

Section 42A Officer's Report

Hearing Stream 1: Opening hearing

Subjects: An introduction to:

- The District Plan Review,
- Proposed District Plan, and
- Hearing process.

Plan Stop requirements and exemptions

Partial withdrawal of the Proposed District Plan

Submissions on:

- Part 1: Introduction and General Provisions
- Strategic Directions – Natural Environment, Tangata Whenua, Urban Form and Development
- Definitions – General
- Whole of Plan

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Report Date: 26 March 2026

Date of Hearing: 29–30 April 2026

1 Executive summary

- (1) The purpose of this Officers' Report is to assist the Independent Hearings Panel in making recommendations on submissions on the Proposed Hutt City District Plan ('PDP') that relate to matters across the PDP or where the submission does not relate to a topic-specific hearing. The report is also intended to assist submitters attending the hearing.
- (2) This report should be read in conjunction with the following documents which are available on the HCC website¹:
 - the PDP as notified, including all maps,
 - the accompanying section 32 report published by Hutt City Council ('HCC') when the PDP was notified and supporting technical reports.
 - The original and further submissions that are within the scope of this report
- (3) A range of submissions and further submissions seeking a range of outcomes were received on the topics covered by this report.
- (4) The following are considered to be the key issues in contention:
 - The timing and content of the PDP in relation to the current until RMA reform process
 - Typographical and formatting errors and minor wording updates in Part 1 of the PDP
 - How the PDP addresses Tangata Whenua outcomes and aspirations
 - Alignment of Strategic Direction objectives with higher order documents, the scope of some strategic direction objectives and/or clauses within strategic objectives relative to the role of the District Plan under the RMA
 - Requests for amendments to definitions, to add new definitions, or updating references to defined terms to provide consistency across the PDP

¹ [District Plan Review | Hutt City Council](#)

- The scope and extent of indigenous vegetation and biodiversity provisions across the PDP
 - Submissions seeking clarification about how specific activities are managed in the PDP
 - Submissions seeking amendments to provisions that have been withdrawn or are not within the scope of the Council's approved plan change exemption.
 - Consequential relief sought by submitters.
- (5) The submissions considered in this report have been grouped against relevant PDP chapters and key themes which are analysed in this report. Wherever possible, I have provided a recommendation to assist the Hearings Panel in respect of accepting or rejecting submissions made, and recommended changes to PDP provisions.
- (6) Appendix 1 to this report sets out the recommended changes to the relevant PDP provisions in tracked changes. In summary, the following amendments are recommended:
- Updating the text in Part 1 of the PDP, for clarity and consistency
 - Updates to comply with the approved plan change exemption
 - Updates to references to National Direction instruments to reflect the recent amendments to those instruments and to include references to new instruments in Part 1 of the PDP
 - Amendments to the Tangata Whenua chapter to for clarity and consistency with Statutory Acknowledgements
 - Amendments to strategic direction objectives to align with existing higher order documents, align with the aspirations and outcomes sought by Mana Whenua, and to provide clarity and consistency for plan users
 - Amendments to some definitions to provide clarity and consistency
 - Amendments to rule titles to align with recommended amendments to definitions and to provide plan clarity.
- (7) Appendix 2 details the officers' recommendations on submissions, and whether those submissions should be accepted or rejected. The appendix
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should be read in conjunction with the assessment contained within the body of this report to provide the reasoning for those recommendations including an evaluation in accordance with Section 32AA of the RMA where I am recommending amendments to the notified provisions.

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2.1

3 Introduction

- (8) This report is the Officers Report for **Hearing 1: Opening hearing** for the Proposed Lower Hutt District Plan (the PDP).
- (9) This report is a combination of:
- A general briefing on the District Plan Review, the PDP and its process to date, and
 - A “section 42A report” for submissions on the following parts of the PDP:
 - Part 1: Introduction and General Provisions,
 - Strategic Directions relating to the Natural Environment,
 - Strategic Directions relating to Tangata Whenua, and
 - General definitions (as opposed to definitions that directly relate to a specific topic covered by the PDP that will be addressed through future hearings and section 42A reports).
- (10) The purpose of the s42A report aspect of this report is to:
- Assist the Hearing Panel in making their recommendations on the submissions and further submissions on the parts of the PDP listed above, and
 - Provide submitters with information on how their submissions/further submissions have been evaluated by the reporting officer(s) for this hearing stream, and their recommendations to the Hearing Panel.
- (11) The Hearing Panel may choose to accept or reject the conclusions and recommendations of this report, or may come to different conclusions and make different recommendations, based on the information provided to them, including evidence provided to them by submitters.

3.1 Author

- (12) My full name is Kate Louise Pascall and I hold the position of Principal Planner at Boffa Miskell Limited. I hold a Bachelor of Resource and Environmental Planning and a Master of Resource and Environmental Planning, both from Massey University. I am a Full Member of the New Zealand Planning Institute.
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- (13) I have over 15 years of experience in planning and resource management. Over this time, I have worked in policy planning roles in local government including two full district plan reviews and strategic spatial planning, most recently in the Wellington region. I have been a consultant planner for three and half years which has included regional planning policy, regional consent preparation, planning and consenting support for a significant Fast Track consenting project, and submission preparation on behalf of clients.
- (14) I was not involved in the development of the PDP provisions however I have familiarised myself with the process that was followed and the section 32 evaluation report.
- (15) Although this is a Council hearing, I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023. I have complied with the Code of Conduct when preparing my written report and I agree to comply with it when I give any oral evidence.
- (16) Other than where I state that I am relying on the advice of another person, this evidence is within my areas of expertise. I have not omitted to consider material facts known to us that might alter or detract from the opinions that I express.
- (17) Any data, information, facts, and assumptions I have considered in forming my opinions are set out in the part of the evidence in which I express my opinion. Where I have set out opinions in my evidence, I have given reasons for those opinions.

3.2 Supporting evidence

- (18) Other than the s32 evaluation reports for these chapters, there is no additional supporting documents or evidence for this report.

3.3 Abbreviations

- (19) This report uses a number of abbreviations of terms and submitter names which are set out in Table 1 below.

Table 1 Abbreviations of terms and submitter names

Abbreviation	For
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Act	Resource Management Act 1991
FENZ	Fire and Emergency New Zealand
Fish and Game	Wellington Fish and Game Council
Forest and Bird	Royal Forest and Bird Protection Society of New Zealand Inc.
NZCPS	New Zealand Coastal Policy Statement
GWRC or WRC	Wellington Regional Council (Greater Wellington)
HCC	Hutt City Council
HNZPT	Heritage New Zealand Pouhere Taonga
MoE	Ministry of Education - Te Tahuhu o Te Maturanga
MPHRCIS	Manor Park and Haywards Residents Community Incorporated Society
NPS-FM	National Policy Statement for Freshwater Management
NPS-IB	National Policy Statement for Indigenous Biodiversity
NPS-UD	National Policy Statement on Urban Development
NZTA	New Zealand Transport Agency (Waka Kotahi)
PDP	Proposed Hutt City District Plan
RMA	Resource Management Act 1991
RPS	Regional Policy Statement
RPS Change 1	Proposed Change 1 to the Regional Policy Statement for the Wellington Region

SASM	Sites and Areas of Significance to Māori
The Fuel Companies	The Fuel Companies (BP, Mobil and Z Energy)

3.4 Key Issues in Contention

(20) The following are the key issues in contention within the scope of this report:

- The timing and content of the PDP in relation to the current until RMA reform process
- Typographical and formatting errors and minor wording updates in Part 1 of the PDP
- How the PDP addresses Tangata Whenua outcomes and aspirations
- Alignment of Strategic Direction objectives with higher order documents, the scope of some strategic direction objectives and/or clauses within strategic objectives relative to the role of the District Plan under the RMA
- Requests for amendments to definitions, to add new definitions, or updating references to defined terms to provide consistency across the PDP
- The scope and extent of indigenous vegetation and biodiversity provisions across the PDP
- Submissions seeking clarification about how specific activities are managed in the PDP
- Submissions seeking amendments to provisions that have been withdrawn or are not within the scope of the Council's approved plan change exemption.
- Consequential relief sought by submitters.

3.5 Procedural issues

(21) At the time of writing this report there have not been any pre-hearing conferences, clause 8AA meetings, or expert witness conferencing in relation to the topics in this hearing.

4 Introduction to the District Plan Review and Proposed District Plan

4.1 Purpose of the District Plan Review

- (22) Hutt City Council is undertaking a comprehensive review of the District Plan in accordance with sections 73 and 79 of the Resource Management Act 1991 (RMA). The operative District Plan became fully operative in 2004, and while parts have been updated through plan changes since that time, a full review has not been completed within the 10-year timeframe required by the RMA.
- (23) The purpose of the review is to ensure that the District Plan:
- Responds to contemporary resource management issues facing Lower Hutt;
 - Gives effect to new national direction, including National Policy Statements and National Environmental Standards;
 - Aligns with regional policy direction set by the Wellington Regional Policy Statement;
 - Reflects community aspirations around housing, growth, climate change, resilience, and the natural environment; and
 - Is consistent with the National Planning Standards, including adopting a modern plan structure and format.
- (24) The review also provides an opportunity to address policy gaps, integrate updated technical information, and re-evaluate the effectiveness of existing provisions.

4.2 Development of the Proposed District Plan

- (25) The District Plan Review has been a multi-year process involving research, technical assessment, and extensive engagement with the community, iwi, stakeholders, and government agencies.
- (26) Key stages have included:
- **Early scoping and engagement (2019–2021):** Foundational work to identify key issues, involving engagement with iwi authorities, stakeholders, landowners, and the wider community.
 - **Draft District Plan (2023):** A non-statutory draft plan was publicly released to allow early feedback.
 - **Targeted consultation:** Including engagement on specific topics such as natural hazards, natural features and landscape, heritage, sites of significance to Māori, and residential development.
 - **Preparation of section 32 evaluation reports:** Assessing the appropriateness of objectives, policies, and methods proposed.
- (27) This process culminated in Council's decision to notify the Proposed District Plan (PDP) in accordance with clause 5 of Schedule 1 of the RMA.

4.3 Notification of the Proposed District Plan

- (28) The Proposed District Plan was publicly notified on 6 February 2025, initiating the formal Schedule 1 process. Notification included:
- Public notices in accordance with statutory requirements;
 - Direct notice to affected landowners, statutory bodies, iwi authorities, and stakeholders;
 - Publication of the PDP and supporting technical reports online;
 - A dedicated "Friend of the Submitter" service to assist the public.

- (29) The notification triggered the opportunity for any person to make a submission on the PDP.

4.4 Submissions and Further Submissions

- (30) During the submission period, the Council received **499 original submissions**, comprising **6,211 submission points**, reflecting a broad range of views on the PDP.
- (31) A summary of decisions requested was then prepared and publicly notified in accordance with clause 7 of Schedule 1, initiating the further submission period. Council subsequently received **42 further submissions**, supporting or opposing specific submission points.
- (32) Submissions raised issues across all Parts of the PDP, including the strategic direction, zones, district-wide matters, natural hazards, heritage, and tangata whenua provisions. Some submissions also raised questions about plan structure, legal effect of rules, and interpretation matters.

4.5 Overview of the Proposed District Plan

- (33) The PDP has been structured in accordance with the National Planning Standards. It adopts a consistent and user-friendly format, supported by an electronic planning map system.
- (34) The PDP:
- Originally proposed to fully replace the operative plan with a modern, integrated framework;
 - Introduces a strategic direction outlining the key outcomes sought for the city;
 - Reviews all district-wide matters, including natural hazards, heritage, tangata whenua values, infrastructure, and the natural environment;
 - Rezones land to better respond to growth, resilience, and national policy direction;
 - Incorporates updated technical information relating to flooding, coastal hazards, ecosystems, transport, and historic heritage;

- Integrates new national direction required to be given effect to under the RMA; and
- Provides greater clarity and consistency in rules and definitions.

(35) Where required, the PDP includes schedules to support implementation.

4.6 Statutory and Policy Framework Update

(36) Since the preparation of the Proposed District Plan and the General Section 32 Evaluation Report, the statutory and policy landscape for resource management in Aotearoa New Zealand has continued to evolve. While the RMA remains the operative legislation governing the development of district plans, several significant reform processes, legislative amendments, and new national policy instruments now form an important part of the context in which submissions on the PDP must be evaluated.

(37) This section summarises key updates relevant to the hearing process, and clarifies the extent to which the Council can or cannot respond to these developments within the scope of the Schedule 1 process.

4.6.1 Resource Management System Reform: Planning Bill and Natural Environment Bill

(38) In December 2025, the Government introduced the Planning Bill and Natural Environment Bill as part of the ongoing reform of New Zealand's resource management system. These Bills are intended to replace the RMA with a new legislative framework centred on:

- Combined Regional Plans, incorporating a Regional Spatial Plan, Land Use Plan (equivalent of a District Plan) and Natural Environment Plan. There would be one Combined Regional Plan for each region, with a chapter for each city/district in the region for the Land Use Plan, and
- A greater focus on environmental limits, outcomes, and integrated land-use and infrastructure planning.

(39) At the time of this report, both Bills remain in the parliamentary process and have no legal effect on the PDP. The RMA and Schedule 1 requirements continue to apply, and the PDP must be evaluated on that basis.

(40) However, the Bills signal a likely transition to a new planning framework within the coming decade. This context underscores the importance of preparing a PDP that:

- Is consistent with the National Planning Standards;
- Provides clear, robust spatial and policy direction that can support a streamlined transition into a future Land Use Plan; and
- Responds to higher-order direction where it remains operative (including National Policy Statements and the Regional Policy Statement).

4.6.2 Amendments to the RMA – Resource Management (Consenting and Other System Changes) Amendment Act

(41) The Resource Management (Consenting and Other System Changes) Amendment Act come into force on 20 August 2025. This Amendment Act introduces a range of transitional measures intended to manage the current planning system ahead of its eventual repeal and replacement of the RMA by the new planning framework proposed through the Planning Bill and Natural Environment Bill.

Plan Stop Mechanism

(42) A key feature of this Amendment Act is the introduction of a “Plan Stop” mechanism. This mechanism:

- Requires councils to stop progressing most proposed plans and plan changes where hearings had not commenced by the date the legislation took effect; and
- Allows continuation only where automatic statutory exemptions apply or the Minister grants an exemption.

(43) Under these provisions, Council could not progress the PDP unless:

1. The relevant parts met the statutory criteria for automatic exemption, or
2. The Minister granted an exemption under section 80V RMA.

- (44) Because hearings on the PDP had not commenced, the PDP was subject to the Plan Stop unless an exemption was secured.

Exemption granted for most of the Proposed District Plan

- (45) Hutt City Council sought an exemption to allow the majority of the PDP to continue through the Schedule 1 process. On 15 January 2026, the Minister Responsible for RMA Reform, Hon Chris Bishop, approved the exemption in full, enabling most PDP chapters to proceed to hearings and decisions.

- (46) As a result, the following components of the PDP continue unaffected:

- Strategic Directions
- Residential Zones and Rural Zones
(excluding provisions specifically relating to *highly productive land*)
- Commercial and Mixed Use, Industrial, and Open Space and Recreation Zones
- Special Purpose Zones (Hospital, Marae, Quarry, Tertiary Education, Seaview Marina)
- Energy, Infrastructure and Transport
- Designations
- Natural Hazards, Hazardous Substances, Contaminated Land
- General District-Wide Matters, including Subdivision, Earthworks, Notable Trees, Signs, Temporary Activities, and others

- (47) These chapters remain “live” and will proceed through s42A reporting, hearings, deliberations, and decisions following the standard Schedule 1 processes.

Parts of the Proposed District Plan Withdrawn

- (48) In accordance with the Amendment Act and the Minister’s exemption, Council was statutorily required to withdraw all PDP provisions not covered by the exemption. This was completed by public notice on 15 January 2026.

- (49) The following parts of the PDP have been formally withdrawn:

Historical and Cultural Values

- Historical Heritage chapter
- Sites and Areas of Significance to Māori (SASMs)
- All related schedules and overlays

Natural Environment Values

- Ecosystems and Indigenous Biodiversity
- Natural Character
- Natural Features and Landscapes
- Public Access
- Coastal Natural Character components of the Coastal Environment chapter
- All related schedules and overlays

Highly Productive Land

- Provisions within the General Rural Zone relating to the management of highly productive land

(50) These withdrawn provisions no longer form part of the PDP. The PDP maps and online ePlan viewer have been amended accordingly. I note that not all provisions related to the above matters have been captured in the withdrawn provisions. For example, there are individual standards that refer to withdrawn overlays (e.g. INF-S20). In addition, integration with the equivalent chapters in the Operative District Plan would be required for some topics.

Recommendations to make amendments for this integration will be addressed in each hearing stream as required. The final wrap-up hearing will address outstanding corrections including those that impact multiple hearing streams.

Implications for Submitters

(51) The Council has obtained legal advice from Stephen Quinn on the implications of the exemption and withdrawal on submitters and the remaining PDP process. The legal advice confirms that:

- Submissions on withdrawn provisions fall away, because the Hearing Panel has no jurisdiction to grant any relief relating to provisions that no longer exist.
- Submitters who only submitted on withdrawn provisions do not need to be heard, as there is nothing the Panel can lawfully consider or determine.

(52) Submitters whose submissions relate to retained PDP chapters:

- Their submissions remain fully in scope.
- These topics will proceed to hearings, with s42A reports assessing submission points.

(53) A copy of Mr Quinn's advice is attached to the Hearing Panel's Minute 2².

Effect on the PDP Hearing Process

(54) Given the exemption and withdrawal of some provisions, this means:

- Hearings will proceed only on the exempted/retained chapters.
- The s42A reports will focus only on the provisions still within the PDP. They may include necessary procedural and consequential amendments to ensure the remaining PDP provisions function correctly and integrate with the ODP.
- Any submission relief requesting amendments to withdrawn chapters, or dependent on their reinstatement, cannot be recommended or granted under Schedule 1. For transparency, these submissions have been listed in Appendix 2 and the Officer recommendation is 'No recommendation'.

(55) This context is important for the Hearing Panel when assessing the scope and validity of submission points and determining where relief is still available.

² [PDP Hearing Minute #2 - Hearing Procedures \(4\).pdf](#)

4.6.3 New and Amended National Direction

(56) On 18 December 2025, the Government approved ten national direction instruments, including amendments to seven existing instruments and the introduction of three new national direction instruments, as follows:

- Resource Management (National Environmental Standards for Detached Minor Residential Units) Regulations 2025
- National Policy Statement for Natural Hazards 2025
- National Policy Statement for Highly Productive Land Amendment 2025
- New Zealand Coastal Policy Statement Amendment 2025
- National Policy Statement for Indigenous Biodiversity Amendment 2025
- National Policy Statement for Freshwater Management Amendment 2025
- Resource Management (National Environmental Standards for Freshwater) Amendment Regulations 2025
- National Policy Statement for Infrastructure 2025
- National Policy Statement for Renewable Electricity Generation Amendment 2025
- National Policy Statement for Electricity Networks Amendment 2025

(57) These all came into force on 15 January 2026.

(58) As set out in the legal advice from Mr Quinn, the Council is required to give effect to the new/altered higher order documents to the extent practicable within the scope provided by the exemption and submissions.

(59) The Council cannot introduce new objectives, policies, or rules into the surviving PDP chapters solely to give effect to new national direction where:

- such provisions were not notified,
- submitters had no opportunity to submit, or
- they relate to subject matter now withdrawn from the PDP.

(60) Therefore, any changes required to fully give effect to the new or amended national direction instruments must occur through future plan changes or a future full review, not through this constrained PDP process. The s42A reports will identify, for each chapter, the extent to which alignment with the

new/altered higher order documents is possible within the scope of the surviving PDP and submissions.

4.6.4 Regional Policy Statement Change 1

(61) The Wellington Regional Council publicly notified a proposed change to the Regional Policy Statement in August 2022 (RPS Change 1).

(62) RPS Change 1 (as described on the WRC website) includes:

- Enabling urban development and infrastructure in appropriate locations.
- Encouraging more intensive urban development that is sensitive to the environment and meets the needs of more people.
- Developing objectives with our mana whenua partners to protect our waterways, including how Te Mana o Te Wai applies to freshwater in the region.
- Responding to the climate emergency:
 - Through provisions to reduce emissions.
 - By recognising the role that natural ecosystems play.
 - By reducing the impacts of climate change.
- Strengthening the existing provisions for indigenous ecosystems to maintain and restore ecosystem processes and biodiversity generally, not just significant biodiversity.

(63) Variation 1 to RPS Change 1 was publicly notified on 13 October 2023 and proposed long-term freshwater visions for Te Whanganui-a-Tara whitua and Te Awarua-o-Porirua Whitua. Variation 1 was progressed to give effect to clause 3.3. of the NPS-FM, which requires regional councils to develop long-term freshwater visions for their region and include them as objectives in the RPS.

(64) Following the statutory RPS change process (including submissions, further submissions and hearings) the Regional Council's decisions on RPS Change 1 and Variation 1 were publicly notified in October 2024.

- (65) However, parts of RPS Change 1 were appealed to the Environment Court and, at the time of preparing this report, those appeals are yet to be resolved.
- (66) As district plans are required to give effect to the regional policy statement for the region (s75(3) of the RMA), the RPS for the Wellington Region (including RPS Change 1) is a relevant consideration for the consideration of the PDP.

5 Introduction to evaluation of submission points in this report

5.1 Introduction

(67) This section provides an overview of the submission points evaluated in this report, and explains how the evaluation is structured. The introductory chapters and strategic direction chapters are considered together due to their plan-wide significance—this report addresses those components of the Proposed District Plan that are foundational to understanding, interpreting and applying the plan as a whole.

(68) The submission points covered in this report relate to:

- **Part 1: Introduction and General Provisions**, including:
 - *Introduction*
 - *How the Plan Works* (General Approach, Structure of the Plan, Legal Effect of Rules, Cross-boundary Matters, and Relationships Between Spatial Layers)
 - *Interpretation* (Definitions, Abbreviations, Glossary)
 - *National Direction instruments*
 - *Tangata Whenua*

- **Strategic Directions (limited scope)**

This report evaluates submissions only on the Tangata Whenua Strategic Direction and the Natural Environment Strategic Direction, and two strategic directions relating to well-functioning urban environments. These strategic directions remain within scope of the PDP following the Ministerial exemption and partial withdrawal. Other strategic direction chapters (e.g.,

infrastructure, climate change resilience, urban form and development) are not addressed here and will be evaluated in the hearing streams most relevant to those topics (for example, the Infrastructure Strategic Direction will be addressed in the infrastructure hearing).

- **General Definitions**

Only general, plan-wide definitions are addressed here—those that do not logically sit within a topic-specific hearing. Definitions that are directly relevant to a particular chapter (e.g., transport, infrastructure, subdivision, hazards) will be evaluated in the corresponding hearing stream.

- **Whole-of-Plan Submissions**

Submissions that raise overarching matters about the structure, implementation, or interpretation of the PDP and that fall within the scope of the retained provisions.

(69) Because a significant proportion of the Natural Environment, Indigenous Biodiversity, Landscape, Coastal Environment and Heritage chapters have been withdrawn under the Plan Stop provisions, submissions on the strategic directions associated with those topics now fall to be addressed here—not because they sit in this hearing stream by design, but because no topic-specific hearing now exists for that subject matter. This reflects the legal advice that the Panel’s jurisdiction extends only to the surviving components of the PDP.

5.2 Note on Strategic Directions

(70) The Strategic Directions chapter of the Proposed District Plan sets out the overarching outcomes that guide and integrate all other parts of the plan. Strategic Directions function as the “top-tier” policy framework against which the remainder of the plan is interpreted and aligned.

(71) However, given the partial withdrawal of significant topic-based chapters, only a subset of the Strategic Directions now has a meaningful operative link to surviving PDP provisions. Accordingly:

- This report evaluates only:
 - The *Tangata Whenua Strategic Direction*; and

- The *Natural Environment Strategic Direction* (limited to the extent that related provisions remain in the PDP).
 - Other Strategic Directions are not evaluated here because:
 - They sit logically within later hearings, and
 - Many cannot be fully implemented at this stage of the PDP due to the partial withdrawal of their associated chapters.
- (72) Any broader changes sought by submitters to Strategic Directions that would require new or amended provisions outside the scope of the Minister’s exemption, or outside the scope of submissions, cannot be recommended in this hearing stream.
- (73) Future s42A reports will address the remaining Strategic Directions in the context of the chapters they implement, ensuring the Hearing Panel can consider them holistically and in accordance with the surviving structure of the PDP.
- (74) Compared to the Operative District Plan, the Strategic Directions are a new feature in the Proposed District Plan. They have been included based on direction by the National Planning Standards that indicate strategic direction should be included to set out high-level outcomes guiding all other provisions of the plan.
- (75) Although this structure is new, it is not entirely without precedent. The Operative District Plan contains Section 1.10 – City-Wide Issues, which includes broad, high-level objectives and policies that address district-wide themes relating to environmental management, growth, infrastructure, natural character and built form. While structured differently and drafted under an earlier planning framework, Section 1.10 performs a similar role to Strategic Directions by setting out overarching outcomes applicable across the district.
- (76) Importantly, when the remaining PDP provisions are finalised and integrated with the Operative District Plan, the Strategic Directions will fully replace Section 1.10 (City-Wide Issues) of the Operative District Plan. This ensures a coherent, updated, National Planning Standards-aligned framework for managing district-wide issues once the fully integrated planning document is formed following the completion of decisions and resolution of appeals.

6 Part 1 – Introduction and General Provisions

Introduction

- (77) Part 1 of the Proposed District Plan contains the foundational provisions that explain, structure, and frame the rest of the Plan. These provisions introduce the document, set out the high-level plan architecture, describe how the Plan is to be read and applied, and provide the key definitions, interpretation tools, and supporting information that users require before turning to the substantive zones, overlays, and district-wide chapters.
- (78) The content of Part 1 largely reflects the mandatory requirements of the National Planning Standards, which require all district plans to utilise a standardised structure, chapter order, naming conventions, and plan-wide components. As a result, the chapters contained in Part 1 represent the “front matter” that must be included in every district plan prepared under the RMA in its current form. They ensure that the Proposed District Plan:
- adopts the standardised layout and terminology required by the Planning Standards,
 - provides clear navigation and interpretation guidance for plan users, and
 - promotes national consistency across district plans.
- (79) The chapters within Part 1 addressed in this report are:
- Introduction to the Plan
 - How the Plan Works (including legal effect of rules, activity status framework, and plan structure)
 - Relationships Between Spatial Layers and Cross-Boundary Matters
 - Interpretation (definitions, abbreviations, and glossary)
 - National Direction Instruments

- Tangata Whenua chapter
- (80) Together, these provisions provide the interpretive and structural “scaffolding” for the PDP, describing how the Plan should be approached and applied before turning to any specific chapter or rule.

What is addressed in this report, and what will be addressed later

- (81) This hearing stream addresses only submissions on Part 1 chapters that remain within scope following the Plan Stop exemption and partial withdrawal of the Proposed District Plan.
- (82) Specifically, this report includes evaluation and recommendations on:
- *All Introduction and General Provisions* chapters, as they apply plan-wide and remain operative within the scope of the exemption.
 - General definitions and interpretation matters that do not sit naturally within another topic-based hearing.
 - The Tangata Whenua chapter, which continues to apply plan-wide and is not linked to any of the withdrawn provisions.
- (83) However, other Part 1 content—such as definitions that directly relate to specific topics (e.g., infrastructure, transport, heritage, subdivision, natural hazards)—will be considered in later hearing streams, where they align more naturally with the primary subject matter of those hearings. This staged approach supports coherent and integrated decision-making while ensuring that definitions and introductory provisions are evaluated alongside the chapters that rely on them.

Tangata Whenua chapter

- (84) The Tangata Whenua chapter is included within Part 1 because it provides essential context for understanding the role of Mana Whenua, the statutory acknowledgements, and the principles that underpin the drafting and application of the PDP. It also establishes the plan-wide framework for recognising Te Tiriti o Waitangi / Treaty of Waitangi principles and the relationship between Mana Whenua and the Council.
- (85) Although some topic-based chapters relating to Māori cultural values (such as Sites and Areas of Significance to Māori) have been withdrawn under the

Plan Stop requirements, the Tangata Whenua chapter remains within the scope of the PDP and continues to apply across the surviving provisions of the Plan. For this reason, submissions on the Tangata Whenua chapter are addressed in this report.

6.1 Introduction

6.1.1 Purpose

(86) R Beernink and G McCallum (303.1) request that the Purpose chapter is updated to ensure achievement of the new Resource Management Act (interpreted by officers as the proposed Planning and Natural Environment Acts that would result from the Governments current resource management reforms) and the Fast Track Approvals Act. The submitter also sought that the District Plan is delayed until the new resource management acts are passed into law.

(87) Te Rūnanganui O Te Atiawa (503.1) support the Purpose chapter in part, and seek the following amendment to the final paragraph of the chapter:

In responding to the city's resource management issues, the District Plan also assists Hutt City Council to achieve the Mana Whenua and wider community outcomes set out in the wider strategic framework, including the Long Term Plan, spatial planning document, and other plans and strategies.

Assessment

(88) I do not agree with the submission from R Beernink and G McCallum (303.1) seeking amendments to the Purpose chapter to align with the Planning Bill, Natural Environment Bill, and the Fast Track Approvals Act or to delay the District Plan Review until the planning bills are passed into law.

(89) As outlined in Section 4.6 of this report, the Proposed District Plan must be prepared and assessed under the current RMA, which remains in full force until any replacement legislation is passed and fully commenced. Section 4.6.2 of this report also explains that the Minister for RMA Reform granted Hutt City Council an exemption from the Plan Stop requirements, enabling the Council to continue progressing the District Plan Review. This confirms that proceeding under the RMA is both lawful and intended.

- (90) The Planning Bill and the Natural Environment Bill referred to by the submitter are still progressing through the parliamentary process and have no legal effect at this time. The District Plan cannot be rewritten to anticipate future legislation, nor can its progression be paused indefinitely based on a speculative legislative timetable.
- (91) Similarly, the Fast Track Approvals Act operates as a separate consenting pathway for specified projects and does not alter the statutory responsibilities of territorial authorities to maintain an operative district plan under the RMA. Its existence does not justify delaying or modifying the District Plan Review.
- (92) I agree in part with the submission from Te Rūnanganui o Te Āti Awa (503.1) seeking to amend the Purpose chapter to reference Mana Whenua. Inserting “Mana Whenua” appropriately reflects the partnership obligations and the strategic framework adopted by Council. However, the additional term “wider” is unnecessary and has not been retained. I therefore recommend accepting this submission in part.
- (93) For these reasons, I recommend that the final paragraph of the Purpose section should be amended.

Recommendation

- (94) Amend the final paragraph of the Purpose section as follows:
- “...to achieve ~~the~~ Mana Whenua and community...”
- (95) I recommend rejecting the relief sought by R Beernink and G McCallum (303.1) and accepting in part the relief sought by Te Rūnanganui o Te Āti Awa (503.1).

6.2 How the plan works

6.2.1 General approach – Structure of the Plan

- (96) The Policy Planning team of HCC (440.7) oppose the Structure of the Plan section of the General Approach chapter in part, and request that reference to “five inter-related parts” be amended to “four inter-related parts”.

Assessment

- (97) I agree with the submitter that the references to “five inter-related parts” is incorrect and needs to be amended to “four inter-related parts”. This provides clarity for plan users.
- (98) For these reasons, I recommend making an amendment to the Structure of the Plan section.

Recommendation

- (99) Amend the *Structure of the plan* section as follows:

The District Plan contains ~~five~~ four inter-related parts:

- (100) I recommend accepting the relief sought by The Policy Planning team of HCC (440.7).

6.2.2 General approach – Classes of activities

- (101) The Policy Planning team of HCC (440.8) oppose the Classes of activities section of the General approach chapter in part, and request the following amendment:

All of the chapters in Part 3 - Zones, and most of the chapters in Part 2, contain rules that establish the status of an activity. Rules will generally include conditions, requirements and standards that need to be met for ~~that~~ the rule as a whole, or a particular activity status to apply. If you do not comply with a particular rule condition, requirement or standard, the activity will change to a different activity status. You will be able to determine this by reading the rule. ~~Unless what you are proposing is a permitted activity, you will need a resource consent.~~ If any rule with an activity status of Controlled, Restricted Discretionary, Discretionary, or Non-Complying applies to your activity, you will need a resource consent.

Assessment

- (102) The Policy Planning team of HCC (440.8) requests amendments to the text relating to rules in Part 3 and Part 2 of the PDP. I agree that the amended text would provide clarity for plan users to understand when a resource consent application would be required.

(103) For these reasons, I recommend amendments to the Classes of activities section.

