

Evidence of Sylvia Allan on behalf of Petone Historical Society

Proposed City of Lower Hutt District Plan, Hearing No 2

1. My name is Sylvia Jean Allan. I have a BSc (Hons), a Diploma in Town Planning and some 55 years of experience as a planning practitioner in UK and NZ covering virtually all aspects of planning and environmental management. I am a Fellow of the NZPI and a former NZPI President. I am currently joint Editor of Planning Quarterly.
2. I have been involved in District Plans (and former District Schemes) in the Petone area since 1977, mostly on behalf of community groups or individuals but in the early to mid-1990s I was engaged by the City of Lower Hutt to assist with planning to identify and plan to retain the heritage and character of Jackson Street.
3. I am familiar with the Code of Conduct for Expert Witnesses in the Environment Court (2023) and agree to comply with it. My evidence is within my area of expertise.
4. While I am a member of the Petone Historical Society (PHS) Committee, there is no differentiation between my expert opinion and the submissions made by that organization.
5. The decision by Hutt City Council to seek to proceed with only parts of its 2025 District Plan Review has made it extremely difficult for ordinary participants in the process to make sense of what is actually before the hearing Panel. This has resulted in a number of conundrums which I cover later in this evidence.
6. As background, the City of Lower Hutt undertook a significant leading edge planning effort in the early 1990s which resulted in a planning and organizational¹ framework for the traditional Jackson Street shopping area which still remains important to the local community and wider heritage community today. This framework has been able to be modified substantially over the years, but has retained its effectiveness and integrity, recognizing both heritage and land use values and enabling change which has particularly resulted in many more people living in Jackson Street itself. This is important, as the Plan Review made a major change from the previous provisions by doing away with the specific provisions for Petone Commercial Area 1 which basically applied to the historic Jackson St shopping and business precinct, and Petone Commercial Area 2, Petone Mixed Use, which applied to the formerly industrial and commercial zoned areas west of the Jackson Street heritage precinct. Each of these areas had clear objectives and policies which identified their separate but complementary business functions, and rules and standards relating to

¹ For example, through the creating of a Special Rating Area, which has been in place since 1994 and underpins the work of the Jackson Street Programme, and also through a subsidization system for building strengthening to meet earthquake requirements.

those activities. Referring to the heritage significance of the Jackson Street, Petone Commercial 1 Area, there is cross-referencing in Chapter 14F of the operative Plan, as follows:

“Provision has been made in the Plan for those buildings and structures contributing to the heritage of the City.

- a. Objectives, policies, rules and design guides have been developed for buildings in Jackson Street, Patrick Street, Adelaide Street, The Esplanade and Riddlers Crescent. **For Jackson Street these appear in the Petone Commercial Activity Area.....**²

7. Appendix Heritage 3 to Chapter 14F describes the City’s Heritage Areas. For Jackson Street this is:

“**Jackson Street Heritage Precinct, Petone.....**Buildings located along both sides of Jackson Street, between the intersection with Victoria Street in the west and Tory Street in the east. The boundaries are shown on the district plan maps as the Jackson Street Heritage Precinct, HA-04.”

There is also a basic Design Guide in Appendix Heritage 4 which applies to the Jackson Street Heritage Precinct.

8. I also record that Jackson Street is a Heritage Area listed by Heritage NZ Pouhere Taonga -

<https://www.heritage.org.nz/listdetails/7369/Jackson+Street+Historic+Area>

9. Historic heritage is a RMA section 6 matter. The Council expended considerable community (and consultant) resources in its District Plan Review 2025 to update its heritage information and make modified provision for it in the District Plan, including objectives, policies and rules which were more comprehensive and in line with RMA section 6 requirements than those in the operative Plan. However, this was offset by incorporating Petone Commercial Area 1 and 2 into the new Metropolitan Centre Zone, thereby losing much of the distinctiveness and both specific policy and rules, which Petone Historical Society made a number of submissions on. While accepting that the Council made a decision to leave Chapter 14F unchanged, this means that the heritage-related components which were within Petone Commercial 1 and 2 provisions in the operative Plan have vanished without trace and the overall Plan, following decisions on the truncated review, are likely to provide less well for section 6(f) responsibilities than the operative Plan. Because of the importance of Jackson Street to the heritage record and to the community, it is, in my opinion, essential that no gaps are left to the section 6(f) responsibility because of the pulling apart of the integrated Plan Review. I comment further on aspects of this later in this evidence.

