

Instructions for using this template

Submissions on the proposed Lower Hutt District Plan must meet the requirements of Form 5 in the Resource Management (Forms, Fees, and Procedure) Regulations 2003. **You do not need to use this template to meet those requirements, but doing so will make it easier to meet all the legal requirements for a valid submission, and help you write a clear and effective submission.**

Instructions for using the template are highlighted in yellow, like this, and should be deleted before sending in your submission. Text you should replace with information relevant to you is in **green**. Any text that is not highlighted must not be altered.

If you want more information about making a submission or the district plan process, you can contact Council's planning team by email at district.plan@huttcity.govt.nz, by phone on 04-570-7426 (9am-5pm on working days). For advice on how to make a submission, contact the independent Friend of Submitters Emily Bayliss at fos@baylissconsulting.co.nz or 021 0843 5559.

Once you have finished writing your submission, make sure there is no green highlighted text left, delete the instructions highlighted in yellow, and email your document in Word or PDF format to district.plan@huttcity.govt.nz by **5pm, 4 April 2025**. Please note that your email address will be made public. You may also want to provide a phone number in the body of your email so Council staff can contact you quickly if there are any issues – unless you request it, this will not be made public.

To make an effective submission:

- If there are parts of the plan you support, say so – other people may submit against them and if you haven't said you support parts of the plan, your voice will not be heard.
- If you think that parts of the plan should be removed or changed, or new provisions added, say why and in what way. The clearest way to ask for changes is to quote the objective, policy, rule, or other provision you want changed, with additions underlined and deletions ~~struck through~~. For changes to maps, be clear about the relevant sites by using street addresses or providing a map.
- Include any maps, diagrams, expert evidence, photographs, or other material you wish to use that supports your submission. If you appear at the hearing, you will have the opportunity to provide additional supporting information.
- Be clear about what decisions you want Council to make about what's in the District Plan and be as specific as possible. Vague requests are usually not effective.

You should NOT:

- Include personal, political, or defamatory remarks about Council, Council staff, other submitters, or members of the public, or use offensive language.
- Include any information you do not want made public (apart from the legal requirement to include your name and an email or postal address for contact).

- Ask for the Council to make decisions that aren't about the content of the District Plan. The panel considering submissions does not have powers to make any decision except about the content of the district plan.
- Raise the issue of your business being affected by competition from a competitor. This is not a valid social or environmental concern and your submission may not be accepted. You could also face legal issues and costs (including damages for loss suffered) if it is proven in court that you have lodged a submission purely on anti-competitive commercial grounds. However, you can raise the issue of your ability to operate a business being reduced by a direct environmental effect, if these issues are relevant and do not relate to trade competition.

Submissions that are frivolous, vexatious, use offensive language, or are an abuse of process can be struck out by the Council. This would result in your submission not being considered further and limit or remove your ability to appear at the hearing or participate further in the process.

The Ministry for the Environment has more information about how to make an effective submission at <https://environment.govt.nz/assets/Publications/Files/3.2-making-a-submission.pdf>.

RMA Form 5

Submission on publicly notified proposed district plan

Clause 6 of Schedule 1, Resource Management Act 1991

Privacy Statement

Your submission must include your name, and an address for service (preferably email, but you can use a postal address). All information you include in this submission, including your name and address for service, will be provided to other submitters and published on Hutt City Council's website. Paper copies may also be made available. Hutt City Council is required to collect and publish this information to carry out its functions under the Resource Management Act 1991 and to enable others to take part in the district plan process. The Council, other submitters, and the Environment Court may need to contact you during this process.

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

While the Council will retain all information provided in your submission in secure council systems, all contact details will be removed from any documents published on Council's website once the district plan process is complete. However, your name and the contents of your submission will still appear in these documents.

You have the right to ask for a copy of any personal information we hold about you, and to ask for it to be corrected if you think it is wrong. If you'd like to ask for a copy of your information, or to have it corrected, please contact us at contact@huttcity.govt.nz, call 04-570-6666, or write to us at Private Bag 31912, Lower Hutt 5040.

To: Chief Executive, Hutt City Council

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

1. This is a submission from DAVE AND MICHAELA O'DONOVAN on the Proposed Lower Hutt District Plan 2025.
2. My email address for service is mod59mod@gmail.com
3. I could not gain an advantage in trade competition through this submission.
4. I am not 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, 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.
6. I do not wish to be heard in support of my submission.
7. If others make a similar submission, I will not consider presenting a joint case with them at the hearing.

Introduction

Decisions Requested

Hazard Identification Maps

1. Tsunami

The hazard map with the District Plan shows a large area of Petone as tsunami high risk. This is a relative high risk when considering the rest of the Hutt Valley. This area however is not high risk though when compared to other parts of NZ. This is because the likelihood of a tsunami being exactly oriented to enter through the Wgtn harbour heads and reach Petone is very low. Areas of the north island on both the east and west coasts (Wairarapa, Hawkes Bay, Kāpiti and the Wellington south coast) have similar earthquake probability that could result in a tsunami but much higher “high risk” as their coasts are exposed.

Action: Classify tsunami risk based on both earthquake probability and also orientation/ location of earthquake. This would see all of the Hutt Valley Tsunami Risk except Eastbourne being lowered. Definition of high or medium risk should be on the NZ wide scale. (I believe this could be easily done).

2. Flooding

Most of the residential areas between Jackson St and the Esplanade are categorised as high risk flooding. This classification anticipates sea level rise, the ground water level rising and therefore a reduction in the effectiveness of the current stormwater system. As HCC advised today they recognise this issue and the stormwater upgrade along the Esplanade currently planned will provision for the future pump stations to maintain the stormwater system effectiveness. This future provision will obviously be initiated when it is judged the current system is compromised.

The current classification should recognise that a solution to the future risk is known and able to be implemented. This therefore reduces the relative risk.

Action: Reduce flooding risk to medium. Note long -time residents have said these areas have never flooded.

District Plan Classifications – Residential Housing

3. High Density Residential Housing Designation- Petone

The District Plan shows that all the current residential streets between Jackson St and the Esplanade are zoned for High Density residential. This classification is a misleading anomaly when the HCC own plans show all these same areas are High Risk flooding, liquefaction and tsunami zones. While the HCC needs to consider and abide by current legislation, the hazard identification classification is ample reason to designate these areas as low/ medium density areas. The HCC is misleading everyone (developers, owners etc) by showing these areas as high density residential. Similar areas in Chch were classified as “red zones” after the earthquake and now have zero housing density.

Action: Reclassify these areas as low density housing. NOTE ALWAYS THAT ANYONE CAN PROPOSE A HIGHER DENSITY DEVELOPMENT IN THIS AREA BUT THEY WOULD BE OBLIGATED TO SHOW HOW THEY CAN MANAGE CURRENT AND FUTURE HAZARDS.

