

Saritha Shetty

From: [REDACTED]
Sent: Sunday, 3 December 2023 7:23 am
To: District Plan Review Team
Subject: [EXTERNAL] Benmore Crescent Re-zoning

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Steve

We wish to express our concern at the potential re zoning of this area. As long term residents in Manor Park the very idea that council entertains the idea to consider allowing industrial use of Benmore Crescent does not consider the local residents needs at all.

There would be significant impacts caused by this, increased truck and trailer traffic onto what is already a busy intersection, increase in noise for nearby residents, potential of vermin and rubbish and a devaluing of residential properties in the area. We would have no issue with light commercial businesses operating on the land with fixed hours of operation as we have had in the past but allowing an operation on the scale proposed for the Waste management site is in our opinion completely unsuitable for our small residential suburb. At the most, we feel light commercial is the more appropriate zoning option.

Kind regards

[REDACTED]

Sent from my Galaxy

Saritha Shetty

From: [REDACTED]
Sent: Thursday, 14 December 2023 11:31 am
To: ContactHCC
Cc: Sean Bellamy
Subject: [EXTERNAL] [REDACTED] Rural Lifestyle Zone and Highly Constrained Roads Overlay

Follow Up Flag: Follow up
Flag Status: Completed

Attention: Jo Miller

Good morning, Jo,

In response to your letters of 8th November 2023, we were able to meet with Sean Bellamy (Intermediate Policy Planner) on Tues, 12th December 2023 in order to confirm some details of our property and get some clarification on your two letters dated 8th November 2023, regarding implications of the Draft District Plan and more specifically, what the potential impacts of the **Rural Lifestyle Zone** classification as opposed to our current rights.

Under **the current District Plan**, our property is defined as **Landscape Protection** and therefore we have the right to subdivide down to a minimum net site area of 2,000m². This definition and subsequent right was in place before the imposed Quarry Protection Area.

This is our main concern is that we retain our right to subdivide (2000m²).

The fact of having the right to subdivide was a major consideration when we brought the property off the previous owner, some 20+ years ago.

We would be opposed to the Council imposing any further restrictions on our rights to development by way of subdividing of our site, especially as our children are considering the sites for their own homes. Our children have lived here for 25years, (we have development plans with a Surveyor).

Given the above, we don't see this being any further impact as our family is already here and would not contribute to any increase other than what currently exists.

Mr Bellamy was kind enough to offer to send us some information of the Quarry Protection Zone to assist us in responding, which we are still waiting on.

As said in your letters that you are seeking engagement with the Community to ensure that the views of the Community are heard.

Regards

[REDACTED]

[REDACTED]

[REDACTED]

Saritha Shetty

From: Stephen Keatley <Stephen.Keatley@education.govt.nz>
Sent: Friday, 8 December 2023 2:56 pm
To: District Plan Review Team
Cc: Shelley Govier; Alex Hamlyn
Subject: RE: [EXTERNAL] Hutt Intermediate - Kauri Street, Lower Hutt

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Steve

Thanks Stephen for coming back to me so soon. I will discuss with my ministry colleagues. Our understanding was that the proposed heritage proposal was removed after meeting with the Ministry person and Beca in 2022.

Is there a reason why the letters were not made out to the owner, e.g. the crown as well? The school have a lease agreement for use of the land and buildings and I would have thought you would be required to notify the owner as well. We are still planning on redeveloping this site and have just completed Master planning.

We will be back in touch and may request a meeting.

Ngā mihi

Stephen Keatley | Infrastructure Manager - Wellington Region
Te Puna Hanganga, Matihiko | Infrastructure & Digital
DDI [REDACTED]

From: District Plan Review Team <district.plan@huttcity.govt.nz>
Sent: Friday, 8 December 2023 2:28 pm
To: Stephen Keatley <Stephen.Keatley@education.govt.nz>
Cc: Shelley Govier <Shelley.Govier@education.govt.nz>; Alex Hamlyn <Alex.Hamlyn@education.govt.nz>
Subject: RE: [EXTERNAL] Hutt Intermediate - Kauri Street, Lower Hutt

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Hi Stephen,

As part of our district plan review of heritage, we previously sent letters to the Board of Trustees for Hutt Intermediate in March 2021, November 2021, and November of this year. If you no longer have copies I have attached them for your reference. We also discussed the implications of the heritage listing for Hutt Intermediate's development plans with your consultant planner from BECA in December 2021.

There's a high level factsheet about our approach to heritage at <https://www.huttcity.govt.nz/council/district-plan/district-plan-review/fact-sheet-links/heritage> and some more detailed information about the process so far at <https://www.huttcity.govt.nz/council/district-plan/district-plan-review/cultural-heritage>, including the technical reports behind the identification of Hutt Intermediate. (See the main report at <https://hccpublicdocs.azurewebsites.net/api/download/c9be9b889d1746e2b710f382e92d32e8/dplanreview/62c6cfe032383da348a2b3f35ad981007372>, and listing H2-40 in the report "Schedule of non-HNZPT listed items" at <https://hccpublicdocs.azurewebsites.net/api/download/c9be9b889d1746e2b710f382e92d32e8/dplanreview/b3d99cf63235356e48639a0b5f0291b73f6a>).

If you've got any other questions about the draft district plan let me know. If you want to give feedback on the draft plan, you can email us, or use the survey form on our website at <https://www.huttcity.govt.nz/council/district-plan/district-plan-review>. We're also able to meet in person or by phone if you want.

Kind regards,
Stephen Davis

District Plan Review Team

Hutt City Council, 30 Laings Road, Lower Hutt
P: 04 570 6666 M: W: www.huttcity.govt.nz



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From: Stephen Keatley <Stephen.Keatley@education.govt.nz>
Sent: Friday, December 8, 2023 10:50 AM
To: District Plan Review Team <district.plan@huttcity.govt.nz>
Cc: Shelley Govier <Shelley.Govier@education.govt.nz>; Alex Hamlyn <Alex.Hamlyn@education.govt.nz>
Subject: [EXTERNAL] Hutt Intermediate - Kauri Street, Lower Hutt
Importance: High

Kia ora,

I was reviewing your draft district plan and noticed that Hutt Intermediate School is listed as #140 on the heritage schedule, however is not on the current live heritage list.

Can you please provide an explanation why this school is on the draft list, as I cannot find any formal notification to the Ministry of Education?

Look forward to hearing back from you soon.

Ngā mihi

Stephen Keatley | Infrastructure Manager - Wellington Region
Te Puna Hanganga, Matihiko | Infrastructure & Digital

Lower Hutt Office

education.govt.nz

*He mea tārai e mātou te mātauranga kia rangatira ai, kia mana taurite ai ōna huanga
We shape an education system that delivers equitable and excellent outcomes*



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Saritha Shetty

From: Zach Chisam <Zach.Chisam@beca.com>
Sent: Friday, 15 December 2023 4:01 pm
To: District Plan Review Team
Cc: MOE Submissions
Subject: [EXTERNAL] Ministry of Education – Feedback on the Draft Hutt City District Plan
Attachments: Ministry of Education - Draft Hutt City District Plan Feedback.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Peter

Tēnā koe,

Please see attached the Ministry of Education - Te Tāhuhu o Te Mātauranga feedback on the Draft Hutt City District Plan.

Please can you confirm the receipt of the feedback that would be much appreciated and please send all correspondence to myself and moe.submissions@beca.com.

If you have any questions feel free to get into touch with me directly.

Meri Kirihimete me te Hape Nū la

Ngā mihi nui,

Zach Chisam

Planner

Beca

DDI: [REDACTED]

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**Te Tāhuhu o
te Mātauranga**
Ministry of Education

Feedback on the City of Lower Hutt Draft District Plan

To Hutt City Council
From Ministry of Education Te Tāhuhu o Te Mātauranga ('the Ministry')
Date 15 December 2023
Subject Feedback on the City of Lower Hutt Draft District Plan

Introduction and background

Thank you for the opportunity to submit on the City of Lower Hutt Draft District Plan ('the Plan'). The Ministry is the Government's lead advisor on the New Zealand education system, shaping direction for education agencies and providers and contributing to the Government's goals for education. The Ministry reviews district plans, assesses population changes, school roll fluctuations and other trends and challenges impacting on education provision at all levels of the education network to identify changing needs within the network so the Ministry can respond effectively.

The Ministry has responsibility not only for all State schools owned by the Crown, but also those State schools that are not owned by the Crown, such as designated character schools and State integrated schools. For the Crown-owned State schools this involves managing the existing property portfolio, upgrading and improving the portfolio, purchasing and constructing new property to meet increased demand, identifying and disposing of surplus State school sector property and managing teacher and caretaker housing.

The Ministry is therefore a considerable stakeholder in terms of activities that may impact on existing and future educational facilities and assets throughout Lower Hutt district.

The specific parts of the Plan that the Ministry's submission relates to are the proposed definitions and provisions that either directly or indirectly have the potential to impact on the Ministry's interests and ability to achieve its purpose throughout Lower Hutt district.

The Ministry's submission

The Ministry has a particular interest in the parts of the Plan that, either directly or indirectly, have the potential to impact on the Ministry's interests such as the management and operation of existing educational facilities or the establishment of new educational facilities.

The provisions that most directly impact on the Ministry are the proposed definitions and the provisions regarding: Strategic Direction; Transport; Natural Hazards; Coastal Environment; Noise; and Residential, Rural, Commercial, Mixed Use and Industrial Zone.

The specific amendments, additions or retentions to the Plan sought by the Ministry are listed in **Appendix** to this submission. In addition to the details in **Appendix**, the following general comments have been made on zoning changes, and designations. The Ministry advises that this letter forms part of its submission.

Heritage

The Council is proposing to add Hutt Intermediate School under SCHEDXX- Heritage Buildings and Structures of the Plan. The Hutt Intermediate school site identified in SCHEDXX – Heritage Buildings and Structures of the Plan is designated by the Minister of Education. The provisions of the Historic Heritage section which are district plan rules will therefore not apply to school sites (in accordance with Section 176 of the Resource Management Act). That being the case, the inclusion of this building in the Council's District Plan is superfluous and should be deleted.

There are no special designation conditions relating to these buildings (or their heritage values) within the Ministry of Education's designation. Accordingly, the designated sites will only be subject to any Historic Places New Zealand Listing under the Heritage New Zealand Pouhere Taonga Act 2014.

The Ministry does not support the addition, or the scheduling of any heritage item on a designated school site, for the following reasons.

The Ministry notes that the operative District Plan includes four schools (Wainuiomata School, Wellesley College, Sacred Heart School and Epuni School in the Heritage Schedule. The Ministry would support the removal of these schools from the Heritage Schedule for the reasons outlined below.

The Ministry has a requirement to develop these school sites in accordance with the designated purpose to provide education spaces that can respond to changes in the surrounding student populations, including intensifying sites where there are increases in the school's roll. Designated school sites enable the Minister to respond to these changes in demand appropriately. The inclusion of scheduled trees, buildings and the spaces around the buildings in a heritage schedule would not recognise that schools need to change over time to ensure education spaces are fit for purpose and school property must meet the needs of the ever-changing learning communities.

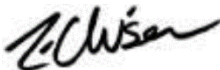
Although the Ministry may speak to heritage matters as part of an Outline Plan, the Ministry considers that scheduling any new heritage items on a school site would unreasonably raise the expectations of the school community and the wider public that the building would be protected under the District Plan.

While we acknowledge there may be heritage values of existing features on designated school sites, we do not support the listing of any additional buildings or features in the heritage schedule in the District Plan that may be located on existing designated school sites.

The Ministry sees the following from Hutt City Council

That the requested amendments, additions, or retentions to the Plan, as set out in Appendix 1, be included in the Proposed Plan and any consequential amendments required to give effect to the matters raised in this submission. The relief sought is shown in red underline for additions and red ~~strikethrough~~ for deletions.

If you have any questions, please contact the undersigned on behalf of the Ministry.



Zach Chisam
Planner
Beca Limited


zach.chisam@beca.com AND moe.submissions@beca.com

Appendix 1: The Ministry of Education's Submission on the Draft Hutt City District Plan

The Ministry's requested amendments are shown in red. Additions are shown an underline (underline) and deletions as a strikethrough (~~strikethrough~~).

D	Plan Reference	Proposed Provision	Support Oppose Neutral Ne Provision	Reason for Submission	Relief Sought
PART – ntroduction and General Provisions					
INTERPRETATION					
Definitions					
1.	Educational facility	means land or buildings used for teaching or training by child care services, schools, or tertiary education services, including any ancillary activities.	Support	The Ministry supports the definitions for 'Educational facility' as it is consistent with the National Planning Standards.	Retain as proposed.
2.	Hazard sensitive activity	means the following land uses <ul style="list-style-type: none"> a. childcare services b. community facility c. educational facility d. emergency services facilities e. hazardous facilities and major hazardous facilities f. healthcare facility g. hospital h. marae i. multi-unit housing j. places of worship k. residential units and minor residential units (including those associated with papakāinga) l. retirement village m. visitor accommodation. 	Support	In recognition of the risk to people and property in hazard sensitive areas, the Ministry supports the inclusion of educational facilities in the definition of "hazard sensitive activities" (and not within the "less hazard sensitive" or potentially "hazard sensitive" definitions).	Retain as proposed.
3.	National Grid sensitive activity	means: <ul style="list-style-type: none"> a. residential activity; b. marae/papakāinga; c. hospital; d. healthcare activity; e. educational facility; f. retirement village; g. visitor accommodation activity; or h. place of worship. 	Support	In recognition of the risk to people and property in hazard sensitive areas, the Ministry supports the inclusion of educational facilities in the definition of "hazard sensitive activities" (and not within less hazard sensitive or potentially hazard sensitive).	Retain as proposed
4.	Noise-sensitive activities	means any: <ul style="list-style-type: none"> 1. residential activity, 2. visitor accommodation, 3. residential care facility, 4. custodial corrections facility, 5. school or education facility, 	Support	In recognition of the impacts to people and property in high noise generation areas, the Ministry supports the inclusion of educational facilities in the definition of "noise sensitive activities"	Retain as proposed.

D	Plan Reference	Proposed Provision	Support Oppose Neutral Ne Provision	Reason for Submission	Relief Sought
		6. childcare facility, 7. hospital or health facility, or 8. Marae.			
5.	Non-residential activities	means an activity which is not a residential activity.	Support	The Ministry is supportive of the definition of 'non-residential activities' as it broadly captures educational facilities.	Retain as proposed
6.	Sensitive activity	means a: 1. residential activity; 2. retirement village; 3. marae; 4. hospital; 5. healthcare activity; 6. educational facility; 7. community facility; 8. custodial corrections facility; 9. visitor accommodation activity; or 10. place of assembly.	Support	The Ministry is supportive of the inclusion of this definition as it recognises educational facilities may be more affected by the adverse effects typically associated with some lawful activities than non-sensitive activities..	Retain as proposed
7.	Well-functioning urban environment	Means an urban environment that, as a minimum: 1. has or enables a variety of homes that meet the needs, in terms of type, price, and location, of different households; and 2. has or enables a variety of homes that enable Māori to express their cultural traditions and norms; and 3. has or enables a variety of sites that are suitable for different business sectors in terms of location and site size; and 4. has good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and 5. supports, and limits as much as possible adverse impacts on, the competitive operation of land and development markets; and 6. supports reduction in greenhouse gas emissions; and 7. are resilient to the likely current and future effects of climate change.	Support in part	<p>The Ministry recognises the importance of having a definition for 'well-functioning urban environments' as it provides clarity to the term for plan users.</p> <p>The definition of 'well-functioning urban environment' is taken from the National Policy Statement on Urban Development (NPS-UD). The definition includes a term 'community services' which under the NPS-UD includes educational facilities. The Ministry request the definition for 'community services' is included in the proposed plan, to make it clear to plan users that educational facilities are a part of a well-functioning urban environment.</p> <p>For a well-functioning urban environment people within the district should also have good accessibility to educational facilities.</p>	Retain as proposed
8.	New Provision	n/a	New provision	<p>The Ministry requests the addition of a new definition 'community services' to be added to the Plan. The definition is derived from the NPS-UD.</p> <p>As stated above, throughout the plan there is reference to community services as a term, but it has not been directly defined. Under the NPS-UD educational facilities are included in the definition</p>	<p><u>Community services means the following:</u></p> <p>a) <u>community facilities</u> b) <u>educational facilities</u> c) <u>those commercial activities that serve the needs of the community</u></p>

D	Plan Reference	Proposed Provision	Support Oppose Neutral Ne Provision	Reason for Submission	Relief Sought
				of 'community services', and therefore the Ministry recommends the inclusion of this term in the definitions chapter to provide for educational facilities. This will also allow for activities that provide broadly for community services to be captured within the definition, and is consistent with the NPS-UD wording.	
PART – District Wide Matters					
Strategic Direction					
Urban Form and Development					
9.	UFD-O1	Urban Form The city's urban form consolidates and intensifies the existing urban area, with greenfield development only taking place within identified areas.	Support	The Ministry supports UFD-O1 as it encourages an integrated urban form and the growth of the district's public transportation networks as the Ministry supports the growth alternative forms of transportation around schools.	Retain as proposed.
10.	UDF-O2	Location of Urban Development Urban development takes place within areas identified for this purpose in a manner which uses land and infrastructure most efficiently.	Support	The Ministry encourages planning outcomes that uses land and infrastructure efficiently.	Retain as proposed
11.	UFD-O3	Well-functioning Urban Environment Urban development supports the creation of liveable, well-functioning urban environments that are: <ul style="list-style-type: none"> a. Safe and well-designed b. Walkable and connected by public transport and sustainable travel choices, including micro-mobility modes c. Serviced by the necessary infrastructure appropriate to the intensity, scale and function of the development d. Connected to open space and the natural environment e. Ecologically sensitive f. Close to employment opportunities g. Resilient to the impacts of natural hazards and climate change h. Respectful of and integrated with the city's historic heritage i. Adaptable over time and responsive to their evolving, more intensive surrounding context. 	Support in part	<p>The Ministry recognises the importance of having a well-functioning urban environment and the role it plays in creating a liveable Lower Hutt. Lower Hutt growing population also puts pressure on the demand for existing educational facilities.</p> <p>The Ministry requests that education opportunities are explicitly recognised in this objective, to highlight that education opportunities are required to support the district.</p> <p>The adoption of the Ministry requested amendments would better enable the Ministry to respond to growth and manage its existing and future school network.</p> <p>The Ministry therefore requests the following amendment is made to the proposed provision.</p>	<p>Well-functioning Urban Environment Urban development supports the creation of liveable, well-functioning urban environments that are:</p> <ul style="list-style-type: none"> a. Safe and well-designed b. Walkable and connected by public transport and sustainable travel choices, including micro-mobility modes c. Serviced by the necessary infrastructure appropriate to the intensity, scale and function of the development d. Connected to open space and the natural environment e. Ecologically sensitive f. Close to employment and education activity opportunities g. Resilient to the impacts of natural hazards and climate change h. Respectful of and integrated with the city's historic heritage i. Adaptable over time and responsive to their evolving, more intensive surrounding context.

D	Plan Reference	Proposed Provision	Support Oppose Neutral No Provision	Reason for Submission	Relief Sought
12.	UFD-O11	<p>Centres Hierarchy</p> <p>Establish and maintain a hierarchy of viable and vibrant business centres that provide a focus for retail, commercial, entertainment, education and employment activities and serve the social, cultural, environmental and economic needs of the community.</p>	Support	The Ministry supports the inclusion of education activities being an anticipated part of the Centres Hierarchy.	Retain as proposed
Energy Infrastructure and Transport					
Transport					
13.	TR-O2	<p>Manage effects on transport network</p> <p>The safety, effectiveness, efficiency and multi-modal function of the transport network, including the quality and connectivity of active transport networks, are not compromised by on-site transport facilities, vehicle crossings or high trip generating activities.</p>	Support	The Ministry supports this objective as it promotes a safe, efficient and integrated transport network for the district with a focus on encouraging active modes. The Ministry supports the uptake of students using active modes to get to and from school.	Retain as proposed
14.	TR-P1	<p>High trip generating activities</p> <p>Manage the design and location of high trip generating activities to facilitate the uptake of active and public transport modes, reduce reliance on private vehicles and to minimise adverse effects on the safety and multi-modal function of the transport network.</p>	Support	The Ministry support this policy as it recognizes the importance of locating high trip-generating activities (such as educational facilities) in areas that minimize transportation demand.	Retain as proposed
15.	TR-P5	<p>Facilitate uptake of active and public transport modes</p> <p>Recognise the positive effects resulting from:</p> <ol style="list-style-type: none"> 1. Improvements, extensions or additions to active transport networks within a site or the transport network. 2. Improvements to the safety and quality of active transport networks where existing vehicle crossings are removed, reduced in width or relocated to less active frontages. 3. Cycle parking or end-of-trip facilities. 4. Connections to or integration with public transport facilities and routes. 	Support in part	<p>The Ministry supports the uptake of students choosing active modes of travel to schools as it has health benefits and reduces traffic congestion on the road network at peak pick up and drop off time. Therefore, the Ministry supports TR-P5 as it encourages more active and public transportation facilities.</p> <p>However, the Ministry recommends an amendment that would encourage council and developers to create more active mode connections to schools.</p>	<p>Facilitate uptake of active and public transport modes</p> <p>Recognise the positive effects resulting from:</p> <ol style="list-style-type: none"> 1. Improvements, extensions or additions to active transport networks within a site or the transport network. 2. Improvements to the safety and quality of active transport networks where existing vehicle crossings are removed, reduced in width or relocated to less active frontages. 3. Cycle parking or end-of-trip facilities. 4. Connections to or integration with public transport facilities and routes. 5. <u>Active mode and public transportation routes connecting from residential areas to commercial areas, educational and community facilities.</u>
16.	TR-P5	<p>Location of high trip generating activities</p> <p>Recognise the positive effects resulting from high trip generating activities that are located to minimise</p>	Support	The Ministry supports this policy as it recognizes the importance of locating high trip-generating activities in the areas that minimize transportation demand. The Ministry locates its schools (which are high trip generating activities) often within	Retain as proposed.

D	Plan Reference	Proposed Provision	Support Oppose Neutral Ne Provision	Reason for Submission	Relief Sought
		transport demand and increase active and public transport mode shares.		residential zones to support the surrounding residential catchment. This results in students having to travel less distance to get to school and can use active modes of travel.	
17.	TR-R3	<p>High trip generating activities</p> <p>For City Centre Zone, Metropolitan Centre Zone and Local Centre Zone</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a) No more than 10 on-site vehicle parking spaces are provided for the activity; and</p> <p>b) Any activity or activities on a site, or on sites with shared vehicle access, circulation or parking, must not exceed the trip generation thresholds set out in Table 8.</p> <p>Residential zones, Mixed Use Zone, Industrial Zones, Rural Zones, Open Space and Recreation Zones and Special Purpose Zones</p> <p>2. Activity status: Permitted</p> <p>Where:</p> <p>a. Any activity or activities on a site, or on sites with shared vehicle access, circulation or parking, do not exceed the trip generation thresholds set out in Table 8.</p> <p>AI zones</p> <p>1. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with TR-R3.1 or TR-R3.2</p> <p>b. The activity is a service station or drive through retail activity.</p> <p>Matters of discretion are restricted to:</p> <p>1. The extent that the development provides for active and public transport modes.</p> <p>2. Positive effects on facilitating the uptake of active and public transport modes where in relation to any matter specified in TR-P5 or TR-P6.</p> <p>3. Effects on the capacity, safety, efficiency and multi-modal function of the transport network.</p>	Support	The Ministry supports TR-R3, which sets out what high trip generating activities require consent. In many cases the Ministry schools would not comply with Table 8 and would become a restricted discretionary activity. The Ministry has reviewed the matters of discretion and consider them appropriate. The Ministry particularly supports matter of discretion number 7, which allows council to assess if there is an operational need for an activity to be located at that site.	Retain as proposed.

D	Plan Reference	Proposed Provision	Support Oppose Neutral No Provision	Reason for Submission	Relief Sought																						
		<ol style="list-style-type: none"> 4. Whether safe and effective access can be provided and maintained for emergency service vehicles to the site and within the transport network. 5. The design of on-site transport facilities and site access and their integration with the transport network. 6. Whether any improvements to the transport network are proposed or required as a result of the activity. 7. Whether there is a functional or operational need for the activity to be located on the site. 8. Any cumulative adverse effects. 																									
18.	TR- Table 8	<p>Table 8 – High trip generating activity thresholds</p> <table border="1" data-bbox="543 947 1166 1335"> <thead> <tr> <th rowspan="2">Activity</th> <th colspan="2">Threshold</th> </tr> <tr> <th>Centre Zones</th> <th>All other zones</th> </tr> </thead> <tbody> <tr> <td>Childcare facilities</td> <td>35 children</td> <td>20 children</td> </tr> <tr> <td>Primary, intermediate and secondary schools</td> <td>125 children</td> <td>125 children</td> </tr> </tbody> </table>	Activity	Threshold		Centre Zones	All other zones	Childcare facilities	35 children	20 children	Primary, intermediate and secondary schools	125 children	125 children	Support in part	<p>The Ministry supports the requirements to implement thresholds to determine what high trip generating activities are. In many cases schools would be a high trip generating activity. The Ministry considers that the threshold for primary, intermediate and secondary schools is appropriate.</p> <p>However, the Ministry does not support the thresholds for childcare facilities. These are very low and would capture almost all childcare facilities as a restricted discretionary activity. The Ministry request the threshold is increased to 50 students which is considered a more reasonable threshold. The Ministry request more reasoning from council on why these thresholds on childcare facilities have been chosen.</p>	<p>Table 8 – High trip generating activity thresholds</p> <table border="1" data-bbox="1982 947 2605 1360"> <thead> <tr> <th rowspan="2">Activity</th> <th colspan="2">Threshold</th> </tr> <tr> <th>Centre Zones</th> <th>All other zones</th> </tr> </thead> <tbody> <tr> <td>Childcare facilities</td> <td>35 50 children</td> <td>20 50 children</td> </tr> <tr> <td>Primary, intermediate and secondary schools</td> <td>125 children</td> <td>125 children</td> </tr> </tbody> </table>	Activity	Threshold		Centre Zones	All other zones	Childcare facilities	35 50 children	20 50 children	Primary, intermediate and secondary schools	125 children	125 children
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Childcare facilities	35 50 children	20 50 children																									
Primary, intermediate and secondary schools	125 children	125 children																									
19.	TR-S2	<p>Provision of cycle parking and end of trip facilities</p> <ol style="list-style-type: none"> 1. For all activities in new buildings and redevelopment of existing buildings which increases GFA by 10% or greater: <ol style="list-style-type: none"> a. Cycle parking must be provided in accordance with Table 1. b. Where three or more long-stay cycle parking spaces are required under TR-S2.1a: <ol style="list-style-type: none"> i. A minimum of one locker must be provided per long stay parking space required under that standard; ii. A minimum of one shower must be provided; and iii. A minimum of one shower must be provided for every 10 long stay parking spaces required under that standard. 	Support	The Ministry supports the requirements for a restricted discretionary activity if compliance with Table 1 cannot be met.	Retain as proposed.																						

D	Plan Reference	Proposed Provision	Support Oppose Neutral No Provision	Reason for Submission	Relief Sought											
		<p>Matters of discretion</p> <ol style="list-style-type: none"> The availability of alternative, accessible, safe and secure cycle parking that meet the needs of the intended users. Whether provision for cycle parking and end-of-trip facilities for multiple sites or activities can be consolidated and maintained in a shared bicycle parking area. 														
20.		<p>Table – Minimum requirements for bicycle parking</p> <table border="1" data-bbox="537 772 1166 1249"> <thead> <tr> <th data-bbox="537 772 750 953" rowspan="2">Activity</th> <th colspan="2" data-bbox="750 772 1166 877">Minimum number of on-site bicycle parking spaces</th> </tr> <tr> <th data-bbox="750 877 958 953">Short stay</th> <th data-bbox="958 877 1166 953">Long stay</th> </tr> </thead> <tbody> <tr> <td data-bbox="537 953 750 1087">Educational facility – primary</td> <td data-bbox="750 953 958 1087">1 space, plus 1 space per 400 students</td> <td data-bbox="958 953 1166 1087">1 per 10 FTE employees</td> </tr> <tr> <td data-bbox="537 1087 750 1249">Educational facility – secondary</td> <td data-bbox="750 1087 958 1249">1 space, plus 1 space per 400 students</td> <td data-bbox="958 1087 1166 1249">1 per 20 students, plus 1 per 10 FTE employees</td> </tr> </tbody> </table>	Activity	Minimum number of on-site bicycle parking spaces		Short stay	Long stay	Educational facility – primary	1 space, plus 1 space per 400 students	1 per 10 FTE employees	Educational facility – secondary	1 space, plus 1 space per 400 students	1 per 20 students, plus 1 per 10 FTE employees	Support	The Ministry encourages the uptake of its students to bike to school and therefore considers these bike parking requirements appropriate.	Retain as proposed
Activity	Minimum number of on-site bicycle parking spaces															
	Short stay	Long stay														
Educational facility – primary	1 space, plus 1 space per 400 students	1 per 10 FTE employees														
Educational facility – secondary	1 space, plus 1 space per 400 students	1 per 20 students, plus 1 per 10 FTE employees														
Hazards and Risks																
Natural Hazards																
21.	NH-O1	<p>Risks from Natural Hazards in High Hazard Areas of the Natural Hazard Overlays</p> <p>Subdivision, use and development within the High Hazard Areas of the Natural Hazard Overlays reduce or avoid increasing the existing risk from natural hazards to people, buildings and infrastructure.</p>	Support	The Ministry supports this objective to reduce risk to people, property, and infrastructure. It is important to manage the existing risk of natural hazards.	Retain as proposed											
22.	NH-P1	<p>Risk-Based Approach</p> <p>Identify natural hazards and coastal hazards within the District Plan and take a risk-based approach to the management of subdivision, use and development based on:</p> <ol style="list-style-type: none"> The sensitivity of the activities to the impacts of natural hazards; The hazard posed to people's lives and wellbeing, property and infrastructure, by 	Support	The Ministry supports this policy as it acknowledges the risk that natural hazards can pose to people and infrastructure. However, it does also acknowledge that some activities, including educational facilities, may need to locate in natural hazard areas if they have a functional or operational need.	Retain as proposed.											

D	Plan Reference	Proposed Provision	Support Oppose Neutral No Provision	Reason for Submission	Relief Sought
		<p>considering the likelihood and consequences of natural hazard events; and</p> <p>3. The operational need or functional need for some activities to locate in Natural Hazard Overlays.</p>			
23.	NH-P2	<p>levels of Risk</p> <p>Subdivision, use and development manages the natural hazard risk to people, buildings and infrastructure by:</p> <ol style="list-style-type: none"> 1. Allowing for those buildings and activities that have either low occupancy or low replacement value within the low, medium and high hazard areas of the Natural Hazard Overlays. 2. Requiring buildings and activities to mitigate the risk resulting from the development from natural hazards to people, buildings and infrastructure as far as reasonably practicable in the low hazard and medium hazard areas within the Natural Hazard Overlays; and 3. Avoiding subdivision, buildings and activities in the high hazard areas of the Natural Hazard Overlays unless there is an operational need or functional need for the building or activity to be located in this area and the building or activity mitigates the existing risk from natural hazards to people, buildings and infrastructure. 	Support	As noted above, the Ministry may at times have a functional or operational need to locate in a natural hazard area. The Ministry supports this policy as it requires mitigating risk as far as practicable for those activities located in the Natural Hazard Overlay.	Retain as proposed.
24.	NH-P7	<p>Subdivision, use and development within the Wellington Fault Overlay</p> <p>New subdivision use and development within the Wellington Fault Overlay are managed as follows:</p> <ol style="list-style-type: none"> 1. Allow for new allotments, buildings, or the conversion of existing buildings that will contain a Less Hazard Sensitive Activities within the poorly constrained, uncertain constrained, distributed, well defined and well defined extension areas of the Wellington Fault Overlay. 2. Provide for new buildings, allotments, or the conversion of existing buildings that will contain a for Potentially Hazard Sensitive Activities and Hazard Sensitive Activities within the poorly constrained, uncertain constrained or distributed areas of the Wellington Fault Overlay 	Support	Educational facilities are a 'hazard sensitive activities'. The Ministry supports this policy as it outlines appropriate setback distances for buildings from the Wellington Fault Overlay.	Retain as proposed.

D	Plan Reference	Proposed Provision	Support Oppose Neutral Ne Provision	Reason for Submission	Relief Sought
		<p>where:</p> <ul style="list-style-type: none"> a. Any new buildings, building platforms associated with subdivision, or existing buildings are located more than 20m from the edge of the fault deformation zone; or b. Mitigation measures are incorporated into the building to maintain life safety of the occupants and the structural integrity of the building in the event of fault rupture. <p>3. Avoid subdivision, use, and development for potentially hazard sensitive activities and hazard sensitive activities within the well-defined or well- defined extended areas of the Wellington Fault Overlay unless:</p> <ul style="list-style-type: none"> a. Any new building platforms associated with subdivisions, new buildings or the conversion of existing buildings are located more than 20 m from the edge of the fault deformation zone of the Wellington Fault Overlay; or b. If locating the building, building platforms associated with subdivision, or activity more than 20m from the edge of the fault deformation zone of the Wellington Fault Overlay is not a practicable option: <ul style="list-style-type: none"> a. For any that has an operational need or functional need to locate within the well-defined or well-defined extended areas of the Wellington Fault Overlay and locating outside of these areas is not a practicable option, mitigation measures are incorporated into the building to minimise the risk to life of the occupants and the structural integrity of the building on the event of fault rupture; or b. For any other potentially hazard sensitive activities and hazard sensitive activities, mitigation measures are incorporated into the building to not increase risk to life of the occupants and the structural integrity of 			

D	Plan Reference	Proposed Provision	Support Oppose Neutral Ne Provision	Reason for Submission	Relief Sought
		the building in the event of fault rupture.			
25.	Policy NH-P9	<p>Subdivision, use and development in the Flood Hazard Overlay</p> <p>Subdivision, use and development in the Flood Hazard Overlay are managed as follows:</p> <ol style="list-style-type: none"> 1) Allow for new buildings, structures, building platforms, and the conversion of existing buildings that will contain Less Hazard Sensitive Activities in the Inundation Areas of the Flood Hazard Overlay. 2) All new buildings and structures, building platforms, and the conversion of existing buildings that will contain Less Hazard Sensitive Activities within the Overland Flowpaths and the Stream Corridors of the Flood Hazard Overlay where: <ol style="list-style-type: none"> a) The existing risk to people, buildings and infrastructure on site from the 1% Annual Exceedance Probability Flood is reduced or avoided due to the incorporation of mitigation measures; b) The risk to people, buildings and infrastructure on adjacent properties is reduced or avoided from the 1% Annual Exceedance Probability Flood; and c) The Overland Flowpaths or Stream Corridor is unimpeded and unobstructed to allow for the conveyancing of flood waters and flood water is not diverted onto adjacent properties or blocked. 3) Provide for new buildings, building platforms, and the conversion of existing buildings that will contain Potentially Hazard Sensitive Activities and Hazard Sensitive Activities in the Inundation Area of the Flood Hazard Overlay, where: <ol style="list-style-type: none"> a) The risk from the 1% Annual Exceedance Probability Flood to people and buildings is minimised through either: <ul style="list-style-type: none"> • The implementation mitigation measures; • The depth of the flood waters within the building; or 	Support	The Ministry supports this policy, as it allows for the establishment of hazard sensitive activities (including educational facilities) in flood hazard overlays, provided they can manage the risk appropriately.	Retain as proposed.

