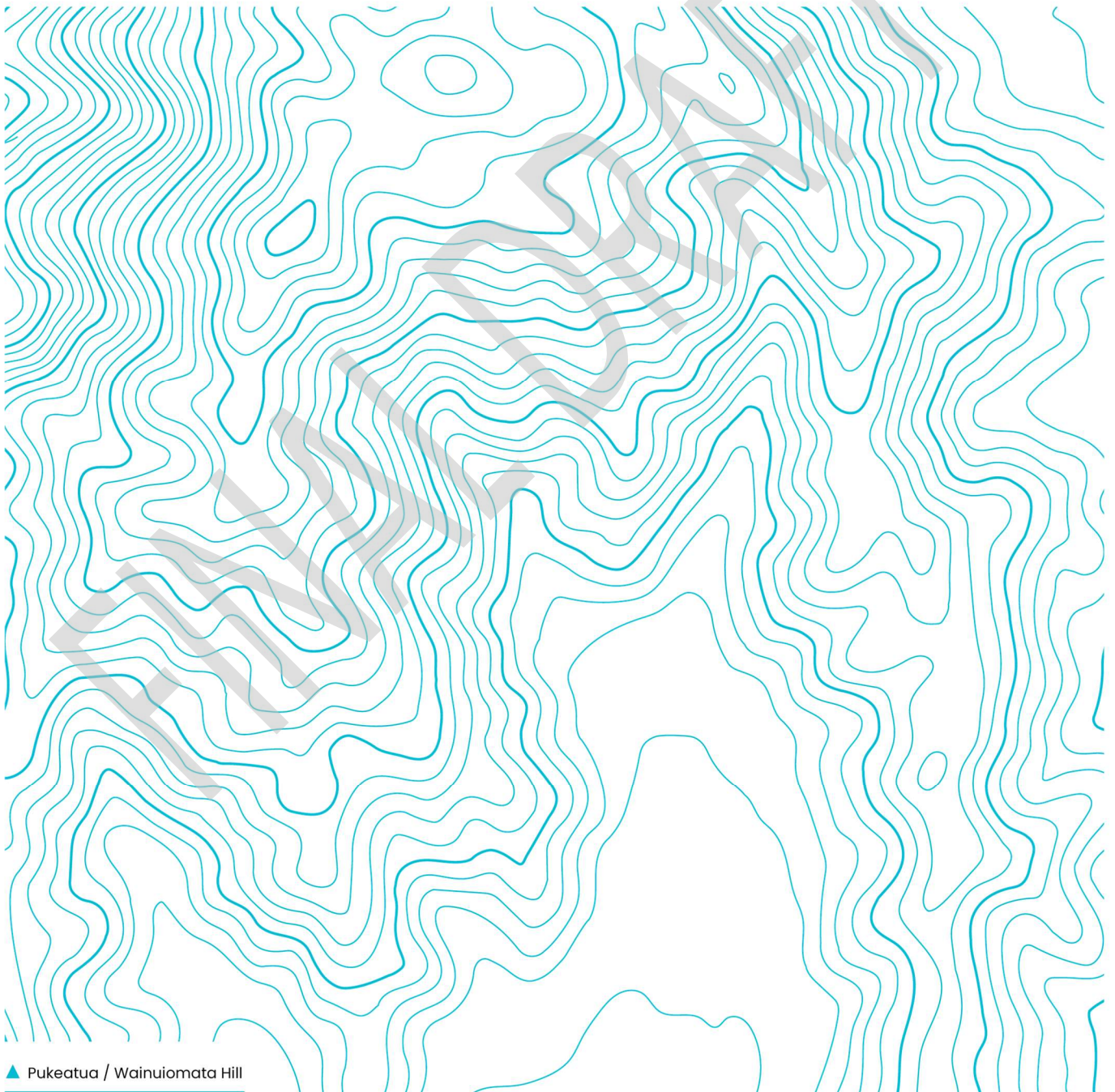


Section 32 Evaluation Report – Industrial Zones



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2 Overview and Purpose

- (1) Hutt City Council is reviewing the City of Lower Hutt District Plan. This is a full review of the District Plan, including the approach to business and industrial areas.
- (2) This report is a record of the review with regard to the Industrial Zones, and includes an evaluation of objectives and provisions for a proposed District Plan to address the Industrial Zones, in accordance with the requirements of s32 of the Resource Management Act 1991.
- (3) This report is part of a package of reports for the proposed District Plan. It should be read alongside the other reports prepared for the proposed District Plan, particular the General report for matters common to all Plan topics.

2.1 Industrial Zones of the proposed District Plan

- (4) The proposed District Plan includes a package of three industrial zones: the Heavy Industrial Zone, General Industrial Zone, and Light Industrial Zone.
 - (5) The plan review has assessed the zoning of all land in the city, and so sites have been rezoned between categories. However, the Industrial Zones are significantly aligned with the policy direction and area covered by the Special Business, General Business, and Avalon Business Activity Areas in the operative plan.
 - (6) The Heavy Industrial Zone applies to the core of the well-established industrial area in Seaview, covered by the Special Business Activity Area in the operative plan. This zone is home to regionally significant employment, regionally significant infrastructure, and a wide range of activities that due to their adverse effects such as hazardous substance risks need to be located in a dedicated zone where they will not affect sensitive activities.
 - (7) The General Industrial Zone applies to larger, well-established existing industrial and business areas across the city, in Belmont,
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Gracefield/Waiwhetū, Naenae, Pito One (x4), Taitā (x2), and Wainuiomata. It also applies as the base zone to the Haywards Substation, although subject to a designation.

- (8) The Light Industrial Zone applies to a wide range of smaller and more fragmented business areas across the city, in areas with a more mixed business character or more closely integrated with residential surroundings.

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3 Statutory and Policy Context

- (9) The following sections discuss the national, regional and local policy framework that are particularly relevant to the statutory and policy context for Industrial Zones for the District Plan Review.

