

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 8
Proposed District Plan – Hearing Stream 3 – Further Information

2 July 2026

Introduction

1. The Hutt City Council (HCC) Proposed District Plan (PDP) Hearings for Hearing Stream 3 were held on 22 and 23 June 2026.
2. Matters considered at that hearing were PDP chapters relating to:
 - Strategic Directions – Urban Form and Development (part);
 - Residential Zones;
 - a. Medium Density Residential Zone (MRZ);
 - b. High Density Residential Zone (HRZ); and
 - c. Large Lot Residential Zone (LLRZ).
 - Rural Zones;
 - a. General Rural Zone (GRUZ); and
 - b. Rural Lifestyle Zone (RLZ).
3. The hearing included a presentation and questioning of the council's s42A report authors. Ms Pascall considered the Residential Zone submissions provisions while Mr Bellamy and Mr Horrell reported on the Rural Zones. Three specific advisers were also in attendance in relation to providing comment on urban design related submissions (Ms Moore), site specific engineering (Mr Aitchison) and site specific traffic related matters (Mr Benner).
4. There were also a number of submitters at the hearing that helpfully provided evidence and/or or statement in support of their submissions.
5. This minute covers questions on the Residential and Rural Zones and requests that the reporting officers respond to these within their written reply. It also set out the basis for expert conferencing in relation to one of the requests for rezoning and seeks a specific additional report on the zoning of parts of Crowther Road, Wainuiomata.
6. The reporting officers are, of course, free to reply on any matters arising during the hearing that they consider worthy of a response, but the following are the matters on which the Hearing Panel would appreciate feedback.

RESIDENTIAL ZONES

7. In respect of our questions about the application of Urban Design Guidance that would sit outside of the Plan, can the reporting officers please confirm the process for the development of such guidance including:
 - The timeline for preparation;
 - Who will have input;
 - How it will be developed; and
 - How they will be applied when a resource consent is required where MRZ P12/P13, and HRZ P12/P13 are matters of discretion.
8. Can there be an explanation of what the rationale is for the 35% site coverage standard applying to the Large Lot Residential Zone.
9. Please provide clarification of why emergency service towers are exempt from setback and height in relation to boundary standards in residential zones, but not in rural zones. Should there be a consistent approach?
10. In respect of MRZ-P10/HRZ-P10 relating to Retirement villages do you consider that the use of the word “affordable” in clause 3 is appropriate and whether there is scope within the submission of Summerset to make any amendment?
11. Can we receive an update to the contents of Attachment 3 to the s42A report relating to any revised recommendations on rezoning requests as a result of the rebuttal evidence and the evidence presented by submitters at the hearing.
12. Please confirm the extent that the Private Plan Change approved for 12 Shaftesbury Grove is more restrictive than MRZ provisions.
13. With regards to the submission of Sanna and Mark McGavin relating to the zoning of 35-39 Major Drive, Kelson can you confirm that the submitter was aware that this submission was being considered within Hearing Stream 3 instead of Hearing Stream 2.
14. Can Ms Pascall and Ms Moore provide comment in respect of the evidence of Ms Clarke from Go Architecture in respect of MRZ-S10/ HRZ-S10 relating to Windows to the street. Is there any scope to accept Ms Clarke’s suggestions?

15. While the matters of the Highly Constrained Roads Overlay is a matter for the Transport Hearing, there is a strong relationship with residential zoning. Can we be advised what is the thinking behind this mechanism within the PDP and is there another way to achieve the same outcome? Further has this approach been used elsewhere but particularly in the Wellington Region.
16. Ms Skilton provided lengthy evidence at the hearing, but this was not considered in Council's rebuttal statement. Can you provide comment as appropriate and necessary on the matters raised.
17. Can Ms Moore:
 - Summarise the Urban Design Institute's practice notice regarding sunlight access and how this applies to relevant provisions of the PDP.
 - Provide examples in other District Plans of whether a circular outdoor living space standard is utilised.

Submission of Silverstream Park Christian Centre - Conferencing

18. In respect of the submission on behalf of Silverstream Park Christian Centre we require further advice on what is the most appropriate zoning for the steeper southern portion of the land at 320 Eastern Hutt Road. We visited both the northern part of the site that contains the current buildings and also visited the southern part of the site accessed off the walkway at the end of Kingsley Street.
19. We firstly direct witness conferencing between Mr Godwin and Mr Aitchison on engineering matters particularly relating to the water supply component of three waters infrastructure. We would expect that Tiaki Wai should also be a party to this conferencing.
20. In this regard it would be helpful as a starting point if there was a practical and realistic concept plan of how the southern part of that land may be developed for residential purposes indicating:
 - Estimated numbers of lots to be serviced including where feasible the location of building platforms.
 - The location of spine roads from the upper and lower parts of the site to building platforms taking into account gradient.