D	Plan Reference	Proposed Provision	Support Oppose Neutral No Provision	Reason for Submission	Relief Sought
		<ul style="list-style-type: none"> • The type of activity undertaken within the building; and <p>b.) The risk to people, buildings and infrastructure on adjacent properties is reduced or not increased from the displacement of floodwaters from 1% Annual Exceedance Probability Flood.</p> <p>4) Only allow for new buildings, building platforms, and the conversion of existing buildings that will contain Potentially Hazard Sensitive Activities and Hazard Sensitive Activities within the Overland Flowpaths of the Flood Hazard Overlay where:</p> <ul style="list-style-type: none"> a) The risk to people, buildings and infrastructure on site from the 1% Annual Exceedance Probability Flood is minimized due to the incorporation of mitigation measures; b) The risk to people, buildings and infrastructure on adjacent properties is reduced or not increased from the 1% Annual Exceedance Probability Flood; and c) The Overland Flowpaths is unimpeded and unobstructed to allow for the conveyancing of flood waters and flood water is not diverted onto adjacent properties or blocked. <p>5) Avoid new buildings, building platforms, and the conversion of existing buildings that will contain Potentially Hazard Sensitive Activities and Hazard Sensitive Activities within the Stream Corridors of the Flood Hazard Overlay unless:</p> <ul style="list-style-type: none"> a) The activity or subdivision has an operational need or functional need to locate within the stream corridor and locating outside of these stream corridor is not a practicable option; b) Mitigation measures are incorporated that reduce or avoid an increase in the existing risk to people and property from the 1% Annual Exceedance Probability Flood; c) People can safely evacuate the property during a 1% Annual Exceedance Probability flood; and d) The conveyancing of flood waters through the stream corridor is still able to occur unimpeded and is not diverted onto adjacent properties. 			
26.	NH-P10	<p>liquefaction Hazard Overlay – Policy No Buildings and the Conversion of Existing Buildings in the liquefaction Hazard Overlay</p>	Support	The Ministry supports this policy as it enables the establishment of educational facilities in liquefaction prone areas, provided it can be	Retain as proposed.

D	Plan Reference	Proposed Provision	Support Oppose Neutral No Provision	Reason for Submission	Relief Sought
		<p>Use and development within the Liquefaction Hazard Overlay are managed as follows:</p> <ol style="list-style-type: none"> 1. Allow for additions to existing buildings and structures for Less Hazard Sensitive, Potentially Hazard Sensitive and Hazard Sensitive Activities within the Liquefaction Hazard Overlay; 2. Allow for new buildings and structures for Less Hazard Sensitive and Potentially Hazard Sensitive Activities within the Liquefaction Hazard Overlay; 3. Provide for new buildings and structures and the conversion of existing buildings that will contain Hazard Sensitive Activities within the Liquefaction Hazard Overlay where: <ol style="list-style-type: none"> a. For childcare services, retirement villages, educational facilities, hospitals, emergency service facilities and health care facilities it can be demonstrated that occupants will be able to evacuate safely following an earthquake that results in liquefaction of the local soil; b. For emergency service facilities, retirement villages, hospitals and health care facilities it can be demonstrated that post disaster functionality can be maintained following an earthquake including having foundation designs designed by a certified engineer to prevent liquefaction induced deformation of the building; and c. For emergency service facilities, hospitals, and health care facilities it can be demonstrated that emergency vehicles will be able to service the impacted community by being able to enter and leave the site. 		demonstrated that the occupants will be safe and can evacuate in the event of an earthquake that results in liquefaction. The Ministry consider these measures appropriate.	
27.	NH-P11	<p>Fault Induced Subsidence Hazard Overlay New Buildings and the Conversion of Existing Buildings in the Fault Induced Subsidence Hazard Overlay</p> <p>Use and development within the Fault Induced Subsidence Hazard Overlay are managed as follows:</p> <ol style="list-style-type: none"> 1. Allow for additions to existing buildings and structures for Less Hazard Sensitive, Potentially Hazard Sensitive 	Support	The Ministry supports this policy as it enables the establishment of educational facilities in the Fault Induced Subsidence Hazard Overlay, provided it can be demonstrated that the students will be safe and can evacuate in the event of an earthquake. The Ministry consider these measures appropriate.	Retain as proposed.

D	Plan Reference	Proposed Provision	Support Oppose Neutral Ne Provision	Reason for Submission	Relief Sought
		<p>and Hazard Sensitive Activities within the Fault Induced Subsidence Hazard Overlay;</p> <p>2. Allow for new buildings and structures and the conversion of existing buildings that will contain Less Hazard Sensitive and Potentially Hazard Sensitive Activities within the Fault Induced Subsidence Hazard Overlay;</p> <p>3. Provide for new buildings and structures and the conversion of existing buildings that will contain Hazard Sensitive Activities within the Fault Induced Subsidence Hazard Overlay where:</p> <ul style="list-style-type: none"> a. For childcare services, retirement villages, educational facilities, hospitals, emergency service facilities, health care facilities, and more than three residential units on the site, it can be demonstrated that occupants will be able to evacuate safely following an earthquake; b. For childcare services, retirement villages, educational facilities, hospitals, emergency service facilities, health care facilities, and more than three residential units on the site, it can be demonstrated that functionality can be maintained following an earthquake; and 			
28.	NH-R5	<p>Ne Buildings and structures for potentially hazard sensitive activities and hazard sensitive activity ithin the poorly constrained or the uncertain constrained areas of the ellington fault overlay</p> <p>All Zones</p> <p>1. Activity status: Controlled</p> <p>Where:</p> <ul style="list-style-type: none"> a. The building is being constructed on an existing vacant site. <p>2. Matters of control are limited to:</p> <ul style="list-style-type: none"> a. The ability for the building to maintain life safety as a result of fault rupture b. The location of the building relative to the fault line and any mitigation 	Support	The Ministry considered the rule framework outlined in NH-R5 appropriate and effective way of managing development within the poorly constrained or the uncertain constrained areas of the wellington fault overlay. The Ministry considers the matters of discretion appropriate.	Retain as proposed.

D	Plan Reference	Proposed Provision	Support Oppose Neutral Ne Provision	Reason for Submission	Relief Sought
		<p>measures to reduce the impacts from fault rupture.</p> <p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Compliance with NH-R5-1.a cannot be achieved</p> <p>3. Matters of discretion are restricted to:</p> <p>a. The ability of the existing building to maintain life safety as a result of fault rupture.</p> <p>b. The ability of the existing building to remain structurally sound as a result of fault rupture.</p> <p>c. The location of the existing building relative to the fault line and any mitigation measures to reduce the impacts from fault rupture.</p> <p>d. The relevant matters in NH-P7.</p>			
29.	NH-R15	<p>Ne Buildings and Structures and the Conversion of Existing Buildings that will contain potentially hazard sensitive activities or hazard sensitive activity within the overland flow paths of the flood hazard overlay</p> <p>All Zones</p> <p>1. Activity status: Discretionary</p> <p>Where:</p> <p>a. When located within an Inundation Area of the Flood Hazard Overlay, the finished floor levels of the building for the potentially hazard sensitive or hazard sensitive activity is located above the 1% Flood Annual Exceedance Probability level, plus the height of the floor joists or the base of the concrete floor slab and an allowance for freeboard.</p> <p>2. Activity Status: Non-Complying</p>	Support	The Ministry considered the rule framework outlined in NH-R15 appropriate and effective way of managing development within the overland flowpaths of the flood hazard overlay.	Retain as proposed

D	Plan Reference	Proposed Provision	Support Oppose Neutral No Provision	Reason for Submission	Relief Sought
		<p>Where:</p> <p>a. Compliance with the requirements of NH-R15.1.a cannot be achieved.</p>			
30.	NH-R16	<p>Ne buildings and structures and conversion of existing buildings that ill contain potentially hazard sensitive activities or hazard sensitive activity ithin the stream corridors of the flood hazard overlay</p> <p>All Zones</p> <p>1. Activity status: Non-Complying</p>	Support	The Ministry agrees that hazard sensitive activities (including educational facilities) should not be built within these corridors, which include stream and stream banks.	Retain as proposed.
31.	NH-R17	<p>Ne Buildings and structures and the conversion of existing buildings that ill contain hazard sensitive activities ithin the inundation areas of the flood hazard overlay</p> <p>All Zones</p> <p>1. Activity Status: Permitted</p> <p>Where:</p> <p>a. When located within an Inundation Area of the Flood Hazard Overlay, the finished floor levels of the building for the hazard sensitive activity is located above the 1% Flood Annual Exceedance Probability level, plus the height of the floor joists or the base of the concrete floor slab and an allowance for freeboard.</p> <p>2. Activity Status: Restricted discretionary</p> <p>Where:</p> <p>a. Compliance with the requirements of NH-R17-1.a cannot be achieved.</p> <p>3. Matters of discretion are restricted to:</p>	Support	The Ministry considered the rule framework outlined in NH-R17 appropriate and effective way of managing development within the inundation areas of the flood hazard overlay. The Ministry considers the matters of discretion appropriate.	Retain as proposed.

D	Plan Reference	Proposed Provision	Support Oppose Neutral New Provision	Reason for Submission	Relief Sought
		a. The relevant matters in NH-P9.			
32.	NH-R20	<p>New Buildings and the conversion of existing buildings that will contain Hazard Sensitive Activities in the Liquefaction Hazard Overlay</p> <p>All Zones</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The new building is not for a childcare service, retirement village, educational facility, hospital, emergency service facility or health care facility.</p> <p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance with the requirements of NH-R20-1.a cannot be achieved.</p> <p>Matters of discretion are restricted to:</p> <p>1. The relevant matters in NH-P10.</p>	Support	The Ministry supports this rule. The Ministry appreciates that hazard sensitive activities including educational facilities need to be managed in the Liquefaction Hazard Overlay area through a restricted discretionary activity status. The Ministry considers the matters of discretion appropriate, as they require the activity to demonstrate a safe evacuation plan after an earthquake and having strong foundations to protect the facility against an earthquake.	Retain as proposed.
33.	NH-R23	<p>New Buildings and structures and the conversion of existing buildings that will contain Hazard Sensitive Activities in the Fault Induced Subsidence Overlay</p> <p>All Zones</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The new building is not for a childcare service, retirement village, educational facility, hospital, emergency service facility or health care facility; or</p> <p>b. The number of residential units on a site does not exceed three units.</p> <p>2. Activity status: Discretionary</p> <p>Where:</p>	Support	The Ministry acknowledges the risk subsidence can cause on people and infrastructure, particularly hazard sensitive activities like educational facilities. The Ministry accepts the discretionary activity status to enable council to assess new educational facilities to make sure they are designed in a way that can tolerate fault induced subsidence.	Retain as proposed.

D	Plan Reference	Proposed Provision	Support Oppose Neutral Ne Provision	Reason for Submission	Relief Sought
		a. Compliance with the requirements of NH-R23-1.a cannot be achieved.			
General District Side Matters					
CE-Coastal Environment					
34.	CE-O3	<p>Ris from Natural Hazards in High Hazard Areas of the Coastal Hazard Overlays</p> <p>Subdivision, use and development within the High Hazard Areas of the Coastal Hazard Overlays reduce or avoid increasing the existing risk from coastal hazards to people, buildings and infrastructure.</p>	Support	The Ministry supports this objective to reduce risk to people, property, and infrastructure. We acknowledge there are existing Educational Facilities within the Coastal Hazard Area and that any development of these would be subject to these provisions.	Retain as proposed.
35.	CE-O4	<p>Ris from natural hazards in o and Medium Hazard Areas of the Coastal Hazard Overlays</p> <p>Subdivision, use and development within the Low and Medium Hazard Areas of the Coastal Hazard Overlays minimise the risk from natural hazards to people, buildings and infrastructure.</p>	Support	The Ministry supports this objective to reduce risk to people, property, and infrastructure. We acknowledge there are existing Educational Facilities within the Coastal Hazard Area and that any development of these would be subject to these provisions	Retain as proposed.
36.	CE-P14	<p>Additions to existing buildings and structures ithin the Coastal Hazard Overlay</p> <p>Additions to existing buildings and structures in the Coastal Hazard Overlay are managed as follows:</p> <ol style="list-style-type: none"> 1. Allow for additions to existing buildings and structures for Less Hazard Sensitive Activities in all areas of the Coastal Hazard Overlay. 2. Allow for additions to existing buildings and structures for Potentially Hazard Sensitive Activities and Hazard Sensitive Activities in the Low Coastal Hazard Overlay. 3. Provide for additions to existing buildings for Potentially Hazard Sensitive Activities and Hazard Sensitive Activities in the Medium Coastal Hazard Overlay where: <ol style="list-style-type: none"> a. The addition is of limited size; or b. The addition enables the continued use of the existing building; c. The addition incorporates measures that reduce or do not increase the risk to people and buildings from the coastal hazard; and 	Support	<p>The Ministry supports the inclusion of policy CE-P14 as it accommodates additions to buildings and structures within a Coastal Hazard Overlay.</p> <p>Educational Facilities are considered 'Hazard Sensitive Activities' and are likely to be adversely impacted by coastal hazards. There are existing Educational Facilities in coastal hazard overlays.</p> <p>The Ministry supports the mechanisms within coastal areas which aim to reduce risk from natural hazards.</p>	Retain as proposed.

D	Plan Reference	Proposed Provision	Support Oppose Neutral No Provision	Reason for Submission	Relief Sought
		<p>d. There is the ability to access safe evacuation routes for occupants of the building from the coastal hazard.</p> <p>4. Provide for additions to existing buildings and structures for Potentially Hazard Sensitive Activities in the High Coastal Hazard Overlay where:</p> <p>a. The addition enables the continued use of the existing building;</p> <p>b. The addition incorporates measures that reduce or do not increase the risk to people and buildings from the coastal hazard; and</p> <p>c. There is the ability to access safe evacuation routes for occupants of the building from the coastal hazard.</p> <p>5. Only allow for additions to existing buildings and structures for Hazard Sensitive Activities in the High Coastal Hazard Overlay where:</p> <p>a. The addition incorporates measures that reduce or do not increase the risk to people and buildings from the coastal hazard.</p>			
37.	CE-R12	<p>Additions to existing buildings and structures for Hazard Sensitive Activities in the Coastal Hazard Overlays</p> <p>1. Activity status: Permitted</p>	Support	The Ministry supports this rule as it provides for building additions to Hazard-Sensitive Activities in the Coastal Hazard Overlay areas.	Retain as proposed
38.	CE-R13	<p>Additions to existing buildings and structures for Hazard Sensitive Activities in the Medium Coastal Hazard Overlays</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The additions do not increase the building footprint by more than 50m²</p> <p>. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance with the requirements of CE-R13-1.a cannot be achieved.</p> <p>Matters of discretion are restricted to:</p> <p>1. The relevant matters in NH-P14.</p>	Support	The Ministry supports this rule as it provides for building additions to Hazard-Sensitive Activities in the Coastal Hazard Overlay areas.	Retain as proposed

D	Plan Reference	Proposed Provision	Support Oppose Neutral No Provision	Reason for Submission	Relief Sought
39.	CE-R14	Additions to existing buildings and structures for Hazard Sensitive Activities in the High Coastal Hazard Overlays 1. Activity status: Discretionary	Support	The Ministry supports this rule as it enables additions to existing buildings for Hazard-Sensitive Activities in High Coastal Hazard Overlay areas.	Retain as proposed
40.	CE-R20	New buildings, or the conversion of existing buildings, that will contain Hazard Sensitive Activities in the High Coastal Hazard Overlays 1. Activity status: Permitted Where: a. The new building is not for a childcare service, retirement village, educational facility, hospital, emergency service facility or health care facility; or b. The number of residential units on a site is no more than three. 2. Activity status: Restricted Discretionary Where: a. Compliance with the requirements of CE-R20-1.a cannot be achieved. Matters of discretion are restricted to: 1. The relevant matters in NH-P15.	Support	The Ministry supports this rule. The Ministry considers the matters of discretion to be appropriate where the permitted activity standards are not met.	Retain as proposed
41.	CE-R21	New buildings, or the conversion of existing buildings, that will contain Hazard Sensitive Activities in the Medium Coastal Hazard Overlays 1. Activity status: Discretionary	Support	The Ministry supports this rule as it enables hazard sensitive activities within the medium coastal hazard areas as Discretionary Activities.	Retain as proposed
42.	CE-R22	New buildings, or the conversion of existing buildings, that will contain Hazard Sensitive Activities in the High Coastal Hazard Overlays 1. Activity status: Non-complying	Support	The Ministry supports this rule. The Ministry considers the non-complying activity status for hazard sensitive activities within the High Coastal Hazard area appropriate.	Retain as proposed
NOISE-Noise					
43.	NOISE-O1	Adverse effects of noise Adverse effects from noise: 2. do not compromise people's health, and	Support	The Ministry supports the allowance of higher levels of noise from educational facilities during school hours and the occasional temporary events. Educational facilities are a critical form of social infrastructure required to meet the learning needs of the surrounding residential catchments.	Retain as proposed.

D	Plan Reference	Proposed Provision	Support Oppose Neutral Ne Provision	Reason for Submission	Relief Sought
		<p>3. are compatible with people's wellbeing, and the planned purposes, characters, and amenity values of zones and precincts, except:</p> <ol style="list-style-type: none"> a. to the degree necessary to provide for short term construction activities or temporary activities, and b. to the degree necessary to provide for an infrequent number of major events in public places in the city where these have traditionally occurred. 		<p>Educational facilities often do generate noise from various outdoor activities, like sports events or lunchtime play. These noise events are periodic and only occur during daylight hours mostly on weekdays.</p> <p>The Ministry support any provisions that accommodates noise generated from educational facilities.</p>	
44.	NOISE-P2	<p>Short term noise generating activities</p> <p>Provide for the generation of noise where the noise does not compromise people's health, and:</p> <ol style="list-style-type: none"> 1. The noise is from a construction activity, or 2. The noise is from a major event or other temporary activity, and <p>is adequately managed using the best practicable option to avoid adverse effects that are unreasonable considering the scale, benefits, operational needs, and functional needs of the activity, and to avoid, remedy or mitigate other adverse effects.</p>	Support in Part	<p>The Ministry supports the inclusion of policy NOISE-P2 as it will enable educational facilities to host temporary noise generating activities provided, they do not compromise the health of people.</p> <p>The Ministry notes that there appears to be a drafting error in the provision. The Ministry requests that the final statement is added to the list as bullet point 3.</p>	<p>Short term noise generating activities</p> <p>Provide for the generation of noise where the noise does not compromise people's health, and:</p> <ol style="list-style-type: none"> 1. The noise is from a construction activity, or 2. The noise is from a major event or other temporary activity, and 3. <u>is adequately managed using the best practicable option to avoid adverse effects that are unreasonable considering the scale, benefits, operational needs, and functional needs of the activity, and to avoid, remedy or mitigate other adverse effects.</u>
45.	NOISE-R1	<p>Emission of noise except here other ise provided for in this chapter</p> <ol style="list-style-type: none"> 1. Activity status: Permitted <p>Where:</p> <ol style="list-style-type: none"> a. compliance is achieved with NOISE-S1. <ol style="list-style-type: none"> 2. Activity status: Restricted Discretionary <p>Where:</p> <ol style="list-style-type: none"> a. compliance is not achieved with NOISE-R1-1 	Support	<p>The Ministry recognises that educational facilities can generate noise from outdoor activities like sports and children playing. Therefore, the Ministry supports a restricted discretionary activity status when the noise standards in NOISE-S1 are not met.</p>	Retain as proposed.
46.	NOISIE-R6	<p>Noise-sensitive activities in the Highway and Railway Noise Overlay</p> <ol style="list-style-type: none"> 1. Activity status: Permitted <p>Where:</p> <ol style="list-style-type: none"> a. Compliance is achieved with NOISE-S5 <ol style="list-style-type: none"> 2. Activity status: Restricted discretionary 	Support	<p>The Ministry supports the proposed noise standards for noise sensitive activities within the Highway and Railway Noise Overlay (which includes educational facilities). The Ministry accepts a restricted discretionary activity status if compliance cannot be met.</p> <p>The Ministry is also supportive of the proposed matters of discretion as they provide for flexibility and an alternative means of achieving noise levels and ventilation in educational facilities</p>	Retain as proposed

D	Plan Reference	Proposed Provision	Support Oppose Neutral Ne Provision	Reason for Submission	Relief Sought
		<p>Where:</p> <ul style="list-style-type: none"> a. Compliance is not achieved with NOISE-R6-1 <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Any positive effects of the activity that cannot be achieved while meeting NOISE-R6-1 2. Alternative means of achieving noise levels and ventilation in habitable spaces that are adequate to provide for people's health and wellbeing, given existing and anticipated future activities in the relevant highway or railway corridor. 3. Background noise levels and any special character of noise from any existing activities in the relevant highway or railway corridor, and the likely noise levels and special character of noise from likely future activities in the relevant highway or railway corridor. 4. Whether any special nature of the activity means that protection from noise from the relevant highway or railway corridor is of lesser importance than it would be in general. 		around existing and anticipated future activities in the relevant highway or railway corridor.	
47.	NOISE-R7	<p>Noise-sensitive activities in certain zones (within the City Centre Zone, Metropolitan Centre Zone, Local Centre Zone, Mixed Use Zone, Industrial Zones, Sport and Active Recreation Zone, Hospital Zone, Tertiary Education Zone, Quarry Zone)</p> <ol style="list-style-type: none"> 1. Activity status: Permitted <p>Where:</p> <ul style="list-style-type: none"> a. Compliance is achieved with NOISE-S6 <ol style="list-style-type: none"> 2. Activity status: Restricted discretionary <p>Where:</p> <ul style="list-style-type: none"> a. Compliance is not achieved with NOISE-R7-1 <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Any positive effects of the activity that cannot be achieved while meeting NOISE-R7-1 2. Alternative means of achieving noise levels and ventilation in habitable rooms that are adequate to provide for people's health and wellbeing 3. Background noise levels and any special character of noise from any existing activities, 	Support	<p>The Ministry supports the proposed noise standards for noise sensitive activities within high noise environments (which includes educational facilities). The Ministry excepts restricted discretionary activity status if compliance cannot be met.</p> <p>The Ministry is also supportive of the proposed matters of discretion, specifically point 2 as it provides for flexibility and provide a pathway for an alternative means of achieving noise levels and ventilation in educational facilities.</p>	Retain as proposed

D	Plan Reference	Proposed Provision	Support Oppose Neutral Ne Provision	Reason for Submission	Relief Sought
		and the likely noise levels and special character of noise from likely future activities in the area. 4. Whether any special nature of the activity means that protection from noise is of lesser importance than it would be in general.			
PART 3 – Area Specific Matters					
Residential ones					
R – arge ot Residential ones					
48.	LLRZ-O1	<p>Purpose of the arge ot Residential one</p> <p>The Large Lot Residential Zone:</p> <ol style="list-style-type: none"> 1. Predominantly provides for residential activities and housing, including housing types that support low density, large lot residential development; 2. Provides for non-residential activities that are compatible with the purpose and the planned residential environment of the zone, the amenity levels associated with low density, large lot residential development anticipated by the zone, and support the health and wellbeing of people and communities in the surrounding area; and 3. Protects, maintains, and enhances the open natural character, amenity, ecological values, and slope stability of hillside residential areas of the city. 	Support	<p>The Ministry recognises the purpose of the Large Lot Residential Zone (LLRZ) to provide for a mix of large residential allotments and prioritising residential activities.</p> <p>The Ministry supports the inclusion of objective LLRZ-O1 as it also provides for non-residential activities within the LLRZ (such as educational facilities) that are compatible with the purpose and the planned residential environment.</p>	Retain as proposed.
49.	LLRZ-P1	<p>Compatible activities in the arge ot Residential one</p> <p>Provide for residential activities and non-residential activities that are compatible with the purpose and planned residential environment of the zone, support the community's social, economic, and cultural wellbeing, and manage adverse effects on residential amenity.</p>	Support	<p>The Ministry supports the inclusion of policy LLRZ-P1 as it enables non-residential (such as educational activities) to be located in the LLRZ provided it is compatible with the purpose and planned residential environment of the zone, support the community's social, economic, and cultural wellbeing.</p> <p>In the future, educational facilities may need to be located within the LLRZ to service the community.</p>	Retain as proposed.
50.	LLRZ-P3	<p>Non-residential activities</p> <p>Only allow non-residential activities where:</p> <ol style="list-style-type: none"> 1. They support the social, economic, and cultural well-being of the local community; 	Support	<p>The Ministry supports the inclusion of policy LLRZ-P3 as it allows non-residential activities to be established in the LLRZ. Non-residential activities (such as educational facilities) are a critical part of contributing to the wellbeing of the</p>	Retain as proposed.

D	Plan Reference	Proposed Provision	Support Oppose Neutral No Provision	Reason for Submission	Relief Sought
		<ol style="list-style-type: none"> 2. They are compatible with the purpose of the zone; 3. They are of an intensity, scale and design that is consistent with the planned residential environment for the zone; 4. The hours of operation are compatible with residential amenity values; and 5. Any adverse effects on the amenity values of adjoining sites can be adequately mitigated. 		local community by improving access to education.	
51.	LLRZ-R8	<p>Education facilities including Kohanga Reo</p> <ol style="list-style-type: none"> 1. Activity Status: Permitted <p>Where:</p> <ol style="list-style-type: none"> a. The maximum number of children cared for onsite is limited to five children at any one time. b. Compliance is achieved with: <ol style="list-style-type: none"> i) LLRZ-S2; ii) LLRZ-S3; iii) LLRZ-S4; iv) LLRZ-S5; v) LLRZ-S6. <ol style="list-style-type: none"> 2. Activity status: Restricted Discretionary <p>Where:</p> <ol style="list-style-type: none"> a. Compliance is not achieved with LLRZ-R8.1.a or b. <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The effects on the residential amenity of the zone and its residents. 2. The effects on pedestrian safety and the safe and efficient movement of vehicles and other road users. 3. The extent to which site layout and any proposed landscaping helps avoid or minimise effects on surrounding residential areas, the streetscape, and adjoining public space. 4. The matters of discretion for any infringed standard. 5. The matters set out in Policies LLRZ-P1, LLRZ-P2, LLRZ-P3, LLRZ-P4, and LLRZ-P5. 	Support in part	The Ministry requests rule LLRZ-R8 is amended to provides for educational facilities, such as childcare services, for up to 50 students (excluding staff and permanent residents) as a permitted activity. This would better align with the typical sizes of pre-school facilities established in the Residential zones in either established buildings or in new-builds as well as the Ministry's pre-school license requirements. This also recognises the accepted actual effects of these facilities as established in the Residential area.	<p>Education facilities including Kohanga Reo</p> <ol style="list-style-type: none"> 1. Activity Status: Permitted <p>Where:</p> <ol style="list-style-type: none"> a. The maximum number of children cared for onsite is limited to five children 50 children at any one time. b. Compliance is achieved with: <ol style="list-style-type: none"> i) LLRZ-S2; ii) LLRZ-S3; iii) LLRZ-S4; iv) LLRZ-S5; v) LLRZ-S6. <ol style="list-style-type: none"> 2. Activity status: Restricted Discretionary <p>Where:</p> <ol style="list-style-type: none"> a. Compliance is not achieved with LLRZ-R8.1.a or b. <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The effects on the residential amenity of the zone and its residents. 2. The effects on pedestrian safety and the safe and efficient movement of vehicles and other road users. 3. The extent to which site layout and any proposed landscaping helps avoid or minimise effects on surrounding residential areas, the streetscape, and adjoining public space. 4. The matters of discretion for any infringed standard. 5. The matters set out in Policies LLRZ-P1, LLRZ-P2, LLRZ-P3, LLRZ-P4, and LLRZ-P5.
MR -Medium Density Residential one					
52.	MRZ-O1	Purpose of the Medium Density Residential one	Support	The Ministry recognises the purpose of the Medium Density Residential Zone (MRZ) as to	Retain as proposed.

D	Plan Reference	Proposed Provision	Support Oppose Neutral Ne Provision	Reason for Submission	Relief Sought
		<p>The Medium Density Residential Zone:</p> <ul style="list-style-type: none"> a. Predominantly provides for residential activities and housing, including housing types that support a moderate density of residential development, and b. Provides for non-residential activities that are compatible with the purpose and the planned urban environment of the zone, the amenity levels associated with medium density residential development anticipated by the zone, and support the health and wellbeing of people and communities in the surrounding area. 		<p>provide for residential activities and housing, including housing types that support a moderate density of residential development.</p> <p>The Ministry supports the inclusion of objective MRZ-O1 as it also provides for non-residential activities within the MRZ (such as educational facilities) that are compatible with the purpose and the planned residential environment.</p>	
53.	MRZ-O2	<p>Planned urban environment of the Medium Density Residential one</p> <p>Built development in the Medium Density Residential Zone positively contributes to a predominantly residential, well-functioning urban environment that:</p> <ul style="list-style-type: none"> a. Comprises well-designed buildings and spaces surrounding buildings, sites, streets, and neighbourhoods; b. Has an urban built character that is characterised by a moderate concentration of building densities and forms, including: <ul style="list-style-type: none"> i) building heights up to (and including) three storeys; or ii) building heights up to (and including) five storeys in identified areas adjacent to identified centres zones; c. Is healthy, safe, attractive, and accessible; d. Provides on-site amenity for residents, as well as residential amenity for adjoining properties and the street; e. Includes opportunities for affordable housing; f. Has good access to commercial activities and community services through active and public transport; g. Is integrated with existing and planned infrastructure; h. Is connected to open space and the natural environment. 	Support	<p>The Ministry supports the inclusion of objective MRZ-O2 as it recognises that developments within the MRZ should contribute towards a well-functioning urban environment.</p> <p>Lower Hutt's growing population puts pressure on the demand for existing educational facilities. For a well-functioning urban environment people within the district should also have good accessibility to educational facilities.</p> <p>MRZ-O2.f encourages development to have good access to community services. Under the NPS-UD, the term 'community services' includes educational facilities. However, it is not defined under the Draft Plan. The Ministry recommends the 'community services' definition from the NPS-UD is included in the definitions chapter to provide greater clarity around this provision (see submission point 8).</p>	Retain as proposed.
54.	MRZ-P1	<p>Compatible activities in the Medium Density Residential one</p> <p>Provide for residential activities and non-residential activities that are compatible with the purpose and the planned urban environment of the zone, support the</p>	Support	<p>The Ministry supports the inclusion of policy MRZ-P1 as it enables non-residential (such as educational activities) to be located in the MRZ provided they are compatible with the purpose and planned residential environment of the zone,</p>	Retain as proposed.

D	Plan Reference	Proposed Provision	Support Oppose Neutral No Provision	Reason for Submission	Relief Sought
		community's social, economic, and cultural wellbeing, and manage adverse effects on residential amenity.		support the community's social, economic, and cultural wellbeing. Educational facilities tend to be located in environments which have a growing population and can support role growth, and in some cases, they can be located within the MRZ.	
55.	MRZ-P10	<p>Non-residential activities</p> <p>Only allow non-residential activities where:</p> <ul style="list-style-type: none"> a. They support the social, economic and cultural well-being of the local community; b. They are compatible with the purpose of the zone; c. They are of an intensity, scale and design that is consistent with the planned urban environment for the zone; d. The hours of operation are compatible with residential amenity values; and e. Any adverse effects on the amenity values of adjoining sites can be adequately mitigated. 	Support	The Ministry supports the inclusion of policy MRZ-P10 as it allows non-residential activities to be established in the MRZ. Non-residential activities (such as educational facilities) are a critical part of contributing to the wellbeing of the local community by improving access to education.	Retain as proposed.
56.	MRZ-R7	<p>Education facilities including Kohanga Reo</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <ul style="list-style-type: none"> a. The maximum number of children cared for onsite is limited to five children at any one time. b. Compliance is achieved with: <ul style="list-style-type: none"> i) MRZ-S2; ii) MRZ-S3; iii) MRZ-S4; iv) MRZ-S5; v) MRZ-S6; vi) MRZ-S7; vii) MRZ-S9; viii) MRZ-S10; ix) MRZ-S13. <p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <ul style="list-style-type: none"> a. Compliance is not achieved with MRZ-R7.1.a, b, or c. <p>Matters of discretion are restricted to:</p>	Support in part	The Ministry requests rule MRZ-R7 is amended to provides for educational facilities, such as childcare services, for up to 50 students (excluding staff and permanent residents) as a permitted activity. This would better align with the typical sizes of pre-school facilities established in the Residential zones in either established buildings or in new-builds as well as the Ministry's pre-school license requirements. This also recognises the accepted actual effects of these facilities as established in the Residential area.	<p>Education facilities including Kohanga Reo</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <ul style="list-style-type: none"> a. The maximum number of children cared for onsite is limited to five children 50 children at any one time. b. Compliance is achieved with: <ul style="list-style-type: none"> i) MRZ-S2; ii) MRZ-S3; iii) MRZ-S4; iv) MRZ-S5; v) MRZ-S6; vi) MRZ-S7; vii) MRZ-S9; viii) MRZ-S10; ix) MRZ-S13. <p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <ul style="list-style-type: none"> a. Compliance is not achieved with MRZ-R7.1.a, b, or c. <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> 1. The effects on the amenity of the surrounding residential area and residents.

D	Plan Reference	Proposed Provision	Support Oppose Neutral Ne Provision	Reason for Submission	Relief Sought
		<ol style="list-style-type: none"> 1. The effects on the amenity of the surrounding residential area and residents. 2. The effects on pedestrian safety and the safe and efficient movement of vehicles and other road users. 3. The extent to which site layout and any proposed landscaping helps avoid or minimise effects on surrounding residential areas, the streetscape, and adjoining public space. 4. The matters of discretion of any infringed standard. 5. The matters set out in Policies MRZ-P1, MRZ-P7, MRZ-P10, and MRZ-P11. 			<ol style="list-style-type: none"> 2. The effects on pedestrian safety and the safe and efficient movement of vehicles and other road users. 3. The extent to which site layout and any proposed landscaping helps avoid or minimise effects on surrounding residential areas, the streetscape, and adjoining public space. 4. The matters of discretion of any infringed standard. 5. The matters set out in Policies MRZ-P1, MRZ-P7, MRZ-P10, and MRZ-P11.
HR -High Density Residential one					
57.	HRZ-O1	<p>Purpose of the High Density Residential one</p> <p>The High Density Residential Zone:</p> <ol style="list-style-type: none"> a. Predominantly provides for residential activities and housing, including housing types that support high density residential development, and b. Provides for non-residential activities that are compatible with the purpose and the planned urban environment of the zone, the amenity levels associated with high density residential development anticipated by the zone, and support the health and wellbeing of people and communities in the surrounding area. 	Support	<p>The Ministry recognises the purpose of the High Density Residential Zone (HRZ) as to provide for residential activities and housing, including housing types that support a high density of residential development.</p> <p>The Ministry supports the inclusion of objective HRZ-O1 as it also provides for non-residential activities within the HRZ (such as educational facilities) that are compatible with the purpose and the planned residential environment.</p>	Retain as proposed.
58.	HRZ-O2	<p>Planned urban environment</p> <p>Built development in the High Density Residential Zone positively contributes to a predominantly residential, well-functioning urban environment that:</p> <ol style="list-style-type: none"> a. Comprises well-designed buildings and spaces surrounding buildings, sites, streets, and neighbourhoods; b. Has an urban built character that is characterised by a high concentration of building densities and forms, including: <ol style="list-style-type: none"> i) Building heights up to (and including) six storeys; or ii) Buildings of up to 36m in identified areas adjacent to identified centres zones. c. Is healthy, safe, attractive, and accessible; d. Provides on-site amenity for residents, as well as residential amenity for adjoining properties and the street; 	Support in part	<p>The Ministry supports the inclusion of objective HRZ-O2 as it recognises that developments within the HRZ should contribute towards a well-functioning urban environment.</p> <p>Lower Hutt's growing population puts pressure on the demand for existing educational facilities. For a well-functioning urban environment people within the district should also have good accessibility to educational facilities.</p> <p>HRZ-O2.f encourages development to have good access to community services. Under the NPS-UD, the term 'community services' includes educational facilities. However, it is not defined under the Draft Plan. The Ministry recommends the 'community services' definition from the NPS-UD is included in the definitions chapter to provide greater clarity around this provision (see submission point 8).</p>	Retain as proposed

D	Plan Reference	Proposed Provision	Support Oppose Neutral Ne Provision	Reason for Submission	Relief Sought
		<ul style="list-style-type: none"> e. Includes opportunities for affordable housing; f. Has a high level of access to commercial activities and community services through active and public transport; g. Is integrated with existing and planned infrastructure; h. Is connected to open space and the natural environment. 			
59.	HRZ-P1	<p>Compatible activities in the High Density Residential one</p> <p>Provide for residential activities and non-residential activities that are compatible with the purpose and the planned urban environment of the zone, support the community's social, economic, and cultural wellbeing, and manage adverse effects on residential amenity.</p>	Support	<p>The Ministry supports the inclusion of policy HRZ-P1 as it enables non-residential (such as educational activities) to be located in the HRZ provided they are compatible with the purpose and planned residential environment of the zone, support the community's social, economic, and cultural wellbeing.</p> <p>Educational facilities tend to be located in environments which have a growing population and can support role growth, and in some cases, they can be located within the HRZ.</p>	Retain as proposed.
60.	HRZ-P10	<p>Non-residential activities</p> <p>Only allow non-residential activities where:</p> <ul style="list-style-type: none"> a. They support the social, economic and cultural well-being of the local community; b. They are compatible with the purpose of the zone; c. They are of an intensity, scale and design that is consistent with the planned urban environment for the zone; d. The hours of operation are compatible with residential amenity values; and e. Any adverse effects on the amenity values of adjoining sites can be adequately mitigated. 	Support	<p>The Ministry supports the inclusion of policy MRZ-P10 as it allows non-residential activities to be established in the HRZ. Non-residential activities (such as educational facilities) are a critical part of contributing to the wellbeing of the local community by improving access to education.</p>	Retain as proposed.
61.	HRZ-R7	<p>Education facilities including Kohanga Reo</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <ul style="list-style-type: none"> a. The maximum number of children cared for onsite is limited to five children at any one time. b. Compliance is achieved with: <ul style="list-style-type: none"> i) HRZ-S2; ii) HRZ-S3; iii) HRZ-S4; iv) HRZ-S5; v) HRZ-S6; vi) HRZ-S7. 	Support in part	<p>The Ministry requests rule HRZ-R7 is amended to provides for educational facilities, such as childcare services, for up to 50 students (excluding staff and permanent residents) as a permitted activity. This would better align with the typical sizes of pre-school facilities established in the Residential zones in either established buildings or in new-builds as well as the Ministry's pre-school license requirements.</p>	<p>Education facilities including Kohanga Reo</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <ul style="list-style-type: none"> a. The maximum number of children cared for onsite is limited to five children 50 children at any one time. b. Compliance is achieved with: <ul style="list-style-type: none"> i) HRZ-S2; ii) HRZ-S3; iii) HRZ-S4; iv) HRZ-S5; v) HRZ-S6; vi) HRZ-S7.