3.1 Resource Management Act 1991

3.1.1 Section 5 – Purpose and Principles

- (10) The purpose of the RMA is set out in Section 5. The purpose is to promote the sustainable management of natural and physical resources.
- (11) Under s5(2) of the Act, sustainable management means:

managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—

(a) *sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*

(b) *safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*

(c) *avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

3.1.2 Section 6 – Matters of National Importance

- (12) Section 6 of the RMA sets out matters of national importance that all persons exercising functions and powers under the Act shall *recognise and provide for* in achieving the purpose of the RMA. There are no relevant s6 matters for Industrial Zones.
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3.1.3 Section 7 – Other Matters

- (13) Section 7 of the RMA sets out other matters that all persons exercising functions and powers under it shall *have particular regard to* in achieving the purpose of the RMA. The relevant s7 matters for Industrial Zones are:

Section	Relevant Matter
7(b) / 7(g)	<p><i>“the efficient use and development of natural and physical resources” / “any finite characteristics of natural and physical resources”</i></p> <p>Land suitable for industrial activity is a scarce resource.</p>
7(c)	<p><i>“the maintenance and enhancement of amenity values”</i></p> <p>Industrial activity can have significant impacts of amenity values, particularly amenity values enjoyed in commercial centres and residential areas.</p>
7(f)	<p><i>“maintenance and enhancement of the quality of the environment”</i></p> <p>Industrial activity can have significant impacts on the quality of the environment.</p>

3.1.4 Section 8 – Treaty of Waitangi

- (14) Section 8 of the RMA requires Council to take into account the principles of the Treaty of Waitangi when exercising functions and powers under the Act.
- (15) Council has engaged with Mana Whenua of Lower Hutt as part of the District Plan Review, including with representatives of Taranaki Whānui ki te Upoko o te Ika (Port Nicholson Block Settlement Trust), Wellington Tenth Trust, Palmerston North Māori Reserve Trust, Te Rūnanganui o Te Āti Awa ki Te Upoko o Te Ika a Māui Incorporated and Te Rūnanga o Toa Rangatira Incorporated.
-

- (16) This engagement has demonstrated two key principles of the treaty, the first being the principle of partnership by, recognising and fostering mutual good faith with our existing iwi partnerships and continuing to provide the opportunities for tangata whenua to input meaningfully into the design of the Industrial Zones.
- (17) Secondly, the principle of active protection is another key aspect of the treaty principles demonstrated, as it seeks ways to deliver mixed and culturally dynamic communities in a sustainable way.

3.1.5 Other provisions

- (18) The RMA in s31(1)(aa) also specifically gives Council the function of “the establishment, implementation, and review of objectives, policies, and methods to ensure that there is sufficient development capacity in respect of [...] business land to meet the expected demands of the district”.
- (19) Council relies on the information produced in the triennial Housing and Business Development Capacity Assessments to determine whether this function is being achieved.

3.2 National Policy Statements

- (20) Section 75(3)(a) of the RMA requires district plans to give effect to any national policy statement.
- (21) The National Policy Statement on Urban Development 2020 (NPS-UD) has some relevance for Industrial Zones.
- (22) The relevant objectives and policies of the NPS-UD are discussed below:

National Policy Statement on Urban Development 2020

The NPS-UD directs Councils to enable well-functioning urban environments that provide for the social, economic and cultural wellbeing of people. The following objectives and policies are particularly of relevance to the Industrial Zones:

- Objective 1 – Well-functioning urban environments that enable people and communities to provide for health, safety and wellbeing.
- Policy 1(a) – Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum [...] have or enable a variety of sites that are suitable for different business sectors in terms of location and site size.
- Policy 2 – Tier 1 [...] local authorities, at all times, provide at least sufficient development capacity to meet expected demand for [...] business land over the short term, medium term, and long term.
- Part 3 – Implementation: Local authorities must provide sufficient development capacity for housing and business land, and must be satisfied that the additional infrastructure to service the development capacity is likely to be available.

3.3 New Zealand Coastal Policy Statement

(23) The New Zealand Coastal Policy Statement 2010 (NZCPS) sets out the objectives and policies in order to achieve the purpose of the RMA in relation to the coastal environment. The NZCPS is relevant to those parts of the Industrial Zones that are within the coastal environment, but in this proposed plan, coastal issues are dealt with in district-wide chapters (particularly the Coastal Environment chapter).

3.4 National environmental standards

(24) The following national environmental standards are particularly relevant for Industrial Zones:

- National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 (NES-CS)
- National Environmental Standard for Storing Tyres Outdoors 2021 (NES-STO)

(25) The proposed plan is consistent with these standards.

3.5 National Planning Standards

- (26) Section 75(3)(ba) requires district plans to give effect to national planning standards.
- (27) The first set of national planning standards was published in April 2019, with additional changes being incorporated into the standards since then.
- (28) Standard 8 of the National Planning Standard (the Zone Framework Standard) specifies the zones that can be implemented through district plans, including three Industrial Zones – Heavy Industrial, General Industrial, and Light Industrial. The proposed plan uses all three of these zones.
- (29) The standard describes the zones as shown in the table below:

Zone	Description
Heavy industrial zone	Areas used predominantly for industrial activities that generate potentially significant adverse effects. The zone may also be used for associated activities that are compatible with the potentially significant adverse effects generated from industrial activities.
General industrial zone	Areas used predominantly for a range of industrial activities. The zone may also be used for activities that are compatible with the adverse effects generated from industrial activities.
Light industrial zone	Areas used predominantly for a range of industrial activities, and associated activities, with adverse effects (such as noise, odour, dust, fumes and smoke) that are reasonable to residential activities sensitive to these effects.

3.6 Regional Policy Statement for the Wellington Region

- (30) The Regional Policy Statement for the Wellington Region ('the RPS') identifies the significant resource management issues for the region and outlines the policies and methods required to achieve the integrated sustainable management of the region's natural and physical resources.
- (31) There is currently a proposed RPS in the form of Proposed RPS Change 1, a sweeping series of amendments on a number of topics including indigenous biodiversity and climate change. At time of writing, the proposed RPS had received decisions from the Regional Council but was still subject to appeal, so there is still uncertainty over the final form of the change. The RPS change will not significantly change the issues for existing industrial areas, except in the realm of natural hazards, which are dealt with in the proposed plan in district-wide chapters.
- (32) The relevant objectives and policies of the RPS for industrial zones are discussed below:

Reference	Comment
Objective 22 (operative)	<p>"A compact well designed and sustainable regional form that has an integrated, safe and responsive transport network and:</p> <p>[...]</p> <p>(c) sufficient industrial-based employment locations or capacity to meet the region's needs;</p> <p>[...]</p> <p>(e) urban development in existing urban areas, or when beyond urban areas, development that reinforces the region's existing urban form;</p> <p>[...]</p>

