

Submission on Proposed District Plan of Hutt City Council.

In the matter of Proposed District Plan review incorporating the Intensification Streamlined Planning Process (ISPP), and the first schedule of the Resource Management Act.

Expert Evidence of Cameron Peter de Leijer on behalf of Kelson Heights Limited – Hearing 4 – ‘Other Zones’

Date: 01/07/2025

Next Event Date: 21-22 July 2026
Hearing Chair: Lindsay Daysh
Hearing Pannel: Liz Burge, Juliane Chetham, Matthew Muspratt

Introduction

- 1 My full name is Cameron Peter de Leijer. I am a Senior Surveyor and Planner at Spencer Holmes Ltd. I specialise in Cadastral Surveying, Resource Management, and Land development.
- 2 I am providing planning evidence on behalf of Kelson Heights Limited.

QUALIFICATIONS

- 3 My qualifications and experience are as follows:
 - 3.1 I have a Bachelor of Surveying from the University of Otago and Bachelor of Science from the University of Canterbury.
 - 3.2 I have 8 years post graduate experience as a surveyor in private practice at Spencer Holmes Limited. During that time, I have worked on a variety of survey projects. I now work closely in the land planning field which includes the preparation of resource consent applications, as well as developing land use strategies for clients.
 - 3.3 In October 2021 I achieved the requirements to be a Licensed Cadastral Surveyor under the Cadastral Survey Act 2002, which is a rigorous set of exams that require knowledge in the law surrounding Cadastral Surveying. Upon obtaining my license to undertake cadastral surveys, I became full member of the surveying professional body, Survey and Spatial New Zealand. I am also an associate member of the planning professional body, New Zealand Planning Institute.
- 4 My involvement in these proceedings (via Spencer Holmes Ltd) has been to prepare the submission for Kelson Heights Limited, as well as provide this evidence to support the submission and hearing.
- 5 I have been involved in the project as a cadastral surveyor and planner for 5 years and am very familiar with the development.

CODE OF CONDUCT

- 6 I have read the Code of Conduct for Expert Witnesses set out in the Environment Court's Practice Note 2023. Whilst this is a Council hearing, I have complied with the Code of Conduct in preparing my evidence and will continue to comply with it while giving oral evidence before the commissioners. My qualifications as an expert are set out above. Except where I state I rely on the evidence of another person, I confirm that the issues addressed in this statement of evidence are within my area of expertise, and I have not omitted to consider material facts known to me that might alter or detract from my expressed opinions.

THE SUBMISSION

- 7 The original submission was to amend the portion of the site from Natural Open Space to Medium Density Residential Zone and to remove the Slope Assessment Overlay from the MDRS Zone at 64 Waipounamu Drive. However, this evidence is specifically in relation to Natural Open Space rezoning.

BACKGROUND

- 8 The site at 64 Waipounamu Drive, Kelson is a large site which is approximately 10.4201 ha and is the subject to further development which is being undertaken in 6 stages. The below figure gives quick references to these stages.