Recommendation

(104) Amend the text as shown below:

All of the chapters in Part 3 - Zones, and most of the chapters in Part 2, contain rules that establish the status of an activity. Rules will generally include conditions, requirements and standards that need to be met for ~~that~~ the rule as a whole, or a particular activity status to apply. If you do not comply with a particular rule condition, requirement or standard, the activity will change to a different activity status. You will be able to determine this by reading the rule. ~~Unless what you are proposing is a permitted activity, you will need a resource consent. If any rule with an activity status of Controlled, Restricted Discretionary, Discretionary, or Non-Complying applies to your activity, you will need a resource consent.~~

(105) I recommend accepting the relief sought by The Policy Planning team of HCC (440.8).

6.2.3 General approach – Identifying provisions that are relevant to your activity

(106) R Beernink and G McCallum (303.2) support the *Identifying provisions that are relevant to your activity* section of the *General approach* chapter in part, and request that it is updated to request that applicants for resource consents fill in a survey and provide feedback on what worked for them and what can be improved.

(107) Policy Planning team of HCC (440.9 and 440.10) oppose the *Identifying provisions that are relevant to your activity* section of the *General approach* chapter in part, and request the following amendments:

...

Other chapters only apply to overlays or other spatially identified areas or items. You will need to consult these chapters if your activity is within one of the chapter's overlays or other spatial areas or on a site that contains a relevant item: ...

~~When using the e-plan filtered to a particular site, only the parts of the rule or standard relevant to that site will be shown. ...~~

~~In accordance with the National Planning Standards, the e-plan allows you to select a property and view the plan either in full, or filtered with only the provisions and chapters relevant to that site. ...~~

(108) Transpower New Zealand Ltd (504.17 and 504.18) support the Identifying provisions that are relevant to your activity section of the General approach chapter, and specifically request retention of the following paragraphs:

- Paragraph 2, starting "Other chapters only apply to overlays or other spatially identified areas..." and the bullet points listed under the paragraph.
- Paragraph 3, starting "Finally, some chapters provided an all-in-one framework..." and the bullet points listed under the paragraph.

(109) As discussed under section 4.6.2, minor amendments are required to the PDP wording where the relevant chapter has been withdrawn as a result of the exemption application. Sections of the ODP will be retained as a result, which is also reflected in the wording. The subsequent amendment to the General Approach chapter is as follows:

- ~~Historical Heritage~~
- ~~Notable Trees~~
- ~~Sites and Areas of Significance to Māori~~
- ~~Natural Character~~
- ~~Natural Features and Landscapes~~
- Significant Natural, Cultural and Archaeological Resources
- Heritage Buildings and Structures
- Coastal Environment
- Protection of Infrastructure

Assessment

(110) In relation to the submission from R Beernink and G McCallum (303.2), I do not support the request to require applicants for resource consents to complete a survey or provide feedback on the consenting process. While the desire for

user feedback is understood, the District Plan is prepared and amended through a statutory process under the RMA. The District Plan Review itself—including public submissions and hearings—provides the formal mechanism for plan users to comment on what works well and what improvements are needed. Embedding a survey requirement within the PDP is outside the scope and purpose of a district plan and would not be enforceable through RMA processes.

- (111) The Policy Planning team of HCC (440.9 and 440.10) seek amendments to provide clarity and remove wording that is misleading due to not implementing provision-level filtering in the e-Plan. I agree that the wording in this section is misleading and the proposed amendments resolve this. I recommend accepting the proposed amendments.
- (112) Transpower New Zealand Ltd (504.17 and 504.18) supports retaining key explanatory paragraphs in this section. Their support is noted. However, as outlined in section 4.6.2 of this report, several chapters and overlays referenced in the notified version of this text—such as Sites and Areas of Significance to Māori, Natural Character, and Natural Features and Landscapes—have been withdrawn following the Ministerial exemption process. As a result, these overlays no longer apply and must be removed from this section of the General Approach chapter. In addition, the operative District Plan overlays now remain relevant for these topics.
- (113) Accordingly, Transpower’s request to retain the section is accepted in part. The intent and structure of the section remain appropriate, but the list of overlays must be updated to reflect the current planning framework.
- (114) For these reasons, amendments to the “Identifying provisions that are relevant to your activity” section are recommended to ensure accuracy, reflect the withdrawal of relevant PDP chapters, and correctly describe the functionality of the e-Plan.

Recommendation

- (115) Amend the “Identifying provisions that are relevant to your activity” section of the General approach chapter as follows:

Other chapters only apply to overlays or other spatially identified areas or items. You will need to consult these chapters if your

activity is within one of the chapter's overlays or other spatial areas or on a site that contains a relevant item:

- *Historical Heritage*
- *Notable Trees*
- ~~*Sites and Areas of Significance to Māori*~~
- ~~*Natural Character*~~
- ~~*Natural Features and Landscapes*~~
- *Significant Natural, Cultural and Archaeological Resources*
- *Heritage Buildings and Structures*
- *Coastal Environment*
- *Protection of Infrastructure*

...

~~*When using the e-plan filtered to a particular site, only the parts of the rule or standard relevant to that site will be shown.*~~

...

In accordance with the National Planning Standards, the e-plan allows you to select a property and view the plan either in full, or filtered with only the ~~provisions and~~ chapters relevant to that site. ...

- (116) I recommend rejecting the relief sought by R Beernink and G McCallum (303.2), accepting the relief sought by The Policy Planning team of HCC (440.9 and 440.10), and accepting in part the relief sought by Transpower New Zealand Ltd (504.17 and 504.18).

6.2.4 General approach – Legal effect of rules

- (117) The Director-General of Conservation (405.3) opposes the Legal effect of rules section of the General approach chapter, and request that it be amended to reflect section 86B of the RMA.
- (118) The Policy Planning team of HCC (440.11) oppose the Legal effect of rules section of the General approach chapter, and request the title is deleted, or updated/replaced with text accurate for the decisions version, appeals version, and operative version.

Assessment

- (119) I agree in part with both the Director-General of Conservation (405.3) and the Policy Planning team of HCC (440.11) submissions which request that the wording of the Legal effect of rules section is amended or deleted as relevant.
- (120) Section 86B of the RMA sets out the different timing for when proposed plan rules have legal effect. The latest time that a rule will have legal effect is when the plan becomes operative under clause 20 of Schedule 1. I agree with the Director-General of Conservation (405.3) that the proposed wording is not in accordance with s86B of the RMA.
- (121) I agree with the Policy Planning team of HCC, in that the wording is correct at notification stage however it will be incorrect in the decisions version and once made operative.
- (122) I do not consider the inclusion of this section appropriate within the PDP given it only reflects a moment in the PDP review process. When the PDP eventually becomes operative it will not be relevant and does not provide clarity to plan users. Separate guidance relating to s86B can be provided outside the content of the PDP.
- (123) For these reasons I recommend that the Legal Effects of rules section deleted in full.

Recommendation

- (124) Delete the Legal effect of rules section of the General approach chapter.
- (125) I recommend accepting in part the relief sought by the Director-General of Conservation (405.3) and the Policy Planning team of HCC (440.11).

6.2.5 General Approach – New provisions

- (126) Waste Management NZ Ltd (461.23) request the following general rule to be included in the General Approach chapter:

In parts of the Plan an activity falls within the definition of a wider category. For example, waste management facility is within the umbrella of industrial activity. In this Plan, where an activity status is specified for an activity within a broader category, the activity status applying to the specific activity applies.

(127) The Policy Planning Team at HCC (440.6) requests a table of contents for PDF and print versions of the plan.

Assessment

(128) Waste Management NZ Ltd (461.23) seeks the insertion of new text to clarify that the activity status applying to a specific activity applies rather than the overarching definition.

(129) The submission raises concern with the interpretation of specific activities (for example a waste management facility) being interpreted to fall under the umbrella definition (being an industrial activity in this example). The issue the submitter is seeking to address is when there are two activity statuses that might apply.

(130) I refer to the PDP section Format of chapters in Part 2 and Part 3 under the General Approach Chapter which states:

For zone chapters, rules are divided into three sections – Buildings and Structures, Land Use Activities, and General Rules. The Resource Management Act sets out that any activity not covered by a rule is not restricted by the plan. However, the plan is designed so that at least one Buildings and Structures or Land Use Activity rule will always apply, through use of catch-all rules. In some cases, this catch-all status will be permitted, or permitted with conditions and standards. In other cases, this catch-all status will be an activity status requiring resource consent. Catch-all rules are those that include the text “not otherwise provided for”, for example, a catch-all rule may be titled “all activities not otherwise provided for”.

(131) If a specific activity is provided for under Part 3 – Area-Specific Matters, this rule would determine the activity status within the zone. While I acknowledge the intent of the submission, I do not consider the amendment sought by the submitter is necessary. The plan is written so that land uses or activities are easily defined, in instances where a land use does not fit one definition the land use would follow the catch-all pathway as provided for in the PDP text. However, I have identified one instance where the catch-all pathway described above is unclear in the notified PDP. In the General Rural Zone

chapter, Rule GRUZ-R25 applies a non-complying activity status to 'Industrial Activities', however the land use activity table includes other specific activities that would also fall within the definition of 'industrial activities', such as landfills and cleanfills (Rule GRUZ-R16) and solid waste transfer stations (Rule GRUZ-R17). For clarity, I recommend amending Rule GRUZ-R25 to state 'Industrial activities not already provided for'.

(132) I agree in principle with the submission from the Policy Planning Team at HCC (440.6) to insert a table of contents. The National Planning Standards require a table of contents for PDF and print versions of the plan.

(133) For these reasons, a Table of Contents is recommended.

Recommendation

(134) Apart from amendments recommended elsewhere, retain the General Approach chapter as notified.

(135) Amend Rule GRUZ-R25 as follows:

GRUZ-R25 Industrial activities not otherwise provided for

*1. **Activity status:** Non-complying*

(136) Insert a new Table of Contents which can be downloaded as a PDF and printed. The final Table of Contents will be provided in the wrap-up hearing.

6.2.6 Cross boundary matters

(137) No submission points are on the Cross Boundary matters chapter.

6.2.7 Relationships between spatial layers

(138) No submission points are on the Relationships between spatial layers chapter.

6.3 Interpretation

(139) Submissions on the Definitions and Abbreviations chapters are addressed in section 7 of this report.

6.4 National Direction Instruments

- (140) Connexa, Chorus, FortySouth and Spark (311.15) support the reference to the Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016 in the National Environmental Standards chapter.
- (141) Connexa, Chorus, FortySouth and Spark (311.16) support the reference to the Resource Management (Network Utility Operations) Regulations 2016 in the Regulations chapter.
- (142) R Beernink and G McCallum (303.3 and 303.4) support the National Environmental Standards and National Policy Statements and New Zealand Coastal Policy Statement chapters in part, and request that standards in the pipeline that may impact the District Plan are listed.
- (143) R Beernink and G McCallum (303.5) support the Regulations chapter in part, and request that information is included on how the District Plan will be updated as new resource management legislation comes into law.

Assessment

- (144) The support for the references to the Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016 and Resource Management (Network Utility Operations) Regulations 2016 is noted.
- (145) I agree with R Beernink and G McCallum submissions (303.3 and 303.4) which seek amendments to refer to the latest National Policy Statements and National Environmental Standards that came into force on 15 January 2026. Updating this section improves accuracy and ensures the PDP reflects the current national direction framework.
- (146) I do not agree with R Beernink and G McCallum submission point (303.5) requesting that the PDP include a section explaining how it will be updated as new resource management legislation comes into force. Section 3.6.3 of this report already provides detailed discussion on the relevance of recent legislative reforms and the limits on how the PDP can respond to them at this time.

(147) District plans must give effect to the law and national direction in force at the time they are prepared or amended. The PDP is not the appropriate place to outline or predict how future legislative changes may be incorporated. Any future amendments required as a result of the Planning Bill, Natural Environment Bill, or other RMA-reform legislation will occur through separate plan change or plan review processes prescribed by the RMA (or replacement legislation). Accordingly, including reform-process commentary within the PDP is neither necessary nor appropriate.

(148) For these reasons, I recommended amending the National Direction Instrument Section to reflect the current national direction documents at the time of writing this report, but do not support including broader commentary on legislative reform processes.

(149) In the event Central Government introduces additional national policy statements, national environmental standards and other regulations as the hearing process progresses, Recommendations to update the National Direction Instrument section of the PDP towards the end of the hearing process will be included in the wrap-up hearing.

Recommendations

(150) Amend the National Direction Instruments section as follows:

National Policy Statements and New Zealand Coastal Policy Statement

National Policy Statement on Electricity Transmission 2008	The plan has been reviewed (December 2024)
New Zealand Coastal Policy Statement 2010	The plan has been reviewed (December 2024)
National Policy Statement for Renewable Electricity Generation 2011	The plan has been

	reviewed (December 2024)
National Policy Statement on Urban Development 2020	The plan has been reviewed (December 2024)
National Policy Statement for Freshwater Management 2020	The plan has been reviewed (December 2024)
National Policy Statement on Highly Productive Land 2022	The plan has been reviewed (December 2024)
National Policy Statement on Indigenous Biodiversity 2023	The plan has been reviewed (December 2024)
National Policy Statement for Greenhouse Gas Emissions from Industrial Process Heat 2023	This national policy statement does not apply to the plan

- National Policy Statement for Electricity Networks 2008 Amended December 2025 [Previously National Policy Statement on Electricity Transmission 2008]

- New Zealand Coastal Policy Statement 2010 (As amended in 2025)
- National Policy Statement for Renewable Electricity Generation 2011 (As amended in 2025)
- National Policy Statement on Urban Development 2020
- National Policy Statement for Freshwater Management 2020 (Amended December 2025)
- National Policy Statement on Highly Productive Land 2022 (Amended December 2025)
- National Policy Statement on Indigenous Biodiversity 2023 (Amended December 2025)
- National Policy Statement for Greenhouse Gas Emissions from Industrial Process Heat 2023
- National Policy Statement for Natural Hazards 2025
- National Policy Statement for Infrastructure 2025

National Environmental Standards

The following NESs are currently in force:

- Resource Management (National Environmental Standards for Air Quality) Regulations 2004
- Resource Management (National Environmental Standard for Sources of Drinking Water) Regulations 2007
- Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009
- Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011
- Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016
- Resource Management (National Environmental Standards for Marine Aquaculture) Regulations 2020
- Resource Management (National Environmental Standards for Freshwater) Regulations ~~2020~~2025

- Resource Management (National Environmental Standards for Storing Tyres Outdoors) Regulations 2021
- Resource Management (National Environmental Standards for Commercial Forestry) Amendment Regulations 2023
- Resource Management (National Environmental Standards for Detached Minor Residential Units) Regulations 2025

(151) I recommend accepting the relief sought by R Beernink and G McCallum (303.3 and 303.4) and Connexa, Chorus, FortySouth and Spark (311.15 and 311.16) and rejecting the relief sought by R Beernink and G McCallum (303.5).

6.5 Tangata Whenua

(152) HNZPT (248.10) support the Tangata Whenua chapter, subject to any amendments requested by Mana Whenua. R Beernink and G McCallum (303.6) also support the chapter.

(153) Te Rūnanga o Toa Rangatira (353.1a and 353.1b) support the Tangata Whenua chapter in part, and request the following amendments to section 5 of the chapter:

...

Concerning Statutory Acknowledgements, the Ngāti Toa Rangatira Claims Settlement Act:

- *Requires relevant consent authorities to have regard to ~~Taranaki Whānui's statutory acknowledgements~~ the statutory acknowledgements of Ngāti Toa Rangatira (section 26).*

...

(154) Te Rūnanganui O Te Atiawa (503.16) support the Tangata Whenua chapter in part, and request the following addition under the reference to other Memorandums of Understanding (paragraph 3 of section 3, regarding Local authority relationships, specifically for Taranaki Whānui):

"Te Rūnanga o Te Atiawa o Te Upoko o Te Ika. Its partnership agreement with the Council 'Takai Here' reflects the collaborative relationship between Te Āti Awa and the Council on the development of policies, practices, investment approaches; supporting the

advancement and well-being of Mana Whenua and Mātāwaka through innovative solutions guided by shared values; and enabling the protection, prosperity and well-being of Te Taiao (Te whenua me Te wai) through solutions guided by our shared values and tikanga according to Mana Whenua.

Assessment

(155) The general support for the Tangata Whenua chapter is noted.

(156) In relation to the submissions by Te Rūnanga o Toa Rangatira (353.1a and 353.1b) I consider this requested amendment to be appropriate. The wording reflects the statutory acknowledgements of Ngāti Toa Rangatira.

(157) In relation to the submissions by Te Rūnanganui O Te Atiawa (503.16) I consider this requested amendment to be appropriate. The wording reflects the statutory acknowledgements of Te Rūnanganui O Te Atiawa.

Recommendation

(158) Amend the Tangata Whenua chapter section as follows:

3. Local authority relationships

Taranaki Whānui...

Hutt City Council also has MoUs with:

- Te Rūnanganui o Te Āti Awa o Te Upoko o Te Ika. Its partnership agreement with the Council 'Takai Here' reflects the collaborative relationship between Te Āti Awa and the Council on the development of policies, practices, investment approaches; supporting the advancement and well-being of Mana Whenua and Mātāwaka through innovative solutions guided by shared values; and enabling the protection, prosperity and well-being of Te Taiao (Te whenua me Te wai) through solutions guided by our shared values and tikanga according to Mana Whenua.
- The Wellington Tenth Trust, and
- The Palmerston North Māori Reserves Trust.

5. Ngāti Toa Rangatira Claims Settlement Act 2014...

Concerning Statutory Acknowledgements, the Ngāti Toa Rangatira Claims Settlement Act:

Requires relevant consent authorities to have regard to ~~Te Rarangi~~ Whanui's statutory acknowledgements the statutory acknowledgements of Ngāti Toa Rangatira (section 26).

(159) I recommend accepting the relief sought by HNZPT (248.10), R Beernink and G McCallum (303.6) and Te Rūnanga o Toa Rangatira (353.1a, 353.1b and 503.16).

7 Strategic Directions

7.1 Introduction to Strategic Directions

(160) The Proposed District Plan was required to adopt the National Planning Standards and create a standalone Strategic Directions Chapter, containing all relevant objectives in one location. The objectives in the Strategic Direction Chapter outline the key strategic matters for the district and guide decision making at a strategic level. The objectives are useful in providing direction in the Proposed District Plan to guide objectives elsewhere in the Plan. These objectives will also be relevant in the consideration of future plan changes, including private plan change requests. The objectives in the Strategic Direction Chapter are to be read together and there is no hierarchy between them. All other objectives and policies in the District Plan should be read and achieved in a manner consistent with the objectives in the Strategic Direction Chapter.

(161) The Strategic Direction objectives provide guidance on the key strategic or significant matters for the District that are relevant when developing District Plan provisions. When plan implementation occurs (including in determining of resource consent applications and notices of requirement), the strategic direction objectives provide guidance on what the related objectives and policies in other chapters of the Plan are seeking to achieve in relation to key strategic or significant matters for the district. For a matter to qualify as a strategic direction objective, the matter must be strategically important for achieving integrated management and the purpose of the RMA, or to give effect to matters listed in higher order policy documents.

(162) The proposed objectives also reflect outcomes from community feedback through the District Plan Review process and through community consultation the Council has undertaken on other strategies and plans.

7.2 Discussion of submissions and recommendations

(163) As set out in section 4.2, this report addresses submissions relating to the Natural environment and Tangata Whenua strategic directions. This section is a discussion of the submission points on those strategic directions, with my recommendations on decisions requested by submitters on this topic.

(164) In addition, this section includes a discussion and my recommendations in relation to a submission point on the numbering of strategic directions.

7.2.1 Numbering of strategic directions

Submissions

(165) The Policy Planning team of HCC (440.18) request that identifiers for the provisions of the Strategic Directions chapter are amended and arranged to match the format set by the National Planning Standards (e.g. SD-CC-01 instead of CCSD-01, SD-TW-01 instead of TWSD-01).

Assessment

(166) I support the relief sought by the Policy Planning team of HCC as this aligns with the National Planning Standards.

Recommendation

(167) Amend the identifiers for the provisions of the Strategic Directions chapter to align with the National Planning Standards. In the amended Natural Environment, Tangata Whenua, and Urban Development strategic directions in Appendix 1, I have shown this updated numbering. In future hearings covering the other strategic direction objectives, this updated numbering will be shown as a change with the S42A reports cross-referencing to this recommendation.

(168) The reason for this recommendation is to make the Strategic Directions chapter identifiers consistent with the National Planning Standards.

Section 32AA Assessment

(169) Amending the identifiers is the most appropriate way to achieve the purpose of the RMA because the PDP is required to implement the National Planning Standards which specifies how strategic direction objectives should be identified in the PDP.

7.2.2 NESD-01: Te Awa Kairangi /Hutt River

Submissions

(170) Te Rūnanga o Toa Rangatira (353.8a), the Director-General of Conservation (405.9), WRC (452.19), and Te Rūnanganui O Te Ātiawa (503.18) support Objective NESD-01 and request it be retained as notified.

(171) Forest and Bird (424.10) oppose Objective NESD-01 (as well as NESD-02 discussed below) and seeks either amendment to NESD-01 and NESD-02 to provide for Te Mana o Te Wai and give effect to the National Policy Statement for Freshwater Management or a new objective to achieve this. The submitter gives the following example for a new objective:

Te Mana o te Wai is at the forefront of all decision making on the management of freshwater.

Assessment

(172) The support for the notified Objective NESD-01 is noted.

(173) Te Mana o Te Wai is a concept that is set out in Section 1.3 of the National Policy Statement for Freshwater Management (NPS-FM). The concept refers to the fundamental importance of water and recognises that protecting the health of freshwater protects the health and well-being of the wider environment. It protects the mauri of the wai. Te Mana o te Wai is about restoring and preserving the balance between the water, the wider environment, and the community.

(174) Forest and Bird support the intention of protecting and restoring the Te Awa Kairangi / Hutt River, which I agree with.

(175) Forest and Bird consider that this objective does not fully give effect to the NPS-FM because it is focused on Te Awa Kairangi / Hutt River. Forest and Bird consider that this ignores the Council's wider requirement to provide for Te

Mana o te Wai through integrated management ki uta ki tai from mountains to sea across the district at a strategic level. They consider that the strategic direction should recognise the interactions between land use, freshwater bodies, ecosystems and sensitive receiving environments.

(176) However, responsibility for implementing Te Mana o te Wai under the NPS-FM lies primarily with the Regional Council, which must set freshwater objectives, limits, and target attribute states, and must apply Te Mana o te Wai across all freshwater bodies. District/city councils have a supporting role: while they must have regard to Te Mana o te Wai and must manage the effects of land use on freshwater and receiving environments, they are not required to replicate the regional council's freshwater planning functions. The district plan must therefore be interpreted in a manner consistent with Te Mana o te Wai, but does not need to restate, duplicate, or broaden regional council responsibilities.

(177) Objective NESD-O1 appropriately fulfils the city council's role by providing a strategic district-level expression of Te Mana o te Wai relating to Te Awa Kairangi / Hutt River, which is the district's principal freshwater system and a defining feature of Lower Hutt. The objective focuses on restoring and protecting the health and well-being of the river and recognising its significance to the city and mana whenua. This aligns with the NPS-FM's direction that district plans promote positive effects and avoid, remedy, or mitigate adverse effects of land use on freshwater and receiving environments³, without imposing regional council functions at the district level.

(178) Given the respective roles of regional and city councils, the notified wording of NESD-O1 is considered to appropriately reflect Te Mana o te Wai in the local context of Lower Hutt. The broader freshwater management framework sought by Forest and Bird is more appropriately addressed through the regional freshwater planning instruments, not the district plan's strategic objectives. Objective NESD-O1 should also be read alongside the larger suite of strategic directions addressing freshwater and the potential effects on freshwater bodies from urban development, in particular NESD-O2, NESD-O3,

³ NPS-FM, Clause 3.5(1)(4)

INFSD-O6, TWSD-O3, and UDSO-O2(e). Accordingly, no amendments to NESD-O1 are recommended.

Recommendations

(179) Retain Objective NESD-O1 as notified.

(180) I recommend accepting the relief sought by Te Rūnanga o Toa Rangatira (353.8a), the Director-General of Conservation (405.9), WRC (452.19), and Te Rūnanganui O Te Ātiawa (503.18) and rejecting the relief sought by Forest and Bird (424.10).

Section 32AA Assessment

(181) As I am not recommending any amendments to Objective NESD-O1, a section 32AA assessment is not required.

7.2.3 NESD-O2 Significant Water Bodies

Submissions

(182) Te Rūnanga o Toa Rangatira (353.8b), the Director-General of Conservation (405.10) and Te Rūnanganui O Te Ātiawa (503.18) support Objective NESD-O2 and request it be retained as notified.

(183) WRC (452.20) supports Objective NESD-O2 in part, and requests the following amendment:

Protect and restore the values of the city's significant water bodies, including Te Awa Kairangi.

(184) Forest and Bird (424.10) oppose Objective NESD-O2 (as well as NESD-O1 discussed above) and seeks either amendment to NESD-O1 and NESD-O2 to provide for Te Mana o Te Wai and give effect to the National Policy Statement for Freshwater Management or a new objective to achieve this. The submitter gives the following example for a new objective:

Te Mana o te Wai is at the forefront of all decision making on the management of freshwater.

Assessment

(185) The support for the notified Objective NESD-O2 is noted.

- (186) While I note the District Plan has a limited role in the restoration of waterbodies, compared to regional planning documents, I agree with Wellington Regional Council's relief sought to insert 'restore' into NESD-O2 for the reasoning set out in Wellington Regional Council's submission being that restoration is an appropriate objective for the city's significant water bodies noting that a number of these are degraded. Accordingly, I recommend accepting the submission point from Wellington Regional Council (452.20).
- (187) Forest and Bird consider that this Objective does not give sufficient effect to Te Mana o te Wai or to the ki uta ki tai (mountains to sea) approach required by the NPS-FM, and argue that the objective should recognise freshwater interactions across the entire city.
- (188) As outlined in the assessment of NESD-O1, Te Mana o te Wai must inform the interpretation and application of district plan provisions. However, the primary responsibility for implementing Te Mana o te Wai—setting freshwater environmental outcomes, limits, target attribute states, and catchment-wide management frameworks—sits with the regional council, not the city council. The role of the district plan is to support this framework by managing the land-use effects that influence freshwater health and receiving environments.
- (189) Objective NESD-O2 fulfils the city council's role by providing a strategic objective that protects—and, with the recommended amendment, restores—the values of significant waterbodies within the district, including Te Awa Kairangi / Hutt River, Wainuiomata River, and Waiwhetū Stream. This framing appropriately reflects the local context and the city council's function under the NPS-FM, without duplicating or extending beyond the regional freshwater planning framework.
- (190) For these reasons, I recommend rejecting the submission point by Forest and Bird (424.10).

Recommendation

- (191) Amend Objective NESD-O2 as shown below:

"Protect and restore the values of the city's significant water bodies, including Te Awa Kairangi / the Hutt River, Wainuiomata River and Waiwhetū Stream."

(192) I recommend accepting the relief sought by WRC (452.20), Te Rūnanga o Toa Rangatira (353.8b), the Director-General of Conservation (405.10) and Te Rūnanganui O Te Ātiawa (503.18 and rejecting the relief sought by Forest and Bird (424.10).

Section 32AA Assessment

(193) The recommended amendment to insert 'restore' into NESD-O2 is the most appropriate way to achieve the purpose of the RMA because it recognises the importance of the City's significant waterbodies and the need to improve water quality where it is degraded. While the District Plan has a limited role in freshwater management, this is a strategic objective recognising that this is a key outcome for the City that will support the achievement of Te Mana o te Wai as part of a broader regional approach to freshwater management.

7.2.4 NESD-O3: Natural Character, Natural Features and Landscapes, Ecosystems and Indigenous Biodiversity

Submissions

(194) Horokiwi Quarries Ltd (246.5), the Director-General of Conservation (405.11) and Te Rūnanganui O Te Ātiawa (503.18) support Objective NESD-O3 and request it be retained as notified.

(195) Forest and Bird (424.11) supports Objective NESD in part, and seeks the following amendment:

Protect and enhance the natural character, natural features and landscapes, ecosystems, including wetlands, and indigenous biodiversity, indigenous vegetation and habitats of indigenous fauna of the city.

(196) WRC (452.21) supports Objective NESD in part, and seeks the following amendment:

Protect and enhance or restore the natural character, natural features and landscapes, ecosystems and indigenous biodiversity of the city.

Assessment

- (197) The support for the notified Objective NESD-O3 is noted.
- (198) Forest and Bird seek amendments to expand the objective wording to explicitly reference wetlands, indigenous vegetation, and habitats of indigenous fauna. Their concern relates to ensuring full recognition of the Council's responsibilities under sections 6(a)–(c), 7, and 31(1)(b)(iii) of the RMA in relation to natural character, significant indigenous vegetation, and habitats of indigenous fauna.
- (199) I acknowledge that the preservation of natural character (including that of wetlands), and the protection of significant indigenous vegetation and significant habitats of indigenous fauna, are matters of national importance under section 6 of the RMA. I also acknowledge the city council's function under section 31(1)(b)(iii) to maintain indigenous biological diversity through managing the effects of land use.
- (200) However, the National Policy Statement for Indigenous Biodiversity 2023 (as amended in 2025) defines indigenous biodiversity broadly to include all indigenous flora, fauna, fungi, and their habitats. This definition captures wetlands, indigenous vegetation, and ecosystems without needing to list each component individually.
- (201) Objective NESD-O3 already uses the term "indigenous biodiversity", which fully encompasses the elements Forest and Bird seek to add. Including separate references to wetlands and other features would therefore be redundant and risk cluttering the objective without improving its effectiveness. For this reason, Forest and Bird's requested amendment is not supported.
- (202) Both the NPS-IB and the Natural Resources Plan (NRP) for the Wellington Region emphasise not only protection, but—where appropriate—restoration of degraded indigenous biodiversity and natural environments. For example, NPS-IB Objective 1 seeks to maintain indigenous biodiversity and requires restoration where necessary, while NRP Objective O28 and Policy P42 direct protection and, where appropriate, restoration of significant ecosystems and habitats.
- (203) Given this higher order direction, and similar to the recommended amendment to NESD-O2, it is appropriate to strengthen NESD-O3 by adding the term "restore". This reflects established freshwater and biodiversity

management practice and aligns the objective with national and regional policy direction.

(204) Inserting “restore” maintains the objective’s strategic function, avoids undue specificity, and improves consistency across the Strategic Directions relating to natural systems.

Recommendation

(205) Amend Objective NESD-O3 as shown below:

“Protect and enhance or restore the natural character, natural features and landscapes, ecosystems and indigenous biodiversity of the city.”

(206) I recommend accepting the relief sought by WRC (452.21), Horokiwi Quarries Ltd (246.5), the Director-General of Conservation (405.11) and Te Rūnanganui O Te Ātiawa (503.18) and rejecting the relief sought by Forest and Bird (424.11)

Section 32AA Assessment

(207) The recommended amendment to insert ‘restore’ into NESD-O3 is the most appropriate way to achieve the purpose of the RMA because it recognises the importance of the City’s natural character, natural features and landscapes, ecosystems and indigenous biodiversity at a strategic level. The amendment is consistent with section 6(a), (b), and (c) of the RMA .

7.2.5 NESD-O4: Mātiu – Makāro – Mokopuna

Submissions

(208) The Director-General of Conservation (405.12) and Te Rūnanganui O Te Ātiawa (503.18) support Objective NESD-O4 and request it be retained as notified.

Assessment

(209) The support for the notified Objective NESD-O4 is noted.

Recommendation

(210) Retain Objective NESD-O4 as notified

(211) I recommend accepting the relief sought by The Director-General of Conservation (405.12) and Te Rūnanganui O Te Ātiawa (503.18).

Section 32AA Assessment

(212) As I am not recommending any amendments to Objective NESD-O4, a section 32AA assessment is not required.

7.2.6 TWSD-O1: Role of Tangata Whenua, TWSD-O2: Active Participation, and TWSD-O3: Wāhi Taonga and Sites and Areas of Significance to Tangata Whenua

Submissions

(213) Te Rūnanganui O Te Ātiawa (503.19) supports Objective TWSD-O1 and request it be retained as notified.

(214) Te Rūnanganui O Te Ātiawa (503.19) supports Objective TWSD-O2 and request it be retained as notified.

Assessment

(215) The support for the notified Objectives TWSD-O1, TWSD-O2, and TWSD-O3 is noted.

Recommendation

(216) Retain Objectives TWSD-O1, TWSD-O2, and TWSD-O3 as notified.

(217) I recommend accepting the relief sought by Te Rūnanganui O Te Ātiawa (503.19, and 503.20), Horokiwi Quarries Ltd (246.6), and The Fuel Companies (471.88). Section 32AA Assessment

(218) As I am not recommending any amendments to Objectives TWSD-O1, TWSD-O2, or TWSD-O3, a section 32AA assessment is not required.