	<p>(i) integrated land use and transportation;</p> <p>[...]</p> <p>(k) efficiently use existing infrastructure (including transport network infrastructure); and [...]"</p>
<p>Objective 22 (RPS Change 1)</p>	<p>"A compact, well-designed, climate-resilient, accessible, and environmentally responsive regional form with well-functioning urban areas and rural areas, where:</p> <p>(a) there is sufficient development capacity to meet the needs of current and future generations [...]</p> <p>[...]</p> <p>(d) intensification occurs within existing urban zones in appropriate places where it is environmentally responsive; and</p> <p>[...]</p> <p>(e) subdivision, use and development is located, designed, and constructed in a way that is climate-resilient and contributes to reducing greenhouse gas emissions; and</p> <p>(f) built environments, including integrated transport infrastructure, meet the health and wellbeing needs of all people, with multi-modal access including active transport, between housing, jobs, community services, centres, green space, and open space; and</p> <p>(g) the biophysical characteristics, location, recognised values, capability and limitations of land inform its use and development; and</p> <p>[...]</p>

	<p>(i) existing urban-zoned land, and infrastructure capacity is used effectively and efficiently; and</p> <p>(j) new or upgraded infrastructure is integrated and sequenced with development; and</p> <p>(k) development densities are sufficient to support the provision and ongoing maintenance of infrastructure; and</p> <p>(l) a variety of residential, commercial, mixed use and industrial development in appropriate locations is provided which contributes to viable and vibrant centres at a range of scales, and industrial-based employment locations; and</p> <p>(m) the safe and efficient operation of regionally significant infrastructure is protected from potential reverse sensitivity effects.”</p>
Policy 32	<p>“District plans should include policies, rules and/or methods that identify and protect key industrial-based employment locations where they maintain and enhance a compact, well designed and sustainable regional form.”</p>

(33) These objectives and policies speak to the importance of providing for industrial areas to meet the region’s business land needs and protect centres of employment. Council considers the areas it has zoned General Industrial and Heavy Industrial to be key industrial-based employment locations.

3.7 Natural Resources Plan for the Wellington Region

- (34) Under section 75(4)(b) of the RMA, a district plan must not be inconsistent with a regional plan for any matter specified in section 30(1) of the RMA (which lists functions of regional councils under the Act). The Natural Resources Plan is the only regional plan for the Wellington region. However, no provisions in the operative Natural Resources Plan relate to the Industrial Zones.
- (35) Section 74(2)(a)(ii) of the RMA requires territorial authorities, when preparing and changing their district plan, to have regard to any proposed regional plans with regard to any matter of regional significance or for which the regional council has primary responsibility under Part 4 of the Act. Greater Wellington Regional Council has proposed a change to the Natural Resources Plan (Proposed NRP Change 1). However, this is primarily of concern for greenfield development. The proposed plan does not introduce any greenfield industrial areas and so no provisions in Proposed NRP Change 1 are relevant for the Industrial Zones.

3.8 Hutt City Council plans, policies, and strategies

- (36) In addition, there are other plans, policies and strategies of Council that, while not directly prepared under a specific Act, should be considered as part of the District Plan Review as they set Council's intentions on some matters that need to be addressed through the District Plan Review.
- (37) The only relevant strategy is the Seaview Gracefield Vision 2030. While largely implemented through non-regulatory means, in preparing the plan Council has had regard to the Vision's goals for Seaview and Gracefield of:
- Growing and diversifying industrial-based employment
 - Improving transport links to the region
 - Enhancing landscaping and general appearance
 - Providing clear guidance on urban design
 - Improving links to parks, nature, and the coast
-

- Improving access to food, basic services, and social spaces

3.9 District plans of adjacent territorial authorities

(38) Under section 74(2)(c) of the RMA, the Council is required to have regard to the extent to which the District Plan needs to be consistent with the plans of proposed plans of adjacent territorial authorities. The Industrial Zones, like almost all the urban area of Lower Hutt, is not in close proximity to other districts. The structure of existing industry and future demand is also distinct from other districts. There is therefore not considered to be a high need of consistency with provisions in district plans of adjacent territorial authorities as they relate to industrial areas.

3.10 Other legislation or regulations

(39) In addition to the RMA, other legislation and regulations can be relevant considerations for a district plan, particularly where management of an issue is addressed through multiple pieces of legislation and regulatory bodies.

(40) The following other legislation and regulations are relevant for industrial zones:

- Health Act 1956
- Health and Safety at Work Act 2015
- Hazardous Substances and New Organisms Act 1996

(41) These are discussed below.

Act or Regulation	Comments
Health Act 1956	<p>Defines a list of nuisances, including many that are common issues for industrial activities, and provides procedures for managing those nuisances.</p> <p>While powers under the Health Act could be used to manage industrial activities, the</p>

	<p>more specific powers in the Resource Management Act are generally more practical for the Council.</p> <p>The Health Act also defines a list of offensive trades and provides a process for requiring local authority approval for those activities, unless resource consent is granted. The proposed plan is intended to use the resource consent process in place of the Health Act process.</p>
<p>Health and Safety at Work Act 2015</p>	<p>Provides regulation for workplaces that create hazards to workers or the public. To the extent that Act controls those hazards by physical separation of workplaces from sensitive activities, the District Plan manages that as a reverse sensitivity issue.</p>
<p>Hazardous Substances and New Organisms Act 1996</p>	<p>The HSNO Act is the primary legislation designed to manage hazardous substances across their life cycle. This legislation has informed the development of the Hazardous Substances chapter, and for more information, see that topic's s32 report.</p>

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4 Resource management issues

4.1 Background

(42) The determination of resource management issues for the Industrial Zones, and the options for addressing those issues, has involved:

- A review of the statutory and strategic context (outlined in Section 3 of this report),
- A review of the available development capacity in the district and region through the 2023 Wellington Regional Housing and Business Capacity Assessment,
- A review of the existing approach of the District Plan,
- A review of information on recent resource consents and compliance for activities on sites proposed to be located in the Industrial Zones,
- A review of the approaches of other district plans, and
- Engagement with Mana Whenua, the community and other stakeholders (including engagement on a draft District Plan).

(43) The review and the outcomes of the engagement are summarised below.

4.2 Evidence base

4.2.1 Existing approach of City of Lower Hutt District Plan

(44) The operative District Plan does not contain industrial zones. Industrial activity is primarily provided for in three of the four Business Activity Areas: the General Business Activity Area (chapter 6A), Special Business Activity Area (chapter 6B), and Avalon Business Activity Area (chapter 6C). These activity areas are home to most of the existing industrial activities in Lower

Hutt. The fourth is the Extraction Activity Area, which is discussed in the s32 report for the Quarry Zone.