D	Plan Reference	Proposed Provision	Support Oppose Neutral Ne Provision	Reason for Submission	Relief Sought
		<p>vii) HRZ-S9; viii) HRZ-S10; ix) HRZ-S13.</p> <p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with HRZ-R7.1.a, b, or c.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The effects on the amenity of the surrounding residential area and residents. 2. The effects on pedestrian safety and the safe and efficient movement of vehicles and other road users. 3. The extent to which site layout and any proposed landscaping helps avoid or minimise effects on surrounding residential areas, the streetscape, and adjoining public space. 4. The matters of discretion of any infringed standard. 5. The matters set out in Policies HRZ-P1, HRZ-P7, HRZ-P10, and HRZ-P11. 			<p>vii) HRZ-S9; viii) HRZ-S10; ix) HRZ-S13.</p> <p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with HRZ-R7.1.a, b, or c.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The effects on the amenity of the surrounding residential area and residents. 2. The effects on pedestrian safety and the safe and efficient movement of vehicles and other road users. 3. The extent to which site layout and any proposed landscaping helps avoid or minimise effects on surrounding residential areas, the streetscape, and adjoining public space. 4. The matters of discretion of any infringed standard. 5. The matters set out in Policies HRZ-P1, HRZ-P7, HRZ-P10, and HRZ-P11.
Rural ones					
General Rural one					
62.	GRUZ-O1	<p>Purpose of the General Rural one</p> <p>The General Rural Zone predominately provides for rural activities, complemented by informal outdoor recreation and other activities that have a functional need for a rural location.</p>	Support in part	<p>The Ministry recognises the primary purpose of the zone is to provide for rural activities. However, the Ministry still has an obligation to provide educational support to rural communities. If any communities within the General Rural Zone (GRUZ) were to grow overtime, they may require a new school or day care centre to provide for their social well-being. The Ministry only provides these educational facilities in rural zones if there is a demand for them. Rural educational facilities are often small in scale to cater for the small rural communities and to minimize the impact on amenity.</p> <p>The current wording of GRUZ does not enable educational facilities, as they do not have a functional need to locate in the rural zone. However, they do have an operational need to locate in the rural zone due to the technical and logistical constraints of rural communities being</p>	<p>Purpose of the General Rural one</p> <p>The General Rural Zone predominately provides for rural activities, complemented by informal outdoor recreation and other activities that have a functional <u>or operational</u> need for a rural location.</p>

D	Plan Reference	Proposed Provision	Support Oppose Neutral Ne Provision	Reason for Submission	Relief Sought
				isolated away from urban centres where most schools are located. To enable adequate access to education for all rural community members, educational facilities have an operational need to locate in the rural zone to support rural communities. The Ministry therefore recommend GRUZ-O1 is amended to include an operational need test as well.	
63.	GRUZ-P3	<p>Potentially compatible activities</p> <p>Only allow other activities in the General Rural Zone where it can be demonstrated that:</p> <ol style="list-style-type: none"> 1. They are compatible with the character and amenity values of the Zone; 2. They will not limit or constrain rural activities, or other lawfully established or permitted activities in the Zone; 3. A rural location is required, or the activity is associated with a rural activity, or the activity supports the needs of the local community; 4. There are measures in place to manage adverse effects, including reverse sensitivity effects. 	Support	The Ministry supports GRUZ-P3 as it enables non rural activities where it can be demonstrated that they are designed in a way that is compatible with the rural zone. The Ministry particularly supports GRUZ-P3.3, as this would allow for the establishment of an educational facility provided it can support the needs of the local community, which is the exact purpose of any educational facility established in a rural zone.	Retained as proposed.
64.	GRUZ-R17	<p>Education activities, ohanga reo and childcare facilities</p> <ol style="list-style-type: none"> 1. Activity status: Discretionary 	Oppose	<p>The Ministry acknowledges that the primary purpose of the GRUZ is to provide for rural activities. The Ministry considers that educational facilities, particularly early childhood centres and schools, should be provided for where there is potential for a population to support them including in the GRUZ. Educational facilities are essential social infrastructure required to support social and economic well-being. The Ministry only provides these educational facilities in rural zones if there is a demand for them.</p> <p>Rural educational facilities are often small in scale to cater for the small rural communities and to minimize the impact on amenity. The Ministry also acknowledges the potential for reverse sensitivity on existing rural activities. However, we believe any effects from educational facilities can be managed through carefully drafted matters of discretion. The Ministry therefore requests educational facilities are provided for as a restricted discretionary activity.</p> <p>If council does not support the proposed matters of discretion, the Ministry would appreciate the opportunity to work with council to come to an</p>	<p>Education facilities-activities, ohanga reo and childcare facilities</p> <p>Activity status: Restricted Discretionary</p> <p><u>Matters of discretion:</u></p> <ol style="list-style-type: none"> 1. <u>The effects on the streetscape and amenity</u> 2. <u>Scale, design, layout and setbacks</u> 3. <u>Onsite landscaping and amenity</u> 4. <u>Adverse effects on the safe, efficient and effective operation of the road network</u> 5. <u>Potential reverse sensitivity effects on rural production activities and any proposed mitigation</u>

D	Plan Reference	Proposed Provision	Support Oppose Neutral Ne Provision	Reason for Submission	Relief Sought
				<p>agreement on any amendments that would mitigate any effects.</p> <p>The Ministry also recommend renaming this activity status to 'educational facilities' as kohanga reo and childcare facilities are included within the definition of 'educational facilities'.</p>	
Rural ifestyle one					
65.	RLZ-O2	<p>Compatible Activities</p> <p>Provide for residential lifestyle activities, primary production and ancillary activities that are compatible with the purpose, character and amenity values of the Rural Lifestyle Zone.</p>	Support in part	<p>The Ministry acknowledges that the primary purpose of the Rural Lifestyle Zones is to provide for small-scale rural activities and ancillary un-serviced residential activity. The Ministry has an obligation to provide educational facilities to existing communities in both rural and residential zones. If there is a community large enough in the Rural Lifestyle Zone, educational facilities should be enabled to support those communities. The Ministry request that RLZ-O2 be amended to enable other non-rural activities as long as they are compatible with the zone.</p>	<p>Compatible Activities</p> <p>Provide for residential lifestyle activities, primary production, and ancillary <u>other</u> activities that are compatible with the purpose, character and amenity values of the Rural Lifestyle Zone.</p>
66.	RLZ-R17	<p>Activities not identified as permitted, restricted discretionary or discretionary in the Rural ifestyle one</p> <p>1. Activity status: Non-complying</p>	Oppose	<p>Educational facilities have not been provided for within the zone and would therefore be considered a non-complying activity under RLZ-R17. The Ministry does not support this as educational facilities are essential social infrastructure required to meet the needs of all communities in the RLZ.</p>	See below
67.	New Provision	N/a	New Provision	<p>The Ministry requests a new rule be inserted that specifically enables educational facilities as a restricted discretionary activity. This will allow the Ministry to better service the growth within the rural areas of the district and support the local communities' needs. It would also enable the establishment of small childcare facilities.</p> <p>Rural educational facilities are often small in scale to cater for the small rural communities and to minimize the impact on amenity. The Ministry also acknowledges the potential for reverse sensitivity on existing rural activities. However, we believe any effects from educational facilities can be managed through carefully drafted matters of discretion.</p> <p>If council does not support the proposed matters of discretion, the Ministry would appreciate the opportunity to work with council to come to an</p>	<p><u>RLZ-RX</u></p> <p><u>Educational Facility</u></p> <p><u>Activity Status: Restricted Discretionary Activity</u></p> <p><u>Matters of discretion:</u></p> <ol style="list-style-type: none"> <u>The effects on the streetscape and amenity</u> <u>Scale, design, layout and setbacks</u> <u>Onsite landscaping and amenity</u> <u>Adverse effects on the safe, efficient and effective operation of the road network</u> <u>Potential reverse sensitivity effects on rural production activities and any proposed mitigation</u>

D	Plan Reference	Proposed Provision	Support Oppose Neutral Ne Provision	Reason for Submission	Relief Sought
				agreement on any amendments that would mitigate any effects.	
Commercial and Mixed Use Zones					
C - Local Centre Zone					
68.	LCZ-O1	<p>Purpose of the zone</p> <p>Local Centres are the heart of commercial activity in their neighbourhood and may also be a significant location for community and civic activity. The Local Centres are locations of choice for activities that serve the surrounding neighbourhoods or other small-scale activities. The Local Centres are supported by residential activities and a diverse range of other compatible activities, including small-scale commercial activities that may serve more than just the surrounding area, while reflecting the Local Centres' role and function within the hierarchy of centres.</p>	Support in part	<p>The Ministry supports the inclusion of objective LCZ-O1 and seeks explicit reference to educational facilities in the Local Centre Zone (LCZ)..</p> <p>Any zone that enables residential activities should provide for schools and childcare centres as essential social infrastructure required to support the surrounding residential and commercial catchments.</p>	<p>Purpose of the zone</p> <p>Local Centres are the heart of commercial activity in their neighbourhood and may also be a significant location for community and civic activity. The Local Centres are locations of choice for activities that serve the surrounding neighbourhoods or other small-scale activities. The Local Centres are supported by residential activities and a diverse range of other compatible activities, including small-scale commercial activities, <u>and educational facilities</u> that may serve more than just the surrounding area, while reflecting the Local Centres' role and function within the hierarchy of centres.</p>
69.	LCZ-P1	<p>Enabled activities</p> <p>Enable activities that support the purpose and ongoing viability and vitality of the Local Centres, recognising the key importance of commercial and community activities, and the role of the zone in relation to the hierarchy of centres.</p>	Support in part	<p>The Ministry supports the inclusion of policy LCZ-P1 but seeks amendment of 'community activities' to 'community services' recognising and provide for educational facilities as educational facilities are necessary to service residential activities (see submission point 8).</p>	<p>Enabled activities</p> <p>Enable activities that support the purpose and ongoing viability and vitality of the Local Centres, recognising the key importance of commercial, community <u>activities services</u>, and the role of the zone in relation to the hierarchy of centres.</p>
70.	LCZ-R12	<p>Other activities not otherwise provided for</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The activity has a gross floor area of no more than 500m², and</p> <p>b. Compliance is achieved with LCZ-S7 and LCZ-S11.</p>	Support	<p>The Ministry supports the inclusion of this rule as it provides a pathway for educational facilities to be established in the LCZ.</p>	Retain as proposed.
M - Mixed Use Zone					
71.	MUZ-O1	<p>Purpose of the zone</p> <p>Mixed Use areas provide flexibility for any combination of commercial, community, light manufacturing and servicing, recreational, residential, and other compatible</p>	Support	<p>Objective MUZ-O1 identifies the purpose of the Mixed Use Zone (MUZ) as to provide flexibility in the types of activities that can be established. The Ministry supports the inclusion of objective as it also provides for compatible activities (such as</p>	Retain as proposed.

D	Plan Reference	Proposed Provision	Support Oppose Neutral Ne Provision	Reason for Submission	Relief Sought
		activities, while reflecting the Mixed Use Zone's role and function in relation to the hierarchy of centres.		educational facilities) that are commensurate with the purpose of the zone.	
72.	MUZ-P1	<p>Enabled activities</p> <p>Enable a broad mix of activities such as commercial, community, light industrial, recreational, and residential activities, and other compatible activities, while recognising the role of the zone in relation to the hierarchy of centres.</p>	Support	<p>The Ministry supports the inclusion of policy MUZ-P1 as it enables a broad mix of activities (such as educational activities) to be located in the MUZ provided they are compatible with the purpose of the zone.</p> <p>Educational facilities tend to be located in environments which have a growing population and can support role growth, and in some cases, they can be located within the MUZ.</p>	Retain as proposed.
73.	MUZ-R13	<p>Other activities not otherwise provided for</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. Compliance is achieved with MUZ-S5 and MUZ-S6, and</p> <p>b. The activity has a gross floor area of no more than 200m²</p> <p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with MUZ-R13.1.a, but</p> <p>b. Compliance is achieved with MUZ-R13.1.b.</p> <p>3. Activity status: Discretionary</p> <p>Where:</p> <p>a. compliance is not achieved with MUZ-R13.1 or MUZ-R13.2</p>	Oppose	<p>Educational facilities have not been provided for within the zone and would therefore be considered a discretionary activity if the activity has a gross floor area of more than 200m². The Ministry does not support this as educational facilities are essential social infrastructure required to meet the needs of all communities in the MUZ.</p> <p>The Ministry requests a new rule be inserted that specifically enables educational facilities as a restricted discretionary activity. This will allow the Ministry to better service the growth within the rural areas of the district and support the local communities' needs. It would also enable the establishment of small childcare facilities.</p> <p>If council does not support the proposed matters of discretion, the Ministry would appreciate the opportunity to work with council to come to an agreement on any amendments that would mitigate any effects</p>	<p><u>MUZ-RX</u></p> <p><u>Educational Facility</u></p> <p><u>Activity Status: Restricted Discretionary Activity</u></p> <p><u>Matters of discretion:</u></p> <ol style="list-style-type: none"> <u>The effects on the streetscape and amenity</u> <u>Scale, design, layout and setbacks</u> <u>Onsite landscaping and amenity</u> <u>Adverse effects on the safe, efficient and effective operation of the road network</u> <u>Potential reverse sensitivity effects on rural production activities and any proposed mitigation</u>
74.	New Provision	N/a	New provision		
MC -Metropolitan one					
75.	MCZ-O1	<p>Purpose of the zone</p> <p>The Metropolitan Centre is a key commercial, community, and civic centre for Lower Hutt, and is a</p>	Support	The Ministry is supportive of the purpose of the Metropolitan Zone (MCZ) and the inclusion of this objective as it enables a diverse range of activities (such as educational facilities) to be	Retain as proposed.

D	Plan Reference	Proposed Provision	Support Oppose Neutral Ne Provision	Reason for Submission	Relief Sought
		location of choice for such activities with a city-wide or sub-regional catchment. The Metropolitan Centre is supported by residential activities and a diverse range of other activities compatible with this purpose and the intended character of the zone.		established provided that are commensurate with the purpose and the intended character of the zone.	
76.	MCZ-O3	Accommodating growth The Metropolitan Centre plays a significant role in accommodating growth and has sufficient serviced, resilient development capacity to meet commercial and residential growth needs.	Support	The Ministry supports the inclusion of this objective as educational facilities may be needed to accommodate residential growth needs.	Retain as proposed.
77.	MCZ-P1	Enabled Activities Enable as wide as possible a range of activities that support the purpose and ongoing viability and vitality of the Metropolitan Centre, while recognising the key importance of commercial and community activities, and the role of the zone in relation to the hierarchy of centres.	Support in part	<p>The Ministry supports the inclusion of policy MCZ-P1 as it enables as wide as possible a range of activities (including educational activities) to be located in the MCZ provided they are compatible with the purpose of the zone.</p> <p>The Ministry seeks amendment of 'community activities' to 'community services' recognise and provide for educational facilities as educational facilities are necessary to service residential activities (see submission point 8).</p> <p>Educational facilities tend to be located in environments which have a growing population and can support role growth, and in some cases, they can be located within the MCZ.</p>	Enabled Activities Enable as wide as possible a range of activities that support the purpose and ongoing viability and vitality of the Metropolitan Centre, while recognising the key importance of commercial and community activities services , and the role of the zone in relation to the hierarchy of centres.
78.	MCZ-P7	Development capacity – general Encourage the efficient use of land in the Metropolitan Centre to provide a diverse range of spaces for housing, business, community, and civic activities, particularly in denser forms.	Support in part	<p>The Ministry supports the inclusion of policy MCZ-P7 as it encourages the efficient use of land in the City Centre to provide a diverse range of activities.</p> <p>However, the Ministry requests that the policy be amended to reference the term 'community services' (which capture educational facilities) to be consistent with the relief sought in point 8. Educational facilities tend to be located in environments which have a growing population and can support role growth, and in some cases, they can be located within the MCZ.</p>	Development capacity – general Encourage the efficient use of land in the Metropolitan Centre to provide a diverse range of spaces for housing, business, community services , and civic activities, particularly in denser forms.
79.	MCZ-R16	Other activities not otherwise provided for 1. Activity status: Permitted Where: a. Compliance is achieved with MCZ-S7, and	Support	The Ministry supports the inclusion of this rule as it provides a pathway for educational facilities to be established in the MCZ.	Retain as proposed.

D	Plan Reference	Proposed Provision	Support Oppose Neutral No Provision	Reason for Submission	Relief Sought
		b. The activity has a gross floor area of no more than 2000m ²			
CC -City Centre one					
80.	CCZ-O1	Purpose of the zone The City Centre is the primary commercial, community, and civic centre for Lower Hutt, and the primary location of choice for activities with a city-wide or regional catchment. The City Centre is supported by residential activities and a diverse range of other activities compatible with this purpose and the intended character of the zone.	Support	The Ministry supports the purpose of CCZ-O1 as provides for a diverse range of activities such as educational activities.	Retain as proposed.
81.	CCZ-P1	Enabled activities Enable a wide range of activities that support the purpose and ongoing viability and vitality of the City Centre, while recognising the key importance of commercial, community and civic activities, and the regional function of the centre.	Support	The Ministry supports the inclusion of policy CCZ-P1 as it enables a wide range of activities (including educational activities) to be located in the City Centre Zone (CCZ) provided they are compatible with the purpose of the zone. Educational facilities tend to be located in environments which have a growing population and can support role growth, and in some cases, they can be located within the CCZ.	Retain as proposed.
82.	CCZ-P7	Development capacity – general Encourage the efficient use of land in the City Centre to provide a diverse range of spaces for housing, business, community, and civic activities, particularly in denser forms.	Support	The Ministry supports the inclusion of policy CCZ-P7 as it encourages the efficient use of land in the City Centre to provide a diverse range of activities. However, the Ministry requests that the policy be amended reference ‘community services’ (which capture educational facilities) which is consistent with the relief sought in point 8.. Educational facilities tend to be located in environments which have a growing population and can support role growth, and in some cases, they can be located within the CCZ.	Development capacity – general Encourage the efficient use of land in the City Centre to provide a diverse range of spaces for housing, business, community <u>services</u> , and civic activities, particularly in denser forms.
83.	CCZ-R17	Other activities not otherwise provided for 1. Activity status: Permitted Where: a. Compliance is achieved with CCZ-S7	Support	The Ministry supports the inclusion of this rule as it provides a pathway for educational facilities to be established in the CCZ.	Retain as proposed.

D	Plan Reference	Proposed Provision	Support Oppose Neutral Ne Provision	Reason for Submission	Relief Sought
		<p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with CCZ-R17.1</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters of discretion in CCZ-S7</p>			
Industrial zones					
- Light industrial zone					
84.	LIZ-P1	<p>Enabled activities</p> <p>Enable light industrial activities and research activities, commercial activities that are not appropriately located in centres, and other activities compatible with these.</p>	Support in part	The Ministry finds the ending of this policy unclear. We recommend it is amended to outline that 'other activities' not otherwise provided for in the provision are enabled in the light industrial zone, provided they are compatible with the zone. Some educational facilities are established in industrial zones, like work skills training centres where people are trained on industrial based skills. These facilities must locate in industrial areas. The Ministry's requested amendment to this policy would enable industrial training facilities under 'other activities' as long as they are compatible with the zone	<p>Enabled activities</p> <p>Enable light industrial activities and research activities, commercial activities that are not appropriately located in centres, and other activities compatible with these <u>the purpose of the zone</u>.</p>
85.	LIZ-P2	<p>Residential activities and sensitive activities</p> <p>Avoid new residential activity and other new sensitive activities unless they are:</p> <ol style="list-style-type: none"> ancillary to or associated with an industrial activity, research activity, or emergency facility, and managed to minimise reverse sensitivity effects 	Support	The Ministry supports this policy as it enables sensitive activities like educational facilities where they are associated with an industrial activity, including work skills training centres where people are trained on industrial based skills. These facilities are only compatible with industrial zones and should be provided for within the provisions.	Retain as proposed.
86.	LIZ-R6	<p>Trade and industrial training facilities</p> <ol style="list-style-type: none"> Activity status: Permitted 	Support	The Ministry supports LIZ-R6 to allow industrial based training facilities to establish in the light industrial zone as a permitted activity.	Retain as proposed.
G - General industrial zone					
87.	GIZ-O1	<p>Purpose of the zone</p> <p>General Industrial areas are used primarily to meet the needs of industrial and research activities. The areas also provide for other compatible activities that support this role or do not interfere with the primary purpose, including commercial activities that are not appropriately</p>	Support	The Ministry supports GIS-O1 as it enables 'other activities' within the zone that are compatible with industrial activities. The Ministry considers industrial training facilities to be compatible with the zone as they can only occur ancillary to industrial activities.	Retain as proposed.

D	Plan Reference	Proposed Provision	Support Oppose Neutral Ne Provision	Reason for Submission	Relief Sought
		located outside industrial areas because of their effects on amenity values, less efficient use of land, or co-location benefits with industrial and research activities.			
88.	GIZ-R6	Trade and industrial training facilities 1. Activity status: Permitted	Support	The Ministry supports GIZ-R6 to allow industrial based training facilities to establish in the zone as a permitted activity.	Retain as proposed.
H - Heavy industrial one					
89.	HIZ-O1	Purpose of the zone The Heavy Industrial area is used primarily to meet the needs of industrial and research activities and supporting activities and is recognised for its regionally significant role in providing for heavy industry. It may be suitable for some compatible land uses that do not belong in any other zone.	Support	The Ministry supports HIZ-O1 as it enables 'some compatible land uses' within the zone that do not belong in other zones. The Ministry considers industrial training facilities to be compatible with the zone if the comprise of industrial based training activities.	Retain as proposed.
90.	HIZ-R6	Trade and industrial training facilities 1. Activity status: Permitted	Support	The Ministry supports HIZ-R6 to allow industrial based training facilities to establish in the zone as a permitted activity.	Retain as proposed.

Saritha Shetty

From: [REDACTED]
Sent: Tuesday, 12 December 2023 10:57 pm
To: District Plan Team
Subject: [EXTERNAL] District Plane Review : Feedback - Historic Heritage

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Nathan

We have received your letter dated 17 November 2023 regarding the proposal to make the property we live in a historic heritage property.

This issue has been with Council for over a decade. During this time we have provided feedback to Council multiple times and have been disappointed that Council have made no attempt to meet with us to discuss our feedback. Here we are again on another iteration and request from Council for our feedback.

Unfortunately, we have not had time to be preparing a detailed piece of feedback on this occasion, however in summary our thoughts are as follows :

- There is a real risk that making properties Heritage Status and imposing the proposed restrictions will have a significant negative impact on property values
- To mitigate this, Council needs to make Heritage Status sought after
- This could be achieved by a series of meaningful incentives which give real benefits to owning and maintaining a heritage property
- These could include zero fees for building / resource consents, assistance with essential maintenance, rates remissions
- The current pool of money council has allocated is totally inadequate if it is to be shared amongst the properties being considered heritage as part of this proposal
- We have spent a significant amount of money restoring our property with no assistance from council
- If it is important to the community that a property is preserved through Heritage status then the community should be paying for this to recognise the value.
- There are two people living in our property and our rates are currently over \$11,000 a year
- We have unsuccessfully attempted to discuss these issues with Council multiple times
- Requests for meetings with senior officials and the mayor have been refused
- Our rates are totally unaffordable and if we are to stay in this property we will need to extensively modify the dwelling and subdivide the site and should not be denied the opportunity to do this.
- The proposals from Council for high density housing undermines the concept of isolated properties being ring fenced as Heritage properties
- Sections capable of supporting high density housing are likely to experience significant increases in value and heritage status will prevent us being able to take advantage of this and may well cause a further decline in value.

As per all the previous feedback we have supplied council we are available to discuss this further if desired.

Regards

[REDACTED]



Saritha Shetty

From: [REDACTED]
Sent: Friday, 24 November 2023 3:43 pm
To: District Plan Review Team
Subject: [EXTERNAL] District Plan Review

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Sean

Dear Sirs,

You have written to me advising that my property may be affected by proposed changes in the plan. Our house is on the waterfront in Lowry Bay and is surrounded by a mix of old houses and near new houses.

Your letter states that the draft rules seek to avoid new housing within a high hazard area.

My questions are:

1. Is this intended to prevent the replacement of existing houses within the high hazard area (such as ours) that come to the end of their useful life?
2. If the answer is yes, noting that these are all multi-million dollar properties, please confirm that ratepayers will foot the bill for compensation to the owners of these properties that cannot re-build.
3. Again, if the above is the intention, will a ratepayers poll be the deciding factor whether this proposed change is an acceptable use of ratepayers' money?

Regards,

[REDACTED]

Saritha Shetty

From: [REDACTED]
Sent: Wednesday, 29 November 2023 1:14 pm
To: District Plan Review Team
Subject: Re: [EXTERNAL] Proposed zone change in draft district plan
Attachments: noname

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Sean

Hello again helpful person.

Thanks again for further response I understand your points now, my responses are numbered below.

1 The new link works, the first one was missing the crucial end bits

2 I'm pleased to know I'll still have a legal section and be able to rebuild if the proposed plan change does go ahead that's a relief. However I personally I would still much rather keep the medium density zoning as it provides much more opportunity to make better use of the land than the new zone would. Sorry this one is kinda flogging a dead horse but I do feel quite strongly about this. Mostly because I hadn't paid attention previously and was unaware we'd been rezoned to mdh in the first place.

I'll pay more attention going forward if the proposed changes are rescinded I'll be happy, otherwise I will definitely apply for the zoning on my property to stay as it is currently.

So I guess my only real question is should I wait or is there a way to preempt the possibility of the zone being changed?

Kind Regards
[REDACTED]

On Wed, 29 Nov 2023, 12:38 District Plan Review Team, <district.plan@huttcity.govt.nz> wrote:

Hi [REDACTED]

Thank you for your reply. The points you raise are good points.

I'll try answer your questions and points in sequence:

1. I apologise if the link I sent didn't work. The link to the residential zone should be: [242b27ad4185161c480abe7b67124eb037e6 \(hccpublicdocs.azurewebsites.net\)](https://242b27ad4185161c480abe7b67124eb037e6.hccpublicdocs.azurewebsites.net) . it can also be reached via the district plan review page, scrolling down to the key topics and clicking the residential zones tab.



2. Sorry if I was unclear. What I mean is you have existing use rights. Even though your site has an area of less than 1000m², any existing buildings, structures, earthworks that have been legally established remain legal. From a district plan point of view it means you can replace like with like. The new the zoning, rules etc come into effect if your adding to existing, building, building a new building, looking to subdivide the section.

3. I will include your objection to the changes to rules regarding development, impact on potential development and your reasons. These are important and they will be considered in our review of the district plan.

4. I've included your feedback on the rezoning to large lot residential of the surrounding area. This will also be considered in our review.

If you have further questions, please contact me.

Regards

District Plan Review Team



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From: [REDACTED]
Sent: Wednesday, November 29, 2023 10:51 AM
To: District Plan Review Team <district.plan@huttcity.govt.nz>
Subject: Re: [EXTERNAL] Proposed zone change in draft district plan

Hi Team

Thanks for your response to my email.

First I'd like to point out the link to understanding the residential zones n your reply doesn't appear to work, can you send the correct one please?

Second I don't understand your statement about 1000m2 not being a minimum in terms of development, within the context of changing zoning for existing sections that are under 1000m2 to the large lot zone, can you explain please.

Third I beg to differ with regards to the proposed zoning not affecting my existing dwellin. If the zoning is changed as per the proposal it most definitely would reduce my options for additional dwellings on this site without requiring a resource consent. Currently I could potentially convert the single dwelling into three vertically separated dwellings with the same footprint by altering the existing house. Obviously this would require building consent and a substantial amount of work, but it is permitted. Under the proposed change I'm back to one dwelling with a minor secondary unit allowed. As far as I'm concerned that's a step backwards.

Please consider this conversation as feedback, I'm concerned at a personal level that the proposed changes will remove future development choices (or at a minimum make the same choices more difficult and costly than under the current plan.

On a bigger scale I can see the same issue applies to every property owner within the proposed rezoned areas. I don't know exactly how many sections are included but I do know that potentially adding two more dwellings to each section is a lot of extra houses within the existing suburbs with the added benefit of reducing the land cost per dwelling.

Kind Regards

██████████

On Tue, 28 Nov 2023, 16:42 District Plan Review Team, <district.plan@huttcity.govt.nz> wrote:

Hi ██████████

Thank you for your email and your feedback.

The large lot residential zoning is the low-density residential zone in the draft District Plan. A number of factors were considered when considering the zoning, including natural hazards, the steepness of land on or adjacent to the site, site size and the surrounding area, etc. 1000m2 minimum lot sizes are not a minimum in terms of development,

The proposed zoning would not affect your existing dwelling and use of the site. It would affect whether a resource consent is required for subdivision, or to build more dwellings in the future. A guide to understanding the residential zones can be found [here](#).

The draft district plan has no legal effect. Council has produced it get feedback on the maps and provisions we are looking at to manage the effects of subdivision and development in Lower Hutt.

I encourage you to provide feedback. Your likes, and dislikes are important. You can email me or fill out the [feedback form](#). Any feedback and the reasons you give will be included in the review of the district plan. You could request that your property be zoned medium density residual for the following reasons.... We would then include this feedback in the review.

Please contact me if you have any questions.

District Plan Review Team

Hutt City Council, 30 Laings Road, Lower Hutt
P: 04 570 6666 M: W: www.huttcity.govt.nz

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From: [REDACTED]
Sent: Friday, November 24, 2023 4:58 PM
To: District Plan Review Team <district.plan@huttcity.govt.nz>
Subject: [EXTERNAL] Proposed zone change in draft district plan

Hello,

My name is [REDACTED] I own and live at [REDACTED]

Today I received a letter regarding a possible zone change which has me confused.

My section is 576 square meters and currently zoned as medium density housing, which I think is wonderful as I can now potentially repurpose the single large dwelling into three dwellings which could provide my adult son with his own house for less than half a million dollars.

Now the letter states my house could be rezoned to a large lot side from the limitations on dwellings numbers which I think is a step backwards as far as fixing the housing crisis. I don't understand how this could apply to my property as my section is about half the area required to be a large lot. In fact of the 10 houses at this end of mulberry st only one meets the minimum section size for a large lot yet all of them are in the new zone.

Can someone please explain is the letter a mistake?

If the 1000m is a hard minimum, will anything under that stay as medium density housing?

Best Regards

A solid black rectangular box used to redact the sender's name or signature.

Saritha Shetty

From: Kate Steere <kate.steere@arl-lawyers.co.nz>
Sent: Wednesday, 13 December 2023 2:27 pm
To: District Plan Review Team
Cc: 'masonry42@gmail.com'
Subject: [EXTERNAL] District Plan Change Submission
Attachments: Letter to Hutt City Council.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Steve

Dear Councillors,

Please find attached our clients submission on the Proposed District Plan change affecting his Property.

Ngā mihi | Kind regards
KATE STEERE
Solicitor

Direct dial: 04 576 1668
Email: kate.steere@arl-lawyers.co.nz

Our offices will be closed from 5pm on Friday the 22nd of December, and will re-open at 8am on Monday the 8th of January.

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13 December 2023

Hutt City Council
30 Laings Road
Lower Hutt

Attention Hutt City Council

By Email district.plan@huttcity.govt.nz

OBJECT ON TO DISTRICT PLAN CHANGE

Dear Councillors,

We act for Mason Young, the registered proprietor of 939C High Street, Avalon, Lower Hutt.

We have been provided us with a copy of your letter dated 17 November 2023 ("your letter") outlining the proposed changes in the District Plan.

Our client advises us that he strongly objects to the area near his Property becoming a Mixed Used Zone under the proposed District Plan changes.

Our client has instructed us to submit to the Council that he objects to this change and disagrees with the reasoning in your letter.

Yours faithfully

ARL LAWYERS LIMITED



KATE STEERE
Solicitor

Email: kate.steere@arl-lawyers.co.nz

Saritha Shetty

From: [REDACTED]
Sent: Tuesday, 12 December 2023 9:04 pm
To: District Plan Review Team
Subject: [EXTERNAL] [REDACTED]

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Sean

Good day,

I and my wife have received the letter from Hutt Council in regards to Draft District Plan. We have few concern with regards to this matter as this is concerning to us as first home buyer and we wanted to seek clarity. When we bought this property off plan from Friday homes.

I am not really familiar with how process work with regards to builders applying of permit before they can start working on the job, but i am sure the area should be assess if it is safe and hazard free before they start building right?

We want to ask these few questions and hoping to get answers from council.

*Are we the only property in the Grovedale Square that are considered as HIGH?? as we asked our neighbour they did not get any letter from Hutt council.

*Why is our property considered as high hazard Area? Needing more information about this please

*Will this affect us when we decide to sell this property in the future with regards to value?

*If this was already known as high hazard area why did the council agreed for Friday homes to build in this area?

*And lastly if our property has been identified as high hazard, what will council do to fix the problem? or plans.

