

SUBMISSION ON
HUTT CITY COUNCIL - PROPOSED DISTRICT PLAN

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

Submission on: Proposed Lower Hutt District Plan 2025

Name of Submitter: **Urban Plus Limited**

Address for Service (preferred): Ashley.Carter@urbanplus.co.nz
Kerry@uep.co.nz

- This is a submission by Urban Plus Limited (UPL) concerning the Proposed District Plan as notified by Hutt City Council on 6 February 2025.
- The specific provision of the Proposed District Plan that this submission relates to is the proposed zoning of the site at 308-310 Waiwhetu Road as Local Centre Zone within the Active Street Frontage Overlay - B.
- Urban Plus Limited could not gain an advantage in trade competition through this submission.
- Urban Plus Limited wishes to be heard in support of this submission and will consider presenting a joint case if others make a similar submission.
- **Urban Plus Limited seeks the zoning of the site at 308-310 Waiwhetu Road as Mixed Use Zone and removal of the Active Street Frontage Overlay. Changes are also requested to the provisions of the Mixed Use Zone and Signage Chapters.**

SITE CONTEXT

This submission relates to the site at 308-310 Waiwhetu Road, Fairfield.

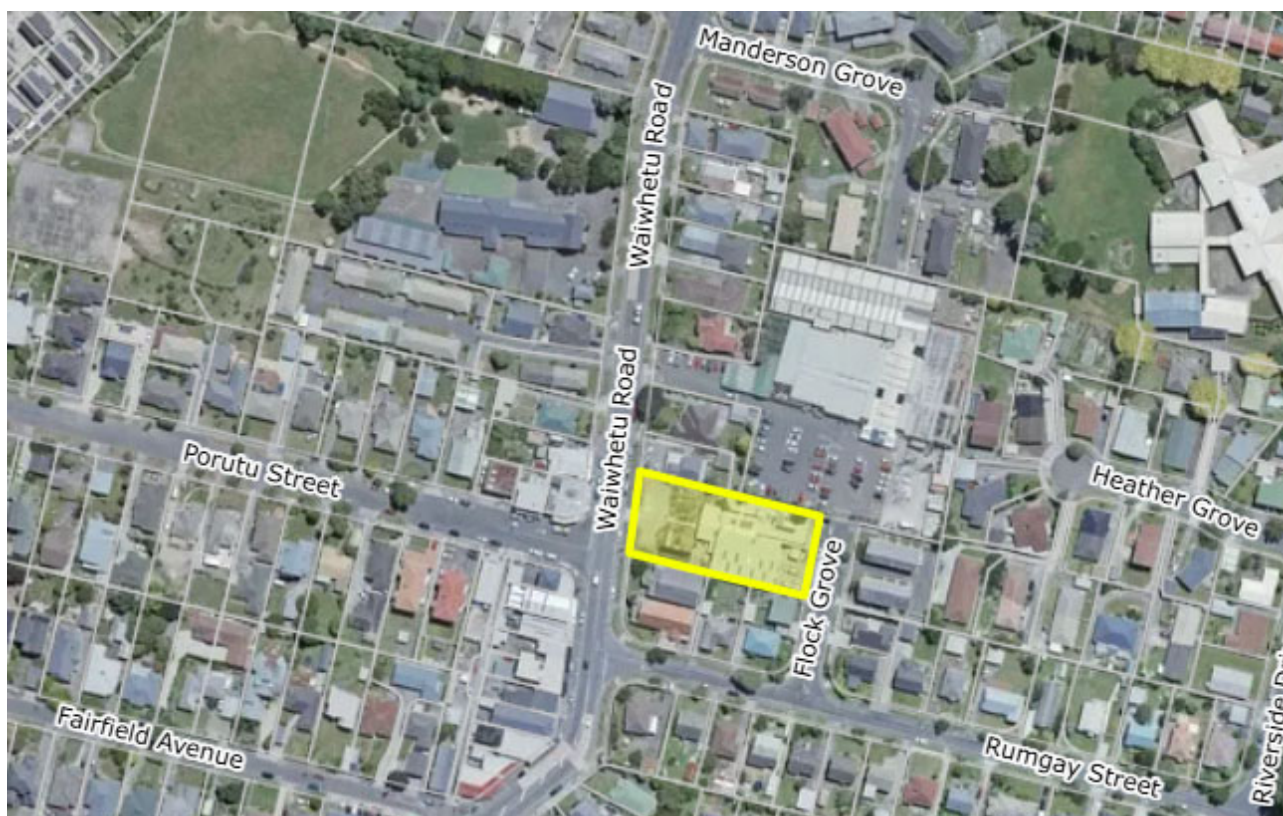


Figure 1: 308-310 Waiwhetu Road, Fairfield, outlined in yellow (Source: GRIP)

The site can be described as follows:

Address	308-310 Waiwhetu Road, Fairfield
Size	2,194m ²
Title	WN539/235
Parcel ID	3765521
Legal description	Lot 3 Deposited Plan 14090
Location	The site is located to the east of Waiwhetu Road. The property abuts residential land and retail activity to the north, as well as a church and residential activity to the south. The Fairfield shops are immediately opposite the site, extending to the north and south along Waiwhetu Road. Epuni School and Kindergarten are located to the north-west of the site, and Epuni Train Station is approximately 600m away. The remaining land is primarily utilised for residential purposes.
Operative DP Zoning	Suburban Mixed Use Activity Area
Operative DP Overlays	<ul style="list-style-type: none"> 22m Height Control Overlay Flood Hazard Overlay – Flood Inundation (Non-relevant Zone)
Proposed DP Zoning	Local Centre Zone
Proposed DP Overlays	<ul style="list-style-type: none"> Active Street Frontage Overlay - B

Current Use and Development	<p>The subject site is utilised by Common Unity as a community facility. Resource consent obtained for the site in 2017 (RM170287) permits a range of activities:</p> <ul style="list-style-type: none"> ▪ Beehive manufacture and storage ▪ A community sewing enterprise ▪ Greenhouse and tiny house construction ▪ Recycling and storage of bikes ▪ Administration offices ▪ Community seminars; and ▪ A commercial kitchen. <p>The commercial kitchen is used for production of school meals, a catering business, cooking workshops and skills development, and a café.</p> <p>The site includes a large industrial-style building, two carpark areas (to the Waiwhetu Road and Flock Grove frontages, respectively) and hosts the commercial kitchen within a container building onsite.</p>
Surrounding Area	<p>The surrounding area supports a variety of activities including:</p> <ul style="list-style-type: none"> ▪ Residential sites abut a portion of the northern and southern boundaries and are located on the opposite (eastern) side of Flock Grove, and are the predominant land use in the wider area. ▪ A church abuts the southern site boundary. ▪ To the north is a large property utilised for retail purposes (California Gardens, being a plant nursery, café, and retail space). ▪ The Fairfield shops extend north and south along Waiwhetu Road, opposite the subject site. ▪ Epuni School and Kindergarten are located to the north-west of the site. ▪ Epuni Train Station is approximately 600m away. ▪ Further east are the hills that separate the Hutt Valley floor from Wainuiomata. <p>Current Zoning</p> <ul style="list-style-type: none"> ▪ Those properties containing the Fairfield shops are zoned Suburban Mixed Use and are subject to a 22m height limit. ▪ The majority of surrounding land is zoned as Medium Density or High Density Residential, including the California Gardens site to the north. ▪ A designation applies over the Epuni Primary School site (EDUC 34) and the property contains an Historic Place. ▪ The wider Fairfield area is subject to extensive Flood Hazard Overlays, with a mix of Inundation, Overland Flowpath, and Stream Corridor extents. ▪ The eastern hills are located within the Passive Recreation Zone are subject to a number of Significant Natural Areas (SNR:12 being the closest). <p>Proposed Zoning</p> <ul style="list-style-type: none"> ▪ Those properties containing the Fairfield shops are zoned Local Centre Zone and are subject to the Active Street Frontage Overlay - B. ▪ Land immediate to the north (including residential sites and the California Gardens property) are within the Mixed Use Zone. ▪ Land immediately to the south, including the church at 304-306 Waiwhetu Road, is zoned High Density Residential Zone.

- Nearby residential sites are generally zoned for High Density or Medium Density Residential activity.
- A designation applies over the Epuni Primary School site (MEDU-31) and the property contains a Heritage Area and Notable Tree.
- A site to the north-east is proposed to be designated MCHI-01, for the Epuni Residential Centre.
- The wider Fairfield area is subject to extensive Flood Hazard Overlays (Low, Medium and High).
- The Liquefaction Hazard Overlay applies to sites further east and west of the subject site.
- The eastern hills would be within the Natural Open Space Zone.

PLANNING CONTEXT

Operative District Plan

Under the Operative District Plan the site at 308-310 Waiwhetu Road is within the Suburban Mixed Use Activity Area (SMUAA) and benefits from a 22m Height Control Overlay. The site is also marginally affected by the Flood Hazard – Inundation Overlay. No other precincts, notations or overlays apply.

The Suburban Mixed Use Activity Area applies to limited portions of Lower Hutt's commercial land. It pertains to land that serves the local convenience needs of surrounding residential areas, and seeks to foster local retail, commercial and community use with residential activity above the ground floor. Suburban Mixed Use areas are intended to complement the city centre and Petone metropolitan centres, with varied height and density controls reflecting their proximity to rapid transit stops or larger commercial areas. Notably, the 22m Height Control Overlays identifies 308-310 Waiwhetu Road as being suitable for more intensive development due to proximity to local shops, community facilities, and the Epuni Train Station.