- (45) Other activity areas do provide for industrial activity on a more limited basis or through resource consents.
- (46) The three Business activity areas described above typically allow a general range industrial activities, with the Special Business area also providing for heavy industry and the Avalon Business area providing for a more limited range of light industrial activities and activities associated with the film and TV industry.
- (47) All three areas provide for a range of other non-industrial activities where compatible with the effects of industrial activities, while managing amenity and reverse sensitivity issues.
- (48) As part of the District Plan review the relevance and appropriateness of the issues and objectives identified in the operative plan have been assessed, which has noted:
- The separation of heavy industry activities from sensitive activities in the Special Business area has been largely successful at managing risk to the community and reverse sensitivity issues.
 - Much of the control of hazardous substances themselves is now the domain of the Hazardous Substances and New Organisms Act and Health and Safety at Work Act and the detailed hazard controls in the Special Business area are largely redundant. This is considered further in the Hazardous Substances chapter.
 - There has been little improvement in the quality of main entrance routes, but this is largely due to a lack of intervention by Council in the public realm.
 - Noise, dust, odour, glare, light spill, and traffic remain issues needing management.
 - Provisions in the plan have been effective at managing amenity issues from existing sites but there remains significant community concern about the potential impacts of new developments.
 - There continues to be strong demand to establish residential activities in Business areas, especially in generally central locations like Pito One. On the other hand, business demand for business areas is also strong and vacancies in industrial premises are low.
-

- The film and TV industry continues to operate at Avalon but there is significant uncertainty about its land demand in future, and the film and TV industry is now spread across a large number of different areas in the region. There is no evidence of a need to dedicate space for the industry as opposed to participating in the general industrial land market.

(49) Some issues managed in the Business activity area chapters are discussed in other reports for the proposed plan as the location of these provisions has shifted along with the National Planning Standards, e.g. issues around natural hazards and cultural practices.

4.2.2 Analysis of other District Plans

(50) Practice in other districts has been considered in respect of this topic, with a review undertaken of the following District Plans:

- Auckland Unitary Plan
- Proposed Wellington City District Plan
- Proposed Porirua District Plan
- Kāpiti Coast District Plan
- Upper Hutt District Plan

(51) More casual reference was also made in preparing the chapter to:

- Christchurch District Plan
- Hamilton District Plan
- Tauranga City Plan

(52) Key findings were:

- Most plans had routine use of dedicated industrial zones rather than generic business zones, although some cities such as Wellington with more limited historic industry did have fairly generic zones
 - Objectives tend to centre nuisance effects, amenity effects on neighbours, safety of the community, and reverse sensitivity
 - There is a wide range of ancillary activities commonly provided for, and a wide range of stances on how enabling to be of non-industrial activities
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- Most plans had detailed rules for the interface with residential and other non-industrial areas although some did still routinely require resource consent for some or all land uses near boundaries.

4.2.3 Advice from mana whenua

- (53) Council has engaged with mana whenua on the district plan review through the Kāhui Mana Whenua engagement group. No specific issues have been raised with regard to industrial zones. However, mana whenua have provided advice on the sites and areas that are of significance to them. The values associated with these sites and areas have potential to be impacted by activities which are provided for in industrial zones.

4.2.4 Stakeholder and community engagement

- (54) As part of the District Plan Review, Council engaged with the community and stakeholders in several rounds:

Date	Invitees	Summary
2020	General public	General comment was received from several members of the community.
2023	Stakeholders and general public	Specific comment was sought on the draft chapter from the public and stakeholders. General comments were received as well as users filling out an online survey.

- (55) Council engaged with the community over the specific issue of whether to include a site in Manor Park in the Industrial Zones but on the basis of this feedback chose to retain that site in the General Rural Zone.
- (56) Feedback was also received relating to the Seaview Marina, which was proposed to be a precinct within the General Industrial Zone in the draft. In response to some of that feedback, the Seaview Marina is proposed to be a standalone special purpose zone in the proposed plan and the feedback is discussed further in the s32 report for that topic.
- (57) Main themes of the feedback relevant to the remaining sites incorporated in the Industrial Zones were:

- Support for the draft approach in general
- Concern over how enabling the Heavy Industrial Zone should be of heavy industrial activities
- Requests for changes to definitions, including whether criteria for the definition of “heavy industrial activity” was too subjective
- Site-specific support for, or opposition to, being included in an Industrial Zone
- Support for the management of reverse sensitivity issues
- Technical comments on the interaction with the Hazardous Substances chapter
- Support for service stations and emergency services facilities in industrial zones
- A request for community corrections facilities to be provided for in the zones

4.2.5 Technical information

(58) The main technical information informing the review is the Housing and Business Development Capacity Assessment 2023. This finds that while business land needs in general are met across the city and region, there is a significant regional shortage of suitable and available land for large-format industry.

4.3 Summary of issues analysis

- (59) Based on the above source of information, the key resource management issues are:
- a. The regional significance of major industrial employment areas
 - b. Protection of available industrial land capacity from reverse sensitivity and change to other land uses that do not need to locate in industrial areas, particularly residential
 - c. Protection of the amenity values of residential and other non-industrial land uses from the effects of industry
 - d. The functional and operational needs of various specific but relatively uncommon activities, such as emergency services
 - e. Existing low physical attractiveness of the area, including main through routes
-

f. Existing low provision of services for workers and visitors

(60) Based on the information considered in the Commercial Zones s32 report, there is also an issue of a lack of competition in the grocery sector, which is partly influenced by the difficulty of finding available sites for full-size supermarkets.

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5 Scale and significance assessment

(61) In writing this evaluation report we must provide a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects anticipated from the implementation of the proposal.

(62) In assessing that scale and significance we have had regard to:

Matters of national importance	There are no relevant matters of national importance.
Other matters	Industrial land is a scarce resource and so the following matters are relevant to it: <ul style="list-style-type: none"> • s7(b) – the efficient use and development of natural and physical resources • s7(g) – any finite characteristics of natural and physical resources
Degree of change from the operative plan	There is a moderate degree of change from the operative plan, chiefly around narrowing the range of non-industrial activities provided for in key industrial areas.
Geographic scale of effects	Effects are mostly contained within the zone but there can be impacts on land and people in nearby areas.
Number of people affected	Industrial areas directly affect relatively few people. Employment and the wider economic impacts of industrial activity impact a larger number of people.

