

BEFORE THE INDEPENDENT HEARING PANEL

APPOINTED BY HUTT CITY COUNCIL

**IN THE MATTER** of the Resource Management Act  
1991

AND

**IN THE MATTER** of Submission 516 on the  
Proposed District Plan: 104 Upper  
Fitzherbert Road, Wainuiomata -  
Rezoning to Medium Density  
Residential Zone

**HEARING TOPIC** Hearing Stream 3: Residential /  
Rural

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**STATEMENT OF EVIDENCE OF KERRY WYNNE**

**PLANNING EVIDENCE IN RELATION TO SUBMISSION 516**

**5 June 2026**

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## **1. INTRODUCTION**

1.1. My name is Kerry Louise Wynne. I am a Senior Planner at Urban Edge Planning Limited, a Lower Hutt based planning and resource management consultancy.

## **2. QUALIFICATIONS AND EXPERIENCE**

2.1. I have 10 years of experience in resource management planning in New Zealand, working in both local government and the private sector. I also hold a Bachelor of Resource and Environmental Planning (First Class Honours) from Massey University.

2.2. I have extensive experience preparing and processing resource consents and have also worked in policy formation and monitoring. Relevant local experience includes processing the adjacent resource consents for 217 and 239 Wise Street, and 248 Wise Street, on behalf of Hutt City Council. This experience has informed my understanding of the planning considerations relevant to development in the immediate vicinity of 104 Upper Fitzherbert Road.

## **3. CODE OF CONDUCT AND POTENTIAL CONFLICT OF INTEREST DECLARATION**

3.1. I confirm that I have read the *“Code of Conduct for Expert Witnesses”* contained in the Environment Court Practice Note 2023 and I agree to comply with it. I have complied with the Code of Conduct in preparing this evidence. The issues addressed in this evidence are within my area of expertise, except where I have indicated that I am relying on others’ evidence. I have not omitted material facts known to me that might alter or detract from my evidence.

3.2. Urban Edge Planning was involved in the preparation of a number of chapters associated with the PDP. These included:

- Natural Hazards Chapter
- Coastal Environment Chapter
- Outstanding Natural Landscapes and Features Chapter
- Public Access Chapter
- Subdivision Chapter
- Three Waters Chapter; and
- Earthworks Chapter.

3.3. I was not involved in the development of any of these chapters. This submission does not seek to change any provisions that Urban Edge Planning was involved in.

#### **4. SCOPE OF EVIDENCE**

4.1. I have structured my evidence as follows:

- Introduction
- Scope of Evidence
- The Site
- The Proposal
- S42A Report and Evaluation
- Environmental Effects Addressed by the Rezoning Request
- Statutory Context
- Section 32AA Analysis
- Conclusion

4.2. This evidential statement is supported by the following appendices:

- Appendix 1 – Possible Changes to Provisions
- Appendix 2 – Section 32AA Analysis

4.3. Urban Edge Planning has been engaged by Urban Plus Limited (“UPL”) to submit planning evidence in support of the primary submission (Submission No. 516) made in relation to 104 Upper Fitzherbert Road, Wainuiomata (“the site”) and the Proposed District Plan (“PDP”).

4.4. Submission 516 was made by FH Developments 2025 Limited, with UPL now acting on their behalf in relation to the submission.

4.5. Submission 516 sought the following:

- a) Rezone the site at 104 Upper Fitzherbert Road, Wainuiomata from Rural Lifestyle Zone (“RLZ”) to Medium Density Residential Zone (“MRZ”).
- b) Any consequential changes or alternative relief required to achieve the intended outcomes sought.

4.6. No other primary submissions have been made on the PDP in respect of 104 Upper Fitzherbert Road.

4.7. The following further submissions were received:

Further submission reference	Submitter Name	Submission details
F16	Shane Wilson	Support rezoning of 104 Upper Fitzherbert to Medium Density Residential.
F19	Caroline Patterson	Support rezoning of 104 Upper Fitzherbert to Medium Density Residential.
F24	Prime Contracting	Support rezoning of 104 Upper Fitzherbert to Medium Density Residential.
F25	Duane and Rachel Nuku	Support rezoning of 104 Upper Fitzherbert to Medium Density Residential.
F35	Phil Henderson	Support rezoning of 104 Upper Fitzherbert to Medium Density Residential.

4.8. In preparing my evidence, I have considered:

- a) The content of Submission 516 and Further Submissions F16, F19, F24, F25 and F35.
- b) The section 32 evaluations prepared by Hutt City Council (“HCC”) for the Rural and Residential Zones.
- c) The section 42A reports for the Rural and Residential Zones prepared by HCC for Hearing Stream 3.
- d) The following expert assessments:
  - Mr Samuel Godwin – Three Waters + Infrastructure
  - Mr Samuel Wilkie - Transport
  - Mr Daniel McMullan – Flood Hazard
  - Dr Vaughan Keesing - Ecology
  - Ms Andrea Reid – Landscape and Visual
- e) Corporate evidence prepared by Mr Jaco Rossouw on behalf of UPL.

## 5. THE SITE

- 5.1. 104 Upper Fitzherbert Road in Wainuiomata, Lower Hutt is legally described as Lot 1 DP 80607 in Record of Title WN47B/7 and has an area of 4ha.
- 5.2. I am familiar with the site and surrounds having conducted a site visit on 28<sup>th</sup> April 2026.
- 5.3. The site is predominantly flat and formed mostly of open pasture, with an unoccupied dwelling and associated outbuildings onsite. Access is provided via an unsealed driveway from Upper Fitzherbert Road to the west.



**Figure 1:** Aerial image of plan change site, outlined in yellow. Source: Grip GIS.

5.4. The accompanying ecological evidence of Dr Keesing identifies a length of intermittent stream to the east of the site as well as linear wetland features, with sparse and primarily exotic vegetation onsite.

Operative District Plan (ODP)

5.5. Under the ODP the site is located within the Rural Residential activity area. The property is also subject to several flood hazard overlays – the Inundation overlay, Overland Flowpath overlay, and the Stream Corridor overlay (marginal).



**Figure 2:** Current zoning of the plan change site. Source: HCC GIS Viewer.

5.6. Chapter 8 of the ODP describes the Rural Residential Activity Area as follows [emphasis added]:

*The Rural Residential Activity Area consists of areas where the subdivision pattern has already allowed for the establishment of rural residential lifestyle development. It also includes areas where future urban development may occur as the land adjoins residential activity areas.*

- 5.7. The ODP also identifies the opportunity to provide for future growth as an issue to be addressed by the Rural Residential zoning [emphasis added]:

*8A 1.1.2 Opportunity for Future Urban Growth*

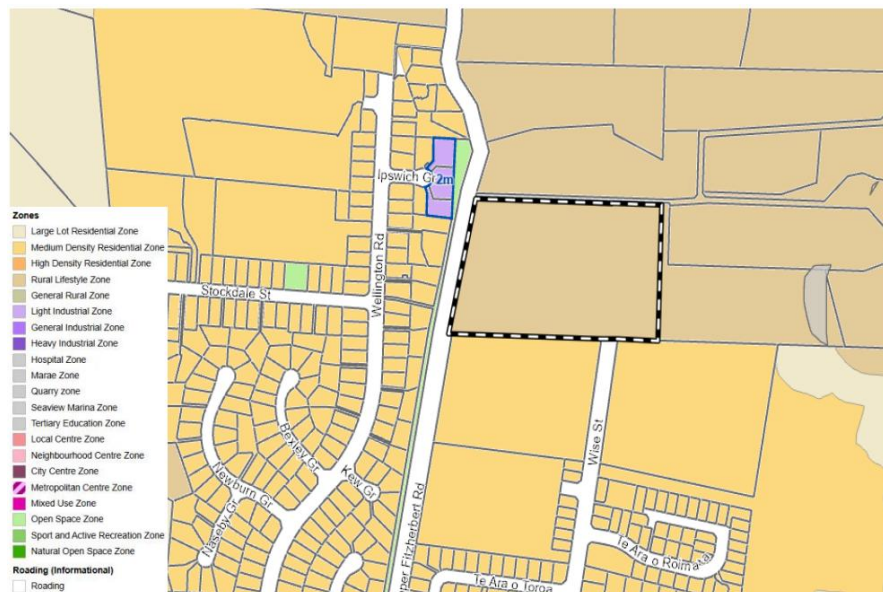
*Issue*

*A significant amount of land on the western hills of the Hutt Valley and in Wainuiomata was previously zoned residential. The land is not required for urban development in the medium term and it is appropriate that it be included in the Rural Residential Activity Area. In the future it may be appropriate for urban development to occur on this land.*

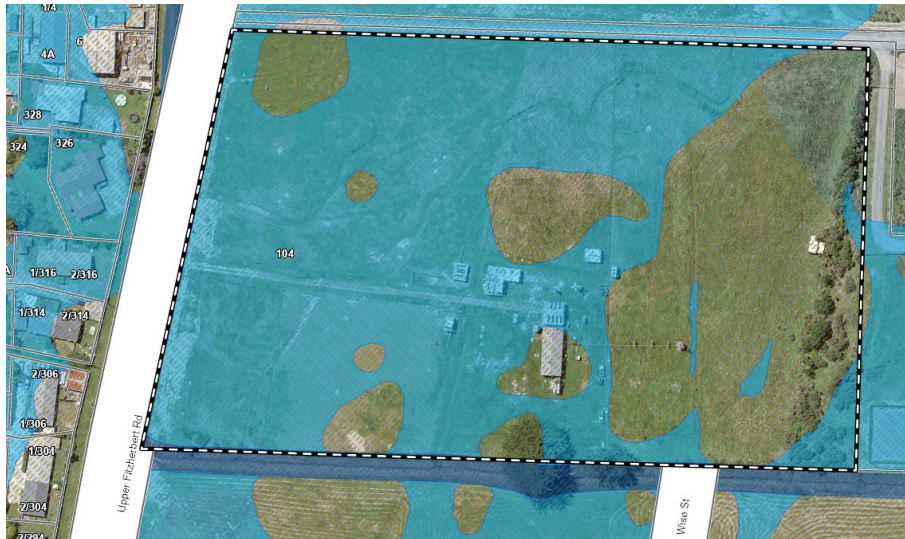
- 5.8. There is now increased demand for residential development evidenced by the continued expansion of housing along Wise Street. Despite this, the Proposed District Plan seems to largely retain the current rural residential zoning through use of the Rural Lifestyle Zone (RLZ).

Proposed District Plan (PDP)

- 5.9. Under the PDP, the site is located within the RLZ and is subject to the Low Flood Hazard overlay, High Flood Hazard overlay (marginal extent) and Liquefaction Hazard overlay. Land to the south and west is mostly zoned MRZ while land to the north and east is zoned RLZ.



**Figure 3:** Proposed zoning of the plan change site. Source: HCC PDP Maps.



**Figure 4:** PDP overlays. Source: HCC PDP Maps.

### Site context

5.10. Due to the ODP zoning, the site is in a peri-urban location. Land to the south and west is zoned for Medium Density Residential activity and is being developed accordingly. Notably, 217 and 239 Wise Street benefit from a live resource consent (**RM210329**) for 108 dwellings and associated subdivision; this is currently under construction. To the north and east, development becomes more rural in nature with large sites and low density residential activity.

## **6. THE PROPOSAL**

6.1. Submission 516 seeks to rezone 104 Upper Fitzherbert Road from RLZ to the MRZ. The rezoning would provide for additional development potential in line with surrounding residential areas to the west and south.

6.2. This evidence is accompanied by the Cuttriss Consultants Limited sketch, Drawing 31085 SK1 that shows a potential subdivision yielding 72 lots. The layout is indicative only, demonstrating that residential development enabled via the Medium Density Residential Zone provisions is feasible; however final design and yield would need to be confirmed through a future resource consent process.

6.3. The following evidence considers the appropriateness of the proposed rezoning to the MRZ, with due consideration of the environmental effects and higher order planning framework.

## **7. S42A Report and Evaluation**

- 7.1. In the Council officer's s42A report, Mr Bellamy has recommended that the rezoning sought by submission 516 is rejected. His reasoning is set out in sections 4.5.7 (440) to 4.5.7 (451) but is primarily due to concerns around the timing of development relative to resolution of three waters constraints (paragraphs 446 and 449) and access concerns (paragraph 447). However, he noted that his position could be reconsidered subject to provision of additional evidence.
- 7.2. I disagree with Mr Bellamy that three waters constraints are sufficient to reject rezoning. We submit expert evidence by Mr Godwin that concludes engineering solutions to three waters constraints are available, and it is my opinion that the PDP Three Waters provisions create a suitable framework for managing the effects of development on infrastructure capacity. Detailed discussions are provided in paragraphs 8.3 – 8.8 below.
- 7.3. Mr Bellamy also identifies access issues, including the need to enable future development, as a reason to reject the requested rezoning.
- 7.4. I acknowledge that the site is strategically significant for enabling access to remaining greenfield land along Upper Fitzherbert Road. However, I consider that suitable access arrangements can be secured at the time of resource consent, as detailed in paragraphs 8.9 – 8.18 below, **Appendix 1**, and the expert evidence of Mr Wilkie.
- 7.5. I agree with Mr Bellamy that, due to the site's location on the urban/rural boundary, the rules of the MRZ are adequate to manage effects on land in the adjoining RLZ.
- 7.6. It is my opinion that the concerns raised by Mr Bellamy can be suitably resolved, with rezoning to the MRZ remaining the most appropriate for 104 Upper Fitzherbert Road.

## **8. Environmental Effects Addressed by the Rezoning Request**

- 8.1. The proposed change from Rural Lifestyle to MRZ zoning will allow for more intensive development than the notified rural zoning. When considering the appropriateness of the rezoning, it is important to consider the environmental effects of that change or the ability to appropriately consider those effects through a later resource consent process.
- 8.2. The following sections consider the environmental effects of the proposed rezoning, supported by additional expert evidence.