7.2.7 TWSD-O4: Culture, Traditions and Social and Economic Aspirations

Submissions

(219) Te Rūnanganui O Te Ātiawa (503.21) support Objective TWSD-O4 in part, and request the following amendment to recognise marae and papakāinga:

Tangata whenua are able to protect, develop and use whenua Māori and adjacent land owned by Tangata Whenua in a way that is consistent with ~~their~~ Tangata Whenua culture and traditions and their Tangata Whenua social and economic aspirations, including for the purposes of marae and papakāinga.

Assessment

(220) I support the deletion of 'their' and insertion of 'Tangata Whenua', as well as the insertion of 'including for the purposes of marae and papakāinga'. I agree with the reasons set out in Te Rūnanganui O Te Ātiawa (503.21) submission being that it is important to reference marae and papakāinga and support their future development.

(221) I support the insertion of reference to adjacent land owned by Tangata Whenua as it recognises the importance of both whenua Māori (Māori land with ancestral links) and general land owned by Tangata Whenua to achieving the aspirations and outcomes sought by Tangata Whenua.

Recommendation

(222) Amend Objective TWSD-O4 as shown below:

"Tangata whenua are able to protect, develop and use whenua Māori and adjacent land owned by Tangata Whenua in a way that is consistent with ~~their~~ Tangata Whenua culture and traditions and their Tangata Whenua social and economic aspirations, including for the purposes of marae and papakāinga."

Section 32AA Assessment

(223) The recommended amendment to Objective TWSD-O4 is the most appropriate way to achieve the purpose of the RMA because it ensures the objective includes land owned by Tangata Whenua as well as whenua Māori land thereby supporting the strategic outcome of Tangata Whenua managing and developing their land in a way that supports their cultural, social, and economic wellbeing.

7.2.8 USD-O1: Well-Functioning Urban Environment

Submissions

(224) FENZ (374.16), MoE (399.16), WRC (452.22) and The Fuel Companies (471.89) support Objective UDSD-O1 and request it be retained.

(225) No submitters oppose the objective or seek any amendments to it.

Assessment

(226) The support for the notified Objective UDSD-O1 is noted.

Recommendation

(227) Retain Objective UDSD-O1 as notified.

(228) I recommend accepting the relief sought by FENZ (374.16), MoE (399.16), WRC (452.22) and The Fuel Companies (471.89).

Section 32AA Assessment

(229) As I am not recommending any amendments to Objective UDSD-O1 a section 32AA assessment is not required.

7.2.9 UDSD-O2: Outcomes for Well-Functioning Urban Environments

Submissions

(230) The Fuel Companies (471.90), HNZPT (248.11), FENZ (374.17), MoE (399.17) and Petone Historical Society (496.10) support Objective UDSD-O2.

(231) Enviro NZ (323.22) and Connexa, Chorus, FortySouth and Spark (311.20) request the following amendment to Objective UDSD-O2:

Urban development supports the creation of liveable, well-functioning urban environments that are:

...

c) Serviced by ~~the necessary~~ infrastructure appropriate to the intensity, scale and function of the development,

...

(232) WRC (452.23) supports Objective UDSD-O2 in part, and request the following amendment to the objective:

Urban development supports the creation of liveable, well-functioning urban environments that are:

...

c) *Serviced by the necessary infrastructure, including green infrastructure as far as practicable, appropriate to the intensity, scale and function of the development,*

...

(233) Forest and Bird (424.12) supports Objective UDSD-O2 in part, and requests the following amendment:

Urban development supports the creation of liveable, well-functioning urban environments that are:

...

c) *Ecologically sensitive and respectful of, integrated with, and representative of the city's indigenous ecosystems, vegetation and habitats,*

...

(234) M Rachlin (232.2 and 232.3) opposes Objective UDSD-O2 in part, and requests that:

- Clause e (regarding well-functioning urban environments being ecologically sensitive) be deleted, and
- Clause g (regarding well-functioning urban environments being resilient to the impacts of natural hazards and climate change) be deleted or otherwise amended to ensure recognition that the PDP cannot on its own, make the urban area resilient to the impacts of natural hazards and climate change, recognises that the PDP on its own can only help make the urban area more resilient rather than resilient, and identification of what is meant by resilience within the context of the PDP.

(235) MPHRCIS (377.2) seeks amendments to Objective UDSD-O2, or a new objective, which addresses protecting existing residential communities from incompatible land use and development.

Assessment

(236) The submissions supporting Objective UDSD-O2 as notified are noted.

(237) I agree with the relief sought by Enviro NZ and Connexa, Chorus, FortySouth and Spark seeking the deletion of 'the necessary' from clause (c). The clause already requires that urban development is "serviced by infrastructure appropriate to the intensity, scale and function of the development", so there is no need to further qualify the clause as currently drafted. Removing the term improves clarity without changing the intent of the objective.

(238) WRC seeks the inclusion of reference to green infrastructure in clause (c) on the basis that this change would give effect to RPS Change 1 Objectives CC.1 and CC.4 and Policy CC.4. I note the latest Appeals version of RPS Change 1 shows that Objective CC.1 and Policy CC.4 are not subject to appeal, but have not yet been made operative while Objective CC.4 is now fully operative. Those provisions of RPS Change 1 are focussed on creating climate-resilient communities using nature-based solutions and other climate change mitigation and adaptation measures.

(239) The PDP already supports and implements this direction through other strategic direction objectives and the natural hazards and coastal environment chapters where green infrastructure is a key mitigation measure that is encouraged through the policy and rule framework to manage the effects of climate change and natural hazard risks. For example:

(240) UDSD-O2(e) on ecologically sensitive urban development,

(241) UDSD-O2(g) on resilient to the impacts of natural hazards and climate change,

(242) INFSD-O6 on water sensitive design

(243) Specific direction in applicable district-wide chapters such as the coastal environment (e.g. Policy CE-P12 and Rule CE-R17).

(244) Given that the approach of green infrastructure is already embedded elsewhere in the Strategic Direction and district-wide chapters, in my opinion, replicating it in clause c) of UDSD-O2 would create duplication without

materially improving plan function. Accordingly, I do not support the amendment sought by WRC.

(245) Forest and Bird seek the addition of wording to clause (e) of Objective UDSD-O2 to include reference to indigenous ecosystems, vegetation and habitats and to direct that the urban environment is respectful of, integrated with, and representative of these matters. I do not support this amendment for two reasons. Firstly, in my opinion, the existing wording of 'ecologically sensitive' is broad and guides plan users toward consideration of the matters the submitter is concerned about, without being prescriptive which in my opinion is appropriate within the context of high-level strategic direction for an existing urban environment. Secondly, the directive nature of the amendment sought by the submitter is outside the scope of the Council's approved Ministerial exemption for the PDP where related Ecosystems and Indigenous Biodiversity chapter has been withdrawn from the PDP. Introducing new detailed biodiversity requirements into UDSD-O2 would be inconsistent with the approved scope of the PDP. This is a matter that the Council will need to consider through a future plan change or full plan review to implement the recently amended National Policy Statement for Indigenous Biodiversity (NPS-IB). For these reasons, I do not support the amendments sought by Forest and Bird.

(246) I do not support the relief sought by M Rachlin to delete clause (e). I acknowledge the submitters' concern that the term 'ecologically sensitive' is not strictly a term used in the RMA. However, this is a strategic objective and is by its nature high level direction about the outcomes the PDP as a whole seeks to achieve. These objectives should be read together, alongside the more specific zone and district-wide objectives and policies. I also acknowledge that the District Plan cannot achieve such an outcome on its own. However, the District Plan is a key tool for the Council to achieve its broader outcomes for the district, within the scope of the RMA as set out in paragraph (149). I also note that this objective is consistent with a similar strategic objective in the Wellington City District Plan 2024, which includes the same clause:

UFD-O7 Development supports the creation of a liveable, well-functioning urban environment that enables all people and communities to provide for their social,

economic, environmental, and cultural wellbeing, and for their health and safety now and into the future.

Development will achieve this by:

.....

5. Being ecologically sensitive

...

(247) For these reasons, I consider clause (e) should be retained as notified.

(248) I also do not support the request to delete or amend clause (g) relating to well-functioning urban environments being resilient to the impacts of natural hazards and climate change. While I agree the District Plan cannot achieve this outcome on its own, I do not consider the wording of the objective implies that it can. The wording of the chapeau for this objective expressly states that urban development “supports the creation” of liveable, well-functioning urban environments (my emphasis) which recognises that resilience is achieved through multiple tools, agencies and processes and it is not just the role of urban development or the district plan. I consider the clause is appropriately worded in the context of a high-level strategic objective and aligns with the RMA’s purpose and functions relating to the management of natural hazards and urban development. Accordingly, I recommend retaining clause (g) as notified.

(249) MPHRCIS seek amendments to Objective UDSD-O2 or a new objective to address incompatible land use and development near existing residential areas. The PDP includes policies and rules within the specific zone chapters to manage incompatible activities either within a zone or at the interface with an adjoining zone. For example, Policy GRUZ-P2 (Compatible activities) in the Rural Zone chapter directs that activities are provided for in the Rural zone that are compatible with rural and residential activities within the zone as well as adjoining rural and residential zones. Rule GRUZ-R4 (Piggeries) then manages the scale and intensity of the activity including by requiring a 50-metre setback from all site boundaries. In my opinion, a high-level strategic direction objective is not required for this issue and would duplicate matters already managed at the zone and relevant district-wide chapters are the more appropriate parts of the PDP where activity-specific matters can be

addressed. Accordingly, I do not support this submission and do not recommend any amendments.

Recommendation

(250) Amend Strategic Objective UDSD-O2 as follows:

Urban development supports the creation of liveable, well-functioning urban environments that are:

...

(c) Serviced by ~~the necessary~~ infrastructure appropriate to the intensity, scale and function of the development,

...

(251) I recommend:

- accepting in part the relief sought by The Fuel Companies (471.90), HNZPT (248.11), FENZ (374.17), MoE (399.17), and Petone Historical Society (496.10),
- accepting the relief sought by Enviro NZ (323.22) and Connexa, Chorus, FortySouth and Spark (311.20), and
- rejecting the relief sought by WRC (452.23), Forest and Bird (424.12), M Rachlin (232.2 and 232.3), and MPHRCIS (377.2).

Section 32AA Assessment

(252) The recommended amendment to delete 'necessary' from Objective UDSD-O2 is the most appropriate way to achieve the purpose of the RMA for the following reasons:

- Improves clarity by removing redundant language,
- Ensures plan users understand that infrastructure must be *appropriate to the scale, intensity and function* of development,
- Retains the substantive intent of the objective,
- Supports certainty for applicants and decision-makers, and
- Maintains the ability to manage environmental effects of the activity in accordance with Part 2 of the RMA.

(253) The amendment therefore better achieves the efficient and effective functioning of the District Plan.

8 Definitions - General

8.1 Discussion of submissions and recommendations

(254) This section is a discussion of submission points relating to general definitions, with my recommendations on decisions requested by submitters on this topic.

(255) For the most part, submissions on the definitions of the Proposed District Plan will be addressed at the hearing and through the officer report for the topics that the submission primarily relates. However, some definitions do not sit naturally within a single topic. Submissions on these definitions are addressed in this report below. In some instances, a definition may need to be revisited in a later hearing in response to other submission points that are not part of this hearing stream.

(256) For the sake of brevity, where a submission is in support of a provision and I have not otherwise discussed it, I recommend accepting that submission point for the grounds set out in the s32 evaluation.

8.1.1 General definitions with only submissions in support

(257) Some general definitions only received submissions in support. These definitions and submissions are summarised in Table 2. As no amendments to these definitions have been requested, I recommend that these submission points be accepted.

Note: As the hearings on the Proposed District Plan progress, amendments may be considered to these definitions as a consequence to amendments to other provisions being considered by the Hearing Panel.

Table 2 General definitions with submissions in support

Definition	Submission in support
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Accessory building	The Fuel Companies (471.1) FENZ (374.1) Z Energy Ltd (468.10a)
Activity sensitive to privacy intrusion	The Fuel Companies (471.5) Ministry of Education (399.5) Z Energy Ltd (468.10e)
Addition	The Fuel Companies (471.6) Z Energy Ltd (468.10f)
Ancillary activity	The Fuel Companies (471.8) Z Energy Ltd (468.10h)
Ancillary building	The Fuel Companies (471.9) Te Rūnanganui O Te Atiawa (503.2) Z Energy Ltd (468.10i)
Archaeological site	HNZPT (248.5)
Building coverage	The Fuel Companies (471.12) Z Energy Ltd (468.10l)
Carparking	Z Energy Ltd (468.10n)
Child care services	MoE (399.8)
Coastal margins	Fish and Game (509.1a)
Contributing building	HNZPT (248.1)
Earthworks	Horokiwi Quarries Ltd (246.1)
Educational facility	Ministry of Education (399.9)
Emergency service facility	FENZ (374.2)

Habitable room	FENZ (374.4) NZTA (385.8)
Healthcare Facility	Vital Healthcare Property Limited (195.1)
Heritage building	HNZPT (248.2)
Heritage structure	HNZPT (248.3)
Historic heritage	HNZPT (248.4)
Indigenous vegetation	Forest and Bird (424.6) Director-General of Conservation (405.6)
Structure	The Fuel Companies (471.52) FENZ (374.11) KiwiRail (442.19) Z Energy Ltd (468.10s)
Tertiary education activities	Ministry of Education (399.11)
Abbreviation	Submission in support
NESTF	Connexa, Chorus, FortySouth and Spark (311.14)

8.1.2 General submissions on Definitions chapter

Submissions

(258) Seaview Marina Ltd (343.2) support the Definitions chapter.

(259) Foodstuffs Noth Island (239.6) oppose the Definitions chapter and request that a definitions nesting table is included in the chapter.

(260) McDonald's Restaurants (NZ) Ltd (174.1d) seek that activities are organised using a nesting table. They contend it would be beneficial for the PDP to include a nesting table on the hierarchy of activities because it would provide a logical method for organising different land use activities in a broader term. Foodstuffs North Island (F17.1) support the original submission from McDonald's Restaurants (NZ) Ltd to create a nesting table within the definitions.

Assessment

(261) The support from Seaview Marina Ltd for the Definitions chapter is noted.

(262) Foodstuffs North Island and McDonald's Restaurants (NZ) Ltd request that the Proposed District Plan include nesting tables to show how activities relate to one another hierarchically. The submitters consider nesting tables a useful tool for organising and understanding different activity types. I note other recent Proposed District Plans (Wellington City and Porirua) have adopted nesting tables within their definitions chapters. Below I set out the benefits and costs of adopting similar tables in the Hutt City PDP.

Benefits

(263) Improved clarity for plan users: Nesting tables can make it clearer when a broad activity category includes more specific activities, which can assist plan users unfamiliar with planning terminology

(264) Assists in interpreting activity rules: They can help users identify whether a specific activity is captured by a broader activity category listed in an activity table, reducing uncertainty about which rules apply (e.g. whether "integrated retail activity" sits under "commercial activity").

(265) Useful for complex activity groupings: In plans where there are many overlapping or nested activity types—as seen in both Wellington and Porirua—nesting tables can provide structural clarity and reduce the need to repeat definitions.

Costs

(266) Existing PDP structure already provides clarity without nesting tables: The PDP already uses:

- Alphabetised definitions (as required by the National Planning Standards),

- Activity-specific rules within each chapter,
- Use of catch-all rules for *Activities not otherwise provided* (such as *Commercial activities not otherwise provided for*, which makes it clear that the rule only applies where there is not a more specific rule for the activity in that chapter), and
- Cross-referenced activity terms (e.g., commercial services, industrial activities).

(267) Related to the above, the PDP has been drafted from the outset without nesting tables, meaning it could be a complex task to retrospectively introduce nesting tables at this stage.

(268) Given this structure, nesting tables would add complexity without meaningfully improving usability.

(269) The structure and drafting of activity rules in the PDP do not rely on nesting tables: Unlike Wellington and Porirua – where activity tables are expressly designed to cascade activity statuses through the nesting hierarchy—the Hutt City PDP applies activity lists and rule frameworks independently within each chapter. Specific activities are individually listed and given explicit activity statuses. Introducing nesting tables after the fact could unintentionally alter activity statuses unless every rule is checked and realigned.

(270) Risk of unintentional rule effects: Nesting tables require careful management to avoid unintended activity status “carry-over” where activities are grouped together. The Hutt City PDP was not drafted with nesting effects in mind, and including them now risks legal uncertainty or inadvertent broadening or narrowing of activity categories.

(271) Maintenance burden and complexity: Nesting tables require ongoing review and updating whenever definitions, activities, or rules are amended. This creates administrative overhead and increases the risk of inconsistencies across the plan.

(272) Overall, while nesting tables are expressly enabled under clause 5(b) of the National Planning Standards and are used in other District Plans in the region, their inclusion in the Hutt City PDP could require significant restructuring of activity rules, risk unintended changes in activity status, and offer limited additional clarity given the way activities are already drafted.

(273) For these reasons, I do not recommend including nesting tables in the Definitions chapter.

Recommendation

(274) Do not add nesting tables.

(275) I recommend rejecting the relief sought by McDonald's Restaurants (NZ) Ltd (174.1d).Section 32AA Assessment

(276) As I am not recommending any amendments as a result of these submissions a section 32AA assessment is not required.

8.1.3 Definition: Alteration

Submissions

(277) HNZPT (248.6), Z Energy Ltd (468.10g) and The Fuel Companies (471.7) support the definition of Alteration.

(278) Seaview Marina Ltd (343.23b) support the definition of Alteration in part, and request that the definition is replaced or supplemented with the following:

Alteration of existing buildings - means work that does not change the external building form (footprint, floor area and height) of the existing building.

(279) Petone Historical Society (496.4a) opposes the definition of Alteration in part and seeks to add clarification to the definition to say "the existing height of the building where the alteration is taking place" or similar.

(280) Urban Plus Ltd (322.18c) seeks to include a definition (or policy) for 'alterations' to clarify the context.

Assessment

(281) The support for the notified definition of Alteration is noted.

(282) The submission from the Petone Historical Society relating to the interaction between Alteration and Height is addressed under the assessment for the definition of Height.

(283) In relation to the submissions from Seaview Marina Ltd (343.23b) and Urban Plus Ltd (322.18c), I do not support the changes sought. Both submitters request an amended or supplementary definition that limits an "alteration" to

work that does not change the external building form (footprint, floor area, or height). This wording is largely repetitive of the notified definition, which already states that an alteration is a modification to a building or structure that does not increase footprint, gross floor area or height, while excluding maintenance and repair.

(284) Introducing an additional or revised definition is unnecessary and would duplicate, and potentially conflict with, the existing wording. The submitters' underlying concerns relate to activity status in specific chapters—for example, whether an alteration should be permitted in the Mixed Use Zone. These are rule-specific matters, not definition issues.

(285) The notified definition is sufficiently clear and is appropriate for plan-wide application. Any refinements to how “alterations” are treated in a specific zone should be addressed through the zone rules, not through changes to the core definition.

(286) For these reasons, no amendments are recommended.

Recommendations

(287) Retain definition of ‘alteration’ as notified.

(288) I recommend accepting the relief sought by HNZPT (248.6), Z Energy Ltd (468.10g) and The Fuel Companies (471.7). I recommend rejecting the relief sought by Seaview Marina Ltd (343.23b), Petone Historical Society (496.4a) and Urban Plus Ltd (322.18c).

Section 32AA Assessment

(289) As I am not recommending any amendments to the definition of Alteration a section 32AA assessment is not required.

8.1.4 Definition: Building

Submissions

(290) Z Energy Ltd (468.10k) and the Fuel Companies (471.11) support the definition of Building.

(291) Wellington Electricity (415.1) support the definition of Building in part, and request the addition to the definition:

For the purposes of this Plan, "building" does not include network utility structures, such as cabinets, equipment enclosures, transformers, or similar infrastructure used for the provision of electricity, telecommunications, or other utilities, where these are managed under the infrastructure provisions of this Plan.

(292) The New Zealand Heavy Haulage Association (429.17a) request that the definition of Building be amended to specifically include second hand relocated buildings.

Assessment

(293) The support of Z Energy Ltd and the Fuel Companies for the definition of Building is noted.

(294) The definition of Building in the Proposed District Plan is sourced directly from the National Planning Standards and must be adopted without modification. The Planning Standards require all district plans to use the standardised definition to ensure national consistency. As such, the Council cannot amend or add exclusions to the definition in the manner sought by Wellington Electricity (415.1). Their proposed exclusion for network utility structures is therefore not supported. Any clarification required for how the plan manages network utilities is more appropriately addressed within the Infrastructure chapter and relevant activity-specific rules, rather than through changes to a mandatory definition.

(295) For the same reason, I do not support the New Zealand Heavy Haulage Association's request to amend the definition to expressly include second-hand relocated buildings. The National Planning Standards definition already captures buildings irrespective of whether they are new or relocated, and adding further specification would conflict with the prescriptive format of the Planning Standards and introduce unnecessary duplication.

(296) Given the mandatory nature of the Planning Standards definition and the sufficiency of the whole-of-plan framework to manage the matters raised, no changes are recommended to the definition of Building. Accordingly, I recommend accepting the submission points from Z Energy Ltd (468.10k) and the Fuel Companies (471.11) and rejecting the submission points from Wellington Electricity (415.1) and the New Zealand Heavy Haulage Association (429.17a).

Recommendation

(297) Retain definition of Building as notified.

(298) I recommend accepting the relief sought by Z Energy Ltd (468.10k) and the Fuel Companies (471.11) and rejecting the relief sought by Wellington Electricity (415.1) and the New Zealand Heavy Haulage Association (429.17a).

Section 32AA Assessment

(299) As I am not recommending any amendments to the definition of Building a section 32AA assessment is not required.

8.1.5 Definition: Building footprint

Submissions

(300) The Fuel Companies (471.13) and Z Energy Ltd (468.10m) support the definition of Building footprint.

(301) Go Architecture (331.1) support the definition of Building footprint in part, and request the definition be amended to include the following exclusion:

This excludes up to 0.6m of eaves measured from the outside edge of the spouting.

(302) HNZPT (F8.2) support this submission point.

Assessment

(303) The support from the Fuel Companies and Z Energy Ltd for the notified definition of Building footprint is noted.

(304) In relation to the submission from Go Architecture (331.1), supported by HNZPT (F8.2), I do not support the amendment sought. The submitter requests that the definition be expanded to exclude up to 0.6 metres of eaves.

(305) The definition of Building footprint is prescribed by the National Planning Standards, which require councils to use the definition exactly as written. Because the definition is mandatory, it cannot be altered to add exclusions or additional explanatory text.

(306) Further, exclusions for eaves are more appropriately addressed in the relevant built-form standards, rather than by modifying a core National Planning Standards definition. This approach is already used throughout the Proposed

District Plan. For example, the setback standards and height in relation to boundary standards in several zones do not apply to “eaves up to 0.6m” (see MRZ-S5, MRZ-S6, HRZ-S5 and HRZ-S6).

(307) These rule-based exclusions ensure eaves are treated consistently across zones, without modifying the building footprint definition and without undermining the National Planning Standards framework.

(308) For these reasons, no changes to the definition are recommended.

Recommendation

(309) Retain definition of Building footprint as notified.

(310) I recommend accepting the relief sought by The Fuel Companies (471.13) and Z Energy Ltd (468.10m) and rejecting the relief sought by Go Architecture (331.1).

Section 32AA Assessment

(311) As I am not recommending any amendments to the definition of Building footprint a section 32AA assessment is not required.

8.1.6 Definition: Coastal environment

Submissions

(312) The Fuel Companies (471.14) support the definition of *Coastal environment*.

(313) Forest and Bird (424.4) oppose the definition of *Coastal environment*, and request the following amendment:

Means, in relation to district council functions, the area where the extent and characteristics of land with natural character, where coastal processes (including coastal erosion), influences or qualities are significant in accordance with Policy 1 of the NZCPS and Policy 4 of the Wellington Regional Policy Statement, as identified on the planning maps as being located within the inland extent of the Coastal Environment.

Assessment

(314) The support from the Fuel Companies for the notified definition of Coastal environment is noted.

(315) Forest and Bird seek to amend the definition so that it more explicitly reflects Policy 1 of the NZCPS and Policy 4 of the Wellington RPS. While the purpose of the submission is understood, I do not support the amendment because the notified definition of 'coastal environment' cross-references to the mapped extent of the coastal environment which has now been withdrawn from the PDP as part of the withdrawal of the natural character provisions of the PDP under the Council's Plan Exemption, along with the objectives, policies and rules relating to the coastal environment. As there is no longer a coastal environment map layer, which the definition relies on, and the substantive coastal environment provisions have been withdrawn, I do not consider the definition of coastal environment as notified should be retained. However, I note that there are other district-wide provisions (such as those in the Infrastructure and Subdivision chapters) that cross-reference to the coastal environment overlay which were not withdrawn but will require amendments to ensure the PDP aligns with the Minister's exemption and integrates with the ODP. Recommendations for those amendments will be made as part of the relevant topic-specific hearings.

Recommendation

(316) Delete the definition of Coastal environment.

(317) I recommend rejecting the relief sought by The Fuel Companies (471.14) and rejecting the relief sought by Forest and Bird (424.4).

Section 32AA Assessment

(318) The recommended deletion of the Coastal environment definition is more appropriate in achieving the objectives of the PDP than the notified provisions because it removes the ambiguity of having a definition that is reliant on a mapped layer that no longer exists in the PDP. In my opinion, the deletion of the definition will not have any greater environmental, economic, social, or cultural effects than the notified definition.

8.1.7 Definition: Conservation Activity and Restoration

Submissions

(319) The Director-General of Conservation (405.7a) opposes the definition of Conservation activity and requests amendments to the definitions of Conservation activity and Restoration to address areas of overlap, for example by:

- Amending either or both definitions to remove the overlap, and/or
- Amending rules so that activities involving restoration, and activities involving conservation, are treated in a consistent way within the same zone/overlay.

Assessment

(320) The concerns raised by the Director-General of Conservation (405.7a) regarding overlap between Conservation activity and Restoration are noted. The submitter is concerned that the two terms may be interpreted inconsistently, particularly in zones or overlays where differing activity statuses are applied to each term.

(321) However, the rule frameworks where these distinctions originally applied – specifically the Outstanding Natural Landscapes (ONLs), Outstanding Natural Features (ONFs), Natural Character, and Ecosystems/Indigenous Biodiversity chapters – have now been withdrawn from the PDP. The potential for inconsistent treatment between “conservation” and “restoration” activities under those provisions is therefore no longer present.

(322) In the remaining PDP chapters, the two terms serve different functional purposes:

1. Conservation activity

This remains a defined land-use activity, used primarily in the Rural Zones and Open Space Zones, where it is a permitted activity. Its focus is on ecological enhancement, species protection, pest and weed control, and related public education.

2. Restoration

By contrast, restoration is not used as an activity category in any surviving rule framework. The term now appears only in limited contexts, such as:

- TEMP-S5 – Restoration of site, which uses “restoration” to describe the reinstatement of a site following a temporary activity, and
- GRUZ-R7 Papakainga and GRUZ-R8 – Home businesses, where “restoration” refers to the repair or restoration of motor vehicles.

(323) These uses relate to site reinstatement or mechanical restoration, and have no ecological or biodiversity relationship. Applying the ecological definition of restoration to these contexts would be inappropriate. This reinforces that the notified definition of Restoration is intended and appropriate solely for an ecological/biodiversity context, and not for the broader, everyday meaning of the word as used in TEMP-S5 or GRUZ-R8. These provisions should rely on the plain English meaning of “restoration”, not the defined term.

(324) Considering the above, while some conceptual overlap exists between ecological “restoration” and “conservation activity”, this does not create interpretation issues in the surviving PDP. The conservation activity definition is activity-based and linked to rules, whereas restoration is now only a policy concept or used in provisions unrelated to ecological values.

(325) I also note that the National Policy Statement for Indigenous Biodiversity (NPS-IB) defines *restoration* as:

“the active intervention and management of modified or degraded habitats, ecosystems, landforms, and landscapes in order to maintain or reinstate indigenous natural character, ecological and physical processes, and cultural and visual qualities, and may include enhancement activities.”

(326) If the Proposed District Plan were applying restoration solely within an indigenous biodiversity context, then aligning the definition with the NPS-IB definition would be appropriate. However, there is no current operational need for such alignment given:

- the withdrawal of the chapters where this definition would have been applied, and
- the limited ecological role of *restoration* in the surviving chapters.

(327) Should biodiversity-related chapters be reintroduced in a future plan change, the definition can be revisited at that time.

(328) In conclusion:

- the core rule frameworks that originally distinguished between these terms have been withdrawn,
- *restoration* is now used in the PDP in non-ecological contexts that rely on the ordinary English meaning,
- the definitions no longer drive differing activity statuses, and
- the ecological definition of *Restoration* is still fit-for-purpose for the limited remaining contexts where it applies,

(329) I do not consider amendments to either definition necessary or beneficial at this time.

Recommendation

(330) Retain definitions of 'conservation activity' and 'restoration' as notified.

(331) I recommend rejecting the relief sought by the Director-General of Conservation (405.7a).

Section 32AA Assessment

(332) As I am not recommending any amendments to the definitions of *Conservation activity* or *Restoration*, a section 32AA assessment is not required.

8.1.8 Definition: Conservation activity

Submissions

(333) The NZ Agricultural Aviation Association (231.2) supports the definition of *Conservation activity*.

(334) The NZ Helicopter Association (215.1) supports the definition of *Conservation activity* in part, and request the following amendment:

Species protection and conservation management work, including infrastructure maintenance, restoration and revegetation.

Assessment

(335) The support of the NZ Agricultural Aviation Association for the definition of *Conservation activity* is noted.

(336) In relation to the submission from the NZ Helicopter Association (215.1), I do not support the requested amendment. The submitter seeks to add “infrastructure maintenance” to the list of included activities. However, the notified definition is intentionally centred on land-use activities undertaken for the purpose of maintaining, protecting, or enhancing natural or ecological values, along with associated public appreciation or educational purposes. The activities currently listed—species protection work, pest control, restoration and revegetation—are all intrinsically linked to ecological enhancement.

(337) By contrast, “infrastructure maintenance” is not inherently conservation-focused, and may relate to built utilities, access structures, or operational assets rather than the conservation of natural resources. Introducing this term would broaden the definition beyond its intended ecological focus and risk conflating conservation activity with infrastructure or operational maintenance, which are addressed elsewhere in the plan through the Energy, Infrastructure and Transport provisions.

(338) If infrastructure maintenance forms part of a specific conservation programme (e.g., maintaining a trap line or boardwalk to enable ecological work), that activity is already captured through the overarching purpose-driven structure of the definition. There is therefore no need to explicitly reference infrastructure maintenance, and doing so would reduce clarity and potentially expand the definition beyond its intended scope.

(339) For these reasons, no amendments to the definition are recommended.

Recommendation

(340) Retain definition of *Conservation activity* as notified.

(341) I recommend accepting the relief sought by NZ Agricultural Aviation Association (231.2) and rejecting the relief sought by NZ Helicopter Association (215.1).

Section 32AA Assessment

(342) As I am not recommending any amendments to the definition of *Conservation activity*, a section 32AA assessment is not required.

8.1.9 Definition: Construction activity

Submissions

(343) The Fuel Companies (471.19) and Z Energy Ltd (468.10p) support the definition of *Construction activity*.

(344) NZTA (385.5) supports the definition of *Construction activity* in part, and request the following amendment:

means undertaking or carrying out any of the following construction building works:

- a. erection of new buildings and structures;*
- b. alterations and additions to existing buildings or structures;*
- c. demolition or removal of an existing building or structure, including total or partial demolition or removal; ~~and~~*
- d. relocation of a building; or*
- e. construction of infrastructure and network utilities.*

Assessment

(345) The support for the notified definition of *Construction activity* is noted.

(346) In relation to the submission by NZTA (385.5), I consider that aspects of the amendments sought are appropriate. First, replacing the phrasing “building works” with “construction works” more accurately reflects the nature of the activities captured by the definition. The existing wording is narrower and implies a focus on building-related work only, whereas “construction works” better describes the full range of activities that occur during the erection, alteration, demolition, removal, or relocation of structures.

(347) Second, it is appropriate to include reference to the construction of infrastructure and network utilities. The term construction activity is used within the Noise chapter of the Proposed District Plan to manage the emission of noise generated during construction. As infrastructure projects frequently involve significant construction noise, it is important that the same definition applies to infrastructure construction so that these activities are clearly subject to the relevant noise provisions. Ensuring the definition captures

infrastructure construction improves clarity and avoids gaps in the application of noise rules.

(348) On this basis, I support amending the definition to refer to construction works and to include the construction of infrastructure and network utilities, while maintaining the core structure of the notified definition.

Recommendation

(349) Amend the definition of 'construction activity' as shown below.

means undertaking or carrying out any of the following construction ~~building~~ works:

- a. erection of new buildings and structures;*
- b. alterations and additions to existing buildings or structures;*
- c. demolition or removal of an existing building or structure, including total or partial demolition or removal; ~~and~~*
- d. relocation of a building; or*
- e. construction of infrastructure and network utilities.*

(350) I recommend accepting the relief sought by The Fuel Companies (471.19), Z Energy Ltd (468.10p), and NZTA (385.5).