Thank you very much and hope to hear from you soon

Regards,
[REDACTED]

Saritha Shetty

From: [REDACTED]
Sent: Friday, 15 December 2023 11:04 am
To: District Plan Review Team
Cc: [REDACTED]
Subject: [EXTERNAL] RE: Hutt City draft district plan submission (spot zoning of [REDACTED] as Mixed Use Zone)

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Steve

Dear Sir/Madam,

Re: Hutt City draft district plan submission - spot zoning of [REDACTED] as Mixed Use Zone.

Thank you for the opportunity to make a submission on the provisions of the Hutt City draft district plan.

I would like to provide comment on the spot zoning of the property at [REDACTED] as Mixed Use Zone. My family and I live opposite this property in our home at [REDACTED]. In summary, I do not believe that this property should be zoned Mixed Use due the uncertainty that this would bring for neighbouring residential properties and the potential for Mixed Use zoning to enable a less sympathetic commercial use that would be incongruous with the established residential character and associated living conditions of the area.

As general background, this subject property is 2,238m² in area and comprises three lots held on a single record of title within the ownership of Major Drive Holdings Limited. The land is currently within the Medium Density Residential Zone and the General Recreation Zone.

The southern end of the site provides a two storey building with commercial (retail) use at ground floor fronting the road and what appears to be residential use at first floor level. Residential use continues to the rear of the road frontage retail space. Land falls steeply away from the rear of the platform of this building. The land also falls towards the north, such that the remainder of the site is below road level. A small commercial warehouse is provided on this northern part of the site.

The site is located within an established residential area characterised by detached homes, with the development density largely dictated by the hill slope topography of the area and the general age of the suburban development. This surrounding residential land is within the Medium Density Residential Zone of the draft district plan.

The subject property is located on the outside of a relatively tight curve with constrained forward visibility for vehicles travelling both southward downhill and northward uphill. This is a significant matter to us, as the road environment is commonly challenging for people and further complication of additional car parking, servicing or a larger building may exacerbate existing traffic safety issues.

While the property has a history of mixed retail and residential use, the principal retail outlet was until recently in use as a Four Square supermarket that served the convenience retail needs of the local community. I do not know if this operated on existing use rights or through resource consent.

While the Four Square supermarket did result in some conflict with neighbouring residential properties through noise, general disturbance and through traffic movement and inevitable car parking conflict, this was generally accepted by residents as being offset by the convenience of having the retail offering available for the community.

We have in recent years had two incidents with vehicle damage necessitating insurance claims providing an indication of the road environment in immediate proximity of the subject site and the adjacent road curve.

Respectfully, I do not believe it is in the community interests to spot zone this property. I believe that it should be included within the Medium Density Residential Zone to enable greater resource consent control of activity and development of the site (on the basis that Council believes that the northern part of the site should be moved from the General Recreation Zone).

Again, while the community accepted the externalities of the Four Square on the basis of the overall community benefit of having convenience retail in proximity, it would be difficult to accept externalities from a commercial/retail use that was less beneficial to the community. A vape shop or bottlestore would provide limited community benefit but could generate wholly unacceptable and unsustainable, in terms of the capacity of the immediate road environment, levels of traffic. Retaining control through resource consenting is necessary to ensure that we do not suffer a loss of residential amenity within this established suburban area.

Reviewing the Mixed Use Zone objectives and policies, I see specific conflict with MUZ-O1, as this references providing activity flexibility including light manufacturing and servicing (my concern being noise and disturbance and how such a use would be serviced) and general wider inconsistency between the small area of the subject land and the broader Mixed Use Zone principles set out in the objectives and policies. In general, I do not believe that the small site is consistent with the intention of Mixed Use Zone areas. This is an isolated site within a consolidated residential community. It has a history of commercial use, but this should not be taken to allow for intensification of commercial activity on the site.

I note also that many of the activities that are more appropriately directed to an industrial zone are only classified as discretionary activities within the Mixed Use Zone rather than non-complying, implying an acceptance for them in appropriate circumstances. This is troubling as it may have the effect of encouraging such development rather than providing the clear signal of non-complying activity status.

The property is held in common ownership and does provide potential for site redevelopment. Undertaking redevelopment with the allowances of the Mixed Use Zone would provide for buildings of up to 22m in height, twice that of the 11m restriction of the surrounding zone and substantially greater than the established character of the surrounding area. This development envelope allowance is too much for the site in relation to surrounding homes.

Thank you again for the opportunity to submit of the draft district plan. I do hope that you are able to readily understand our concerns from this submission. I would obviously welcome discussion of this in greater detail or a visit from Council staff to best comprehend the potential character conflict and the constrained traffic environment.

Regards

A large black rectangular redaction box covering the signature area.

Saritha Shetty

From: [REDACTED]
Sent: Friday, 15 December 2023 9:27 am
To: District Plan Team
Subject: [EXTERNAL] Draft DP feedback
Attachments: District plan consult.docx

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Sean

14 December 2023

[REDACTED]
[REDACTED]
[REDACTED]

Proposed change to the Hutt City Council Draft District plan feedback

I am concerned about the implications of identifying my property as a high hazard area. I am unclear what benefit the proposed change provides to home owners and what difference it could make to the value of my property and our insurance premiums, when in reality the real risk is low.

I talked to a council officer today about a letter we received about our property being included in the District Plan as a High Hazard area, apparently due to one corner of our property in close proximity to a stream. However, I still lack clarity about what impacts the proposed change has on my property. For example, will this impact consenting and non-consenting activities, and in what way? I would like to know the potential impact of the change.

Only one corner of my property bounds the stream. My garage is built close to the side on the boundary and is about a metre from the stream corner. So this area is already built on. I think my risk of flooding is much lower than my neighbour's properties and possibly similar to the those of other properties not bounding the stream.

My back neighbour has the stream running along a large portion of their boundary. My next door neighbour's property has the stream running through their backyard, and both properties are topographically lower than my property. Therefore their properties are at higher risk of flooding. A broad brush approach to area risk rating is inappropriate.

I would prefer the label 'adjacent to stream corridor' rather than 'high hazard'. There should be a distinction between properties with very limited exposure to the stream area compared to those with more exposure. Is the hazard as great as when proximity is to a larger stream or the river?

Consulting previous LIM information, the risk to my property from flooding is one in 440 years. Consulting the Greater Wellington Region Flood Hazard Information today also suggests the risk to our property is one in 440 year risk of flooding. I don't understand why different information would be included in the district plan.

Rather than the Council including high hazard areas in the District plan, the council should provide leadership to property owners by overseeing the regular maintenance of the stream so that if an extreme weather event occurs then the stream is not clogged with vegetation and rubbish and the water can flow. At the moment the stream corridor is regularly clogged with branches, vegetation, grass clippings and rubbish. I have never seen any maintenance activity of the stream since I have lived here. Can the council **please** regularly check and maintain the stream to lower flood risk.

Finally, I found the consultation letter poorly worded, provided little information about the specific change affecting my property and the implications of this, and didn't point to a website page where I could find out more. The mapping system seemed poor.

I would like to be kept informed of the outcome of this process.

Kind Regards

[REDACTED]
[REDACTED]

Saritha Shetty

From: [REDACTED]
Sent: Thursday, 23 November 2023 10:25 am
To: District Plan Team
Subject: [EXTERNAL] Question

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Steve

To Whom it may concern

[REDACTED] and received one of the letters proposing a change to the District Plan. She is 93 years old and her only question was will my rates be affected? If you could let me know
Regards

Saritha Shetty

From: [REDACTED]
Sent: Friday, 24 November 2023 11:36 am
To: [REDACTED]
Subject: RE: [EXTERNAL] New draft plan

Hello Margaret

You are correct that the letter you received relates to your property at 64 Woburn Road. The church property and Manaaki Institute are currently within the High Density Residential zone of the Operative District Plan, and under the draft District Plan are proposed to be within the Mixed Use Zone.

Both the current High Density Residential zoning and the draft Mixed use zoning, provide for potential intensive redevelopment of the site with the main difference being the latter provides for a broader range of activities. Light manufacturing is provided within the draft provisions of the mixed use zone to the extent it is compatible with surrounding activities. As the site is within 40m of residential zones, any light manufacturing or other light industrial activity would require resource consent under the draft provisions.

The maximum permitted height is the same in the draft provisions as they are in the operative zoning; 36m.

The draft provisions for the Mixed Use Zone can be viewed here;
<https://huttcity.isoplan.co.nz/review/rules/0/71/0/0/0/25>

Please feel free to call or reply to this email if you would like to provide any further feedback on the draft provisions.

Kind regards,
[REDACTED]

-----Original Message-----

From: [REDACTED]
Sent: Friday, November 24, 2023 9:49 AM
To: District Plan Team <DistrictPlan.Team@huttcity.govt.nz>
Subject: [EXTERNAL] New draft plan

Hi

I have received a letter concerning the Draft District Plan It was sent to my home at [REDACTED]

The address of the affected property was not given. However I am presuming it is the trust property at 64 Woburn Rd.

I am not sure how we would be directly affected. There is a church next door and behind that Manaaki Institute. Neither of these are residential now.

Does the new mixed zone mean that if the church was ever pulled down then the land could be used for commercial or light manufacturing?

Are there any implications as far as height of any development is concerned? That would be my main concern .

Kind regards
[REDACTED]

Sent from my iPhone

From: [REDACTED]
To: [District Plan Review Team](#)
Subject: [EXTERNAL] Submission in opposition to rezoning of Benmore Crescent and in particular - Waste Transfer Station RM230019 Roading and infrastructure RM230018
Date: Tuesday, 30 January 2024 9:25:41 pm

As the Manager of the Manor Park Golf Club, and keeping in mind the developments the course has made over the past 15 years to promote a sanctuary environment - which includes :

- a) reducing the chemical usage on the course
- b) effectively managing the creek that runs through the course to keep it a healthy environment for eels, bullies and Inanga fish species
- c) creating wetland areas in suitable locations on the course
- d) planting over 1500 native trees across the course
- e) creating a very effective and actively managed trapping programme to reduce the number of introduced predator species
- f) conducting regular bird counts
- g) building good relationships with our neighbours, the Manor Park residents and
- h) providing a beautiful natural golfing experience for our 700 members and thousands of visitors annually

we were aghast to hear about this proposed development of the Benmore Crescent land to include a possible waste transfer station.

What was the thinking behind this when, just a couple of kilometres away, is a fit for purpose tip site at Silverstream and the built for purpose site in Seaview.

The impact of 5000+ additional vehicles per day in and out of Manor Park will be disastrous for our business, which is time based - members and visitors book tee times in advance in order to play a round of golf. With the additional 5000+ vehicles per day, which will not be staggered throughout the course of the day, but instead have massive peaks at regular intervals, will see unacceptable build up of vehicles both from the SH2 north and south and Haywards, particularly when the railway crossing is closed for the 1.5 minutes or so that it closes for the passing of a train which happens at regular intervals through the course of the day. These massive delays with vehicles trying to turn into Benmore Crescent, trying to go straight through to the Hospital, the Manor Park houses or the Golf Club, and vehicles trying to exit Manor Park will cause untold chaos on a very narrow offramp which already sees many near misses because of the blind corners. And cause delays to golfers and their booked rounds of golf, and therefore impact on our business - we would face losing members and visiting players because it would too stressful for them

trying to get to their specific booked tee time when the chance of being held up for an extended period of time is high.

Not just people would be impacted, but the local wildlife too. Additional rodents will appear, there is no doubt about that. Being in the narrow part of the Hutt Valley, the wind funnels through the area and will blow any and all loose pieces of litter and debris into neighbouring properties, the golf course, the river, and the motor way. And there is the potential for hazardous spillages to run into the creek and river and impact the native fish life, not to mention the corresponding decrease in birdlife caused by the increase in rodents and the flocks of seagulls which also pick off native birds.

There are no doubt other business which would be more suitable for this Benmore Crescent land than a waste transfer station, and we implore you to re-consider all suitable options and cease the proposed re-zoning of the land to industrial.

Looking forward to your re-considering of options.

Kind regards

[Redacted signature]

Saritha Shetty

From: [REDACTED]
Sent: Sunday, 3 December 2023 5:11 pm
To: Jo Miller; District Plan Team
Cc: [REDACTED]
Subject: [EXTERNAL] COMMENT ON DISTRICT PLAN REVIEW - 244 PARK ROAD, BELMONT - LOT 8, DP72921
Attachments: Proposed District Plan Re-Zoning - [REDACTED]
Follow Up Flag: Follow up
Flag Status: Completed
Categories: Sean

Dear Ms Miller & District Plan Team

Please find attached our letter on the above subject. We would be grateful if HCC would please consider the points raised and retract its intention to re-zone our section.

With thanks.

Kind regards

[REDACTED]

Saritha Shetty

From: Kayleen Ensor
Sent: Monday, 4 December 2023 2:37 pm
To: District Plan Review Team
Subject: FW: [EXTERNAL] COMMENT ON DISTRICT PLAN REVIEW - [REDACTED]
Attachments: Proposed District Plan Re-Zoning - [REDACTED]
Follow Up Flag: Follow up
Flag Status: Completed
Categories: Steve

Sorry! Here you go 😊

Kayleen Ensor

Executive Assistant to the Chief Executive | Ringa Āwhina Tāhūhū

Hutt City Council, 30 Laings Road, Lower Hutt 5010

P: M: [REDACTED] **W:** www.huttcity.govt.nz



From: [REDACTED]
Sent: Sunday, December 3, 2023 5:11 PM
To: Jo Miller <Jo.Miller@huttcity.govt.nz>; District Plan Team <DistrictPlan.Team@huttcity.govt.nz>
Cc: [REDACTED]
Subject: [EXTERNAL] COMMENT ON DISTRICT PLAN REVIEW - [REDACTED]

Dear Ms Miller & District Plan Team

Please find attached our letter on the above subject. We would be grateful if HCC would please consider the points raised and retract its intention to re-zone our section.

With thanks.

Kind regards

[REDACTED]

[REDACTED]

3rd December, 2023

TO:

1. Jo Miller, Chief Executive, Hutt City Council (jo.miller@huttcity.govt.nz)
2. dpreview@huttcity.govt.nz

Dear Ms Miller & District Plan Team

COMMENT ON DISTRICT PLAN REVIEW – [REDACTED]

INTRODUCTION

Thank you for the letter dated 8th November 2023 from the HCC Chief Executive, Jo Miller, advising that our property at [REDACTED] is intended under the new Draft District Plan to be re-zoned from Medium Density Residential Zone to Large Lot Residential Zone, with the effect that development potential currently available on a portion of the site would be removed via limiting the number of dwellings that can be built, compared to what is possible now. We have two areas of concern:

1. We think that in respect of this property in particular, the various factors cited by HCC do not in fact apply, or justify re-zoning to Large Lot Residential Zone, for reasons detailed further below; and
2. The overall effect for us is to reduce the potential value of the property – ie; a material loss of equity – without any consideration and without any compelling reason for the change. We argue that this is an imposition on reasonable property rights, and also counter-productive in an environment when HCC itself (in the same 8th November letter) as well as central government are seeking to make room for population growth via additional housing intensification.

We therefore advise our objection in the strongest possible terms to this re-zoning for [REDACTED] in particular, for reasons detailed below. We ask please that HCC gives close consideration to our comments and retracts its intentions for re-zoning our property.

COMMENT ON JUSTIFICATIONS FOR RE-ZONING

HCC's justifications for re-zoning (generally) are stated in the 8th November letter as management of natural hazards (eg; steep slopes), environmental protection, heritage, and lack of infrastructure. In our view, for our property in particular, none of these reasons exist to justify re-zoning. We comment on each factor as follows:

- A. **Steep slopes:** The upper part of this lot does contain some steeper slopes (none of which have shown a tendency to slip) but we consider that in terms of avoiding building on them, those slopes are self-regulating and do not require re-zoning. In our opinion, engineering and cost considerations would make those slopes impractical and uneconomic for any development anyway, and if the slopes genuinely precluded safely building on them, the existing building consent process would establish that without any need to re-zone the whole section.

Some of the lower parts of the lot, the area already developed and areas in close proximity to that, are not unduly steep. They are therefore fully practical for redevelopment without material environmental or other impact, but such redevelopment would be precluded (we think unreasonably) by the proposed zoning change. It does not seem fair or reasonable to re-zone the whole section for reasons of steep slopes that are well away from the developed / developable lower areas of the section which are not unduly steep and would allow safe and practical redevelopment.

- B. **Infrastructure:** For this [REDACTED] in particular, there is already plenty of infrastructure in place. HCC already has a public sewer (150mm diameter with several manholes) in place in an easement across the lot. The large lots up the hill from ours have already taken advantage of that sewer by: (i) subdividing and adding a dwelling [REDACTED] [REDACTED] and (ii) adding second full dwelling [REDACTED] – we are unsure of subdivision status of that example. Being the size it is, we believe that sewer also has capacity to handle some level of redevelopment (intensification) on our own [REDACTED] [REDACTED] in the same way our uphill neighbours have already been allowed to. There is also already in place in the common driveway for #'s [REDACTED] multi-phase power, fibre optic, and mains water reticulation servicing 4 dwellings (ours and 3 neighbours) and we believe with the capacity to service in addition some building intensification of the lower, flatter areas of [REDACTED]

Therefore, load on infrastructure is not a reasonable reason to re-zone our section; HCC is permitting intensification all over the city with added load on infrastructure.

We also note that the proposed Large Lot Residential Zoning would allow a granny flat in addition to a single dwelling per site – but a granny flat also uses sewer reticulation, power, water and telecommunications just as a second house would!

- C. **Environmental protection:** We value the natural environment this property offers and have no intention of changing the general makeup of the property. However, for the same reason that development of the steeper slope areas is impractical, we consider the treed environment on the middle and upper parts of our [REDACTED] is already practically protected without needing re-zoning. There is no sensible opportunity to practically or economically develop those middle and upper parts of [REDACTED] and there is even less incentive to try if Lot 8 is not prevented by zone change from relatively straightforward redevelopment of the lower and flatter area of the lot that has an existing building, suitable area around it, and so is practical for compact multi-unit redevelopment.

When we purchased this property in 1995, we were advised by the vendors that it was them that had years before planted out what was generally grassy hillside at the time – and the predominant trees are Australian blackwoods, a large macrocarpa and some large pines plus the occasional specimen tree (eg; camelia, rhododendron); all exotic species, under and around which a native understory (and the occasional other exotic tree) has self-sown over time. We think it unreasonable that HCC would re-zone the whole of Lot 8 and thus preclude us from reasonable development opportunity in appropriate areas of this Lot 8 (please see detail below) simply to protect exotic trees which HCC had no part in planting and self-sown native understory, which are under no practical threat anyway.

- D. **Heritage:** There is no heritage aspect to this property.

REDEVELOPMENT POTENTIAL, [REDACTED]

The section at [REDACTED] right now has a useful redevelopment potential over a relatively small proportion of the total land area of the lot.

The combined area occupied by the footprint of the current dwelling and immediately adjacent areas that are not unduly sloped is only a fraction of the total 7,101m² area but easily has potential for demolition of the current 1969 house and replacement with a multi-unit redevelopment (perhaps 3 or 4, 2-bed or 3-bed units) which would leave most of the section untouched and so provide ongoing amenity value and environmental preservation while allowing reasonable intensification. The space exists, the infrastructure exists, and new modern units would be more energy-efficient than the existing building. However, a multi-unit development falls outside being the “single dwelling per site” quoted in HCC’s 8th November letter and so would be precluded by the proposed Large Lot Residential re-zoning. We think denying such a redevelopment potential is: (i) inconsistent with current housing needs, and (ii) unreasonable when it can be accomplished without impact on most of the property; and (iii) an unnecessary imposition on property rights.

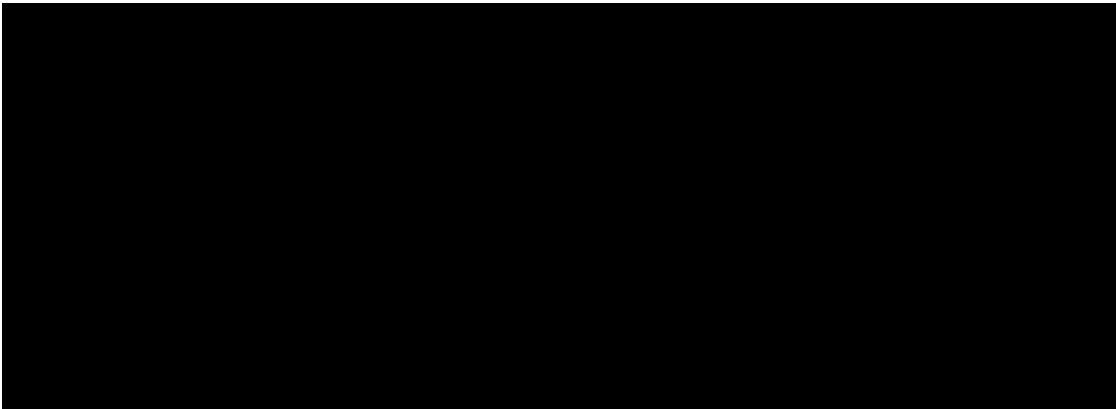
Re-zoning to preclude this redevelopment potential works against a common HCC and central government aim to provide additional housing where practical, and also unfairly and unnecessarily reduces the property’s current value with no strong case to do so.

CLOSURE

For the above reasons, we restate our strong objection to the proposed re-zoning, and ask that HCC please withdraws its intention to re-zone [REDACTED] to Large Lot Residential and leaves it as currently zoned, Medium Density Residential.

Thank you for your consideration of this letter. We would appreciate a reply specific to our property (and not just based on general zoning considerations) given that the HCC’s 8th November letter was also specific to a potential negative effect on our property.

Kind regards



Saritha Shetty

From: [REDACTED]
Sent: Thursday, 14 December 2023 8:55 am
To: District Plan Review Team
Cc: Nickjohnson92@Gmail.com
Subject: [EXTERNAL] District Plan Review feedback - [REDACTED]
Attachments: IMG_4716.PNG; IMG_4745.PNG; IMG_4747.PNG; IMG_4732.PNG

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Sean

RE: Feedback on the Draft District Plan

Our property: [REDACTED]

To the Hutt City Council,

We received your draft district plan letter regarding our property being potentially listed as 'high risk' based on your layers of environmental indicators. Using your layered mapping programme, we want to challenge that our property should be rated 'low risk' or 'medium risk' rather than high under the new district plan review.

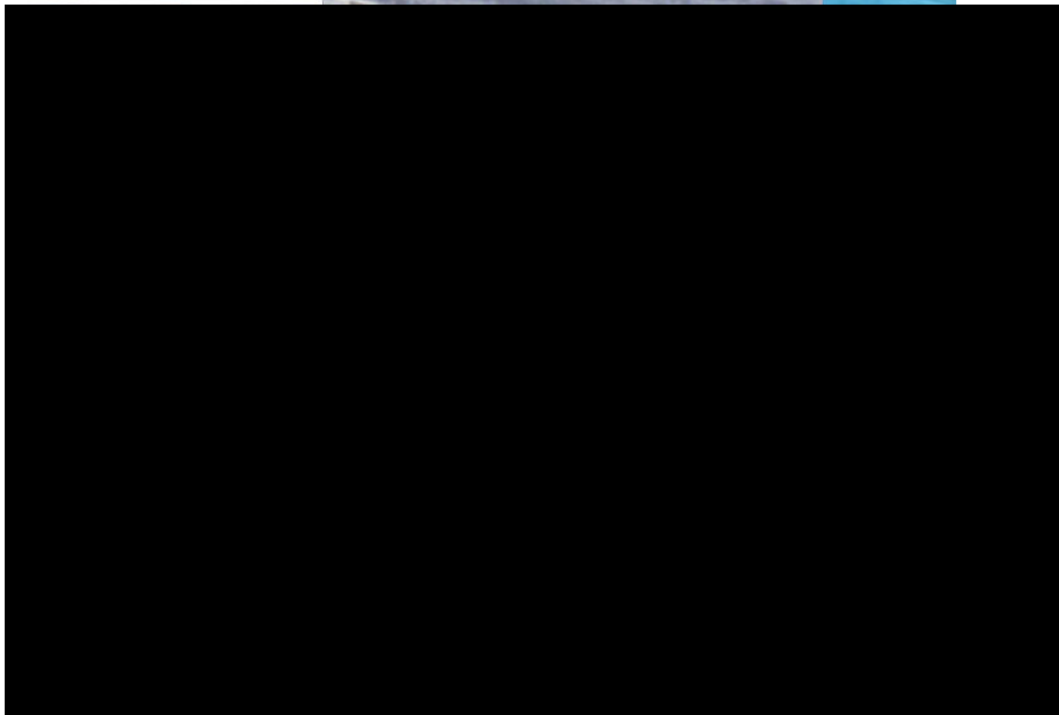
The qualification for our property being 'high risk' is predicated on the Stream Corridor passing through the property boundary (see screenshots below). However, the portion of the property affected by the stream corridor is miniscule, at a much lower level than the rest of the property and is far away from the house itself. The house is two meters higher than the edge of the driveway affected by the stream corridor (see photos attached).

The qualification for our property being 'medium risk' is predicated on the Overland Path crossing over a portion of our concrete driveway and front garden/lawn. Again, this does not and cannot reach the house as it is ~2 metres above the overland path.

We believe our property should have our rating revisited under the new district plan review, as stated by the above reasons. We welcome a written response and technical expert to attend the property to complete a proper inspection to confirm that the height of the house mitigates any concern that the stream corridor would impact the property.

Other questions to be answered please:

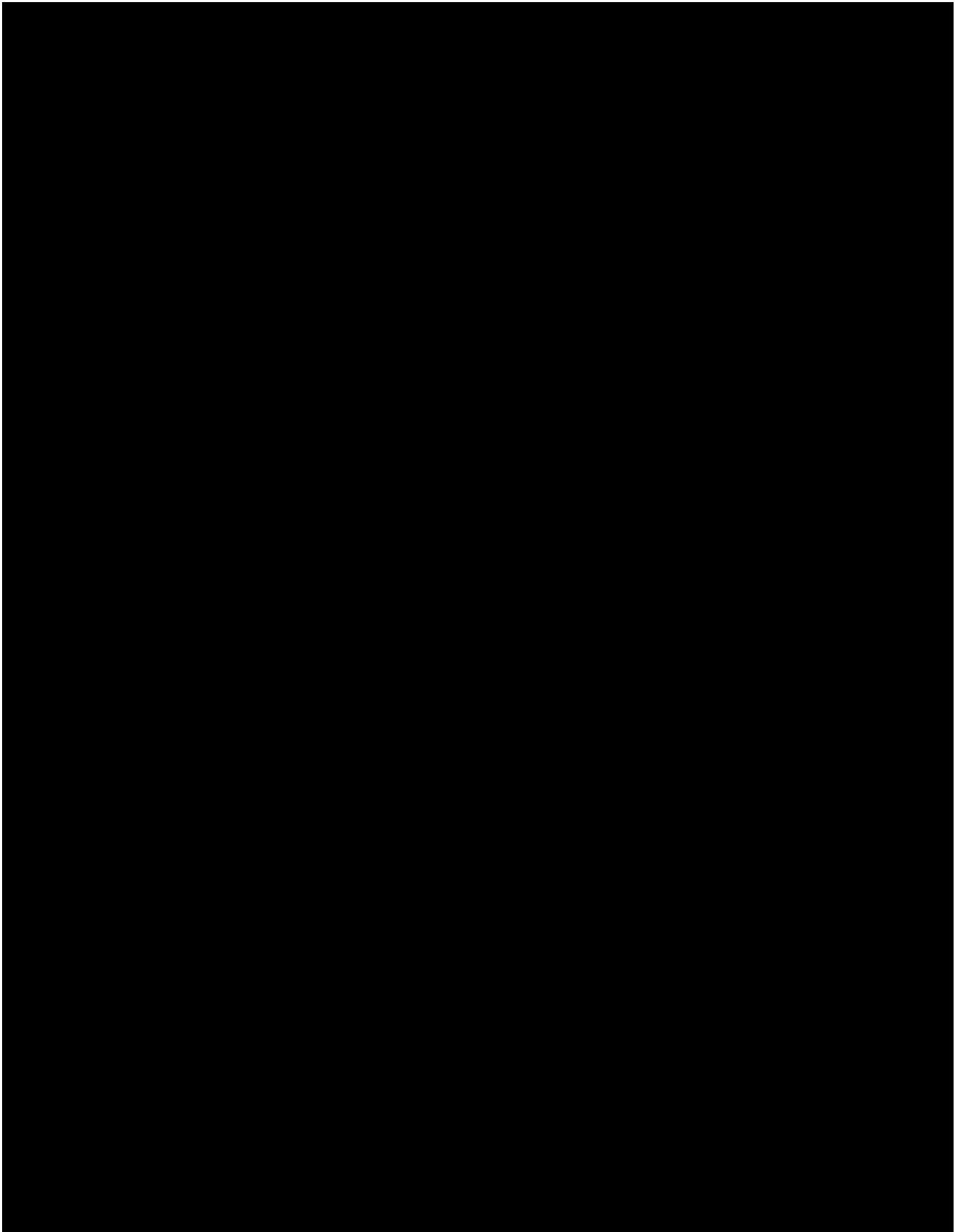
- Can you confirm what criteria is involved to deem our property a high-risk area? Are we correct with the above statements of the Overland Path and Stream Corridor being the main factors?
- Can you provide more detailed descriptions of each of the natural hazard criteria, as the full review doesn't provide more than a sentence to validate the impact of each one?
- How many houses in the Stokes Valley area are being marked as medium risk and high risk?
- What are the consequences of having a low, medium, or high-risk property regarding house insurance?
- What are the consequences of having a low, medium, or high-risk property regarding rates?
- What are the consequences of having a low, medium, or high-risk property regarding future selling?
- Will this new label be added to Titles and LIM Reports and if so, when will this take effect?

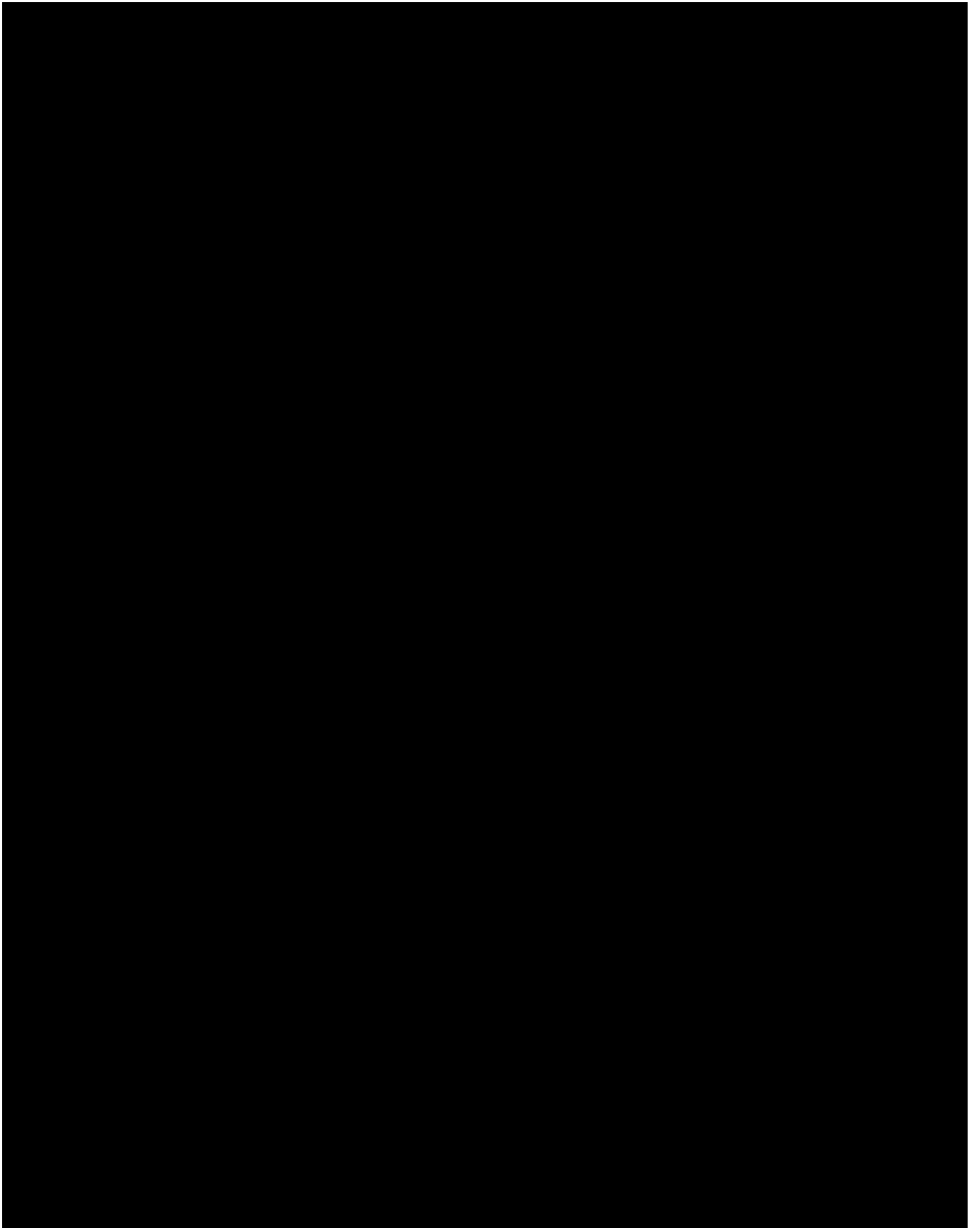


We appreciate the ability to provide our feedback and your time to reply. Please respond in writing, and we also welcome a phone call if that is helpful for coordinating an expert inspection if required.

Kind regards,







Saritha Shetty

From: Peter McDonald
Sent: Friday, 17 November 2023 3:40 pm
To: mvink
Subject: RE: [EXTERNAL] Re: district plan review

Hi Maarten

I can provide a bit more context regarding highly productive land. Central government released their [National Policy Statement for Highly Productive Land](#) in 2022. The NPS mandates what Hutt City Council is required to do to identify and protect highly productive land.

Under the NPS, in the first instance Greater Wellington Regional Council are required to identify highly productive land as part of their Regional Policy Statement (RPS).

If this has not occurred at the time a territorial authority (Hutt City Council) undertakes a District Plan review (as is the case here), then Hutt City Council are required to identify highly productive land in accordance with the following criteria;

- If it is within a general rural or rural production zone; and
- Identified as Land use capability 1, 2 or 3 (as previously mapped on a nationwide scale under the [NZ Land Resource Inventory](#)); but not
- Identified for future urban development or subject to an already initiated plan change for rezoning.

The extent to which we can review the proposed highly productive areas is whether or not it fits the criteria above. Under the NPS we must avoid rezoning land identified as highly productive.

When Greater Wellington Regional Council identify highly productive land as part of their RPS, they have a bit more discretion as to what they can exclude from being highly productive land. Ultimately the highly productive land identified in the District Plan will align with that which is eventually identified in the RPS.

Kind regards,
Peter

-----Original Message-----

From: [REDACTED]
Sent: Friday, November 17, 2023 10:42 AM
To: Peter McDonald <Peter.McDonald@huttcity.govt.nz>
Subject: [EXTERNAL] Re: district plan review

Thanks Peter

I have been able to see the Highly Productive Land Overlay. I do wonder how the area was identified. It includes some very steep slopes beside Coast Road and excludes other areas which are far less steep. It looks like a very broad-brush process was used.