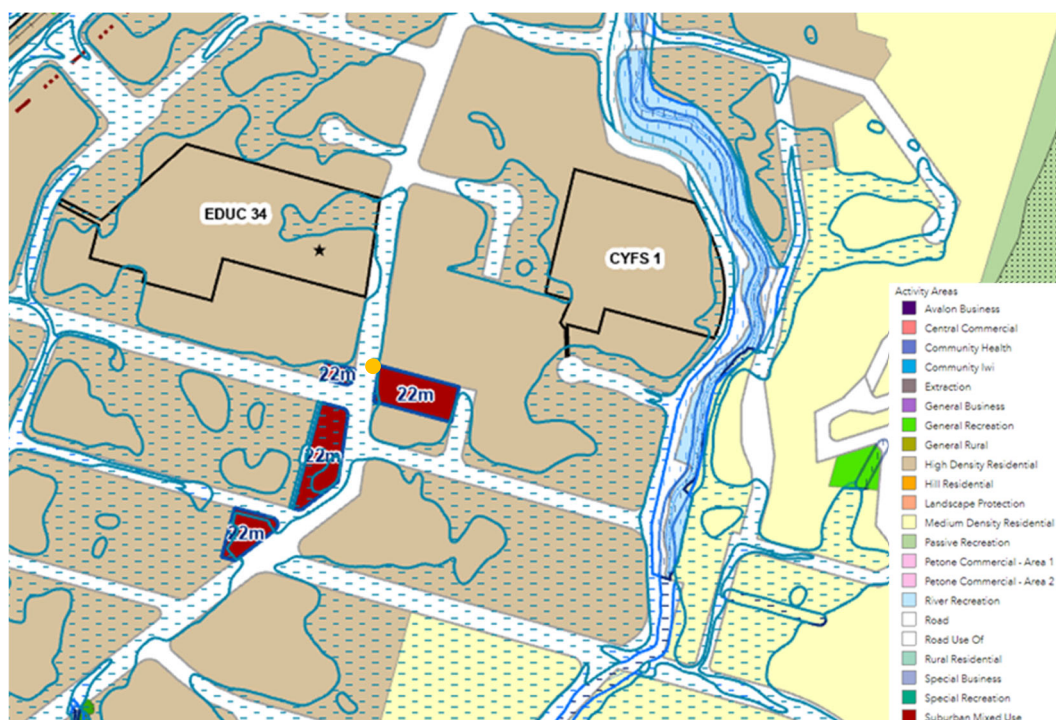


Figure 2: ODP Zones; subject site marked with orange dot (Source: HCC GIS Viewer)

The Inundation Area overlay identifies land subject to flooding during a 1% AEP event, plus 1m sea level). It is classified as a “Low” hazard risk under the Operative District Plan. New buildings, residential, commercial and retail activities are permitted within the Inundation Area overlay provided minimum floor levels are satisfied.

Proposed District Plan

The Proposed District Plan (PDP) seeks the zoning of the site at 308-310 Waiwhetu Road as Local Centre Zone and introduces an Active Street Frontage – B Overlay along the Waiwhetu Road boundary.

Local Centre Zone

The Local Centre Zone is proposed as the ‘third tier’ of the commercial centres hierarchy, behind the City Centre and Metropolitan Centre Zones. This zone is proposed to apply to medium and large suburban focuses of commercial and community activity, creating a high density commercial centre. The zone provides predominantly for commercial and community activities such as health care and visitor accommodation, food and beverage activities, grocery stores (up to 1,500m²), and other commercial, retail and carparking activities. Residential activity is also permitted – including Retirement Villages and Residential Care Facilities – but is foreseen by the PDP as generally occurring above ground level or to the rear of a site (noting the Active Street Frontage Overlay on the site).

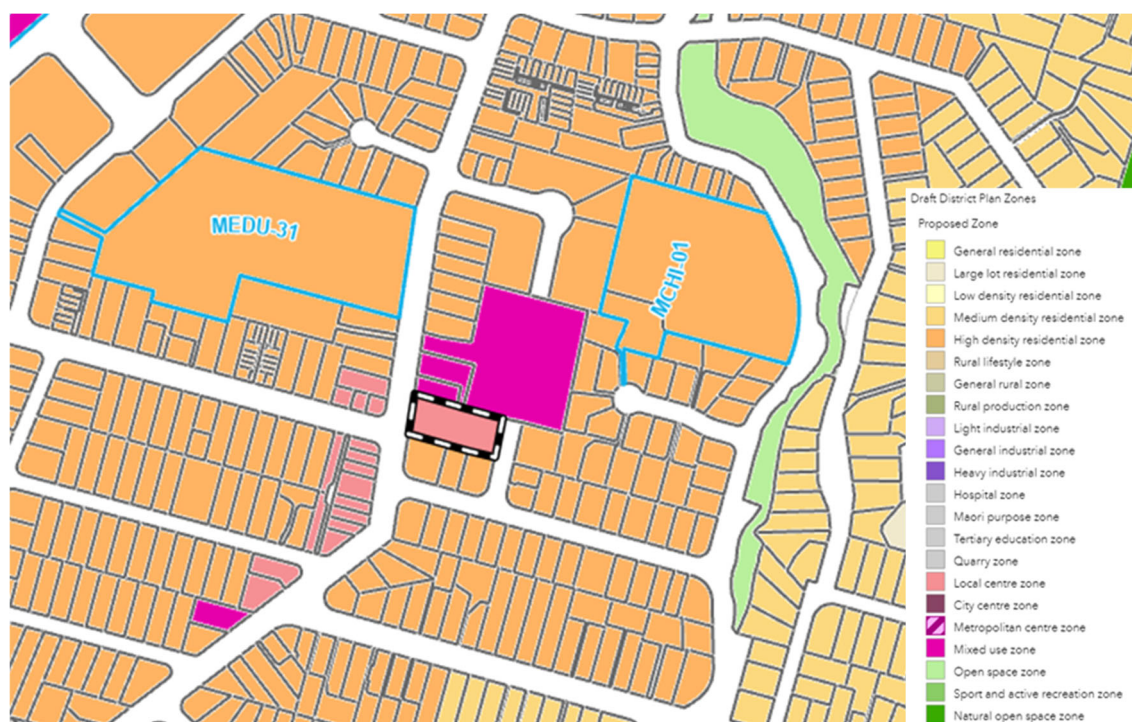


Figure 3: PDP Zones; site identified by black and white surround (Source: HCC Proposed District Plan Viewer)

The planned urban built environment within the Local Centre Zone is proposed to allow intensive development forms, with a high concentration of building densities, provision of an active frontage (where identified in the PDP) and enabling building height up to at least six stories.

Active Street Frontage Overlay – B

The Active Street Frontage Overlay – B is proposed to foster pedestrian-focused environments by:

- Providing continuous areas that promote visual connection between the street and public realm, benefit from passive surveillance, and provide a sheltered pedestrian environment.
- For an Active Street Frontage Overlay - B, rules are proposed to:
 - ♦ Limit setbacks from the Active Street Frontage, control types of activity that occur at/near the frontage, regulate façade detailing, glazing, and principal site entry points for pedestrians, require verandah installation; and
 - ♦ Impose limits on increases in onsite parking or building form unless vehicle crossings over the identified Active Street Frontage is removed, as well as controlling the location and design of carparking on sites subject to the overlay.

Non-compliance with the relevant standards typically escalates to a Restricted Discretionary or Discretionary activity status. However, carparking activities escalate to Non-complying where they require a vehicle crossing over an Active Street Frontage Overlay B.

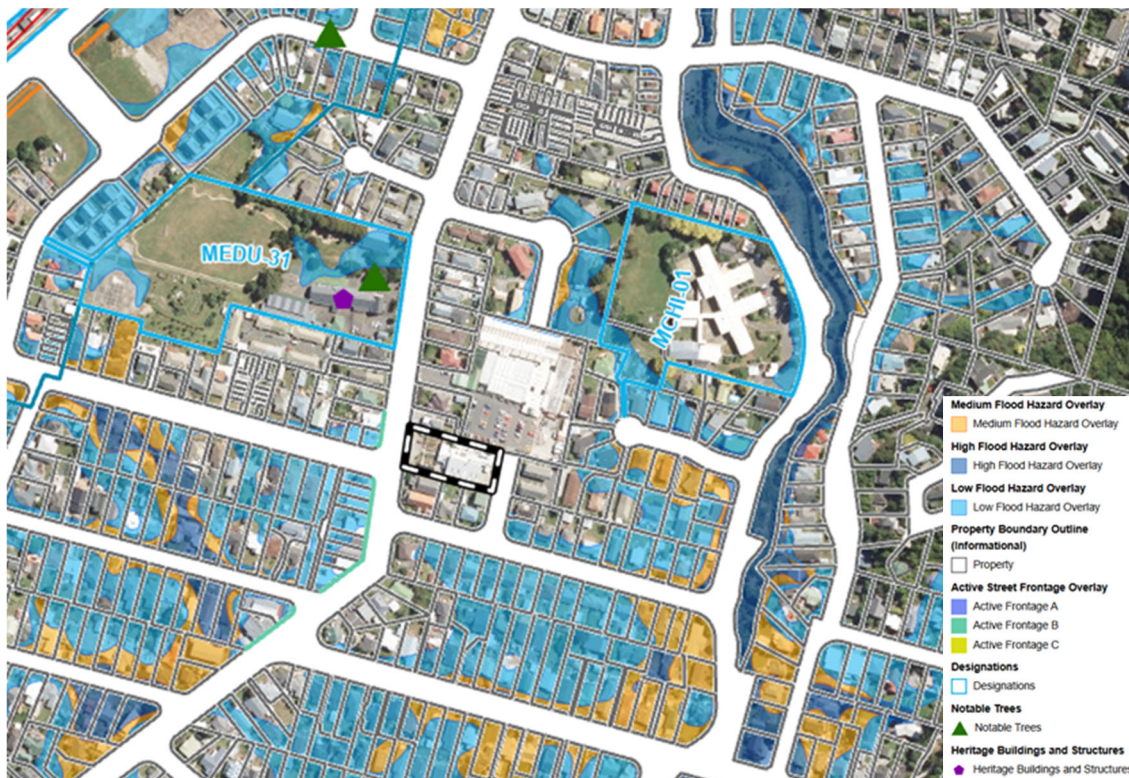


Figure 4: PDP Overlays; site identified by black and white surround (Source: HCC Proposed District Plan Viewer)

SUBMISSION

Submission

This submission opposes the proposed zoning of the site at 308-310 Waiwhetu Road within the Local Centre Zone and requests the zoning as Mixed Use Zone. This submission also opposes application of the Active Frontage Overlay – B along the western boundary of 308-310 Waiwhetu Road.