### Civil Engineering and Infrastructure Servicing

- 8.3. The provision of three waters, power and telecommunications infrastructure to 104 Upper Fitzherbert Road has been addressed in the evidence of Mr Godwin.
- 8.4. Mr Godwin identifies existing constraints with regards to water supply, stormwater and wastewater and notes the site may not be immediately serviceable without further assessment and design. His evidence also outlines possible solutions to such constraints, including planned and funded network upgrades, and engineering solutions to provide additional capacity or mitigation where existing services are insufficient. I defer to Mr Godwin's expertise and accept three waters servicing is feasible.
- 8.5. Mr Godwin also confirms there are viable pathways to provide power and telecommunications connections for future development.
- 8.6. The notified provisions of the PDP Three Waters and Subdivision chapters (Rules THW-R1 to THW-R4 and SUB-S4 to SUB-S8) regulate services provision, including network capacity, hydraulic neutrality and water sensitive urban design, and integration of development with available or planned infrastructure. These provisions are underpinned by supporting objectives and policies in the Strategic Direction, Three Waters, and Subdivision chapters of the PDP.
- 8.7. Whether any future development of 104 Upper Fitzherbert Road proceeds as a land use and/or subdivision, the PDP has in place provisions to ensure servicing is provided with sufficient capacity and levels of service.
- 8.8. As servicing requirements will need to be addressed through a future resource consent, infrastructure provision does not restrict the feasibility of the land to be rezoned to the MRZ.

### Transport

- 8.9. Section 4.5.7 (447) of the Council officer's report notes that access to the site and future development is a key issue.
- 8.10. The plan change site holds significance from a transport perspective. The paper road for Wise Street terminates at the site's southern boundary. It is understood that:
  - The Council Transport division is not supportive of additional traffic loading on Upper Fitzherbert Road, given its substandard formation for intensified usage. Mr Wilkie's expert evidence reinforces this conclusion.

- Indicative plans for the area contained within the “*Wainuiomata North Development Framework*”<sup>1</sup> show a continuation of Wise Street through the site, forming a loop connection (further north) with Wellington Road to the west.
- Enabling a roading connection further north supports opportunity for the remaining RLZ land (as per the PDP) to be rezoned and developed in future. This aligns with the zoning description and Issue 8.1.12 of the ODP, as well as the direction set out in the Wainuiomata North Development Framework.

8.11. There are two pathways available for securing a strategic roading connection: relying upon the resource consent process; or amending the PDP provisions to explicitly secure this outcome.

8.12. Development of 104 Upper Fitzherbert Road is expected to be led by UPL. A pre-application meeting has already been held with HCC. Council officers emphasised the importance of securing a strategic road connection between Wise Street and the land further north, and the indicative scheme plan demonstrates a concept that could achieve such an outcome.

8.13. Under the ODP, any development of more than two dwellings would require consent as at least a Discretionary activity under Rule 8A 2.3(a), with the Objective and Policy at 8A 1.1.2 directing Council to consider opportunities for future urban growth as part of any resource consent.

8.14. Should the site be successfully rezoned to the MRZ, the notified PDP provision below would provide Council officers with a mechanism to secure the strategic roading link:

- a) MRZ-R4.2 – Any development of more than three houses onsite would require consent as a Restricted Discretionary activity under Rule MRZ-R4.2. Listed matters of discretion include (as per MRZ-S1) the planned character and urban built environment for the zone, and the capacity of the land transport infrastructure to service the development.

It is noted that these provisions focus more strongly on servicing of the proposed development, rather than strategic consideration of wider urban growth opportunities.

- b) Any subdivision requires consent (at least as a Controlled activity), including compliance with SUB-S3. SUB-S3 requires new roads to be provided in accordance with the relevant

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<sup>1</sup> The Framework sets out a concept master plan for greenfield development in the area. Entitled “*Wainuiomata North Development Framework*”, prepared on behalf of Hutt City Council, dated February 2018. This remains a current Council document.

Infrastructure chapter provisions. The relevant assessment matters and overarching objectives and policies in the Subdivision chapter include (emphasis added):

- SUB-O3 – Development enabled through subdivision is adequately serviced and supported by infrastructure and the transport network.
- SUB-P4 - Provide for subdivision and new lots where:
  1. The subdivision reflects the intended pattern of development of the underlying zone.
  4. The design and layout [...] deliver well-connected, resilient communities through development patterns and sustainable designs.
- SUB-P6 – Provide for subdivision where:
  1. The safe and efficient functioning of the transport network is maintained [...]
  3. It [...] enhances neighbourhood and network connectivity and safety.
- SUB-P7 – Require all allotments created by any subdivision to be adequately serviced as follows:
  3. Where upgrades to existing infrastructure or new infrastructure are required ensure that the upgraded or new infrastructure have sufficient capacity to accommodate future development and densities anticipated by the underlying zone.

These provisions better recognise strategic growth opportunities but remain focused on servicing proposed allotments rather than enabling future connection to surrounding sites.

c) The Infrastructure chapter applies to new roads formed through subdivision (as per SUB-S3) or land use. Consent for a new road is required with a minimum Restricted Discretionary activity status (Rule INF-R24). Matters of discretion include INF-P1 to INF-P7. The relevant framework seeks to (emphasis added):

- INF-O3 – “enable safe, resilient, sustainable, responsive and efficient infrastructure that is well integrated with, and able to meet the needs of, subdivision, use and development.”
- INF-O4 – “ensure the transport network is safe, accessible and connected and provides for all transport modes and users to move efficiently within and beyond

Lower Hutt, while being integrated with land use, development, and contributing to the planned outcomes for zones and precincts."

- INF-P1 - recognise the benefits of infrastructure including "enabling growth and development".
- INF-P3 - ensure a coordinated approach to planning and delivery of infrastructure by:
  1. Ensuring development of infrastructure is "integrated with other land use, subdivision, development and urban growth."
  2. "Enabling infrastructure to be delivered at a rate which is responsive to the reasonably foreseeable needs of Lower Hutt, including with consideration to population growth".
- INF-P7 – "provide for upgrading and developing the transport network where, as far as practicable it:
  1. Supports the growth of active and public transport modes.
  2. Does not compromise the safety, efficiency, and resilience of the transport network
  3. Improves connectivity for and integration between all transport modes [...]
  4. Is consistent with the planned outcomes, including in relation to character and amenity, of the zones and precincts in which it is located."

d) More broadly, INFSD-O1, O2, O4, and O5, UDSD-O1 and O2, also relate to the integration and coordination of development with infrastructure, and seek to secure well designed and connected development that is "adaptable over time and responsive to their evolving, more intensive surrounding context".

8.15. Based on the above, it is my opinion that the PDP provides Council with sufficient levers to require provision of the strategic roading connection through a future resource consent.

8.16. Notwithstanding, should the Commissioners prefer a more certain outcome, it would be possible to include site-specific provisions within the PDP to expressly secure the requirement

for a through-road connection. I have outlined and recommended an alternative structure for this in **Appendix 1**.

- 8.17. Mr Wilkie has otherwise provided expert evidence in relation to transport effects from the rezoning. He concludes that, subject to a future resource consent, suitable road access can be provided via Wise Street, with no systemic safety issues evident, and opportunities available to enable active transport and facilitate public transport use.
- 8.18. Based on the above, including my recommendations at **Appendix 1**, the transport matters do not preclude rezoning of the site to the MRZ. In my opinion, adequate provisions are proposed in the Subdivision, Infrastructure and MRZ chapters of the notified PDP to secure safe, efficient, and strategic transportation outcomes via a future resource consent.

