPORT Transport	Table 5: Design requiremen ts for motor vehicle parking	Support in part	<p>There is an existing NZ standard that provides clear requirements for driveways and parking bays.</p> <p>For what reason does the District Plan need to re-write the standard – why does it not just refer to compliance with the NZ Standard 2890.1?</p> <p>As designers we need to comply with the standard as well as the district plan – so it creates duplicate work and risk of error where we are trying to use two different sets of rules for one design – this adds unnecessary cost and complexity to design.</p>	<p>The section should refer to the existing NZ standard for all parking requirements that are already contained in the standard – or list it and specify that it matches the standard.</p> <p>This is important for costs and complexities that are unnecessary and end up borne by the property owners.</p>

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7	District Wide Matters HAZARDS AND RISKS Natural Hazards	Natural Hazard Overlay risk ranking table respective Hazard	Support with amendment	<p>The table lists the hazard ranking for “each of the natural hazards addressed in the Natural Hazard Chapter” it lists “stream corridor” as high, “overland flowpath” as medium and “inundation area” as low.</p> <p>Further on it does not refer to stream corridors, overland flow paths or inundation areas at all. It just refers to high, medium or low flood hazards. The Maps also only refer to high, medium or low flood hazards.</p> <p>A property I was reviewing on Williams grove is marked as a “high flood hazard” however this does not appear to correlate to a stream corridor nor to an overland flow path, this is merely a deep inundation area according to the updated WW maps.</p> <p>In some areas there is a correlation with flows and the high flood hazard zone, but there are many areas through the valley which appear to simply be inundation areas. There appears to be a discrepancy between the description of what a high flood hazard is and what the table says.</p>	<p>The table explaining the hazards of the flooding should be re-written to correctly reflect the actual overlays that are used in the map and to have the same language as the map in order to avoid any confusion.</p> <p>All the overlay names should be listed in the table.</p>

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8	District Wide Matters HAZARDS AND RISKS Natural Hazards Natural Hazard Fault location area	NH-P6 NH-R2	Support with amendment	P6 is at odds with NH-R2 which allows for 25sqm to be added, with no mention of the 20m requirement.	Amend provision (for example only): Provide for additions to existing buildings and structures for activities potentially sensitive to natural hazards and activities most sensitive to natural hazards within the poorly constrained, uncertain constrained, well-defined or well-defined extension areas where: <ul style="list-style-type: none"> a. They do not increase the risk to the occupants over the existing situation. <p>This appears to be the approach for the coastal hazards and could equally be applied here.</p>
9	District Wide Matters HAZARDS AND RISKS Natural Hazards	NH-R9	Support with amendment	This should enable people (as permitted) to make alterations to existing dwellings with limits to ensure that the existing risks are not increased Eg – not add additional residential units. Not add additional bedrooms Do allow for additional bathrooms, living rooms or garages. With a maximum floor area or % increase to the existing dwelling. As long as the extension would be the same floor level as existing or higher, and would have mitigation methods in place.	Amend provision (for example only): All zones: <ol style="list-style-type: none"> 1. Activity status permitted Where: <ul style="list-style-type: none"> a. The gross floor area of the addition is no more than 30sqm and b. The addition does not result in the establishment of a new residential activity on the ground floor or create additional bedrooms on the ground floor. <p>Or treat the same as the coastal hazards standards CE-R10 1. b.</p>

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10	District Wide Matters SUBDIVISION	Throughout	Support with amendments	<p>I support the approach to ensure management of stormwater throughout Te Awa Kairangi, however, I note there is reference to specific versions of current documents as written by Greater Wellington Regional Council and Wellington Water.</p> <p>I acknowledge this is important as it needs to be clear what version would be compliant, however, this does mean that if new approaches are approved by these other bodies then these would not be able to be used in the future without applying for a resource consent. I appreciate the hyperlinks to the documents, this is very helpful and user friendly. It would be good to also have a link that goes to the website from which these documents are sourced however.</p>	<p>Amend the references to these documents to say in accordance with xxx document dated xxx, or in accordance with any additional approved methods that may be added in subsequent revisions of these documents.</p> <p>For example, if Wellington water added an 'approved method #5' then this would be able to be used without needing to seek a resource consent – BUT if the documents are amended to reduce or restrict the baseline rules then these restrictions would not apply as there needs to be certainty that the approved documents may be used.</p>
11	GENERAL DISTRICT WIDE MATTERS Earthworks	EW-P7	Support	<p>This is a good effective way to ensure earthworks are managed suitably across the district without capturing low risk scenarios. This is a good addition to the new plan.</p>	
12	GENERAL DISTRICT WIDE MATTERS Earthworks	EW-P8	Oppose	<p>This undoes the good work of adding the previous clause, and means that low risk earthworks will require a geotechnical assessment even when on an area of flat land.</p> <p>This is a particular issue in conjunction with a poor definition of earthworks as mentioned above and poorly worded standards.</p>	