- The existence of known site constraints including High Voltage Electricity Lines, slope stability and any other hazards.
21. Based upon this concept can the engineers confirm how water would be supplied, in what form and an anticipated timeframe for any upgrades to the public water supply (relative to the life of the Proposed District Plan). If there are any other uncertainties, additional observations or concerns (e.g. wastewater and stormwater, geotechnical matters) can they be outlined as well.
 22. Following the technical witness conferencing, Ms Pascall and Mr Cooper are to confer on the planning matters addressed in their evidence. The Panel’s expectations are that the planning experts will address:
 - a. The results of the technical expert witness conferencing as relates to the matters outlined above;
 - b. The optimum zoning for the southern portion of 320 Eastern Hutt Road addressing the technical evidence. This should assess the Concept Plans compatibility with both the general MRZ and LLRZ objectives and policies while also referencing related, rules, maps definitions and other methods in the applicable district-wide chapters.
 - c. Considering the above, explain how ‘fit for purpose’ the notified Silverstream Retreat Precinct provisions are, and whether there are any consequential amendments required based on the matters considered in Point b above.
 - d. A section 32AA analysis of any recommended changes to the notified provisions at a level of detail that corresponds with the scale and significance of the degree of change proposed. Should consensus not be reached about the appropriate suite of provisions, separate s32AA analyses should be provided;
 - e. Confirmation that any recommended changes are within the scope of relevant submissions (with citations) and are unaffected by Plan Stop; and
 - f. Any other matters the planning experts consider would be of assistance to the Panel.

Conferencing Deliverables

23. The Panel requires that the reports on the expert conferences will take the form of joint witness statements signed by the experts.
24. Joint witness statements are to make clear that all parties agree to comply with the Environment Court’s Code of Conduct for expert witnesses. To that end, a primary aim of the conferencing is to assist the Panel by the experts trying to reach agreement on

matters within their field of expertise, to narrow any points of difference between them, and to clearly identify any remaining points of difference.

25. Consistent with the Code of Conduct, joint witness statements are to include:
- a. Identification of all material regarded by the experts as primary data;
 - b. The key facts and assumptions that are agreed upon by the experts;
 - c. Identification of any methodology or standards used by the experts in arriving at their opinions and any reasons for differences in methodology and standards;
 - d. Identification of published standards or papers relied upon in coming to their opinions;
 - e. The issues that are agreed between the experts and the reasons for those agreements, including an assessment of their level of confidence in the likelihood of any outcome or conclusion in those agreements;
 - f. The issues on which the experts cannot agree and the reasons for those disagreements;
 - g. Identification of any issue which the experts agree is not adequately addressed by the evidence lodged to that point in the proceeding and the reasons for that inadequacy; and
 - h. Any reservation by any expert about a matter of substantive law or procedure on which they are uncertain.

RURAL ZONES

26. In respect of the proposed rezoning of 104 Upper Fitzherbert Rd to what extent does the Wainuiomata North Development Framework 2018 influence the specific rezoning sought?
27. Can Mr Benner outline whether Council has any active investigations into the functioning of any intersections downstream from 104 Upper Fitzherbert Rd. In terms of the zoning alone are there any accident issues, capacity issues and any other land transport matters for such intersections that should be taken into account.
28. Is there an option of a 'light touch' structure plan for the land at 104 Upper Fitzherbert Road (i.e. identifying the legal road connections and natural hazards constraints) or would an unfettered MRZ zoning be able to achieve what is intended for the site. Is the bespoke Subdivision rule proposed by Ms Wynne in her evidence useful or necessary in this regard.
29. In respect of consistency why is there a difference of minor residential unit maximum sizes between residential (70m²) and rural (80m²) zones.

30. In respect of the submissions and representations from Duane and Alison Pirimona and in relation to the written statement from Mr Innes on behalf of the Wainuiomata Rural Community Association Incorporated can there be an expert review of the appropriate General Rural Zoning of properties on the western and southern parts of Crowther Road. This should be undertaken by a suitably qualified expert professional the field of agricultural economics and should assess the criteria in 3.10 of the NPS-HPL to confirm the most appropriate zoning for those properties. In a similar vein can the expert review the remaining matters in the Wainuiomata Rural Community Association's submission.

Timing

31. If there are particular issues of clarification or timing issues arising from this minute, can they be put to us as soon as possible.
32. For the Silverstream Retreat conferencing can Council make the necessary arrangement and outline a timeframe for when conferencing can occur, and Joint Witness Statements issued.
33. For the matters outlined in paragraph 30 relating to the identified Crowther Road properties can Council advise the panel of a timeline for completion.
34. Otherwise, it would be appreciated if the officers right of reply to the majority of this minute could be received within two weeks of this minute.



Lindsay Daysh

Independent Commissioner

Chair Hutt City Proposed District Plan Hearing Panel

2 July 2026