#### *Flooding and Natural Hazards*

- 8.19. The site is subject to modelled flood hazard extents, and a liquefaction overlay under the PDP maps.
- 8.20. The proposed rezoning does not remove the impact of these overlays, with rules in the Natural Hazards chapter of the PDP that permit or limit development and/or require mitigations to ensure risks are appropriately managed in accordance with the severity of the hazard.
- 8.21. The provisions of s106 and 106A of the RMA 1991 and the direction of the National Policy Statement for Natural Hazards introduce further controls for development within areas of natural hazard risk.
- 8.22. Mr Bellamy has not raised any concerns around the impact of natural hazards on the suitability of rezoning 104 Upper Fitzherbert Road to MRZ.
- 8.23. Mr McMullan's evidence identifies overland flow paths and channels across the site. Analysis of flood modelling of the existing situation undertaken by e2 Environmental confirms that onsite flood risk and potential offsite flood risk effects, can be managed through a combination of perimeter channels to divert overland flows, retention of the eastern channel, and a centralised stormwater management area that also provides flood compensation. Together with minimum floor levels and any necessary filling to create flood-free building platforms, Mr McMullan concludes flood hazard risk can be safely addressed. Mr Godwin also confirms surface stormwater flows generated onsite can be appropriately controlled via three waters infrastructure.

- 8.24. These outcomes would be subject to additional modelling and detailed design at the time of a future resource consent.
- 8.25. The notified Natural Hazards and Subdivision chapters (Rules NH-R7 to NH-R14; SUB-R14 to SUB-R16) provide a framework for managing development within flood hazard overlays, supported by overarching objectives and policies. Natural hazard risk can thus be addressed at the time of future resource consent, noting that, as per Mr McMullan's evidence, feasible solutions exist.
- 8.26. The Council's section 32 on Natural Hazards states liquefaction is largely managed under the Building Code and does not seek to duplicate the existing regulatory regime. The notified Natural Hazards provisions in the PDP would not regulate the establishment of residential dwellings within the liquefaction hazard overlay, with no specific elevation in activity status for subdivision within the liquefaction overlay. Irrespective, I consider that development can be undertaken in a manner that accounts for liquefaction risk where informed by appropriate geotechnical investigations and recommendations. This is best dealt with at the building consent stage.
- 8.27. Whether development of 104 Upper Fitzherbert Road proceeds as a land use and/or subdivision, the PDP and higher order planning documents establish a risk-based regime for natural hazard management. This can be appropriately addressed at the time of resource consent. I do not consider the presence of natural hazards to undermine the suitability of the site for inclusion in the MRZ.

### Ecological Effects

- 8.28. The ecological evidence of Dr Keesing identifies:
- There are no indigenous terrestrial ecological values of note onsite, with limited native plant species present.
  - Two linear natural inland wetland features of low ecological value are present; and
  - A length of intermittent stream.
- 8.29. Rezoning the site to the MRZ could increase development pressures on the identified wetland and intermittent stream onsite. However, Dr Keesing has assessed that the proposed rezoning creates opportunities to achieve a net ecological gain. This can be achieved through the creation of a cohesive indigenous marsh wetland as part of the stormwater regime and enhancement works to the waterway onsite.

- 8.30. I do not consider it necessary for the PDP to introduce any additional provisions to address the presence of wetlands and a waterway onsite.
- 8.31. The primary mechanisms for regulating development where it could impact on freshwater are contained in higher order planning documents. The National Policy Statement on Freshwater Management, National Environmental Standards for Freshwater, and the provisions of the Natural Resources Plan (“NRP”) including Plan Change 1 thereof, set clear direction for controlling and managing impacts upon freshwater habitats. This higher order framework requires integrated consideration of development and the potential impact of changes in hydrology, earthworks and built form upon waterways and wetlands within the site.
- 8.32. Rezoning the site to the MRZ would create a consenting pathway under section 45C of the NES for Freshwater for “urban development” on land that contains or may impact upon natural inland wetlands.
- 8.33. Dr Keesing has also noted that the rezoning could result in ecological impacts through changes in water quality. The notified PDP provisions enable consideration of erosion and sediment control (under the Earthworks chapter), whilst the Three Waters provisions include requirements for Water Sensitive Design thereby managing stormwater quantity and quality. Similarly, the NRP and PC1 thereof regulate bulk earthworks and stormwater quality.
- 8.34. Mr Bellamy noted that ecosystems and indigenous biodiversity were discussed with Council staff during our meeting on 7<sup>th</sup> May 2026 but has not raised any ecological concerns within his evidence.
- 8.35. For these reasons, I consider that ecological effects can be considered as part of any subsequent resource consent regime, with rezoning to the MRZ remaining appropriate.

#### Landscape and Visual Effects

- 8.36. Ms Reid’s evidence addresses the potential landscape and visual effects of the rezoning, and notes the following key points:
- a) the rezoning and subsequent residential development would be seen within an evolving urban edge and modified landscape in a contained basin landform.
  - b) There are no highly sensitive landscape areas onsite.

8.37. Ms Reid concludes future residential development would have Low landscape effects and Very Low to Low visual effects, with the site and surrounds able to absorb the change from pastoral to urban residential use in an increasingly urbanised setting. I defer to her expertise on the landscape and visual effects of the rezoning.

8.38. If rezoned, the MRZ provisions would enable development that is consistent with that established, emerging, and permitted on neighbouring land. The MRZ provisions also allow consideration of the landscape and visual effects of development in line with the “*planned urban built character*”. Such matters can be appropriately addressed as part of a future resource consent.

#### Reverse Sensitivity/Interface Effects

8.39. Rezoning the site to fall within the MRZ would shift the boundary between the residential and rural zones. Any reverse sensitivity effects from the rezoning will be negligible as:

- a) 104 Upper Fitzherbert Road abuts the existing residential zone, such that any change to the interface location between the MRZ and RLZ would be minimal.
- b) The PDP describes the Rural Lifestyle zone as having a “*mixed rural and residential character*” with land utilised for “*small-scale rural activities and low-density residential development*”. Development within the proposed RLZ north of 104 Upper Fitzherbert Road is typified by single residential dwellings with modest pasture areas used for low intensity grazing. Where properties reach the hillslopes around the valley, these are typically heavily vegetated. The size of the Rural Lifestyle sites means they are unlikely to be suitable for intensive rural activity, limiting potential for generation of effects that are incompatible with nearby residential development.
- c) Effects upon neighbouring sites from development of 104 Upper Fitzherbert Road will need to be considered as part of any future resource consent application, and this can encapsulate reverse sensitivity.

8.40. It is my view that rezoning of the site to MRZ is not incompatible with the site’s setting and surrounds, and Mr Bellamy and I agree the MRZ provisions can adequately manage effects at the zone interface.

## 9. STATUTORY CONTEXT

9.1. The following paragraphs detail the statutory context within which the proposed rezoning from the RLZ to the MRZ is sought to occur.

### Resource Management Act 1991 ("the Act")

9.2. Rezoning 104 Upper Fitzherbert Road from the RLZ to the MRZ better achieves the sustainable management purpose set out in **section 5** of the Act. The site will support meeting housing demand, environmental effects from post-rezoning development can be managed through resource consent processes (as detailed above), and the rezoning is a logical continuation of the surrounding urban form. By contrast the RLZ would not make efficient use of this strategically located greenfield site.

9.3. Based off the evidence in the preceding sections, I do not consider the proposed rezoning to the MRZ to be contrary to any of the relevant provisions in **section 6** and **section 7** of the RMA 1991.