Zoning

Under the Proposed District Plan, 308-310 Waiwhetu Road is located within the Local Centre Zone (LCZ). The application site is presently located within with Suburban Mixed Use Activity Area which has primarily translated to inclusion of sites within the Local Centre and Neighbourhood Centre Zones under the PDP¹. The Council's s32 report notes that there is no direct parallel between the operative plan and the proposed Mixed Use Zone (MUZ). However, the MUZ is intended to *"provide for more flexible land use in well-connected areas or areas that form a spatial transition or are in transition over time, where this can serve local needs. It also applies to some sites such as community facilities or with other unusual site-specific issues"*². By contrast, the proposed LCZ applies to *"major suburban commercial centres [...] These are well-established commercial areas at the heart of local communities"*³.

The MUZ and the outcomes it seeks to achieve are more appropriate for the subject site, as:

- 308-310 Waiwhetu Road is physically separated from any other proposed LCZ land. It is the only parcel near the Fairfield shops within the proposed Local Centre Zone that is located on the eastern side of Waiwhetu Road. The application site does not form part of a cohesive cluster of commercial buildings or activities; the Fairfield shops are concentrated in a continuous band along the western side of the road carriageway.
- The abutting properties at 312-316 Waiwhetu Road fall within the proposed Mixed Use Zone. Rezoning 308-310 Waiwhetu Road to the MUZ would be consistent with the adjacent zoning and anticipated range of activities and planned urban built form of the area.
- The subject property is utilised by 'The Remakery' and hosts a unique mix of business and community activity. The MUZ provisions are explicitly designed to apply to sites with unique facilities as discussed in the chapter introduction and Council's s32 report. Community facilities and small scale retail, commercial and light manufacturing activities are provided for as a Permitted activity through the rules of the MUZ chapter, and are well aligned with those activities already occurring onsite.
- Application of the MUZ would be well aligned with and provide for the future development goals and ambitions for the site. It would more readily allow the site to be utilised for non-residential and/or residential purposes than the provisions of the LCZ chapter. Given site's position on the fringe of a small commercial centre, the range of activities enabled under the MUZ would enable the ongoing, efficient use of land and provide for future use and development, regardless of whether the Fairfield centre grows or shrinks.

¹ Section 32 Evaluation: Commercial and Mixed Use Zones, prepared by Hutt City Council.

² Section 32 Evaluation: Commercial and Mixed Use Zones, section 2.1, paragraph 11; prepared by Hutt City Council.

³ Section 32 Evaluation: Commercial and Mixed Use Zones, section 2.1, paragraph 9; prepared by Hutt City Council.

Active Street Frontage Overlay

The proposed Active Street Frontage Overlay (ASF Overlay) is intended to promote a pedestrian-focused environment within commercial centres throughout Lower Hutt. Application of the ASF Overlay to the subject site is not considered appropriate.

308-310 Waiwhetu Road is the only parcel subject to the ASF Overlay on the eastern side of Waiwhetu Road; this is true both in proximity to the Fairfield shops and along the full length of the road. The site has a modest frontage (approximately 31m), and abuts land proposed to be within the High Density Residential and Mixed Use Zones where the ASF Overlay does not apply. Thus, inclusion within the ASF Overlay will not result in the creation of a continuous, sheltered frontage as sought by the proposed District Plan provisions. Application of the ASF overlay could result in an inconsistent built form within 308-310 Waiwhetu Road that undermines the development grain along the eastern side of Waiwhetu Road and places additional restrictions on the site for limited public benefit.

Furthermore, should the site be rezoned to MUZ as requested, retaining the ASF Overlay onsite would be inconsistent with:

- The Proposed District Plan provisions (noting this overlay does not apply in the MUZ); and
- The approach taken to the immediately abutting land at 312, 314 and 316 Waiwhetu Road.

For the reasons given above, it is requested that the ASF overlay is removed from 308-310 Waiwhetu Road regardless of the final zoning of the land.

Proposed District Plan Provisions

Consideration has also been had to specifics of the Mixed Use Zone provisions. Changes are sought to these and are outlined in more detail in **Appendix 1** to this submission.

In summary, changes are proposed to the MUZ Chapter to:

- Clarify the purpose, planned urban built environment and character of the zone.
- Enhance consistency with the National Planning Standards.
- Refine the objectives and policies for clarity of direction.
- Adjust activity status and seek to increase the limits on the size of activities within the MUZ to achieve greater consistency between the MUZ provisions, and with the Neighbourhood Centre Zone.
- Provide for a degree of carparking in conjunction with non-residential activities and activity that requires vehicle movements, noting that such activities are actively discouraged in all other Commercial zones and are thus poorly provided for.

Additionally, changes are sought to the Signage chapter to better align with the mixed use nature of activities and high degree of community facilities, light industrial, retail and commercial operations enabled on MUZ land.

Conclusion

For the reasons outlined above Urban Plus Limited opposes the proposed zoning of the site as Local Centre Zone and seeks the zoning as Mixed Use Zone. The application of the Active Street Frontages Overlay to the site is also opposed and it is sought that the Active Street Frontages Overlay be removed from the site. Further amendments are sought to the provisions of the Mixed Use Zone and the Signs chapters of the Proposed District Plan, as outlined in Appendix 1.

DECISION SOUGHT

Urban Plus Limited seek the following decision from Council:

- **Zoning of the site at 308-310 Waiwhetu Road as Mixed Use Zone.**
- **Removal of the Active Street Frontage Overlay from the site.**
- **Amendments to the proposed provisions for the Mixed Use Zone and the Signs chapter as outlined in Appendix 1.**
- **Any consequential changes or alternative relief required to achieve the intended outcomes sought within this submission.**

<<CLIENT SIGNATURE>>

<<CLIENT NAME>>

Urban Plus Limited

<<DATE>>

Appendix 1 – Decisions Requested

MIXED USE ZONE

No.	PDP Provision	Position	Reasons	Relief Sought
MUZ General / Introduction				
01	States that the zone is intended to be <i>“flexible to a wide range of uses, while providing amenity values consistent with medium or high density mixed use urban development so that the area can adequately provide for residential activity or other sensitive activities.”</i>	Support intent	As discussed in relation to the objectives, policies and rules below, it is considered that neither flexibility in terms of land use controls nor provision of amenity suitable for residential activity can be achieved by the proposed provisions.	See other relief requested.
02	States <i>“land use control is flexible to a wide range of uses”</i> Looks to provide for <i>“commercial activities of a small or specialised nature, or that primarily serve their immediate surroundings”</i> Identifies the planned urban environment as being <i>“for any density and most formats of development”</i> .	Support with amendments Generally support the intent Wording needs refinement for clarity and consistency.	The stated aims of the zone are internally inconsistent. On the one hand, flexibility is sought, and any density and building formats will be provided for. On the other hand, commercial activity is limited to small, specialised activity or that with a highly localised catchment, and activities are limited to (generally) no more than 100-200m ² . It is unclear why the size of activities is controlled (e.g. 200m ² for food and beverage facilities), yet there is no equivalent control on the size of buildings. This raises the question of whether any size limit on activities should remain. Refer also to commentary on Rules, below. There is presently no clarity around the planned urban built environment or character of the zone. the anticipated character and built form of residential and non-residential activity should be individually clarified. Suggested wording:	Amend

No.	PDP Provision	Position	Reasons	Relief Sought
	But provides for building development that “with some exceptions, permit up to 100m ² or 200m ² for non-residential activities, and without a limit for residential and similar activities.”		<p><i>The planned urban environment for the Mixed Use Zone is for a mix of residential and non-residential activity, including commercial, community, light industrial, recreational and residential activity and other compatible activity. The combination and/or predominance of particular activities may vary significantly from place to place and over time, in response to market and community demand.</i></p> <p><i>Commercial, community and light industrial activities shall be of a small or specialised nature, or that primarily serve their immediate surroundings so as not to undermine the role of commercial centres in the City Centre Zone, Metropolitan Centre Zone, or Local Centre Zone. The Mixed Use Zone is not expected to be managed to support the role of the Neighbourhood Centre Zone. Significant vehicle-oriented businesses are not encouraged.</i></p> <p><i>Residential activity may be of medium or high density and may encompass a range of dwelling typologies and forms.</i></p> <p><i>While the planned urban environment is for smaller scale non-residential activity, and residential activity of varying density, a permissive framework for built development is proposed to ensure efficient use of land, to accommodate a mix of activities within a site, and to facilitate multiple smaller tenancies within a single building.</i></p>	
03	No mention of light industrial activity	Oppose	Without this reference, the introduction is not well aligned with the zone intention as prescribed by the National Planning Standards.	Request inclusion of reference to ‘ <i>light industrial activity</i> ’ within zone introduction.
04	The resource consent process enables the design and layout of development to be assessed, recognising that quality design is of the greatest importance in	Oppose	LCZ references are erroneous, as the chapter is for the MUZ.	Remove references to the Local Centre Zone in the introduction and replace with correct Mixed Use Zone.