10. My evidence addresses the specific submissions made by Petone Historical Society that have been allocated to this hearing in the order in which they appear in the S42A report.

² My highlighting.

11. UDSD-012 (Centres as Community Focal Points) and 013 (Centres Hierarchy)

The first Objective as notified included only two of the four types of “centre” zones in the Plan as community focal points – omitting the Metropolitan and Local Centres zones. The PHS submission focused on Jackson Street as the main community focus within the broad Metropolitan Centre Zone which now contains it. The second Objective used the undefined term “business centres” The Section 42A Report (para 40 to 46, p14/15) suggests that both Objectives refer to the defined term “commercial centres.

12. I accept the suggestion put forward by the officer. However, I note that Petone’s Metropolitan Centre Zone is a very large area within which the Jackson Street area is the only part which actually reflects the stated community focus of Objective 012. For heritage reasons, it is important that this focus is not lost. I return to this in relation to later submissions.

13. UDSD – 014 Industrial and Business Activities

PHS also made a submission on this matter. This is a simple suggestion that the Objective be give a purpose. It would be appropriate that this was dealt with at the same time, but it is not included in the Section 42A report. I would like to place on record that I support the relief sought – that the current wording is prefaced with either “Recognize that industrial and business activities...” or “Enable industrial and business activities to...”

14. Scale of Activities at the Western End of Petone

The Section 42A Report (para 50 to 70, pages 16 to 23) comments generally on PHS’s submissions seeking specific rules relating to minimum size of retail activities in the parts of the Petone Metropolitan Centre Zone outside the Jackson Street Heritage precinct and a maximum size for retail activities within the Jackson Street Heritage precinct. As expressed in the submissions, this has been a long-standing provision (with minor variations) in the City of Lower Hutt District Plan, for as long as it has existed. The operative Plan rules³ provide as a permitted activity for retailing up to 1000m² gfa in the Petone Commercial 1 Area, and retailing between 500 and 3,000m² gfa In the Petone Commercial 2 Area. These are complementary provisions. It is widely understood that this has been effective in underpinning the sustainability and vitality of the heritage fabric of Jackson Street. It has been effectively managed by the Council, with few enforcement issues and, to my knowledge, only one application for smaller retail premises.

³ Rules 5B 2.1.1 and 5B 2.2.1. Note the definition of retailing includes any activity which involves display, sale or hire of goods direct to the public; and includes restaurants, cafes and takeaway food premises, off-licences, auction rooms, hairdressers, laundries and dry cleaners; but excludes service stations, commercial garages, and car sales yards.

15. Now what is proposed throughout the zone is a maximum size of 1,000m² gfa for all commercial activities⁴, with no minimum size limit. I have read the section 42 analysis discussion carefully, and do not agree with either the reasoning or the conclusion reached. There are some points I would like to make: firstly it needs to be clear that this is nothing to do with trade competition – it is management of activities with an intended outcome of sustainable management in the broadest sense. I also take issue with the wording in para 56, which refers to “suppressing” businesses. That is not the case. The intention is to manage the scale of businesses where the zone already includes a substantial area of heritage building fabric which cannot be used for other than small-scale commercial activities (with residential above). This is due to the subdivision pattern and the heritage rules which effectively require a “like for like” building replacements into the future. With the rule requested, smaller scale activities in the remainder of the zone would default to restricted discretionary status (as they do now) with an additional matter of discretion relating to the potential effects on the sustainable management of the historic heritage fabric in the parts of the zone which are within the Jackson Street Heritage Precinct (as currently applies in the Plan).
16. The comments in the Section 42A report appear to be driven by a very simplistic view of the physical resources of the very complex area which comprises the Metropolitan Centre Zone. This is partly probably due to the diminution of the heritage values of the Jackson Street area, by ring-fencing them in an entirely different part of the Plan and segregating associated policy and rules. I note that the proposed Plan includes a number of urban design rules and provisions which have imposed additional requirements on the heritage part of Jackson Street and adjacent side streets, particularly the active frontage rules which have been provided, but not taken up by active commercial activities (in my opinion they have largely been unsuccessful). These rules have persisted without proof of effectiveness.
17. I also note that, while the NPS-UD is referred to (para 59) no mention is made of the clear qualifying matter – historic heritage, RMA s6(f) – which has been recognized already in the Plan. Linking the management of the scale of activities with this qualifying matter should be an entirely acceptable approach.
18. In my opinion, all the reasons set out in para 65 are valid as justification for retaining a minimum floorspace area rule in part of the Metropolitan Centre zone. It is well known that small-scale retailing is particularly vulnerable at present. A visit to Jackson Street will demonstrate the highest number of vacancies at ground level since the late 1980s, early 1990s, which kicked off Hutt City’s specific effort to revitalize the area. The reduction in economic