Duration of effects	Some effects of industrial areas have longer term effects (e.g. the use of hazardous substances) but are dealt with in other chapters. Nuisance effects are short lived. Protection and management of industrial land can have long-term and intergenerational effects.
Economic impacts	There can be significant economic gains/losses through the successful/unsuccessful management of industrial areas, given the significance of industrial activity to Lower Hutt's economy.
Social and cultural impacts	Low.
Environmental impacts	Moderate, although these impacts are mostly locked in by existing uses and the plan has relatively little impact on them.
Health and safety impacts	Significant risks to life and property from major hazard facilities and other heavy industry, although note that hazardous substances risks are in significant part with dealt with separately in the Hazardous Substances chapter.
Degree of interest from mana whenua	Low. Mana whenua have not expressed a particular interest in this topic.
Degree of interest from the public	Substantial public interest in a specific site in Manor Park, although this site is no longer within scope of the Industrial Zones report. Moderate interest in general.

Degree of risk or uncertainty	Low, the effects are generally well understood and predictable or can be managed after the fact.
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- (63) Accordingly, the overall scale and significance of the effects of industrial zones are **low**.

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6 Proposed District Plan objectives and provisions

(64) The proposed plan includes three zones. Each zone has six objectives. Each of these objectives is worded similarly to the equivalent objective in the other two zones and does a similar structural job. The provisions accordingly are considered in groups, with the equivalent objective in every zone considered as a package.

(65) The six objectives for each zone set out:

- The expected purpose of the zone (HIZ-O1, GIZ-O1, LIZ-O1)
- The land use activities for the zone (HIZ-O2, GIZ-O2, LIZ-O2)
- Development capacity (HIZ-O3, GIZ-O3, LIZ-O3)
- The planned character and planned urban built environment (HIZ-O4, GIZ-O4, LIZ-O4)
- The expected character of main through routes (HIZ-O5, GIZ-O5, LIZ-O5)
- The expected approach to the management of adverse effects such as nuisances (HIZ-O6, GIZ-O6, LIZ-O6).

Objective	Text and associated provisions
LIZ-O1	<p>Purpose of the zone</p> <p>“The Light Industrial Zone is used primarily to meet the needs of industrial and research activities, and compatible activities such as commercial, community, or government activities that are not appropriately located in commercial centres. The Light Industrial Zone is usually located next to or near residential, commercial, and other zones that provide for activities sensitive to industry, and activities in the zone are managed to be compatible with this.”</p>

Objective	Text and associated provisions
	Implemented by: <ul style="list-style-type: none"> • LIZ-P1 to LIZ-P11 • Spatial application of zone • Land use rules
GIZ-O1	
HIZ-O1	
LIZ-O2	<p>Activities in the zone</p> <p>“The Light Industrial Zone:</p> <ol style="list-style-type: none"> 1. Primarily provides for industrial activities and research activities, 2. Provides for emergency facilities and trade and industrial training activities, 3. Is supported by other activities that: <ol style="list-style-type: none"> a. Are compatible with the purpose, the planned character, and the planned urban environment of the zone, b. Do not undermine the role of commercial centres, and c. Support the industrial activities and research activities in the zone, including the needs of workers at those activities. 4. Provides for other activities that: <ol style="list-style-type: none"> a. Are compatible with the purpose, the planned character, and the planned urban environment of the zone, a. Do not undermine the role of commercial centres, and b. One or more of the following: <ol style="list-style-type: none"> i. Have a functional need or operational need to locate in an Industrial Zone, or ii. Have significant co-location benefits when located in the area, or

Objective	Text and associated provisions
	<ul style="list-style-type: none"> iii. Are a commercial activity that is not suited to being in a commercial centre, or iv. Due to the size, layout, or operation of the activity, would have difficulty finding a suitable site in any other zone, or v. Are otherwise better located in an Industrial Zone than in any other type of zone, or vi. Are an interim use and do not create obstacles to re-using their sites for industrial activities or research activities in future. <p>5. Is not intended to provide for:</p> <ul style="list-style-type: none"> a. Standalone residential activities that do not support an industrial activity, research activity, or emergency facility, or b. Activities that would be a city-wide or regional destination for significant numbers of visitors.” <p>Implemented by:</p> <ul style="list-style-type: none"> • LIZ-P1 to LIZ-P8 • Spatial application of zone • Land use rules
GIZ-O2	
HIZ-O2	
LIZ-O3	<p>Provision of industrial spaces</p> <p>“The Light Industrial Zone provides for a variety of types and sizes of tenancies that respond to industrial business needs and demand.”</p> <p>Implemented by:</p> <ul style="list-style-type: none"> • LIZ-P1 to LIZ-P8 • Spatial application of zone • Buildings and structures rules • Land use rules

Objective	Text and associated provisions
GIZ-O3	
HIZ-O3	
LIZ-O4	<p>Planned character and planned urban built environment of the zone</p> <p>“The built character of the Light Industrial Zone balances the functional and operational needs of the primary activities in the zone, and the needs of visitors and employees, by contributing to a light-industrial part of the urban environment that:</p> <ol style="list-style-type: none"> 1. Comprises buildings and spaces surrounding buildings, sites, streets, and neighbourhoods that are designed to achieve the desired urban design outcomes for the zone, 2. Has an urban built environment that is characterised by flexibility of building densities and forms, 3. Is healthy, safe, attractive, and accessible, 4. Has good access within the Light Industrial Zone, to and from surrounding neighbourhoods, and to and from other industrial and commercial areas, through active and public transport modes, providing for well-connected and low emission communities, 5. Is integrated with existing and planned infrastructure, and 6. Enhances co-location benefits.” <p>Implemented by:</p> <ul style="list-style-type: none"> • LIZ-P1 to LIZ-P12 • Spatial application of zone • Buildings and structures rules • Land use rules
GIZ-O4	

Objective	Text and associated provisions
HIZ-O4	
LIZ-O5	<p>Character – main through routes</p> <p>“Identified main through routes that pass through the Light Industrial Zone are attractive and assist the city’s sense of place and identity.”</p> <p>Implemented by:</p> <ul style="list-style-type: none"> • LIZ-P9 to LIZ-P11 • Spatial application of zone • Buildings and structures rules • Land use rules
GIZ-O5	
HIZ-O5	
LIZ-O6	<p>Adverse effects</p> <p>“Adverse effects of activities and development are effectively managed within the zone, and at interfaces with other zones.”</p> <p>Implemented by:</p> <ul style="list-style-type: none"> • LIZ-P1 to LIZ-P12 • Spatial application of zone • Buildings and structures rules • Land use rules • General rules
GIZ-O6	
HIZ-O6	

7 Evaluation of objectives

- (66) This section is the evaluation of objectives, as required through s32(1)(a) of the RMA.
- (67) An objective is a statement of what is to be achieved through the resolution of a particular resource management issue. A district plan objective should set out a desired end state to be achieved through the implementation of policies and rules.
- (68) Under s75(1)(a) of the Resource Management Act, a district plan must state the objectives for the district.
- (69) Under s32(1)(a) of the Resource Management Act, an evaluation report required under the Act must examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of the RMA. The purpose of the RMA, as stated in s5(1) of the Act, is to promote the sustainable management of natural and physical resources.
- (70) The objectives of each Industrial Zone chapter are intended to be read as a collective. The three Industrial Zones themselves are intended to work as a package delivering outcomes for the city as a whole by providing for different outcomes in different areas. Accordingly, the eighteen objectives have been grouped together for the purpose of this evaluation.