No.	PDP Provision	Position	Reasons	Relief Sought
	commercial centres like the Local Centre Zone [...] While this chapter includes the core objectives, policies, and rules that apply to the Local Centre Zone [...]			
05	The intended outcomes for the zone where development or performance standards are not met include: <i>a. Achieve a high-quality built environment</i> [...] <i>c. Achieve high quality living environments</i>	Support intent	It is considered that the intended outcomes are not supported by the associated objectives, policies and rules framework; the proposed rules and standards do not lend themselves to achieving a “high quality” living environment.	See other relief.
MUZ Objectives				
06	MUZ-O1 – Purpose of the zone	Oppose	The stated purpose of the zone is unclear – seemingly, it is to provide for adaptation. That is not a definable, on-the-ground outcome that can be relied upon to inform development design or resource consent assessment.	Replace MUZ-O1 as follows: <i>MUZ-O1 – Purpose of the zone</i> <i><u>The Mixed Use Zone contributes to a well-functioning urban environment by accommodating a mix of residential and non-residential uses that support the social,</u></i>

No.	PDP Provision	Position	Reasons	Relief Sought
				<u>economic, and cultural wellbeing of people and communities in the surrounding area.</u>
07	MUZ-O2 – Activities in the zone	Support with amendments	<p>The objective reads as a policy and should be reworded for clarity.</p> <p>The points detailed at 1, 3, 4 and 5 could be integrated into the relevant policies if required.</p>	<p>Replace MUZ-O2 as follows:</p> <p><i>MUZ-O2 – Activities in the zone</i></p> <p><u>The Mixed Use Zone provides flexibility for any combination of commercial, community, light manufacturing and servicing, recreational, residential, and other compatible activities, while reflecting the Mixed Use Zone's role and function in relation to the hierarchy of centres.</u></p>
08	MUZ-O3 - Provision of commercial and community spaces and housing	Support intent	The stated intention of the objective to provide for a variety of types and sizes of non-residential tenancies is not well reflected in the rules, which set rather restrictive limits on the gross floor area of any such activity (generally not exceeding 200m ²). Refer to comment on rules below.	-
09	MUZ-O4 - Planned character and planned urban built environment of the zone	Support with amendments	<p>The objective reads as a policy and should be simplified.</p> <p>The balance of matters listed in proposed MUZ-O4 such as:</p> <ul style="list-style-type: none"> - Achieving desired urban design outcomes; - Taking advantage of and contributing positively to pedestrian and public spaces 	<p>Move the details of MUZ-O4 to the relevant policies and replace MUZ-O4 as follows:</p> <p><i>MUZ-O4 - Planned character urban built environment of the zone</i></p>

No.	PDP Provision	Position	Reasons	Relief Sought
			<ul style="list-style-type: none"> - Provision of outdoor living space - Accessibility, transportation, and connectivity - Integration with infrastructure; and - Provision for activities with co-location activities <p>should be addressed through the relevant policies.</p>	<p><u>The character and urban built form of the Mixed Use Zone is of a scale and quality that is compatible with the amenity level of medium to high density mixed use development. Built development is adequately serviced by network infrastructure or addresses any infrastructure constraints.</u></p>
MUZ Policies				
10	MUZ-P1 - Enabled activities	Support with amendments	Could be amended to include the identified parts of objective MUZ-O2 if required.	Amend / Simplify
11	MUZ-P2 – Potentially incompatible activities	Support with amendments	<p>The zone purpose is currently unclear.</p> <p>The ‘avoid’ direction of parts of this policy could be unintentionally prohibitive.</p> <p>The introduction for the chapter specifically notes that the MUZ is not expected to be managed to support the role of the Neighbourhood Centre zone, yet “commercial centres” as per the definitions does include the NCZ.</p> <p>The relevant rule MUS-R18 permits parking in relation to residential activity, yet the policy implies that <i>all</i> parking is potentially incompatible.</p> <p>Additionally, where can non-residential activities with visitor parking go if it is otherwise non-complying or prohibited within other commercial centres? This does not provide well for the likes of churches, libraries and community centres that tend to provide parking and are proposed to be captured under the Mixed Use Zone.</p> <p>Clauses 1.b) and 1.c) – support the intent, but the wider framework must clarify the zone’s planned purpose and planned character for this to be meaningful.</p>	Amend / Simplify

No.	PDP Provision	Position	Reasons	Relief Sought
			<p>Clause 1.g) – <i>avoid creating reverse sensitivity effects</i>. The clause should be amended to quantify the degree of reverse sensitivity to be avoided; or change to a ‘mitigate’ policy.</p> <p>Clause 1.g) – remove reference to “<i>commercial centres</i>” and specifically list City Centre, Metropolitan Centre and Local Centre Zones.</p> <p>Clause 2.a) – clarify to state “<i>Non-residential activities with visitor carparking</i>”</p>	
12	MUZ-P3 – Incompatible activities	Support with amendments	<p>There is no definition of what constitutes a “significant” amount of carparking. An activity could just as easily be considered “potentially incompatible” under MUZ-P2-2.a) and “incompatible” under MUZ-P3.</p> <p>There is no comparable rule escalation between ‘potentially incompatible’ and ‘incompatible’ carparking activity.</p> <p>There is no definition of “large”; assume meant to relate to offices over 100m² GFA being the ‘permitted’ threshold in Rule MUZ-R15.</p> <p>There are three activity statuses proposed for offices, yet policies only classify them as enabled or incompatible. Why are “large” offices not potentially compatible, which would translate well to the Restricted Discretionary activity status proposed? Refer also to comment on MUZ-R15.</p> <p>Clause 2.c) – clarify what a ‘significant’ amount of parking is.</p> <p>Clause 2.d) – Define what a “large” office is.</p>	Amend and simplify
13	MUZ-P4 – Existing activities	Oppose	Not necessary as existing use rights apply.	Delete
14	MUZ-P5 - Role in network of commercial and industrial areas	Oppose	It is unclear how the permitted activities that are of very limited size can have cumulative adverse effects on the public transport and transport network capacity and efficiency.	Amend
15	MUZ-P6 – Development Capacity - General	Oppose	The policy seeks to manage land in response to “ <i>changing and unpredictable needs</i> ”. The MUZ is intended to provide flexibility of use in response to changing needs, but as soon as a need is identified/a proposal is put forth, the market interests are known and inherently predictable.	Amend or delete

No.	PDP Provision	Position	Reasons	Relief Sought
16	MUZ-P7 to MUZ-P9	Support with amendments	<p>The proposed framework of Urban Design policies is overly detailed with lots of overlaps between policies. It is unclear what the different issues are that they are trying to manage. Rather than providing guidance they create confusion. This framework adds unnecessary complexity to the resource consent process.</p> <p>There is no need for three different policies to address urban design.</p> <p>There is no need for different urban design policies based on the size of activity.</p> <p>There is no need to introduce an urban design policy for built development that meets relevant standards – if it meets the standards it is permitted and does not require an assessment. If it does not meet the standards it is sufficient to have one policy that outlines the relevant urban design principles and outcomes independently of the size of the activity.</p> <p>It is unclear why built development for larger developments and potentially incompatible activities needs to be treated differently and requires a separate policy which covers pretty much the same or very similar issues.</p> <p>No support for the approach of a ‘negative’ policy that only identifies what can’t be considered.</p> <p>The Active Frontages Overlay is not applied to any Mixed Use Zone land, yet the policy refers to “Active Frontages”. It is unclear what this entails or what design outcomes are expected.</p> <p>It is unclear how vehicle parking and loading areas, accessways and garages can provide for “<i>pedestrian dignity</i>”.</p> <p>The chapter introduction speaks to achieving high quality built and living environments, yet MUZ-P7 clause 9 lists outdoor living standards as “or” requirements. In other words, the stated outcomes are optional if just one is achieved. This can result in poor urban design outcomes.</p>	Amend and simplify.
17	Other	Amend	Ensure the detail proposed to be removed from MUZ-O4 is sufficiently covered by amended policies.	

