

Submission on proposed Lower Hutt District Plan

To: Chief Executive, Hutt City Council

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

1. This is a submission from PF Shaw and PA Guest on the Proposed Lower Hutt District Plan 2025 (PDP).
2. Our e-mail address for service is guest.shaw@gmail.com.
3. We could not gain an advantage in trade competition through this submission.
4. The provisions of the proposal that our submission relates to, our submission on those provisions, and the decisions we seek are set out below. We also seek all further, alternative, necessary, or consequential relief as may be necessary to fully achieve the relief sought in this submission.
5. We wish to be heard in support of my submission.
6. If others make a similar submission, we will consider presenting a joint case with them at the hearing.

Background

7. In 2020 we submitted on Plan Change 53 (PC53) to the operative Lower Hutt District Plan (operative LHDP) that was proposed to enable subdivision of several properties neighbouring our own property in Stratton St, Normandale. Our submission sought to ensure that any development provided for by the plan change would result in good quality environmental and social outcomes. In particular, we sought conditions to protect areas identified as having, or potentially having, significant indigenous vegetation and significant habitats of indigenous fauna, including a number of tributary streams to the Korokoro Stream, in accordance with s6(c) of the Resource Management Act and Policy 24 of the operative Regional Policy Statement for the Wellington Region.
8. We also sought a limit on the number of new lots to be enabled, due to concerns for safety because of the nature of the local road.
9. Similar concerns were raised and relief requested by several other parties.
10. The Independent Hearing Panel (IHP) for PC53 agreed with these concerns and recommended a number of bespoke conditions be added to the operative LHDP including:
 - a. limiting development yield per lot, and a requirement to consider effects on transport network where these standards are infringed;
 - b. the introduction of “No-development areas”, based on surveyed significant natural areas, and natural waterbodies.

- c. a new set of site-specific standards to the Standards and Terms for Allotment Design in 11.2.2.1 of the District Plan that specify standards relating to minimum size of allotment, minimum frontage, shape factor, number of allotments, access, no-development areas and 'other'; and
- d. a suite of new rules and standards to give effect to the above.

Concerns with the PDP

11. We are concerned that the provisions added to the operative LHDP have not been carried over into the PDP and that the PDP has no alternative provisions to protect significant natural areas already identified and protected by provisions in the operative LHDP. This concern is not limited to the significant natural areas identified as a result of PC53, as the operative LHDP has a schedule of other sites identified as having significant indigenous vegetation. While we are aware that the HCC intends to address their obligations under RMA s6 through a future plan change, we are most concerned that there is likely to be a gap in protection while this work is being promulgated.
12. The provisions recommended by the IHP on PC53 and incorporated into the operative LHDP were the result of significant input from submitters, the IHP and the requestors themselves, who supported the amendments to the operative LHDP and went to considerable expense to contract specialist ecologists to carry out ecological assessments to inform the hearing process.

Relief Sought

13. We request that the PDP retain the current protections as listed below. Namely:
 - a. provide protection for areas identified in the operative LHDP as having significant indigenous vegetation or significant habitats for indigenous fauna; and
 - b. limit development yield as a result of specific recommendations resulting from a plan change process, in particular those specified as a result of PC53.
14. Alternatively, we would support alternative PDP provisions if they provide the same level of protection as that sought in 13. above.

Yours sincerely

PF Shaw and PA Guest