9.4. **Section 8** of the RMA requires that applications take into account the principles of the Treaty of Waitangi. There are no known cultural sites of significance present on the plan change site. Active protection is therefore not known to be necessary.

### National Policy Statements

9.5. Under **section 75(3)(a)** of the RMA, a District Plan must give effect to any National Policy Statement (NPS). The following NPS are relevant to the site:

- National Policy Statement on Urban Development (NPS-UD)
- National Policy Statement for Freshwater Management (NPS-FM)
- National Policy Statement for Indigenous Biodiversity (NPS-IB)
- National Policy Statement for Natural Hazards (NPS-NH)
- National Policy Statement for Highly Productive Land (NPS-HPL)
- National Policy Statement for Infrastructure (NPS-I)

### National Policy Statement on Urban Development (NPS-UD)

9.6. Policy 2 of the **NPS-UD** requires local authorities to provide sufficient development capacity to meet expected demand for housing and business land over the short, medium and long term.

It requires the preparation of a Housing and Business Development Capacity Assessment (HBA) and a Future Development Strategy (FDS) outlining how that capacity will be provided for.

9.7. The HBA<sup>2</sup> and FDS<sup>3</sup> prepared for the Wairarapa-Wellington-Horowhenua areas have identified the following:

a) While there is overall sufficient capacity to meet residential demand within Lower Hutt to 2051, Wainuiomata has a housing capacity shortfall of 666 dwellings.

Wainuiomata			
Stand-alone housing	2,235	1,699	-536
Joined housing	385	266	-119
Total	2,631	1,965	-666

**Figure 5:** Excerpt from Table 3.8, HBA (2023).

b) The FDS does not identify Wainuiomata as regional priority growth area. However, the FDS states: *“Any areas not specifically identified as priorities for development may still be appropriate to develop according to local needs and constraints but will not be prioritised at a regional level.”*

c) The FDS shows that the area known as Wainuiomata North is not subject to any Wāhi Toiora or Wāhi Toitū constraints that may inhibit suitability for future residential development.

9.8. The Council officer’s s42A report acknowledges the direction of Policy 2 to ensure sufficient housing development capacity but does not appear to have considered whether the HBA shows sufficient capacity within the Wainuiomata sub-catchment.

9.9. The rezoning of 104 Upper Fitzherbert Road is also consistent with the NPS-UD in so far as:

a) Rezoning of the site increases residential land supply and enables additional development capacity. This supports the competitive function of land and housing markets and supports people in meeting their social and economic need for homes. This aligns with the direction in Objectives 1 to 2 and Policies 1 to 2 of the NPS-UD.

<sup>2</sup> Entitled *“Housing and Business Development Capacity Assessment: Wairarapa - Wellington – Horowhenua”* dated September 2023; [wrlc.org.nz/assets/Documents/Documents/2025/09/HBA3-Draft-full-report-with-COVER-updated-16.02.24.pdf](http://wrlc.org.nz/assets/Documents/Documents/2025/09/HBA3-Draft-full-report-with-COVER-updated-16.02.24.pdf).

<sup>3</sup> Entitled *“Te Rautaki Whanaketanga ki tua a Wairarapa-Wellington-Horowhenua Future development Strategy 2024–2054”*; [1404-GWRC-WLRC-Future-Development-STRATEGY-2024-240223-06.pdf](http://1404-GWRC-WLRC-Future-Development-STRATEGY-2024-240223-06.pdf)

- b) There is high demand for housing in the area as per Objective 3. This is evidenced by the HBA findings of development capacity shortfall and the progressive development of residential housing along Wise Street.
- c) The rezoning integrates well with infrastructure planning and funding as per Objective 6 and Policy 10. There are known three waters and roading constraints in the area, however these are proposed to be resolved via planned and funded infrastructure improvements (potable water and Wise Street road extension) and/or can be addressed via a future resource consent.
- d) The site is earmarked for residential development under the Wainuiomata North Development Framework and adjoins land already zoned for medium density residential development, making the rezoning a logical continuation of the surrounding urban form.

9.10. The proposed rezoning is therefore consistent with the policy direction of the NPS-UD.

*National Policy Statement for Freshwater Management (NPS-FM)*

9.11. The **NPS-FM** sets a hierarchy for the management of freshwater resources to prioritise:

- a) The health and wellbeing of water bodies and freshwater ecosystems
- b) The health needs of people (such as drinking water); and
- c) The ability of people and communities to provide for their social, economic and cultural wellbeing now and in the future.

9.12. The site contains natural inland wetland features and a length of intermittent stream. Any development onsite must have regard to the provisions of the NPS-FM. This document is primarily given effect to at a regional level via the National Environmental Standards for Freshwater (NES-FW), Regional Policy Statement (RPS) and Natural Resources Plan (NRP).

9.13. Rezoning of the site to the MRZ does not remove the higher order obligations set by the NPS-FM in relation to waterways and wetlands and can be suitably resolved as part of a future resource consent.

*National Policy Statement for Indigenous Biodiversity (NPS-IB)*

9.14. The **NPS-IB** provides direction to protect, maintain and restore indigenous biodiversity, with the objective requiring “*at least no overall loss in indigenous biodiversity*”.

9.15. Ecological evidence prepared by Dr Keesing has:

- a) Not identified any areas that meet the definition of a 'Significant Natural Area'.
- b) Determined the site has no significant indigenous terrestrial ecological values, wetlands are of very low value and are not considered to be "significant" nor representative of indigenous wetlands, and the intermittent stream is of marginal (very low) quality.
- c) Stated that redevelopment of the site for residential purposes creates opportunities to achieve ecological net gains and enhance indigenous biodiversity.

9.16. Section 3.5(1)(b) states *"that the protection, maintenance, and restoration of indigenous biodiversity does not preclude subdivision, use and development in appropriate places and forms"*.

9.17. As the site is located outside an SNA and is not specified Māori land, clause 3.16 requires that *"any significant adverse effects of the new subdivision, use or development on indigenous biodiversity outside the SNA must be managed by applying the effects management hierarchy"*, and requires that all other adverse effects of activities on indigenous biodiversity outside an SNA must be managed to give effect to the objective and policies of the NPS-IB.

9.18. Given this context, rezoning the site to MRZ is not contrary to the NPS-IB with future subdivision or development remaining subject to the NPS-IB provisions at the time of resource consent.

*National Policy Statement for Natural Hazards (NPS-NH)*

9.19. The **NPS-NH** provides national direction on the management of natural hazard risk and seeks to take a *"risk-based proportionate approach"* to development within areas of natural hazard risk.

9.20. Under the PDP, 104 Upper Fitzherbert Road is subject to Low and High-Risk Flood hazard overlays and the liquefaction overlay.

9.21. The 'High Risk' stream corridor overlay under the PDP is limited to a marginal encroachment (5m wide, maximum) at the southern site boundary. There is ample space for any future development to avoid the stream corridor and associated highest hazard risk.

9.22. The inundation hazard overlay is classified as 'Low Risk' under the PDP. As per Mr McMullan's evidence, there are feasible solutions available to ensure that overland, flood and general stormwater flows are managed within the site to protect property and life.