No.	PDP Provision	Position	Reasons	Relief Sought
MUZ Rules – Buildings and Structures				
18	MUZ-R1 – Repair and maintenance of buildings and structures MUZ-R3 - Construction of new buildings and structures and alterations and additions to existing buildings and structures	Support with amendments	Alterations to existing buildings should be included in MUZ-R1 rather than MUZ-R3. It would be useful to include a definition (or policy) for ‘alterations’ to clarify the context. Where alterations of existing buildings do not change the external building form (footprint, floor area and height) of the existing building they should be permitted and not subject to the listed standards.	Amend
MUZ Rules – Land Use Activities				
19	MUZ-R4 – Residential activities	Support with amendments	<p>The proposed rule does not differentiate between up to three and four or more residential units. The only relevant standards are Outdoor Living Space and Outlook. The rule framework for residential in the MUZ is therefore more permissive than the dedicated Medium and High Density Residential Zones. It is unclear how the extremely limited rules and standards can achieve the stated “high quality” outcomes anticipated for the zone.</p> <p>Distinguish between proposals for up to three (Permitted), or four or more residential units (Restricted Discretionary) to allow greater consideration of urban design outcomes where higher density is proposed.</p> <p>If the intent is to be more permissive than the Residential Zones, the threshold could sit at up to five (Permitted), or six or more residential units (Restricted Discretionary).</p>	Amend
20	MUZ-R5 – Retirement villages MUZ-R6 – Supported residential care facilities MUZ-R8 – Health care activities	Oppose	<p>MUZ-R5 and MUZ-R6 permits retirement villages and supported residential care facilities with no size restrictions and elevates to a Restricted Discretionary activity. However, health care activities are only permitted up to 200m² and elevate to Discretionary status. It is unclear why they are treated differently.</p> <p>There is no GFA limit within the Neighbourhood Centre Zone (NCZ). The same GFA threshold does not seem to apply in the NCZ which are much smaller areas. Removing the GFA limit is more aligned with other activities in the MUZ (such as retirement villages) and the approach taken within the NCZ.</p>	Amend

No.	PDP Provision	Position	Reasons	Relief Sought
			Align the approach taken between MUZ-R5 and -R6 with that taken to MUZ-R8 in terms of activity escalation.	
21	MUZ-R8 - Health care activities MUZ-R9 – Marae MUZ-R10 – Community facility MUZ-R11 – Educational facilities (including Kohanga Reo)	Oppose	<p>All rules have a maximum 200m² gross floor area before elevating to a Discretionary activity. These are all activities that have been included in (and maybe even targeted by) the MUZ zoning.</p> <p>The same GFA threshold does not seem to apply in the NCZ which are much smaller areas. Restricted Discretionary escalation is more appropriate, and more aligned with other activities in the MUZ (such as retirement villages) and the approach taken within the NCZ.</p> <p>The chapter introduction specifically notes the MUZ is not intended to protect the NCZ such that a lower limit on activity size is unnecessary.</p> <p>The maximum gross floor area control should be removed, and escalation limited to Restricted Discretionary.</p>	Amend
22	MUZ-R12 - Food and beverage activities	Oppose	<p>Consistency with other zones.</p> <p>The NCZ is generally smaller than the MUZ, yet permits such activities up to 300m². The chapter introduction specifically notes the MUZ is not intended to protect the NCZ such that a lower limit on activity size is unnecessary.</p> <p>The gross floor area for these activities should either be removed or increased to at least 300m².</p>	Amend
23	MUZ-R13 - Grocery stores and supermarkets	Oppose	<p>Consistency with other zones.</p> <p>The NCZ is generally smaller than the MUZ, yet permits grocery stores and supermarkets up to 1500m² beyond which activities escalate to Restricted Discretionary. The chapter introduction specifically notes the MUZ is not intended to protect the NCZ such that a lower limit on activity size is unnecessary.</p> <p>the limit on gross floor area as a permitted activity should be removed or increase to at least 1500m².</p> <p>The activity status should elevate to a Restricted Discretionary activity.</p>	Amend

No.	PDP Provision	Position	Reasons	Relief Sought
24	MUZ-R14 – Light Manufacturing and Servicing	Oppose	<p>Permitting light manufacturing and servicing only where it is not within 40m of a Residential Zone, Rural Zone or Marae Zone is inconsistent with the MUZ intent, noting that unlimited residential and marae activities are permitted within the zone itself.</p> <p>The permitted activity status that such activity cannot occur within 40m of a Residential Zone, Rural Zone or Marae Zone should be removed.</p>	Amend
25	MUZ-R15 - Standalone office activities	Oppose	<p>Requiring consent as a non-complying activity for standalone office activities in excess of 200m² is unduly onerous. Such activity could occur in the NCZ under NCZ-R11 as a permitted activity up to 300m² in size then escalates to a Discretionary activity. There is no reason why the MUZ provisions should not be the same.</p> <p>The gross floor area for these activities should either be removed or increased to at least 300m² and escalation should be limited to discretionary at most.</p> <p>It is unclear what effects this rule is trying to manage.</p>	Amend
26	MUZ-R16 - Commercial activities not otherwise provided for MUZ-R17 - Other activities not otherwise provided for	Oppose	<p>Consistency with other zones.</p> <p>The NCZ is generally smaller than the MUZ, yet permits such activities up to 300m².</p> <p>The chapter introduction specifically notes the MUZ is not intended to protect the NCZ such that a lower limit on activity size is unnecessary.</p> <p>The limit on permitted light manufacturing and servicing or any other commercial or other activity not otherwise provided for should be removed or increased to 300m².</p>	Amend
27	MUZ-R18 - Carparking activities	Oppose	<p>It is unclear what adverse effects this rule is trying to manage if, in theory a car parking building can be constructed as a permitted activity, however if any proposed parking is for non-residential purposes, consent is needed.</p> <p>The requirements of MUZ-S4 will effectively manage effects from parking. In particular the MUZ appears to specifically target activities such as churches, community facilities and the like that typically require a degree of onsite parking.</p>	Amend

No.	PDP Provision	Position	Reasons	Relief Sought
			<p>There is no specified trip generation threshold for sites in the MUZ under Rule TR-R3-1.b in the Transport Chapter.</p> <p>The provisions should be amended to enable a degree of parking in conjunction with non-residential activity, subject to compliance with MUZ-S4.</p>	
28	MUZ-R19 and MUZ-R24 - Emergency service facilities	Oppose	Both rules are for the same activity (Emergency service facilities) but apply a different activity status.	Delete MUZ-R24.
29	MUZ-R21 – Drive-through Activities MUZ-R22 – Service Stations	Oppose	<p>It is unclear why these activities are not provided for in the MUZ and where they are supposed to locate. All other Commercial zones introduce extensive Active Street Frontage requirements that clearly do not anticipate and provide for car focused activities.</p> <p>The activity status should be changed to Restricted Discretionary with relevant matters of discretion.</p>	Amend
MUZ Standards				
30	MUZ-S2 - Height in relation to boundary	Support with amendments	<p>Clauses 1.e) and 1.f) list exemptions from the height in relation to boundary control. It is unclear if the exemption only applies to the specific length of the boundary where there is a common wall or the adjoining building breaches the standard, or if the whole boundary is exempt.</p> <p>Provisions seems overly permissive. The MUZ provides for unlimited residential development but does not apply the same safeguards/standards as the residential zones.</p> <p>Change MUZ-S2-1.e and MUZ-S2-1.f:</p> <p><i>“Any”</i> should either be substituted for <i>“That”</i> if the exemption only applies to the length of wall or neighbouring non-compliance and not the whole boundary;</p> <p>OR</p> <p><i>“Any part of a boundary”</i> should be deleted in favour of <i>“Boundaries”</i> if the exemption applies the full length of the boundary.</p>	Amend

No.	PDP Provision	Position	Reasons	Relief Sought
			<p>Clause 1.f) exempts recession planes from applying where an adjacent building breaches the standard. This can be very hard to know, particularly if dealing with old buildings where Council has poor records, as may not have legal rights to enter and measure the building to determine if there is a breach.</p> <p>Clause 1.g) add “[...] provided these do not exceed the height in relation to boundary by more than 1m <u>measured vertically</u>”.</p> <p>Better align the recession plane control with the residential zones.</p>	
31	MUZ-S3 - Setbacks - Adjoining zones	Support with amendments	<p>The proposed wording is unclear and difficult to interpret. The recommended wording aligns with that used under MUZ-S2-1-e and is much clearer.</p> <p>Substitute MUZ-S3-2 with <i>“This standard does not apply to site boundaries where there is an existing or proposed common wall”</i>.</p>	Amend
32	MUZ-S4 - Location and design of carparking	Support with amendments	<p>The proposed wording implies that pedestrian access into a carpark from the street can only be via the vehicle crossing. Having a separate footpath could be a safer outcome and should be enabled.</p> <p>Additional direction is required in the rule, otherwise the planting may be positioned in an area where it does nothing to address the visual effects of the carpark itself.</p> <p>Clause MUZ-S4-3. Change to <i>“Parking areas must be designed so they can only be accessed by vehicles from a formed vehicle crossing.”</i>.</p> <p>Clause MUZ-S4-6. Clarify where the landscaping should be provided – <i>within or abutting, and visible from, the carparking or vehicle manoeuvre area</i>.</p>	Amend
33	Other	-	<p>The objectives and policies of the Mixed Use Zone have a focus on positive street frontages and passive surveillance benefits, yet there is no minimum glazing requirement (for residential and/or non-residential activities) to achieve this. When comparing a development proposal to a permitted baseline activity, there will then be extremely limited grounds to push for positive engagement at the street.</p> <p>The objectives and policies of the Mixed Use Zone speak to ensuring onsite landscaping, yet there is no relevant standard (beyond landscaping within</p>	-

No.	PDP Provision	Position	Reasons	Relief Sought
			carparking areas) to achieve this. When comparing a development proposal to a permitted baseline activity, there will then be extremely limited grounds to push for landscaping outcomes.	