Section 32AA Assessment

(351) The recommended amendment to the definition of *Construction activity* is more appropriate in achieving the objectives of the PDP than the notified provisions because it provides clarity for plan users and certainty for infrastructure providers that non-structural construction is covered by the definition. In my opinion, the deletion of the definition will not have any greater environmental, economic, social, or cultural effects than the notified definition.

8.1.10 Definition: Functional need

Submissions

(352) Horokiwi Quarries Ltd (246.2), Connexa, Chorus, FortySouth and Spark (311.6), FENZ (374.3), and KiwiRail Holdings Ltd (442.5) and The Fuel Companies (471.24) support the definition of *Functional need*.

(353) Health NZ (518.1) support the definition of Functional need in part, and request the following amendment:

Means the need for a proposal or activity to traverse, locate or operate in a particular environment because the activity can only occur in that environment. Furthermore, in the case of Hospital and Health Care Activity at Hutt Hospital functional need is constrained and there are no viable alternatives for the hospital.

Assessment

(354) The support for the notified definition of *functional need* is noted.

(355) The definition of *functional need* in the Proposed District Plan is taken directly from the National Planning Standards, which require councils to use the standardised definition without amendment to ensure national consistency. As a result, the Council cannot modify or expand the definition in the manner sought by Health NZ (518.1).

(356) While the submitter seeks to include additional wording to recognise the specific constraints faced by Hutt Hospital, such as limited alternative locations or operational requirements, these matters should be considered through activity-specific policies and rules, including within the Hospital Zone chapter. They should not be incorporated into a mandatory, plan-wide definition.

(357) For these reasons, no changes to the definition are recommended.

Recommendation

(358) Retain definition of *Functional need* as notified.

(359) I recommend accepting the relief sought by Horokiwi Quarries Ltd (246.2), Connexa, Chorus, FortySouth and Spark (311.6), FENZ (374.3), and KiwiRail Holdings Ltd (442.5) and The Fuel Companies (471.24) and rejecting the relief sought by Health NZ (518.1).

Section 32AA Assessment

(360) As I am not recommending any amendments to the definition of *Functional need*, a section 32AA assessment is not required.

8.1.11 Definition: Height

Submissions

- (361) The Petone Historical Society (496.4b) opposes in part the definition of *Height*, and requests the addition of a diagram to make it clear that *Height* applies to every part of a building or structure; or make changes to both definitions.

Assessment

- (362) The Petone Historical Society seeks clarification on how the definitions of *Alteration* and *Height* interact, particularly in the context of heritage buildings. Their concern is that *Height* could be interpreted as referring only to the maximum height of a building rather than the height of the part being altered, and they suggest either adding wording to the definition of *Alteration* or including a diagram within the definition of *Height*.
- (363) While I acknowledge the intent of the submission, I do not consider amendments to either definition necessary. The definition of *Height* is mandated by the National Planning Standards and cannot be altered, including through the addition of diagrams or expanded explanatory text. The Planning Standards require all district plans to adopt the standardised definition to ensure national consistency.
- (364) In practice, the definition of *Height* already applies to any part of a building or structure, and this is reinforced through the built-form rules and standards—rather than through the definition of *Alteration*. The heritage rules rely on zone-based height limits and specific assessment criteria, not on the definition of *Alteration*, to determine whether a proposed change affects building height in a way that requires consent.
- (365) Given the clarity provided by the Planning Standards definition, and the way the relevant rules operate, I do not consider further amendments necessary or appropriate.

Recommendation

- (366) Retain definition of 'height' as notified.
- (367) I recommend rejecting the relief sought by the Petone Historical Society (496.4b).

Section 32AA Assessment

(368) As I am not recommending any amendments to the definition of *Functional need*, a section 32AA assessment is not required.

8.1.12 Definition: Relocation

Submissions

(369) The Fuel Companies (471.75) support in part the definition of *Relocation*, but seek amendments, as follows:

means, in relation to heritage buildings, heritage structures and contributing buildings in heritage areas, to physically shift the location of a building within a site or to remove it from the site. Relocation may include raising or lowering a building or structure.

(370) Petone Historical Society Inc (496.5) oppose in part the definition of *Relocation*, and seek the following amendments:

means to physically shift the location of a building within a site or to remove it from the site with the purpose of shifting it to another site. Relocation may include raising or lowering a building or structure.

Assessment

(371) The Fuel Companies seek amendments to the definition of *Relocation* noting there is a discrepancy between the definition within the 'Interpretation' chapter of the PDP, which applies to all buildings, and the definition that appears as a 'pop-up' when the term is used within the substantive provisions and is shown as a hyperlink, which applies only to heritage buildings, heritage structures and contributing buildings within heritage areas. The Fuel Companies seek an amendment to the definition within the Interpretation chapter to align with that of the pop-up. For clarity, the two definitions are shown below:

Definition of Relocation within the Interpretation chapter.

means to physically shift the location of a building within a site or to remove it from the site. Relocation may include raising or lowering a building or structure.

Definition of Relocation as a hyperlink pop-up:

in relation to heritage buildings, heritage structures and contributing buildings in heritage areas, means to physically shift the location of a building within a site or to remove it from the site. Relocation may include raising or lowering a building or structure.

- (372) While I acknowledge there is a discrepancy between the definitions as identified by the submitter, it is my understanding from Council officers that the definition contained in the Interpretation chapter of the PDP is the authoritative definition rather than the 'pop-up' definition. The 'pop-up' is a feature of the ePlan product that aids plan users, but what is stated in the Interpretation chapter prevails in the event of a conflict. In the case of the Relocation definition I understand the pop-up definition is a legacy from the non-statutory draft District Plan, and has inadvertently not been updated following amendments to the provisions in preparation of the notified PDP. It is also my understanding that the intent is for the defined term 'relocation' to apply in the context of relocation of a building or structure, rather than lines, pipes and other types of non-structural infrastructure.
- (373) The term 'relocation' is used within the definition of Construction Activity to capture the relocation of buildings and structures as a construction activity generally, and the intent is that that applies to all building and structures, not just those relating to heritage. Taking this into account, I do not support the amendment sought by The Fuel Companies to limit the application of the definition of 'Relocation' to heritage buildings, heritage structures, and contributing buildings in heritage areas. This issue also relates to the submission by New Zealand Heavy Haulage Association which is addressed in paragraphs (474) to (482).
- (374) Accordingly, I do not recommend amending the definition of Relocation as sought by The Fuel Companies. However, I consider the discrepancy between the definitions should be rectified and this is an error that can be addressed via clause 16B of the RMA.

(375) I agree in part with the relief sought by the Petone Historical Society to include reference to shifting a building to another site. As currently drafted the definition only captures relocation of a building within the same site, or the removal of the building from a site. It does not capture the relocation of a building to a new site. My understanding is that it was the intent to capture relocation to a site, and this is a simple drafting omission in the definition. Therefore, I agree with the submitter that an amendment is required, however I prefer simpler wording, as shown below:

means to physically shift the location of a building within a site, to a new site, or to remove it from the site. Relocation may include raising or lowering a building or structure

Recommendation

(376) Amend the definition of *Relocation* as follows:

means to physically shift the location of a building within a site, to a new site, or to remove it from the site. Relocation may include raising or lowering a building or structure

(377) I recommend rejecting the relief sought by The Fuel Companies (471.75) and accepting in part the relief sought by Petone Historical Society Inc (496.5).

Section 32AA Assessment

(378) The recommended amendment to the definition of *Relocation* is more appropriate than the notified definition because it provides clarity to plan users about the scope of relocation of buildings as it applies in the context of the building and structure provisions of the PDP.

8.1.13 Definition: Sensitive activities

Submissions

(379) The Fuel Companies (471.47), Clarus (474.8), NZTA (385.19), Z Energy Ltd (468.10q) and Transpower New Zealand Ltd (504.11) support the definition of *Sensitive activities*.

(380) The New Zealand Pork Industry Board (341.5) opposes the definition of *Sensitive activities* in part, and requests that it be replaced with the following:

means

1. residential activity, or
2. retirement village, or
3. supported residential care facility, or
4. marae, or
5. healthcare activity, or
6. educational facility, or
7. community facility, or
8. visitor accommodation activity, or
9. place of assembly, or
10. place of worship.

Assessment

- (381) The support from several submitters for the definition of sensitive activities is noted.
- (382) I do not support the relief sought by the New Zealand Pork Industry Board (341.5). While the Board is concerned that the definition includes sub-definitions tied to different environmental effects and may not explicitly reference sensitivities to primary production, the requested replacement would significantly narrow the definition and undermine its plan-wide function. The term *Sensitive activity* is used across multiple PDP chapters—including noise, hazardous substances, natural hazards, and infrastructure—and therefore requires a flexible, effects-based structure rather than a single consolidated list focused solely on reverse sensitivity.
- (383) Primary production interface issues in the General Rural Zone are already managed through zone-specific provisions, and do not rely solely on this general definition. Maintaining the sub-definitions based on context-responsive definitions ensures consistency with the plan's integrated policy framework and avoids creating gaps where legitimate sensitive activities would fall outside a narrow list.
- (384) For these reasons, the submission is not supported.

Recommendations

(385) Retain definition of *Sensitive activity* as notified.

(386) I recommend accepting the relief sought by The Fuel Companies (471.47), Clarus (474.8), NZTA (385.19), Z Energy Ltd (468.10q) and Transpower New Zealand Ltd (504.11) and rejecting the relief sought by The New Zealand Pork Industry Board (341.5).

Section 32AA Assessment

(387) As I am not recommending any amendments to the definition of *Sensitive activity*, a section 32AA assessment is not required.

8.1.14 Definition: Well-functioning urban environment

Submissions

(388) Te Rūnanganui O Te Atiawa (503.14) support the definition of *well-functioning urban environment*.

(389) Waste Management NZ Ltd (461.11) support the definition of well-functioning urban environment in part, and request the following amendment:

means an urban environment that, as a minimum:

...

6. supports reduction in greenhouse gas emissions, ~~and~~

7. are resilient to the likely current and future effects of climate change, and

8. is supported by infrastructure including regionally significant infrastructure.

(390) The Petone Historical Society (496.7) supports the definition of *well-functioning urban environment* in part, and requests that a further item is added to the definition along the lines of “*recognises and provides for qualifying matters.*”

(391) The Policy Planning team of HCC (440.17) oppose the definition of *well-functioning urban environment* in part, and request the following amendment:

~~ere~~ is resilient to the likely current and future effects of climate change. is resilient to the likely current and future effects of climate change.

Assessment

- (392) The support for the proposed definition of ‘well-functioning urban environment’ is noted. The proposed definition is sourced from Policy 1 of the National Policy Statement for Urban Development. The request from the Policy Planning team of HCC is supported as this minor amendment is consistent with the NPS-UD wording.
- (393) In response to the Waste Management NZ Ltd submission, while the importance of adequate and resilient infrastructure—particularly regionally significant infrastructure—is acknowledged, I do not support adding this wording to the definition for several reasons.
- (394) Firstly, as stated in paragraph 135, the definition is from the NPS-UD which sets out the nationally mandated meaning of a *well-functioning urban environment*. Introducing additional wording would result in a locally amended definition that no longer mirrors the NPS-UD, creating unnecessary inconsistencies between the District Plan and the national direction it is required to “give effect to” under sections 75(3)(a) and 80E of the RMA. Maintaining the nationally standardised definition also aligns with good plan-making practice and supports consistency across Tier-1 local authorities.
- (395) Secondly, the matters raised by the submitter—ensuring development is supported by appropriate infrastructure—are already comprehensively addressed elsewhere in the Proposed District Plan. These include:
- the *Strategic Directions* relating to infrastructure,
 - the *Energy, Infrastructure and Transport* chapters,
 - provisions relating to regionally significant infrastructure, and
 - the Subdivision chapter.
- (396) Collectively, these provisions ensure that the PDP recognises and provides for the role of infrastructure without requiring changes to the definition itself.

- (397) For these reasons, the amendment sought is not necessary, and would compromise alignment with the NPS-UD. I therefore recommend rejecting the Waste Management NZ Ltd request.
- (398) In response to the submission from the Petone Historical Society, I do not support adding “recognises and provides for qualifying matters” to this definition.
- (399) Qualifying matters arise under Subpart 6 of the NPS-UD, sections 77I–77R of the RMA, and relate specifically to situations where development capacity and building heights required under Policy 3 may be modified. They are not part of the definition of what constitutes a *well-functioning urban environment*. Instead, qualifying matters operate as a separate statutory mechanism to justify limitations on intensification in specific circumstances.
- (400) Including qualifying matters within the definition would:
- conflate two distinct concepts and frameworks under the NPS-UD;
 - introduce potential confusion for plan users about the role and application of qualifying matters; and
 - unnecessarily alter a definition that is intended to remain consistent with national direction.
- (401) The NPS-UD anticipates that councils will balance intensive development with qualifying matters through the application of policies and rules, rather than through amendments to the primary definition in Policy 1. The PDP already contains provisions that recognise qualifying matters where they apply, including within hazard overlays, heritage provisions, and infrastructure constraints. These sit within the plan’s substantive chapters rather than in its definitions.
- (402) For these reasons, the amendment sought by the Petone Historical Society is not appropriate, and I recommend rejecting this submission point.

Recommendation

- (403) Amend the definition of *Well-functioning urban environment* as shown below:

7. ~~are~~ is resilient to the likely current and future effects of climate change.

- (404) The reason for this recommendation is to make the definition fully consistent with the definition in the NPS-UD.
- (405) I recommend accepting the relief sought by Te Rūnanganui O Te Atiawa (503.14) and The Policy Planning team of HCC (440.17) and rejecting the relief sought by Waste Management NZ Ltd (461.11) and The Petone Historical Society (496.7).

Section 32AA Assessment

- (406) The recommended amendment to the definition of *Well-functioning urban environment* is more appropriate in achieving the objectives of the PDP than the notified provisions because it ensures the definition is consistent with the definition within the NPS-UD. In my opinion, the amendment will not have any greater environmental, economic, social, or cultural effects than the notified definition.

9 Whole of Plan

9.1 Discussion of submissions and recommendations

(407) This section of the report addresses submissions that apply to the Proposed District Plan as a whole, rather than to specific chapters, definitions, zones, or overlays. Whole-of-plan submissions typically raise issues that cut across multiple parts of the plan, relate to the overall structure and operation of the document, or concern general drafting approaches and plan-wide implementation matters.

(408) These submissions frequently seek amendments to how the plan is framed, interpreted, or navigated, including matters such as terminology, integration, plan usability, activity organisation, or alignment with higher-order documents. Unlike chapter-specific submissions, whole-of-plan submissions may have broad consequences for multiple provisions and require consideration of the plan architecture established by the National Planning Standards, as well as the relationship between surviving Proposed District Plan provisions and the Operative District Plan following the Plan Stop process.

(409) Given their breadth, whole-of-plan submissions do not always relate to discrete amendments in a single provision. Instead, they often request structural changes, new tools (such as nesting tables or cross-referencing conventions), or overarching drafting approaches that would influence how the plan is interpreted and applied.

(410) This section evaluates each of the whole-of-plan submission points in terms of:

- their relevance to the remaining scope of the Proposed District Plan,
- the functional need or benefit of the requested amendments,
- consistency with the National Planning Standards and plan architecture,
- usability and clarity for plan users, and

- any practical or legal implications for the operation of the combined PDP/ODP framework.

(411) Recommendations are provided following the assessment of each submission, noting where requests are outside the scope of the Plan Stop exemption, are better addressed within specific chapters, or are otherwise not appropriate for incorporation into the Proposed District Plan at this stage.

(412) A few submissions raised general or specific points on plan structure, format and wording. These submissions are assessed in this section of the report.

Submissions

(413) Ian Cassidy (207.1) seeks that the way plans are formatted needs to be looked at so the information is presented in a way that is less complexly arranged and easier to search and understand.

(414) Laura Skilton (314.5) requests the PDP use the correct legal name for suburbs, such as Pito One in Policy NH-P2. Similarly, the Policy Planning Team of the Hutt City Council (440.2) request the consistent use of one spelling of "Petone", "Pito-one" or "Pito One" throughout the PDP.

(415) Policy Planning team of Hutt City Council (440.1) seek that corrections are made for all typos, misspellings, use of incorrect terms where a similar term is defined, errors and inconsistencies in numbering, and cross-references within the PDP.

(416) Policy Planning team of Hutt City Council (440.3) request to amend all references to "reverse sensitivity effects" to "reverse sensitivity" throughout the PDP for consistency and align with the defined term.

(417) Policy Planning team of Hutt City Council (440.4) request to amend all references to "operational or functional need(s)" is replaced with "operational need or functional need" and "operational and functional need" is replaced with "operational need and functional need". The submission notes the Council is not seeking amendment to the use of 'or' and 'and' as a whole plan correction within this submission point.

(418) Policy Planning team of Hutt City Council (440.5) requests consistent use of "Matters of discretion are restricted to:", and not "Matters of discretion are limited to".

Assessment

(419) In response to the submission from Ian Cassidy (207.1), the submitter's desire for a simpler and easier-to-navigate District Plan is acknowledged. However, the formatting, structure, and presentation of the Proposed District Plan are required to follow the National Planning Standards, which prescribe the layout, sequencing, and organisation of district plans and therefore cannot be altered through submissions. Usability is instead achieved through the Hutt City Council e-plan platform, which is delivered by one of New Zealand's leading e-plan software providers and has been refined over many years based on extensive user feedback to ensure clarity, effective search functions, and intuitive navigation for plan users. For these reasons, no change to the formatting of the plan is recommended.

(420) In response to the submission from Laura Skilton (314.5) and , the Policy Planning Team of the Hutt City Council (440.2), the concerns regarding clarity around the name "Petone" are acknowledged. Although a proposal was advanced in 2023–2024 to alter the suburb's name to Pito One, and the New Zealand Geographic Board recommended the change, the Minister for Land Information declined the proposal in December 2024. As a result, the official name of the suburb remains Petone. The Proposed District Plan should therefore continue to use the official gazetted place name for all references and mapping purposes.

(421) However, while "Pito One" is not the official name, it has recognised cultural and historical significance as the original Te Āti Awa name for the area. Māori references can appropriately appear in:

- Tangata whenua chapters,
- Cultural or historical descriptions,
- Explanatory text,
- Non-statutory supporting material.

(422) These contexts allow the plan to acknowledge and respect the Māori name, without replacing or duplicating the official suburb name in rules, zoning maps, or definitions.

(423) Should the official name change in future, updates would occur through a separate statutory process outside this plan review. It is recommended all

references to Petone / Pito One in the PDP be checked and the above delineation of references be applied.

- (424) The Policy Planning team seeks that the Council make corrections throughout the PDP to address typographical errors, misspellings, use of incorrect terms where another defined term should be used, inconsistencies in numbering, and incorrect cross-references. I support this submission.
- (425) Under clause 16(2) of Schedule 1 of the RMA, the Council is expressly empowered to make amendments to a proposed plan to correct minor errors or make alterations that have only minor effect without requiring further notification. This provides an appropriate and efficient mechanism for ensuring internal consistency and clarity across the document. Given the size and complexity of the PDP, it is expected that a wide range of minor corrections will be necessary as part of preparing a decisions version.
- (426) These types of corrections do not alter policy direction or the substantive effect of provisions, and ensuring accuracy is essential for plan usability and legal certainty. Therefore, undertaking a comprehensive clean-up of minor errors, numbering inconsistencies, terminology alignment, and cross-reference corrections is both appropriate and supported. It is recommended that any identified corrections are made throughout the hearings under this submission point, including as part of the final hearing with final recommended amendments.
- (427) The Policy Planning team requests that all references to “reverse sensitivity effects” be amended to “reverse sensitivity” throughout the Proposed District Plan to ensure consistency with the defined term. I support this submission.
- (428) The PDP includes a definition for reverse sensitivity, and the use of terminology inconsistent with that definition can create uncertainty or imply a distinction where none exists. Ensuring consistent use of the defined term improves clarity, aligns with best drafting practice, and reduces the risk of interpretive ambiguity.
- (429) The Policy Planning team seeks to amend all references in the PDP to ensure consistent use of the phrases “operational need or functional need” and “operational need and functional need”, rather than just “operational and functional need” or “operational and functional need”. I support this submission. The PDP contains defined terms for ‘operational need’ and

'functional need', and consistent use of these defined terms improves clarity, reduces the risk of misinterpretation, aligns with good drafting practice, and aids e-plan functionality. For these reasons, the amendments sought are appropriate and are supported.

(430) The Policy Planning team seeks to standardise the wording used at the beginning of matters-of-discretion lists so that all rules use the phrase "Matters of discretion are restricted to:", rather than the alternative wording "Matters of discretion are limited to:". I support this submission.

(431) Consistent terminology across the PDP improves clarity for plan users and reinforces the legal intent that the scope of assessment for restricted discretionary activities is confined to the specified matters. The change does not alter the meaning or effect of any rule but simply aligns drafting across chapters. For these reasons, the amendment is appropriate and supported.

Recommendations

(432) Retain and amend all references to "Petone" in objectives, policies, rules, definitions and maps. Retain all references to "Pito One" in the Tangata Whenua Chapter and explanation text.

- a) Amend all corrections to typos, misspellings, incorrect terms, numbering and cross-references in the PDP.
- b) Amend all references to "reverse sensitivity effects" to "reverse sensitivity".
- c) Amend all references to "operational or functional need" to "operational need or functional need" and amend all references to "operational and functional need" to "operational need and functional need".
- d) Amend all references for Restricted Discretionary Activities to "Matters of discretion are restricted to:".

(433) I recommend rejecting the relief sought by Ian Cassidy (207.1), accepting in part the relief sought by Laura Skilton (314.5), and accepting the relief sought by The Policy Planning team of Hutt City Council (440.1, 440.2, 440.3, 440.4, and 440.5).

Section 32AA Assessment

(434) The recommended amendments are more appropriate in achieving the objectives of the PDP than the notified provisions because they provide plan clarity, improve readability, and provide greater certainty for plan users. In my opinion, the amendment will not have any greater environmental, economic, social, or cultural effects than the notified definition.

9.1.1 Miscellaneous matters

(435) A few submitters have made submissions on a wide range of issues, and they have been grouped into miscellaneous matters. The submissions are grouped by submitter and I discuss them in turn below.

Submissions

(436) Woolworths New Zealand Ltd (271.1a) is a general submission point where the submitter sought alternative or consequential relief as may be necessary to fully achieve the relief sought in their submission.

(437) Shayne Hodge (346.1) seeks the Proposed District Plan is withdrawn. The primary concern of the submitter is on provisions relating to Sites and Areas of Significance to Māori (SASM).

(438) Fiona Christeller (375.6, 375.7 and 375.8) seeks a series of new provisions relating to road reserve. These new provisions are:

- make all applications for encroachment licences require resource consent
- that the council set up objectives for retaining street and public space amenity as densification takes place
- encourage the on-site planting of trees with expected heights of over 3m.

(439) Director-General of Conservation (405.1, 405.2 and 405.8a) requests a series of amendments relating to indigenous vegetation clearance provisions.

These requests are:

- make amendments as required to address concerns raised in the submission, including the limited extent of indigenous vegetation clearance provisions, that the plan does not differentiate between

areas of significant biodiversity and other indigenous biodiversity, and does not give effect to RMA, NPSIB or the Wellington RPS.

- ensure the lists of rule exemption rules that manage indigenous vegetation removal are consistent across chapters, unless differences are justified.
- Amend all references of “removal of indigenous vegetation” to indigenous vegetation clearance”.

(440) Forest and Bird (F23.1) support submission point 405.1 as it seeks a decision that will assist with integrated management across the relevant legislation and higher order planning documents.

(441) Ian and Raylene Caddis (433.29) submission relates to various overlays which have been withdrawn (e.g. Sites and Areas of Significance to Māori). In their submission, they sought general relief that “adequate provision should be made and included in any new District Plan enabling a would-be applicant to show that the required works and applications have already been completed and the Applicant is exempt for further enquiry”.

(442) The Francis Family Trust (443.4) submission contains a general point seeking relief sought of “Improved clarity regarding the proposed changes and the justifications for the changes, and the impact on the landowners.” The reasons for this submission point are stated as “how does the proposed full district plan compare to the existing operative district plan?”. This submission contains three other points relating to high density/mixed use zoning, historic heritage and flood hazard overlays for their property in Boulcott. The relief sought for the other submission points is to retain the existing/operative district plan.

(443) Petone Community Board (502.10) requests clarity in relation to the relevance of updating the District Plan while the Government is overhauling the Resource Management Act and whether a new District Plan should await that legislative change.

(444) New Zealand Heavy Haulage Association (429.03 and 429.08) request that the PDP include clear and identifiable rules for new and recycled buildings that are relocated onto a new site.

(445) In a separate submission point (429.17b), the submitter also seeks a new definition of ‘relocated building’, as follows:

means the relocation of an existing building to another site, but excludes the movement of a building within the same title or buildings that are new and have not been used

(446) Aggregate and Quarry Association (202.12) request that Council should acknowledge river gravel extraction and the plan should accommodate it where appropriate. The Association states the extraction of river gravels play a major role in Lower Hutt's resilience and adaptation for natural hazards. While the Association recognises the extraction itself comes under domain of regional council, the role it plays and accommodating it should be acknowledged in the district plan.

Assessment

Woolworths New Zealand Ltd

(447) In relation to the relief sought for Woolworths New Zealand Ltd (271.1a), all the matters in their submission will be evaluated in the other hearings. Therefore, no further consideration of this submission point is required for Hearing 1.

Shayne Hodge

(448) Shayne Hodge seeks that the entire PDP be withdrawn, with their concerns directed primarily at the provisions relating to SASM. These SASM provisions have since been withdrawn from the Proposed District Plan following the Ministerial Plan Stop direction. As a result, the matters that formed the basis for the submitter's request are no longer part of the PDP and will not be progressed through this hearings process.

(449) The submitter has not identified concerns with any other parts of the PDP, and the remaining components of the PDP are unrelated to the issue raised. Given that the specific provisions of concern have already been removed, there is no planning reason or statutory basis to withdraw the entire Proposed District Plan in response to this submission. The appropriate remedy sought by the submitter has effectively already been addressed through the withdrawal of the SASM chapter.

(450) For these reasons, the request to withdraw the Proposed District Plan is not supported.

Fiona Christeller

(451) Fiona Christeller (375.6, 375.7 and 375.8) seeks a suite of new provisions relating to the road reserve. The concerns raised, particularly regarding the effects of structures in the road reserve on streetscape amenity, tree removal, pedestrian safety, and mode shift, are acknowledged. These are important urban design issues. However, I do not support the inclusion of the requested provisions for several reasons.

(452) Firstly, encroachment licences are administered under the Local Government Act by Hutt City Council as private occupation of public land; they sit outside the RMA framework. Requiring a resource consent for all encroachments would duplicate an existing statutory process and is not within the scope or purpose of the District Plan.

(453) Secondly, the PDP already contains objectives and policies that address urban amenity, streetscape quality, and well-functioning urban environments, including through the Strategic Directions, Residential Zones, and Transport provisions. These existing plan-wide provisions guide development outcomes at the site-street interface. Adding new, bespoke objectives for road-reserve amenity would create unnecessary overlap and is not required for the PDP to function effectively.

(454) Thirdly, while tree planting and green infrastructure are valuable elements of urban form, the PDP regulates land use on private sites, not planting within road reserves, which is managed through Council's bylaws, codes of practice, and asset management processes.

(455) Finally, the submitter's concerns relate primarily to development and structures within the road reserve, which the PDP cannot regulate except in limited circumstances (e.g., where road-reserve works trigger earthworks or natural hazard provisions). Most works in the road reserve occur under the Local Government Act, not the District Plan. As such, the relief sought would not be implementable or enforceable through the RMA planning framework.

(456) For these reasons, the new provisions requested are not supported.

Director-General of Conservation

(457) The Director-General of Conservation seeks a range of amendments to indigenous vegetation clearance provisions across the PDP. However, the Ecosystems and Indigenous Biodiversity chapter and all associated

schedules and spatial overlays – including other overlays with Outstanding Natural Landscapes, Outstanding Natural Features, Special Amenity Landscapes, and Coastal Natural Character Areas—have been withdrawn from the PDP under the Plan Stop and Ministerial exemption process. As these provisions are no longer part of the plan, the Hearings Panel has no jurisdiction to amend them or to introduce new biodiversity management frameworks of the type sought by the submitter.

(458) While some general indigenous vegetation provisions remain within the PDP—for example INF-S20 (Removal of indigenous vegetation) in the Infrastructure chapter and QUARZ-S5 in the Quarry Zone—their operation is now limited. The rules that contain components that rely on spatial overlays that have been withdrawn no longer apply. However, rules that do not rely on these withdrawn overlays would continue to apply. For instance:

- INF-S20 includes general exemptions (e.g., for hazard removal, road safety, infrastructure maintenance), which still function. However, INF-S20 also contains overlay-specific thresholds for ONLs, ONFs, and Coastal Natural Character areas. Because those overlays are withdrawn from the PDP appendices and planning maps, these parts of the standard cannot be applied and are effectively inoperative.
- QUARZ-S5 requires the maintenance of indigenous vegetation “within the Special Amenity Area Overlay”⁴ which is a specifically identified area in the Quarry Zone which is different from the withdrawn spatial layers. This overlay and the requirement to maintain indigenous vegetation within that overlay, is relates to amenity matters (e.g. managing visual effects of quarrying activities) rather than the protection of indigenous biodiversity. Therefore, this standard continues to apply.

(459) Accordingly, only QUARZ-S5 continue to apply and all other rules and standards are withdrawn, including INF-S20. As a result, the PDP cannot:

- expand or refine vegetation clearance rules,

⁴ This term is called “Quarry Amenity Protection Overlay” on the PDP Map Viewer

- differentiate between significant and non-significant biodiversity,
- standardise terminology (e.g., replacing “removal” with “indigenous vegetation clearance”), or
- reconcile biodiversity-related exemptions across chapters.

(460) In the absence of a functioning PDP biodiversity framework, the operative District Plan continues to regulate indigenous vegetation clearance, including its existing thresholds, definitions, and exemptions. This includes provisions on vegetation removal in residential zones, and activities and site development works within the mapped Significant Natural Resources on public land.

(461) Looking ahead, the recently amended National Policy Statement for Indigenous Biodiversity (NPS-IB) will be implemented through a future plan change or full plan review, likely prepared under the new legislative framework anticipated through the Planning Bill and Natural Environment Bill. That future process—not the current constrained PDP—will provide the appropriate vehicle to establish a comprehensive indigenous biodiversity management system, including any requirements that exist at that time for mapping significant natural areas, activity rules, and updated terminology that aligns with the NPS-IB.

(462) Overall, due to the withdrawal of the relevant PDP chapters and overlays, the requested amendments cannot be considered or incorporated within this plan process. Accordingly, the amendments sought by the Director-General of Conservation are not supported.

Ian and Raylene Caddis

(463) The submitters request that the PDP include a general provision enabling applicants to demonstrate that “required works and applications have already been completed” so that they may be “exempt from further enquiry.” Their submission relates to overlays such as Sites and Areas of Significance to Māori (SASM), which—along with other related natural environment and cultural overlays—have been withdrawn from the PDP and therefore no longer apply.

(464) As a result, the issues underlying the submission (i.e., the need to demonstrate completed works or compliance in relation to SASM or other withdrawn overlays) no longer arise, because the provisions triggering those

requirements have been removed from the PDP. The only applicable provisions for these matters now remain in the operative District Plan, including Section 10 RMA (existing use rights for land-use activities).

(465) The PDP cannot introduce a generic exemption mechanism of the type sought because:

- It is outside the function of a district plan to certify past compliance or provide exemptions based on historical works. These processes sit with the RMA's existing-use rights provisions, not with district plan rules.
- A plan-wide exemption mechanism would create legal uncertainty and could override specific zone and district-wide provisions inappropriately.
- The PDP must operate within the scope of its surviving provisions, and cannot create bespoke exemptions for overlays that no longer exist in the plan.

(466) Given the withdrawal of the SASM and related overlays, and the fact that the RMA already provides the appropriate legal pathways for recognising completed or existing lawful works, no amendments to the PDP are necessary or appropriate.

(467) For these reasons, the relief sought is not supported.

Francis Family Trust

(468) The Francis Family Trust seeks "improved clarity regarding the proposed changes and the justifications for the changes, and the impact on landowners," and asks broadly how the Proposed District Plan compares with the Operative District Plan. This submission point operates at a general level and does not relate to a specific provision. The Trust's remaining submission points are property-specific and relate to zoning, historic heritage, and flood hazard overlays affecting their land in Boulcott, for which they seek retention of the operative plan provisions.

