

IN THE MATTER of the Resource Management Act 1991
AND
IN THE MATTER of Submissions and Further Submissions
on the Proposed Hutt City District Plan

Minute 7
Proposed District Plan – Hearing Stream 2 – Further Information

10 June 2026

Introduction

1. The Hutt City Council (HCC) Proposed District Plan (PDP) Hearings for Hearing Stream 2 were held on 27 and 28 May 2026.
2. Matters considered at that hearing were PDP chapters relating to:
 - Commercial and Mixed Use Zones;
 - a. City Centre Zone (CCZ);
 - b. Metropolitan Centre Zone (MCZ);
 - c. Local Centre Zone (LCZ); and
 - d. Neighbourhood Centre Zone (NCZ); and
 - e. Mixed Use Zone (MUZ).
 - Industrial Zones;
 - a. Heavy Industrial Zone (HIZ);
 - b. General Industrial Zone (GIZ); and
 - c. Light Industrial Zone (LIZ).
 - Seaview Marina Zone (SMZ);
 - Contaminated Land; and
 - Hazardous Substances.
3. The hearing included a presentation and questioning of the council's s42A report authors. Mr Wesley considered the Hazardous Substances and Contaminated Land provisions while Mr Davis reported on the remainder of the matters in the Commercial, Industrial and Seaview Marina Zones. Ms Moore was also in attendance in relation to providing comment on urban design related submissions. There was also a number of submitters at the hearing that provided evidence and/or submissions.
4. In our Minute 6 dated 3 June 2026 we directed conferencing between reporting officers and representatives from the Fuel Companies/Z Energy and Seaview Marina, on technical and planning matters relating to the relationship between Hazardous Substances

provisions, higher-level policy direction regarding regionally significant infrastructure, and the Seaview Marina Zone provisions. We have no further questions on these matters at this point, nor do we have any particular questions in relation to Contaminated Land.

5. This minute covers questions on the remainder of the issues in respect to Commercial and Mixed Use Zones and the Industrial Zones and requests that the Council responds to these within its written reply.
6. We also request for Mr Davis to consult directly with Ms McPherson on behalf of the Fuel Companies/Z Energy in respect of the urban design (active frontage and car park configuration) policies and detailed standards that apply to existing service stations. If there is no agreement reached on the planning merits of the “carve outs” being sought by that submitter for minor changes to existing service station configuration, then we request that the two planners provide on a “without prejudice” basis a “word smith” exercise on how such relief would be best drafted in the event that the Panel decides to adopt that relief.
7. The Council is, of course, free to reply on any matters arising during the hearing that it considers worthy of a response, but the following are the matters on which the Hearing Panel would appreciate feedback.

Integration of the ODP provisions remaining after Plan Stop into the PDP

8. In relation to paragraph 23 of the s42A Report, we discussed with Mr Davis the ways in which PDP provisions, that are affected by the withdrawal by Council after the Plan Stop direction, would be integrated with the remaining parts of the ODP. Mr Davis was of the view that this would be done by cross-referencing and would be an integration issue considered at the final Wrap Up hearing scheduled for December.
9. The Panel has reservations about the signalled timing for this cross referencing to occur as part of the integration at the final Wrap Up hearing. It would be beneficial if the detailed cross-referencing was provided to us, through the marked up plan provisions appendix for this and all subsequent hearing streams, in advance of the wrap up as we expect that this will be a continuing theme as we progress through the hearings. If technical solutions are not identified and provided to the Panel from this point of the PDP hearings process onward, we see some potential for uncertainty, gaps and/or duplication

without a clear and consistent approach to this matter throughout the plan. Can Mr Davis in his right of reply to this hearing stream consider this and provide a marked up version of the relevant PDP provisions considered at Hearing Stream 2 with the inclusion of ODP referencing.

10. For future s42A report authors from Hearing Stream 5 onwards can they also consider this matter in their reports and the appendix containing marked up plan provisions.¹

Consistency of approach to drafting Objectives and Policies

11. As with Hearing Stream 1 we requested Mr Davis to review the expression of Objectives and Policies within the Commercial and Industrial Zones and the related Strategic Directions. Our view is that Objectives are the outcome statement and the related policies are methods of achieving the said objective. UDSD-O12 and UDSD-O13 are cases in point.

COMMERCIAL AND MIXED USE ZONES

Significant Development/Urban Design

12. In relation to the submission of Urban Edge Planning (paragraph 163) that sought that CCZ-P9/MCZ-P9 be clarified as being potentially ambiguous and to our related questions, can we have further clarification of what is meant by a “significant” development and how it would be applied in practice. The Panel is particularly interested in what is meant by a “significant development” where the activity status is discretionary or non-complying. This also relates to LCZ-P9, NCZ-P9, MUZ-P8, LIZ-P10, GIZ-P10 and HIZ-P9 that relate to urban design.
13. Additionally, are there syntax issues on how outcomes are expressed in the urban design policies? For example, CCZ-P9 subclauses 3, 7, 8 use active language compared to the other subclauses.
14. Please provide further commentary as to why there should not be any consolidation of the applicable urban design policies and reducing the number of factors that needs to be looked at. Please also advise how and to what extent the policies were ‘road tested’

¹ In this respect, and to the extent relevant, Ms Pascall may wish to consider supplying this this also in relation to the Appendix 1 to her Right of Reply Statement for Hearing Stream 1.

against plausible development scenarios within Hutt City with a focus on workability and user friendliness to readers of the plan.