SIGNS

No.	PDP Provision	Position	Reason	Relief Sought
SIGN - Rules				
33	SIGN-R2 – Third-party advertising signs	Oppose	There is an inconsistent approach to setting the activity status. The Mixed Use Zone is grouped with Commercial activity under the National Planning Standards. Yet under SIGN-R2 and SIGN-R3 the MUZ has been bundled with the Residential and Open Space Zones as Non-Complying; this is overly restrictive. The activity status and public notification requirement should be reduced to reflect the Commercial classification of the site.	Reduce the activity status to Permitted from Non-Complying.
34	SIGN-R3 – Digital signs	Oppose		Reduce the activity status to Restricted Discretionary. Remove the requirement for public notification of digital signage within the Mixed Use Zone.
35	SIGN-S1 – Area of a Sign	Oppose	The MUZ is grouped with Commercial land classifications under the National Planning Standards and signage should be enabled in alignment with this. It is acknowledged that residential activity is permitted within the MUZ, however this is also true of other commercial zones (eg. NCZ, Local Centre Zone etc.); the MUZ approach should be aligned. Grouping the MUZ with the other Commercial Zones is consistent with the approaches taken under SIGN-S2, SIGN-S3 and SIGN-S5.	Shift Mixed Use Zone to be grouped with Commercial, Marae and Seaview Marina Zones.
36	SIGN-S4 – Height of freestanding of signs	Support with Amendment	Mixed Use Zone is listed twice against SIGN-S4-4	Remove repeated reference

SUBMISSION ON
HUTT CITY COUNCIL - PROPOSED DISTRICT PLAN

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

Submission on: Proposed Lower Hutt District Plan 2025

Name of Submitter: **Urban Plus Ltd**

Address for Service: Daniel.Moriarty@urbanplus.co.nz
Cc: Kerry@uep.co.nz

- This is a submission by Urban Plus Ltd (UPL) concerning the Proposed District Plan as notified by Hutt City Council on 6 February 2025.
- The specific provision of the Proposed District Plan that this submission relates to is the proposed zoning of the sites at 5 Colson Street (Colson Street Reserve), 12 Hollard Grove, 13-16 Hollard Grove, 17-20 Hollard Grove, 10-16 Colson Street, 16A Colson Street and 18-26A Colson Street in Avalon.
- Urban Plus Ltd could not gain an advantage in trade competition through this submission.
- Urban Plus Ltd wishes to be heard in support of this submission and will consider presenting a joint case if others make a similar submission.
- **Urban Plus Ltd seeks the rezoning of the sites at 5 Colson Street (Colson Street Reserve), 12 Hollard Grove, 13-16 Hollard Grove, 17-20 Hollard Grove, 10-16 Colson Street, 16A Colson Street and 18-26A Colson Street.**

SITE CONTEXT

This submission relates to the Colson Street Reserve at 5 Colson Street and the surrounding residential sites at 12 Hollard Grove, 13-16 Hollard Grove, 17-20 Hollard Grove, 10-16 Colson Street, 16A Colson Street and 18-26A Colson Street.



Figure 1: 5 Colson Street (Colson Street Reserve), 12 Hollard Grove, 13-16 Hollard Grove, 17-20 Hollard Grove, 10-16 Colson Street, 16A Colson Street and 18-26A Colson Street, Avalon (Source: GRIP)

The sites can be described as follows:

	Reserve	Residential
Address (Size)	5 Colson Street (4325m ²)	12 Hollard Grove (909m ²) 13-16 Hollard Grove (986m ²) 17-20 Hollard Grove (755m ²) 10-16 Colson Street (890m ²) 16A Colson Street (2,044m ²) 18-26A Colson Street (1,292m ²)
Title	WNB4/3	1185065 1185066 WN13D/977 WN13D/975 1185067 WN13D/974

Parcel ID	3753436	8646090 8646091 3981253 3932551 8646092 4043863
Legal description	Lot 82 DP 19516	Lot 1 DP 603827 Lot 2 DP 603827 Lot 75 DP19516 Lot 4 DP 34561 Lot 3 DP 603827 Lot 3 DP 34561
Operative DP Zoning	General Recreation Activity Area	High Density Residential Activity Area
Operative DP Overlays	<ul style="list-style-type: none"> Flood Hazard Overlay - Inundation (marginal) 	<ul style="list-style-type: none"> Flood Hazard Overlay - Inundation
Proposed DP Zoning	Open Space Zone	High Density Residential Zone
Proposed DP Overlays	<ul style="list-style-type: none"> Low Flood Hazard Overlay 	<ul style="list-style-type: none"> Low Flood Hazard Overlay Medium Flood Hazard Overlay (marginal)
Ownership, Current Use and Development	<ul style="list-style-type: none"> Owned by Hutt City Council Vested as Recreation Reserve (Colson Street Reserve) with access from Colson Street and Hollard Grove No built development on the site 	<ul style="list-style-type: none"> Owned by Urban Plus Ltd Currently developed for residential purpose at a low density level Subject to comprehensive redevelopment plans. Consent has been obtained (RM230246) for the construction of 18 apartments at 12 Hollard Grove.
Surrounding Area	<p>The site is surrounded by residential properties. The Naenae train station and Naenae commercial centre are in just over 500m away. Avalon Primary School, Naenae Intermediate School and Naenae College are also within walking distance.</p> <p>The surrounding residential areas are currently zoned as High Density Residential Activity Area and are proposed to retain their High Density Residential zoning under the Proposed District Plan.</p>	

PLANNING CONTEXT

Operative District Plan

Under the Operative District Plan the Colson Street Reserve is zoned as General Recreation Activity Area and the surrounding residential properties are zoned High Density Residential Activity Area. The reserve site and the surrounding properties are partially affected by the Flood Hazard Overlay – Inundation. No other overlays, precincts or notations apply to the site.

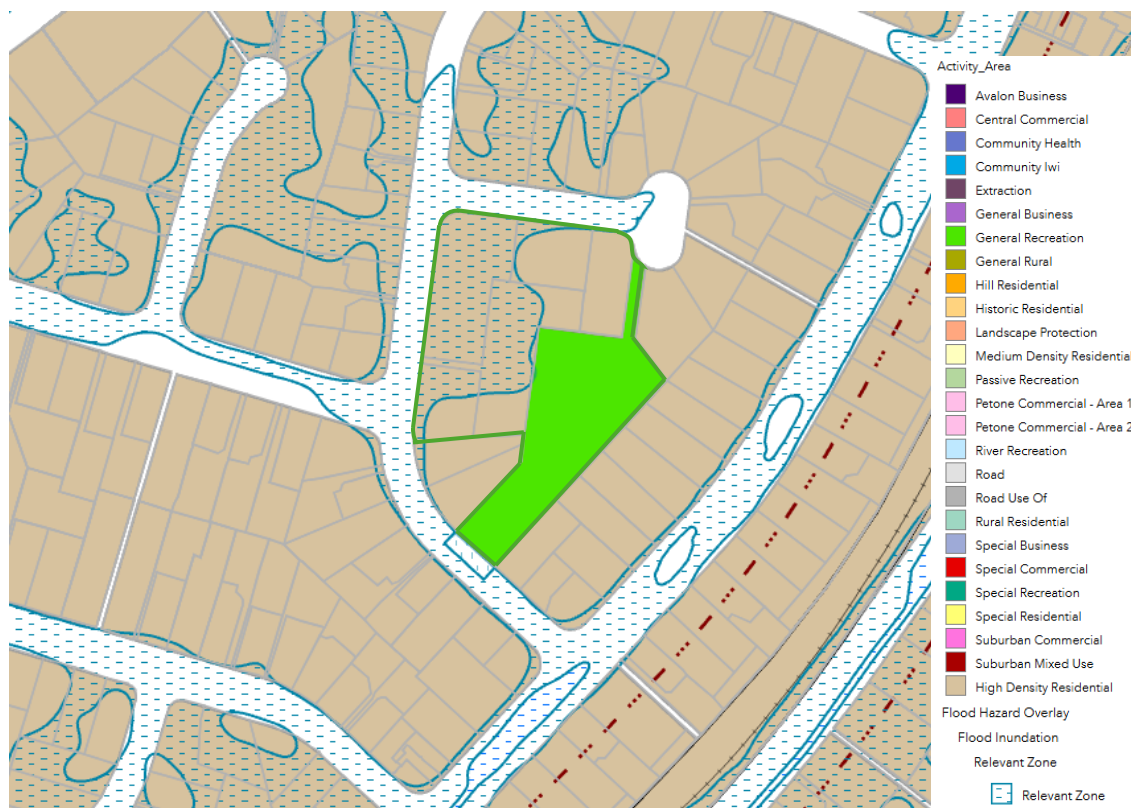


Figure 2: ODP Zones. Land to which the submission relates outlined in green (Source: HCC GIS Viewer)

General Recreation Activity Area

The current General Recreation zoning provides for a range of recreational activities from formal and active recreation to informal and passive recreational activities. The majority of land zoned General Recreation Activity Area is publicly owned. The operative provisions provide for limited built development for recreational and ancillary activities with controls on the size, scale, location and external appearance of buildings.

High Density Residential Activity Area

The current High Density Residential zoning provides for a variety of medium to high density residential development and anticipates a high density built form, including apartments and terraced housing. It provides primarily for residential activity, and compatible activity such as childcare services, visitor accommodation, health care services, and retirement villages.

Natural Hazards

The operative provisions relating to Natural Hazards take a risk-based approach and limit development where significant risks cannot be avoided or mitigated. Where residential additions or new residential dwellings or commercial or retail activities within buildings are proposed within the Flood Inundation Overlay, the District Plan requires the implementation of minimum floor levels. The rules thus have limited relevance within the General Recreation Activity Area, with greater implication for High Density Residential land.