Cheers
[REDACTED]

On 2023-11-17 09:09, Peter McDonald wrote:

> [REDACTED]
>
> See below for links,
>
> <https://www.huttcity.govt.nz/council/district-plan/district-plan-revie>
> w
>
>
> draft District plan text - <https://huttcity.isoplan.co.nz/review> [1]
>
> draft maps -
> [https://maps.huttcity.govt.nz/HuttCityMapsViewer/?map=3ed4094fd509449d](https://maps.huttcity.govt.nz/HuttCityMapsViewer/?map=3ed4094fd509449d93074cd30891640f)
> [93074cd30891640f](https://maps.huttcity.govt.nz/HuttCityMapsViewer/?map=3ed4094fd509449d93074cd30891640f)
> [2]
>
> Kind regards,
>
> Peter
>
> PETER MCDONALD
> Senior Resource Consents Planner
>
> Hutt City Council, 30 Laings Road, Hutt Central, Lower Hutt, Lower
> Hutt 5010
> P: 04 570 6745 M: W: www.huttcity.govt.nz
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> [2]
> [https://maps.huttcity.govt.nz/HuttCityMapsViewer/?map=3ed4094fd509449d](https://maps.huttcity.govt.nz/HuttCityMapsViewer/?map=3ed4094fd509449d93074cd30891640f)
> [93074cd30891640f](https://maps.huttcity.govt.nz/HuttCityMapsViewer/?map=3ed4094fd509449d93074cd30891640f)

Saritha Shetty

From: [REDACTED]
Sent: Wednesday, 13 December 2023 1:22 pm
To: District Plan Review Team
Subject: [EXTERNAL] Hutt City Council District Plan
Attachments: no name; Hutt City Council district plan.docx

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Nathan

Our views on the proposed changes are attached.



[district.plan](#) [huttcity.govt.nz](#).

We live at [REDACTED]

You have identified Stokes Valley as a High Hazard Area. We are not sure how we would be hit by a Tsunami in Stokes Valley, or coastal inundation? This proposed changes in the district plan could greatly impact our ability to obtain house insurance in the future by labelling Stokes Valley as a High Hazard Area.

We can't understand why the council has approved a huge number of new homes (notably Raukawa Street and Stokes Valley Road) without looking into the infrastructure for these new buildings. Has the council improved sewage or water for Stokes Valley, or are they just happy to collect increased rates for these new properties? Are there plans in place for upgrading infrastructure?

Across the street from our home three houses were demolished/removed for the erection of 19 new homes for Urban Plus (which in turn will be handed over to Kainga Ora). They are going to provide approximately 8 onsite carparks, so our end of Tawhai Street will be clogged with residents' cars. Approximately 300m away is Tawhai School which brings a huge number of cars into the area both morning and afternoon for drop off/collection of children to and from school. Has any plan been put in place for extra vehicles in the area? It is dangerous enough trying to see past parked vehicles without including primary school children in the mix.

The houses at the bottom end of Tawhai Street have also been approved to be 3 storeys high in some cases. This is unfair to the residents of Tawhai Street to be towered over by these monstrosities.

The council have been unable to quickly resolve the slip situation at the entrance of Stokes Valley despite fixing numerous other slips around the Hutt area. It seems that the council is happy to increase rates but does nothing in return for the residents of Stokes Valley. Hundreds of hours have been lost by the residents having to wait in traffic jams to exit/enter the valley.

The council has not taken into account any of its residents. Why are money-making developers able to build multiple houses without any resource consent? It affects whole neighbourhoods and the only sign we get of anything happening is when signs are erected, notably by Williams Corporation or Friday Homes – and now Urban Development. The developers have had free rein to build what they like, but now the council is proposing resource consents for new activities, so if the average homeowner wanted to build in say, their back yard, it would be near impossible to do so.

[REDACTED]

[REDACTED]

[REDACTED]

Saritha Shetty

From: [REDACTED]
Sent: Sunday, 19 November 2023 4:10 pm
To: District Plan Review Team
Subject: [EXTERNAL] Submission on Rural Lifestyle Zone

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Sean

I live at [REDACTED] and make the following submission in support of the Draft District Plan proposal for a Rural Lifestyle Zone (RLZ) to replace the current Rural Residential Activity Area.

The proposal reduces the minimum site size from 2 ha to 1 ha and permits one dwelling plus a minor additional dwelling.

I make the following comments in support:

1. Amenity

A RLZ should provide greater separation between dwellings than an urban area while being "closer " and more intense than a full Rural area. It's amenity is enhanced by the development of smaller lots by owners eg by;

- planting trees
- shelter belts
- fences
- pasture care/small numbers of stock etc

This is determined by resource input by owners, both time and money.

I note that there are already quite a number of 1 ha blocks (or less) at the beginning of Moores Valley Road (from Whitcher Grove northwards) and a number of others between 1 and 2 ha elsewhere whose development has significantly enhanced the local amenity value and are entirely consistent with the local RLZ character.

2. Efficiency

It is more efficient to allow a range of lot sizes. Owners/ residents will be able to choose the lot size they want - whether the minimum 1 ha or larger depending on their needs, the topography and the perceived " value " of the lot.

3. Upgrading of Council Infrastructure

The development of additional lots would not require significant upgrading of Council infrastructure.

Generally the only infrastructure that is provided by Council is the road (as each individual lot provides its own stormwater and wastewater disposal and water supply).

The additional traffic generated by additional lots is unlikely to be significant as traffic flows on existing rural roads are generally low. The progressive increase in lot numbers over time may in the future require some safety improvements eg the provision of verges alongside some parts of roads (where they don't already exist) to increase pedestrian safety or the provision of improved site lines around corners (where these have not already been implemented), and perhaps the lowering of some speed limits.

It would be unreasonable to prevent further development based on a perceived need to "protect" Council's roading infrastructure.

4. Environmental Impact

The main environmental impact of additional lots would be the disposal of wastewater on site by way of a septic treatment system. There are strict requirements for their performance and modern efficient treatment systems are highly effective and can easily be provided within a 1 ha site.

The main other environmental consideration could be the altering of the existing landscape. There are rules in the District Plan controlling earthworks and I maintain there would actually be an improvement in existing landscape and amenity values following increased resource inputs by owners as outlined above.

Also of note is that the NZ national environmental standards for air quality sets maximum particulate limits for wood burners that only apply to properties less than 2 ha in size. ie there is no limit applied to wood burners installed in existing 2 ha and above Rural residential lots. Any wood burners installed in future 1 ha lots would have to meet the NZ standard which should in fact lead to an improvement in air quality in the new RLZ over time.

The Resource Management Act is effects based and doesn't rigidly seek to control development but focuses on environmental effects. These effects have been considered above and are considered no more than minor.

5. Rural Residential Development Rules in Other Regions of NZ

To meet resident's requirements and support further development, many other cities in NZ already allow minimum rural residential lots less than Hutt City's 2 ha, including Auckland, Hamilton, Tauranga. Christchurch to name a few. I'm sure Council Officers can provide a detailed comparison.

Hutt City's rigid application of a 2 ha minimum appears out of step with many other regions of NZ.

Summary

My submission is in support of the proposed Rural Lifestyle Zone for the reasons outlined above. I believe that it will meet the needs of existing and future residents by supporting future development of semi rural living.



Saritha Shetty

From: [REDACTED]
Sent: Friday, 15 December 2023 12:30 am
To: District Plan Review Team
Subject: [EXTERNAL] Rezoning of [REDACTED]

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Nathan

Both the previous Labour Government and the present Government have acknowledged the need for more housing. This has been emphasized by the reports in the last few days of the recent increase in immigration. The decision by HCC not to reclassify the zoning of [REDACTED] as residential implies that this is not the case. As I understand it, HCC feels that the infill housing and other developments in Wainuiomata are sufficient to cater for any increasing housing needs.

The other consideration by the Council is the cost of the infrastructure. The longer the delay in developing infrastructure required for new housing, the more expensive it will become. It makes sense to put infrastructure in place once rather than piecemeal as housing projects develop.

Wainuiomata is a very diverse community. Therefore housing needs to be equally diverse. With careful planning and thought given to the needs of a community, the western end of Wise St and [REDACTED] could supply that need. A mix of single story family homes, town houses and tiny homes will be of huge benefit to Wainuiomata. Available flat land is in short supply in Lower Hutt, and this is one of the few areas that meets that requirement.

The previous District Plan pinpointed [REDACTED] and the surrounding valley as potential residential development. Many of the local residents have planned their futures around this knowledge. There was never any doubt that development was inevitable. I have built elsewhere in the knowledge that developers will be interested in acquiring my land, likely at a higher value than a buyer looking for a lifestyle block. Obviously this is unlikely if subdivision to residential sized sections cannot happen. This therefore drops the values of all the lifestyle properties in the area. To me this feels like a broken promise and ends in a significant financial loss to the local families.

I encourage HCC to look at the bigger picture, to enter into dialogue with Government to bring about housing that is needed now and in the future.

[REDACTED]

Sent from my Galaxy

Saritha Shetty

From: [REDACTED]
Sent: Tuesday, 12 December 2023 9:52 pm
To: District Plan Team
Subject: [EXTERNAL]

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Steve

hi there,

we got a letter regarding proposal to rezoning houses from medium to large lot residential zone. i believe our whole street received these letters, we are in Naenae.

it is mentioned in the letter that proposal is that large lots residential will not be able to be subdivided. We dont have plans to subdivide our land yet however we are opposed to the proposal as it is a nice to have for the future, that is the whole reason why we got some land to begin with, to have that freedom to decide and to grow if we want to. Moreover i believe this proposal will go against the whole purpose of housing intensification, we want to create more houses in the hutt, we want to retain more people in the area, so why would we limit the choices by not allowing to subdivide bigger sections that could be ideal as residential zones, that sort of defeats the purpose of calling it intensification.

we have many neighbours that have subdivided succesfully so why not leaving the option open for all home owners to decide.

thank you and i will be interested in following up this matter before this proposal gets final approval. thank you.

[REDACTED]

Saritha Shetty

From: Lucy Hodgins
Sent: Tuesday, 12 December 2023 12:17 pm
To: District Plan Team
Subject: Feedback into the proposed District Plan
Attachments: The key feedback recorded regarding the Wellington Fault Hazard Overlay is that Mr Wadham objects.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Nathan

Kia ora

Please find attached, [REDACTED] feedback into the proposed District Plan.

Ngā mihi
Lucy Hodgins

PRIVATE & CONFIDENTIAL /FOR COUNCIL & COUNCIL OFFICERS ONLY /NOT FOR PUBLICATION

OBJECTION TO THE INCLUSION OF [REDACTED] PROPERTY BEING UNILATERALLY LISTED IN THE HIGH HAZARD AREAS PLAN/ RE COUNCIL LETTER 8th November 2023 & WRITERS EMAIL RESPONSE EXPRESSING CONCERNS AND REQUESTING DETAIL

Please note the writers' writing style /communications which are couched directly are not intended to offend individuals and writing in capitals, underlined or highlighted words and/or passages is for emphasis only and not intended to indicate shouting or rudeness.

1. The key initial feedback from [REDACTED] [understood to be interim proceedings by writer] regarding the Hutt City Council High Hazard letter dated 8th November was recorded orally by HC planner-**but was in our view not completely recorded properly and correctly therefore the following objection replaces all earlier incorrect and correct notation points gathered orally by council planners. We have asked [separately] for the recording copy.**
2. It was understood by the owner that such unexpected and sudden phone call response- to our email of concern to HUTT CITY CEO - was intended to get our interim feedback- until we had been given the substantiated reason by Council for our property potential inclusion in the HIGH HAZARD PLAN- **and then we could write our final objection.**
3. Instead, it appears to the writer that it was seized upon by council as a final objection with the notification **that it could be published on the council website as such. We have formally objected to that happening [especially the publication]**
This was done without the promised by planner /interviewer of the sending of his draft notes for the property owner to check/vet and use the same [if correct] to put in a [this] formal objection.
4. In fact, we had to resort to a OIA and other private requests to find the actual alleged substantiated reason for the potential inclusion and listing of our property as the planner could not give it to the

writer categorically in the first instance and it was still not made clear after further enquiries emails to Council about the same.

THE PROCESS

5. We submit that when dealing with vulnerable elderly rate payers the council officers should firstly make an appointment time with the vulnerable person, advise them what will take place, allow them time to prepare themselves for the telephone meeting at a prearranged set time. **This is especially so when the ratepayer has advised the council of their vulnerable status in their initial communication. This in the opinion of the writer means either they do not read citizens /ratepayers emails properly and/or they simply do not care.**
6. Further to the above point 5 It would have been so much better for a senior, and vulnerable person to have been given by emailed, [at the same time as, the suggested town planning prearranged appointment] an information sheet [specifically for our property] explaining why the Council specifically wanted to include the subject property and/or general area juxta positioned properties in the High Hazard plan.
7. To undertake without notice a surprise feedback phone interview is bazaar to say the least and leaves the property owner suspicious/y concerned as how a property owner can give proper feedback when the interviewer does not know [and cannot share upfront] the specifics of the matter he is seeking feedback on behalf of Council planning.
8. That to me, gives the impression that Council is just going through the motions on feedback [lip service] to something they have already decided on.
9. I should note other ratepayers that have given feedback on other matters to Council state they have had this happen to them and they have expressed opinions - that Council feedback is not real, and it is a procedure that Council use as a formality [to make people feel they are part of the process] that has absolutely no bearing on the decision Council has already made.

Thus, the agenda is in my view Council intend to attach everything on the Hazard Plan **that is listed on the Hazard letter, to the property concerned, regardless of feedback or whatever.**

10. [REDACTED]
to the nonfactual all-encompassing guesswork in my view and opinion passed off as factual identification of the natural hazard overlay alleged by Council that is said to potentially exist on [part] of our property.

11. We note that we have lived in the property **for 40 years** and have not experienced any issues which we would describe as HIGH HAZARD natural disasters on the property [over 40 years] other than a few claims for earthquake and storms damage that affected many properties in the Lower Hutt, Wellington, region, and many areas throughout New Zealand. Normal living in New Zealand -par for the course damage which are Insurance events.

Nothing in these few claimed events would the writer consider cause any special mandatorily imposed precautions or listing under a HIGH HAZARD PLAN listing of our property as any damage was mainly of a cosmetic nature. There was nothing life threatening or dangerous in these claims to the extent of a natural disaster and in fact very far from it.

Unfortunately, with a large three-story house dwelling with many premium materials and features cosmetic remedial works happens and is expensive to remedy.

It should be noted Initially we had made provisions for earthquakes with the architect [REDACTED] submitting plans to council that were boasted as being able to withstand a size nine magnitude earthquake.

12. We accept that there is a fault line in Lower Hutt, but in my view the so-called experts do not have definite proof of where it is, and it is more likely in my view closer to the river and highway than close to our property.

We suggest it is a bit like Christchurch where similar experts apparently did not even know where fault lines were and/or the extent they existed.

- 13. Citizens /ratepayers should not be penalised at will and/or suffer costly consequences when Councils are just best guessing a scenario.**

The [in my view] belatedly supplied HAZARD council grid photo and attached commentary demonstrates the alleged positioning of the alleged seismic Faultline and proves [states] that our house or intended potential projects for our property is not in the range of the alleged hypothetical 20 metres distance that is said to warrant inclusion in preparation for a once in a 100-years potential event.

"The overlay does not impact any existing buildings/developments on your property, or on any proposed buildings/developments on the property outside the area identified by the overlay."

- 14. Therefore, it is stated therein that our property would not be affected other than the fact the owners of listed potential high hazard properties are put to the mandatory high expense of future resource consent costs for any future project we would like to consider and that is in my opinion grossly unfair, deliberately damaging and therefore draconian.**

"The overlay does not impact any existing buildings/developments on your property, or on any proposed buildings/developments on the property outside the area identified by the overlay."

- 15. In my view and opinion this is just another way for Councils to extend the expensive resource consent system on more properties in resistance to those in Central government who would like to see the resource consent**

process and related costs to be lessened considerably and the cost thereof absorbed by Councils.

16. This in my view and opinion is consistent with the premise put up by some citizens -that Councils and town planners do not want certain areas of their [our] cities developed for housing developments or in fact any development at all.
17. In my view town planners like to control citizens towards their way of thinking and would rather have the lovely native bush or in some cases the gorse laden hills than this prime land available for eventual town houses developments that will give people places to live close to the city. People cannot live in native bush that the councils insist by bylaws that property owners must keep in place thus limiting the use of their property.

We think that some town planners are so engrossed with and about their Beautification aims of their [our] city that they forget they are dealing with citizens /people's lives and financial wellbeing or in the case of vulnerable status seniors their continuation efforts to just stay alive, without undue worry and stress of what is happening to their 40 year property investment.

I also believe planners and indeed Councils also forget or just do not care about the fact we have a serious housing problem in New Zealand, and it is Governments desire to free up land for housing and not make it impossible to development large blocks of central city land for eventual housing.

In my opinion Council Planners are using this current issue to achieve prevention now of future development of the large blocks of Western Hills land where Council do not want eventual housing developments.

18. I had [and have proof of] an 11-room Council filed & approved town planning extension to my existing house that cost me \$1500 in fees that miraculously disappeared from council records so no wonder I am nervous about what is going on here.
19. The feedback interviewer/ council planner admitted there was no record of this approved consent found on our file.

20. **SUMMARY OF OBJECTION**

In the case Stream corridor, tsunami & coastal inundation 40 years of living here has proven its almost non-existent issue whereas land in central Lower Hutt near Council buildings and sections of the highway in my opinion poses an extreme risk for flooding.

21. Therefore, I object to all these above intrusions on my property and request all these [listed in the Council letter of 8th November 2023] and the flood inundation hazard overlay be removed from my property.

My reasons are:

22. • Devaluation of my property.
23. • Impacts on our ability to eventually develop or subdivide his property.
24. • Effects on our projected insurance costs.
25. • Flaws on the assessment of the natural hazard,
26. Prevention [by the implementation of this Hazard plan] from the potential realisation of the extensive long-term [40 year] investment in my property. IE Being CONTROLLED
27. The unwarranted costs of resource consents mandatorily imposed by this scheme. I believe [& submit] council should make such costs exempt for any mandatorily imposed and affected property.
28. The affects of the unwarranted intrusion on my property that potentially could cause my life-threatening illness through stress worry, harm due to this matter to become fatal.

29. We accept that there are earthquakes that are felt in central Lower Hutt that are not even noticed at our property and vice versa but a Faultline must exist, but it does not warrant inclusion of the Hazard scheme on the whole acre of our land.

If it must be affected regarding seismic it should only be the part of the land that is near the highway 20 metre strip of the [at best] guess estimate of a hypothetical claimed Faultline existence positioning and Council owned land and highway - with the rest of our land being free of this very doubtful hazard scheme and any mandatory resource consent requirement.

The writer in his opinion cannot help but feel this is ongoing segment of an organised long term LAND GRAB as when I purchased the property some 40 years ago as a long term family investment and did due diligence with council there were very few restrictions on the property but now 3 quarters of our property is CONTROLLED by council and other associated entities yet we are not compensated and are charged the full rates for land/property we cannot use as it is so unfairly highly controlled .

Now this is to be extended further to mandatory RESOURCE CONSENTS under this HIGH HAZARD AREAS scheme on our property.

I SUBMIT AND ASK -I repeat- I believe council should include in the Town plan by laws or legislation a provision to make sure such costs are exempt for any mandatorily imposed and affected property under the HIGH HAZARD plan.

SEISMIC /EARTHQUAKES

In our view the council and its town planning officers approach is similar to a situation where a person may have a damaged toenail that could on a very rare occasion become exacerbated in 100 years

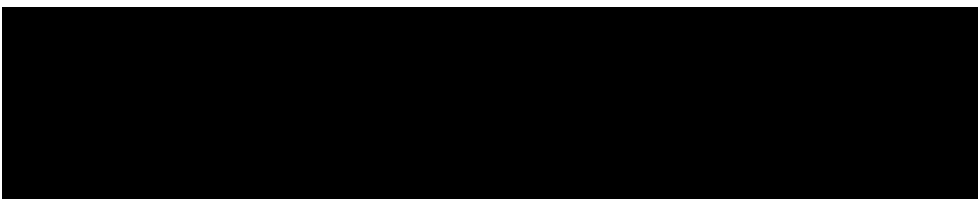
event scenario [percentages] turn to gangrene SO THE SURGEONS CUT THE WHOLE LEG OFF NOW .The problem with this situation is , it is the ratepayers /property owners financial leg and it affects citizens lives in a very unfair and draconian applied way .

That said, the owner of this subject property [after living here for 40 years] does not believe that his section is any more at risk from an earthquake than the rest of Lower Hutt and there is no proof to substantiate it as otherwise. IN fact, I would go as far as stating it has far less risk involved here as we have great drainage and nearly all the HAZARD risks stated in Council CEO letter 8th November 2023 do not apply to this property.

40 years of us living here at our property trumps or heavily outweighs in weight of evidence any alleged *other ploys [by others] of hypothetical conjecture made up to avoid paying legal responsibilities or in the case of Council to implement onerous Hazard restriction on our property. * Note cannot detail more as subject to confidentiality settlement agreement.

Nothing should be allowed to control further aspects of our property especially if it changes our quality of life or financial wellbeing for a potential 100-year event that may never occur.

We request a written response dealing with the Objection issues we have raised and how you intend to go forward .Please detail all or any opportunities for further objection opportunities as it is our intention [if necessary] to object right through to the last bastion which I presume will be the Privy Council or replacement body.



From: [REDACTED]
To: [District Plan Team](#)
Subject: [EXTERNAL] Draft District Plan - High Hazard Area - Letter to state physical address impacted
Date: Friday, 17 November 2023 1:51:10 pm

To Whom It May Concern

Re: Draft District Plan - High Hazard Area - Letter dated 8 November 2023

We have received a letter to our postal address, a PO Box, about the identification of High Hazard Area, but it does not state which of our two properties this relates to.

Postal Address:

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

[REDACTED]
[REDACTED]

Please advise which property is impacted by the identification of High Hazard Area and why?

We also received a letter about rezoning from Medium Residential Zone to Large Lot Residential Zone. Based on the description for the new zone it is obvious this relates to [REDACTED]

We recommend future communications state the physical address being impacted.

Thank you.

Kind regards,

[REDACTED]

Saritha Shetty

From: District Plan Review Team
Sent: Thursday, 14 March 2024 7:37 pm
To: District Plan Review Team
Subject: FW: [EXTERNAL] Question about criteria used and processes
Attachments: Significant Natural Area LH063.00 - Site Report - 1 Waitohu Road - response 2018-10-12.pdf.docx

Thanks
Ngā Mihi | Kind regards,
Saritha Shetty
Planning Administrator
Hutt City Council, 30 Laings Road, Lower Hutt 5040
W: www.huttcity.govt.nz

District Plan Review Team

Hutt City Council, 30 Laings Road, Lower Hutt
P: 04 570 6666 **M:** **W:** www.huttcity.govt.nz



We're currently at:

Water Restriction Level 2



[Click to learn more](#)



No sprinklers or irrigation.
Only water your garden by hand.

From: [REDACTED]
Sent: Monday, November 20, 2023 11:42 AM
To: District Plan Review Team <district.plan@huttcity.govt.nz>
Subject: RE: [EXTERNAL] Question about criteria used and processes

Thank you, Stephen,
We appreciated the references, and the obvious amount of work that has gone into them.

Best regards
[REDACTED]

From: District Plan Review Team <district.plan@huttcity.govt.nz>
Sent: Monday, November 20, 2023 10:08 AM

To: [REDACTED]
Subject: RE: [EXTERNAL] Question about criteria used and processes

Hi [REDACTED]

In answer to your questions:

1. Yes, the report on how the areas were identified is available at https://hccpublicdocs.azurewebsites.net/api/download/16806b6c074d4d4b892a27a723e4a5e6/_dplanreview/8674d24427254d7f40b7a260ec7dfb28beb2 (PDF, 17MB)
2. Yes, this is the sort of feedback we'd like to get during this draft process. We have noted your feedback and will take this into account when proposing final boundaries.

Kind regards,
Stephen Davis

District Plan Review Team

Hutt City Council, 30 Laings Road, Lower Hutt
P: 04 570 6666 M: W: www.huttcity.govt.nz



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From: [REDACTED] <[REDACTED]>
Sent: Sunday, November 19, 2023 11:01 AM
To: District Plan Review Team <district.plan@huttcity.govt.nz>
Subject: [EXTERNAL] Question about criteria used and processes

Hi Stephen
Thanks for the link and references. We've done some more research and are happy with the broad concept of the draft plan.

We have more detailed questions about the process used to decide on the boundaries of the mapped area of *High and very high coastal natural character area* (I'll just call it "Area" from now on)

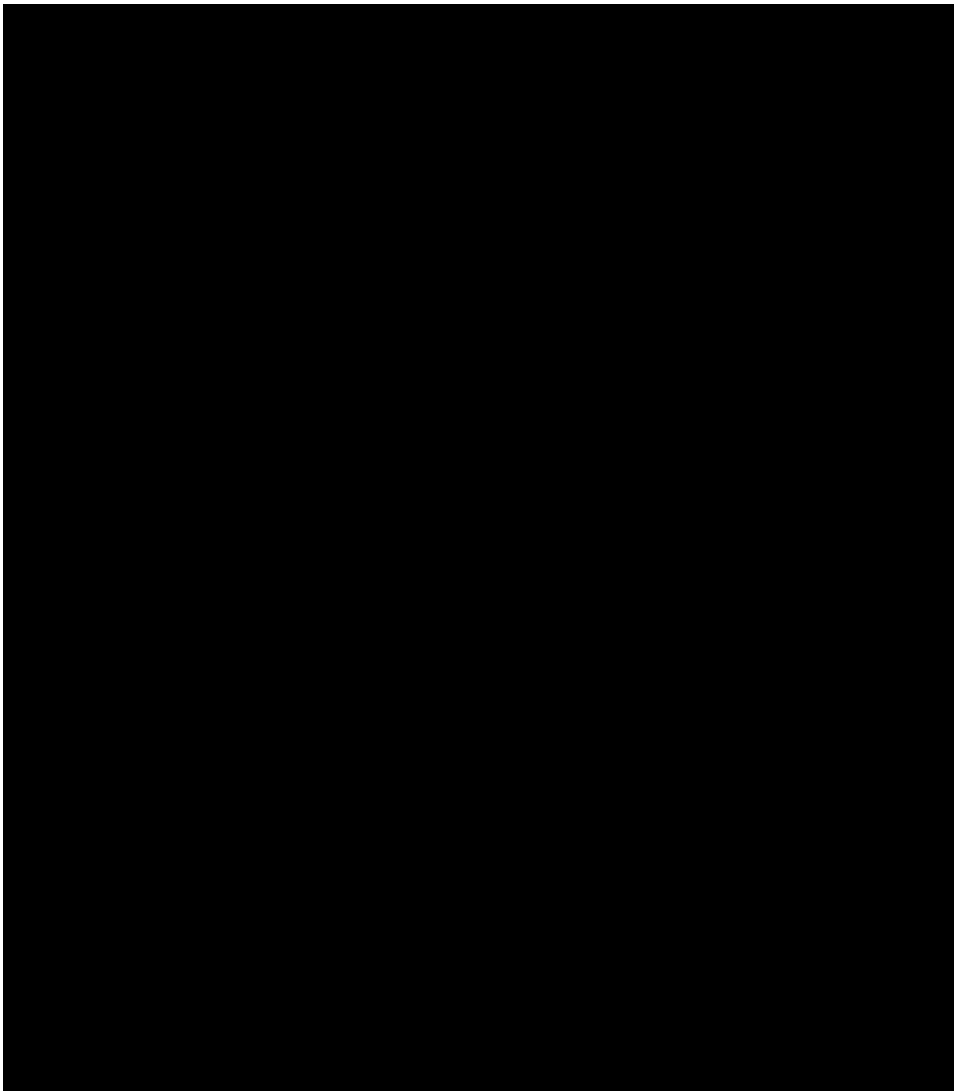
1. Are there some sort of criteria used to map the Area's boundaries?

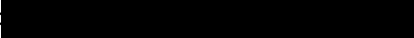
2. Is a correction process available for those boundaries?

Where the *Area's* boundaries intersect with our property, we see some inconsistencies that would be better addressed as part of the draft process.

- The house, garage, toolshed, and woodshed are correctly shown as not in the *Area*, but our built environment extends further than is obvious on aerial photographs. We also have a combined chicken house / implement shed, garden, working areas and a storage shed which would extend the built environment eastward another 15m or so.
- Roughly one hectare of the property is mature pine forest (South half of the property (which shows darker on the image)).
 - This plantation seems to have been included, even though it is clearly not a beech forest nor a regenerating one.
 - A triangle on the southeast side is NOT defined as being included in the *Area*. What criteria make that different?

Best regards



From: District Plan Review Team <district.plan@huttcity.govt.nz>
Sent: Wednesday, November 15, 2023 1:38 PM
To: Andrew Ollivier <>
Subject: RE: [EXTERNAL] Request for a URL please

Hi 

The draft district plan maps are available at:
<https://maps.huttcity.govt.nz/HuttCityMapsViewer/?map=3ed4094fd509449d93074cd30891640f> and more general information about the review is at <https://hutt.city/dpreview>

Not all layers are on by default because the map can be hard to read with everything displayed simultaneously. You can turn on layers using the “Layer List” menu at the right: the Coastal Character areas can be turned on with the “Natural Environment Values” option:

----- snipped ----

If you’ve got any other questions let me know.

Kind regards,
Stephen Davis

District Plan Review Team

Hutt City Council, 30 Laings Road, Lower Hutt
P: 04 570 6666 M: W: www.huttcity.govt.nz



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From: [REDACTED]
Sent: Wednesday, November 15, 2023 12:35 PM
To: District Plan Team <DistrictPlan.Team@huttcity.govt.nz>
Subject: [EXTERNAL] Request for a URL please

Hi,
I just received the letter indicating that my property may be affected by new map overlays for “High, Very High or Outstanding Coastal Character Areas”.

I am unable to find those overlays – is there a link please?

On another point, you may remember Hutt City’s first attempt at SNA’s in 2018. At that time, we had correspondence that clarified that our pine trees were not native forest. We responded (attached) but have heard nothing since.

Did any mapping records get altered as a result, or do we need to document once again? If so, who is the appropriate person to contact.

Best regards



Landowners Response to first draft 2018-10-12



PROPERTY DETAILS

Unique Report Number	3767e-41
Change Number	DIB/18/13554
Significant Natural Area	LH063.00
Address	
Property Identifier	
Landowner	
Date/Place of Meeting	
Ecological District	Tararua
Altitudinal Range	13-356m asl
Threatened Land Environments	>5ha with 20-30% indigenous cover left

CONCERN

The landowner is concerned that HCC has captured some areas which may not meet the significance criteria. Portions of the SNA contain a large stand of pine trees and more recently cleared land with mixed scrub and pest plants. There are also areas captured that may be inaccurate around the built environment; there are decks, seats, gardens, chicken runs and utility buildings within the draft SNA.

Commented [AO1]: We believe that you have addressed the concerns, and are overall impressed with the report's substance.

Key Discussion Points

- Large areas of the property have been felled since 1996. Many of the trees remain on the property and are rotting in the undergrowth.
- Had HCC weed control on their property in the past few years for old man's beard and cathedral bells, but haven't seen them this year.
- Agree that the bottom of the valley is significant and should be protected.
- There are a number of paths tracks and small outbuildings on the property. These will be able to be maintained.
- Would like to have chickens in an existing small clearing – reassured this was possible.
- Volunteer rat control on the top boundary to the regional park – thanked.
- Plan to reveg the site as much as possible. Unfortunately deer are often seen browsing on the new plants, just not the akeake and matipo. Discussed exclusion fence (prohibitive cost).
 - No plans to remove the pines (which may be ~100 years old) – recommended a drill-and-fill approach for the pines that are not too close to the regional park.

Commented [AO2]: We understand that this appears to be solely focussed on the SNA issues. We did have other discussion points relating to the SAL that seem to have been ignored for this report, and not clearly reported anywhere.

Landowners Response to first draft 2018-10-12

ECOLOGICAL VALUES

As determined by:	Desktop Assessment	<input checked="" type="checkbox"/>
	Roadside Assessment	<input checked="" type="checkbox"/>
	Site Visit	<input checked="" type="checkbox"/>

Within the Significant Natural Area

The Significant Natural Area (SNA) labelled LH063.00 consists of five areas, four of which are contiguous with SNA LH062 East Harbour Regional Park and one non-contiguous area on the South end of Lowry Bay opposite Whiorau Reserve.

The vegetation comprises tree fern and broadleaved scrub, mānuka-kānuka scrub, mixed broadleaved forest and scrub with some tawa, rewarewa, beech, hard beech and black beech forest, some pines and eucalyptus, and possibly some kāmahī-dominated scrub and forest. Three main indigenous vegetation types present ('Broadleaved Indigenous Hardwoods',

Landowners Response to first draft 2018-10-12

'Indigenous Forest', and 'Manuka and/or Kanuka'). The habitat type, Singers and Rogers (2014) MF20, Hard beech forest is present. This ecosystem type is no longer commonplace and is poorly represented in existing protected areas in Hutt City (>5ha with 20-30% indigenous cover left). The site contains a relatively intact altitudinal gradient (c.10-340 m asl); and provides habitat for indigenous forest bird species. There are records of bush falcon (At Risk-Recovering) and North Island rifleman (At Risk-Declining) at the site. Wellington green gecko (*Naultinus punctatus*; At Risk-Declining) has been recorded <50 m from the site and may also be present.



Figure 1: The six parts of Significant Natural Area LH063.00 (yellow) in relation to the large contiguous SNA LH062 East Harbour Regional Park (light green). The subject property is outlined in blue.

Landowners Response to first draft 2018-10-12

The Land Cover Database (Table 1) includes the following cover classes inside the SNA (Landcare Research, 2015).

Table 1: Land cover at 1 Waitohu Road as per Land Cover Database 4.1 (Landcare Research 2015)

Land Cover Database 4.1 Class	Indigenous or exotic	Area (ha)
Broadleaved Indigenous Hardwoods	Indigenous	25.5
Built-up Area (settlement)	Exotic	1.1
Exotic Forest	Exotic	1.9
Indigenous Forest	Indigenous	2.6
Manuka and/or Kanuka	Indigenous	2.1
Total		33.2

Table 2: Significance assessment for LH063.00.

RPS Policy 23 Criterion	Significant (Yes/No)	Justification
a) Representativeness	Yes	Representative habitats present. Singers and Rogers (2014) MF20, Hard beech forest is no longer commonplace and poorly represented in existing protected areas in Hutt City
b) Rarity	Yes	Bush falcon (At Risk-Recovering), North Island rifleman (At Risk-Declining). Indigenous vegetation on Acutely Threatened land environments.
c) Diversity	Yes	The site contains a relatively intact altitudinal gradient (c.10-340 m asl); three main indigenous vegetation types present
d) Ecological context	Yes	Contiguous with indigenous vegetation in GWRC's East Harbour Northern Forest KNE site.
e) Tangata whenua	Yes	HCC#8
Is the Site Significant?	Yes	

Within the Property

The SNA boundary on property 'LOT 2 DP 83139' (ID: 7234900) was re-assessed by further desktop research and a site visit (Tuesday the 5th of June 2018).

An application for pine tree removal submitted on 18 January 1994 indicates an approximate boundary for a pine plantation that was probably planted in the 1920's (Figure 2, marked in yellow) (Rose & Rose, 1994).

Landowners Response to first draft 2018-10-12

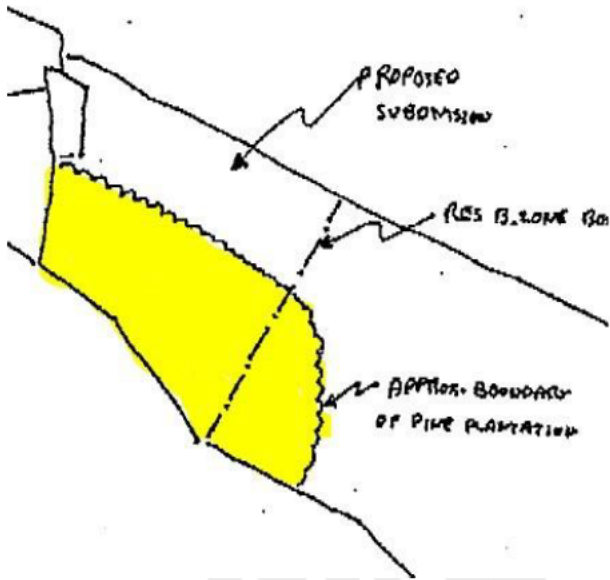


Figure 2: Approximate extent of a pine plantation (marked in yellow) that was probably planted in the 1920's. Sourced from an application for pine tree removal submitted on 18 January 1994 (Figure 12 in Rose & Rose 1994).