(469) The request for greater clarity about the scope and justification of changes is understood; however, this matter is already addressed through the statutory process. The Proposed District Plan is supported by comprehensive section 32 evaluation reports, which explain the rationale for proposed

provisions, how they differ from the operative plan, and the associated costs, benefits, and risks. These documents form part of the notified plan package and fulfil the RMA's requirements for evaluating changes from the operative planning framework. In addition, the hearings process—including this s42A report—provides further explanation of how submissions have been assessed, how the PDP compares to the operative plan for specific topics, and what effects the proposed changes may have on landowners.

(470) Because the submission does not identify any specific provision requiring amendment, and the clarity sought is provided through the statutory evaluation and hearings framework, no changes to the PDP are considered necessary or appropriate in response to this submission point.

(471) For these reasons, the relief sought is not supported.

Petone Community Board

(472) The Petone Community Board seeks clarity about the relevance of progressing a full District Plan review while the Government is undertaking significant reform of the resource management system, and questions whether adoption of a new District Plan should await the new legislation.

(473) While the concern is understood, continuing with the PDP is both necessary and appropriate under the current statutory framework. The RMA remains in force until repealed, and councils are legally required to maintain an operative district plan that gives effect to national direction and meets the ongoing plan-review obligations under sections 73 and 79 RMA. The Government's resource management reform programme—including the Planning Bill and Natural Environment Bill—has no immediate legal effect, and the transition to any new planning system will occur over several years. In its interim period, district plans must continue to operate, and councils must continue to make decisions on land use, development, natural hazards, infrastructure, and growth management.

(474) Furthermore, the Minister for RMA Reform has granted Hutt City Council an exemption under the Plan Stop provisions, confirming that the PDP should continue through the Schedule 1 process. This reinforces that progressing the PDP now is both lawful and anticipated. Delaying the PDP pending future legislative change would leave the city reliant on an outdated operative plan, which predates significant national direction (including the NPS-UD,

NPS-REG, and NPS-HPL) and does not reflect current growth, housing, natural hazard, climate, infrastructure, or mana whenua planning requirements.

- (475) The PDP will form a key foundation for any future transition to a new planning framework and is intended to integrate, where possible, with the direction signalled by the Government. For these reasons, no amendments are required in response to this submission point.

New Zealand Heavy Haulage Association

- (476) The New Zealand Heavy Haulage Association requests that the PDP include clear and identifiable rules for new and recycled (second-hand) buildings that are relocated onto a site and a definition of 'relocated building' to support these rules. Their concern reflects a desire for certainty regarding activity status and standards that apply to relocated buildings, particularly to manage amenity effects during the period between relocation and reinstatement.

- (477) I have reviewed the PDP building and structures rules and associated definitions, and I agree with the submitter that the PDP is currently unclear as to how the relocation of buildings is managed in the rule framework. I understand from Council officers that the intent is for the relocation of buildings to be a permitted activity, subject to the same bulk and location standards as new buildings, and to not unduly restrict this activity. I have considered the inclusion of a standalone rule within the various zone chapters to provide more certainty, as suggested by the submitter, however I consider the same outcome could be achieved by amending the relevant definitions and rule titles to make it clearer that relocation of buildings is permitted, subject to bulk and location standards.

- (478) There is inconsistency across the PDP chapters in terms of the rule titles for building and structure activities. For example, the title for Rule MRZ-R3 is '*Construction of new buildings and structures...*' while Rule CCZ-R5 is titled '*New minor buildings and minor structures*' and does not refer to 'construction'.

- (479) The PDP includes definition of *Construction activity*, which is a term used within the Noise chapter of the PDP. The definition includes the relocation of a building:

Construction activity means undertaking or carrying out any of the following building works:

- a. erection of new buildings and structures;*
- b. alterations and additions to existing buildings or structures;*
- c. demolition or removal of an existing building or structure, including total or partial demolition or removal; and*
- d. relocation of a building.*

(480) I recommend amending the definition of *Construction activity* so that the definition also applies to the term 'construction', as follows:

Construction or Econstruction activity means undertaking or carrying out any of the following building works:

- a. erection of new buildings and structures;*
- b. alterations and additions to existing buildings or structures;*
- c. demolition or removal of an existing building or structure, including total or partial demolition or removal; and*
- d. relocation of a building.*

(481) This amendment would make it clear that where the term 'construction' is used in a rule title, the rule also applies to relocation of a building by virtue of clause d of the definition.

(482) Relocation is also a defined term in the PDP:

Relocation means to physically shift the location of a building within a site or to remove it from the site. Relocation may include raising or lowering a building or structure

(483) I have recommended an amendment to the definition of *Relocation* to include relocation of a building to a new site at paragraph (371) in response to another submission so that the relocation of a building to a new site is covered by the definition as well as relocation within a site or removal from a site. With this amendment, it is unnecessary to include a definition of 'relocated building' as suggested by the submitter.

(484) With these amendments to the relevant definitions, amendments are then recommended to a number of rule titles across the plan to include reference to 'construction'. By amending the rule titles to consistently refer to 'construction', relocation of a building is more clearly provided for within the building and structure rules across the plan.

Aggregate and Quarry Association

(485) The Aggregate and Quarry Association requests that the District Plan acknowledge the role of river gravel extraction in Lower Hutt, including for natural hazard resilience and adaptation, and that the Plan should "accommodate" such activity where appropriate. The submitter also recognises that actual extraction activities fall within the jurisdiction of the regional council, not the territorial authority.

(486) I agree that river gravel extraction plays an important role in Lower Hutt's flood management and natural hazard resilience, particularly in relation to sedimentation, channel capacity, and the performance of flood protection works. These matters are well-recognised functions of Greater Wellington Regional Council under sections 30 and 31 of the RMA, especially in relation to managing the beds of rivers, flood risk, and the effects of land use on water bodies. Extraction of gravel from riverbeds is authorised and regulated under the Regional Council's Natural Resource Plan, not the District Plan.

(487) For the District Plan, the key question is whether and how the Plan should "acknowledge" gravel extraction, given that the activity itself is not regulated by district rules. In my view, the territorial authority's role relates to ensuring that land-based activities within or adjacent to river corridors do not hinder regional flood protection works or resilience activities. The Proposed District Plan already achieves this in several ways, including:

- recognising natural hazard functions in zoning and overlays,
- managing land-use activities in proximity to flood protection and river management infrastructure, and
- deferring the management of in-river works (including gravel extraction) to the Regional Council as required by the RMA.

(488) Including further explicit District Plan provisions relating to gravel extraction would risk misrepresenting the territorial authority's statutory role, and may create confusion about which authority regulates extraction. The District Plan should not duplicate or cut across regional functions, nor imply that such extraction is subject to district level authorisation.

(489) However, I acknowledge the submitter's concern that the strategic importance of gravel extraction for resilience could be more visible. This could be reasonably addressed at a high level narrative or explanatory level, rather than through rules or objectives, and without implying district level regulatory control.

(490) For these reasons, I consider the relief seeking "acknowledgement" of river gravel extraction to be reasonable in principle, but no changes to rules or activity statuses are appropriate. Any acknowledgement should remain in non-regulatory explanatory text if considered at all.

(491) Accordingly, I recommend rejecting the request to amend regulatory provisions, while noting that the District Plan already functions consistently with the regional gravel management framework. The submitter may wish to present evidence at the hearing on where specific provision could be added to the PDP.

Recommendations

(492) Amend the definition of *Construction activity* as follows:

Construction or Econstruction activity means undertaking or carrying out any of the following building works:

- a. erection of new buildings and structures;
- b. alterations and additions to existing buildings or structures;
- c. demolition or removal of an existing building or structure, including total or partial demolition or removal; and
- d. relocation of a building.

(493) Amend the following Rule titles as shown:

- PINF-R2 Construction of Buildings and structures, including additions and alterations to existing buildings and structures, within the Gas Transmission Pipeline Corridor
- PINF-R4 Construction of Buildings and structures, including additions and alterations to existing buildings and structures, in the National Grid Yard
- THW-R1 Construction of New buildings (excluding accessory buildings) and conversions of existing buildings in an Urban Zone – Connections to the Reticulated Network
- THW-R2 Construction of New buildings (excluding accessory buildings) in an Urban Zone - Hydraulic neutrality
- THW-R3 Construction of New buildings (excluding accessory buildings) in an Urban Zone – Water Sensitive Design
- NH-R4 Construction of New buildings and structures and the conversion of existing buildings for activities least sensitive to natural hazards within all areas of the Fault Location Area
- NH-R5 Construction of New buildings and structures and the conversion of existing buildings for activities potentially sensitive to natural hazards and activities most sensitive to natural hazards within the poorly constrained or the uncertain constrained areas of the Fault Location Area.
- NH-R6 Construction of New buildings and structures and the conversion of existing buildings for activities potentially sensitive to natural hazards and activities most sensitive to natural hazards within the well-defined or well-defined extension areas of the Fault Location Area.
- NH-R10 Construction of New buildings and structures and the Conversion of Existing Buildings for activities least sensitive to natural hazards within the Low Flood Hazard Overlay
- NH-R11 Construction of New buildings and structures and the conversion of existing buildings for activities least sensitive to natural hazards within the Medium Flood Hazard Overlay and High Flood Hazard Overlay

- NH-R12 Construction of Nnew buildings and structures and the conversion of existing buildings for activities potentially sensitive to natural hazards or activities most sensitive to natural hazards within the Low Flood Hazard Overlay
- NH-R13 Construction of Nnew buildings and structures and the conversion of existing buildings for activities potentially sensitive to natural hazards or activities most sensitive to natural hazards within the Medium Flood Hazard Overlay and High Flood Hazard Overlay
- NH-R14 Construction of Nnew buildings and the conversions of existing buildings for residential apartments within the Medium Flood Hazard Overlay and High Flood Hazard Overlay
- NH-R16 Construction of Nnew buildings and structures and the conversion of existing buildings for activities least sensitive to natural hazards and activities potentially sensitive to natural hazards in the Liquefaction Hazard Overlay
- NH-R17 Construction of Nnew buildings and structures and the conversion of existing buildings for activities most sensitive to natural hazards in the Liquefaction Hazard Overlay
- CE-R13 Construction of Nnew Buildings and Structures in the Coastal Hazard Overlays
- CE-R15 Construction of Nnew buildings and structures for activities potentially sensitive to natural hazards in the Coastal Hazard Overlays
- CE-R16 Construction of Nnew buildings and structures and the conversion of existing buildings for activities most sensitive to natural hazards in the Coastal Hazard Overlays
- NOISE-R6 Construction of Nnew buildings, or alteration and additions to existing buildings, to be used by an activity sensitive to noise within the Highway and Railway Noise Overlay – High
- NOISE-R7 Construction of Nnew buildings, or alterations and additions to existing buildings, to be used by an activity sensitive to noise, within the Highway and Railway Noise Overlay – Moderate

- NOISE-R8 Construction of New buildings, or alterations and additions to existing buildings, to be used by an activity sensitive to noise
- WIND-R2 Construction of New buildings and structures
- CCZ-R5 Construction of New minor buildings and minor structures
- CCZ-R6 Construction of New buildings and structures (except minor buildings and minor structures)
- MCZ-R5 Construction of New minor buildings and minor structures
- MCZ-R6 Construction of New buildings and structures (except minor buildings and minor structures)

(494) I recommend accepting in part the relief sought by New Zealand Heavy Haulage Association (429.03 and 429.08) and rejecting the relief sought by Aggregate and Quarry Association (202.12), Fiona Christeller (375.6, 375.7 and 375.8) and New Zealand Heavy Haulage Association (429.17b).

Section 32AA Assessment

(495) The recommended amendments are more appropriate in achieving the objectives of the PDP than the notified provisions for the following reasons:

- They provide clarity and certainty for plan users about how relocated buildings are managed in the plan, thereby providing a more efficient and effective rule framework
- They align the PDP with the intent of the plan which is to provide for relocated buildings in the same way as new buildings
- They support certainty for applicants and decision-makers, and
- The environmental effects of the activity can be managed in accordance with Part 2 of the RMA.

10 Mechanical issues, minor and consequential amendments

(496) Pursuant to Schedule 1, clause 16 (2) of the RMA, a local authority may make an amendment, without using the process in this schedule, to its proposed plan to alter any information, where such an alteration is of minor effect, or may correct any minor errors.

Consequential amendments

(497) A summary of consequential amendments and corresponding submission points, that have fallen away (refer to Section 3.6.2) have been summarised here for transparency:

- The Director-General of Conservation (405.4) sought the definition of Biodiversity compensation to be retained as notified. WRC (452.4) sought for an amendment to this definition. This definition has been withdrawn.
- The Director-General of Conservation (405.5) sought the definition of *Biodiversity offsetting* to be retained as notified. WRC (452.5) sought for an amendment to this definition. This definition has been withdrawn. The Director-General of Conservation (405.8b) sought the insertion of a new definition of *Vegetation Clearance*. Due to the withdrawn Natural Environment Values chapters, vegetation clearance does not need to be defined.
- WRC (452.7) sought the insertion of a new definition for *Habitat*. Due to the withdrawn Natural Environment Values chapters, reference to habitat does not need to be defined.
- WRC (452.10) sought the insertion of a new definition for *Maintain/maintained/maintenance* (in relation to indigenous biodiversity). Due to the withdrawn Natural Environment Values chapters, these terms do not need to be defined.
- Forest and Bird (424.4) sought an amendment to the definition for *Coastal Environment*. As the coastal environment definition relies on

the coastal environment mapped layer which has been withdrawn from the PDP, the definition of Coastal environment should be deleted.

- Forest and Bird (424.5) sought the insertion of a new definition to be for *Habitats of indigenous fauna*. Due to the withdrawn Natural Environment Values chapters, reference to Habitats of indigenous fauna does not need to be defined.
- Forest and Bird (424.6) sought the insertion of a new definition for *Indigenous vegetation*. Due to the withdrawn Natural Environment Values chapters, reference to Indigenous vegetation does not need to be defined.
- The Fuel Companies (471.49) sought the definition of *Sites and Areas of Significance to Māori* be retained as notified. This definition has been withdrawn.

(498) I consider these changes to be neutral and do not alter the meaning of any of the provisions. These changes are shown in Appendix 1.

11 Summary of recommendations

(499) This report has provided an assessment of submissions received on the PDP related to general or whole of plan matters, Part 1 of the PDP, definitions, strategic objectives (where not addressed through other hearings), and a range of miscellaneous matters. The primary amendments to the PDP that I have recommended relate to:

- Updating the text in Part 1 of the PDP, for clarity and consistency
- Updates to comply with the approved plan change exemption
- Updates to references to National Direction instruments to reflect the recent amendments to those instruments and to include references to new instruments in Part 1 of the PDP
- Amendments to the Tangata Whenua chapter to for clarity and consistency with Statutory Acknowledgements
- Amendments to strategic direction objectives to align with existing higher order documents, align with the aspirations and outcomes sought by Mana Whenua, and to provide clarity and consistency for plan users
- Amendments to some definitions to provide clarity and consistency
- Amendments to rule titles to align with recommended amendments to definitions and to provide plan clarity.

(500) These amendments are set out in more detail in the individual sections of this report and in full in Appendix 1.

12 Conclusion

(501) This report has provided an assessment of submissions received in relation to Hearing Stream 1.

(502) Sections 6, 7, 8, 9 and 10 assess and provide recommendations on the decisions requested in submissions. I consider that the submissions on Hearing Stream 1 should be accepted, accepted in part, or rejected, as set out in my recommendations of this report and in Appendix 2.

(503) I recommend that provisions be amended as set out in Appendix 1 for the reasons set out in this report.

(504) I consider that the amended provisions will be efficient and effect in achieving the purpose of the RMA, the relevant objectives of the PDP and other relevant statutory documents, for the reasons set out in the Section 32AA evaluations undertaken in the relevant sections of this report.

13 Attachments

Appendix 1 Recommended amendments to the Proposed District Plan

Appendix 2 Recommended decisions on Submissions Opening Hearing

Appendix 1

Recommended Amendments to the PDP - Hearing 1

Appendix 1: Recommended amendments to the Proposed District Plan

This appendix includes the parts of chapters of the District Plan that include amendments recommended by the author of the Council Officer Report. Recommended amendments are shown in red underline and ~~struckthrough~~.

For brevity, this appendix only shows text that is recommended to be amended and some surrounding text for context. It does not include the chapters in their entirety. Chapters that would not be amended by the recommendations of the Council Officer Report are also not included in this appendix.

Part 1 Introduction and General Provisions

INTRODUCTION

Purpose

The purpose of the City of Lower Hutt District Plan (set by section 72 of the RMA) is to assist Hutt City Council to carry out its functions in order to achieve the purpose of the RMA.

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In responding to the city's resource management issues, the District Plan also assists Hutt City Council to achieve ~~the~~ Mana Whenua and community outcomes set out in the wider strategic framework, including the Long Term Plan, spatial planning document, and other plans and strategies.

HOW THE PLAN WORKS

General Approach

The Resource Management Act has general requirements for the contents of a District Plan. The National Planning Standards set out in more detail the required structure, format, spatial layers, and mapping requirements for a District Plan, as well as some standard definitions. ~~This District Plan has been prepared to give effect to the National Planning Standards as of November 2019.~~

Reading this District Plan in full will help ensure that you do not miss relevant provisions or other material. If you have used district plans from other councils, or the preceding City of Lower Hutt District Plan (operative 2003/2004), you should be aware that this Plan may operate differently in some ways to what you are used to.

Structure of the plan

The District Plan contains ~~five~~ four inter-related parts:

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Classes of activities

The activities managed by this District Plan reflect Hutt City Council's functions under section 31 of the Resource Management Act. No person may undertake any activity in a way that contravenes a plan rule unless authorised by a resource consent or is an existing use under the Act.

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All of the chapters in Part 3 - Zones, and most of the chapters in Part 2, contain rules that establish the status of an activity. Rules will generally include conditions, requirements and standards that need to be met for ~~that the rule as a while, or a particular~~ activity status to apply. If you do not comply with a particular rule condition, requirement or standard, the activity will change to a different activity status. You will be able to determine this by reading the rule. ~~Unless what you are proposing is a permitted activity, you will need a resource consent. If any rule with an activity status of Controlled, Restricted Discretionary, Discretionary, or Non-Complying applies to your activity, you will need a resource consent.~~

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Identifying provisions that are relevant to your activity

Part 2: District-Wide Matters

Whether provisions in District-Wide Matters chapters apply to an activity is covered in the introduction to each relevant chapters. Some chapters apply to any activity covered by the chapter, in addition to provisions in the relevant zone. You will need to consult these chapters if your activity includes anything covered by the chapter:

- Transport
- Three Waters
- Contaminated Land
- Hazardous Substances
- Natural Hazards (although most of this chapter is only relevant to activities within certain overlays)
- Public Access
- Subdivision
- Activities on the Surface of Water
- Earthworks
- Financial Contributions
- Light
- Noise
- Papakāinga

- Signs
- Wind

Other chapters only apply to overlays or other spatially identified areas or items. You will need to consult these chapters if your activity is within one of the chapter's overlays or other spatial areas or on a site that contains a relevant item:

- ~~Historical Heritage~~
- Notable Trees
- ~~Sites and Areas of Significance to Māori~~
- ~~Natural Character~~
- ~~Natural Features and Landscapes~~
 - Significant Natural, Cultural and Archaeological Resources
 - Heritage Buildings and Structures
- Coastal Environment
- Protection of Infrastructure

Finally, some chapters provide an all-in-one framework for specific activities that overrides provisions in zones. Other district-wide chapters will be relevant, but if covered by one of these chapters, you will not need to refer to the zone unless a district-wide chapter directs you to:

- Renewable Electricity Generation
- Infrastructure
- Temporary Activities

Where district-wide chapters have rules or standards that only apply within overlays, or that apply within particular zones, this is listed in the rule in the left-most column. For example:

EXAMPLE-R1	Example rule
Rural Zones (except Sample Overlay)	1. Activity status: Permitted
Open Space and Recreation Zones Sample Overlay	2. Activity status: Restricted discretionary
Residential Zones (except Sample Overlay)	<ul style="list-style-type: none"> • Activity status: Non-complying

~~When using the e-plan filtered to a particular site, only the parts of the rule or standard relevant to that site will be shown.~~

In some cases rules may have multiple or more complicated conditions about where the rule applies. In these cases this will be shown in the body of the rule.

Part 3: Area Specific Matters

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Filtering the e-plan

In accordance with the National Planning Standards, the e-plan allows you to select a property and view the plan either in full, or filtered with only the ~~provisions and~~ chapters relevant to that site. While Hutt City Council has used its best efforts to implement this filtering, it does not guarantee that the filter will always show all relevant provisions in every situations, particularly objectives and policies that may be relevant.

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Information to be submitted with resource consent applications

When applying for resource consent, you will need to submit sufficient information to allow the application to be determined, including an assessment of environmental effects for the proposed activity. Minimum requirements are set out in Schedule 4 of the RMA. In addition, unless the council determines that it is not necessary, you must provide the following information:

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- A locality plan, a site plan, and as needed, additional plans showing specific areas or topics (e.g. earthworks plan). For work not on a site or spanning multiple sites, the site plan should cover the area of the activity. Plans must have sufficient detail to clearly show:

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- Any historic heritage buildings and structures ~~listed in SCHED1 or SCHED2~~, any sites and areas of significance to Māori ~~listed in SCHED6~~, and any notable trees listed in SCHED3, on all sites of the activity and in the vicinity of the activity, and
- Existing and proposed methods for controlling stormwater.

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~~Legal effect of rules~~

~~This is a proposed plan, and not all rules have legal effect. In general, rules will only have legal effect once council makes a decision on submissions relating to the rule, and the time for making appeals has expired. Rules that are appealed will not take effect until the appeal is resolved.~~

However, the Act provides for some rules to take immediate legal effect. Rules that are currently in effect are shown with the gavel icon



INTERPRETATION

Definitions

Term	Definition
Coastal Environment	means the area identified on the planning maps as being located within the inland extent of the Coastal Environment.
construction activity	<p>means undertaking or carrying out any of the following <u>construction building</u> works:</p> <ol style="list-style-type: none"> 1. erection of new buildings and structures; 2. alterations and additions to existing buildings or structures; 3. demolition or removal of an existing building or structure, including total or partial demolition or removal; and 4. relocation of a building; <u>or</u> 5. <u>construction of infrastructure and network utilities.</u>
relocation	<p>means to physically shift the location of a building within a site, <u>to a new site</u>, or to remove it from the site. Relocation may include raising or lowering a building or structure.</p>
well-functioning urban environment	<p>means an urban environment that, as a minimum:</p> <ol style="list-style-type: none"> 1. has or enables a variety of homes that meet the needs, in terms of type, price, and location, of different households, 2. has or enables a variety of homes that enable Māori to express their cultural traditions and norms, 3. has or enables a variety of sites that are suitable for different business sectors in terms of location and site size, 4. has good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport, 5. supports, and limits as much as possible adverse impacts on, the competitive operation of land and development markets, 6. supports reduction in greenhouse gas emissions, and 7. are is resilient to the likely current and future effects of climate change.

NATIONAL DIRECTION INSTRUMENTS

National Policy Statements and New Zealand Coastal Policy Statement

National Policy Statements (NPSs) and the New Zealand Coastal Policy Statement (NZCPS) form part of the Resource Management Act's policy framework and are prepared by central government.

NPSs and the NZCPS contain objectives, policies and methods that must be given effect to by policy statements and plans prepared under the Resource Management Act. NPSs and the NZCPS must also be given regard to by consent authorities when making decisions on resource consent applications, alongside other considerations.

The following table provides an overview of whether any relevant review/s of the District Plan has been undertaken in relation to the NPSs and NZCPS.

National Policy Statement on Electricity Transmission 2008	The plan has been reviewed (December 2024)
New Zealand Coastal Policy Statement 2010	The plan has been reviewed (December 2024)
National Policy Statement for Renewable Electricity Generation 2011	The plan has been reviewed (December 2024)
National Policy Statement on Urban Development 2020	The plan has been reviewed (December 2024)
National Policy Statement for Freshwater Management 2020	The plan has been reviewed (December 2024)
National Policy Statement on Highly Productive Land 2022	The plan has been reviewed (December 2024)
National Policy Statement on Indigenous Biodiversity 2023	The plan has been reviewed (December 2024)
National Policy Statement for Greenhouse Gas Emissions from Industrial Process Heat 2023	This national policy statement does not apply to the plan

- [National Policy Statement for Electricity Networks 2008 Amended December 2025 \[Previously National Policy Statement on Electricity Transmission 2008\]](#)
- [New Zealand Coastal Policy Statement 2010 \(As amended in 2025\)](#)

- [National Policy Statement for Renewable Electricity Generation 2011 \(As amended in 2025\)](#)
- [National Policy Statement on Urban Development 2020](#)
- [National Policy Statement for Freshwater Management 2020 \(Amended December 2025\)](#)
- [National Policy Statement on Highly Productive Land 2022 \(Amended December 2025\)](#)
- [National Policy Statement on Indigenous Biodiversity 2023 \(Amended December 2025\)](#)
- [National Policy Statement for Greenhouse Gas Emissions from Industrial Process Heat 2023](#)
- [National Policy Statement for Natural Hazards 2025](#)
- [National Policy Statement for Infrastructure 2025](#)

National Environmental Standards

National Environmental Standards (NESs) are prepared by central government and can prescribe technical standards, methods (including rules) and/or other requirements for environmental matters throughout the country or specific areas.

If an activity does not comply with an NES, it is likely to require a resource consent. NESs must be observed and enforced by local authorities.

The following NESs are currently in force:

- a. Resource Management (National Environmental Standards for Air Quality) Regulations 2004
- b. Resource Management (National Environmental Standard for Sources of Drinking Water) Regulations 2007
- c. Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009
- d. Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011
- e. Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016
- f. Resource Management (National Environmental Standards for Marine Aquaculture) Regulations 2020
- g. Resource Management (National Environmental Standards for Freshwater) Regulations ~~2020~~2025
- h. Resource Management (National Environmental Standards for Storing Tyres Outdoors) Regulations 2021

- i. Resource Management (National Environmental Standards for Commercial Forestry) Amendment Regulations 2023
- j. [Resource Management \(National Environmental Standards for Detached Minor Residential Units\) Regulations 2025](#)

TANGATA WHENUA

Tangata Whenua

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3. Local authority relationships

Taranaki Whānui

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Hutt City Council also has MoUs with:

- Te Rūnanganui o Te Āti Awa, [o Te Upoko o Te Ika. Its partnership agreement with the Council 'Takai Here' reflects the collaborative relationship between Te Āti Awa and the Council on the development of policies, practices, investment approaches; supporting the advancement and well-being of Mana Whenua and Mātāwaka through innovative solutions guided by shared values; and enabling the protection, prosperity and well-being of Te Taiao \(Te whenua me Te wai\) through solutions guided by our shared values and tikanga according to Mana Whenua.](#)
- The Wellington Tenth Trust, and
- The Palmerston North Māori Reserves Trust.

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5. Ngāti Toa Rangatira Claims Settlement Act 2014

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Concerning Statutory Acknowledgements, the Ngāti Toa Rangatira Claims Settlement Act:

- Requires relevant consent authorities to have regard to [Taranaki Whānui's statutory acknowledgements the statutory acknowledgements of Ngāti Toa Rangatira](#) (section 26).

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Part 2 – District Wide Matters

SD — Strategic Direction

This chapter provides the overarching direction for the District Plan, including for developing the other chapters in the District Plan, and for its subsequent implementation and interpretation.

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Natural Environment

NESD-O2	Significant Water Bodies
Protect <u>and restore</u> the values of the city’s significant water bodies, including Te Awa Kairangi / the Hutt River, Wainuiomata River and Waiwhetū Stream.	
NESD-O3	Natural Character, Natural Features and Landscapes, Ecosystems and Indigenous Biodiversity
Protect and enhance <u>or restore</u> the natural character, natural features and landscapes, ecosystems and indigenous biodiversity of the city.	

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Tangata Whenua

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TWSD-O4	Culture, Traditions and Social and Economic Aspirations
Tangata whenua are able to protect, develop and use whenua Māori <u>and adjacent land owned by Tangata Whenua</u> in a way that is consistent with their culture and traditions and <u>their Tangata Whenua</u> social and economic aspirations, <u>including for the purpose of marae and papakāinga</u> .	

Urban Form and Development

UDSD-O2	Outcomes for Well-Functioning Urban Environments
Urban development supports the creation of liveable, well-functioning urban environments that are: <ul style="list-style-type: none"> • Safe and well-designed, • Walkable and connected by public transport and sustainable travel choices, including micro-mobility modes, • Serviced by <u>the necessary</u> infrastructure appropriate to the intensity, scale and function of the development, • Connected to open space and the natural environment, • Ecologically sensitive, 	

- Close to employment opportunities,
- Resilient to the impacts of natural hazards and climate change,
- Respectful of, and integrated with, the city’s historic heritage, and
- Adaptable over time and responsive to their evolving, more intensive surrounding context.

PINF — Protection of Infrastructure

Adverse effects from land use and development can adversely affect the operation and development of infrastructure and can thereby impact the successful functioning of the city. This includes direct adverse effects from buildings and structures which have potential to obstruct access to infrastructure as well as reverse sensitivity **effects**, where an activity sensitive to the effects of infrastructure are established nearby, leading to constraints and additional costs for the operation or development of the infrastructure.

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Policies

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PINF-P3	Adverse effects on the National Grid
<p>Protect the safe and efficient operation, maintenance and repair, upgrading and development of the National Grid from adverse effects by:</p> <ol style="list-style-type: none"> 1. Avoiding land uses (including Activities sensitive to the National Grid and any increase in their scale and intensity) and buildings and structures within the National Grid Yard that may directly affect or otherwise compromise the National Grid, 2. Avoiding reverse sensitivity effects on the National Grid, 3. Maintaining ongoing access to National Grid conductors and support structures for maintenance and upgrading works, and 4. Achieving compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001). 	

Rules

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PINF-R1	Activities in the Gas Transmission Pipeline Corridor
<p>All Zones</p>	<ul style="list-style-type: none"> • Activity status: Permitted <p>Where:</p> <ul style="list-style-type: none"> ○ The activities are not activities sensitive to gas transmission infrastructure.