Proposed District Plan

Under the Proposed District Plan the Colson Street Reserve at 5 Colson Street is zoned as Open Space Zone and is partially affected by the Low Flood Hazard Overlay. No other overlays, precincts or notations are proposed to apply to the site.

The residential properties directly abutting the site and in the wider area are all zoned High Density Residential Zone and are partially affected by the Low and Medium Flood Hazard Overlays.

Open Space Zone

The proposed Open Space Zone is usually applied to smaller parks in the urban area and the majority of sites zoned as open space are held in public ownership. The zone predominantly provides for informal recreation activities such as local parks, community facilities and playgrounds and envisages limited built development in support of these activities.

High Density Residential Zone

The High Density Residential Zone is mostly applied to residential areas that are well serviced by public transport, commercial centres and community facilities. It provides for medium to high density residential development and anticipates a high density built form, including apartments and terraced housing. While the High Density Residential Zone often applies to residential areas that are currently characterised by lower densities and standalone houses, the zone clearly anticipates the character of these neighbourhoods to change over time.

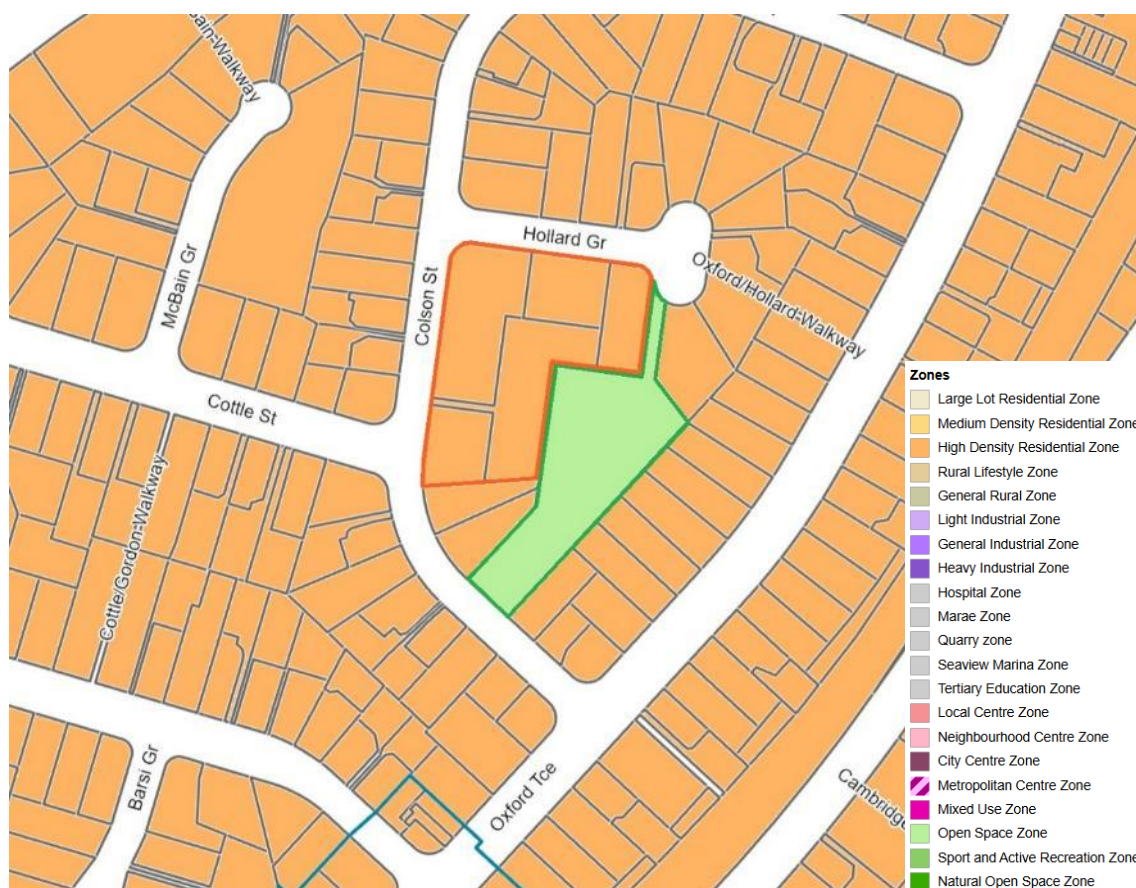


Figure 3: PDP Zones for submission properties. Colson Street Reserve, outlined in green, adjacent UPL land outlined in orange (Source: HCC Proposed District Plan Viewer)

Natural Hazards

The Natural Hazard provisions apply a risk-based approach that balances allowing people and communities to use their property and undertake activities, while also ensuring that lives or significant assets are not harmed or lost as a result of a natural hazard event. Within the Low Flood Hazard Overlay every new residential building must incorporate relevant mitigation measures and the finished floor levels must be above the 1% Annual Exceedance Probability flood levels. Within the Medium Flood Hazard Overlay, new buildings and structures or the conversion of existing buildings for residential use requires resource consent. The Natural Hazards provisions thus have greater implication for residentially zoned land.



Figure 4: PDP Overlays for submission properties. Colson Street Reserve, outlined in green, adjacent UPL land outlined in orange (Source: HCC Proposed District Plan Viewer)

Reserve Exchange

A reserve exchange process will be required to allow for any changes to the location and extent of the Colson Street Reserve. However, this process has not yet been started. The reserve exchange process would occur under the Reserves Act 1977 and/or the Conservation Act 1987 and be independent of this District Plan review process under the RMA.

SUBMISSION

This submission relates to the proposed zoning of the Colson Street Reserve at 5 Colson Street and the surrounding residential sites at 12 Hollard Grove, 13-16 Hollard Grove, 17-20 Hollard Grove, 10-16 Colson Street, 16A Colson Street and 18-26A Colson Street as proposed by the Proposed District Plan.

The site at 5 Colson Street is currently vested and used as Recreation Reserve (Colson Street Reserve) and proposed to be zoned as Open Space. There is no built development on the site. The surrounding sites at 12 Hollard Grove, 13-16 Hollard Grove, 17-20 Hollard Grove, 10-16 Colson Street, 16A Colson Street and 18-26A Colson Street are used for residential purposes and are proposed to be zoned as High Density Residential.

Background

Urban Plus Ltd (UPL) is a Hutt City Council owned property management and development company with a focus on social and public housing. UPL operates as a Council Controlled Organisation (CCO) under the Local Government Act 2002, with primary focus on social and public housing outcomes within Lower Hutt.

UPL owns the sites at 12-20 Hollard Grove and 10-26A Colson Street and these properties are subject to comprehensive redevelopment plans. As a first step resource consent has been obtained for the establishment of 18 apartments at 12 Hollard Grove (RM230246). Additional development planning is underway for the balance of these UPL sites. As part of this master planning, UPL has been consulting with Hutt City Council (Parks and Reserves Division) to discuss the future of the Colson Street Reserve and whether moving the reserve to a more suitable location could occur to facilitate more efficient and comprehensive residential development of the area. A reserves exchange process would be required to allow for the relocation of the reserve. It is understood that Council's Parks and Reserves division is generally amenable to this arrangement. The high level masterplan that is forming the base for these discussions and this submission is attached as **Appendix 1**.

While ideally the formal processes for the reserves exchange would be underway at the time of preparing this submission, due to the timing of the Proposed District Plan notification period this has not been feasible. On 30 April 2025 the Communities, Culture and Partnership Committee received a report addressing the intended exchange of land for the Colson Street Reserve. The report outlines the development intentions for the area and the recommends that Council allows officers to commence the Reserve Act exchange of land process. The committee approved the report subject to further consultation with the local community prior to starting the formal Reserve Act process.

Changes sought in this submission

This submission seeks the rezoning of the relevant sites to allow for the future redevelopment of the area, in accordance with the preliminary masterplan and the outcomes of the anticipated reserve exchange process.

This submission does not seek to comment on the extent, location or provisions of the Flood Hazard Overlay. No changes are sought in that regard.

Options

Two options for rezoning have been identified to allow for the future development plans outlined above.

- Option 1 Zone the Colson Street Reserve and adjoining residential properties as High Density Residential Zone.
- Option 2 Zone the Colson Street Reserve and adjoining residential properties in a way that reflects the outcome of the reserve exchange process and the indicative masterplan for the site.

Both options provide for the outcomes sought by the preliminary masterplan for the area (Appendix 1) and are consistent with high-level conversations held with the Council's Parks and Reserves division to date. Of note, the masterplan does not intend to remove the public reserve but proposes for it to be shifted to a more accessible location at the corner of Hollard Grove and Colson Street. The proposed development pattern and the consequential zoning adjustments requested by this submission would facilitate the more efficient use of suburban land for residential purposes while improving the quality and accessibility of a public open space.

Option 1

Option 1 would rezone the entirety of the Colson Street Reserve as High Density Residential zone.

This option would provide maximum flexibility in terms of the final development form achievable in this area of Avalon. Once the final form, design and layout of the development is confirmed and realised there would be the need for a site specific variation or separate plan change to apply the more appropriate Open Space

Zone to the new reserve. Such plan change would be expected to be a straightforward and undisputed process since it would only confirm and reflect existing development patterns.

Under this option Hutt City Council (HCC) would still retain ultimate control over any changes to the extent of the recreation reserve, as HCC are the owners of 5 Colson Street (the existing reserve) and must be the initiators of any reserve exchange process.