The Land Cover Database version 4.1 (Landcare Research, 2015) has an area that crosses the property which is classified as 'Exotic Forest' that approximately follows the area indicated on the pine removal application from 1994 (Figure 3, marked in yellow).

Landowners Response to first draft 2018-10-12



Figure 3: Approximate extent of 'Exotic Forest' classification in the Land Cover Database version 4.1 (Landcare Research, 2015) on the subject property (yellow).

Site Visit

The northern part of the property is a valley bottom through which a stream flows westward towards the sea just inside the property boundary. The stream flows through an area of indigenous forest containing (but not limited to) five-finger, mahoe, kawakawa, kohekohe, ponga, putaputaweta. This confirms that this valley (along the northern boundary of the property) is comprised of LCDB Class "Broadleaved Indigenous Hardwoods" (Landcare Research, 2015).

Tracks emerging from the valley switch back and forth on a mostly north-facing slope that exceeds 45 degrees in some places. The vegetation on this slope is predominantly scrub and as the canopy reduces a high number of invasive weed species were noted, including; cathedral bells, old man's beard (both are total control species within Hutt City¹), ivy and asparagus fern.

Continuing further up out of the valley, a large number of rotting, felled pines are present among regrowth of scrub dominated by gorse and some natives such as mahoe and matipo.

¹ <http://www.gw.govt.nz/assets/Our-Environment/Biosecurity/Pest-plants/Pest-Plants-of-the-wgtn-regionbrochure.pdf>

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Further up, the margin of the ~~the~~ pine stand contains a significant understory of matipo that ~~continues~~continues into of the pine stand, thinning out as the elevation and pine-cover increase.

Beyond the pine stand and approximately 25 meters outside of the property boundary, beech and kanuka forest is present. Two species of *Earina* and a *Thelymitra* were noted with in a 10 metre radius outside of the property (Figure 4, marked with a star).

During the site visit at least four bellbirds (*Anthornis melanura melanura*; regional threat status: in decline; Wildland Consultants 2015) and two fantails (*Rhipidura fuliginosa placabilis*) were seen. A sighting of a barking gecko (*Naultinus punctatus*, At Risk/Declining, formerly known as Wellington green gecko; Bell 2014; Hitchmough et al. 2016) had been previously noted by the land owner on the indigenous forest portion of the property.

At Risk-Declining North Island rifleman (*Acanthisitta chloris granti*) and At Risk/Recovering bush falcon (*Falco novaeseelandiae ferox*) and North Island kaka (*Nestor meridionalis septentrionalis*) are known from surrounding forest (eBird 2017) and may use forest on the site.

Banded kokopu (*Galaxias fasciatus*; Not Threatened) are known from stream catchments either side of this property and may also occur in the stream here. The indigenous ground weta (*Hemiandrus anomalus*) and fungus weevil (*Lawsonia variabilis*) have been collected near here, and plant hopper (*Malpha muiri*) was collected from the undergrowth of shrubby *Senecio* and *Olearia* in a *Fuscospora* forest near to this location Browne 2007). Golden-hair lichen (*Teloschistes flavicans*; At Risk-Declining; de Lange et al. 2012), and Not Threatened (de Lange et al. 2018) greenhood orchid (*Pterostylis alobula*) and white sun orchid (*Thelymitra longifolia*) are known from adjacent properties and may also occur here (Department of Conservation 2015).

There are three structures present on the slopes of the valley (Figure 4, marked with triangles). There are two sheds and one viewing platform.



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Figure 4: Site features discussed in the text at 1 Waitohu Road, York Bay.

Table 3: Significance assessment for LH063.00.

RPS Policy 23 Criterion	Significant (Yes/No)	Justification
a) Representativeness	Yes	Only the indigenous forest part of the property could be considered representative of historic or current diversity. This occurs on Threatened Environment Classification type F1.4b, 'At Risk': 28.1% Remaining, 10.9% Protected. (Landcare Research, 2015)
b) Rarity	Yes	Barking gecko (<i>Naultinus punctatus</i> , At Risk-Declining) was anecdotally noted on the lower portion of the property. Bellbirds are classified as in regional decline, mostly due to population decline in the Wairarapa. May provide habitat for At Risk bird species such as rifleman, bush falcon and kaka.
c) Diversity	Yes	The lower portion of the property contains good diversity of tree species.
d) Ecological context	Yes	Buffers and connects to a significant and extensive area of forest LH062 East Harbour Regional Park and riparian protection of a stream.
e) Tangata whenua	Unknown	Unknown
Is the Site Significant?	Yes	

PROPOSED SOLUTION

The proposed solution is to exclude the pine forest area from the Significant Natural Area on 1 Waitohu Road. This will result in a much smaller Significant Natural Area on the property that follows the stream in the bottom of the valley (Figure 5, Marked A).

Additionally, the pine forest should also be excluded from SNA on some adjacent properties (Figure 5, Marked B)

Landowners Response to first draft 2018-10-12

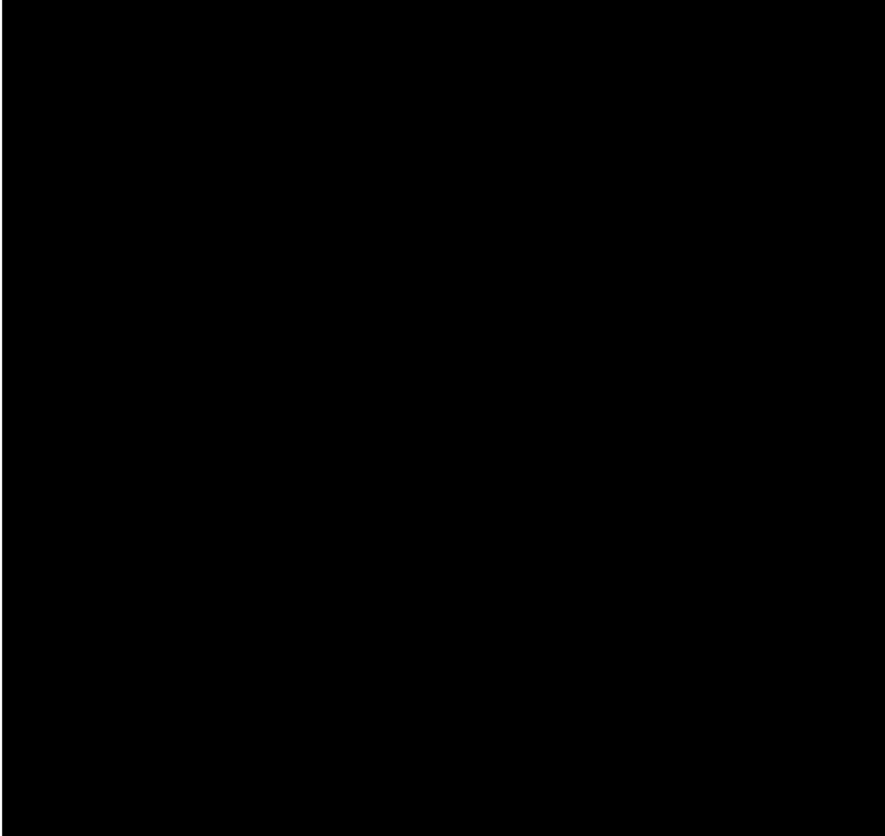


Figure 5: The proposed solution for 1 Waitohu Road. A). The proposed SNA area within the 1 Waitohu Road property. B). Adjacent areas of pine forest which should be excluded from SNA.

REFERENCES

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DRAFT

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- Browne G.N. 2007: The development of an invertebrate database for the lower North Island. Department of Conservation, Wellington, DOC Research & Development Series, No. 269: 16 pp.
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- Wildland Consultants, and Kessels Ecology 2015: Assessment of Ecological Site significance in Kapiti District - methodology. Prepared for Kapiti Coast District Council, Wellington, Wildland Consultants Ltd Contract Report, No. 3525p: 65 pp.

Saritha Shetty

From: District Plan Review Team
Sent: Thursday, 14 March 2024 7:37 pm
To: District Plan Review Team
Subject: FW: [EXTERNAL] Question about criteria used and processes
Attachments: Significant Natural Area LH063.00 - Site Report - 1 Waitohu Road - response 2018-10-12.pdf.docx

Thanks
Ngā Mihi | Kind regards,
Saritha Shetty
Planning Administrator
Hutt City Council, 30 Laings Road, Lower Hutt 5040
W: www.huttcity.govt.nz

District Plan Review Team

Hutt City Council, 30 Laings Road, Lower Hutt
P: 04 570 6666 **M:** **W:** www.huttcity.govt.nz



We're currently at:

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No sprinklers or irrigation.
Only water your garden by hand.

From: [REDACTED]
Sent: Monday, November 20, 2023 11:42 AM
To: District Plan Review Team <district.plan@huttcity.govt.nz>
Subject: RE: [EXTERNAL] Question about criteria used and processes

Thank you, Stephen,
We appreciated the references, and the obvious amount of work that has gone into them.

Best regards
[REDACTED]

From: District Plan Review Team <district.plan@huttcity.govt.nz>
Sent: Monday, November 20, 2023 10:08 AM

To: [REDACTED]
Subject: RE: [EXTERNAL] Question about criteria used and processes

Hi Lois and Andrew,

In answer to your questions:

1. Yes, the report on how the areas were identified is available at https://hccpublicdocs.azurewebsites.net/api/download/16806b6c074d4d4b892a27a723e4a5e6/_dplanreview/8674d24427254d7f40b7a260ec7dfb28beb2 (PDF, 17MB)
2. Yes, this is the sort of feedback we'd like to get during this draft process. We have noted your feedback and will take this into account when proposing final boundaries.

Kind regards,
Stephen Davis

District Plan Review Team

Hutt City Council, 30 Laings Road, Lower Hutt
P: 04 570 6666 M: W: www.huttcity.govt.nz



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From: [REDACTED]
Sent: Sunday, November 19, 2023 11:01 AM
To: District Plan Review Team <district.plan@huttcity.govt.nz>
Subject: [EXTERNAL] Question about criteria used and processes

Hi Stephen
Thanks for the link and references. We've done some more research and are happy with the broad concept of the draft plan.

We have more detailed questions about the process used to decide on the boundaries of the mapped area of *High and very high coastal natural character area* (I'll just call it "Area" from now on)

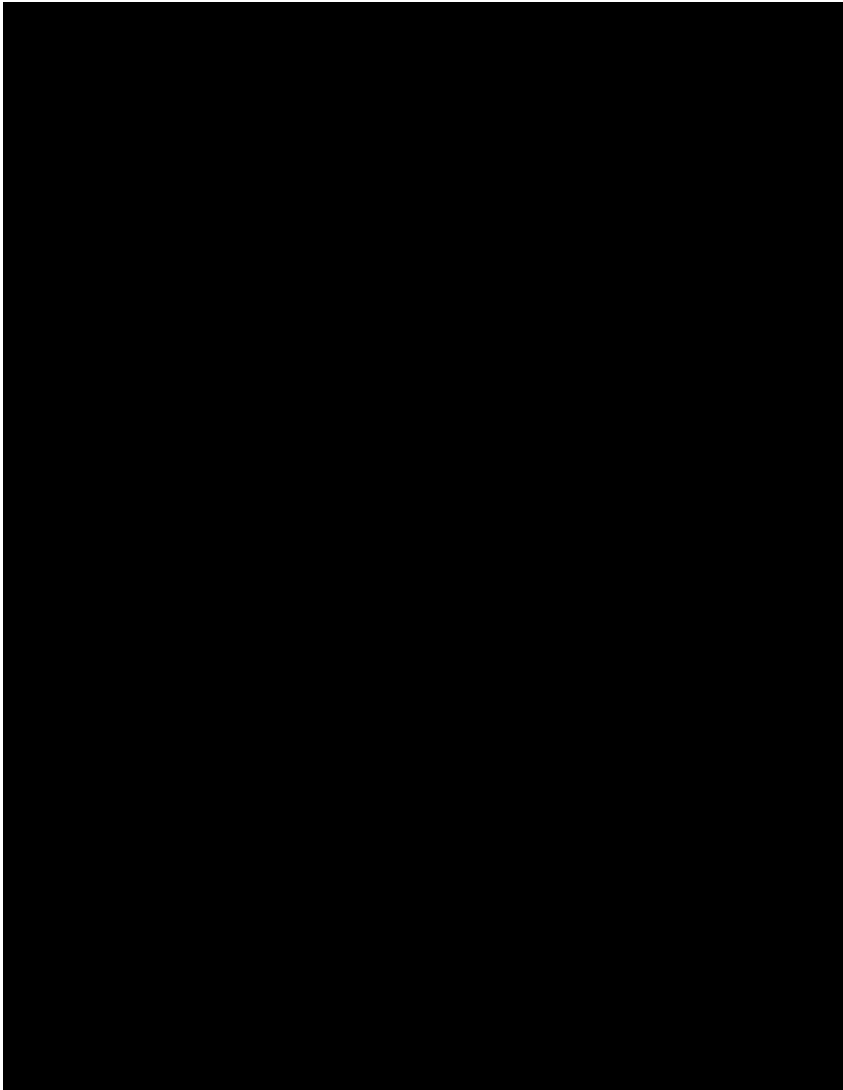
1. Are there some sort of criteria used to map the Area's boundaries?

2. Is a correction process available for those boundaries?

Where the *Area's* boundaries intersect with our property, we see some inconsistencies that would be better addressed as part of the draft process.

- The house, garage, toolshed, and woodshed are correctly shown as not in the *Area*, but our built environment extends further than is obvious on aerial photographs. We also have a combined chicken house / implement shed, garden, working areas and a storage shed which would extend the built environment eastward another 15m or so.
- Roughly one hectare of the property is mature pine forest (South half of the property (which shows darker on the image)).
 - This plantation seems to have been included, even though it is clearly not a beech forest nor a regenerating one.
 - A triangle on the southeast side is NOT defined as being included in the *Area*. What criteria make that different?

Best regards



From: District Plan Review Team <district.plan@huttcity.govt.nz>
Sent: Wednesday, November 15, 2023 1:38 PM
To: [REDACTED]
Subject: RE: [EXTERNAL] Request for a URL please

Hi Andrew,

The draft district plan maps are available at: <https://maps.huttcity.govt.nz/HuttCityMapsViewer/?map=3ed4094fd509449d93074cd30891640f> and more general information about the review is at <https://hutt.city/dpreview>

Not all layers are on by default because the map can be hard to read with everything displayed simultaneously. You can turn on layers using the “Layer List” menu at the right: the Coastal Character areas can be turned on with the “Natural Environment Values” option:

----- snipped ----

If you’ve got any other questions let me know.

Kind regards,
Stephen Davis

District Plan Review Team

Hutt City Council, 30 Laings Road, Lower Hutt
P: 04 570 6666 M: W: www.huttcity.govt.nz



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From: Andrew Ollivier <[REDACTED]>
Sent: Wednesday, November 15, 2023 12:35 PM
To: District Plan Team <DistrictPlan.Team@huttcity.govt.nz>
Subject: [EXTERNAL] Request for a URL please

Hi,
I just received the letter indicating that my property may be affected by new map overlays for “High, Very High or Outstanding Coastal Character Areas”.

I am unable to find those overlays – is there a link please?

On another point, you may remember Hutt City’s first attempt at SNA’s in 2018. At that time, we had correspondence that clarified that our pine trees were not native forest. We responded (attached) but have heard nothing since.

Did any mapping records get altered as a result, or do we need to document once again? If so, who is the appropriate person to contact.

Best regards



Saritha Shetty

From: [REDACTED]
Sent: Tuesday, 19 December 2023 8:40 pm
To: District Plan Review Team
Subject: RE: [EXTERNAL] Objection to Proposed Daft District Plan

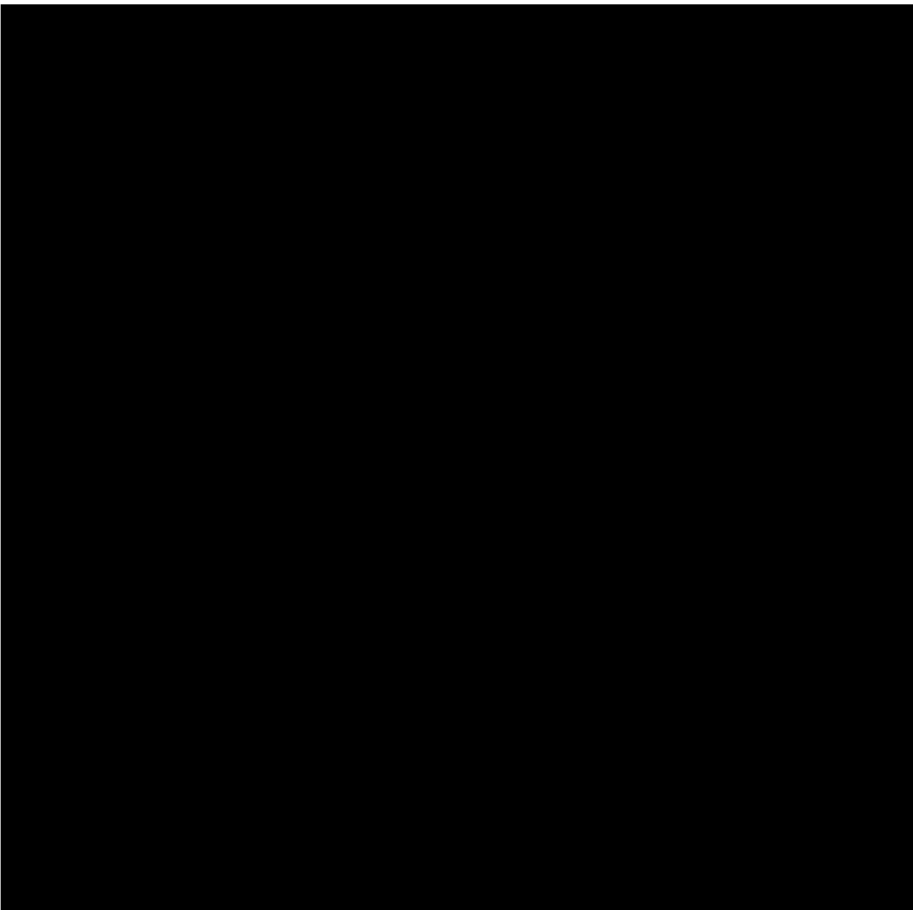
Follow Up Flag: Follow up
Flag Status: Completed

Categories: Sean

Kia Ora

I feel that the proposal; is devaluing our property [REDACTED] If this goes forward, we would like a decent financial compensation for what is devouring our property.

Ngā mihi
#



From: District Plan Review Team <district.plan@huttcity.govt.nz>
Sent: Monday, December 18, 2023 3:41 PM
[REDACTED]
Subject: RE: [EXTERNAL] Objection to Proposed Daft District Plan

Hi [REDACTED]

Thank you for your feedback on the draft district plan. This has been recorded and will be included when we present public feedback to councillors for their decisions on the plan. More information about the process going forward is on our website at <https://www.huttcity.govt.nz/council/district-plan/district-plan-review>.

You've said in your letter that you would like to meet "with the council" – did you want to meet with council staff to ask further questions about the proposal, or speak to elected councillors before they make their decisions?

If you've got any other questions on the draft plan, let me know.

Kind regards,
Stephen Davis

District Plan Review Team

Hutt City Council, 30 Laings Road, Lower Hutt
P: 04 570 6666 M: W: www.huttcity.govt.nz



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From: [REDACTED]
Sent: Friday, December 15, 2023 5:24 PM
To: District Plan Team <DistrictPlan.Team@huttcity.govt.nz>
Subject: [EXTERNAL] Objection to Proposed Daft District Plan

To whom it may concern

Please find attached correspondence regarding my formal objection to the HCC Proposed Daft District Plan as it affects my property at [REDACTED]

Please confirm this has been received by HCC and address all further emails to [REDACTED]

Kind regards

[REDACTED]

Saritha Shetty

From: [REDACTED]
Sent: Monday, 8 January 2024 5:07 pm
To: Sean Bellamy
Subject: Re: [EXTERNAL] District Plan Survey.

Follow Up Flag: Follow up
Flag Status: Completed

Hi Sean,

I probably cant remember all the comments I made in the on-line review, but here are a few.

It is important that housing density is increased in existing urban centers and around transport routes. There does need to be planning by the Council to get the best urban design outcomes. This may be in the Design Guide, planning of traffic routes (with some roads becoming mainly for pedestrians), incentives for good urban design. Also incentives for "universal design" (Lifemark) should be given. Otherwise there is a risk that a lot of new housing will exclude a lot of people at different stages of their lives (eg three storey "walk ups").

The Council should not sell any more public land for private use in the urban areas. This happened in Epuni where a little used park was transferred to Urban Plus and became two storey housing. When there is 6 storey housing around these houses will have little sun. Much better amenity could have been achieved with this area becoming a well used park and community space. The old library space in Naenae shopping centre should also not become a private space.

I know of a few more trees that may be able to fit into the "notable tree" category. There are some very good specimens of original kahikatea at the back of 160 Seddon St, Naenae. Behind this section there is some original forest with large beech trees, some of which were felled (probably by someone whose view they were blocking) but there still may be trees worth protecting. There is also a pukatea on the shared driveway between 142 and 140 Seddon St. Protecting groups of trees (as done in Upper Hutt) is a good way of protecting small patches of native bush - that doesnt meet the STEM criteria but has good biodiversity values. I see that there are none in the current schedule, but opening up suggestions for these would be good.

The change of name for Hill Residential and Landscape protection areas to "Large Lots" makes it sound like they are areas ripe for development. I followed the links within the rules but could not see how hillsides were to be protected from vegetation removal and non-approved earthworks. It is important that this is clear.

The "high and very high" natural coastal area should extend down along the coast across the "rural" zoned land down to the "outstanding natural landscape" area in the south. These steep hillsides facing the coast should be protected from unsympathetic development and the natural character preserved or improved. I think that this area would have similar biodiversity to the coastal hillsides of Baring Head. Despite being scrub covered and grazed by goats, it is likely to be a good environment for lizards.

The land proposed to be zoned "rural" in the catchment areas of the Pencarrow Lakes should be protected from development that would increase the risk of contamination and flooding of the lakes. Using the Council's maps that show the changes in aerial photography over time show that about the year 2000 a lot of clearing of bush and scrub took place. (There has also been flooding that destroyed the board walk across the head of one of the lakes). Perhaps incentives could be given to the landowners to protect the remaining forest, especially that adjacent to Butterfly Creek picnic area. A significant rates reduction for a QEII covenant over the high value areas would be a great outcome. Also help with fencing and plantings around streams to protect the catchments would be good. I do know that the owners were misinformed about how SNAs would work and believed that the "Council was stealing their land". An explanation that development would not be prohibited but could be carried out while improving environmental outcomes. (for example an eco-subdivision as has been done in the Coromandel) may help.

There are some other areas that are proposed to be simply zoned "rural" that have amazing original native forest dropping into the Gollans Stream catchment. (For example 500 Coast Rd, 270 Coast Road) As for 525 Muritai Rd (discussed above) a QEII covenant with significant rates reduction would be the best outcome, but some protection under the district plan is very important.

Areas of high biodiversity - identified and potential SNA sites - need to be protected in some way, even if different names are used.

Stormwater detention for new developments is a good idea. However, there seems to be no mechanism for ensuring that these systems are maintained (eg inlets cleared and silt removed) over a long period of time. When there are lots of owners who will pay for this?

Increased demand on sewage is a problem - it would be good if there were approved systems for composting toilets. It is possible to have developments that meet "Living Future" standards - and are self-sufficient in energy, water and waste treatment.

Best wishes,

█

On Mon, 18 Dec 2023 at 07:00, Sean Bellamy <Sean.Bellamy@huttcity.govt.nz> wrote:

█

Thank you for your email.

I am sorry to hear that you have had problems making a submission. You can send me an email if you wish to give feedback on the Draft District Plan and I will ensure it is included in the District plan review.

Regards

Sean Bellamy

Intermediate Policy Planner

Hutt City Council, 30 Laings Road, Hutt Central, Lower Hutt, Lower Hutt 5010

P: 04 570 6976 M: W: www.huttcity.govt.nz



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From: [REDACTED]
Sent: Friday, December 15, 2023 6:44 PM
To: District Plan Review Team <district.plan@huttcity.govt.nz>
Subject: [EXTERNAL] District Plan Survey.

Hi,

The heading of the survey says that it finishes on Dec 15th WITH NO TIME GIVEN. I spent a good few hours doing this survey. Some time last night and from 4 pm today. At 6.30 pm on the 15th it would not let me submit it. I tried to print my answers, but they were lost.

I will try to remember the important points.

[REDACTED]

Saritha Shetty

From: [REDACTED]
Sent: Wednesday, 7 February 2024 9:49 am
To: District Plan Team
Subject: [EXTERNAL] Dp Review - Historic Heritage - [REDACTED]

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Nathan

Kia ora,

I hope you're well?

I was going through our mail and noticed a letter from the Hutt City Council regarding a review of the Hutt City district plan, and that our home at [REDACTED] has been identified as having 'historic heritage values'.

I have looked at the draft plan, and can't see what this specifically entails for our home?

Our home is old, however it has been significantly altered from its original plans with numerous alterations, additions, renovations, and has been subdivided substantially.

Changing the nature of our home to a heritage building will have significant implications in terms of insurance for us, and we do not think this is fair (noting the above). We are also aware that previous owners did want it listed and the council turned down their application as the house has been changed so much since it was built.

Can you please advise how we can ensure our home is not listed as a heritage home?

Cheers,

[REDACTED]

Saritha Shetty

From: [REDACTED]
Sent: Monday, 20 November 2023 9:27 am
To: District Plan Team
Subject: [EXTERNAL] Foodstuffs Properties (Wellington) Limited - Draft District Plan
Attachments: Hutt City Council (20231120).pdf

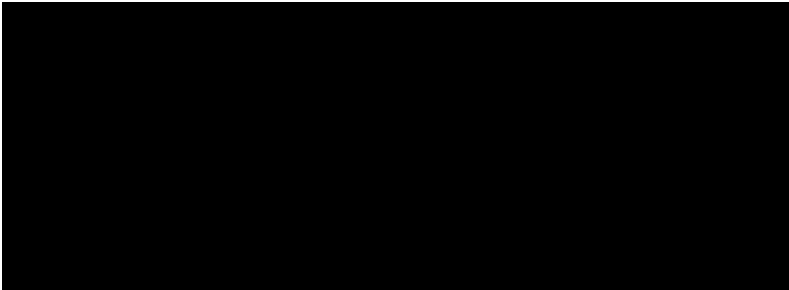
Follow Up Flag: Follow up
Flag Status: Completed

Categories: Steve

Hi,

Can you please advise which property/properties this letter relates to?

Cheers,



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8 November 2023

Foodstuffs Properties (Wellington)
Limited
PO Box 27480
Mount Roskill
Auckland 1440

Kia ora,

I'm getting in touch to let you know that your property may be affected by proposed changes in the Hutt City Council Draft District Plan, which is now open for public feedback until 15 December 2023.

The District Plan is the rulebook for land use and development across the city. As part of an extensive review, we're proposing a range of changes as we work to manage the risks of natural hazards, protect the environment and our heritage, and make room for population and business growth.

Engaging with the community on the Draft District Plan is an optional step that the Council has chosen to take to ensure that the views of the community are heard as part of the review of the District Plan.

Councils are required by the Resource Management Act to manage significant risks from natural hazards.

The Draft District Plan identifies areas which are at risk from natural hazards. These areas are ranked as high, medium or low hazard areas depending on the likelihood and potential consequences associated with the hazard. Your property is in an area that has been identified as a High Hazard Area.

High Hazard Areas include the following:

- Wellington Fault Rapture: well-defined areas
- Stream Corridor: 1-in-100-year event
- Tsunami: extent of a 1-in-100-year scenario
- Coastal Inundation: extent of a 1-in-100-year storm.



The implication of being within a High Hazard Area is that resource consent may be required for new activities. The draft rules seek to avoid new "hazard sensitive activities" such as new housing or additions within High Hazard Areas, unless it can be shown through a resource consent process that the risk from natural hazards can be appropriately addressed.

Please note that these proposed rules would not impact on existing development.

Community feedback is an important part of making sure we get our new District Plan right and I encourage you to give feedback on this and any other part of the draft at hutt.city/dpreview by 15 December. You can also visit the Council offices at 30 Laings Rd or any neighbourhood hub to drop off a written submission.

We'll take all the feedback on board, then prepare a proposed District Plan for formal submissions later in 2024.

Please note that it is possible that you may receive more than one letter relating to potential changes affecting your property in the draft plan. Please contact us at dpreview@huttcity.govt.nz if you have any questions.

Ngā mihi nui



Jo Miller

Chief Executive

Saritha Shetty

From: [REDACTED]
Sent: Friday, 8 December 2023 8:28 pm
To: District Plan Team
Subject: [EXTERNAL] Re: High Hazard letter?

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Sean

Sorry, I left out my address:
14 Poppy Watts Grove, Stokes Valley.

On Fri, 8 Dec 2023, 8:24 pm [REDACTED] wrote:

Good evening,

I am writing with a huge concern about the letter I received saying that my home is in a high hazard area.

My home is only 10 years old and has excellent drainage. When it rains heavily I get no pooling whatsoever.

Please explain why my house is in a high hazard area. Will this affect my homes value and insurance premium and what effect will this decision have on me?

Regards

[REDACTED]

Saritha Shetty

From: [REDACTED]
Sent: Tuesday, 21 November 2023 9:21 pm
To: District Plan Review Team
Subject: [EXTERNAL] DP review - Rural Lifestyle Zone - application to [REDACTED]

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Sean

Dear Hutt City

I wish to object to the proposal to place these properties within the proposed new Rural Lifestyle Zone. I am the owner of [REDACTED]

I object on two grounds:

1. These properties are less than 1 hectare and therefore not consistent with the proposed scheme. The current zoning is also an anomaly, with a 2 hectare minimum. However, a plan review should be used as the opportunity to regularise the zoning, not perpetuate the anomaly.
2. At the time of subdivision these properties were noted as land expected to be used for more intensive housing in future. Now, more than 25 years on, the need for more housing land is recognised as a local and national priority. The identification of this land for future development also created a legitimate expectation that the zoning would be relaxed.

I therefore submit that the revised district plan should zone these properties with a less restrictive provisions than are currently proposed, as per the expectation created at the time of subdivision.

Regards

[REDACTED]

Saritha Shetty

From: Dimac Contractors Ltd <dimac@dmac.co.nz>
Sent: Wednesday, 22 November 2023 3:35 pm
To: District Plan Team
Subject: [EXTERNAL] Proposed changes to HCC Draft District Plan

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Steve

We have received two letters to Dmac Developments & Contracting Ltd regarding proposed changes to HCC Draft District Plan.

Please advise what address this relates too as the letter does not state anywhere what property this is regarding.

Regards

Leanne

On behalf of Dmac Developments & Contracting Ltd

18B Victoria Street, Alicetown

04 568 8624

Saritha Shetty

From: District Plan Review Team
Sent: Friday, 15 March 2024 1:52 pm
To: Plan_Admin
Subject: FW: [EXTERNAL] District Plan Feedback & Questions
Attachments: Feedback Draft Plan.docx; Re: [EXTERNAL] District Plan Feedback & Questions

Thanks
Ngā Mihi | Kind regards,
Saritha Shetty
Planning Administrator
Hutt City Council, 30 Laings Road, Lower Hutt 5040
W: www.huttcity.govt.nz

District Plan Review Team

Hutt City Council, 30 Laings Road, Lower Hutt
P: 04 570 6666 M: W: www.huttcity.govt.nz



We're currently at:

Water Restriction Level 2



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No sprinklers or irrigation.
Only water your garden by hand.

From: [REDACTED]
Sent: Monday, December 4, 2023 4:01 PM
To: District Plan Review Team <district.plan@huttcity.govt.nz>
Cc: [REDACTED]
Subject: [EXTERNAL] District Plan Feedback & Questions

Hi there
Attached is our feedback with questions we would like answered please.

Can you advise timing on when we expect to hear back from HCC on this please?

Thank you.



[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
4th December 2023

Hi there,

In regard to the letter we received in the postdated 8th November 2023 for the draft district plan, we have questions and feedback.

Please respond to my feedback questions and responses to the draft district plan.

High hazard Areas

What exact criteria is involved to deem our property as a high hazard area?

How many other homeowners and in what other communities got the same letter stating their property is a hazard?

What percentage portion in each community have you categorised as high medium and low hazard areas?

You have below to 'include' high hazard, what do you include as medium and low hazards then?

Wellington rapture fault – well defined areas

Stream Corridor - 1 in 100-year event

Tsumani - extent of a 1 in 100-year scenario

Coastal Inundation – extent of 1 in 100-year storm

Based on above scenarios, how do you validate our property to be high hazard and what criteria and evidence do you have to support this rating on our home?

What criteria, form of measure and platform have you used to identify low/medium and high natural disaster properties?

This will devalue and deter future buyers of our property due to you classifying it as a high hazard.

This can also impact on new buyers gaining insurance through providers based on your classification which can also impede the sale our home in the future.

Define your term new activities other than just new housing or additions in your letter.

What impact will the high hazard classification have on future rates?

Define exactly what hazard sensitive activities are.

How do you propose a developer or home owner can prove via resource consent that the risk from natural disaster can be appropriately addresses through a resource process?

Your letter is vague, evasive and rhetoric and does not have enough detail to welcome feedback that can be backed up by stats and facts.

We strongly oppose the ranking of our home to be on any form of property file or part of a district plan and expect robust evidence to support your findings on the hazard rating you give each home.

At what stage will this be public notice for all consumers to access including insurance companies, estate agents and property investors.

Thank you.

Kind regards

██████████

From: [REDACTED]
To: [District Plan Review Team](#)
Cc: [REDACTED]
Subject: Re: [EXTERNAL] District Plan Feedback & Questions
Date: Thursday, 7 December 2023 10:31:10 am
Attachments: [image001.png](#)
noimage

Hi Stephen
Thank you for your prompt reply.

In light of your comments, our property as in 'home' is not directly affected.

It is just the driveway as you state - this needs to be more transparent when putting a 'high hazard' natural disaster category on our home. I think HCC needs to be specific and state it is the driveway not the house.
The letter states 'your property' when in fact it is a shared driveway that is 'high risk' and not directly affected by our home.

We want HCC to be more specific when categorising these hazards and what they are specific to as it is not actually our house, it's the driveway which is an easement for all property owners!

In regards to below - All we ask for is the data % and all communities of the homes who received the letter and what % and locations are low/medium/high hazards that HCC have deemed to categorise on our files.
eg: Wainuomata were sent 200 letters / Eastbourne 1000 letters/ Taita 100 letters/ Petone 700 letters and what % of those properties in each community are deemed high/ medium /low and same for all other suburbs in Lower Hutt.

If you need more clarification please call me on 0211 333 037.

In regards to your comment below, can you advise timing on when you present the feedback to councillors and when we can expect to hear back for further discussion?

What percentage portion in each community have you categorised as high medium and low hazard areas?

We do not hold this information. Calculating these figures would involve us getting our GIS team to do some fresh analysis – please confirm if you want us to proceed with this and preferably provide a daytime contact phone number. I'll then get in touch to clarify exactly what you're after, then we can let you know whether we'd be able to run this and how long it would take.

Our biggest concern is the impact of insurance premiums and for when we sell our house to potential buyers if we are slapped with a high hazard label on our property which after your feedback, is not actually affected, when only a shared driveway is.