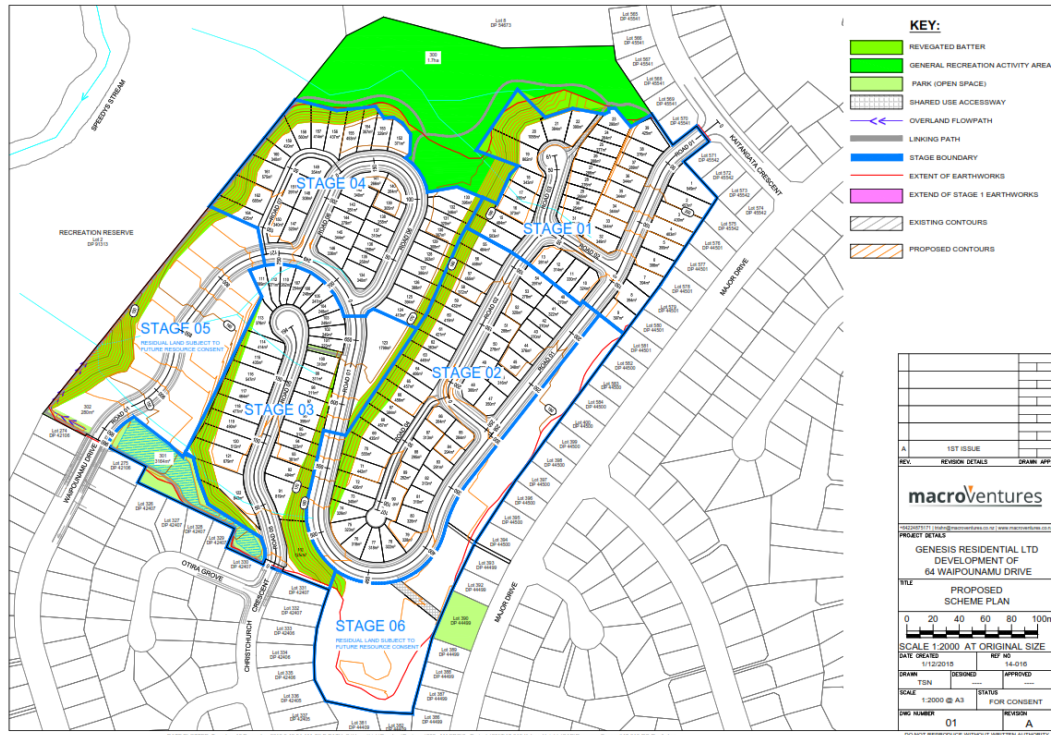


Figure 1: Staging for Subdivision at 64 Waipounamu Dr

- 9 A resource consent, RM180513, was granted to undertake the earthworks for the whole site, except stage 6, as well as facilitate the subdivision of Stage 1 and 2. The consent was provided with this original submission, as well as the approved application plans.
- 10 The first stage of the development was completed in November 2022, with Stage 2A and Stage 2B following in May 2023 and August 2024 respectively. Stage 2C has been completed in August 2025.
- 11 Due to the complexity of the site, the size and progression of the works involved, conditions relating to the subdivision were required to be changed. There have been two changes of conditions. One approved under RM 200328 which altered earthworks conditions and one that was granted under RM 240100, which allows for the change in earthworks and other conditions to finalise Stage 2C.
- 12 RM180513 has expired, and two separate consents were applied to replace this consent. RM250229 defines Stage 2D which was granted on 18 June 2026. RM260025 addresses the earthworks for the remainder of

the site, which seeks to essentially reconstitute the earthworks for RM180513.

Original Submission and Natural Open Space Zone (OSZ).

13 The Natural Open Space Zoning was discussed in the original submission, however in short, the Natural Open Space Zone was defined by a scheme plan as part of DPC48.