Figures 5 and 6: Option 1 - Rezoning of all sites as High Density Residential Zone. Orange colouring denotes the High Density Residential Zone extent sought. Hatching indicates those areas where zoning differs from that notified within the Proposed District Plan.

Option 2

Option 2 indicates a rezoning that would move the Open Space Zoning to its anticipated location at the corner of Colson and Hollard Grove, with the balance of the land being zoned as High Density Residential (illustrated in Figures 7 and 8). While Option 2 is more reflective of the indicative development plan, it should be noted that the location of the Open Space Zone as shown in Figures 7 and 8 is indicative only and may need to be amended to reflect the outcomes of any future reserve exchange process.

Option 2 seeks to specifically zone land for open space and residential purposes, providing additional certainty that public open space will continue to be provided. The indicated rezoning reflects the intention to shift the reserve to a more accessible location at the corner of Hollard Grove and Colson Street, and would allow UPL to proceed with the residential development across the balance of land in accordance with the preliminary masterplan.

As with Option 1, Hutt City Council (HCC) would still retain ultimate control over any changes to the extent of recreation reserve as the owners of the existing reserve and initiators of any future reserve exchange process.

It should be noted that Option 2 is highly dependent on the outcomes of a future reserve exchange process. Should the reserve exchange process not be finalised by the time of hearings and decision making on the Proposed District Plan, then Option 1 may be more appropriate since it would provide greater flexibility to realise the residential development of the site. The rezoning of the 'new' reserve area would then progress through a future plan change.



Figures 7 and 8: Option 2 – Indicative rezoning based on the outcomes of the reserve exchange process. Orange colouring denotes the indicative extent of the High Density Residential Zone, and green denotes the indicative extent of the Open Space Zone. Hatching indicates those areas where zoning differs from that notified within the Proposed District Plan.

Evaluation

The following assessment considers the costs, benefits, effectiveness and efficiency of the two alternative zoning arrangements put forth in this submission.

Costs, benefits, effectiveness and efficiency of the alternative zoning sought	
Benefits	Costs
<p>Environmental:</p> <ul style="list-style-type: none"> The requested rezoning would allow for efficient redevelopment of land to accommodate residential activity in a time of housing shortage. The provision of public outdoor space will be protected by the existing reserve status, despite the rezoning sought. Any changes to the location and extent of the reserve would require a separate process under the relevant Reserves Act or Conservation Act. Relocation of the reserve would result in higher quality open space with better accessibility. The proposed development would shift reserve land away from the centre of a residential block, increasing public awareness, accessibility and use of the Open Space resource. 	<p>Environmental:</p> <ul style="list-style-type: none"> The requested rezoning may result in a slight reduction of public open space. However, this would not be realised until such time as the gazetted reserve status is changed at which point there would be consensus that the alternative layout is appropriate.

Costs, benefits, effectiveness and efficiency of the alternative zoning sought	
<ul style="list-style-type: none"> The reconfigured reserve would be abutted by High Density Residential land, supporting positive CPTED outcomes and enabling passive surveillance over recreational spaces. 	
Economic: <ul style="list-style-type: none"> The proposed rezoning would increase development options with regard to site layout, intensity and form for future residential activity. In turn, this would allow economies of scale to be realised in respect of planned redevelopment works and provide flexibility to find the most cost-efficient means of upgrading or replacing existing housing and open spaces. The rezoning sought allows for growth in the urban area and increased housing supply, with resulting economic benefits. The arrangement of High Density Residential land (and, under Option 2, also Open Space land) would allow development in accordance with the indicative masterplan for the area. 	Economic: <ul style="list-style-type: none"> If Option 1 is pursued, current and future reserve land that is zoned as High Density Residential rather than Open Space can result in additional consenting requirements and associated costs. However, this can be addressed through a future plan change to amend the zoning to reflect the final reserve location. If Option 2 is pursued, there may be additional consenting requirements associated with the existing Colson Street Reserve (gazetted area) and the residential activities at the corner of Hollard Grove and Colson Street, until the gazetted reserve extent is changed and the planned built form and open space arrangements are realised.
Social: <ul style="list-style-type: none"> UPL has a focus on adding social and community housing to the rental market, as well as providing affordable homes for sale. The rezoning would allow for the efficient redevelopment of existing UPL sites, increase the potential social return through additional housing supply and provide flexibility in development form to meet market needs. While the Colson Street Reserve in its current location benefits from some passive surveillance through adjoining residential sites at present, it is effectively a mid-block reserve with fences on all sides and limited public presence (particularly at the Hollard Grove access). The relocation and consequential rezoning sought would improve public visibility of reserve land by relocating it to the corner of Colson/Hollard, with ample opportunity for passive surveillance from adjacent residential sites and the public domain. This reduces opportunity for antisocial behaviour and may increase opportunity for social interactions by 	Social: <ul style="list-style-type: none"> Both options may result in a slight reduction of public open space with associated social costs. However, this would not be realised until such time as the gazetted reserve status is changed at which point there would be consensus that the alternative layout is appropriate.

Costs, benefits, effectiveness and efficiency of the alternative zoning sought	
<p>encouraging additional awareness and use of the park.</p> <ul style="list-style-type: none"> Relocation of the reserve would result in higher quality open space with better accessibility. 	
<p>Cultural:</p> <ul style="list-style-type: none"> The Colson Street Reserve and surrounding areas are not identified as having any particular cultural significance within the Operative or Proposed District Plans. The proposed rezoning would increase opportunity for affordable housing in line with the indicative masterplan for the area, with potential to achieve improved social and cultural wellbeing for future residents. 	<p>Cultural:</p> <ul style="list-style-type: none"> No cultural costs have been identified.
Risk of acting/not acting	
<ul style="list-style-type: none"> There would be lost development opportunities within an existing urban area, including more efficient use of a finite land resource, if the rezoning sought by this submission does not occur. There is preliminary support to exchange the reserve land from Council (Parks and Reserves division), indicating that there is an opportunity to consider the potential reconfiguration of the reserve within a wider masterplan. 	
Efficiency	
<ul style="list-style-type: none"> The proposed rezoning will enable the efficient use of a finite resource (land) within an existing residential area. Inefficiencies may arise if, where and when the location and extents of the High Density Residential Zone and the Open Space Zone do not align with the actual location of gazetted reserve land and residential land. However, consideration of existing use rights and the ability to account for the existing environment when assessing resource consents will minimise such inefficiencies. These inefficiencies would no longer exist once development is realised and the zoning is amended to reflect development patterns. The benefits of Options 1 and 2 are considered to be higher than their respective costs. 	
Effectiveness	
<ul style="list-style-type: none"> The rezoning approach is effective at contributing to a well-functioning urban environment and enabling the residential development outcomes sought in alignment with preliminary consultation with the Council's Parks and Reserves division. The gazetted reserve status of Colson Street Reserve and the ongoing ownership of this land by Hutt City Council protects public access and recreational rights. The rezoning sought by this submission is aiming to provide the appropriate underlying zoning for the future development of the land either for residential or recreational purposes. Present patterns of use can therefore be effectively maintained, in spite of the proposed zoning change. 	

For the reasons outlined above Urban Plus Limited seeks zoning changes for the sites at 5 Colson Street (Colson Street Reserve), 12 Hollard Grove, 13-16 Hollard Grove, 17-20 Hollard Grove, 10-16 Colson Street, 16A Colson Street and 18-26A Colson Street, Avalon to allow for the future relocation of the existing reserve and the residential development of the remainder of the sites.

The proposed rezoning options align with the development anticipated and enabled on surrounding sites and provide different degrees of flexibility for future residential development of the area by UPL. Rezoning the Colson Street Reserve from Open Space to High Density Residential (as per Option 1) or creating an alternative arrangement of Open Space and High Density Residential land (as per Option 2), both are consistent with the outcomes sought by the preliminary masterplan for the area and the high-level conversations held with the Council's Parks and Reserves division to date.

Any potential constraints that could limit the development potential are appropriately identified and managed through the proposed Flood Hazard Overlay and will be addressed as part of future subdivision and land use consenting processes.

The gazetted reserve status for Colson Street Reserve protects public recreation opportunities – despite the proposed rezoning to High Density Residential – until such time as the relevant Reserves Act or Conservation Act process to change the extent and location of the reserve is finalised.

DECISION SOUGHT

Urban Plus Ltd seeks the following decision from Council:

- **Option 1 - Rezoning of the site at 5 Colson Street (Colson Street Reserve) from Open Space Zone to High Density Residential Zone;**

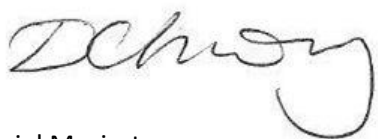
Or

- **Option 2 - Rezoning of the sites at 5 Colson Street (Colson Street Reserve), 12 Hollard Grove, 13-16 Hollard Grove, 17-20 Hollard Grove, 10-16 Colson Street, 16A Colson Street and 18-26A Colson Street to Open Space and High Density Residential Zones in accordance with the outcomes of a reserve exchange process and based on the preliminary masterplan for the sites;**

And

- **Any consequential changes or alternative relief required to achieve the intended outcomes sought within this submission.**

Under either option the requested zoning would provide for the efficient use of land, supporting a well-functioning urban environment in alignment with the preliminary masterplan prepared for the area, and in accordance with high-level consultation that has occurred with Council to date.



Daniel Moriarty

Urban Plus Limited

01.05.2025

Appendix1 – Indicative Development Plan