For the rest of your letter, I've recorded your comments and they'll be included when we present feedback to councillors for their decisions on the plan.

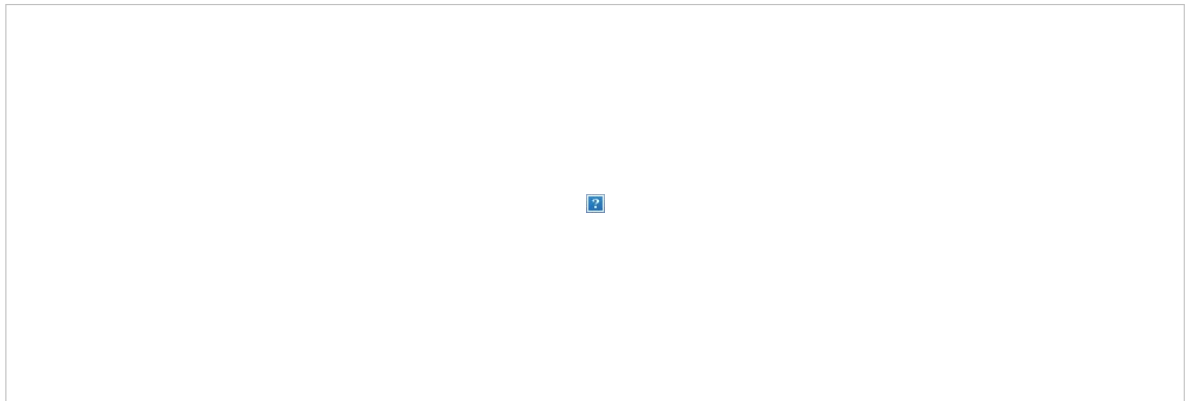
Thank you.

Kind regards
[REDACTED]

On Mon, Dec 4, 2023 at 5:23 PM District Plan Review Team <district.plan@huttcity.govt.nz> wrote:

[REDACTED]

The high natural hazard that affects your site is the Stream Corridor overlay. This only affects your driveway and not the house and yards. I've attached an image below showing the hazard overlays that apply to your site. The light blue is the Stream Corridor, the orange is Overland Flow Path (a medium hazard), and the darker blue is the inundation area (a low hazard). These other hazards also only affect your driveway.



In answer to your questions:

What exact criteria is involved to deem our property as a high hazard area? / how do you validate our property to be high hazard and what criteria and evidence do you have to support this rating on our home? / What criteria, form of measure and platform have you used to identify low/medium and high natural disaster properties?

The hazards relevant to your property were identified in modelling conducted by Wellington Water. All of these consider a 1 in 100 year flood event including an allowance for increased rainfall expected from climate change. More information is available on our website at <https://www.huttcity.govt.nz/council/district-plan/district-plan-review/natural-hazard-risks> and in the preamble to the Natural Hazards chapter of the draft plan at <https://huttcity.isoplan.co.nz/review/rules/0/48/0/0/25>

How many other homeowners and in what other communities got the same letter stating their property is a hazard?

3,251 other letters went out that were identical to yours, alerting them to a high natural hazard risk in the draft plan affecting their property. A small number of additional property owners with many different intersecting issues on their property also received customised letters.

Almost all areas of the city have flood hazards. Due to the way the letters were produced we can't break this down by suburb, but you can see the general extent of the hazards in the draft plan maps on our website at <https://maps.huttcity.govt.nz/HuttCityMapsViewer/?map=3ed4094fd509449d93074cd30891640f> – turn on “Hazards and Risks” in the right hand pane.

What percentage portion in each community have you categorised as high medium and low hazard areas?

We do not hold this information. Calculating these figures would involve us getting our GIS team to do some fresh analysis – please confirm if you want us to proceed with this and preferably provide a daytime contact phone number. I'll then get in touch to clarify exactly what you're after, then we can let you know whether we'd be able to run this and how long it would take.

what do you include as medium and low hazards then?

These are the non-coastal hazards in the draft district plan:

Natural Hazard Overlay	Respective Hazard Ranking
Wellington Fault Hazard Overlay	High
Stream Corridor (1% AEP flood event + 1m sea level rise)	

Wellington Fault Induced subsidence	Medium
Overland Flowpath (1% AEP flood event + 1m sea level rise)	
Slope Hazard Area	
Liquefaction Hazard Area	Low
Inundation Area (1% AEP flood event + 1m sea level rise)	

And the coastal hazards:

Coastal Hazard Overlay	Respective Hazard Ranking
Tsunami – 1% AEP scenario inundation extent with 1m Sea Level Rise	High
Existing Coastal Inundation Extent with 1% AEP storm tide and wave setup	

Tsunami – 0.2% AEP scenario inundation extent with 1m Sea Level Rise	Medium
Coastal Inundation Extent – 1.9m Relative Sea Level Rise and 1% AEP storm tide and wave setup	
Tsunami 0.1% AEP scenario inundation extent with 1m Sea Level Rise	Low

Define your term new activities other than just new housing or additions in your letter.

This term is summing up slightly different rules that apply depending on the hazard. Any building or structure for any purpose would need resource consent in the Stream Corridor Overlay. A driveway (the current use) would not need resource consent.

What impact will the high hazard classification have on future rates?

Your property would not be treated any differently for rates purposes.

Define exactly what hazard sensitive activities are.

There are three categories of hazard sensitive activities, “less hazard sensitive”, “potentially hazard sensitive”, and “hazard-sensitive activity”. These definitions are in the “Definitions” chapter of the draft plan at <https://huttcity.isoplan.co.nz/review/rules/0/96/0/0/0/25>. I've also reproduced them below.

Less Hazard Sensitive	Potentially Hazard Sensitive	Hazard Sensitive
means the following land use activities:	means the following land use activities:	means the following land use activities:
<ul style="list-style-type: none"> a. accessory buildings used for non-habitable purposes b. buildings associated with marina operations (above MHWS) c. passive recreation d. parks facilities e. plantation forest or plantation forestry. 	<ul style="list-style-type: none"> a. active recreation activities b. buildings associated with primary production (excluding residential units, minor residential units, residential activities or buildings identified as less hazard sensitive activities) c. commercial activity d. conservation activity e. cultivation f. customary activity g. customary harvesting h. entertainment facility i. food and beverage activity j. industrial activity k. major sports facility l. offices m. sports facilities n. park facilities o. primary production p. quarrying activities q. rural activity r. rural industry. 	<ul style="list-style-type: none"> a. childcare services b. community facility c. educational facility d. emergency services facilities e. hazardous facilities and major hazardous facilities f. healthcare facility g. hospital h. marae i. multi-unit housing j. places of worship k. residential units and minor residential units (including those associated with papakāinga) l. retirement village m. visitor accommodation.

For the exact impacts of these terms in the draft plan you would need to refer to the draft plan's Natural Hazards chapter:
<https://huttcity.isoplan.co.nz/review/rules/0/48/0/0/0/25>

How do you propose a developer or home owner can prove via resource consent that the risk from natural disaster can be appropriately addresses through a resource process?

It would be up to developers or homeowners to show in their consent application that the risk from natural disaster is handled. The Council doesn't dictate how this is done.

At what stage will this be public notice for all consumers to access including insurance companies, estate agents and property investors.

Everything in the draft district plan is public information and available on the website now.

For the rest of your letter, I've recorded your comments and they'll be included when we present feedback to councillors for their decisions on the plan.

If you've got any other questions or further feedback, let me know.

Kind regards,
 Stephen Davis

District Plan Review Team

Hutt City Council, 30 Laings Road, Lower Hutt
 P: 04 570 6666 M: W: www.huttcity.govt.nz



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From: Laura-Jane Shaw [REDACTED]
Sent: Monday, December 4, 2023 4:01 PM
To: District Plan Review Team <district.plan@huttcity.govt.nz>
Cc: Peter & LJ Tompson [REDACTED]
Subject: [EXTERNAL] District Plan Feedback & Questions

Hi there

Attached is our feedback with questions we would like answered please.

Can you advise timing on when we expect to hear back from HCC on this please?

Thank you.

[REDACTED]

Saritha Shetty

From: [REDACTED]
Sent: Thursday, 23 November 2023 4:04 pm
To: District Plan Review Team
Subject: [EXTERNAL] NH-P15

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Nathan

I live in a Coastal Environment Overlay and the draft plan keeps referring to NH-P15.

I can not find any reference to this. Could you please advise.

Thank you.

Regards,

[REDACTED]

Saritha Shetty

From: [REDACTED]
Sent: Monday, 11 December 2023 11:46 am
To: District Plan Review Team
Subject: [EXTERNAL] Submission on Plan
Attachments: Submission - [REDACTED]

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Steve

Please find attached a submission on the Draft District Plan.

Please acknowledge receipt of this email as I have spent a lot of time on this and I want to ensure that Council Officers have received it.

While I have suggested various points that should be altered, my main concerns are the removal of the Heritage Character areas (refer PC56) and intensification on hazard areas. I also believe that intensification should wait until the Council's water infrastructure is fixed.

I consider myself to be an intelligent person, however I struggle with the rules regarding the hazard areas. As suggested in the attachment, I think that the residential zones within the hazard overlays should just be "general" or "low". Another zone type for non residential zones could be considered to make it easier also.

Thank you

[REDACTED]

██████████
Petone

I have reviewed many parts of the Proposed District plan and make the points below. I also submitted on PC56 and spoke at the Council hearing. I am a resident of Petone, so my submission tends to focus on the issues here, but many of my comments reflect district wide concerns.

Introduction

Plan Change 43 was undertaken to allow intensification in the most appropriate places in Lower Hutt, mainly around Transport hubs and the central business district. It was acknowledged that intensification was not suitable in Petone, regardless of the proximity to the commercial centre.

Plan Change 56 was undertaken due to Government legislation. While directed by the then Labour Government, the opposition party, National, supported it. However, the legislation was undertaken quickly, and in my opinion was not fully thought through. Earlier in 2023 National realised its shortcomings and since entering Government have said they will make changes to the legislation and no longer making it mandatory for Tier 1 Councils (including Hutt City Council) to require medium intensification requirements. There will also be clarification on walking distance for high intensity housing. I strongly recommend that Council Officers and elected members waits to see the final outcomes in this area prior to making decisions that will affect generations of people to come.

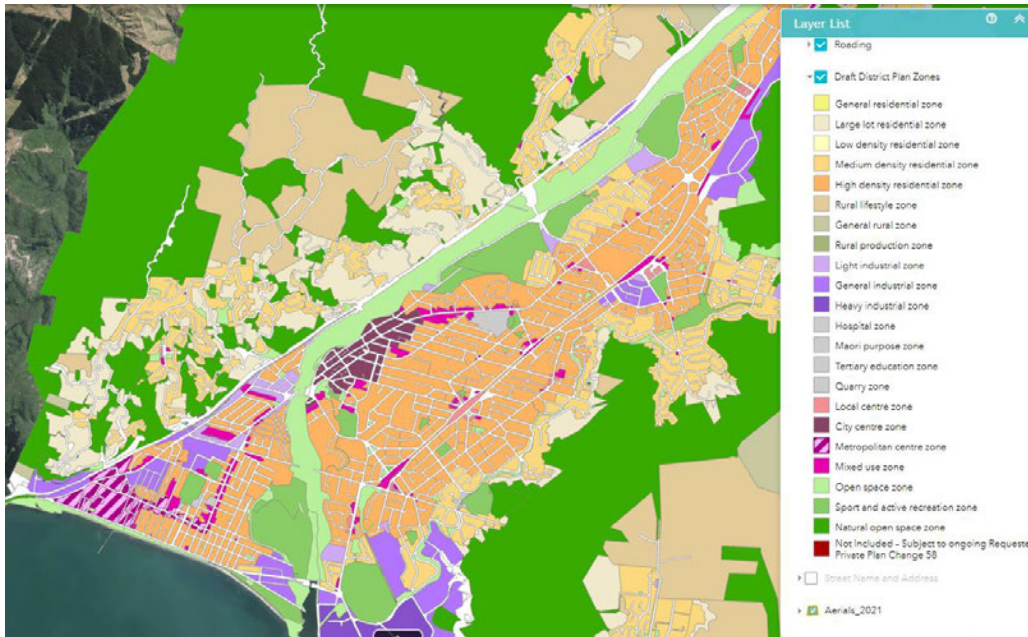
I attended public meetings during PC56 and the Mayor, Campbell Barry, told the attendees that Hutt City Council opposed he proposed legislation during the consultation period. They opposed it as it reduced the impact on PC43 and they considered that the Government should allow Councils to meet targets for ensuring there was space for development for population growth. Mr Barry also said that the majority of the Hutt Valley was built on riverbed and the cost for foundations required for 6 stories would inhibit construction of 6 story houses.

Other Councils also realised the legislation was passed quickly without enough consideration of the adverse effects and Christchurch City Council voted against implementing the full requirements of the legislation.

As the legislation looks like it will be altered, Hutt City Council is no longer forced to adopt inappropriate rules in the District plan.

Residential Zones

Part 3 of the Draft District Plan includes area Specific Matters and identifies three residential zones – Large Lot, Medium Density and High Density. Yet the planning maps show five residential zones, including General Residential and Low Density.



Given that the Council Officers have “listened to the Government” for blanket wide medium density and high density in close proximity to commercial centres and transport hubs, why are the hill suburbs still zoned General, Large Lot or Low Density? Particularly when many of these are within walking distance of a train station or commercial centre. I know people in Tirohanga that walk to the town centre that are delighted to be in Large Lot and effectively laughing at me because I am in high density and my life will be ruined if my northern neighbour redevelops their land.

Objective LLRZ-O3 states that:

The Large Lot Residential Zone identifies, protects, maintains, and enhances where possible the distinct characteristics and amenity values associated with the hillside residential areas of the City, including:

1. *A large lot, low density built environment*
2. *Natural character values (skyline providing a visual backdrop to the city)*
3. *Ecological values (established and regenerating vegetation, fauna, waterways); and*
4. *Natural topography (steep hillsides and slope stability).*

Yet the distinct characters of other areas, including heritage character areas, are not considered to have any value. If Council is to be consistent in their thinking, they either need to consider the other character areas of the City or alter the policies and rules. The rules in the hill suburbs appear to be totally inconsistent with the rest of the city.

Heritage

During PC56, there was a lot of discussion on heritage. Council’s specialist consultants recommended a series of character precincts to maintain unique street frontages. Not only did I support this, but in my submission I suggested that Council expand those in Petone. Council Officers agreed and the Officers Report provided to the commissioners recommended that the Foreshore Character Area be expanded.

During consultation, members of the public were also told that PC56 was simply to meet Government requirements and that a more detailed review would occur (in line with the RMA legislation). We were told that the more detailed review would incorporate a review of the heritage areas, however this does not appear to have been done.

The PC56 decision effectively said that the Commissioners did not consider heritage a reason to not allow intensification, and heritage or character areas would be treated the same.

I find it extremely disappointing that the heritage character areas have not been included in this District Plan review.

Sunlight planes

Over the last 12 month period I have made some measurements regarding shade in my rear garden based on my garage. I would also like to point out that due to the shade, in winter my lawn frequently dies as the grass grubs take over and the birds destroy the lawn eating them. This happens every few years and 2023 winter was no different. I raise this as the intensification rules will result in greenspaces with permanent loss of sunshine. These areas will simply become dirt, or landowners will concrete or cobblestone these areas, reducing permeable land and having an even more detrimental environmental effect.

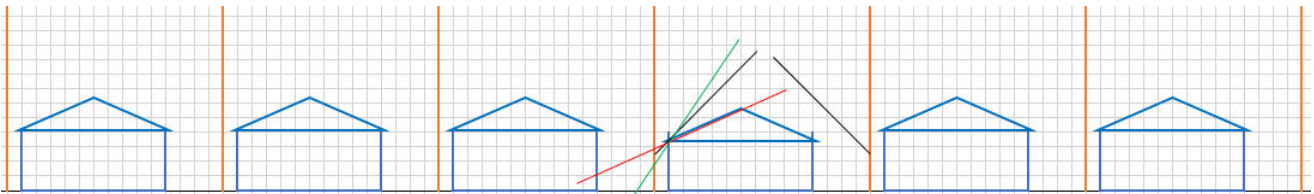
My garage is 2.3m in height. On 24 June, the shadow caused by the garage is 5.25m. On 1 March it was 1.7m and on 24 October it was 1.55m. It should be note that the movement of the sun is not linear as it follows a sin curve, and the shading moves slowly around the longest and shortest days and quickly around March/April and September/October. The shading in late June is effectively the same for all of June and July.

I have prepared some figures showing the building planes in the Draft District Plan Review and how these effect sunlight in adjacent properties. These are based on the street frontages in my street, I have allowed for a 15m property frontage, with 1m side yard on the south and a 4m side yard on the north.

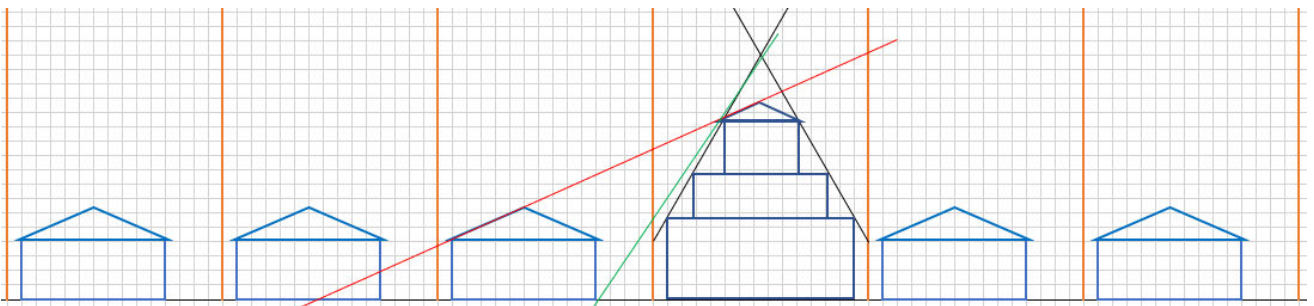
The red line shows the shading on the shortest day of the year but lasts for around 2 months. The green line represents the shading for early March and late October. Therefore, for seven months of the year, the shading will be between the red and green lines, with the remaining 5 months the shading will be outside of the green line.

As shown, under the proposed standards, a typical section will shade the adjoining house on the southern side, but a wider property has the potential to shade two neighbouring properties. This will increase the heating costs of these adjoining properties and also increase negative effects to the environment.

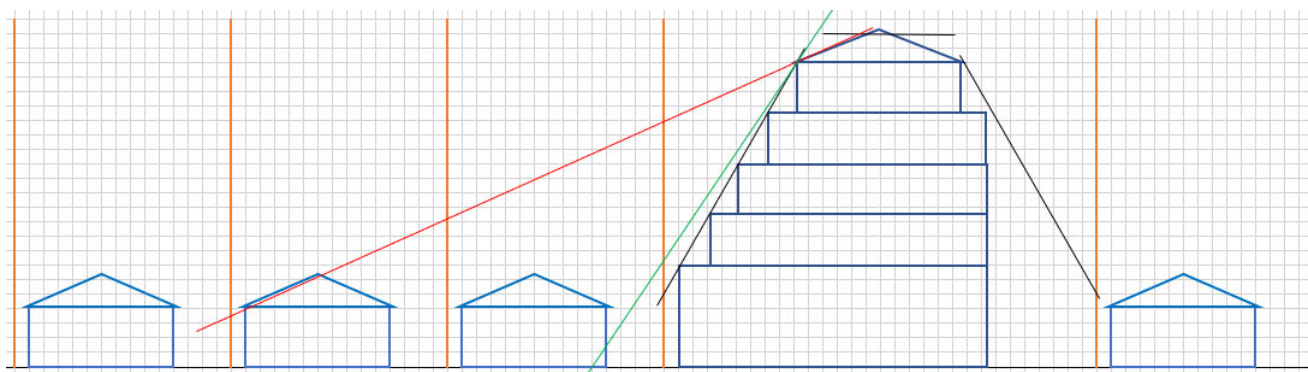
Shading Effects – Pre PC56 - 2.5m on boundary and 45 degrees



Shading Effects – with high intensity standards – 4.0m on boundary and 60 degrees



Shading Effects – with high intensity standards and a double property - 4.0m on boundary and 60 degrees



Natural Hazards

The legislation forming PC56 specifically states that certain areas can be exempt, including areas of heritage, natural hazards and iwi significance. I believe the decision of PC56 has influenced the Draft District Plan. With the new Government, the legislation requirements for PC56 are loosened, and Council needs to reconsider the hazard areas.

Hutt City Council is aware of the natural hazards in the region's coastal areas. Specifically, the Section 32 report for PC43 excluded areas of high risk of natural hazards from intensification. Yet the Draft District Plan still allows high intensity development in these areas.

148. In relation to matter 6 (h) the proposal has excluded areas of high natural hazard risk, including Petone, Eastbourne and Moera, from the spatially defined intensification areas until further work can confirm the appropriate response to these risks..

In 2018 Hutt City Council did a study and publicly stated that Petone could be under water by the end of the century. This was reported in Stuff on 28 November 2018¹.

On 17 August 2022² there were concerns about Petone. The scoop article includes images of flooding on Udy Street in 2016.

An article on the National Radio on 25 February³ 2023 covered research by Professor Jonathan Boston, a Climate Change expert. The article mentions relocating climate prone townships and includes direct reference to Petone.

Greg Hurrell, and insurance expert stated on 22 September 2023⁴ that Petone and other communities can't be protected against climate change. On 14 October 2023⁵, The Post highlighted that Petone property owners will not be able to get insurance soon due to sea level rise.

The National Adaptation Plan⁶ was published in August 2022 and sets out actions to respond to climate change. In the introduction message from James Shaw, he says "care will need to be taken

¹ <https://www.stuff.co.nz/environment/climate-news/108862230/lower-hutt-suburb-could-be-swallowed-up-by-sea-level-rise-in-just-80-years>

² <https://wellington.scoop.co.nz/?p=146707>

³ <https://www.rnz.co.nz/national/programmes/saturday/audio/2018879410/prof-jonathan-boston-how-to-manage-managed-retreat>

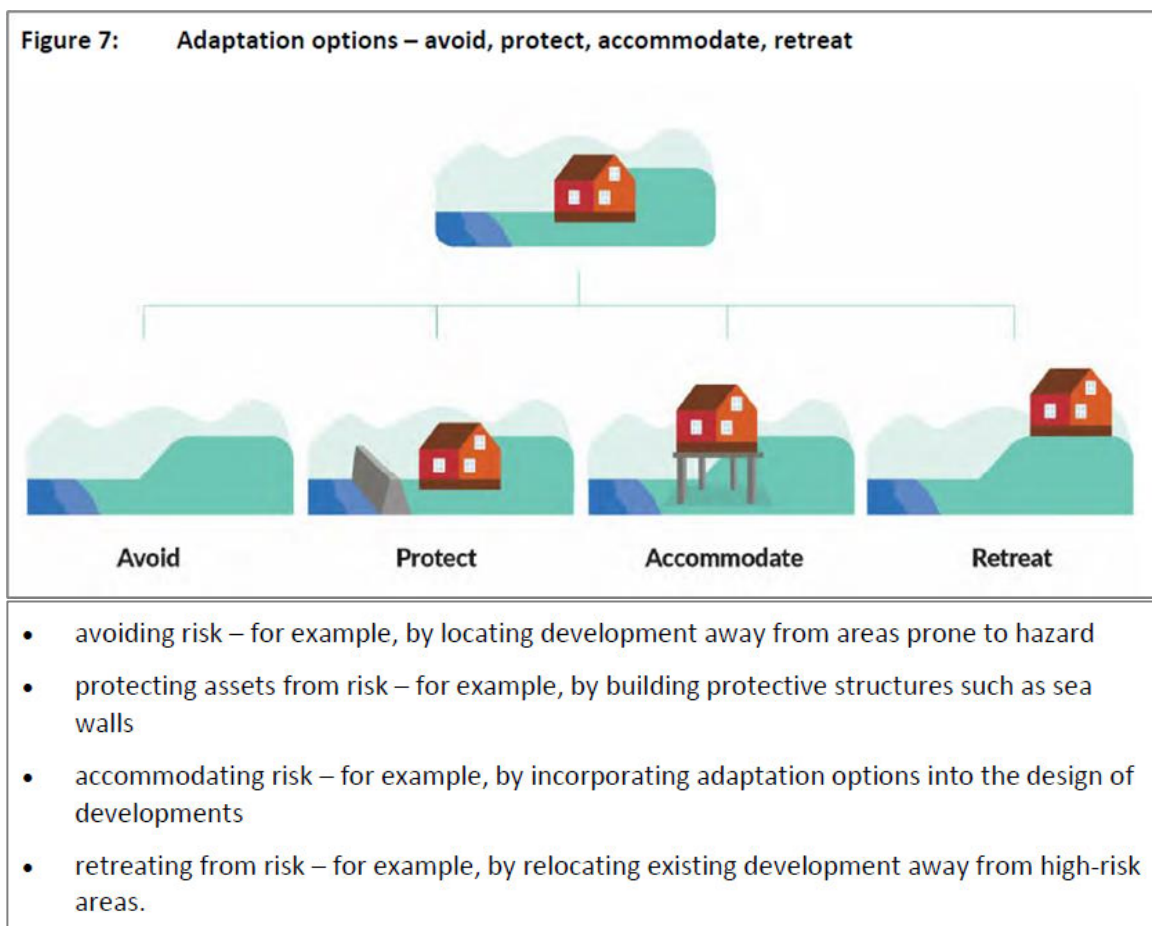
⁴ <https://businessdesk.co.nz/article/infrastructure/petone-and-other-communities-cant-be-protected-against-climate-change-says-insurer>

⁵ <https://www.thepost.co.nz/nz-news/350082200/how-long-will-insurers-stick-petone>

⁶ <https://environment.govt.nz/assets/publications/climate-change/MFE-AoG-20664-GF-National-Adaptation-Plan-2022-WEB.pdf>

to manage development in at risk areas". Many areas in Lower Hutt are at risk and therefore need careful consideration.

Page 79 of the National Adaptation Plan highlights that many communities are already under threat from natural hazards and states that "Councils and communities should consider the full range of adaptation options for areas under threat", including avoid, protect, accommodate, and retreat. These are shown in Figure 7 of the Plan that I have repeated below.



As Petone has been highlighted as a place to retreat, the standards in the Draft District Plan contradicts the National Adaptation Plan.

Separately, the Wellington Regional Emergency Group had the following recovery times for infrastructure after natural disaster in Petone.

- Road access – 90 days to re open
- Electricity - 3 to 6 months for full supply to be reinstated
- Water - 6 months to a year to restore
- Waste water/sewage - more than 2 years to restore

I believe it is irresponsible for a Council to allow intensified development in areas where their own study shows that an area is under risk of a natural hazard, where experts has said should have a managed retreat and a reduction in population, and also in areas that will not be able to get insurance.

I consider that any intensification should NOT be allowed in the high or medium Coastal Inundation Overlay, the fault hazard overlay or the flood hazard overlay.

Will the Council Officers who have developed these rules, and the Councillors who will approve the final Plan Chane accept responsibility in a natural disaster when high intensification causes deaths,

think CCTV building in Christchurch, and flooding, think Cyclone Gabrielle, due to a lack of stormwater run off?

To simplify the hazard overlay areas, the residential land within these overlays should be rezoned to low density residential zone.

Separately I have contacted Chris Bishop, Minister for Infrastructure. He considers that Hutt City is mis-reading the high density legislation requirements and that the walking distances proposed by Council are too high. He also said there should be no intensification within a hazard area.

Three Waters

The Wellington Region needs to spend \$30M to upgrade the water infrastructure⁷, this is without adding more demand on it via housing infill. On 7 December The Post had an article essentially saying the Hutt City can not have any more development unless the water issue is fixed. The district plan, the way it stands, means that significant infill can occur where there is not the infrastructure in place to support it.



I believe that this review of the District plan should be placed on hold until decisions about three waters have been resolved.

High Density Residential Zone

I consider the area for the high density too large as it encompasses most of the Hutt Valley. I oppose this generic wide spread approach and repeat the words that the Mayor said that it reduces the effect of PC46.

There are some conflicting statements in the introduction. The second paragraph includes "*The zone provides opportunities for a variety of medium- and high-density residential development*" but omits the fact that low density housing is provided for, and the majority of the existing housing stock is low density and that it will take generations for the zones to be "medium to high density". In fact, these zones will look "odd" for many years as the zone is so large that redevelopment will be ad-hoc

⁷ <https://www.thepost.co.nz/nz-news/350119768/30-billion-and-rising-fix-wellingtons-water-woes>

and result in predominantly low density (existing) with the occasional intrusive out of place dwelling. Refer to my shading diagrams.

While the Draft Plan states that *“It is anticipated that the appearance of neighbourhoods in the High Density Residential Zone will change over time”*, it will take decades for this to take place due to the ad-hoc nature of the rules and high quality housing already in these zones that will not be removed and replaced.

Paragraph five states: *“Development standards also address: a: the effects of built development on adjoining sites and the streetscape”* I dispute this as the development standards have huge negative impacts on any property to the south. Refer my shading effects diagrams.

Paragraph eight states *“buildings of at least six storeys must be enabled within the walkable catchments of Lower Hutt city centre, Petone metropolitan centre, and the city’s train stations”*. The rules do not say must. Given that at a public meeting, Council has said that the valley floor can’t actually have the foundations required for six stories, question that Council will even consider this. Again, will the Council Officers who have developed these rules, and the Councillors who will approve the final Plan Chane accept responsibility if they allow six story buildings in areas that they know will have foundation issues?

HRZ-P2 should read the same as MRZ-P2 as the high density zone will be predominantly low density housing.

Policy HRZ-P3 totally contradicts the rules as the rules do not allow for *“attractive streets”*, they allow for concrete jungles. They do not allow for *“public open spaces”* either.

Policy HRZ-P4 totally contradicts the rules as the rules to not *“meet the day to day needs of residents”* as the rules totally remove the quality of living or the adjoining neighbours, particularly to the south, and will destroy existing streetscapes due to ad hoc implementation. I fear that all the vegetation in my garden will die due to lack of daylight hours should my northern neighbour redevelop. I grow all my own vegetables, and more and more people I know are doing the same as living costs increase. It is also a good way to reduce your carbon footprint. Vegetable gardens require 6 hours sunlight on them.

Policy HRZ-P5 contradicts the rules as I believe the rules to not *“encourage high-quality developments”*.

Policy HRZ-P7 covers Urban Design Outcomes. However, these policies only cover the site to be developed and do not include the effects of the adjacent properties. The rules do NOT allow adjoining neighbours to *“have private outdoor space with a reasonable level of privacy and sunlight”*. Again, as the zones are so large and Council is relying on private developers, implementation will be ad-hoc and destroy existing neighbourhoods. Again, I refer to my shading effects diagrams. How will adjoining properties have any *“private outdoor space”* with a multi-story tower block adjacent to them? The policy even states that it does not include protection for sunlight access to solar panels. I know people who have single story houses and have invested hugely on solar panels. Who will reimburse them when their investment doesn’t pay off due to an adjacent development?

I disagree with statement “f” in Policy HRZ-P7 as the standards will not *“encourage community interaction”*. I have significant community interaction due to my vegetable garden being in the front and talking to complete strangers while there. My neighbours with a tall fence have no interaction and are inside all day. Friends who live in apartment buildings say they do not know their neighbours. The rules will encourage people to stay indoors, with their heaters on, as they will not have access to outdoor amenities excluding ones in the shade. The rules will not encourage community interaction.

While Statement “h” in Policy HRZ-P7 says *“Vehicle parking ... do not visually or physically dominate public and communal spaces”*, the buildings will, refer to the shading effects diagrams.

Policy HRZ-P8 needs to be re-written: *“Recognise that development that achieves the planned urban environment for the zone may will result in changes significant adverse effects to the type of*

existing residential amenity provided for in the surrounding area". Council Officers need to be honest and state that there will be significant adverse effects from these standards.

If the standard in HRZ-S1 is not met, the activity should be not permitted, rather than discretionary as the standard will already a maximum effect in terms of the matters in the policies and effects on infrastructure.

If the standard in HRZ-S2 is not met, the activity should be not permitted, rather than discretionary as the standard will already a maximum effect in terms of the matters in the policies (particularly point 2 - *dominance, privacy and shading effects on adjoining sites*) and effects on infrastructure.

If the standard in HRZ-S3 is not met, the activity should be not permitted, rather than discretionary as the standard will already a maximum effect in terms of the matters in the policies (particularly point 2 - *dominance, privacy and shading effects on adjoining sites*) and effects on infrastructure.

HRZ-Figure 1 is incorrect and shows the heights for Medium Density. Also, the additional 1m allowance if a roof is has a slope of more than 15 degrees does effect the shading for the adjacent properties in winter. I do not support this additional 1m.

HRZ-S4 needs to be changed to:

Where up to 3 residential units occupy the site:

1. *All buildings shall be contained within a 4m + 60° height in relation to boundary plane on any northern ~~from all~~ side and rear boundaries and within a 2.5m + 45° height in relation to boundary plane on any southern side and rear boundaries as shown in the diagram HRZ-Figure 2.*

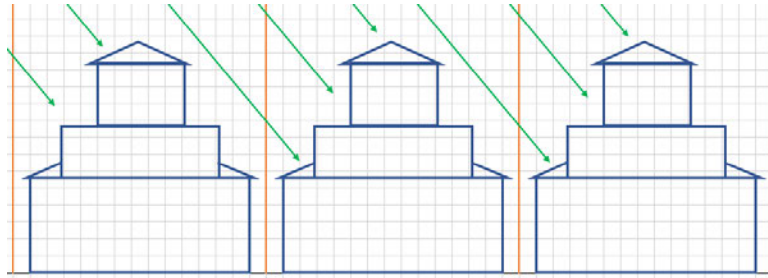
Where 4 or more residential units occupy the site:

1. *For the first 21.5m of a side boundary as measured from the road frontage: Buildings shall be contained within an 8m + 60° height in relation to boundary plane on any northern side and within a 2.5m + 45° height in relation to boundary plane on any southern side and rear boundaries; and*
2. *For all other boundaries: Buildings shall be contained within a 4m + 60° height in relation to boundary plane on any northern ~~from all~~ side and rear boundaries and within a 2.5m + 45° height in relation to boundary plane on any southern side and rear boundaries; or*
3. *For any boundary that adjoins a site in any other residential zone, ~~a site containing a scheduled historic building or structure, or a site containing an area scheduled as waahi tapu or other places and areas of significance to Māori:~~ All buildings shall be contained within a 4m + 60° height in relation to boundary plane on any northern ~~from all~~ side and rear boundaries and within a 2.5m + 45° height in relation to boundary plane on any southern side and rear boundaries.*

HRZ-Figure 2 will need to be adjusted accordingly.

If the standard in HRZ-S4 is not met, the activity should be not permitted, rather than discretionary as the standard will already a maximum effect in terms of the matters in the policies (particularly point 2 - *dominance, privacy and shading effects on adjoining sites*) and effects on infrastructure.

The side yards in HRZ-S5 are meaningless. The building planes are so dominate that effectively there will be completely useless spaces between walls, and these will contribute to the permeable surfaces, yet rain will not be able to soak up in these areas as rain in Lower Hutt falls at an angle due to wind. Fully developed a streetscape may look like this, with 1m spaces between fences and houses. With eaves being able to extend 0.6m into the side yard, the standard will create dark alleyways between houses and contradict the safety and amenity policies. I do not think this "look" meets the policies of the Draft District Plan.



I consider Standard HRZ-S6 to be racist. Why are setbacks for boundaries adjoining a marae different to the setbacks for other areas? This standard should be removed, and the generic setbacks used. As mentioned previously the generic setbacks need to be adjusted so that if they are on the southern side, they should ALL be 2.5m and 45°.