<p>All Zones</p>	<p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with PINF-R1.1.</p> <p>Matters of discretion are restricted to:</p> <p>a. The extent to which the proposed activities avoids or mitigates any conflict with the Gas Transmission Network, including construction-related activities.</p> <p>b. The extent to which any building or structure may compromise, restrict or prevent legal or physical access to the Gas Transmission Network.</p> <p>c. Risks relating to health or public safety, including the risk of property damage.</p> <p>d. The extent to which the development will avoid the potential reverse sensitivity effects on the Gas Transmission Network.</p> <p>e. Technical advice provided by the owner and operator of the Gas Transmission Network.</p> <p>Notification: An application under this rule is precluded from public notification.</p> <p>When deciding whether any person is affected in relation to this rule, the Council will give specific consideration to any adverse effects on the owner and operator of the gas transmission network.</p>
<p>PINF-R2</p>	<p>Construction of Bbuilding and structures, including additions and alterations to existing buildings and structures, within the Gas Transmission Pipeline Corridor</p>
<p>All Zones</p>	<p>• Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Located within the Gas Transmission Pipeline Corridor.</p> <p>Matters of discretion are restricted to:</p> <p>○ The extent to which the proposed development design and layout avoids or mitigates any conflict with the Gas Transmission Network, including construction-related activities.</p> <p>○ The extent to which any building or structure may compromise, restrict or prevent legal or physical access to the Gas Transmission Network.</p> <p>○ Risks relating to health or public safety, including the risk of property damage.</p> <p>○ The extent to which the development will avoid the potential reverse sensitivity effects on the Gas Transmission Network.</p>

	<ul style="list-style-type: none"> ○ Technical advice provided by the owner and operator of the Gas Transmission Network. <p>Notification: An application under this rule is precluded from publicly notification.</p> <p>When deciding whether any person is affected in relation to this rule, the Council will give specific consideration to any adverse effects on the owner and operator of the gas transmission network.</p>
PINF-R3	Activities in the National Grid Yard
All Zones	<ul style="list-style-type: none"> • Activity status: Permitted <p>Where:</p> <ul style="list-style-type: none"> ○ The activity is not one of the following: <ul style="list-style-type: none"> i. Activities sensitive to the National Grid, or ii. The use, handling or storage of hazardous substances (Hazardous Substances (Hazard Classification) Notice 2020) with explosive or flammable intrinsic properties, (except this does not apply to the access use and storage of hazardous substances in domestic-scale quantities), or iii. Wintering barns, commercial greenhouses, immovable protective canopies, produce packing facilities, or milking sheds.
All Zones	<ul style="list-style-type: none"> • Activity status: Non-complying <p>Where:</p> <ul style="list-style-type: none"> ○ Compliance is not achieved with PINF-R3.1. <p>Notification: An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</p> <p>Notice of any application for resource consent under this rule must be served on Transpower New Zealand Limited in accordance with Clause 10(2)(i) of the Resource Management (Forms, Fees, and Procedure) Regulations 2003.</p>
PINF-R4	Construction of Buildings and structures, including additions and alterations to existing buildings and structures, in the National Grid Yard
All Zones	<p>2. Activity status: Permitted</p> <p>Where:</p> <ul style="list-style-type: none"> a. The building or structure is for one of the following:

	<ul style="list-style-type: none"> i. For the purpose of network utility operations or any part of electricity generation that connects to the National Grid, or ii. A non-habitable farm or horticulture structure or building or a stockyard, or iii. A fence, or iv. An accessory building that is associated with an existing residential activity and is less than 10m² in area and a maximum height of 2.5m above ground level, or v. Alterations to an existing building or structure that is used for activities sensitive to the National Grid and which does not increase the building or structure height or footprint, and <p>b. Compliance is achieved with PINF-S1: Setbacks and separation distances for buildings and structures located within the National Grid Yard.</p> <p>Note: Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001) is mandatory under the Electricity Act 1992. All activities regulated by NZECP34:2001, including buildings, structures, earthworks, and the operation of mobile plant, must comply with that regulation.</p>
All Zones	<p>1. Activity status: Non-complying</p> <p>Where:</p> <ul style="list-style-type: none"> a. Compliance is not achieved with PINF-R4.1 <p>Notification: An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</p> <p>Notice of any application for resource consent under this rule must be served on Transpower New Zealand Limited in accordance with Clause 10(2)(i) of the Resource Management (Forms, Fees, and Procedure) Regulations 2003.</p>

THW — Three Waters

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Rules

THW-R1	Construction of New buildings (excluding accessory buildings) and conversions of existing buildings in an Urban Zone — Connections to the Reticulated Network
Residential Zones Commercial and Mixed Use Zones Industrial Zones Sport and Recreation Zone Open Space Zone Hospital Zone Tertiary Education Zone Marae Zone Seaview Marina Zone	<ul style="list-style-type: none"> • Activity status: Permitted <p>Where:</p> <ul style="list-style-type: none"> ○ Connection to the existing three water infrastructure achieves compliance with: <ul style="list-style-type: none"> ▪ For wastewater: The level of service in Chapter 5, section 5.2.3 of the Wellington Water Regional Standard for Water Services, December 2021, Version 3.0, ▪ For water supply: The level of service in Chapter 6, Tables 6.1 and 6.2 of the Wellington Water Regional Standard for Water Services, December 2021, Version 3.0, and ▪ For stormwater: The performance standard in Chapter 4 of the Wellington Water Regional Standard for Water Services, December 2021, Version 3.0. <p>Note: Chapter 4: Stormwater, Chapter 5: Wastewater and Chapter 6: Water Supply of the Wellington Water Regional Standard for Water Services, December 2021, Version 3.0, provide additional context for determining compliance with the references specified above.</p>
THW-R2	Construction of New buildings (excluding accessory buildings) in an Urban Zone - Hydraulic neutrality
Residential Zones Commercial and Mixed Use Zones Industrial Zones Sport and Recreation Zone Open Space Zone Hospital Zone	<p>3. Activity status: Permitted</p> <p>Where:</p> <ul style="list-style-type: none"> a. For development of no more than three residential units: <ul style="list-style-type: none"> i. The development incorporates a Wellington Water Limited approved solution for managing the rate of stormwater runoff. b. For development of four or more residential units, a retirement village, or a non-residential building: <ul style="list-style-type: none"> i. Stormwater management measures are incorporated which achieve post development peak stormwater flows which are the same or less than the modelled peak flows for the site before the commencement of the development. <p>Notes:</p>

<p>Tertiary Education Zone</p> <p>Marae Zone</p> <p>Seaview Marina Zone</p>	<p>An approved solution is one which meets the requirements of the Wellington Water Managing Stormwater Runoff — The Use of Approved Solutions for Hydraulic Neutrality, March 2024, Version 5.</p> <p>Guidance for calculating peak stormwater flows to mitigate any increased flood hazard is contained in the Wellington Water Reference Guide for Design Storm Hydrology; Standardised Parameters for Hydrological Modelling, April 2019, Version 7.</p> <p>Guidance on which storm events are to be managed is contained in Chapter 4 of the Wellington Water Regional Standard for Water Services, December 2021, Version 3.0.</p> <p>For residential development of less than 10 residential units which meet the impervious area requirements of the Wellington Water approved solution, or a non-residential building less than 200m², a Wellington Water Limited approved solution for managing volume and rate of stormwater runoff installed on each unit can be used to achieve compliance with this rule.</p>
<p>Residential Zones</p> <p>Commercial and Mixed Use Zones</p> <p>Industrial Zones</p> <p>Sport and Recreation Zone</p> <p>Open Space Zone</p> <p>Hospital Zone</p> <p>Tertiary Education Zone</p> <p>Marae Zone</p> <p>Seaview Marina Zone</p>	<p>3. Activity status: Restricted discretionary</p> <p>Where:</p> <ul style="list-style-type: none"> a. Compliance is not achieved with THW-R2.1. <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> b. The relevant sections of the Wellington Water Regional Standard for Water Services, December 2021, Version 3.0. c. The relevant matters in THW-P3: Hydraulic neutrality. d. Alternative methods for managing the rate of discharge of stormwater to the receiving environment. e. The extent to which the development incorporates stormwater management techniques or controls to mitigate any increase in current peak stormwater runoff rate. f. The design, location, efficiency and effectiveness of measures to manage peak stormwater flows. g. The ownership, maintenance and operation arrangements of any measures to manage stormwater runoff from the site.

	<p>h. Any changes in off-site flood extents and depths from not achieving hydraulic neutrality.</p> <p>i. Any site constraints that may prevent hydraulic neutrality from being achieved on the site.</p> <p>Notification: Public notification is precluded for applications under this rule.</p>
THW-R3	Construction of New buildings (excluding accessory buildings) in an Urban Zone — Water Sensitive Design
Commercial and Mixed Use Zones	<ul style="list-style-type: none"> • Activity status: Permitted
Residential Zones Industrial Zones Sport and Recreation Zone Open Space Zone Hospital Zone Tertiary Education Zone Marae Zone Seaview Marina Zone	<ul style="list-style-type: none"> • Activity status: Permitted <p>Where:</p> <ul style="list-style-type: none"> ○ The development is for: <ul style="list-style-type: none"> i. no more than three residential units; or ii. a non-residential building with a building footprint of no more than 200m².
Residential Zones Industrial Zones Sport and Recreation Zone	<ul style="list-style-type: none"> • Activity status: Restricted discretionary <p>Where:</p> <ul style="list-style-type: none"> ○ The development is for: <ul style="list-style-type: none"> i. four or more residential units, or ii. a retirement village, or iii. a non-residential building with a building footprint over 200m² (excluding accessory buildings). <p>Matters of discretion are restricted to:</p>

<p>Open Space Zone</p> <p>Hospital Zone</p> <p>Tertiary Education Zone</p> <p>Marae Zone</p> <p>Seaview Marina Zone</p>	<p>c. The relevant sections of the Wellington Water - Water Sensitive Design for Stormwater: Treatment Device Design Guideline, December 2019, Version 1.1.</p> <p>d. The relevant matters in THW-P4: Water sensitive design.</p> <p>e. The design, location, efficiency and effectiveness of water sensitive design methods.</p> <p>f. The ownership, maintenance and operation arrangements for the water sensitive design methods from the site.</p> <p>g. The inclusion of stormwater retention to reduce, as far as reasonably practicable, the increase in stormwater runoff volume post development.</p> <p>h. Any site constraints that may prevent water sensitive design methods from being constructed on the site.</p> <p>i. Any wider public water sensitive design treatment devices that the stormwater from the site may discharge into, thereby providing treatment prior to discharging into a water body.</p> <p>Notification: Public notification and limited notification are precluded for applications under this rule.</p>
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CE — Coastal Environment

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Rules - Coastal Hazards

New Buildings and Structures in the Coastal Hazard Overlays	
CE-R13	Construction of N ew buildings and structures and the conversion of existing buildings for activities least sensitive to natural hazards in the Coastal Hazard Overlays
All Zones	1. Activity status: Permitted
CE-R14	Conversion of existing buildings for activities potentially sensitive to natural hazards in the Coastal Hazard Overlays
All Zones	1. Activity status: Permitted
CE-R15	Construction of N ew buildings and structures for activities potentially sensitive to natural hazards in the Coastal Hazard Overlays

<p>All Zones</p>	<p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The new building or structure is located in a Low Tsunami Hazard Overlay.</p>
<p>General Industrial Zone in Seaview</p> <p>Heavy Industrial Zone in Seaview</p> <p>Metropolitan Centre Zone in Petone</p> <p>Seaview Marina Zone</p>	<p>1. Activity status: Permitted</p> <p>Where:</p> <p>1. The new building or structure is located in a Medium Coastal Hazard Overlay or High Coastal Hazard Overlay, and</p> <p>2. The new building or structure does not exceed 200m² gross floor area.</p>
<p>General Industrial Zone in Seaview</p> <p>Heavy Industrial Zone in Seaview</p> <p>Metropolitan Centre Zone in Petone</p> <p>Seaview Marina Zone</p>	<p>1. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Compliance with the requirements of CE-R15.2 cannot be achieved.</p> <p>Matters of discretion are restricted to:</p> <p>a. The relevant matters in CE-P15: Subdivision, Use and Development within the Coastal Hazard Overlays.</p>
<p>All Zones excluding</p> <p>General Industrial Zone in Seaview</p> <p>Heavy Industrial Zone in Seaview</p> <p>Metropolitan Centre Zone in Petone</p> <p>Seaview Marina Zone</p>	<p>1. Activity status: Restricted discretionary</p> <p>Where:</p> <p>1. The new building or structure is located in a Medium Coastal Hazard Overlay.</p> <p>Matters of discretion are restricted to:</p> <p>a. The relevant matters in CE-P15: Subdivision, Use and Development within the Coastal Hazard Overlays.</p>

<p>All Zones excluding</p> <p>General Industrial Zone in Seaview</p> <p>Heavy Industrial Zone in Seaview</p> <p>Metropolitan Centre Zone in Petone</p> <p>Seaview Marina Zone</p>	<p>1. Activity status: Discretionary</p> <p>Where:</p> <p>2. The new building or structure is located in a High Coastal Hazard Overlay.</p>
<p>CE-R16</p>	<p>Construction of New buildings and structures and the conversion of existing buildings for activities most sensitive to natural hazards in the Coastal Hazard Overlays</p>
<p>All Zones</p>	<p>1. Activity status: Permitted</p> <p>Where:</p> <ul style="list-style-type: none"> a. The new building or structure or conversion of an existing building is located in a Low Tsunami Hazard Overlay, and b. The new building is not for a childcare service, retirement village, educational facility, hospital, emergency service facility or healthcare facility, and c. The number of residential units on a site is no more than three.
<p>All Zones</p>	<p>1. Activity status: Restricted discretionary</p> <p>Where:</p> <ul style="list-style-type: none"> a. The new building or structure or conversion of an existing building is located in a Low Tsunami Hazard Overlay, and b. Compliance is not achieved with CE-R16.1. <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. The relevant matters in CE-P15: Subdivision, Use and Development within the Coastal Hazard Overlays.
<p>General Industrial Zone in Seaview</p>	<p>1. Activity status: Permitted</p> <p>Where:</p>

<p>Heavy Industrial Zone in Seaview</p> <p>Metropolitan Centre Zone in Petone</p> <p>Seaview Marina Zone</p>	<p>a. The new building or structure or conversion of an existing building is located in a Medium Coastal Hazard Overlay or High Coastal Hazard Overlay, and</p> <p>b. The gross floor area of the new building or structure or conversion does not exceed 200m².</p>
<p>General Industrial Zone in Seaview</p> <p>Heavy Industrial Zone in Seaview</p> <p>Metropolitan Centre Zone in Petone</p> <p>Seaview Marina Zone</p>	<p>1. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. The new building or structure or conversion of an existing building is located in a Medium Coastal Hazard Overlay or High Coastal Hazard Overlay, and</p> <p>b. Compliance is not achieved with CE-R16.3.</p> <p>Matters of discretion are restricted to:</p> <p>a. The matters in CE-P15: Subdivision, Use and Development within the Coastal Hazard Overlays.</p>
<p>All Zones excluding</p> <p>General Industrial Zone in Seaview</p> <p>Heavy Industrial Zone in Seaview</p> <p>Metropolitan Centre Zone in Petone</p> <p>Seaview Marina Zone</p>	<p>5. Activity status: Discretionary</p> <p>Where:</p> <p>a. The new building or structure or conversion of an existing building is located in a Medium Coastal Hazard Overlay.</p>
<p>All Zones excluding</p> <p>General Industrial Zone in Seaview</p> <p>Heavy Industrial Zone in Seaview</p>	<p>6. Activity status: Non-complying</p> <p>Where:</p> <p>a. The new building or structure or conversion of an existing building is located in a High Coastal Hazard Overlay.</p>

Metropolitan Centre Zone in Petone Seaview Marina Zone	
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NOISE — Noise

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Rules

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NOISE-R6	Construction of New buildings, or alteration and additions to existing buildings, to be used by an activity sensitive to noise within the Highway and Railway Noise Overlay - High
All zones	<p>2. Activity status: Permitted</p> <p>Where:</p> <ul style="list-style-type: none"> a. Compliance is achieved with NOISE-S5: Acoustic insulation and ventilation for activities sensitive to noise in the Highway and Railway Noise Overlay - High, or b. An existing activity sensitive to noise is replaced with a different activity sensitive to noise with a gross floor area that is no greater.
All zones	<p>1. Activity status: Restricted discretionary</p> <p>Where:</p> <ul style="list-style-type: none"> 1. Compliance is not achieved with NOISE-R6.1. <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. Any positive effects of the activity that cannot be achieved while meeting NOISE-R6.1. b. Alternative means of achieving noise levels and ventilation in habitable spaces that are adequate to provide for people’s health and wellbeing, given existing and anticipated future activities in the relevant highway or railway corridor. c. Ambient noise levels and any special character of noise from any existing activities in the relevant highway or railway corridor, and the likely noise levels and special character of noise from likely future activities in the relevant highway or railway corridor. d. Whether any special nature of the activity means that protection from noise from the relevant highway

	<p>or railway corridor is of lesser importance than it would be in general.</p> <p>e. Special constraints on achieving NOISE-R6.1, such as being a heritage item.</p> <p>Public notification is precluded for any application required under this rule, and limited notification is precluded except to the operators of the relevant highway or railway. The normal test of the RMA applies to these parties.</p>
NOISE-R7	<p>Construction of New buildings, or alterations and additions to existing buildings, to be used by an activity sensitive to noise, within the Highway and Railway Noise Overlay - Moderate</p>
All zones	<p>1. Activity status: Permitted</p> <p>Where:</p> <ul style="list-style-type: none"> a. Compliance is achieved with NOISE-S6: Acoustic insulation and ventilation for activities sensitive to noise in the Highway and Railway Noise Overlay - Moderate, or b. An existing activity sensitive to noise is replaced with a different activity sensitive to noise with a gross floor area that is no greater.
All zones	<p>6. Activity status: Restricted discretionary</p> <p>Where:</p> <ul style="list-style-type: none"> a. Compliance is not achieved with NOISE-R7.1. <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. Any positive effects of the activity that cannot be achieved while meeting NOISE-R7.1. b. Alternative means of achieving noise levels and ventilation in habitable spaces that are adequate to provide for people's health and wellbeing, given existing and anticipated future activities in the relevant highway or railway corridor. c. Ambient noise levels and any special character of noise from any existing activities in the relevant highway or railway corridor, and the likely noise levels and special character of noise from likely future activities in the relevant highway or railway corridor. d. Whether any special nature of the activity means that protection from noise from the relevant highway or railway corridor is of lesser importance than it would be in general. e. Special constraints on achieving NOISE-R7.1, such as being a heritage item. <p>Public notification is precluded for any application required under this rule, and limited notification is precluded except to</p>

	the operators of the relevant highway or railway. The normal test of the RMA applies to these parties.
NOISE-R8	Construction of New buildings, or alterations and additions to existing buildings, to be used by an activity sensitive to noise
City Centre Zone Metropolitan Centre Zone Industrial Zones Quarry Zone Seaview Marina Zone	<p>1. Activity status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> a. Compliance is achieved with NOISE-S7: Acoustic insulation and ventilation for activities sensitive to noise in certain high noise zones, or b. An existing activity sensitive to noise is replaced with a different activity sensitive to noise with a gross floor area that is no greater.
Neighbourhood Centre Zone Local Centre Zone Mixed Use Zone Sport and Active Recreation Zone Hospital Zone Tertiary Education Zone	<p>2. Activity status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> a. Compliance is achieved with NOISE-S8: Acoustic insulation and ventilation for activities sensitive to noise in certain moderate noise zones, or b. An existing activity sensitive to noise is replaced with a different activity sensitive to noise with a gross floor area that is no greater.
City Centre Zone Metropolitan Centre Zone Neighbourhood Centre Zone Local Centre Zone Mixed Use Zone	<p>1. Activity status: Restricted discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> 1. Compliance is not achieved with NOISE-R8.1 or NOISE-R8.2. <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. Any positive effects of the activity that cannot be achieved while meeting the standard. b. Alternative means of achieving noise levels and ventilation in habitable spaces that are adequate to provide for people’s health and wellbeing. c. Ambient noise levels and any special character of noise from any existing activities, and the likely noise

Industrial Zones Sport and Active Recreation Zone Hospital Zone Tertiary Education Zone Quarry Zone	<p>levels and special character of noise from likely future activities in the area.</p> <p>d. Whether any special nature of the activity means that protection from noise is of lesser importance than it would be in general.</p> <p>e. Special constraints on achieving NOISE-R8.1 or NOISE-R8.2, such as being a heritage item.</p> <p>Public notification is precluded for any application under this rule.</p>
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TEMP — Temporary Activities

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Standards

TEMP-S2	Recurrence
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Heavy Industrial Zone General Industrial Zone Seaview Marina Zone (except in legal road)	<ol style="list-style-type: none"> 1. A site must not be occupied for temporary activities that consist of filming on location, military training, or emergency response training, on more than 30 days in any calendar year. 2. A site must not be occupied for any other temporary activities on more than 10 days in any calendar year. 3. A site must not be used for more than 3 temporary activities in any calendar year. <p>Matters of discretion if the standard is breached:</p> <ol style="list-style-type: none"> 1. Cultural values of sites of significance to Māori listed in SCHED6 - Sites and Areas of Significance to Māori. 2. Heritage values of heritage items listed in SCHED1 - Heritage Buildings and Structures or SCHED2 - Heritage Areas. 3. People's health and safety. 4. Public access to lakes, rivers, the coast, and public spaces, including streets. 5. The amenity values of nearby areas, including streets. 6. The safe and efficient transportation of people to and from the event. 7. The extent to which transportation of people to and from the event can make use of active transport and public transport.
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	<p>8. The effects of the event on transport network safety and capacity.</p> <p>9. Reverse sensitivity effects on major hazard facilities and other heavy industrial activities.</p>
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WIND – Wind

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Rules

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WIND-R2	Construction of N ew buildings and structures
<p>General Rural Zone</p> <p>Rural Lifestyle Zone</p> <p>Natural Open Space Zone</p>	<p>2. Activity status: Permitted</p>

Part 3 – Area-Specific Matters

GRUZ — General Rural Zone

The General Rural Zone covers areas of Lower Hutt that are primarily used for rural activities and development and low-density residential development that retains the existing rural and open space character of the areas. This includes areas in Moores Valley Road, and coastal land and hill country south of Wainuiomata and Eastbourne, as well as small areas of rural land in the Western Hills, Stokes Valley and Manor Park.

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Quarry Zone Protection Overlay

To address potential reverse sensitivity ~~effects~~ on quarrying activities within the Quarry Zone from new land use within the rural area near the Quarry Zone, the District Plan identifies the rural areas through the Quarry Zone Protection Overlay, and includes specific objectives, policies, and rules to manage new land use in the identified area.

This includes objectives, policies, rules in both the General Rural Zone and Rural Lifestyle Zone chapters.

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Policies

GRUZ-P1	Predominant activities
Enable rural activities and low-density residential development in the General Rural Zone as the predominant activities for the zone.	
GRUZ-P2	Compatible activities
<ol style="list-style-type: none">1. Provide for activities in the General Rural Zone that:<ol style="list-style-type: none">a. Are compatible with the rural activities and residential activities within the zone and adjoining rural and residential zones, andb. Either:<ol style="list-style-type: none">i. Support the rural activities and wellbeing of the community within the zone and surrounding area, orii. Have an operational need or functional need to be in a rural area or an area with a low level of development.2. Potentially compatible activities include:<ol style="list-style-type: none">a. Commercial activities, Child care services, Health care activities, and Community facilities that support the community within the zone and surrounding area,b. Retail of goods grown and produced on the site or in the surrounding area,c. Visitor accommodation,d. Educational facilities, recreation activities, and commercial activities that require access to open spaces, a rural location, or the natural features and landscapes within the zone and adjoining areas,e. Cleanfill and quarrying activities that support rural development, andf. Boarding of domestic pets.	

Policies – Quarry Zone Protection Overlay

GRUZ-QZPO-P1	Activities in the Quarry Zone Protection Overlay
<i>This policy is additional within the Quarry Zone Protection Overlay.</i>	
Only allow activities in the Quarry Zone Protection Overlay where they do not increase reverse sensitive effects on quarrying activities within the Quarry Zone.	

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Rules

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Land use activities

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GRUZ-R7	Papakāinga
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	<p>10. Activity status: Restricted discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> a. Unless associated with a rural activity, non-residential activities associated with the papakāinga do not include: <ol style="list-style-type: none"> i. The repair, alteration, restoration, or maintenance of motor vehicles, or ii. The use of heavy vehicles, or iii. Any drive-through activity. b. Unless associated with a rural activity, the hours of operation for visitors, customers, clients, deliveries, and pickups for non-residential purposes are not outside the hours of: <ol style="list-style-type: none"> i. 8.00am to 7.00pm Monday to Friday, and ii. 9.00am to 6.00pm Saturday, Sunday, and public holidays. c. Retail activities are limited to: <ol style="list-style-type: none"> i. Goods produced on the site, or ii. Goods retailed online and not resulting in customer visits to the site, or iii. Goods ancillary to a service provided by the papakāinga. d. The total gross floor area of non-residential activities is no more than 200m² (excluding buildings associated with rural activities). e. There are no more than 10 residential units within the papakāinga. <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Effects on the amenity values and character of the surrounding area. 2. Whether the development is adequately serviced and supported by existing or planned infrastructure and the transport network, and if not, the extent to which on-site solutions are sufficient to support the development. 3. Reverse sensitivity effects on rural activities. 4. The matters in the policies of the Papakāinga chapter.
	<p>2. Activity status: Discretionary</p>

LLRZ — Large Lot Residential Zone

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Rules

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Land use activities

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LLRZ-R11	Health care activities
	<p>1. Activity status: Restricted discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> 1. No more than four staff may work on the health care activity premises at any one time. <p>Matters of discretion are limited restricted to:</p>

	<ul style="list-style-type: none"> a. The effects on the residential amenity of the surrounding area. b. The effects on pedestrian safety and the safe and efficient movement of vehicles and other road users. c. The extent to which site layout and any proposed landscaping helps avoid or minimise effects on surrounding residential areas, the streetscape, and adjoining public space. d. The matters in policies: <ul style="list-style-type: none"> i. LLRZ-P2: Non-residential activities, ii. LLRZ-P3: Other activities, and iii. LLRZ-P4: Residential character and amenity.
	<p>1. Activity status: Discretionary</p> <p>Where:</p> <ul style="list-style-type: none"> a. Compliance is not achieved with LLRZ-R11.1.
LLRZ-R12	Community facilities
	<p>1. Activity status: Restricted discretionary.</p> <p>Matters of discretion are limited restricted to:</p> <ul style="list-style-type: none"> a. The effects on the residential amenity of the surrounding area. b. The effects on pedestrian safety and the safe and efficient movement of vehicles and other road users. c. The extent to which site layout and any proposed landscaping helps avoid or minimise effects on surrounding residential areas, the streetscape, and adjoining public space. d. The matters in policies: <ul style="list-style-type: none"> i. LLRZ-P2: Non-residential activities, ii. LLRZ-P3: Other activities, and iii. LLRZ-P4: Residential character and amenity.
LLRZ-R13	Marae
	<p>1. Activity status: Restricted discretionary.</p> <p>Matters of discretion are limited restricted to:</p> <ul style="list-style-type: none"> a. The effects on the residential amenity of the surrounding area. b. The effects on pedestrian safety and the safe and efficient movement of vehicles and other road users. c. The extent to which site layout and any proposed landscaping helps avoid or minimise effects on surrounding residential areas, the streetscape, and adjoining public space. d. The matters in policies: <ul style="list-style-type: none"> i. LLRZ-P2: Non-residential activities, ii. LLRZ-P3: Other activities, and iii. LLRZ-P4: Residential character and amenity.
LLRZ-R14	Emergency service facilities
	<p>1. Activity status: Restricted discretionary.</p> <p>Matters of discretion are limited restricted to:</p> <ul style="list-style-type: none"> a. The effects on the residential amenity of the surrounding area. b. The effects on pedestrian safety and the safe and efficient movement of vehicles and other road users.

	<ul style="list-style-type: none"> c. The extent to which site layout and any proposed landscaping helps avoid or minimise effects on surrounding residential areas, the streetscape, and adjoining public space. d. The matters in policies: <ul style="list-style-type: none"> i. LLRZ-P2: Non-residential activities, ii. LLRZ-P3: Other activities, and iii. LLRZ-P4: Residential character and amenity.
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GRUZ-R25	Industrial activities <u>not otherwise provided for</u>
1. Activity status: Non-complying	

Rules — Quarry Zone Protection Overlay

GRUZ-QZPO-R1	Construction of new residential units in the Quarry Zone Protection Overlay
<i>This rule is additional within the Quarry Zone Protection Overlay.</i>	
	<p>1. Activity status: Restricted discretionary Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> 1. Reverse sensitivity effects on quarrying activities in the Quarry Zone. Public notification is precluded for applications under this rule.
GRUZ-QZPO-R2	Residential activities in the Quarry Zone Protection Overlay
<i>This rule is additional within the Quarry Zone Protection Overlay.</i>	
	<p>2. Activity status: Restricted discretionary Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> 1. Reverse sensitivity effects on quarrying activities in the Quarry Zone. Public notification is precluded for applications under this rule.
GRUZ-QZPO-R3	Visitor accommodation in the Quarry Zone Protection Overlay
<i>This rule replaces GRUZ-12 within the Quarry Zone Protection Overlay.</i>	
	<p>2. Activity status: Restricted discretionary Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> 3. Reverse sensitivity effects on quarrying activities in the Quarry Zone. Public notification is precluded for applications under this rule.

RLZ — Rural Lifestyle Zone

The Rural Lifestyle Zone covers areas of Lower Hutt that are primarily used for a mix of small-scale rural activities and low-density residential development in a semi-rural setting. This includes areas in Moores Valley, the Western Hills, and Wainuiomata.

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Quarry Zone Protection Overlay

To address the potential for reverse sensitivity ~~effects~~ on quarrying activities within the Quarry Zone from new land use within the rural area near the Quarry Zone, the District Plan identifies the rural areas through the Quarry Zone Protection Overlay, and includes specific objectives, policies, and rules to manage new land use in the identified area. This includes objectives, policies and rules in both the General Rural Zone and Rural Lifestyle Zone chapters.

These objectives, policies, and rules are additional to the other objectives, policies, and rules for the zones.

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Policies

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RLZ-P2	Compatible activities
<ul style="list-style-type: none"> • Provide for activities in the Rural Lifestyle Zone that: <ul style="list-style-type: none"> ○ Are compatible with the rural activities and residential development within the zone and adjoining rural and residential zones, and ○ Either: <ul style="list-style-type: none"> ▪ That support the rural activities and community within the zone and surrounding area, and ▪ Have an operational need or functional need to be in a rural, low-density location. • Potentially compatible activities include, but are not limited to: <ul style="list-style-type: none"> ○ Commercial activities, Child care services, Health care activities and Community facilities that serve the community within the zone and the surrounding area, ○ Retail of goods grown and produced on the site or in the surrounding area, ○ Educational facilities, ○ Visitor accommodation, and ○ Boarding of domestic pets. 	
RLZ-P3	Potentially incompatible activities
<ol style="list-style-type: none"> 1. Only allow potentially incompatible activities in the Rural Lifestyle Zone where they: <ol style="list-style-type: none"> a. Maintain or enhance the character and amenity values of the surrounding area, b. Are compatible with the character of adjoining residential zones, including through managing the effects of new built development and noise-generating activities, c. Are compatible with the character of adjoining rural zones, including through managing reverse sensitivity effects on existing rural activities, and d. Have a functional or operational need to be in that location. 2. Potentially incompatible activities include, but are not limited to: <ol style="list-style-type: none"> a. Intensive indoor primary production, 	

- b. Industrial activities,
- c. Quarrying activities, and
- d. Landfills and cleanfills.

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Policies — Quarry Zone Protection Overlay

RLZ-QZPO-P1	Activities in the Quarry Zone Protection Overlay
<i>This policy is additional within the Quarry Zone Protection Overlay.</i>	
Only allow activities in the Quarry Zone Protection Overlay where they do not increase reverse sensitive effects on quarrying activities within the Quarry Zone.	

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Rules

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Land use activities

RLZ-R7	Papakāinga
<p>1. Activity status: Restricted discretionary</p> <p>Where:</p> <ul style="list-style-type: none"> a. Unless associated with a rural activity, non-residential activities associated with the papakāinga do not include: <ul style="list-style-type: none"> i. The repair, alteration, restoration, or maintenance of motor vehicles, or ii. The use of heavy vehicles, or iii. Any drive-through activity. b. Unless associated with a rural activity, the hours of operation for visitors, customers, clients, deliveries, and pickups for non-residential purposes are not outside the hours of: <ul style="list-style-type: none"> i. 8.00am to 7.00pm Monday to Friday, and ii. 9.00am to 6.00pm Saturday, Sunday, and public holidays. c. Retail activities are limited to: <ul style="list-style-type: none"> i. Goods produced on the site, or ii. Goods retailed online and not resulting in customer visits to the site, or iii. Goods ancillary to a service provided by the papakāinga. d. The total gross floor area of non-residential activities is no more than 200m² (excluding buildings associated with rural activities). e. There are no more than 10 residential units within the papakāinga. <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. Effects on the amenity values and character of the surrounding area. b. Whether the development is adequately serviced and supported by existing or planned infrastructure and the transport network, and if not, the extent to which on-site solutions are sufficient to support the development. c. Reverse sensitive effects on rural activities. 	

d. The matters in the policies of the Papakāinga chapter.

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Rules — Quarry Zone Protection Overlay

RLZ-QZPO-R1	Construction of new residential units in the Quarry Zone Protection Overlay
<i>This rule is additional within the Quarry Zone Protection Overlay.</i>	
2. Activity status: Restricted discretionary Matters of discretion are restricted to: e. Reverse sensitivity effects on quarrying activities in the Quarry Zone. Public notification is precluded for applications under this rule.	
RLZ-QZPO-R2	Residential activities in the Quarry Zone Protection Overlay
<i>This rule is additional within the Quarry Zone Protection Overlay.</i>	
2. Activity status: Restricted discretionary Matters of discretion are restricted to: e. Reverse sensitivity effects on quarrying activities in the Quarry Zone. Public notification is precluded for applications under this rule.	
RLZ-QZPO-R3	Visitor accommodation in the Quarry Zone Protection Overlay
<i>This rule is additional within the Quarry Zone Protection Overlay.</i>	
1. Activity status: Restricted discretionary Matters of discretion are restricted to: a. Reverse sensitivity effects on quarrying activities in the Quarry Zone. Public notification is precluded for applications under this rule.	

MRZ — Medium Density Residential Zone

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Rules

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Land use activities

MRZ-R10	Health care activities
2. Activity status: Restricted discretionary Where: a. No more than four staff may work on the health care activity premises at any one time. Matters of discretion are limitedrestricted to: e. The effects on the residential amenity of the surrounding area. f. The effects on pedestrian safety and the safe and efficient movement of vehicles and other road users.	

- g. The extent to which site layout and any proposed landscaping helps avoid or minimise effects on surrounding residential areas, the streetscape, and adjoining public space.
- h. The matters in policies:
 - i. MRZ-P2: Non-residential activities,
 - ii. MRZ-P3: Other activities,
 - iii. MRZ-P13: Urban design outcomes for non-residential activities and developments of more than 3 residential units, and
 - iv. MRZ-P14: Urban design outcomes (exclusions).

3. Activity status: Discretionary

Where:

- a. Compliance is not achieved with RZ-R10.1.