⁴ With the broader definition from the NZ Planning Standards of: “means any activity trading in goods, equipment or services. It includes any ancillary activity to the commercial activity (for example administrative or head offices)”. In the proposed plan, the categories of activity which are separately identified are: food and beverage activities, grocery stores and supermarkets, integrated retail activities, retail activities not otherwise provided for, and commercial activities not otherwise provided for.

vitality is apparent and has the potential to compound further. The discussion in paras 66 to 69 is, in my opinion, facile and based on a theoretical rather than an actual analysis of what is occurring⁵. I acknowledge that planning is long-term and should not simply respond to trends which might be short-term. What the submissions seek is retention of a justifiable and known-to-be-workable provision at a time when it is particularly justifiable in the interests of the sustainable management of the physical resources of Petone's central and western commercial areas.

19. I would be happy to collaborate with Council officers in developing detailed wording for a rule (or rules), if the Hearing Panel is of a mind to accept this approach.

20. Introduction – Metropolitan Centre Zone

A PHS submission sought better recognition of the Jackson Street Heritage Precinct in the introductory section to this Chapter. It is an unfortunate outcome of the way the Plan is structured that it will be very difficult to find information about Jackson Street's Heritage Precinct. It has disappeared from the Zone Maps⁶, and with the dropping of the proposed new Heritage Chapter the remaining operative Plan provisions are very light⁷. However, the Metropolitan Zone Chapter includes a device called the "Jackson Street Character Precinct" MCZ-PREC1 which occupies a small number of sites on Jackson Street which is highlighted through having its own description in the introduction to the Metropolitan Centre Zone Chapter.

21. The submission seeks better recognition of Jackson Street's heritage area through additional wording. This could be done by an additional highlighted section, for example above the heading of MCZ-PREC1, relocating the current wording of the third paragraph (with the suggested modification in the Section 42A report – para 88 – 91, page 30) and retaining the terminology of the operative Plan as follows:

Jackson Street Heritage Precinct

The traditional retail centre along Jackson Street is an area with a significant collection of heritage buildings, comprising the largest and most highly-valued heritage area in the Hutt Valley. It is mostly within an identified hHeritage area Precinct, and managing its heritage values is important to the social and cultural outcomes sought for the zone. However, for consistency, These provisions are located in the ~~Historie~~ Historical Heritage chapter.

⁵ The relatively recent development of small-scale units in the General Industrial Zone north of Udy St has also attracted a number of retail and business activities which are of the size which may otherwise be encouraged to locate in Jackson Street. As far as I am aware, no enforcement action has been taken by the Council.

⁶ In contrast to the operative Plan where it effectively is its own Zone.

⁷ An example of the obscurity of the current Plan's heritage provisions is that planners working on the Granada to Petone RON did not find the heritage provisions for Riddlers Crescent (one of Petone's 3 heritage precincts) and proposed that the connection into Petone pass through that area. Residents were able to explain the Plan's provisions, and the link road has been shifted to the north.

Again I note that there is likely to be terminology and Plan organizational confusion resulting from the decision not to proceed with various components of the Plan Review. It will be up to the Hearing Panel to sort these out, but I do note that in the operative Plan policy for heritage is located in Chapter 1.10.10 and rules are in Chapter 14F, so the reference in the wording above to a single heritage chapter no longer stands. The Section 42A report still refers to a single Heritage Chapter “assuming a National Planning Standards update is made to the operative plan”.

22. MCZ-04 (Planned character and planned urban built environment of the zone)

I refer to paragraphs 112 to 114 of the section 42A Report, pages 33, 34. This submission was made for the same reason that amendments were sought to the introductory section of the Metropolitan Centre Zone – absence of recognition of the Jackson Street heritage values within the zone. The submission says that lack of recognition in this part of the Plan “will blur and downgrade the importance of this special place within the wider zone”. The section 42A report advises that certain existing provisions relating to heritage will remain so this request should not be allowed. It has not been made clear exactly where and how this will be done. Assuming that those provisions are migrated to a future Historical Heritage chapter (as referred to in the advice on PHS’s previous submission), there will be lack of integration within the Plan due to lack of adequate cross-referencing.