LIZ-O1 Purpose of the zone

GIZ-O1 Purpose of the zone

HIZ-O1 Purpose of the zone

LIZ-O2 Activities in the zone

GIZ-O2 Activities in the zone

HIZ-O2 Activities in the zone

LIZ-O3 Provision of industrial spaces

GIZ-O3 Provision of industrial spaces

HIZ-O3 Provision of industrial spaces

LIZ-O4 Planned character and planned urban built environment of the zone

GIZ-O4 Planned character and planned urban built environment of the zone

HIZ-O4 Planned character and planned urban built environment of the zone

LIZ-O5 Planned character – main through routes

GIZ-O5 Planned character – main through routes

HIZ-O5 Planned character – main through routes

LIZ-O6 Adverse effects

GIZ-O6 Adverse effects

HIZ-O6 Adverse effects

Relevance

- LIZ-O1/GIZ-O1/HIZ-O1 address resource management issues a, b, and c in paragraph (59) by setting out the major reason for the zone.
- LIZ-O2/GIZ-O2/HIZ-O2 address resource management issues a, b, c, and d in paragraph (59) by setting out the approaches to various potential land uses.
- LIZ-O3/GIZ-O3/HIZ-O3 address resource management issues a and b in paragraph (59) and for LIZ-O3 and GIZ-O3 the issue in paragraph (60) by setting out the approach to development capacity.
- LIZ-O4/GIZ-O4/HIZ-O4 address resource management issues b, c, d, e, and f in paragraph (59) by setting intended character and urban built outcomes for the zone.
- LIZ-O5/GIZ-O5/HIZ-O5 address resource management issue e in paragraph (59).
- LIZ-O6/GIZ-O6/HIZ-O6 address resource management issues c and e in paragraph (59).

Usefulness

- The package of objectives as a whole set out what activities are intended to occur in the zone and why: providing for development capacity for and the ongoing operation of industrial activities, the protection of the community from their effects, and the management of reverse sensitivity.
- The package of objectives set outs the approach to character, amenity, and effects, which are key issues for the zone.

- The objectives support the council's functions of providing industrial land capacity and managing effects on the environment.

Reasonableness

- Given the significance of industrial activities to the economic wellbeing of people and communities in Lower Hutt and the wider region, it is appropriate for the District Plan to continue to enable these and supporting activities in a dedicated space, to define the expected urban environment in relation to the activities which are enabled within the zone, and to manage incompatible activities. It is reasonable to seek for the effects of activities enabled within the zone to be managed, particularly in relation to the interfaces with other zones that have different character and amenity expectations.
- The objectives are consistent with regional and national direction.

Achievability

- The provisions enable the continuation of established industrial uses of the site and their continued development, enables new industrial uses, and protects the capacity of the zone for additional new and altered industrial uses in the further future by managing activities that might cause sensitivity issues.
- The provisions follow conventional approaches comparable to those in the operative plan and other plans around the country with a well-understood track record.
- The objectives are consistent with existing uses and community expectations for the zone, and can be achieved without imposing a significant regulatory burden on industrial businesses or the community.

Alternatives considered

- **Expanded Heavy Industrial Zone covering additional areas**
Council considered extending the Heavy Industrial Zone to a wider range of areas, such as Taitā and Naenae. This option was not pursued due to a lack of evidence regarding the balance of demand between heavy and general industrial activities, and Council's view that heavy industrial activities were still provided for in the General

Industrial Zone through a resource consent process and reverse sensitivity measures.

- **No Light Industrial Zone but use of the General Industrial Zone or Mixed Use Zone for the areas covered**

Council considered whether the complexity of an additional zone was warranted. However, Council opted for the Light Industrial Zone on the basis that the value of the different areas to industrial land capacity is significantly different and the amenity effects and surrounding environment needed a different approach. The Light Industrial Zone also provides for some activities such as live-work industrial developments that otherwise would not be provided for in any zone.

- **No General Industrial Zone but use of a more generic Commercial Zone similar to the operative General Business Activity Area**

Council considered the use of a zone closer to the operative General Business Activity Area that would allow a wider range of non-industrial businesses such as offices. Council opted not to pursue this option as it was thought this would place excessive pressure on the limited supply of suitable land for industry.

- **Wider range of non-industrial activities provided for in the Heavy Industrial Zone**

Council considered providing for a wider range of non-industrial activities in the Heavy Industrial Zone to help support employment in the area by providing for more services to attract and retain workers and visitors. Council decided on the current balance of these activities on the basis of balancing the attractiveness of the area for workers with reducing the reverse sensitivity impacts on heavy industry.

- **No provisions for main through routes**

Council considered omitting LIZ-O5/GIZ-O5/HIZ-O5 and having no objective relating to the visual quality of main entrance routes. Council opted to retain a preferred outcome for main entrance route aesthetics based on its expectation of the community valuing this outcome.

- **Application of a non-industrial zone to the operative Avalon Business Activity Area**

As the Business Activity Areas are not an exact match to any zone in the National Planning Standards or proposed plan, and the existing rationale for the existence of the Avalon Business Activity Area was questionable, Council considered the appropriate zoning for this site. Council ultimately decided that the Light Industrial Zone was most appropriate as the site had an existing pattern of land use compatible with industrial zoning, good separation from existing residential activity, and that industrial land faced a significant shortage of suitable land while other land uses did not face as significant a shortfall.

- **Application of General Industrial Zone to 30 Benmore Crescent, Manor Park**

Council considered extending the General Industrial Zone to a vacant site at 30 Benmore Crescent, Manor Park, as suitable for redevelopment for industrial purposes. Council opted not to pursue this option due to concerns over the impact on amenity values and the transport network and strong community opposition.