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13	GENERAL DISTRICT WIDE MATTERS Earthworks	Rules and Standards Generally	Missing Information	<p>For sites the slope hazard overlay there appear to be no requirements for any earthworks other than to create a building footprint (EWR8). The wording of the standard EW-S3 states that a geotechnical assessment is required if the slope is over 34° etc – but not if it is within the slope assessment overlay. The wording would imply that EW-R3 is <u>not applicable</u> in the slope stability zone, rather than not achieved. I do not think this is the intention.</p> <p>There is no equivalent standard stating what the requirements are for earthworks within the slope assessment overlay.</p> <p>By my reading a site in the overlay would comply with EW-R2 if it is not creating a building platform as item EW-S3 says it does not apply. However, policy indicates this is likely not the intention.</p> <p>There should not be a requirement for a geotechnical assessment generally, it should be limited to high-risk earthworks even within this zone. Having a rule that ensures that the tops or bottoms of existing slopes are not undermined is sensible, but having an arbitrary overriding rule that requires expensive paperwork for no added benefit is not. As an example, my property is in this overlay, there is a flat area that measures approx 44xm x 32m and it would be a waste of time and money to require both a geotechnical report and a resource consent in order to build a raised garden bed in the middle of this flat area.</p>	<p>The wording of EW-S3 needs to be reviewed or a new standard added:</p> <p>Existing slope angle, where outside the Slope Assessment Overlay:</p> <p>Earthworks must not be undertaken on land with an existing slope angle of 34 degrees or greater, where the 34 degree slope angle is sustained over a distance of at least 3m, measured horizontally.</p> <p>Unless: The area is within the Slope assessment overlay and is not for a building footprint. In which case Earthworks must not be undertaken without a geotechnical report, unless the earthworks are on an area with a slope less than 10° for more than 5m measured horizontally and not within 3m of any slopes of 34 degrees or greater.</p> <p>Improve the definition of earthworks to exclude raised garden beds up to 0.5m high where there is no cutting to the existing ground contours or loading on existing sloping ground.</p>

#	Chapter	Provision	Position	Reasons	Relief sought
14	Part 3 – Area Specific Matters – Zones Large Lot Residential Zone	LLRZ-S1	Support with amendment	A minor Dwelling should be defined as less than 70sqm so that it aligns to the Central government rules for minor dwellings that do not require building consent. Or if that is not something that suits Hutt then 65sqm so that it matches the Auckland definition of a minor dwelling. This ensures that people can purchase buildings marketed as minor dwellings and not get caught out by not understanding that it varies around the country.	For the purpose of this standard, a minor residential unit is a residential unit with a gross floor area of 60 70m ² or less.
15	Part 3 – Area Specific Matters – Zones Large Lot Residential Zone	LLRZ-S2	Support with amendment	The site coverage areas should not include decks that are less than 1m in height. The current rule at 500mm is problematic as when designing for flooding, floor levels can be higher than this, or when designing with timber piles for resilience or to match existing houses with timber flooring. 1m is more appropriate and is not a height that gives any perception of being built up when seen from other sites. This is an ongoing issue and a common rule that people unknowingly breach when building a low-level deck. 1m is more appropriate. If 1m is not palatable then it should absolutely not be less than 600mm which would suit standard existing timber constructed houses.	1 does not apply to: a. Decks less than 500mm 1m in height , Or 1 does not apply to: a. Decks less than 500mm 600mm in height ,
16	Part 3 – Area Specific Matters – Zones Large Lot Residential Zone	LLRZ-S5	Support with amendment	As above the site coverage areas should not include decks that are less than 1m in height. If 1m is not palatable then it should absolutely not be less than 600mm which would suit standard timber constructed houses.	This standard does not apply to: b. Decks less than 500mm 1m in height , Or This standard does not apply to: a. Decks less than 500mm 600mm in height ,