23. I support the inclusion of an additional matter in MCZ-04: *[x.] recognises and protects the significant heritage values of the Jackson Street Heritage Area*”.

24. MCZ-P6 (Role in network of commercial and industrial areas) and P7 (development capacity – General)

PHS’s submission 50 (unidentified number in the Section 42A report but reported in para 49 and 50, page 40), and 51 (paragraphs 152 to 154, page 41) sought to incorporate the distinction relating to minimum size of commercial floorspace requested in a rule change within this policy. This is discussed in paragraphs 15 to 18 of this evidence, and in my opinion the requested additional rule provision is appropriate and should be included.

25. Because of that, in my opinion the request in submission 496.50 should be accepted. If the commercial activity terminology is to be used, I would suggest a slight rewording as shown below, but I note that the rules are more defined as set out in footnote 4 of this evidence so alternative wording may be appropriate⁸.

“Recognise the Metropolitan Centre as second only to the City Centre as a location for activities that serve the whole city or wider region while also serving the local area, and

⁸ This could be developed in parallel with rule changes, as suggested in paragraph 19 above.

thus provide for activities at any scale, except that small scale commercial retail and hospitality activities are to remain concentrated in the Jackson Street Heritage Area and discouraged elsewhere in the Zone. activities are prioritised in the Jackson Street heritage area to ensure the sustainability of the area's buildings and heritage character.

26. If this change is made, the relief sought in submission 51 is not needed and I accept the section 42A recommendation.
27. If this change is not made however, the relief sought in PHS's submission 52 should be made – that is a further Policy, relating specifically to the Jackson Street heritage area, located between MCZ – P7 and P8 should be crafted. This request is reported, and disagreed with, in paragraphs 199 and 200, pages 51 and 52 of the section 42A report.
28. **MCZ- R2 (Demolition or removal of structures other than buildings) and MCZ- R3 to MCZ- R8**
This first submission is reported in paras 202 to 205, page 52 of the section 42A report. In my opinion it is uncomfortable to have two rules applying to the same area without a specific cross-reference. This is particularly the case with heritage rules applying to small heritage structures or buildings where demolition may take less than a day. The submission requested an exception to be included in the permitted activity rule for demolition of structures within the Jackson Street heritage area. An alternative would be to add a note at the foot of the rule referring users of the Plan to the Chapter which contains the heritage rules.
29. In terms of the other rules, the PHS submission 54 expresses continuing concern as to how these rules would be applied in relation to the heritage fabric of the Jackson Street historic area. As someone who is frequently asked to advise on the workings of the Plan, I confirm the difficulties that I as an experienced professional, and others have with the lack of integration and cross-referencing in the Plan. As noted above, a cross reference to the heritage rules and design guide elsewhere in the Plan in all of these rules would probably suffice. I note the mention in paragraph 234, page 59, of the section 42A report where it is noted that plan integration issues are within the continuing parts of the review. This should be sufficient to enable the cross-referencing sought.
30. The reporting officer in para 227 to 229, page 57, and 233 to 236, page 58 and 59, appears to have misunderstood the submission relating to frontages in the Jackson Street heritage area – another submission sought provisions (actually in the heritage rules, so not being proceeded with yet) that building demolition not be consented until there was a replacement building consented. This is a technique which is used in other areas as a means of minimising gaps in heritage frontage. It is recognised that compulsion is not possible, but a plan can include practical provisions to minimise the time that a site is likely to remain vacant.

31. MCZ Rules – Land Use Activities

It is under this heading that the section 42A report addresses PHS’s specific submissions (no 55 and 56) relating to a minimum gfa for activities within the Metropolitan Centres Zone outside the Jackson Street heritage area (paras 241 to 247 and 252 to 257, pages 59 to 61). This matter has been expensively addressed already in this evidence (paras 14 to 19), and I confirm again my opinion that, for sustainability reasons, such a rule should be retained within the Plan. I therefore disagree with the recommendations relation to in MCZ-R12, R13 and R-14.

