11 November 2026

# Lower Hutt City Council
# Proposed District Plan
# Hearing Stream 8 – 30 Benmore Crescent

# Submission to Hearings Commissioners

## 1. Submitters Details


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## 2. Introduction

TKL / Rosco made a submission opposing the proposed General Rural zoning of the property at 30 Benmore Crescent, Manor Park (Sec 1 SO 493901 held in record of title 738223) ("the Site") under the Proposed District Plan ("PDP"). The submission sought that the property is instead zoned as General Industrial zoning but with some specific provisions.

The TKL / Rosco submission also opposed the Medium Density Residential zoning of the railway corridor adjacent to the Site and sought that the railway corridor is also zoned General Industrial.

TKL / Rosco is making a joint presentation with Waste Management NZ Ltd in respect of the zoning of the Site. To this end, I am presenting Planning evidence alongside Angela Goodwin who is acting for Waste Management NZ Ltd.

My primary statement of evidence covered the relevant resource consents for the Site, transportation effects, infrastructure and stormwater effects and natural hazard risks. Today I will briefly cover:

- relevant resource consents;
- background for inclusion of non-complying activities (as proposed in Ms Goodwin's precinct provisions);
- transportation matters.

## 3. Statement

Existing Resource Consents – TKL / Rosco

TKL / Rosco has obtained a number of resource consent for the site.

| **Works:** | **Consents:** | **Related Approvals:** | **Description:** |
|---|---|---|---|
| Bulk earthworks | RM220258 (HCC)<br>WGN230031 (GWRC) | | Bulk earthworks over the majority of the Site (excluding the riparian corridor for Dry Creek) to create flat useable areas and raise the low areas above flood levels. |
| Road upgrades & infrastructure | RM230018 (HCC) | KiwiRail<br>NZTA | Offsite roading upgrades, level crossing and on-site vehicle access to facilitate up to 2,900 vehicle movements a day plus installation of three waters infrastructure for future development of the Site. |

A feature of these resource consents is a requirement for landscaping works to be completed to enhance the Dry Creek corridor (20m wide) and also to provide screening around the perimeter of the site.

Pending Resource Consents – Waste Management NZ

Waste Management NZ Ltd has lodged resource consent applications for the following:

| Works: | Consents: | Status: | Description: |
|---|---|---|---|
| Resource recovery park | RM230019 (HCC) | Further info. request | To establish and operate a resource recovery park. |
| Resource recovery park - Air discharge | WGN250271 (GWRC) | Further info. request | Discharge to air from the resource recovery park. |
| Resource recovery park - Stormwater discharge & impervious areas | WGN260460 (GWRC) | Further info. request | Creation of impervious surfaces for the resource recovery park and the discharge of stormwater. |

These resource consent applications are still being determined, which includes public notification.

Non-complying Activities

The primary evidence of Ms Goodwin included a set of specific planning provisions for the Site. These are intended to apply to the Site to identify it as a precinct area within the General Industrial zone. On behalf of TKL / Rosco I supported Ms Goodwin's precinct provisions.

The precinct provisions identified certain activities as being non-complying activities. The background to the proposed precinct provisions is that they are intended to reflect an agreement that TKL / Rosco reached with NZTA in respect of a resource consent application to upgrade the intersection of Benmore Crescent and Manor Park Road beside the Haywards interchange on State Highway Two ("SH2"). That is, NZTA provided written approval for the resource consent application on the basis that certain activities would not be allowed to establish / operate at the site in the future. The restricted activities include activities that a known to be high traffic generating activities such as supermarkets, service stations, big box retail and care facilities etc or that could lead to reverse sensitivity issues for SH2. As a result, the restricted activities are listed as non-complying activities in Ms Goodwin's proposed precinct provisions.

While I don't disagree with Mr Osborne's assessment in his rebuttal evidence that there otherwise appears to be no good reason to exclude these activities, the intention was to maintain consistency with the NZTA agreement, but also to prioritise industrial activities and avoid activities that would be incompatible with SH2. That is, it was not intended by NZTA or TKL / Rosco to exclude some activities so that other activities would be favoured.

Consequently, I have no strong opinion as to whether the restricted activities should be kept in the PDP as non-complying activities or whether these activities should be removed or made discretionary.

Traffic

I note that the Mr Benner and Mr Osborne generally accept that Ms Goodwin's proposed rule GIZ-PREC-R13 is appropriate to manage traffic effects for the Site and that this rule should be used for the Site rather than applying Transport rule TR-R3 and Table 8 for high trip generating activity thresholds.

Mr Benner's advice is that traffic matters should be assessed on the estimated traffic generation of an activity, rather than solely on the type of activity. However, I note that Table 8 in the Transport chapter uses activity classification and GFA or occupancy to determine trip generation. It is only when a proposal does not fit within the listed activities in Table 8 that it falls to the "other activities" category and a specific trip rate is specified.

However, Mr Osborne recommends amending proposed rule GIZ-PREC-R13 such that non-compliance with the permitted standards is elevated to a restricted discretionary status with matters of discretion and information requirements similar to those under TR-R3.2. Ms Goodwin addresses this matter further and proposes an amendment to proposed rule GIS-PREC-R13 that has a restricted discretionary pathway and a non-complying pathway.

Mr Benner notes that the NZTA Planning Policy Manual refers to traffic generation in terms of "*equivalent car movements (ECM)*". As Mr Georgeson has noted, the concept

of equivalent car movements has not been used for the transportation assessment undertaken for resource consent RM230018. That is, the proposed limit of 2,900 vehicle movements per day is not based on equivalent car movements and does not distinguish between light vehicle and heavy vehicles.

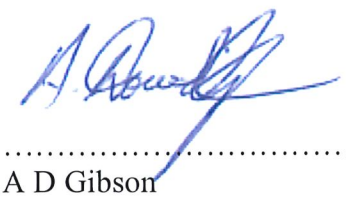
Therefore, the vehicle movement limit includes trucks and passenger vehicles as single vehicle movements.

## 4. Conclusion

I remain of the view that a General Industrial zoning of 30 Benmore Crescent with specific precinct provision is the most appropriate zoning for the Site to achieve the purposes of the NPS-UD and the PDP. Similarly, the zoning of the railway corridor adjacent to 30 Benmore Crescent should also be zoned as General Industrial in order to achieve future use of the Site in accordance with the anticipated outcomes of the General Industrial zone.

Ms Goodwin will outline further amendments to the proposed precinct provisions in response to Mr Osborne's rebuttal evidence. I also support Ms Goodwin's further amendments.

I am happy to answer any questions.



..... Date 11 / 11 / 2026

A D Gibson

On behalf of Te Kārearea Ltd / Rosco Ice Cream Ltd