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17	Part 3 – Area Specific Matters – Zones Medium Density Residential Zone	MRZ-S2	Support with amendment	As above the site coverage areas should not include decks that are less than 1m in height. If 1m is not palatable then it should absolutely not be less than 600mm which would suit standard timber constructed houses.	1 does not apply to: a. Decks less than 500mm 1m in height , Or 1 does not apply to: b. Decks less than 500mm 600mm in height ,
18	Part 3 – Area Specific Matters – Zones Medium Density Residential Zone	MRZ-S5	Support with amendment	As above the site coverage areas should not include decks that are less than 1m in height. If 1m is not palatable then it should absolutely not be less than 600mm which would suit standard timber constructed houses.	This standard does not apply to: a. Decks less than 500mm 1m in height , Or This standard does not apply to: Decks less than 500mm 600mm in height ,
19	Part 3 – Area Specific Matters – Zones Medium Density Residential Zone	MRZ-S10	Support with amendment	There is a requirement for a minimum of 20% of street facing façade to be in glazing. This rule is non-sensical when applied to many situations that are not new townhouses – which is the lens with which this rule was written. There should be a limit on this to be within X number of metres from the road boundary. It makes no sense if a house is 20m away from the boundary or is up a cliff from the boundary and still requires the glazing – especially if that face were south facing. This limits housing design and inhibits ensuring healthy homes designed to suit the sun. This should only apply to houses close to the road and visible from the road (visible assuming no fences or trees). There should be consideration to the orientation of the road and whether this leads to large amounts of glazing on a south facing wall.	Limit the application of this rule to facades within 5m of the road boundary and visible due to the topography (or potentially visible) from the roadway. Make it 10% or 15% for facades that face south or within 45° of south. Make this not apply to alterations to existing buildings that already have less than 20% glazing facing the road. Allow for existing buildings to have the same percentage as the existing glazing percentage.

#	Chapter	Provision	Position	Reasons	Relief sought
20	Part 3 – Area Specific Matters – Zones High Density Residential Zone	HRZ-S2	Support with amendment	Why does High Density residential only allow for 3 units on site which is the same as medium density? It should allow for more units on site to be able to make use of the more lenient bulk provisions.	Allow for more than 3 residential units on site.
21	Part 3 – Area Specific Matters – Zones High Density Residential Zone	HRZ-S2	Support with amendment	As above the site coverage areas should not include decks that are less than 1m in height. If 1m is not palatable then it should absolutely not be less than 600mm which would suit standard timber constructed houses.	1 does not apply to: b. Decks less than 500mm 1m in height, Or 1 does not apply to: c. Decks less than 500mm 600mm in height,
22	Part 3 – Area Specific Matters – Zones High Density Residential Zone	HRZ-S5	Support with amendment	As above the site coverage areas should not include decks that are less than 1m in height. If 1m is not palatable then it should absolutely not be less than 600mm which would suit standard timber constructed houses.	This standard does not apply to: b. Decks less than 500mm 1m in height, Or This standard does not apply to: Decks less than 500mm 600mm in height,
23	Part 3 – Area Specific Matters – Zones High Density Residential Zone	HRZ-S8	Support with amendment	The rules are essentially the same as medium density, they should be somewhat more lenient to really allow for the higher density. Outdoor living space minimum dimensions should be measured with a circle with a minimum diameter, rather than a straight minimum dimension, this enables good quality outdoor living, but provides some flexibility in design.	a. Where located at ground level, has no dimension less than 3 metres , can contain a circle with a diameter of at least 3m. Or: can contain two circles with a diameter of at least 3m and that do not overlap.

#	Chapter	Provision	Position	Reasons	Relief sought
24	Part 3 – Area Specific Matters – Zones High Density Residential Zone	HRZ-S10	Support with amendment	As above.	Limit the application of this rule to facades within 10m of the road boundary and visible due to the topography (or potentially visible) from the roadway. Make it 10% or 15% for facades that face south or within 45° of south. Make this not apply to alterations to existing buildings that already have less than 20% glazing facing the road. Allow for existing buildings to have the same percentage as the existing glazing percentage.
25	Part 3 – Area Specific Matters – Zones General Rural Zone	GRUZ-R6	Support with amendment	A minor Dwelling should be defined as less than 70sqm so that it aligns to the Central government rules for minor dwellings that do not require building consent. Also, so that it matches the rule for Large lot (with my proposed amendment) this is to keep rules simpler, easy to remember and less likely for people to make mistakes. Consistency is important. Also this requirement is found in a different location for rural compared to Large lot residential – one of them should be moved for consistency.	The <u>gross floor area</u> of a <u>minor residential unit</u> does not exceed 80 70m ² . This should not be in the “rules” it should be in the “standards” so that it is consistent with this same requirement in the large lot chapter.