MRZ-R11	Educational facilities (excluding child care services)
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2. **Activity status:** Restricted discretionary
- Matters of discretion are ~~limited~~restricted to:**
- a. The effects on the residential amenity of the surrounding area.
 - b. The effects on pedestrian safety and the safe and efficient movement of vehicles and other road users.
 - c. The extent to which site layout and any proposed landscaping helps avoid or minimise effects on surrounding residential areas, the streetscape, and adjoining public space.
 - d. The matters in policies:
 - i. MRZ-P2: Non-residential activities,
 - ii. MRZ-P3: Other activities,
 - iii. MRZ-P13: Urban design outcomes for non-residential activities and developments of more than 3 residential units, and
 - iv. MRZ-P14: Urban design outcomes (exclusions).

MRZ-R12	Retirement villages
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2. **Activity status:** Restricted discretionary
- Matters of discretion are ~~limited~~restricted to:**
- a. The effects on the residential amenity of the surrounding area.
 - b. The effects on pedestrian safety and the safe and efficient movement of vehicles and other road users.
 - c. The extent to which the site layout and any proposed landscaping helps to avoid or minimise the effects of the retirement village on surrounding residential areas, the streetscape, and adjoining public space.
 - d. The capacity of the network infrastructure for water supply, wastewater, stormwater, and land transport to service the development.
 - e. The matters in policies:
 - i. MRZ-P2: Non-residential activities,
 - ii. MRZ-P3: Other activities,
 - iii. MRZ-P10: Retirement villages,

	<ul style="list-style-type: none"> iv. MRZ-P13: Urban design outcomes for non-residential activities and developments of more than 3 residential units, and v. MRZ-P14: Urban design outcomes (exclusions).
MRZ-R13	Marae
	<p>2. Activity status: Restricted discretionary</p> <p>Matters of discretion are limitedrestricted to:</p> <ul style="list-style-type: none"> a. The effects on the residential amenity of the surrounding area. b. The effects on pedestrian safety and the safe and efficient movement of vehicles and other road users. c. The extent to which site layout and any proposed landscaping helps avoid or minimise effects on surrounding residential areas, the streetscape, and adjoining public space. d. The matters in policies: <ul style="list-style-type: none"> i. MRZ-P2: Non-residential activities, ii. MRZ-P3: Other activities, iii. MRZ-P13: Urban design outcomes for non-residential activities and developments of more than 3 residential units, and iv. MRZ-P14: Urban design outcomes (exclusions).
MRZ-R14	Community facilities
	<p>2. Activity status: Restricted discretionary</p> <p>Matters of discretion are limitedrestricted to:</p> <ul style="list-style-type: none"> a. The effects on the residential amenity of the surrounding area. b. The effects on pedestrian safety and the safe and efficient movement of vehicles and other road users. c. The extent to which site layout and any proposed landscaping helps avoid or minimise effects on surrounding residential areas, the streetscape, and adjoining public space. d. The matters in policies: <ul style="list-style-type: none"> i. MRZ-P2: Non-residential activities, ii. MRZ-P3: Other activities, iii. MRZ-P13: Urban design outcomes for non-residential activities and developments of more than 3 residential units, and iv. MRZ-P14: Urban design outcomes (exclusions).
MRZ-R15	Emergency service facilities
	<p>2. Activity status: Restricted discretionary</p> <p>Matters of discretion are limitedrestricted to:</p> <ul style="list-style-type: none"> a. The effects on the residential amenity of the surrounding area. b. The effects on pedestrian safety and the safe and efficient movement of vehicles and other road users. c. The extent to which site layout and any proposed landscaping helps avoid or minimise effects on surrounding residential areas, the streetscape, and adjoining public space. d. The matters in policies: <ul style="list-style-type: none"> i. MRZ-P2: Non-residential activities,

	<ul style="list-style-type: none"> ii. MRZ-P3: Other activities, iii. MRZ-P13: Urban design outcomes for non-residential activities and developments of more than 3 residential units, and iv. MRZ-P14: Urban design outcomes (exclusions).
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HRZ — High Density Residential Zone

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Rules

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Land use activities

HRZ-R10	Commercial activities not otherwise provided for
	<p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <ul style="list-style-type: none"> a. The total gross floor area of the commercial activities does not exceed 200m² per site. b. The commercial activity is entirely indoors. c. The commercial activity is not paid carparking, a motor vehicle servicing activity, a service station, a drive-through activity, or a yard-based retail activity. d. The hours of operation are not outside: <ul style="list-style-type: none"> i. 7.00am to 9.00pm Monday to Friday, and ii. 8.00am to 7.00pm Saturday, Sunday, and public holidays. <p>Matters of discretion are limited restricted to:</p> <ul style="list-style-type: none"> b. The extent to which the intensity and scale of the activity may adversely affect the residential amenity of the surrounding area. c. Whether the business is compatible with the character of the surrounding neighbourhood, or whether the activity would be better located in a commercial or mixed-use centre. d. The effects on pedestrian safety and the safe and efficient movement of vehicles and other road users. e. Whether the activity positively contributes to the urban environment including active frontage, and achieves attractive and safe streets. f. Cumulative effects. g. The matters in policies: <ul style="list-style-type: none"> i. HRZ-P2: Non-residential activities, ii. HRZ-P3: Other activities, iii. HRZ-P13: Urban design outcomes for non-residential activities and developments of more than 3 residential units, and iv. HRZ-P14: Urban design outcomes (exclusions)
	<p>2. Activity status: Discretionary</p> <p>Where:</p> <ul style="list-style-type: none"> a. Compliance is not achieved with HRZ-R10.1.
HRZ-R11	Health care activities

	<p>4. Activity status: Restricted discretionary</p> <p>Where:</p> <ul style="list-style-type: none"> a. No more than four staff may work on the health care activity premises at any one time. <p>Matters of discretion are limitedrestricted to:</p> <ul style="list-style-type: none"> a. The effects on the residential amenity of the surrounding area. b. The effects on pedestrian safety and the safe and efficient movement of vehicles and other road users. c. The extent to which site layout and any proposed landscaping helps avoid or minimise effects on surrounding residential areas, the streetscape, and adjoining public space. d. The matters in policies: <ul style="list-style-type: none"> i. HRZ-P2: Non-residential activities, ii. HRZ-P3: Other activities, iii. HRZ-P13: Urban design outcomes for non-residential activities and developments of more than 3 residential units, and iv. HRZ-P14: Urban design outcomes (exclusions).
	<p>3. Activity status: Discretionary</p> <p>Where:</p> <ul style="list-style-type: none"> a. Compliance is not achieved with HRZ-R11.1.
HRZ-R12	Educational facilities (excluding child care services)
	<p>3. Activity status: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> f. The effects on the residential amenity of the surrounding area. g. The effects on pedestrian safety and the safe and efficient movement of vehicles and other road users. h. The extent to which site layout and any proposed landscaping helps avoid or minimise effects on surrounding residential areas, the streetscape, and adjoining public space. i. The matters in policies: <ul style="list-style-type: none"> i. HRZ-P2: Non-residential activities, ii. HRZ-P3: Other activities, iii. HRZ-P13: Urban design outcomes for non-residential activities and developments of more than 3 residential units, and iv. HRZ-P14: Urban design outcomes (exclusions)
HRZ-R13	Retirement villages
	<p>3. Activity status: Restricted discretionary</p> <p>Matters of discretion are limitedrestricted to:</p> <ul style="list-style-type: none"> e. The effects on the residential amenity of the surrounding area. f. The effects on pedestrian safety and the safe and efficient movement of vehicles and other road users. g. The extent to which the site layout and any proposed landscaping helps to avoid or minimise the effects of the retirement village on

	<p>surrounding residential areas, the streetscape, and adjoining public space.</p> <p>h. The capacity of the network infrastructure for water supply, wastewater, stormwater, and land transport to service the development.</p> <p>i. The matters in policies:</p> <ul style="list-style-type: none"> i. HRZ-P2: Non-residential activities, ii. HRZ-P3: Other activities, iii. HRZ-P9: Retirement villages, iv. HRZ-P13: Urban design outcomes for non-residential activities and developments of more than 3 residential units, and v. HRZ-P14: Urban design outcomes (exclusions).
HRZ-R14	Marae
	<p>3. Activity status: Restricted discretionary</p> <p>Matters of discretion are limitedrestricted to:</p> <p>e. The effects on the residential amenity of the surrounding area.</p> <p>f. The effects on pedestrian safety and the safe and efficient movement of vehicles and other road users.</p> <p>g. The extent to which site layout and any proposed landscaping helps avoid or minimise effects on surrounding residential areas, the streetscape, and adjoining public space.</p> <p>h. The matters in policies:</p> <ul style="list-style-type: none"> 1. HRZ-P2: Non-residential activities, 2. HRZ-P3: Other activities, 3. HRZ-P13: Urban design outcomes for non-residential activities and developments of more than 3 residential units, and 4. HRZ-P14: Urban design outcomes (exclusions).
HRZ-R15	Community facilities
	<p>3. Activity status: Restricted discretionary</p> <p>Matters of discretion are limitedrestricted to:</p> <p>e. The effects on the amenity of the surrounding residential area and residents.</p> <p>f. The effects on pedestrian safety and the safe and efficient movement of vehicles and other road users.</p> <p>g. The extent to which site layout and any proposed landscaping helps avoid or minimise effects on surrounding residential areas, the streetscape, and adjoining public space.</p> <p>h. The matters set out in policies:</p> <ul style="list-style-type: none"> i. HRZ-P2: Non-residential activities, ii. HRZ-P3: Other activities, iii. HRZ-P13: Urban design outcomes for non-residential activities and developments of more than 3 residential units, and iv. HRZ-P14: Urban design outcomes (exclusions).
HRZ-R16	Emergency service facilities

2. **Activity status:** Restricted discretionary
Matters of discretion are limited/restricted to:
- a. The effects on the residential amenity of the surrounding area.
 - b. The effects on pedestrian safety and the safe and efficient movement of vehicles.
 - c. The extent to which site layout and any proposed landscaping helps avoid or minimise effects on surrounding residential areas, the streetscape, and adjoining public space.
 - d. The matters set out in policies:
 - i. HRZ-P2: Non-residential activities,
 - ii. HRZ-P3: Other activities,
 - iii. HRZ-P13: Urban design outcomes for non-residential activities and developments of more than 3 residential units, and
 - iv. HRZ-P14: Urban design outcomes (exclusions).

GRUZ — General Rural Zone

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CCZ — City Centre Zone

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Policies

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CCZ-P3	Potentially incompatible activities
	<ol style="list-style-type: none"> 1. Provide for other, potentially incompatible activities if they: <ol style="list-style-type: none"> 4. Maintain and enhance the amenity and vitality of the City Centre, particularly the Centre’s attractiveness to visitors, 5. Do not detract from the City Centre’s ability to meet the zone’s planned purpose, 6. Promote the efficient use of land, 7. Are of at least a scale and intensity that is consistent with the planned density of the City Centre Zone, 8. Are designed and managed to be consistent with the planned character of the City Centre Zone, 9. Are focused on serving customers or other visitors,

10. Avoid significant adverse effects on commercial activities and community activities enabled in the zone, and
 11. If the activity is not a commercial activity, community activity, or civic activity, avoids significant adverse effects on residential activities enabled in the zone, and avoids creating reverse sensitivity ~~effects~~.
2. Potentially incompatible activities include:
- Industrial activities,
 - Yard-based retail,
 - Drive-through activities,
 - Service stations,
 - Motor vehicle servicing,
 - Carparking at ground level on sites subject to the Active Street Frontage Overlay, and
 - The demolition of buildings that results in vacant land.

Rules

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Buildings and structures

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CCZ-R5	<u>Construction of N</u> ew minor buildings and minor structures
	<p>1. Activity status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> a. Compliance is achieved with: <ol style="list-style-type: none"> i. CCZ-S1: Sunlight access to specified public spaces, ii. CCZ-S2: Height in relation to boundary — Adjoining zones, iii. CCZ-S3: Setbacks — Adjoining zones, iv. CCZ-S4: Active frontages — Buildings and structures, v. CCZ-S5: Active frontages — Required verandahs, vi. CCZ-S6: Active frontages — Existing vehicle crossings, vii. CCZ-S7: Active frontages — Land uses, viii. CCZ-S8: Location and design of carparking, ix. CCZ-S9: Outlook space, x. Within the Riverbank Precinct, CCZ-PREC1-S1: Riverbank frontages, xi. Within the Civic Precinct, CCZ-PREC2-S1: Building coverage, xii. Within the Civic Precinct, CCZ-PREC2-S2: Building height, and xiii. Within the Civic Precinct, CCZ-PREC2-S3: Carparking coverage, and b. The minor building or minor structure: <ol style="list-style-type: none"> i. Is ancillary to an established activity on the site, ii. Has a gross floor area of no more than 30m², iii. Has a height no greater than 5m above ground level,

- iv. Is not located within 10 metres of an Active Frontage, and
- v. Is screened and is not visible from public spaces.

3. Activity status: Restricted discretionary

Where:

- a. Compliance is not achieved with CCZ-R5.1a, but
- b. Compliance is achieved with CCZ-R5.1b.

Matters of discretion are restricted to:

- c. The urban design outcomes in CCZ-P9: Urban design outcomes (all significant developments)
- d. The matters in CCZ-P10: Urban design outcomes (exclusions), and
- e. The matters of discretion in any of the following standards if they are not met:
 - i. CCZ-S1: Sunlight access to specified public spaces,
 - ii. CCZ-S2: Height in relation to boundary — Adjoining zones,
 - iii. CCZ-S3: Setbacks — Adjoining zones,
 - iv. CCZ-S4: Active frontages — Buildings and structures,
 - v. CCZ-S5: Active frontages — Required verandahs,
 - vi. CCZ-S6: Active frontages — Existing vehicle crossings,
 - vii. CCZ-S7: Active frontages — Land uses,
 - viii. CCZ-S8: Location and design of carparking,
 - ix. CCZ-S9: Outlook space,
 - x. Within the Riverbank Precinct, CCZ-PREC1-S1: Riverbank frontages,
 - xi. Within the Civic Precinct, CCZ-PREC2-S1: Building coverage,
 - xii. Within the Civic Precinct, CCZ-PREC2-S2: Building height, and
 - xiii. Within the Civic Precinct, CCZ-PREC2-S3: Carparking coverage.

Notification:

Public notification is precluded for applications under this rule where the only non-compliances are CCZ-S2, CCZ-S3, or CCZ-S9.

Limited notification is precluded for applications under this rule where the only non-compliance is CCZ-S9.

Note:

Where condition CCZ-R5.1b is not met, this rule does not apply, and rule CCZ-R6 applies.

CCZ-R6

Construction of New buildings and structures (except minor buildings and minor structures)

3. Activity status: Restricted discretionary

Matters of discretion are restricted to:

- 2. The urban design outcomes in CCZ-P9: Urban design outcomes (all significant developments).
- 3. The matters in CCZ-P10: Urban design outcomes (exclusions).
- 4. The matters of discretion in any of the following standards if they are not met:

	<ul style="list-style-type: none"> i. CCZ-S1: Sunlight access to specified public spaces, ii. CCZ-S2: Height in relation to boundary — Adjoining zones, iii. CCZ-S3: Setbacks — Adjoining zones, iv. CCZ-S4: Active frontages — Buildings and structures, v. CCZ-S5: Active frontages — Required verandahs, vi. CCZ-S6: Active frontages — Existing vehicle crossings, vii. CCZ-S7: Active frontages — Land uses, viii. CCZ-S8: Location and design of carparking, ix. CCZ-S9: Outlook space, x. Within the Riverbank Precinct, CCZ-PREC1-S1: Riverbank frontages, xi. Within the Civic Precinct, CCZ-PREC2-S1: Building coverage, xii. Within the Civic Precinct, CCZ-PREC2-S2: Building height, and xiii. Within the Civic Precinct, CCZ-PREC2-S3: Carparking coverage. <p>Notification: Public notification is precluded for applications under this rule where the only non-compliances are CCZ-S2, CCZ-S3, or CCZ-S9.</p> <p>Limited notification is precluded for applications under this rule where the only non-compliance is CCZ-S9.</p>
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Standards

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CCZ-S7	Active frontages — land uses
<p>On any site subject to the Active Street Frontage Overlay:</p> <ul style="list-style-type: none"> 1. No activity sensitive to privacy intrusion or light manufacturing and servicing activity may be located at ground level within 10 metres from a front boundary. <p>On any site within the Riverbank Precinct:</p> <ul style="list-style-type: none"> 1. No activity sensitive to privacy intrusion or light manufacturing and servicing activity may be located on site unless the finished floor level of the activity is at least 4 metres above the top of the stopbank. <p>Matters of discretion if the standard is breached:</p> <ul style="list-style-type: none"> 1. Pedestrian amenity, comfort, and safety. 2. Reverse sensitivity effects on other activities in the zone. 3. Effects, including reverse sensitivity effects, on the current or potential future use of the road for temporary activities. 4. Effects, including reverse sensitivity effects, on the current or potential future use of the road for public transport or active transport infrastructure. 5. Where the non-compliance relates to an existing activity, the ability of that activity to continue functioning if it were to comply with the standard, and the scale of the non-compliance in relation to the effects of that activity no longer occurring at the site. 	

6. The short-term, medium-term, and long-term development capacity and demand needs for commercial and residential activities in the commercial centre.
7. Urban design outcomes (1), (3), and (4) in CCZ-P8: Urban design outcomes (by meeting standard or assessment).
8. The urban design outcomes in CCZ-P9: Urban design outcomes (all significant developments).
9. The matters in CCZ-P10: Urban design outcomes (exclusions).
10. Any positive effects that can only be achieved through non-compliance with the standard.

MCZ — Metropolitan Centre Zone

The Metropolitan Centre Zone covers the city’s secondary commercial centre in ~~Pito OnePetone~~. It provides for a significantly larger scale and wider range of development than other suburban centres in the Local Centre Zone and anticipates activities that draw people from across the city and much of the region.

The zone generally anticipates amenity values associated with a thriving and vibrant commercial centre. The details vary within the zone, as there are several distinct areas within the zone with different character:

- The traditional retail centre along Jackson Street, with significant historic heritage values,
- The remainder of Jackson Street, which has a diverse mix of activities and is managed to produce an emerging character that supports the heritage area, and
- The western end of ~~Pito OnePetone~~, which typically has larger sites and some legacy industrial activities.

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Objectives

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MCZ-O4	Planned character and planned urban built environment of the zone
	<p>Built development and open spaces positively contribute to a commercial and community hub of activity within a well-functioning urban environment that:</p> <ul style="list-style-type: none"> • Comprises buildings and spaces surrounding buildings, sites, streets, and neighbourhoods that are designed to achieve the desired urban design outcomes for the zone, • Has an urban built environment that is characterised by a high concentration of building densities and forms, including buildings that provide an active frontage on identified frontages and providing for high rise buildings, • Recognises the significance and opportunity of the Pito OnePetone foreshore, • Provides a high amenity experience walking between Jackson Street and the Pito OnePetone Railway station,

- Takes advantage of and contributes positively to the opportunities of pedestrian spaces and adjoining parks and reserves,
- Makes efficient use of the scarce resource of space at ground level,
- Is easily legible to visitors,
- Is healthy, safe, attractive, and accessible,
- Provides useful on-site outdoor living areas for residents, or is located in close proximity to useful public open space in the neighbourhood,
- Has good access within the Metropolitan Centre, to and from surrounding neighbourhoods, and to and from other commercial centres, through active and public transport modes, providing for well-connected and low emission communities,
- Is integrated with existing and planned infrastructure,
- Includes opportunities for housing and other activities that positively contribute to the function and amenity of the Metropolitan Centre, and
- Enhances co-location benefits.

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Objectives — Jackson Street Character Transition Precinct

MCZ- PREC1-O1	Purpose and character
This objective is additional within the Jackson Street Character Transition Precinct	
<p>The character, style, and built form of the Jackson Street Character Transition Precinct evolves, as sites are redeveloped, to recognise the significance and opportunity of the heritage values of the Jackson Street Heritage Area and the industrial history of the western end of Pito One <u>Petone</u>.</p>	

Policies

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MCZ-P3	Potentially incompatible activities
<p>1. Provide for other, potentially incompatible activities if they:</p> <ol style="list-style-type: none"> a. Maintain and enhance the amenity and vitality of the Metropolitan Centre, particularly the Centre’s attractiveness to visitors, b. Do not detract from the Metropolitan Centre’s ability to meet the zone’s planned purpose, c. Promote the efficient use of land, d. Are of at least a scale and intensity that is consistent with the planned density of the Metropolitan Centre Zone, 	

- e. Are designed and managed to be consistent with the planned character of the Metropolitan Centre Zone,
 - f. Are focused on serving customers or other visitors,
 - g. Avoid significant adverse effects on commercial activities and community activities enabled in the zone, and
 - h. If the activity is not a commercial activity or community activity, avoids significant adverse effects on residential activities enabled in the zone, and avoids creating reverse sensitivity effects.
2. Potentially incompatible activities include:
- a. Industrial activities,
 - b. Yard-based retail,
 - c. Drive-through activities,
 - d. Service stations,
 - e. Motor vehicle servicing,
 - f. Carparking at ground level on sites subject to the Active Street Frontage Overlay, and
 - g. The demolition of buildings that results in vacant land.

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Policies — Jackson Street Character Transition Precinct

MCZ- PREC1-P1	Character values
This policy is additional within the Jackson Street Character Transition Precinct	
<p>Manage the appearance, layout, and form of buildings and structures to promote an evolving new character and identity in the Precinct that will sympathetically reflect the heritage values of the Jackson Street Heritage Area and the industrial history of the western end of Pito One Petone, by promoting:</p> <ol style="list-style-type: none"> 1. Buildings sympathetic to the architectural themes and materials of at least one of: <ul style="list-style-type: none"> a. The Jackson Street Heritage Area, or b. The 20th century industrial buildings of western Pito One Petone, with preference to the themes and materials expressed in existing adjoining buildings, 2. A compatible and continuous building frontage along Jackson Street, 3. Consistent floor to floor heights where these are strongly expressed in the exteriors of adjacent buildings, 4. The use of chamfered or rounded corners and additional vertical elements for buildings on street corners, 5. The expression of horizontal elements in preference to vertical elements, 6. The use of discrete windows rather than continuous glazed frontages, 7. The use of parapets and cornices, 8. The use of decoration and colour, 9. The use of verandahs as integral parts of buildings, and 10. The use of signage scaled to a pedestrian audience. 	

For the avoidance of doubt, this policy does not affect the anticipated height, scale, or density of developments, except where above the level anticipated by the relevant bulk and location standards.

Rules

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Buildings and structures

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MCZ-R5	Construction of New minor buildings and minor structures
	<p>2. Activity status: Permitted</p> <p>Where:</p> <ul style="list-style-type: none"> a. Compliance is achieved with: <ul style="list-style-type: none"> i. MCZ-S1: Height, ii. MCZ-S2: Height in relation to boundary - adjoining zones, iii. MCZ-S3: Setbacks - adjoining zones, iv. MCZ-S4: Active frontages — buildings and structures, v. MCZ-S5: Active frontages — required verandahs, vi. MCZ-S6: Active frontages — existing vehicle crossings, vii. MCZ-S7: Active frontages — land uses, viii. MCZ-S8: Location and design of carparking, ix. MCZ-S9: Outdoor living space, x. MCZ-S10: Outlook space, and xi. MCZ-S11: Height in relation to boundary and setbacks — Te Puni Urupā, and b. The minor building or minor structure: <ul style="list-style-type: none"> i. Is ancillary to an established activity on the site, ii. Has a gross floor area of no more than 30m², iii. Has a height no greater than 5m above ground level, iv. Is not located within 10 metres of an Active Frontage, and v. Is screened and is not visible from public spaces.
	<p>7. Activity status: Restricted discretionary</p> <p>Where:</p> <ul style="list-style-type: none"> a. Compliance is not achieved with MCZ-R5.1a, but b. Compliance is achieved with MCZ-R5.1b. <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> c. The urban design outcomes in MCZ-P9: Urban design outcomes (all significant developments). d. The matters in MCZ-P10: Urban design outcomes (exclusions). e. The matters of discretion in any of the following standards if they are not met: <ul style="list-style-type: none"> i. MCZ-S1: Height,

- ii. MCZ-S2: Height in relation to boundary - adjoining zones,
- iii. MCZ-S3: Setbacks - adjoining zones,
- iv. MCZ-S4: Active frontages — buildings and structures,
- v. MCZ-S5: Active frontages — required verandahs,
- vi. MCZ-S6: Active frontages — existing vehicle crossings,
- vii. MCZ-S7: Active frontages — land uses,
- viii. MCZ-S8: Location and design of carparking,
- ix. MCZ-S9: Outdoor living space,
- x. MCZ-S10: Outlook space, and
- xi. MCZ-S11: Height in relation to boundary and setbacks — Te Puni Urupā.

- f. Within the Jackson Street Character Transition Precinct, the matters in policy MCZ-PREC1-P1: Character values.

Notification:

Public notification is precluded for applications under this rule where the only non-compliances are MCZ-S2, MCZ-S3, MCZ-S9, MCZ-S10, or MCZ-S11.

Limited notification is precluded for applications under this rule where the only non-compliances are MCZ-S9 or MCZ-S10.

Note:

Where condition MCZ-R5.1b is not met, this rule does not apply, and rule MCZ-R6 applies.

MCZ-R6

Construction of New buildings and structures (except minor buildings and minor structures)

2. Activity status: Restricted discretionary

Matters of discretion are restricted to:

- a. The urban design outcomes in MCZ-P9: Urban design outcomes (all significant developments).
- b. The matters in MCZ-P10: Urban design outcomes (exclusions).
- c. The matters of discretion in any of the following standards if they are not met:
 - i. MCZ-S1: Height,
 - ii. MCZ-S2: Height in relation to boundary - adjoining zones,
 - iii. MCZ-S3: Setbacks - adjoining zones,
 - iv. MCZ-S4: Active frontages — buildings and structures,
 - v. MCZ-S5: Active frontages — required verandahs,
 - vi. MCZ-S6: Active frontages — existing vehicle crossings,
 - vii. MCZ-S7: Active frontages — land uses,
 - viii. MCZ-S8: Location and design of carparking,
 - ix. MCZ-S9: Outdoor living space,
 - x. MCZ-S10: Outlook space, and
 - xi. MCZ-S11: Height in relation to boundary and setbacks — Te Puni Urupā.
- d. Within the Jackson Street Character Transition Precinct, the matters in policy MCZ-PREC1-P1: Character values.

Notification:

Public notification is precluded for applications under this rule where the only non-compliances are MCZ-S2, MCZ-S3, MCZ-S9, MCZ-S10, or MCZ-S11.

Limited notification is precluded for applications under this rule where the only non-compliances are MCZ-S9 or MCZ-S10.

Standards

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MCZ-S7	Active frontages — Land uses
<p>On any site subject to an Active Street Frontage Overlay:</p> <ol style="list-style-type: none"> 1. No activity sensitive to privacy intrusion or light manufacturing and servicing activity may be located at ground level within 10 metres of an active frontage boundary. <p>Matters of discretion if the standard is breached:</p> <ol style="list-style-type: none"> 1. Pedestrian amenity, comfort, and safety. 2. Reverse sensitivity effects on other activities in the zone. 3. Effects, including reverse sensitivity effects, on the current or potential future use of the road for temporary activities. 4. Effects, including reverse sensitivity effects on the current or potential future use of the road for public transport or active transport infrastructure. 5. Where the non-compliance relates to an existing activity, the ability of that activity to continue functioning if it were to comply with the standard, and the scale of the non-compliance in relation to the effects of that activity no longer occurring at the site. 6. The short-term, medium-term, and long-term development capacity and demand needs for commercial and residential activities in the commercial centre. 7. Urban design outcomes 1, 4, and 5 in MCZ-P8: Urban design outcomes (by meeting standard or assessment). 8. The urban design outcomes in MCZ-P9: Urban design outcomes (all significant developments). 9. The matters in MCZ-P10: Urban design outcomes (exclusions). 10. Any positive effects that can only be achieved through non-compliance with the standard. 	

LCZ — Local Centre Zone

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Policies

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LCZ-P3	Potentially incompatible activities
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- Provide for other, potentially incompatible activities if they:
 - Maintain and enhance the amenity and vitality of the Local Centre, particularly the Centre’s attractiveness to visitors,
 - Do not detract from the Local Centre’s ability to meet the zone’s planned purpose,
 - Promote the efficient use of land,
 - Are of at least a scale and intensity that is consistent with the planned density of the Local Centre Zone,
 - Are designed and managed to be consistent with the planned character of the Local Centre Zone,
 - Are focused on serving customers or other visitors,
 - Avoid significant adverse effects on commercial activities and community activities enabled in the zone, and
 - If the activity is not a commercial activity or community activity, avoids significant adverse effects on residential activities enabled in the zone, and avoids creating reverse sensitivity ~~effects~~.
- Potentially incompatible activities include:
 - Industrial activities,
 - Yard-based retail,
 - Drive-through activities,
 - Service stations,
 - Motor vehicle servicing,
 - Carparking at ground level on sites subject to the Active Street Frontage Overlay, and
 - The demolition of buildings that results in vacant land.

Standards

...

LCZ-S7	Active frontages — Land uses
<p>On any site subject to an Active Street Frontage Overlay:</p> <ol style="list-style-type: none"> 1. No activity sensitive to privacy intrusion or light manufacturing and servicing activity may be located at ground level within 10m of an active frontage boundary. <p>On any site within the Riverbank Precinct:</p> <ol style="list-style-type: none"> 1. No activity sensitive to privacy intrusion or light manufacturing and servicing activity may be located on site unless the finished floor level of the activity is at least 4m above the top of the stopbank. <p>Matters of discretion if the standard is breached:</p> <ol style="list-style-type: none"> 1. Pedestrian amenity, comfort, and safety. 2. Reverse sensitivity effects on other activities in the zone. 3. Effects, including reverse sensitivity effects, on the current or potential future use of the road for temporary activities. 4. Effects, including reverse sensitivity effects, on the current or potential future use of the road for public transport or active transport infrastructure. 5. Where the non-compliance relates to an existing activity, the ability of that activity to continue functioning if it were to comply with the standard, and the 	

- scale of the non-compliance in relation to the effects of that activity no longer occurring at the site.
6. The short-term, medium-term, and long-term development capacity and demand needs for commercial and residential activities in the commercial centre.
 7. Urban design outcomes 1, 2, 3, 4, 9, 10, 13, and 14 in LCZ-P8: Urban design outcomes (by meeting standard or assessment).
 8. The urban design outcomes in LCZ-P9: Urban design outcomes (larger developments and potentially incompatible activities).
 9. The matters in LCZ-P10: Urban design exclusions.
 10. Any positive effects that can only be achieved through non-compliance with the standard.

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NCZ — Neighbourhood Centre Zone

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Policies

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NCZ-P3	Potentially incompatible activities
	<ul style="list-style-type: none">• Provide for other, potentially incompatible activities if they:<ul style="list-style-type: none">○ Maintain and enhance the amenity and vitality of the Neighbourhood Centre, particularly the Centre’s attractiveness to visitors,○ Do not detract from the Neighbourhood Centre’s ability to meet the zone’s planned purpose,○ Promote the efficient use of land,○ Are of at least a scale and intensity that is consistent with the planned density of the Neighbourhood Centre Zone,○ Are designed and managed to be consistent with the planned character of the Neighbourhood Centre Zone,○ Are focused on serving customers or other visitors,○ Avoid significant adverse effects on commercial activities and community activities enabled in the zone, and○ If the activity is not a commercial activity or community activity, avoids significant adverse effects on residential activities enabled in the zone, and avoids creating reverse sensitivity effects.• Potentially incompatible activities include:<ul style="list-style-type: none">○ Industrial activities,○ Yard-based retail,○ Service stations,○ Motor vehicle servicing, and○ Carparking at ground level on sites subject to the Active Street Frontage Overlay.

....

Standards

....

NCZ-S7	Active frontages — Land uses
<p>On any site subject to an Active Street Frontage Overlay:</p> <ol style="list-style-type: none"> 1. No activity sensitive to privacy intrusion or light manufacturing and servicing activity may be located at ground level within 10 metres of an active frontage boundary. <p>Matters of discretion if the standard is breached:</p> <ol style="list-style-type: none"> 1. Pedestrian amenity, comfort, and safety. 2. Reverse sensitivity effects on other activities in the zone. 3. Effects including reverse sensitivity effects on the current or potential future use of the road for temporary activities. 4. Effects including reverse sensitivity effects on the current or potential future use of the road for public transport or active transport infrastructure. 5. Where the non-compliance relates to an existing activity, the ability of that activity to continue functioning if it were to comply, and the scale of the non-compliance in relation to the effects of that activity no longer occurring at the site. 6. The short-term, medium-term, and long-term development capacity and demand needs for commercial and residential activities in the commercial centre. 7. Urban design outcomes 1, 2, 3, 4, 9, 10, 13, and 14 in NCZ-P8: Urban design outcomes (by meeting standard or assessment). 8. The urban design outcomes in NCZ-P9: Urban design outcomes (larger developments and potentially incompatible activities). 9. The matters in NCZ-P10: Urban design outcomes (exclusions). 10. Any positive effects that can only be achieved through non-compliance with the standard. 	