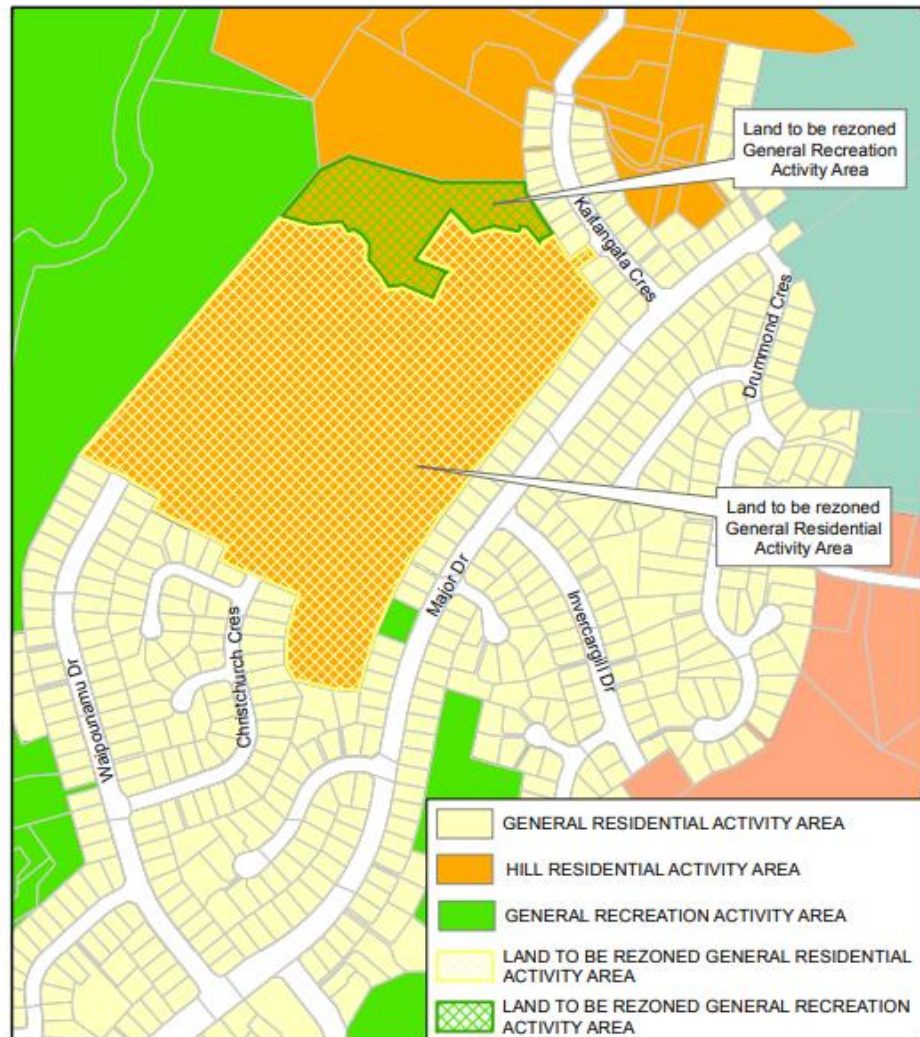


Figure 2:DPC48 rezoning

14 The submission seeks to rezone Natural Open Space Zone to MDRZ until the boundaries are legally defined and the reserve is vested to Council.

Councils S42A Report.

- 15 The Council S42A Report recommends that this submission is rejected as the earthwork's provisions in the OSZ are more permissible than MDRZ.

RM250229 – Stage 2D – Lot 302

- 16 When undertaking the change of conditions to RM180513, (under RM240100), it was determined that part of this area was no longer to be vested in Council as the parks team did not want to maintain this area. As such it will remain with the developer. This was reinforced in consent RM250229. This has been identified as Lot 302 on the application plan (attached).
- 17 As this allotment is to remain in private ownership, the allotment will not meet the objective of the OSZ as it will not be accessible to the public for recreational activities or community facilities.
- 18 The objectives also reinforce a low-level built development. However, it is unreasonable to expect that a private allotment in an area that is currently being developed is restricted to this low-level built development standard.
- 19 As such the relief sought for this area is to rezone to MDRZ to allow for this private allotment to be adequately developed in the future.

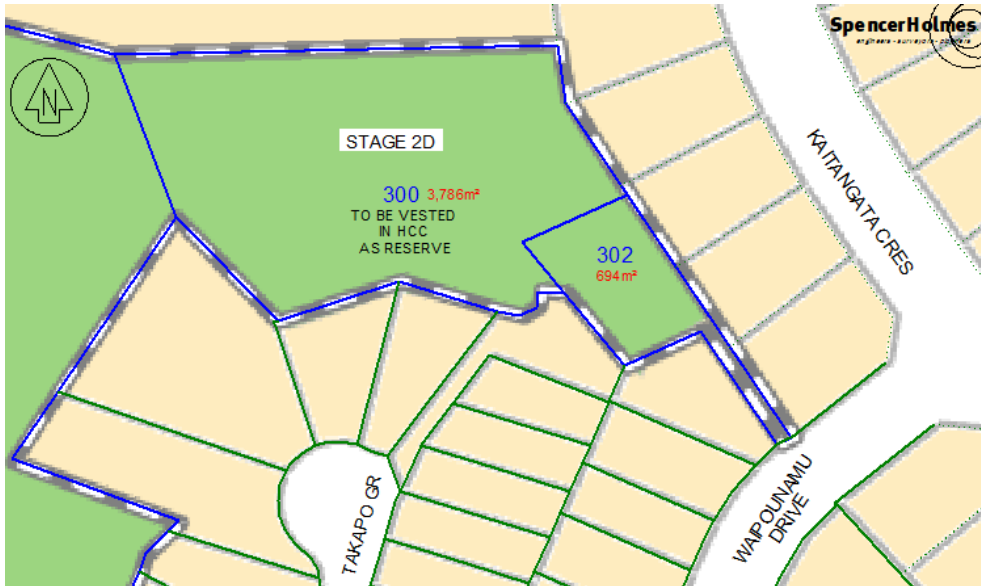


Figure 3: PDP with Lot 302

Remainer Open Space Zoning.