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26	Part 3 – Area Specific Matters – Zones General Rural Zone	GRUZ-S1	Support with amendment	<p>This rule limits the total area of all residential buildings to 400sqm.</p> <p>You are permitted to have 2 principal dwellings + 1 at (I'll say 70sqm) = 330sqm for principal dwellings = 115sqm per principal dwelling.</p> <p>This seems quite restrictive for principal dwellings, especially where it is likely that 40sqm of that is garaging.</p> <p>I note that this is the same limit in the rural lifestyle zone, but in that zone it covers 1 principal and 1 minor dwelling which allows for over 300sqm principal dwelling.</p> <p>This area should be increased to a minimum of 500sqm, or ideally 600sqm.</p>	<p>Gross floor area must not exceed:</p> <p>1. A combined total of 400600m² for all residential buildings and structures on the site, and</p>
27	Part 3 – Area Specific Matters – Zones Rural Lifestyle Zone	RLZ-R6	Support with amendment	<p>A minor Dwelling should be defined as less than 70sqm so that it aligns to the Central government rules for minor dwellings that do not require building consent.</p> <p>Also, so that it matches the rule for Large lot (with my proposed amendment) this is to keep rules simpler, easy to remember and less likely for people to make mistakes.</p> <p>Consistency is important.</p> <p>Also, this requirement is found in a different location for rural lifestyle compared to Large lot residential – one of them should be moved for consistency.</p>	<p>The <u>gross floor area</u> of a <u>minor residential unit</u> does not exceed 8070m².</p> <p>This should not be in the “rules” it should be in the “standards” so that it is consistent with this same requirement in the large lot chapter.</p>

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28	Part 3 – Area Specific Matters – Zones Commercial and Mixed use zones City Centre Zone	CCZ-R4	Support with amendment	<p>This states that the activity is permitted where:</p> <p>“The alterations or additions are not visible from public spaces.”</p> <p>This implies that internal renovations to a shop would not be permitted as they would be visible from the footpath. The definitions do not help to constrain this interpretation.</p>	This exclusion should be better worded to ensure that it does not encompass a wider range of activities than intended.
29	Part 3 – Area Specific Matters – Zones Metropolitan Centre Zone	MCZ-S9	Support with amendment	As above outdoor living space minimum dimensions should be measured with a circle with a minimum diameter, rather than a straight minimum dimension, this enables good quality outdoor living, but provides some flexibility in design.	Have a private outdoor living space at ground level with an area of at least 20m ² with a minimum dimension of 3m, which can contain a circle with a diameter of at least 3m.
30	Part 3 – Area Specific Matters – Zones Local Centre Zone	LCZ-S9	Support with amendment	As above outdoor living space minimum dimensions should be measured with a circle with a minimum diameter, rather than a straight minimum dimension, this enables good quality outdoor living, but provides some flexibility in design.	Have a private outdoor living space at ground level with an area of at least 20m ² with a minimum dimension of 3m, which can contain a circle with a diameter of at least 3m.
31	Part 3 – Area Specific Matters – Zones Neighbourhood Centre Zone	NCZ-S9	Support with amendment	As above outdoor living space minimum dimensions should be measured with a circle with a minimum diameter, rather than a straight minimum dimension, this enables good quality outdoor living, but provides some flexibility in design.	Have a private outdoor living space at ground level with an area of at least 20m ² with a minimum dimension of 3m, which can contain a circle with a diameter of at least 3m.

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32	Part 3 – Area Specific Matters – Zones Mixed use Zone	MUZ-S5	Support with amendment	As above outdoor living space minimum dimensions should be measured with a circle with a minimum diameter, rather than a straight minimum dimension, this enables good quality outdoor living, but provides some flexibility in design.	Have a private outdoor living space at ground level with an area of at least 20m ² with a minimum dimension of 3m, which can contain a circle with a diameter of at least 3m.
33	Part 3 – Area Specific Matters – Zones Special Purpose Zones Hospital Zone	HOSZ-S1	Support with amendment	<p>This states that: “Building and structure coverage must not exceed 50%.”</p> <p>Structures are defined as: “any building, equipment, device, or other facility, made by people and which is fixed to land; and includes any raft.”</p> <p>This would imply that any boardwalks, public seating, wheel stops, sand pits etc would all count towards site coverage.</p>	There should be an exclusion for structures that are lower than a certain height.