FINAL DRAFT



8 Evaluation of Policies and Rules

8.1 Background

- (71) Policies and rules implement, or give effect to, the objectives of a plan.
- (72) Policies of a district plan are the course of action to achieve or implement the plan's objective (i.e. the path to be followed to achieve a certain, specified, environmental outcome). Rules of a district plan implement the plan's policies, and have the force and effect of a regulation.
- (73) Under s32(1)(b) of the Resource Management Act, an evaluation report required under the Act must examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by—
- (i) *identifying other reasonably practicable options for achieving the objectives; and*
 - (ii) *assessing the efficiency and effectiveness of the provisions in achieving the objectives; and*
 - (iii) *summarising the reasons for deciding on the provisions.*
- (74) Under s32(2) of the Resource Management Act, the assessment of the efficiency and effectiveness of the provisions must:
- (a) *identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for—*
 - (i) *economic growth that are anticipated to be provided or reduced; and*
 - (ii) *employment that are anticipated to be provided or reduced; and*
-

- (b) *if practicable, quantify the benefits and costs referred to in paragraph (a); and*
- (c) *assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.*

8.2 Notes

- (75) Quantification of the benefits and costs of provision of industrial land capacity in general is found in the Housing and Business Development Capacity Assessment 2023. While this has not yet been updated for the proposed plan, it is unlikely that industrial development capacity has been significantly altered by the proposed plan. In some cases, proposed higher height limits may have increased capacity, but this is likely of use to a relatively small range of industrial land uses.
 - (76) Specific quantification of the other benefits and costs associated with the proposed Industrial Zones chapters is not considered practical, given the low level of change from the operative plan, relatively low scale and significance of the issue, the ability for benefits and costs to be considered in more detail at resource consent stage, and for those few activities (such as residential in the Heavy Industrial Zone) that do not have resource consent pathways, the limited area affected and the regional strategic significance of protecting key employment centres.
 - (77) The evidence base which has informed the preparation of the proposed Industrial Zones chapters is identified in section 4.2 of this report. With consideration to this evidence base, the issues concerning industrial areas are generally long-standing and similar in other cities with significant industrial bases such as Auckland and Porirua. As such, there is sufficient information on which to base these provisions based on local and national experience. To the extent that any information is uncertain or insufficient, the risk of not acting may be that development capacity is imperfectly used, or adverse effects of or on industrial activity are not appropriately managed.
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8.3 Evaluation of provisions

(78) The proposed provisions are:

- For the Light Industrial Zone, a package of 12 policies and a suite of rules in the three categories of Building and Structures, Land Use Activities, and General Rules, supported by 5 standards.
- For the General Industrial Zone, a package of 12 policies and a suite of rules in the three categories of Building and Structures, Land Use Activities, and General Rules, supported by 5 standards.
- For the Heavy Industrial Zone, a package of 11 policies and a suite of rules in the three categories of Building and Structures, Land Use Activities, and General Rules, supported by 7 standards.

(79) Each package works in a similar manner and so we can describe the general framework for industrial zones while noting zone-specific differences.

(80) Each zone provides a suite of policies that classify land uses into:

- Enabled Activities (LIZ-P1, GIZ-P1, HIZ-P1), which obviously are enabled
 - Residential activities and other activities sensitive to industry (LIZ-P2, GIZ-P2, HIZ-P2). A major difference between the three zones is the approach to these activities, with a strong avoid policy in HIZ, a fairly strong avoid policy in GIZ, and a test on benefits and compatibility with the zone in LIZ.
 - Heavy Industrial Activities (LIZ-P3, GIZ-P3). These are to be avoided in LIZ and GIZ unless meeting a test of their effects being comparable to non-heavy industry. Meanwhile, HIZ enables heavy industrial activity (GIZ-P1) subject to a resource consent process to manage effects.
 - Other incompatible or potentially incompatible activities (LIZ-P4, GIZ-P4, HIZ-P3). The scope of these activities varies through the zones, with the General and especially Light zones placing greater emphasis on provision of non-industrial activities where compatible with zone outcomes.
 - Existing activities (LIZ-P5, GIZ-P5, HIZ-P4). While rare that policies will be applied to existing activities with existing use rights, this sets the zone's tolerance for incompatible existing activities.
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- (81) Each zone also has policies to manage considerations of development capacity and how land uses should be managed to make use of the limited resource of land suitable for industry (LIZ-P6 to LIZ-P8, GIZ-P6 to GIZ-P8, HIZ-P5 to HIZ-P7).
- (82) Each zone also has a suite of policies setting out urban design outcomes including the outcomes to be sought and when this is achieved through performance standards or assessment (LIZ-P9 to LIZ-P11, GIZ-P9 to GIZ-P11, HIZ-P8 to HIZ-P10)
- (83) Finally, each zone has a policy setting out the management of adverse effects at zone interfaces (LIZ-P12, GIZ-P12, HIZ-P11).
- (84) The rules, like all zones in the proposed plan, are divided into rules managing buildings and structures, with performance standards, rules controlling land use activities, with conditions affecting activity status in some cases, and general rules managing some specific nuisances.
- (85) Buildings and structures rules provide for permitted development where for the purpose of a permitted land use and subject to meeting standards, and a resource consent process where this is not the case.
- (86) Land use activity rules implement the policy direction for anticipated land uses.
- (87) General rules implement some remaining matters for the policy for adverse effects at zone interfaces that are not directly caused by changes to buildings and structures.

8.3.1 Zone purpose, development capacity, and land use activities provisions

LIZ-P1 to LIZ-P8, GIZ-P1 to GIZ-P8, HIZ-P1 to HIZ-P7

LIZ-R4 to LIZ-R22, GIZ-R4 to GIZ-R22, HIZ-R4 to HIZ-R20

Why these provisions are included in the proposed District Plan

These provisions implement objectives LIZ-O1 to LIZ-O3, GIZ-O1 to GIZ-O3, and HIZ-O1 to HIZ-O3.

The policies outline the purposes of the zones, classify land use activities based on their type and effects and management approach, and

provide guidance for deciding whether and under what circumstances different land uses are provided for in the zone.

The package of rules implements the policies by providing for land use activities that are permitted or require resource consent.