MUZ — Mixed Use Zone

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Policies

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MUZ-P2	Potentially incompatible activities
<ul style="list-style-type: none"> • Provide for other, potentially incompatible activities if they: <ul style="list-style-type: none"> ○ Maintain and enhance the amenity of the mixed use area, as it affects both residential and non-residential uses, ○ Do not detract from the Mixed Use Zone's ability to meet the zone's planned purpose, ○ Do not result in land being used in a significantly inefficient way, ○ Are designed and managed to be consistent with the planned character of the Mixed Use Zone, 	

- Avoid significant adverse effects on residential activities, commercial activities, community activities, and recreation activities enabled in the zone,
- Avoid creating reverse sensitivity ~~effects~~,
- Do not undermine the role of commercial centres, and
- Do not form a significant city-wide or regional destination.
- Potentially incompatible activities include:
 - Activities with visitor carparking,
 - Industrial activities,
 - Integrated retail,
 - Yard-based retail,
 - Drive-through activities,
 - Service stations, and
 - Motor vehicle servicing.

Rules

...

MUZ-R19	Emergency service facilities
	<p>2. Activity status: Restricted discretionary</p> <p>Matters of discretion are limitedrestricted to:</p> <ul style="list-style-type: none"> c. The effects on pedestrian safety and the safe and efficient movement of vehicles and other road users. d. The extent to which site layout and any proposed landscaping helps avoid or minimise effects on the streetscape, and adjoining public space. e. Residential amenity for existing residential units in the zone. f. Residential amenity in adjacent Residential Zones and Marae Zones. g. The urban design matters in Policies MUZ-P8: Urban design outcomes (larger developments and potentially incompatible activities). h. The matters in MUZ-P9: Urban design exclusions.

LIZ — Light Industrial Zone

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Policies

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LIZ-P3	Heavy industrial activities
Avoid heavy industrial activities unless they:	

- Have an operational **need** or functional need to operate at the specific site proposed, or
- Are managed to have no significant adverse effects different in scale or character to those from activities primarily provided for in the zone.

GIZ — General Industrial Zone

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Policies

GIZ-P3	Heavy industrial activities
<p>Avoid heavy industrial activities unless they:</p> <ul style="list-style-type: none"> • Have an operational need or functional need to operate at the specific site proposed, or • Are managed to have no significant adverse effects different in scale or character to those from activities primarily provided for in the zone. 	

NOSZ — Natural Open Space Zone

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Policies

NOSZ-P3	Potentially incompatible activities
<ul style="list-style-type: none"> • Only allow potentially incompatible activities in the Natural Open Space Zone where they: <ul style="list-style-type: none"> ○ Maintain or enhance the natural character and amenity values of the Natural Open Space Zone, ○ Do not limit or constrain the existing and future use of the natural open space for conservation activities and recreation activities, ○ Are compatible with the planned character of adjoining Residential Zones, including through managing the effects of built development, noise-generating activities and outdoor storage and carparking areas, ○ Are compatible with the planned character of adjoining Rural Zones, including through managing reverse sensitivity effects on existing rural activities, and ○ Have a functional or operational need to be in that location. • Potentially incompatible activities include: <ul style="list-style-type: none"> ○ Rural activities that are not associated with existing rural operations within the zone, ○ Industrial activities, and 	

- Other activities, including retail activities, that do not support conservation activities and recreation activities at the site.

HOSZ — Hospital Zone

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Policies

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HOSZ-P2	Potentially incompatible activities
	<ol style="list-style-type: none"> 1. Only allow non-health care related activities in the Hospital Zone that: <ol style="list-style-type: none"> a. Do not compromise the operation and development of health care activities in the Hospital Zone, b. Promote the efficient use of land, c. Are designed and managed to be consistent with planned urban environment of the Hospital Zone and surrounding zones, and d. Support the social, economic and cultural well-being of the surrounding community. 2. Activities may be incompatible if they: <ol style="list-style-type: none"> a. Compromise the operation and development of health care activities in the Hospital Zone, or b. Do not fit the purpose and character of the zone and detract from the Hospital Zone’s ability to meet that purpose and character, or c. Use land less efficiently than the expected uses in the zone, or d. Create significant adverse effects, including reverse sensitivity effects, on activities enabled in the zone. 3. Potentially incompatible activities include: <ol style="list-style-type: none"> a. Commercial activities, b. Residential activities, c. Visitor accommodation, d. Educational facilities, e. Community facilities, and f. Carparking areas.

MAZ — Marae Zone

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Policies

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MAZ-P3	Residential activities
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Provide for residential activities, including papakāinga housing and kaumātua housing, where:

1. They provide for the culture and traditions and social and economic aspirations of the Marae community,
2. They are part of or ancillary to the Marae,
3. They are adequately serviced by existing or planned infrastructure, or alternative solutions are provided, and
4. Reverse sensitivity ~~effects~~ on surrounding sites are adequately mitigated.

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TEDZ – Tertiary Education Zone

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Policies

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TEDZ-P2	Potentially incompatible activities
	<ol style="list-style-type: none">1. Only allow activities that are not related to tertiary education activities where they:<ol style="list-style-type: none">a. Do not compromise the operation and development of tertiary education activities in the Tertiary Education Zone,b. Promote the efficient use of land,c. Are designed and managed to be consistent with the planned urban environment of the Tertiary Education Zone and surrounding zones, andd. Support the social, economic and cultural well-being of the surrounding community.2. Activities may be incompatible if they:<ol style="list-style-type: none">a. Compromise the operation and development of Tertiary education activities in the Tertiary Education Zone,b. Do not fit the purpose and character of the zone and detract from the Tertiary Education Zone's ability to meet that purpose and character,c. Uses land less efficiently than the expected uses in the zone, andd. Create significant adverse effects, including reverse sensitivity effects on activities enabled in the zone.3. Potentially incompatible activities include:<ol style="list-style-type: none">a. Community facilities,b. Commercial activities,c. Residential activities,d. Visitor accommodation,e. Healthcare activities,f. Light manufacturing and servicing, andg. Motor vehicle servicing.

Appendix 2

Recommended Decisions on Submissions

Appendix 2 – S42A Officer Recommended Decisions on Submissions

Submitter	Sub #	SP #	Support/oppose	Requested Relief	Recommendation
McDonald's Restaurants (NZ) Ltd	174	1.d	Amend	Seeks that activities are organised using a nesting table (refer to original submission)	Reject
Vital Healthcare Property Limited	195	1	Support	Retain definition as notified	Accept
Foodstuffs North Island	F17	1	Support	Support the original submission from McDonald's Restaurants (NZ) Ltd to create a nesting table within the definitions.	Reject
Aggregate and Quarry Association	202	12	Other/Not stated	Seeks that "Council should acknowledge [river gravel extraction] and the plan should accommodate it where appropriate"	Reject
Ian Peter Cassidy	207	1	Oppose in part	Seeks that "The way plans are formatted needs to be looked at so the information is presented in a way that is less complexly arranged and easier to search and understand". (Refer to original submission for context).	Reject
NZ Helicopter Association	215	01	Support in part	Amend: "Species protection and conservation management work, including <u>infrastructure maintenance</u> , restoration and revegetation"	Reject
NZ Agricultural Aviation Association	231	02	Support	Retain the definition	Accept
Foodstuffs North Island	239	06	Oppose (requesting new provision)	Include nesting table.	Reject
Horokiwi Quarries Ltd	246	1	Support	Retain the definition	Accept
Horokiwi Quarries Ltd	246	5	Support	Retain the objective	Accept

Seaview Marina Ltd	343	2	Support	Retain the definition chapter	Accept in part
Horokiwi Quarries Ltd	246	1	Support	Retain the definition	Accept
Horokiwi Quarries Ltd	246	5	Support	Retain the objective	Accept
Heritage New Zealand Pouhere Taonga	248	1	Support	Retain definition as notified	Accept
Heritage New Zealand Pouhere Taonga	248	2	Support	Retain definition as notified	Accept
Heritage New Zealand Pouhere Taonga	248	3	Support	Retain definition as notified	Accept
Heritage New Zealand Pouhere Taonga	248	4	Support	Retain definition as notified	Accept
Heritage New Zealand Pouhere Taonga	248	5	Support	Retain definition as notified	Accept
Heritage New Zealand Pouhere Taonga	248	6	Support	Retain definition as notified	Accept
Heritage New Zealand Pouhere Taonga	248	10	Support	Support the Tangata Whenua chapter, subject to any amendments requested by Mana Whenua.	Accept
Heritage New Zealand Pouhere Taonga	248	11	Support	Retain objective as notified	Accept
Woolworths New Zealand Limited	271	1a	Neutral	No relief requested	No recommendation
Ron Beernink and Glenda McCallum	303	1	Multiple	Seeks that the updating of the District Plan is delayed until the new resource management acts are passed into law. Seeks that the chapter is updated to ensure achievement of not just the new RMA, but also the Fast Track Approvals Act. (Refer to original submission)	Reject
Ron Beernink and Glenda McCallum	303	2	Support in part	Seeks that policies are listed which are in the pipeline and which may impact the district plan	Reject

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Ron Beernink and Glenda McCallum	303	3	Support in part	Seeks that standards are listed which are in the pipeline and which may impact the district plan	Accept
Ron Beernink and Glenda McCallum	303	4	Support in part	Seeks that information is included on how the District Plan will be update6 as new resource management legislation comes into law.	Accept
Ron Beernink and Glenda McCallum	303	5	Support in part	Seeks that information is included on how the District Plan will be updated as new resource management legislation comes into law.	Reject
Ron Beernink and Glenda McCallum	303	6	Support	Retain the chapter as notified	Accept
Connexa, Chorus, FortySouth and Spark	311	14	Support	Retain abbreviation as notified	Accept
Connexa, Chorus, FortySouth and Spark	311	15	Support	Retain link as notified	Accept
Connexa, Chorus, FortySouth and Spark	311	16	Support	Retain link as notified	Accept
Laura Skilton	314	5	Neutral	Amend to use correct legal names for suburbs - example Pito One in NH-P2 Metropolitan Centre Zone in Pito One <u>Petone</u> and Seaview Marina ...	Accept in part
Urban Plus Limited	322	18c	Amend	Seeks to include a definition (or policy) for 'alterations' to clarify the context	Reject
Go Architecture Ltd	331	1	Amend	Amend the definition to include the following exclusion: " <u>This excludes up to 0.6m of eaves measured from the outside edge of the spouting.</u> "	Reject
New Zealand Pork Industry Board	341	5	Amend	Amend as follows: "sensitive activities:	Reject

				<p>means, as the context requires:</p> <ol style="list-style-type: none"> 1. activities most sensitive to natural hazards; 2. activities potentially sensitive to natural hazards; 3. activities sensitive to gas transmission infrastructure; 4. activities sensitive to hazardous substance risks; 5. activities sensitive to industry; 6. activities sensitive to light; 7. activities sensitive to noise; 8. activities sensitive to privacy intrusion, or 9. activities sensitive to the National Grid. <ol style="list-style-type: none"> <u>1. residential activity, or</u> <u>2. retirement village, or</u> <u>3. supported residential care facility, or</u> <u>4. marae, or</u> <u>5. healthcare activity, or</u> <u>6. educational facility, or</u> <u>7. community facility, or</u> <u>8. visitor accommodation activity, or</u> <u>9. place of assembly, or</u> <u>10. place of worship.</u> 	
Seaview Marina Ltd	343	2	Support	Support the Definition Chapter as notified	Accept in part
Seaview Marina Ltd	343	23b	Support in part	<p>Seeks that the definition of "alterations" is replaced or supplemented with the following:</p> <p>"Alteration of existing buildings - means work that does not change the</p>	Reject

				external building form (footprint, floor area and height) of the existing building." (inferred - refer to original submission)	
Shayne Hodge	346	1	Oppose	Seeks that the Proposed District Plan is withdrawn (refer to original submission)	Reject
Te Rūnanga o Toa Rangatira	353	1a and 1b	Support in part	Support the Tangata Whenua chapter in part, and request the following amendments to section 5 of the chapter: ... <i>Concerning Statutory Acknowledgements, the Ngāti Toa Rangatira Claims Settlement Act:</i> <ul style="list-style-type: none"> • <i>Requires relevant consent authorities to have regard to Taranaki Whanui's statutory acknowledgements <u>the statutory acknowledgements of Ngāti Toa Rangatira (section 26).</u></i> 	Accept
Te Rūnanga o Toa Rangatira	353	8a	Support	Retain as notified	Accept
Te Rūnanga o Toa Rangatira	353	8b	Support	Retain as notified	Accept
Fire and Emergency New Zealand	374	1	Support	Retain definition as notified	Accept
Fire and Emergency New Zealand	374	2	Support	Retain definition as notified	Accept
Fire and Emergency New Zealand	374	3	Support	Retain definition as notified	Accept
Fire and Emergency New Zealand	374	4	Support	Retain definition as notified	Accept
Fire and Emergency New Zealand	374	11	Support	Retain definition as notified	Accept

Fire and Emergency New Zealand	374	16	Support	Retain as notified	Accept
Fire and Emergency New Zealand	374	17	Support	Retain as notified	Accept in part
Fiona Christeller	375	6	Oppose (requesting new provision)	Seeks to make all applications for encroachment licences require resource consent.	Reject
Fiona Christeller	375	7	Oppose (requesting new provision)	Seeks that the council set up objectives for retaining street and public space amenity as densification takes place (in the context of encroachment licences - refer to original submission)	Reject
Fiona Christeller	375	8	Oppose (requesting new provision)	Seeks to encourage the on-site planting of trees with expected heights of over 3m (in the context of encroachment licences - refer to original submission)	Reject
Manor Park and Haywards Residents Community Incorporated Society	377	2	Multiple	Seeks amendments to objective or a new objective which addresses protecting existing residential communities from incompatible land use and development. (Refer to original submission).	Reject
NZ Transport Agency Waka Kotahi	385	8	Support	Retain definition as notified	Accept
NZ Transport Agency Waka Kotahi	385	19	Support	Retain definition as notified	Accept
Ministry of Education	399	16	Support	Retain objective as notified	Accept
Director-General of Conservation	405	1	Oppose in part	Seeks that amendments to Plan provisions are made "as required to address the concerns raised by the [Director-General of Conservation]". (refer to original submission)	No recommendation
Forest and Bird	F23	1	Support	Support submission point 405.1	No recommendation
Director-General of Conservation	405	2	Support in part	Seeks that all indigenous vegetation removal provisions are reviewed and amended as necessary to: <ul style="list-style-type: none"> • Ensure that lists of exemptions are consistent across all chapters, 	No recommendation

				unless the differences are justified; and <ul style="list-style-type: none"> • clarify exemptions to reduce room for interpretation. 	
Director-General of Conservation	405	3	Oppose	Amend “Legal effect of rules” text to reflect RMA section 86B.	Accept in part
Director-General of Conservation	405	4	Support	Retain as notified	No recommendation
Director-General of Conservation	405	5	Support	Retain as notified	No recommendation
Director-General of Conservation	405	6	Support	Retain as notified	Accept
Director-General of Conservation	405	7a	Amend	Amend definitions of "conservation" and "restoration" to address areas of overlap, for example by: <ul style="list-style-type: none"> • Amending either or both definitions to remove the overlap; and/or • Amending rules so that activities involving restoration, and activities involving conservation, are treated in a consistent way within the same zone/overlay. 	Reject
Director-General of Conservation	405	7b	Amend	Amend definitions of "conservation" and "restoration" to address areas of overlap, for example by: <ul style="list-style-type: none"> • Amending either or both definitions to remove the overlap; and/or • Amending rules so that activities involving restoration, and activities involving conservation, are treated in a consistent way within the same zone/overlay. 	Reject
Director-General of Conservation	405	8a	Support in part	Amend all usage of "removal of indigenous vegetation" and "indigenous vegetation removal" as follows: <ul style="list-style-type: none"> • Removal of indigenous vegetation Indigenous vegetation clearance • Indigenous vegetation removal clearance 	No recommendation
Director-General of Conservation	405	8b	Oppose (requesting new provision)	Add a definition for " <u>vegetation clearance</u> " as follows: <u>"The clearance or destruction of woody vegetation (exotic or native) by</u>	No recommendation

				<p><u>mechanical or chemical means, including felling vegetation, spraying of vegetation by hand or aerial means, hand clearance, and the burning of vegetation. Vegetation clearance does not include:</u></p> <ul style="list-style-type: none"> <u>• any vegetation clearance, tree removal, or trimming of vegetation associated with the Electricity (Hazards from Trees) Regulations 2003,</u> <u>• any vegetation clearance or vegetation disturbance covered by the Resource Management (National Environmental Standards for Commercial Forestry) Regulations 2017,</u> <u>• any vegetation clearance associated with the repair and maintenance of existing roads and tracks, - the removal of a standalone shrub or tree, or</u> <u>• the removal of a standalone clump of trees or shrubs no larger than 20m²."</u> 	
Director-General of Conservation	405	9	Support	Retain as notified.	Accept
Director-General of Conservation	405	10	Support	Retain as notified.	Accept
Director-General of Conservation	405	11	Support	Retain as notified.	Accept
Director-General of Conservation	405	12	Support	Retain as notified.	Accept
Wellington Electricity	415	1	Support in part	<p>Amend definition to add the following text:</p> <p><u>"For the purposes of this Plan, "building" does not include network utility structures, such as cabinets, equipment enclosures, transformers, or similar infrastructure used for the provision of electricity, telecommunications, or other utilities, where these are managed under the infrastructure provisions of this Plan."</u></p>	Reject

Royal Forest and Bird Protection Society of New Zealand Inc.	424	4	Oppose	Seek amendment of definition to make it clearer for plan users: “Means, in relation to district council functions, the area where the extent and characteristics of land with natural character, where coastal processes (including coastal erosion), influences or qualities are significant in accordance with Policy 1 of the NZCPS and Policy 4 of the Wellington Regional Policy Statement, as identified on the planning maps as being located within the inland extent of the Coastal Environment.”	No recommendation
Royal Forest and Bird Protection Society of New Zealand Inc.	424	5	Amend	Seek new definition for habitats of indigenous fauna: <u>Means habitats, including those of exotic composition, that are home to indigenous fauna.</u>	No recommendation
Royal Forest and Bird Protection Society of New Zealand Inc.	424	6	Support	Retain as notified	No recommendation
Royal Forest and Bird Protection Society of New Zealand Inc.	424	10	Oppose	Seeks either amendment to NESD-O1 and -O2 to provide for Te Mana o Te Wai and give effect to the NPS-FM or seek the drafting of a new objective to achieve this. For example, a new SD objective could read: “Te Mana o te Wai is at the forefront of all decision making on the management of freshwater.”	Reject
Royal Forest and Bird Protection Society of New Zealand Inc.	424	12	Support in part	Amend objective as follows: Urban development supports the creation of liveable, well-functioning urban environments that are: a. Safe and well-designed, b. Walkable and connected by public transport and sustainable travel choices, including micro-mobility modes,	Reject

				<p>c. Serviced by the necessary infrastructure appropriate to the intensity, scale and function of the development,</p> <p>d. Connected to open space and the natural environment,</p> <p>e. Ecologically sensitive and respectful of, integrated with, and representative of the city's indigenous ecosystems, vegetation and habitats,</p> <p>f. Close to employment opportunities,</p> <p>g. Resilient to the impacts of natural hazards and climate change,</p> <p>h. Respectful of, and integrated with, the city's historic heritage, and</p> <p>i. Adaptable over time and responsive to their evolving, more intensive surrounding context.</p>	
Royal Forest and Bird Protection Society of New Zealand Inc.	424	11	Support in part	<p>Seeks amendment of the strategic objective to give effect to council's responsibilities and functions under the RMA as follows: Protect and enhance the natural character, natural features and landscapes, ecosystems, <u>including wetlands</u>, and indigenous biodiversity, <u>indigenous vegetation and habitats of indigenous fauna</u> of the city.</p>	Reject
New Zealand Heavy Haulage Association Inc	429	03	Amend	<p>Seeks "that the Hutt City District Plan have clear and identifiable rules for new and recycled buildings that are relocated onto a new site"</p>	Accept in part
New Zealand Heavy Haulage Association Inc	429	08	Amend	<p>Seeks that Council "provide for clear direction for property owners in the Hutt City area that wish to relocate a building to their site"</p>	Accept in part

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New Zealand Heavy Haulage Association Inc	429	17a	Amend	Seeks "Modification of the definition of “building” to specifically include second hand relocated buildings"	Reject
New Zealand Heavy Haulage Association Inc	429	17b	Oppose (requesting new provision)	Add a definition of "relocated building" as "means the relocation of an existing building to another site, but excludes the movement of a building within the same title or buildings that are new and have not been used."	Reject
Policy Planning team of the Hutt City Council	440	1	Oppose in part	Seeks that corrections are made of all: <ul style="list-style-type: none"> • typos, • misspellings, • use of incorrect terms where a similar term is defined, • errors and inconsistencies in numbering, and • cross-references within the plan 	Accept
Policy Planning team of the Hutt City Council	440	2	Oppose in part	Seeks that there is consistent use of one spelling of “Petone”, “Pito-one” or “Pito One” throughout the Plan	Accept in part
Policy Planning team of the Hutt City Council	440	3	Oppose in part	Amend “reverse sensitivity effects” to “reverse sensitivity” throughout the plan to be consistent with definition.	Accept
Policy Planning team of the Hutt City Council	440	4	Support in part	Seeks that “operational or functional need(s)” is replaced with “operational <u>need</u> or functional need” and “operational and functional need” is replaced with “operational <u>need</u> and functional need”. Note: Council is not seeking amendment to the use of ‘or’ and ‘and’ as a whole plan correction within this submission point.	Accept
Policy Planning team of the Hutt City Council	440	5	Oppose in part	Seeks that there is consistent use of “Matters of discretion are restricted to:”, and not “Matters of discretion are limited to”.	Accept
Policy Planning team of the Hutt City Council	440	6	Oppose (requesting new provision)	Add a table of contents for PDF and print versions of the plan.	Accept
Policy Planning team of the Hutt City Council	440	8	Oppose in part	Amend the General Approach text as follows:	Accept

				<p>“All of the chapters in Part 3 - Zones, and most of the chapters in Part 2, contain rules that establish the status of an activity. Rules will generally include conditions, requirements and standards that need to be met for that the rule as a whole, or a particular activity status to apply. If you do not comply with a particular rule condition, requirement or standard, the activity will change to a different activity status. You will be able to determine this by reading the rule. Unless what you are proposing is a permitted activity, you will need a resource consent. If any rule with an activity status of Controlled, Restricted Discretionary, Discretionary, or Non-Complying applies to your activity, you will need a resource consent.”</p>	
Policy Planning team of the Hutt City Council	440	9	Oppose in part	<p>Amend the second paragraph under the heading as follows:</p> <p>“Other chapters only apply to overlays or other spatially identified areas <u>or items</u>. You will need to consult these chapters if your activity is within one of the chapter’s overlays or other spatial areas <u>or on a site that contains a relevant item</u>.”</p>	Accept
Policy Planning team of the Hutt City Council	440	11	Oppose	<p>Seeks that the paragraph and title is deleted, or updated/ replaced with text accurate for the decisions version, appeals version, and operative version.</p>	Accept in part
Policy Planning team of the Hutt City Council	440	17	Oppose in part	<p>Amend clause 7 of the definition as follows:</p> <p>"are <u>is</u> resilient to the likely current and future effects of climate change. is resilient to the likely current and future effects of climate change."</p>	Accept
Policy Planning team of the Hutt City Council	440	18	Oppose in part	<p>Amend the arrangement of the identifiers for the provisions to match the format set out in the planning standards, e.g. SD-CC-O1 instead of CCSD-O1, SD-TW-O1 instead of TWSD-O1, etc.</p>	Accept
KiwiRail Holdings Ltd	442	19	Support	<p>Retain as notified</p>	Accept

The Francis Family Trust	443	4	Oppose	Seeks "Improved clarity regarding the proposed changes and the justifications for the changes, and the impact on the landowners."	Reject
Wellington Regional Council	452	4	Support in part	Amend as follows: Biodiversity compensation: means a measurable positive conservation outcome <u>that meets the requirements in Appendix ECO-App3 and resulting</u> from actions that are designed to compensate for more than minor residual adverse effects on indigenous biodiversity after all appropriate avoidance, minimisation, remediation, and biodiversity offsetting measures have been sequentially applied.	No recommendation
Wellington Regional Council	452	5	Support in part	Amend as follows: Biodiversity Offsetting: means a measurable positive conservation outcome <u>that meets the requirements in Appendix ECO-App2 and resulting</u> from actions designed to redress for more than minor residual adverse effects on indigenous biodiversity after all appropriate avoidance, minimisation, and remediation measures have been sequentially applied. The goal of biodiversity offsetting is to achieve a net gain in type, amount, and condition of indigenous biodiversity compared to that lost.	No recommendation
Wellington Regional Council	452	7	Oppose (requesting new definition)	Add a new definition as follows: <u>Habitat:</u> <u>means the area or environment where an organism or ecological community lives or occurs naturally for some or all of its life cycle, or as part of its seasonal feeding or breeding pattern; but does not include built structures or an area or environment where an organism is present only fleetingly.</u>	No recommendation

Wellington Regional Council	452	10	Oppose (requesting new definition)	Add a new definition as follows: <u>Maintain/maintained/maintenance (in relation to indigenous biodiversity):</u> <u>Maintaining indigenous biodiversity requires:</u> <u>(a) the maintenance and at least no overall reduction of all the following:</u> <u>1. the size of populations of indigenous species:</u> <u>2. indigenous species occupancy across their natural range:</u> <u>3. the properties and function of ecosystems and habitats used or occupied by indigenous biodiversity:</u> <u>4. the full range and extent of ecosystems and habitats used or occupied by indigenous biodiversity:</u> <u>5. connectivity between, and buffering around, ecosystems used or occupied by indigenous biodiversity:</u> <u>6. the resilience and adaptability of ecosystems; and</u> <u>(b) where necessary, the restoration and enhancement of ecosystems and habitats.</u>	No recommendation
Wellington Regional Council	452	19	Support	Retain as notified.	Accept
Wellington Regional Council	452	20	Support in part	Amend as follows: Protect <u>and restore</u> the values of the city's significant water bodies, including Te Awa Kairangi.	Accept
Wellington Regional Council	452	21	Support in part	Amend as follows: Protect and enhance <u>or restore</u> the natural character, natural features and landscapes, ecosystems and indigenous biodiversity of the city.	Accept

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Wellington Regional Council	452	22	Support	Retain objective as notified	Accept
Wellington Regional Council	452	23	Support in part	Supports Objective UDSD-O2 in part, and request the following amendment the objective: 1. Urban development supports the creation of liveable, well-functioning urban environments that are: ... c. <u>Serviced by the necessary infrastructure, including green infrastructure as far as practicable, appropriate to the intensity, scale and function of the development,</u> ...	Reject
Waste Management NZ Limited	461	11	Support in part	Amend definition of well-functioning urban environment as follows: means an urban environment that, as a minimum: ... 6. supports reduction in greenhouse gas emissions, and 7. are resilient to the likely current and future effects of climate change., <u>and</u> 8. <u>is supported by infrastructure including regionally significant infrastructure.</u>	Reject
Z Energy Limited	468	10a	Support	Retain definition as notified	Accept
Z Energy Limited	468	10e	Support	Retain definition as notified	Accept
Z Energy Limited	468	10f	Support	Retain definition as notified	Accept
Z Energy Limited	468	10g	Support	Retain definition as notified	Accept
Z Energy Limited	468	10h	Support	Retain definition as notified	Accept
Z Energy Limited	468	10i	Support	Retain definition as notified	Accept
Z Energy Limited	468	10k	Support	Retain definition as notified	Accept
Z Energy Limited	468	10l	Support	Retain definition as notified	Accept
Z Energy Limited	468	10m	Support	Retain definition as notified	Accept

Z Energy Limited	468	10n	Support	Retain definition as notified	Accept
Z Energy Limited	468	10p	Support	Retain definition as notified	Accept
Z Energy Limited	468	10q	Support	Retain definition as notified	Accept
Z Energy Limited	468	10s	Support	Retain definition as notified	Accept
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	1	Support	Retain definition as notified	Accept
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	5	Support	Retain definition as notified	Accept
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	6	Support	Retain definition as notified	Accept
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	7	Support	Retain as notified	Accept
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z	471	8	Support	Retain definition as notified	Accept

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Energy Ltd (the Fuel Companies)					
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	9	Support	Retain definition as notified	Accept
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	11	Support	Retain definition as notified	Accept
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	12	Support	Retain definition as notified	Accept
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	13	Support	Retain definition as notified	Accept
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	14	Support	Retain definition as notified	Reject
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z	471	19	Support	Retain definition as notified	Accept

Energy Ltd (the Fuel Companies)					
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	47	Support	Retain definition as notified	Accept
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	49	Support	Retain definition as notified	No recommendation
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	52	Support	Retain definition as notified	Accept
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	75	Support in part	Amend the definition of “relocation” as follows: "means, in relation to heritage buildings, heritage structures and contributing buildings in heritage areas, to physically shift the location of a building within a site or to remove it from the site. Relocation may include raising or lowering a building or structure."	Reject
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	88	Support	Retain as notified	Accept
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z	471	89	Support	Retain as notified	Accept

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Energy Ltd (the Fuel Companies)					
BP Oil New Zealand Ltd, Mobil Oil New Zealand Ltd and Z Energy Ltd (the Fuel Companies)	471	90	Support	Retain as notified	Accept in part
Clarus	474	8	Support	Retain definition as notified	Accept
Petone Historical Society Inc	496	4a	Oppose	Seeks to "Add clarification to the definition of Alteration to say "the existing height of the building where the alteration is taking place" or similar;"	Reject
Petone Historical Society Inc	496	4b	Oppose in part	Seeks to "Add a diagram to the definition of Height to make it clear that height applies to every part of a building or structure; or make changes to both definitions"	Reject
Petone Historical Society Inc	496	5	Oppose in part	Amend "means to physically shift the location of a building within a site or to remove it from the site <u>with the purpose of shifting it to another site</u> ". Relocation may include raising or lowering a building or structure."	Reject
Petone Historical Society Inc	496	7	Support in part	Seeks to "Add a further item to the definition along the lines of: "recognises and provides for qualifying matters""	Reject
Petone Historical Society Inc	496	10	Support	Retain as notified	Accept in part
Petone Community Board	502	10	Other/Not stated	In relation to "the relevance of updating the District Plan while the Government is overhauling the Resource Management Act and whether a new District Plan should await that legislative change", seeks for Council to "clarify and address as the plan process proceeds"	No recommendation

Te Ruunanganui O Te Atiawa	503	1	Support in part	Amend the last paragraph as follows: "...to achieve the <u>Mana Whenua and wider community outcomes set out in...</u> "	Accept in part
Te Ruunanganui O Te Atiawa	503	2	Support	Retain provision as notified	Accept
Te Ruunanganui O Te Atiawa	503	14	Support	Retain provision as notified	Accept
Te Ruunanganui O Te Atiawa	503	16	Support in part	Amend as follows: Under the reference to other MOU's, include: <u>"Te Ruunanga o Te Atiawa o Te Upoko o Te Ika. Its partnership agreement with the Council 'Takai Here' reflects the collaborative relationship between Te Āti Awa and the Council on the development of policies, practices, investment approaches; supporting the advancement and well-being of Mana Whenua and Mātāwaka through innovative solutions guided by shared values; and enabling the protection, prosperity and well-being of Te Taiao (Te whenua me Te wai) through solutions guided by our shared values and tikanga according to Mana Whenua."</u>	Accept
Te Ruunanganui O Te Atiawa	503	18	Support	Retain provision as notified	Accept
Te Ruunanganui O Te Atiawa	503	19	Support	Retain provision as notified	Accept
Te Ruunanganui O Te Atiawa	503	21	Support in part	Amend to recognise marae and papakainga as follows: "Tangata whenua are able to protect, develop and use whenua Maori <u>and adjacent land owned by Tangata Whenua</u> in a way that is consistent with their <u>Tangata Whenua</u> culture and traditions and their <u>Tangata Whenua</u> social and economic aspirations, <u>including for the purposes of marae and papakainga.</u> "	Accept

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Transpower New Zealand Limited	504	11	Support	Retain definition as notified	Accept
Transpower New Zealand Limited	504	17	Support	Retain paragraph starting "Other chapters only apply to overlays or other spatially identified areas..." and bullet points listed under paragraph, as notified (inferred - refer to original submission)	Accept in part
Transpower New Zealand Limited	504	18	Support	Retain paragraph starting "Finally, some chapters provided an all-in-one framework..." and bullet points listed under paragraph, as notified (inferred - refer to original submission)	Accept in part
Wellington Fish and Game Council	509	1a	Support	Retain definition as notified	Accept