- 9.23. The liquefaction overlay is classed as ‘Low Risk’ under the PDP. It is generally accepted practice that the effects of liquefaction can be managed through ground improvement works, and foundation and structural design considerations and is largely addressed through the building code<sup>4</sup>. Liquefaction is largely managed under the Building Code. Future development can be undertaken in a manner that accounts for liquefaction risk, where informed by appropriate geotechnical investigations and recommendations, and is appropriately dealt with at building consent stage.
- 9.24. The objective and policies of the NPS-NH, including the risk-based approach to natural hazards, can therefore be appropriately addressed as part of any subsequent resource consent should the site be rezoned to the MRZ.

*National Policy Statement for Highly Productive Land (NPS-HPL)*

- 9.25. The **NPS-HPL** aims to protect highly productive land for primary production uses and restricts urban rezoning of highly productive land in certain circumstances<sup>5</sup>.
- 9.26. As no Regional Council maps are yet available for highly productive soils, land is considered to be highly productive if it contains Land Use Class 1-3 soils and is zoned General Rural or Rural Production. As the site is presently zoned Rural Residential it does not meet the NPS-HPL definition of highly productive land.
- 9.27. The NPS-HPL provisions are not relevant and the preclusions on urban rezoning do not apply.

*National Policy Statement for Infrastructure (NPS-I)*

- 9.28. The **NPS-I** supports the integrated delivery of infrastructure and development, recognises that infrastructure is part of well-functioning urban and rural environments, and the role infrastructure has in supporting sufficient development capacity for housing and business land.
- 9.29. The NPS-I is relevant insofar as three waters and road access have been identified as possible constraints to rezoning. The NPS-I focuses on the delivery of new infrastructure, rather than the effects of demand upon existing infrastructure. The NPS-I framework aims to facilitate infrastructure delivery; this could include extensions of the three waters network and Wise

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<sup>4</sup> As per the Council’s s32 report for the Natural Hazards chapter.

<sup>5</sup> As per Clause 3.6 of the NPS-HPL.

Street carriageway necessary to service development of 104 Upper Fitzherbert Road, as well as supporting the Wainuiomata Reservoir upgrades.

9.30. The proposed rezoning is not inconsistent with the integrated approach to infrastructure provision set out by the NPS-I.

Regional Policy Statement and Regional Plan (including Plan Change 1)

9.31. Under **section 75(2)(c)** of the RMA 1991, a District Plan must give effect to any regional policy statement (“RPS”). **Section 74(2)(a)(ii)** requires that regard be had to a proposed Regional Plan for any matter of regional significance.

9.32. The RPS became operative in April 2013 and is being updated via Proposed Change 1 and Variation 1 thereof. Decisions were notified in late 2024 and appeals are currently underway.

9.33. Under the RPS - Appeals Version, Objectives 22 and 22A seek to secure well-functioning urban and rural areas and sufficient housing development capacity. Policies UD.4, UD.5, UD.3 and 55-58 have all been appealed (thus carrying lesser weighting) but establish a framework for considering plan changes to enable urban development. The rezoning sought is aligned with the direction set by the above objectives and policies as:

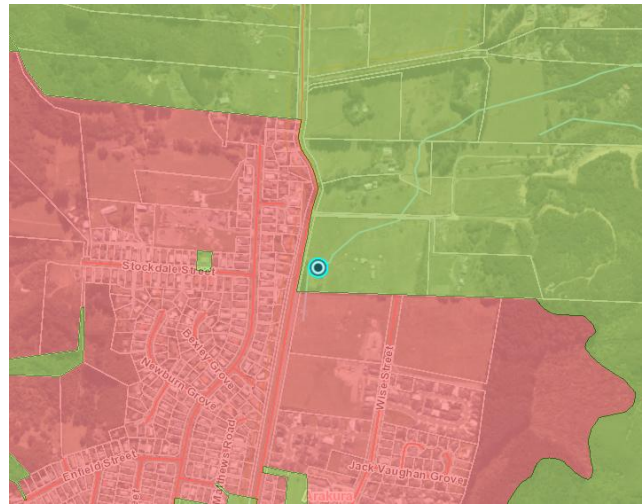
a) The site rezoning supports a well-functioning urban environment by:

- Addressing a housing shortfall of 666 dwellings in Wainuiomata, as per the HBA;
- Providing a high yield relative to the forecast shortfall (approximately 70-100 lots), and would enable a mix of housing typologies in line with the MRZ provisions. It contributes to “significant development capacity”;
- Occurring in a location that is well connected to the adjacent urban area and aligned with infrastructure provision, as discussed for roading and three waters.

b) While the rezoning seeks to enable urban development of presently rural land, there will be no significant reduction in productive capacity. The site is not Highly Productive Land and is of a size that does not support primary production at scale. Reverse sensitivity effects can be managed as per **sections 8.39 – 8.40** above.

9.34. Additionally, Plan Change 1 (PC1) to the Natural Resources Plan (NRP) was notified in late 2023. Submissions closed on 15<sup>th</sup> December 2025. PC1 has been paused as of 26 June 2025 but the notified version remains in effect.

9.35. Of relevance, PC1 introduces Rule WH.R13, under which stormwater discharges from new unplanned greenfield development are prohibited. 104 Upper Fitzherbert Road is classed as 'unplanned greenfield'.



**Figure 6:** Planned/existing urban areas (red) and unplanned greenfield areas (green). Source: Map 89 as per NRP – PC1 maps.

9.36. Numerous submissions have been made in relation to Rule WH.R13, including submissions in opposition.

9.37. Given the submissions on Rule WH.R13 and taking account of the 'Plan Stop', I consider that lesser weighting should be applied to the PC1 provisions. Irrespective, Rule WH.R13 is not yet operative. As such, there remains a resource consent pathway for stormwater discharges on unplanned greenfield sites as a Discretionary activity under s87B of the RMA. Should PC1 becomes operative there remains a pathway to have the site removed from the 'unplanned greenfield areas' extent via a plan change.

#### Other Matters

9.38. The Council's Greenfield Development Area Review<sup>6</sup> finds the Wainuiomata North area to be well suited for medium density development but identifies infrastructure constraints and economic feasibility limitations.

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<sup>6</sup> Entitled "Hutt City Council Greenfield Development Areas Review", Version 3, dated July 2023, prepared by Land Matters.

9.39. The preceding analysis and supporting evidence by Mr Godwin demonstrate that infrastructure solutions exist, whereby the largest hurdle to enabling greenfield development in Upper Fitzherbert – as per the Review – can be reasonably overcome.

9.40. Further, the continued residential growth along Wise Street suggests an economic return can be gained from development in immediate proximity of 104 Upper Fitzherbert Road.

## **10. SECTION 32AA ANALYSIS**

10.1. A section 32AA analysis is provided at **Appendix 2** to this evidence. Rezoning the site to MRZ is appropriate, being an effective and efficient means of achieving the purpose of RMA, and with due consideration to the costs and benefits of the rezoning and potential rules framework changes required.

## **11. CONCLUSION**

11.1. I consider the MRZ zoning is more appropriate for the site at 104 Upper Fitzherbert Road than the Rural Lifestyle zoning proposed in the PDP.

11.2. There are feasible solutions to address three waters constraints in the area, with the proposed rezoning well aligned with planned and funded infrastructure upgrades. Access can be facilitated to the site, including strategic connection to neighbouring sites to the north. Flooding and ecological constraints can be addressed, and the site is visually contained and immediately adjacent to the existing urban area.