- 20 As previously discussed, the OSZ is generally based on the scheme plan boundaries. However, the development is now maturing and through the implementation of the consent, as shown above though the consenting process, the OSZ boundaries are not always appropriate.
- 21 This public plan change provides the opportunity to correct the zoning for Lot 301 as described above. However, this may not be the case for the remainder of the Open Space Zone.
- 22 As discussed in the original submission, there is a real possibility that the residential properties of Stage 4 will have a portion of their parcel subjected to the OSZ as the detailed design may require the base of the walls to be within this area. The consent currently being sought under RM260025 will authorise any actual earthworks for the development and is being assessed against the OSZ and General Recreation Zone.
- 23 It is extremely unlikely that the future owners of each residential allotment will submit on the district plan to ensure that the property is zoned appropriately. However, Council will have an interest in ensuring that the parcel (that will be vested as reserve) will be zoned as Natural Open Space.

- 24 This will also allow for any further or future consents on the residential properties to only assess one zone (MDRZ) which is economic benefit for the future owners.
- 25 The risk of the zone change remains the same for Council whether the zone is MDRZ or OSZ. The general area is required to be vested to Council as part of the development and cannot be developed due to the high value ecological values within this area as existing wetlands have been identified in this area. Once this is vested to Council, it will have all the protections of the OSZ and can achieve the objectives and policies that are set forth in the chapter, even though it would remain as MDRZ until the next plan change.
- 26 As such, the relief sought (rezoning the whole OSZ to MDRZ) will be temporary in nature, as when this legal parcel is defined that will be vested to Council, Council can (and will likely) rezone this OSZ when appropriate. It is likely future public plan changes will be required as part of the changes to planning legislation.

Conclusion

- 27 The Natural Open Space Zone was originally defined by a scheme plan. The development has progressed and considerations from Council through the consenting process now deem these boundaries to be appropriate as they the underlying legal parcel will not allow for the objectives and policies of the OSZ to be achieved.
- 28 The relief sought is to protect the development and future owners from having aspects of the private property to reflect the OSZ when it is inappropriate. The area will remain protected from development prior to vestment due to the nature of the ecological values and will be protected from development post vestment as the area will remain in ownership of Council.