Efficiency and effectiveness

Benefits

- Control of reverse sensitivity issues and land uses with no need to locate in industrial areas assists in providing and protecting sufficient industrial land capacity, a territorial authority function under the Act.
- Classification of land uses provides certainty to plan users.
- Enables economic growth and for communities to provide for their well-being through providing for industrial businesses and employment.
- Provision for supermarkets will assist competition in the grocery sector and access to food, while limiting to this specific land use will minimise

Costs

- Potential for less efficient land use, particularly in the short term, when industrial tenants cannot be found for vacant sites.
- Adverse effects will occur through violations of the plan that are not practical to monitor and enforce.

Overall assessment

The provisions are effective in implementing the outcomes expressed in the objectives. Providing for industrial activities and other non-industrial activities in the same or nearby areas may in some circumstances lead to conflicting outcomes. The provisions provide guidance as to how resource consent applications may resolve tension between these outcomes.

The benefits of protecting dedicated industrial land is expected to exceed the costs, and is consistent with national and regional direction. These benefits and costs can be considered in further detail when proposals for non-industrial developments are proposed based on then-existing market conditions and the latest Housing and Business Development Capacity Assessment figures.

Reasonably practicable alternatives

No alternatives were considered to implement the objectives, although alternative objectives were considered (see section 7).

8.3.2 Buildings and design provisions

<p>LIZ-P9 to LIZ-P11, GIZ-P9 to GIZ-P11, HIZ-P8 to HIZ-P10</p> <p>LIZ-R1 to LIZ-R3, GIZ-R1 to GIZ-R3, HIZ-R1 to HIZ-R3</p>
<p>Why these provisions are included in the proposed District Plan</p>
<p>These provisions implement objectives LIZ-O4, LIZ-O5, GIZ-O4, GIZ-O5, HIZ-O4, and HIZ-O5. The provisions aim to encourage building to be designed to further the aims of the plan to create a well-functioning urban environment that suits the needs of employees and visitors, as well as protecting the capacity of the land and buildings to meet future industrial needs. These are then implemented through rules that require compliance with permitted activity standards, and building and performance standards to ensure minimum outcomes are achieved. Non-statutory design guides are also provided for, which can provide further information on how to achieve good urban design outcomes. Alternatively, applicants can provide their own evidence about how the outcomes are achieved.</p> <p>The urban design policies differ from the operative plan approach but are consistent with the proposed approach in residential and commercial zones, which is most similar to the approach of the operative plan's residential chapters. This approach is to clearly link standards to the plan's intended outcomes.</p>
<p>Efficiency and effectiveness</p>
<p>Benefits</p> <ul style="list-style-type: none"> • Enhances the appearance and functionality of the public realm and public-facing parts of developments. • Protects privacy, daylight, and sunlight to sensitive and public places. • Protects privacy, daylight, and sunlight to neighbouring residential areas. • Promotes aesthetic value of new developments. • Protects the industrial development capacity of industrial areas by discouraging developments that would indefinitely remove land from being suitable for industrial purposes. • Provides clear guidance for what is relevant in resource consent applications. • Objective standards lower compliance costs. <p>Costs</p> <ul style="list-style-type: none"> • Compliance costs and increased cost of buildings. • Potential less efficient use of land, especially in the short term if there are industrial vacancies.

- Adverse effects will occur through violations of the plan that are not practical to monitor and enforce.

Overall assessment

The provisions are effective in implementing the outcomes expressed in the objectives. Providing for the desired urban design and industrial development capacity outcomes while managing effects on the environment may in some circumstances lead to conflicting outcomes. The provisions provide guidance as to how resource consent applications may resolve tension between these outcomes.

Reasonably practicable alternatives

- **Discretionary assessment for all new buildings**
Council discarded this option as having excessive compliance costs.
- **Permitted activity standards with no or minimal guidance**
Council discarded this option as lacking clarity for plan users.
- **Design guide in the plan**
Council discarded this option as being hard to enforce and lacking clarity for plan users.
- **Resource consent not required for buildings even if resource consent required for land use activity**
Council discarded this option as unrealistic given the links between land use and building design.

8.3.3 Nuisances provisions

LIZ-P12, GIZ-P12, and HIZ-P11

LIZ-R23, LIZ-R24, GIZ-R23, GIZ-R24, HIZ-R21, and HIZ-R22

Why these provisions are included in the proposed District Plan

These provisions implement objectives LIZ-O6, GIZ-O6, and HIZ-O6.

The policy outlines the purpose of the standards, and provides guidance for matters to consider when assessing applications under the rules.

Efficiency and effectiveness

Benefits

- Manages adverse effects on amenity values that might otherwise affect neighbouring residential, rural, open space, marae, and mixed use areas.
- Clearly identifies types of effects (visual, noise) which need to be managed.
- Tailored standards for different areas and situations provide greater protection where needed without requiring assessment where not needed.
- Provides objective standards that, for most sites, can be implemented without needing consent or complicated designs, and can be enforced using resources routinely available to council.
- Resource consent process limited to relevant effects.

Costs

- Compliance costs for industrial users, including potential less efficient scheduling of servicing.
- Enforcement costs for Council.
- Adverse effects will occur through violations of the plan that are not practical to monitor and enforce.

Overall assessment

The provisions are effective in implementing the outcomes expressed in the objectives. Controlling the appearance of servicing areas and controlling servicing hours enhances amenity values for nearby non-industrial areas, particularly residents.

Reasonably practicable alternatives

- **Control dust and odour as well**
Council considered a “belts and braces” approach of duplicating regional council controls on dust and odour in a manner similar to the operative plan but discarded this approach as being too difficult to enforce with Council’s available functions and powers.
- **No controls**
Council discarded the option of no controls as it thought the benefits of more flexible land use were outweighed by the impacts on affected residents.

9 Summary

(88) This report, including the evaluation, has been prepared to set the context for the Industrial Zones chapters of the proposed District Plan. The evaluation has been undertaken in accordance with section 32 of the RMA in order to identify the need, benefits and costs and the appropriateness of the proposed chapter, having regard to its effectiveness and efficiency relative to other means in achieving the purpose of the RMA. The evaluation demonstrates that this proposal is the most appropriate option as it:

- Recognises and provides for industrial activity in a dedicated area protected from incompatible development,
 - Controls the effects of that development to protect amenity values in the zone and in nearby zones,
 - Controls activities that may have unreasonable reverse sensitivity impacts,
 - Sets objectives that are relevant, useful, reasonable and achievable,
 - Minimises compliance and enforcement costs,
 - Makes conservative decisions where information is limited,
 - Provides adequate direction for resource consent applications,
 - Is consistent with higher order documents, particularly the National Policy Statement on Urban Development and the Regional Policy Statement for the Wellington region, and
 - Is consistent with the requirements of the National Planning Standards.
-