11.3. Rezoning of the site would increase residential development capacity, with any actual or potential environmental effects able to be addressed at the time of resource consent in accordance with the PDP and overarching planning framework.

11.4. I consider that rezoning the area to MRZ is the more appropriate zoning by which to achieve the sustainable management purpose of the Act.

## APPENDIX 1: POSSIBLE CHANGES TO PROVISIONS

- (1) This Appendix sets out my recommended changes to the Proposed District Plan provisions, should these be considered necessary.
- (2) These changes create an explicit mechanism for inclusion within the District Plan to secure a strategic road extension from Wise Street through 104 Upper Fitzherbert Road, should the site be rezoned to Medium Density Residential Zone (MRZ).

### District Plan – Spatial Layer

- (3) I have turned my mind to the most appropriate District Spatial Layer to secure the strategic road connection.
- (4) The National Planning Standards set out five possible Spatial Layers as follows:

<b>Mechanism</b>	<b>Suitability</b>
Zones	The provision of a roading connection is not a function of the underlying zoning. This is not an appropriate mechanism.
Overlays	Overlays denote areas with specific values or risks (e.g. natural hazards), and are not suitable to secure a road connection.
Precincts	Precincts are used where additional place-based provisions are needed to modify the policy approach or outcomes anticipated within the underlying zones. This is not an appropriate mechanism as there is no need to modify the wider policy direction or outcomes for the MRZ.
Specific Controls	Specific controls are therefore the most relevant means of achieving the road connection, allowing site specific provisions to be imposed. While the General Approach section of the PDP notes specific controls sit within the relevant zone chapter(s), the Planning Standards allow such rules to be applied to “relevant chapters or sections” with no preclusion to their use in District-Wide chapters.
Development Areas	Development areas apply where concept plans, structure plans or the like apply. The site is too small and the development pattern of the wider Upper Fitzherbert/Wainuiomata North area too uncertain for this to be an appropriate mechanism.

Recommended Rules Structure

- (5) If the Commissioners consider that changes to the District Plan framework are necessary, it is recommended these are limited to the Subdivision chapter. It is the formation of new legal boundaries that will have the most direct influence on whether an extension to Wise Street can be readily achieved. The more complex the land ownership structure, the harder it becomes to provide strategic infrastructure assets.
- (6) The introductory section of the Subdivision chapter specifically notes:  
*“For the avoidance of doubt, subdivision of land subject to an overlay or other planning notation must comply with the relevant general rules as well as the overlay/planning notation specific rules. Where multiple rules apply, the activity status for the subdivision is the more onerous activity status.”*
- (7) With this in mind, no changes are considered necessary to the General Subdivision standards; these will continue to apply.
- (8) The following additional rule is recommended to be included within the Subdivision chapter:

SUB-RXX	Subdivision of 104 Upper Fitzherbert Road (Lot 1 DP 80607)
	<p><b>1. <u>Activity status: Controlled</u></b></p> <p><u>Where:</u></p> <p>a. <u>At the time of subdivision, an extension to the Wise Street road carriageway is provided between the southern and northern boundaries of Lot 1 DP 80607. Once a subdivision has been completed that creates the required road corridor, SUB-RXX will no longer apply.</u></p> <p><b><u>Matters of control are limited to:</u></b></p> <ol style="list-style-type: none"> <li>1. <u>The legal and formation standard of the road extension.</u></li> <li>2. <u>Vesting of the road to Hutt City Council.</u></li> <li>3. <u>The matters in:</u> <ol style="list-style-type: none"> <li>a. <u>SUB-P4 – Subdivision Design and Layout</u></li> <li>b. <u>SUB-P6 – Transport network</u></li> <li>c. <u>SUB-P7 – Servicing and access</u></li> <li>d. <u>INF-P1 – Recognise benefits of infrastructure</u></li> <li>e. <u>INF-P3 – Planning and delivery of infrastructure; and</u></li> <li>f. <u>INF-P7 – Upgrading and developing the transport network</u></li> </ol> </li> </ol>
	<p><b>2. <u>Activity status: Discretionary</u></b></p>

- (9) The intent is this rule would fall away once a subdivision is completed that establishes the strategic road corridor. Once the connection has been facilitated, it is no longer a relevant matter to consider for future development(s) and resource consent(s).

Conclusion

- (10) The above recommended rule is considered to be a simple mechanism that allows Council express consideration of a strategic road connection through 104 Upper Fitzherbert Road as part of a future resource consent.

- (11) A s32AA analysis is provided at **Appendix 2**.

## APPENDIX 2: SECTION 32AA EVALUATION

- (1) As per s32AA of the RMA 1991, the following provides an evaluation of whether these provisions are the most appropriate way to achieve the purpose of the RMA.
- (2) The level of detail reflects the scale and significance of the changes proposed, including the rezoning and any amendments to the PDP provisions.

### Rezoning

- (3) I consider the rezoning to be the most appropriate way to achieve the purposes of the RMA as:
  - a) 104 Upper Fitzherbert Road is logically located to provide an extension to the existing urban environment. It will not materially change the zoning patterns or anticipated character of the Upper Fitzherbert area, responds to market demand, and integrates well with the adjacent urban area;
  - b) As detailed in the accompanying evidential statement, actual and potential environmental effects from the rezoning can be adequately addressed through the notified provisions of the PDP (or if deemed necessary, through the rule adjustments set out in **Appendix 1**).
  - c) As per the evidential statement, the rezoning will help address an identified shortfall in housing within the Wainuiomata catchment, is not stymied by section 6, 7 or 8 matters, and generally accords with the higher order direction provided by various National Policy Statements.
  - d) The rezoning unlocks potential to support the effective functioning of housing markets and supports social outcomes through provision of additional land for housing. While this may be at the expense of rural lifestyle land, the existing land parcel is currently underutilised and not considered to be of sufficient size to support productive use.
  - e) The rezoning is more effective in giving effect to the objectives of the Strategic Direction chapter, including the creation of a “*well-functioning urban environment*” (as per UDSD-O1 and UDSD-O2), and UDSD-O3 that seeks to consolidate the urban form “*with greenfield development only taking place within identified areas*”.

### Site-specific Provisions

- (4) One of the key issues with the rezoning is providing for a strategic road connection through the site. **Sections 8.9 – 8.18** of the evidential statement note this can be done either via retention of the PDP provisions as notified, or through inclusion of site-specific rules as set out in **Appendix 1**.

- (5) Relying upon the PDP rules as notified is the preferred approach as:
- a) It provides sufficient levers for Council to secure the roading connection, whilst retaining the most streamlined plan provisions and avoiding the inclusion of rules that may swiftly become redundant as development occurs. It does rely upon Council officers to be aware of and provide for the growth potential of the Upper Fitzherbert area with any resource consent application.
  - b) It nevertheless provides an effective pathway to secure the roading connection, ensuring the economic, cultural and social benefits of enabling growth and housing provision without adding complexity to the consenting process.
- (6) If the Commissioners deem it necessary to include site specific provisions within the PDP to secure the roading outcomes, the provisions as set out in **Appendix 1** are most appropriate as:
- a) They improve the effectiveness and efficiency of the District Plan by setting clear direction for the future subdivision of 104 Upper Fitzherbert Road. **Table 1** below illustrates how the proposed rule fits with the overarching objectives and policies.
  - b) The provision is designed to “fall away” once the roading connection is provided, ensuring it does not add undue cost or complexity to subsequent resource consent(s).
  - c) It allows the social, economic and cultural benefits of residential development on the site to be realised, whilst securing economic efficiencies and environmental benefit through integrated provision of infrastructure (i.e. the road) for the site and potential greenfield land further north.