Date: 02/07/2026

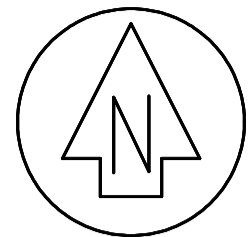
Review and Agreed by: Ian Leary

Signed: Cameron de Leijer

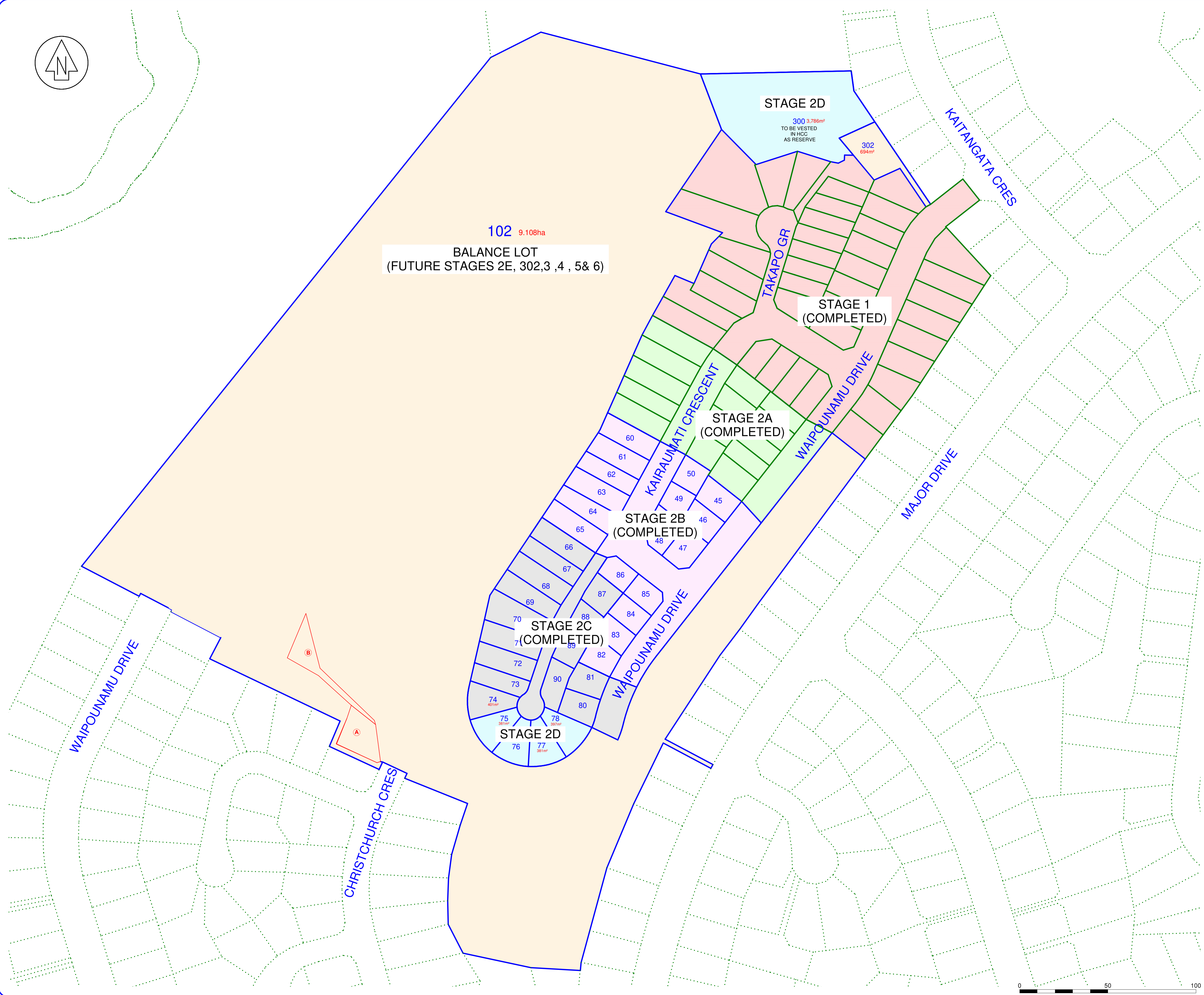


Appendices:

1. Approved Scheme Plan S19-0774-S2D-AP1
2. Lot 302 with PDP plan zoning overlaid.



| NO | REVISION | BY | DATE |
|----|-------------|-----|------------|
| A | FIRST ISSUE | | |
| B | ADDED AREAS | CPD | 17/02/2026 |
| | | | |
| | | | |
| | | | |



102 9.108ha
BALANCE LOT
 (FUTURE STAGES 2E, 302, 3, 4, 5 & 6)

STAGE 2D
 300 3,786m²
 TO BE VESTED
 IN HCC
 AS RESERVE

STAGE 1
 (COMPLETED)

STAGE 2A
 (COMPLETED)

STAGE 2B
 (COMPLETED)

STAGE 2C
 (COMPLETED)

STAGE 2D

- NOTES:
1. ALL AREAS AND DIMENSIONS ARE SUBJECT TO LEGAL FINAL SURVEY
 2. SERVICE EASEMENTS WILL BE GRANTED WHERE REQUIRED
 3. PARTY WALL EASEMENTS WILL BE GRANTED WHERE REQUIRED
 4. A PROVISIONAL S243 APPROVAL FOR LAND TO BE VESTED IN COUNCIL IS PROVIDED BY THIS PLAN

SpencerHolmes
 engineers - surveyors - planners

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CLIENT
GENESIS RESIDENTIAL

PROJECT
KELSON HEIGHTS

DRAWING TITLE
SUBDIVISION STAGE 2D

DESIGN CONSULTANT

Copyright of this drawing is vested in Spencer Holmes Ltd.
 The Contractor shall verify all dimensions on site.

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□ S190774 Scheme Plans Stage 2D alter - S19-0774-AP1
 □ DRAWN CPD □ FB
 □ CHECKED JFC □ DATE 27/03/2024

SCALE
1 : 1000

DRAWING NUMBER
S19-0774-S2D-AP1

AT
A1

REV
B

RESOURCE MANAGEMENT - LAND PLANNING - SURVEYING - STRUCTURAL - CIVIL - FIRE



STAGE 2D

300 3,786m²
TO BE VESTED
IN HCC
AS RESERVE

302
694m²

KAITANGATA CRES

TAKAPO GR

WAIPOUNAMU
DRIVE

S190774 Scheme Plans Stage 2D alter - SUB1

Spencer Holmes Ltd

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**LOT 302 WITH PROPOSED DISTRICT PLAN OVERLAY
KELSON HEIGHTS**

PREPARED FOR GENESIS KELSON RESIDENTIAL LTD

DRAWN **CPD**
DATE **02-07-2026**
SCALE **1 : 500**

DRAWING NUMBER **S19-0774-SUB1**

REV **A**