32. Metropolitan Centre Zone – Jackson Street Character Transition Precinct

This is addressed starting on page 81 of the section 42A report. For some reason it is also addressed in the Errata report, para 21 to 24, pages 9 and 10 of that report. PHS did not oppose this new provision as a whole – rather it sought to remove the provision at the eastern end of Jackson Street in tandem with a submission which sought to reinstate the whole of the former heritage precinct, and the heritage area identified by Heritage New Zealand, which extended to Cuba Street, rather than the somewhat truncated area which was included in the District Plan as part of Plan Change 56. Otherwise it supports the Precinct, as do I.

33. Very unfortunately the Plan Review no longer provides the ability to hear the submission relating to the Plan Maps to extend the heritage area eastwards. As I understand it, the Jackson Street heritage precinct in the operative Plan will remain in place. This addresses an issue outlined below to do with the Plan Maps. In the interim, until PHS has a further opportunity to seek the relief of having the whole of the former heritage area reinstated, I consider that it is better to have the transitional precinct provisions, than a lacuna in the Plan in terms of appropriate provisions for the heritage Jackson Street area.

34. Map Change - Jackson Street, East of Tory Street

The Errata report, paragraphs 19 and 20, refers to a submission from the Policy Planning Team which relates to Nos 354 to 364 (note – incorrectly numbered as 264 in that report) Jackson Street. It does not note PHS’s submission 63, which seeks to include the same buildings within the Jackson Street Heritage area. As the submission notes, as notified, the proposed Plan incorporated a gap in control along the Jackson Street frontage, which was mapped not reflecting the PC56 decision to include further properties between Cuba Street and Tory Street on the south side of Jackson Street within the heritage area. In my opinion, this means that the PHS submission should be noted as accepted – it is not mentioned anywhere in the Errata report.

35. Plan Maps – Mixed Use Zone

The District Plan Review introduced a new zone into Petone, replacing a number of areas of residential zoning which had been the subject of Plan Change 56 review. Petone Historical Society opposed this concept in its 2023 submissions

on the Draft District Plan as being unnecessary and inappropriate. However, the areas were included unchanged in the notified Plan Review and are now the subject of PHS submissions seeking to remove the Mixed Use Zone and reinstate the current Residential Zone provisions in three areas – Hutt Road, Cuba Street and Britannia Street. I note that while the section 42A report has identified Cuba Street and Britannia Street, has not identified the Hutt Road area as the subject of a submission.

36. I sent out the reason for the submission as expressed by PHS here, as it encapsulates the reasons why the proposed zoning should not be proceeded with. As far as I am aware, there were no further submissions relating to these submissions.

“The three areas opposed do not meet the “scenarios” set out in the introduction to this zone for the justification for this zone. The zone is entirely unnecessary for the areas this submission applies to, and has the potential to undermine the vitality and vibrancy of nearby areas, particularly the Jackson Street Heritage Area and parts of the Metropolitan Centre, but also the various Industrial Zones in the vicinity in Petone. Therefore it does not contribute to a “well-functioning urban environment”. The High Density Residential Zone makes ample provision for Home Businesses and a range of other activities. The proposed zone will also change the character of the areas, and detract from the general residential character and amenity that these areas generally have (due to, eg signage, additional traffic, on-street parking as a result of the more generous rules for non-residential activities).”

37. The three areas where the Mixed Use Zone is sought to be removed are shown in the Plan Map screen shot below. The Mixed Use Zone is vibrant pink.



38. I expand on the reasons why, in my opinion, the zone should be removed from these three areas in the paragraphs that follow.
39. The Mixed Use zoning enables activities which have the potential to generate increased and conflicting traffic, involving access and turning into properties and/or on-street parking. This potential for increased “side friction” is not desirable particularly on Hutt Road and Cuba Street. These two roads have major traffic functions (i.e. they are classified as arterial roads) and are already very congested at peak times. In Petone, numerous problems have occurred over the decades with out-of-zone commercial and industrial activities which have then expanded and caused issues with adjacent residential land and also traffic problems⁹. Both Cuba Streets and Hutt Road have had a long history of out-of-zone activities which successive District Plans have deliberately not provided for with the intention that over the long term they should be phased out to enable more efficient traffic management. For Cuba Street this also includes efficient and effective passenger transport connections between central Hutt and Jackson Street.
40. It also needs to be noted that both Cuba Street and Hutt Road are now considered to be major feeders to the future Petone to Grenada Road of National Significance. NZTA traffic engineers have advised that, unless the Cross Valley Link is prioritised ahead of this new road, there will be substantial additional business/industrial traffic using Cuba and Udy Streets to access the on and off ramp connections at Hector Street (where the new road will join the Hutt Road). Cuba Street, Udy Street and Hutt Road will all require upgrading as a result. In this context it would seem unwise to provide for further business development along these roads.
41. There is a continuing need for residential land in Petone. The areas noted above are currently residential and comprise a valuable stock of existing housing. Since Plan Change 56, they now have potential for housing redevelopment and intensification. The proposed mixed use zoning sends the wrong signals to landowners and developers. This has been demonstrated through the lack of up-take of Petone West commercial areas by housing since Plan Change 29, where there has been very little uptake of land for residential use. Land that has been developed or redeveloped has almost entirely been for exclusively business purposes.
42. The proposed mixed use zoning provides the potential for competition and spread of small commercial activities beyond areas such as Jackson St and other established commercial areas where there is still adequate room for consolidation and intensification, potentially leading to economic decline in these areas. This is contrary to the objectives and policies for the Metropolitan Centre zone.