Table 1: Mapping the relationship between objectives, policies, and the proposed rule.

Objectives	Policies	Rules					
<p><b>SUB-O3 – Servicing of allotments.</b> Development enabled through subdivision is adequately serviced and supported by infrastructure and the transport network.</p>	<p><b>SUB-P4 – Subdivision design and layout</b> Provide for subdivision and the creation of new allotments where:</p> <ol style="list-style-type: none"> <li>The subdivision reflects the intended pattern of development of the underlying zone,</li> <li>The subdivision is consistent with the anticipated purpose, character, and density of development of the underlying zone,</li> <li>The allotments are of a size and dimension that is sufficient to accommodate the intended activities and development forms for the underlying zone, and</li> <li>The design and layout encourage the efficient use of renewable electricity and other natural and physical resources and deliver well-connected, resilient communities through development patterns and sustainable designs.</li> </ol> <p><b>SUB-P6 – Transport</b> Provide for subdivision where:</p> <ol style="list-style-type: none"> <li>The safe and efficient functioning of the transport network is maintained, taking into account the capacity and safety of the network,</li> <li>It provides for a variety of travel modes that reflect the planned purpose, character, and amenity values of the zone, and</li> <li>It encourages walking, cycling, and public transport opportunities and enhances neighbourhood and network connectivity and safety.</li> </ol> <p><b>SUB-P7 - Servicing and access</b> Require all allotments created by any subdivision to be adequately serviced as follows:</p> <ol style="list-style-type: none"> <li>Require new infrastructure and upgrades to existing infrastructure to meet the relevant Council engineering standards.</li> <li>Require sufficient infrastructure capacity to accommodate development in accordance with the planned purpose of the zone.</li> <li>Where upgrades to existing infrastructure or new infrastructure are required ensure that the upgraded or new infrastructure have sufficient capacity to accommodate future development and densities anticipated by the underlying zone.</li> <li>Require new roads and new vehicle access to sites to meet minimum design standards to: <ol style="list-style-type: none"> <li>Allow for safe and efficient traffic movements,</li> <li>Provide for pedestrian amenity, and</li> <li>Safely accommodate the intended number of users.</li> </ol> </li> <li>Require suitable access and connections to reticulated water supply, wastewater, and stormwater networks in urban areas that meet the requirements of the Wellington Water Regional Standard for Water Services v3, December 2021.</li> <li>Where reticulated services are not available require allotments to be of sufficient size and shape with appropriate soil conditions to accommodate on-site wastewater, stormwater and water supply infrastructure, including water supply for fire-fighting purposes.</li> <li>Require the provision of suitable connections to telecommunications and electricity.</li> </ol>	<p>In addition to the general rules, introduce the following provision to the subdivision chapter only:</p> <table border="1" data-bbox="2003 682 2804 1627"> <thead> <tr> <th data-bbox="2003 682 2151 745"><b>SUB-RXX</b></th> <th data-bbox="2166 682 2804 745"><b>Subdivision of 104 Upper Fitzherbert Road (Lot 1 DP 80607)</b></th> </tr> </thead> <tbody> <tr> <td data-bbox="2003 745 2151 1585" rowspan="2"></td> <td data-bbox="2166 745 2804 1123"> <p>1. <b>Activity status: Controlled</b></p> <p><u>Where:</u></p> <p>a. <u>At the time of subdivision, an extension to the Wise Street road carriageway is provided between the southern and northern boundaries of Lot 1 DP 80607. 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	<p>2. <b>Activity status: Discretionary</b></p>						
<p><b>INF-O3 – Infrastructure availability and capacity</b> Enable safe, resilient, sustainable, responsive and efficient infrastructure that is well integrated with, and able</p>	<p><b>INF-P1 – Recognise benefits of infrastructure</b> Recognise the social, economic, cultural and environmental benefits that infrastructure provide, including:</p> <ol style="list-style-type: none"> <li>Enabling enhancement of the quality of life and standard of living for people and communities,</li> <li>Providing for public health and safety,</li> <li>Enabling businesses to function,</li> <li>Enabling growth and development,</li> </ol>						

<p>to meet the needs of, subdivision, use, and development.</p> <p><b>INF-O4 Transport network</b> Ensure the transport network is safe, accessible and connected, and provides for all transport modes and users to move efficiently within and beyond Lower Hutt, while being integrated with land use, development and contributing to the planned outcomes for zones and precincts.</p>	<ol style="list-style-type: none"> <li>5. Enabling the transportation of freight, goods and people,</li> <li>6. Providing a lifeline during emergencies, and</li> <li>7. Enabling the effective, safe, secure and efficient transmission of electricity.</li> </ol> <p><b>INF-P3 - Planning and delivery of infrastructure</b> Ensure that infrastructure planning and delivery is coordinated and responsive by:</p> <ol style="list-style-type: none"> <li>1. Ensuring development of infrastructure is integrated with other land use, subdivision, development, and urban growth.</li> <li>2. Enabling infrastructure to be delivered at a rate which is responsive to the reasonably foreseeable needs of Lower Hutt, including with consideration to population growth.</li> <li>3. Ensuring that infrastructure is resilient or adaptable to impacts of natural hazards and climate change.</li> <li>4. Ensuring that infrastructure is able to adapt to changing user requirements and technologies.</li> <li>5. Encouraging the co-location of infrastructure, including the utilisation of existing designations and the use of roads as infrastructure corridors.</li> <li>6. Ensuring the provision and operation of infrastructure that cross jurisdictional boundaries is managed in an integrated manner.</li> </ol> <p><b>INF-P7 - Upgrading and developing the transport network</b> Provide for upgrading and developing the transport network where, as far as practicable, it:</p> <ol style="list-style-type: none"> <li>1. Supports the growth of active and public transport modes,</li> <li>2. Does not compromise the safety, efficiency, and resilience of the transport network,</li> <li>3. Improves connectivity for and integration between all transport modes, including by: <ol style="list-style-type: none"> <li>a) Providing and enhancing active transport connections to existing active transport and public transport networks,</li> <li>b) Allocating adequate space in the road corridor for walking, cycling, infrastructure, streetlighting and street trees as well as vehicles and on-street parking, and</li> <li>c) Avoiding permanent no-exit streets unless there is no practicable alternative due to site and topographical constraints.</li> </ol> </li> <li>4. Is consistent with the planned outcomes, including in relation to character and amenity, of the zones and precincts in which it is located.</li> </ol>	
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Conclusion

- (7) The above analysis demonstrates that, in accordance with s32AA:
- a) Rezoning of 104 Upper Fitzherbert Road to the MRZ is an effective and efficient means of achieving the purpose of the RMA 1991.
  - b) Retaining the District Plan provisions as is or introducing a site-specific rule is an effective means of enabling a strategic roading connection to be provided through the site.
- (8) The MRZ rezoning sought by Submission 516 can be supported by the proposed District Plan framework. I therefore consider rezoning to the MRZ to be appropriate for 104 Upper Fitzherbert Road.