15. Do the policies consider the urban design outcomes for existing service stations or drive through facility versus those that would apply to a vacant site?
16. In respect of the discussion on LIZ -P9 in the s42A report we note that Mr Davis agreed that adding a qualifier of “where appropriate” to the term “retention of healthy and mature vegetation” would address unintended cases such as pest species. Can further comment be provided as to how directive this qualifier is and how “appropriate’ would be interpreted in the context of a resource consent. Would “where practicable” or an alternative qualifier be a better qualifier to provide greater clarity and cover a wider extent of potential scenarios?
17. On a related matter is there a convention for other provisions elsewhere in the plan where this or another qualifier within a policy is used?

Active Frontage Standards

18. In respect of CCZ-S4, MCZ-S4, LCZ-S4 (Active frontages – buildings and structures), CCZ-S5, MCZ-S5, LCZ-S5 (Active frontages – required verandahs), CCZ-S6, MCZ-S6, LCZ-S6 (Active frontages – existing vehicle crossings) can there be a similar assessment as to consolidating these lengthy standards to provide a shorter and more user friendly basis for assessing the active frontage provisions as a whole. Our direction in paragraph 6 of this Minute where we have requested Mr Davis to consult directly with Ms McPherson on behalf of the Fuel Companies/Z Energy is likely to be relevant here in terms of the “carve outs’ being sought by that submitter for minor changes to existing service station configuration.

Minor Buildings

19. In respect of the para 231 of the s42A Report relating to the minor buildings and structures definition, is there a conflict between height limited to 5m in the definition and MCZ-R5 that requires compliance with MCZ-S1 where height is greater than 5m.
20. In respect of this definition and the related evidence of Ms McPherson in respect of policies rules and standards that apply to existing service stations, can Mr Davis confer

with Ms McPherson as to a preferred approach. If there is disagreement, can we be provided with an explanation as to why?

Mixed Use Zone - Cuba Street/Britannia Street/Hutt Road south east of Riddlers Crescent

21. Can you comment on the evidence of Ms Skilton, the written statement of Ms Allan on behalf of the Petone Historical Society and the representations of Ms Bakker expressing concern at the nature and extent of the rezoning of a number of properties to Mixed Use Zone from a Residential zoning in:

- Cuba Street both sides south of Burnham Street;
- Britannia Street western side, north of and opposite Petone Central School; and
- Hutt Road between either end of Riddlers Crescent.

22. With respect of these properties please outline the extent of a fine grained (individual property) analysis of the appropriateness of rezoning all of these properties in the context of s32, the HBA, and Council's requirements for evidence-based decision-making under the NPS-UD. In addition to the built form differences between the existing Residential zoning and the proposed Mixed Use zoning that is covered by the s42A report, can you also please provide a comparison between activities provided for and anticipated within those two zones. Can you also advise what extent there was formal consultation and/or communication with individual property owners where all such rezonings are proposed.

Mixed Use Zone – Oxford Terrace

23. In a similar manner to the Petone properties above, can there be further comment provided on the rezoning of 45-47 Oxford Terrace as outlined by Ms Gallen and Mr Doyle in their presentation to the hearing.

Other Matters Raised by Mrs Allan and Ms Skilton

24. The officer's rebuttal received prior to the hearing did not include any specific comment from officers on the written statement of Mrs Allan for the Petone Historical Society or matters raised by Ms Skilton. Can there be appropriate comment on the matters raised by both particularly in relation to the interface between the Petone Jackson Street Character Transition Precinct and the Jackson Street Heritage Precinct contained within the ODP and Ms Skilton's view on safeguarding the arterial function of Cuba Street.

Trip Chaining

25. Can you consider a plain English alternative to the words “trip chaining” when used in the plan.

Moera Community House

26. Are there any further comments you wish to make in respect of the evidence of James Beban, our questions and Mr Babans additional evidence on the appropriateness of a Mixed Use Zoning for the site in question. Commissioner Jones posed the question of a potential Precinct for the site. Can Council consider this in the right of reply.

INDUSTRIAL ZONES

Definition of reverse sensitivity

27. In relation to a number of submissions can Mr Davis further explain why he prefers a lengthy definition of reverse sensitivity over the Regional Policy Statement definition that has also been adopted by other Wellington Region District Plans? In particular can he reconsider the evidence on this matter of Ms Whitney on behalf of Transpower.
28. At paragraph 216 of the Industrial Zone s42A report an amendment to GIZ-P2 (Residential activities and other activities sensitive to industry) in response to the submissions of Enviro NZ requesting the addition of caretaker residences as an example of a residential activity that is ancillary to and supports an industrial activity. Can Mr Davis please confirm this is the case and if so, include it in the recommended changes to the PDP.

Rule GIZ-R17

29. Can this rule please be reviewed to confirm whether the rule and standard are sufficiently clear for implementation as a permitted activity, and whether reference to “ancillary” should be referring to the defined term “ancillary activity”. As an expansion of this, can the use of the term “ancillary” across the PDP be reviewed to confirm whether it should be referring to the defined term “ancillary activity”.

Waste Management

30. In paragraph 38(a) of the evidence, Ms Goodwin outlined an option of refining HIZ-R17 so that heavy industrial activities are only restricted discretionary where specific

circumstances apply (and have heavy industrial activities be permitted in all other circumstances). This includes when they are within 200m of a residential or open space zone.

31. Can Ms Goodwin please provide the technical basis of where the 200m figure comes from and why that distance was proposed.

Timing

32. If there are particular issues of clarification or timing issues arising from this minute, can they be put to us as soon as possible. Otherwise, it would be appreciated if the officers right of reply and the relevant responses from Ms McPherson and Ms Goodwin could be received within two weeks of completion of the Joint Witness statements requested through Minute 6 directing conferencing.



Lindsay Daysh

Independent Commissioner

Chair Hutt City Proposed District Plan Hearing Panel

10 June 2026