⁹ Such as a modest laundry in Cuba St which grew gradually into a major commercial activity causing problems to adjacent residential development ranging from noise to hours of operation, on-street parking and turning of large trucks, etc.

43. Britannia St is not an arterial route but is the location of schools and community facilities and has a current speed limit of 30km/hr. Most of the above considerations nevertheless apply. The area contains a number of other valued community uses, as well as finely-textured residential activities. These activities have established and prospered under a residential zoning, and should not be subject to increased pressure to accommodate commercial/industrial activities by applying an unnecessary mixed use zone. In particular, residential uses within that part of Britannia Street should be retained as they provide a particular type of accommodation (including affordable housing) which is not widely found in close proximity to the available services.
44. I am unaware of any specific studies relating to business or industrial demand which have been undertaken to justify the strip rezoning proposed. I am aware of the GW business land demand assessment. As I understand it, there is no information in the 2023 study which would suggest any need for this additional business-type zoning. GW is currently undertaking its next investigation but the 2023 study indicated adequate business capacity and adequate space for growth. The Mixed Use rezoning proposal falls outside these previous investigations.
45. While the Petone 2040 study saw Cuba Street as an “opportunity” to create more intensive development along Cuba Street, this was before NPS-UD and Plan Change 56, and was prepared by people with a strong urban design focus (and without planning input). The urban form sought can be achieved by residential development without commercialising what is an attractive and busy residential street.
46. Petone’s flat land is approximately 60% residential and open space, meaning that already approximately 40% of the total area is zoned for commercial and industrial purposes. The additional areas of proposed Mixed Use Zone use will undermine the efficient and effective use of parts of the transport systems within the area and also adversely affect parts of the area which are better provided for by remaining residential. The areas are not needed to meet any objective in the operative or proposed Plan. I do not agree with the Mixed Use zoning proposed for the 3 areas set out in para 35 of this evidence.
47. I have read the section 42A report carefully, particularly paragraph 603 onwards. The zone is presented as one that provides for only small-scale activities to support local needs, rather than drawing people across wide areas. With respect, that cannot be correct. The decline in small retailing has seen numerous scattered dairies and services such as hairdressers go out of business. Where small businesses have established in residential areas along major roads in the past, they have tended to expand, resulting in incompatibilities with adjacent landuses. The concept of spot zoning and strip zoning is, in my opinion, poor and retrogressive planning. It is noted in para 606 that Petone already has substantial growth potential – the logical planning

response is consolidation rather than the sprawl that the Mixed Use Zone encourages.

48. In terms of the comments in the section 42A report, para 615, relating to process, there is no recognition that submitters such as PHS participated as fully as resources allowed in the Plan preparation process. It is, in my view, disappointing that no notice seems to have been taken of the submissions made on the draft Plan. Submitters should not be criticised for making submissions where previous submissions have failed.

49. Definitions

I accept the comments in the section 42A report about the definition of commercial activity (para 626, 627 pages 132, and 663 to 666, page 139). However, I note that there are various rules which apply to specific sub-categories of commercial activities. These need to be taken into account when any modifications are made to the rules.

50. Conclusion

This statement provides expert planning evidence on the matters in a number of specific submissions made by PHS. I am happy to expand on or clarify any matters at the hearing later in the month.

Sylvia Allan, JP, FNZPI - 15th May 2026