The permeable surface requirements in HRZ-S7 needs to be strengthened. The calculation must not include areas that rain can not get to – such as the side yards (refer above). All stormwater must be able to be disposed of within the site as our underground pipes can not handle additional runoff (refer to the effects of Cyclone Gabrielle in Auckland with the reduction of permeable surface from intensification). Wellington Water standards were updated in December 2021⁸. They now require new houses to be able to store their 1 in 100 year⁹ storm water run of on their property so that it is no more than before the site was developed. This needs to be included as an absolute minimum requirement within Standard HRZ-S7

Many of Lower Hutt's older suburbs have stormwater drains designed using older standards and do not have the capacity for increased development and reduced permeable surfaces. The water engineers I have spoken to all agree that that housing intensity will make stormwater drainage a bigger concern and will increase the likelihood of flooding. After Cyclone Gabrielle, the Environment Minister told Auckland to soften developments and “to prevent large impermeable areas such as driveways, carpads and terraces in new and existing sites”. Hutt City needs to consider this too. Any additional water run off resulting from any development (city wide, all zones) the cost of upgrading our underground services must be met by a developer. Contributions do not go far enough as Council will wait until they get multiple contributions prior to doing the upgrade, and if a storm event happens prior to the upgrade, there will be serious consequences.

The outdoor amenity area required in standard HRZ-S8 does not require any sunlight. The space will not be used if it is in the shade all year around.

Standard HRZ-S9 needs to include storage of wheelie bins both internal to the site and external on rubbish collection days. Multiple wheelie bins are already causing issues adjacent to existing flats and apartment buildings.

HRZ-Figure 3 does not meet the requirements for outdoor lining space in Standard HRZ-S8 that requires 20m². How is point 8 of HRZ-S11 (*Outlook spaces must: a) Be clear and unobstructed by buildings b) Not extend over an outlook space or outdoor living space required by another dwelling*) to be monitored when an adjacent development is constructed? I note that the “outlook space” is only 1m, and as side yards are 1m, this rule therefore is meaningless. Effectively a living area can look into an adjoining wall.

I support HRZ-S13, however if the landscaped area is in shade all year around, the landscaping will not survive.

Medium Density Residential Zone

Many of my comments on High Density Residential Zone needs to be considered for the Medium Density Residential Zone, in particular the building planes.

⁸ <https://www.wellingtonwater.co.nz/assets/Reports-and-Publications/Regional-Standard-RSWS.pdf>

⁹ With climate change, a 1 in 100 year event will occur more frequently than every 100 years

Overlays

The Draft District Plan is difficult to negotiate. In particular the zone maps do not include the overlays and it would be very easy for the Plan to be misinterpreted and people to develop their property without including the additional rules and standards of the overlays.

There also appears to be an inconsistency between the natural hazards, with the table in the introduction to Natural Hazards mentioning Wellington Fault Hazard Overlay, Stream, Wellington Fault Induced subsidence, Overland Flowpath, Slope Hazard Area, Liquefaction Hazard Area and Inundation Area. The maps call these Coastal Inundation Overlays. The maps also refer to "Hazards and Ricks" which differ to the titles used in Part 2 of the Draft District plan.

The rules are difficult to read as they refer to Less Hazard Sensitive Activities, Potentially Hazard Sensitive Activities and Hazard Sensitive Activities, yet NH-R21 allows additions to existing buildings are allowed for all these activities.

Coastal Environment

The area of Petone between the foreshore and Jackson Street has an overlay of Coastal Environment, but the Coastal Inundation overlays are different again. Within the introduction of the Coastal Environment, it mentions Coastal inundation, yet the Coastal inundation overlay is greater than the Coastal Environment Overlay

The objectives mention "High, Very High and Outstanding Coastal natural areas" – but I could not find these in the maps.

What does Objective CE-O3 and CE-O4 actually mean? That subdivisions should be avoided in these areas?

CE-P4 implies that the area between Petone Foreshore and Jackson Street should be covered in sand dunes. Yet much of this is a High Density Residential Zone.

Rule CE-R10 implies that in area covered by the Medium Coastal Hazard Overlay (is this the same as Medium Coastal Inundation Overlay?) additions to buildings to potentially hazard sensitive activities of more than 100m² is not allowed. Does this include a new building, ie a second or third on a site that is permitted as part of the High Density Residential Zone?

Rule CE-R13 implies that in area covered by the Medium Coastal Hazard Overlay (is this the same as Medium Coastal Inundation Overlay?) additions to buildings to hazard sensitive activities of more than 50m² is not allowed (including residential units). Does this include a new building, ie a second or third on a site that is permitted as part of the High Density Residential Zone?

Does Rule CE-R17 allow up to 3 residential buildings (hazard sensitive activity) 100m² each in a medium coastal hazard overlay area if it is in a High Density Residential Zone and the site is 600m²? Or does the rule allow for a single 100m² building only?

Due to these confusions, I consider that separate zones need to be formed in these areas, and potentially the residential land within these overlays should be rezoned to low density residential zone. I believe that this will save a lot of confusion in the future.

Subdivision

Sub-S1 - I consider minimum allotment sizes are needed, or developers will try to subdivide to 150m and place three tiny townhouses on it. You have stated it must be practical – so include a minimum practical size. I recommend 300m². Other District plans include minimum building platforms, such as a 15m diameter circle. Again, this overrides the term "practical" which can be debated in the Environment Court. Some Plans have minimum frontage widths.

Sub -S1 - The zone maps still provide for General and Low Density. There are no provisions for light industrial.

Sub-S2 - Access to a lot is based on the transport Section. Refer my comments in this section, esp the term “driveway” should be “access”. Point 3b, should crossing be vehicle crossing?

Sub-S3 – Does Council code of Practice, or rely solely on NZS4404:2010? You may want to consider reviewing Table 3.2 of NZS4404:2010. Many Councils have as the table is difficult to work with and results in substandard road widths.

Transport

As a transport planner I deal with resource consents and the issues I raise here are issues I have had. I also recommend that the standards are re-ordered with R-S4, S5, S6, S7 and S8 relocated at the front.

There is no mention of vehicles needing to enter and exit a site in a forward direction. You are allowing a car to reverse onto a major road such as the Esplanade, and also down a 20m long driveway.

While NPS-UD does not require minimum carparking spaces, you are still able to have minimum accessible spaces. Recommendation below.

Activity	Minimum number of accessible spaces
Residential	none
Retail	1 space first 250 m ² GFA plus 1 additional space per 1000m ² GFA for remaining area
Medical centre	1 space plus 1 additional space per 5 consulting rooms
Hospital	1 space per 10 employees
Restaurants, places of assembly and sporting facilities	Greater of: 1 space plus 1 space per 40 participants or 1 space first 50 m ² GFA plus 1 additional space per 500m ² GFA for remaining area
Industrial	1 space first 400 m ² GFA plus 1 additional space per 1000m ² GFA for remaining area
Commercial	1 space first 500 m ² GFA plus 1 additional space per 1000m ² GFA for remaining area
Accommodation	1 space for first 5 rooms plus 1 additional space for every 10 rooms

TR-S1 – this is for private pedestrian accesses. While NZS4404:2010 requires 1.5m public footpaths, this may be seen as over the top for private, in particular if it is adjacent to a driveway. This comment also applies to the “legal width”. What happens to the other 300mm? And is “legal width” for a ROW? If this is for “public walk ways” then it should be in the general subdivision area. If there is no driveway, and a pedestrian ROW is provided as there are no carparks (not required under NPS-UD), then access (minimum width 4m) is required to rear properties that are more than 75m from a reticulated water supply (fire hydrant). I do not think the standard is written clearly on this. It is also not clear if pedestrian access must be provided as a ROW if there is no driveway or other access. NZS4404:2010 requires public walkways to have a legal width of 2.5m.

TR-S4. You have added a level of complexity that is not needed by introducing so many vehicle crossings. Level 3 and 4 should be merged, and the sight distances the same. Vehicle crossings should be the same width as a driveway (or ROW). Recommendation below.

Activity	Minimum Width	Maximum Width	Type of Crossing
Residential-(1 to 4 units)	3.5 m	6.0 m	Standard
Residential (5 to 6 units)	5.5 m	6.0 m	Heavy Duty
Non-residential Two way	4.0 m	9.0 m	Heavy Duty
Non-Residential One Way	3.5 m	6.0 m	Heavy Duty

TR-S5 title incorrect as the standard covers the number and the size. Recommend that you alter to include minimum vehicle crossing widths. 9m wide residential vehicle crossing is too wide. Refer above table. This potentially will result in 9 spaces adjacent to a footpath where vehicles will reverse, particularly in the high density areas. Previous plans did not allow this.

Long crossings reduce visual amenity and reduces pedestrian level of service. The Draft District Plan allows continuous off street parking similar to what is shown below (that can not be undertaken in the existing Plan).



TR-S6 – Point 2 is not needed if TR-S5 improved as per above comment. 40% of a total frontage is high. 1m separation will result in small areas of grass berm. Suggest that either require crossings are adjacent to each other, or a separation of 7.5m (a car can park between them). Point 6 – reduce to 900mm.

TR-S7 needs careful consideration. If multiple units are on a site, then two vehicles can meet on the driveway, and more importantly at the location the driveway meets the road (and cause issues and blocking of the road). I assume that these widths apply to ROW also. You want to alter the title to “access widths”. I recommend minimum width of 3m and 5.5m if the driveway serves more than 3 residential units. Industrial sites will need wider driveways as this standard is written with consideration to cars only. Access to a rear carpark for an office block for example also needs consideration. Recommendation below

Zone	No Lots served (See note 1)	Minimum legal width (m) (see note 2)	Minimum driveable width (m) (see note 3)	Formation
Residential (building area 75 m or less from reticulated water supply)	1	3.0	2.5	Sealed
	2 – 3	3.5	3.0	Sealed
	4 +	6.0	5.5	Sealed
Residential (building area greater than 75 m from reticulated water supply)	1 – 3	4.5	4.0	Sealed
	4 +	6.0	5.5	Sealed
Commercial, Industrial, Open Space, Sport	1	4.0	3.5	Sealed
	2 +	6.5	6.0	Sealed

Notes:

- 1 Where front allotments are provided with legal rights over access legs or rights of way that serve rear allotments, then those front allotments shall count as rear Lots for the purpose of calculating the number of allotments served.
- 2 The legal width of access shall include any cut or embankment which is part of the physical formation.
- 3 If the right of way serves more than 3 dwellings, the first 12m from the edge of carriageway of the connecting road must be at least 5.5m wide to enable passing. Passing bays are required for widths less than 5.5m and where the access is longer than 50m. If right of way is not straight, local widening may be required to maintain the vehicle paths and ensure sight visibility.
- 4 Accesses must allow for a minimum height clearance of 4 metres, and be free of obstacles that could hinder access for firefighting and emergency service vehicles. A Firefighting Water Supply is a Council reticulated water supply with fire fighting capability, including hydrants that is able to be directly accessed from the proposed allotment. The building area is defined as the Minimum Building Platform Shape Factor required by Rule 24.3.1.2 if the lot is vacant, or the existing building if the lot is not vacant

TR-S8 – carparks adjacent to a wall for fence need to be 300mm wider than Table 5.

TR-S10 – Point 3b needs to be a 9.2m long rigid truck – this is the standard length of a rubbish truck.

Table 3 – the table should be for “residential” and “non residential” ie non residential sight distance should be 100m for a 50 km area (note that other plans have 80 here). Recommendation below

Legal Speed Limit for Road (km/hr)	Minimum Sight Distance	
	Residential	Non Residential
0-50	45m	80m
51-60	65m	105m
61-70	85m	140m
71-80	115m	175m
81-100	160m	210m

Table 4 – design speed not required. Max gradient covered in NZS2890.1 Recommend that the first 5m of any driveway is sealed to prevent gravel from entering footpath and or road carriageway. You can't set a maximum length of a driveway, rear sections will exceed the 6m, requiring resource consent (I think this is great as high Density sites will still need a consent the way this is written!). Rename “traffic lane” to driveway or access. Passing bay, add the word minimum before 7m. Longer passing bays are satisfactory. Legal width needs space for fences, so 3m too narrow if seal is 3m. Footpaths here are 1.2m, check with TR-S1.

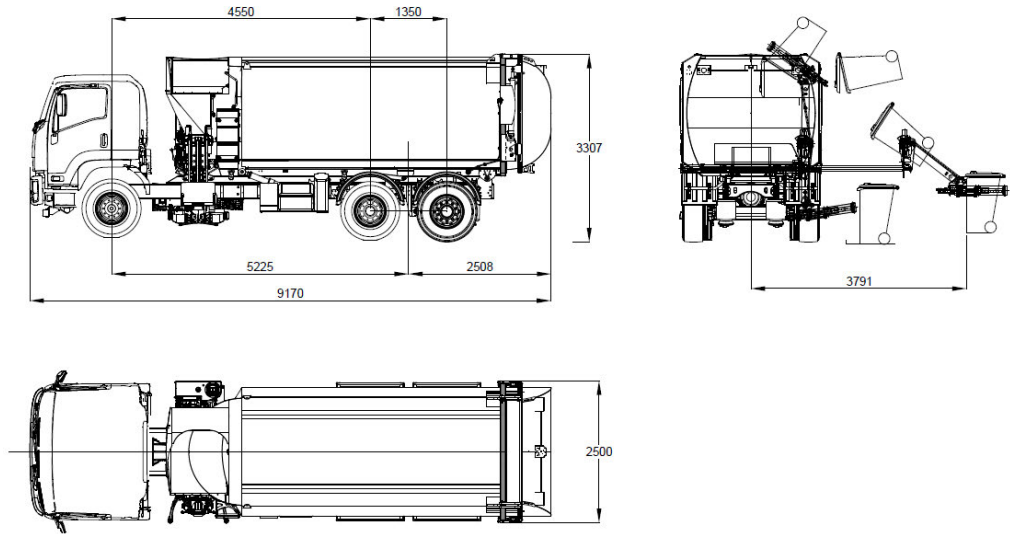
Table 5 – the space between the front of a car and a wheel stop is less than 1m. NZS32890.1 uses 600mm. My research shows that this is 500mm. A wheel stop or kerb greater than 100mm will also effect this on many car models.

	Axle	Overhang		Axle	Overhang	Vertical
	900	530		870	530	120
	870	500		830	500	100
	830	490		900	560	130
	940	580		930	570	130
	850	500		860	530	130

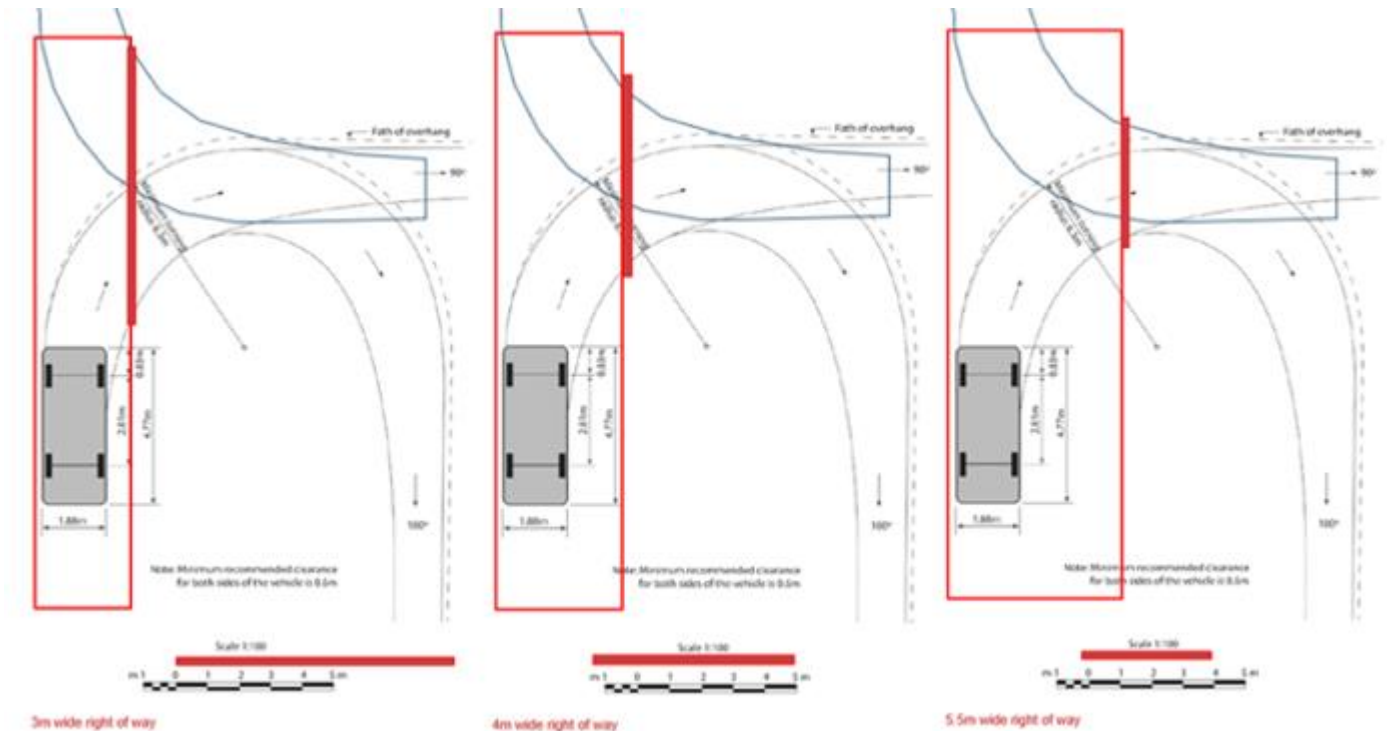
Table 5 second row should say “casual”. Provide options for parallel with less than 3.7m aisle – noting that Table 4 requires 3m only (which needs 6.3m space – refer NZS2890.1

Table 6 – articulated trucks go to supermarkets and large retail such as Harvey Norman.

Table 7 – Rubbish trucks are 9.2m long



Accesses that have properties entering from the side require long areas for these vehicles to manoeuvre. A 3m wide access needs an 8.5m wide crossing. Even a 5.5m wide access needs a 4m wide crossing.



Noise

Many of the lines in the tables are duplicate and the tables could be simplified.

Signs

Sign-R2 – should the “or” be “and”?

Sign-S1 – Should “Commercial Zone” be Local Centre, City Centre, Metropolitan Centre and/or mixed use zone?

I believe the maximum free standing sign in Sign-S1, commercial, is too large (20m²) and should be reduced to at least 10m², preferably less.

I believe that a sign on a building should be no larger than 30% but also restricted to a maximum size, such as 20m².

Sign-S2 for Hospitals needs to allow for directional signs. Alternatively, this needs re-wording, such as Sign-S3 to include “per site frontage”, or similar.

SignS4 – some height restrictions are 8m, therefore the signs should be no more than 8m high. A 10m high freestanding sign is too high anyway, this should be reduced, particularly with the winds in Lower Hutt.

Sign S6- does temporary signs include real estate signs – ie houses for sale on The Esplanade can not have a fore sale sign?

Sign S7 – the time frame should include the whole election period (national elections now open 2 weeks prior to election day) and include the postal periods (Council elections are posted).

Summary

I have severe concerns about the “ad hoc” nature that the Draft District Plan will allow (I also shared these concerns with my submission for PC56). I agree with Council when they reported that the

legislation would reduce the effects of PC43. I believe Council should be reducing the walking distance for High Intensity back to 600m (similar to PC43) and have medium density for areas between 600m and 1.5km from a transport hub or town centre, with the remaining being General, or Low Density.

The hazard overlays are difficult to interpret and the residential areas with a hazard overlay should simply be zoned general or low density.

In the high and medium density areas, I consider that the boundary planes on the southern side should be 2.5m + 45o to protect the adjoining properties sunlight, outdoor amenity and heating costs.

I would like to see the heritage character areas set up in PC56 reinstated into the Draft District Plan, particularly for Petone.

Saritha Shetty

From: [REDACTED]
Sent: Sunday, 3 December 2023 10:16 am
To: District Plan Review Team
Subject: [EXTERNAL] Annabell Gr - Draft district plan
Attachments: Screen Shot 2023-12-03 at 10.00.30 AM.png; Screen Shot 2023-12-03 at 9.59.53 AM.png; Screen Shot 2023-12-03 at 10.10.14 AM.png

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Steve

Hi,

I'm emailing regarding [REDACTED] and surrounding areas.

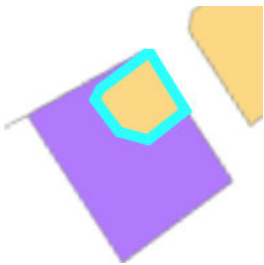
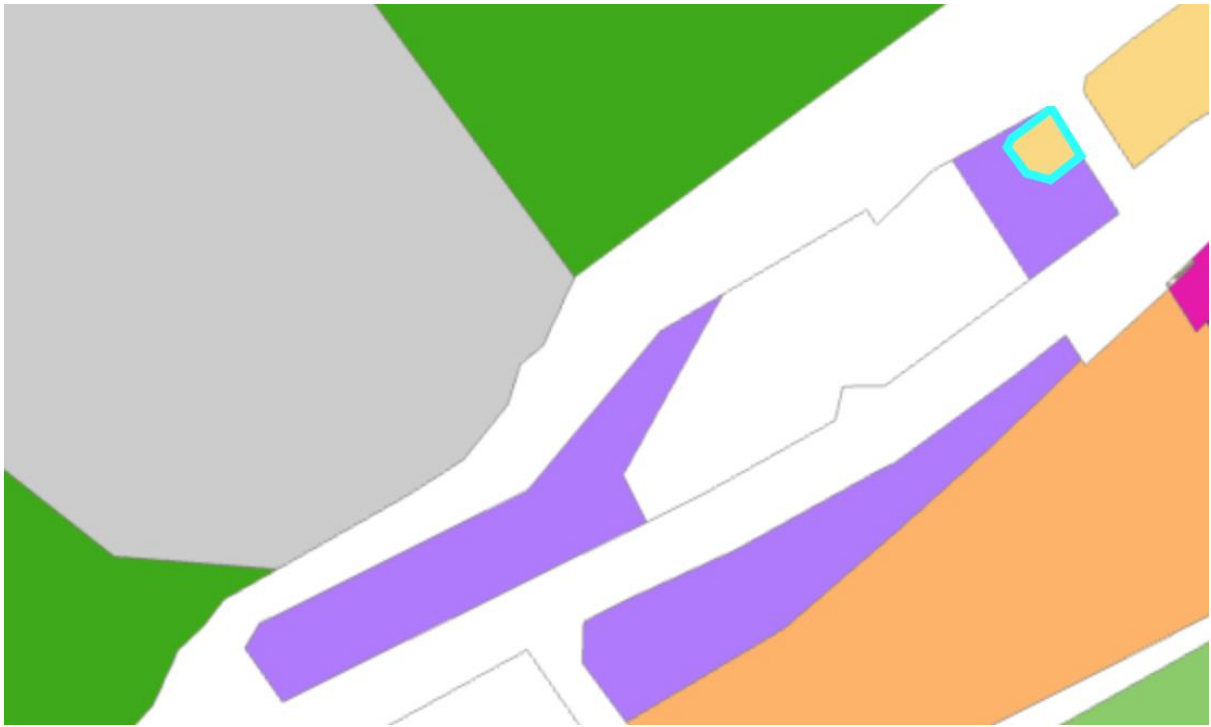
Thank you for updating the zoning of [REDACTED] to residential.

I am unsure why the surround areas are being rezoned to industrial though.
As they are a planting done to deduce road noise.

Please see the images attached.

I look forward to hearing from you.

Thanks,
Kurt





Saritha Shetty

From: [REDACTED]
Sent: Friday, 8 December 2023 8:11 am
To: District Plan Review Team
Subject: Re: [EXTERNAL] Annabell Gr - Draft district plan

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Check if replied, Steve

Hi Stephen,

I was told when I bought the house that they had subdivided this off the property to use if they need to extend the motorway.

Thanks,

On Tue, Dec 5, 2023 at 9:40 AM District Plan Review Team <district.plan@huttcity.govt.nz> wrote:

Hi Kurt,

We'd proposed industrial zoning for the surplus land being sold off by NZTA, the main body of which is on the opposite side of the highway from you. We'll check in with NZTA about exactly what the area is that's surplus and what they're retaining.

Kind regards,

Stephen Davis

District Plan Review Team

Hutt City Council, 30 Laings Road, Lower Hutt
P: 04 570 6666 M: W: www.huttcity.govt.nz



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From: [REDACTED]
Sent: Monday, December 4, 2023 4:43 PM
To: District Plan Review Team <district.plan@huttcity.govt.nz>
Subject: Re: [EXTERNAL] Annabell Gr - Draft district plan

Hi,

Can you let me know why this was rezoned?

When I bought the house I was told this was not going to be used.

Thanks,

On Mon, Dec 4, 2023 at 10:03 AM District Plan Review Team <district.plan@huttcity.govt.nz> wrote:

Hi Kurt,

Thank you for your feedback on the draft district plan, we'll make sure this is included when we summarise feedback for councillors when they make decisions on the plan.

If you've got any other questions or feedback, let me know.

Kind regards,

Stephen Davis

District Plan Review Team

Hutt City Council, 30 Laings Road, Lower Hutt
P: 04 570 6666 M: W: www.huttcity.govt.nz



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From: kurt sarney <kurtsarney@gmail.com>
Sent: Sunday, December 3, 2023 10:16 AM
To: District Plan Review Team <district.plan@huttcity.govt.nz>
Subject: [EXTERNAL] Annabell Gr - Draft district plan

Hi,

I'm emailing regarding [REDACTED] and surrounding areas.

Thank you for updating the zoning [REDACTED] to residential.

I am unsure why the surround areas are being rezoned to industrial though.

As they are a planting done to deduce road noise.

Please see the images attached.

I look forward to hearing from you.

Thanks,



Saritha Shetty

From: Sheena McGuire <Sheena.McGuire@kiwirail.co.nz>
Sent: Thursday, 14 December 2023 9:50 am
To: District Plan Review Team
Cc: Stephen Davis
Subject: [EXTERNAL] KiwiRail comments - Draft Hutt City District Plan
Attachments: KiwiRail feedback - Draft Hutt City District Plan.pdf; LX Sightlines Drawing Approach Rev B.pdf; LX Sightlines Drawing Restart Rev B.pdf; KiwiRail Noise and Vibration s32 w Appendices FINAL.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Steve

Good morning,

Please find attached:

- KiwiRail's comments on Draft Plan
- 2x Level Crossing Sightline Diagrams (high quality for inclusion in Proposed Plan should you accept our comments)
- KiwiRail's Section 32 Report on Noise and Vibration. Please note there is a version 2 of this document to be released in the new year which aligns with the noise and vibration provisions sought. The provisions are consistently being refined through hearings and appeals and we seek to include the latest agreed/tested provisions by key parties (KiwiRail, noise experts, Kāinga Ora etc). In this case the latest provisions have come out of a Waikato Variation 2 Appeal.

We are happy to meet with council officers in the new year to discuss our comments.

Ngā mihi,

Sheena McGuire | Senior RMA Advisor

M: +64 27 227 7780

Bunny Street, Wellington 6011 | PO Box 593, Wellington 6140 New Zealand



www.kiwirail.co.nz

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14 December 2023

Hutt City District Council
Private Bag 31-912
Lower Hutt 5040

By email to: district.plan@huttcity.govt.nz

COMMENTS ON DRAFT HUTT CITY DISTRICT PLAN

NAME OF SUBMITTER	KiwiRail Holdings Limited (KiwiRail)
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KiwiRail feedback on Draft Hutt City District Plan

KiwiRail is the State-Owned Enterprise responsible for the construction, maintenance and operation of New Zealand's rail network. KiwiRail is also a Requiring Authority that holds railway purpose designations in district plans throughout New Zealand.

KiwiRail's national railway network (which comprises of 3,700km of track, over 200 locomotives, 18,100 hectares of land and 1,350 modern and heritage buildings)¹ is a nationally and regionally significant infrastructure asset. The rail network is critical to the safe and efficient movement of freight and passengers throughout New Zealand, and forms an essential part of the national transportation network and the wider supply chain. New Zealanders have invested significantly in the rail network and it is a critical public asset.

Transport modal shifts to more climate-friendly modes of transport, like rail, are critical to reduce carbon emissions. As a result, rail is experiencing a renaissance as evidenced by the significant investment being made to reinvigorate the railway network, demonstrating a strong and continued confidence in rail's current and future potential.

¹ Half Year Annual Report 2022 and Unaudited Financial Statements for the Six Months Ended 31 December 2021 (KiwiRail, 2022) at page 5.



The Wairarapa Line, Melling Branch and Gracefield Branch are all designated rail corridors that extend through Hutt City and are a key part of the KiwiRail network nationally. KiwiRail seeks to protect its ability to operate, maintain and upgrade this line into the future.

To achieve this, KiwiRail encourages land uses near the railway corridor that do not compromise the short or long-term ability to operate a safe and efficient rail network, both day and night. Where sensitive activities are proposed on land near the railway corridors, appropriate controls should be imposed to ensure the long-term safety and amenity of sensitive activities. Associated with that is the risk of objections and complaints leading to restraints on the operation, maintenance and enhancement of the rail corridor. Safety is a key concern for KiwiRail so ensuring sightlines and level crossings are protected is also critical.

KiwiRail is available to meet with the policy team to discuss any elements of the feedback provided in the attachments and to provide any clarification that may assist in decisions on the changes requested.

Attachment A Feedback on Draft Hutt City District Plan

Attachment B Model noise and vibration district plan provisions

Regards,



Sheena McGuire
Senior RMA Advisor
KiwiRail Holdings Limited

Part – Introduction and general provisions

Interpretation Definitions

1. Ancillary transport network infrastructure: This definition lists ‘road or rail furniture’ however, only provides for infrastructure located with the road reserve. KiwiRail seeks amendment to include the rail corridor as follows:

means infrastructure located within the road reserve **and rail corridor** that supports the transport network and includes:
2. Functional need: KiwiRail supports the inclusion of this definition in the Plan.
3. Add new definition for clarity: **High way and Rail way Noise Overlay means the area potentially affected by noise between a rail way corridor boundary or State High way boundary and a distance of 100 m. High way and Rail way Noise Overlay shown on the planning maps identifies areas that have the potential to experience high noise levels from rail and road traffic. New buildings and alterations to habitable rooms in buildings used for sensitive land uses are required to demonstrate that adverse noise effects have been appropriately managed by demonstrating compliance with the standards specified in the Noise Chapter.**
4. Infrastructure: The definition refers to the RMA definition and is supported by KiwiRail, noting clause (g) includes rail.
5. Network utility operator: KiwiRail supports the inclusion of this RMA definition in the Plan.
6. Noise sensitive activity: KiwiRail seeks amendment to the definition of ‘Noise sensitive activity’ to specify retirement accommodation, papakāinga and congregation within any place of worship.
7. Operational need: KiwiRail supports the inclusion of this definition in the Plan.
8. Add new definition: **Rail Vibration Alert Area Overlay means the area potentially affected by vibration between a rail way corridor boundary and a distance of 6 m.**
9. Rail vehicle: KiwiRail supports the inclusion of this definition to match the meaning in the Railways Act 2005. The term is used in an exclusion within the Light Chapter so the definition is helpful for clarification.
10. Reverse sensitivity: This term is used throughout the Plan and KiwiRail seeks inclusion of a definition which recognises that, in the context of rail, activities are more than operation of the railway and the definition also needs to encompass development, upgrading and ongoing maintenance of the rail network including rail yards.

Reverse sensitivity means the potential for the development, upgrading, operation and maintenance of an existing fully established activity to be compromised, constrained or curtailed by the more recent establishment or alteration of another activity which may be sensitive to the actual, potential or perceived environmental effects generated by an existing activity.
11. Specified infrastructure: KiwiRail questions the relevance of this definition as the term does not appear to be used in the Plan. Instead KiwiRail seeks the inclusion of a definition for

'Regionally significant infrastructure' which is used throughout the Plan. KiwiRail seeks that this new definition as follows:

Regionally significant infrastructure includes

- **pipelines for the distribution or transmission of natural or manufactured gas or petroleum**
- **strategic telecommunications facilities, as defined in section 5 of the Telecommunications Act**
- **strategic radio communications facilities, as defined in section 8 of the Radio Communications Act**
- **the national electricity grid, as defined by the Electricity Governance Rules**
- **facilities for the generation and transmission of electricity here it is supplied to the net or , as defined by the Electricity Governance Rules**
- **the local authority water supply net or and water treatment plants**
- **the local authority waste water and storm water net or s, systems and waste water treatment plants**
- **the Strategic Transport Net or , as defined in the Wellington Regional and Transport Strategy 7- 6**
- **interisland ferry Terminal, Wellington City bus terminal and Wellington Railway Station terminus**
- **Wellington International Airport**
- **Masterton Hood Aerodrome**
- **Paraparaumu Airport**
- **Commercial Port Areas within Wellington Harbour and adjacent land used in association with the movement of cargo and passengers and including bulk fuel supply infrastructure, and storage tanks for bulk liquids, and associated wharves.**

12. Transport network: KiwiRail seeks amendment to this definition to include all parts of the rail network as opposed to 'public rail' which isn't defined. The rail network forms a crucial part of the city's transport network, for the movement of both passengers and freight, and there is concern 'public rail' could unintentionally exclude parts of the rail network. KiwiRail seeks amendment to include the rail corridor as follows:

means all public ~~the~~ **the rail net or**, public roads, public pedestrian and cycling facilities, public transport and associated public infrastructure. It includes

- a. train stations;
- b. bus stops;
- c. bus shelters; and
- d. Park and Ride areas.

Part – District- ide matters

Strategic direction

13. KiwiRail supports INF-O1, INF-O2, INF-O3 and INF-O4. These objectives seek to integrate, coordinate, support and protect the safe and efficient operation of infrastructure.

nfrastructure

14. KiwiRail supports the Introduction which outlines that the rail network serves an important function as infrastructure within Hutt City, and infrastructure can be vulnerable to reverse sensitivity effects. KiwiRail considers it appropriate to consider the rail network as both Infrastructure and part of the Transport Network.
15. KiwiRail supports INF-O1, INF-P1 and INF-P2. It is important to recognise the benefits of and provide for infrastructure, including rail infrastructure. This is to be achieved by enabling the transportation of freight, and people; and enabling the safe, resilient, effective and efficient operation, maintenance, repair, upgrade or removal of existing infrastructure.
16. KiwiRail supports INF-O2, INF-P4 and INF-P5. It is important to recognise the functional and operational needs of infrastructure when assessing adverse effects of infrastructure on the environment. It is not always possible to internalise all effects from rail activities and KiwiRail supports policy that considers it is appropriate to remedy or mitigate effects of infrastructure in the case they cannot be avoided.
17. KiwiRail supports INF-O3. The rail network can be vulnerable to adverse effects, including reverse sensitivity effects, when incompatible subdivision, land use and development is located adjacent to an established rail line.
18. KiwiRail seeks amendment to INF-P6. It is important to specify rail infrastructure that is vulnerable to adverse effects from subdivision, land use and development.

Manage the effects on infrastructure from subdivision, land use and development, including by:

1. Avoiding the incompatible establishment of, or changes to, sensitive activities and incompatible buildings and structures within a defined National Grid Yard.
 2. Avoiding the incompatible establishment of, or changes to, sensitive activities and incompatible buildings and structures within a defined Gas Transmission Pipeline Corridor.
 3. **Avoiding the incompatible establishment of, or changes to, noise sensitive activities and incompatible buildings and structures ithin the High ay and Rail ay Noise Overlay.**
 4. Controlling subdivision within a defined National Grid Yard and Gas Transmission Pipeline Corridor.
19. KiwiRail supports INF-O5, INF-P9 and INF-P10. KiwiRail supports the intent to provide for and enable the safe, resilient, effective and efficient operation, maintenance, upgrade and repair of the transport network to meet local, regional and national transport needs.
20. KiwiRail supports policies for new or upgraded infrastructure in overlays, being located within the infrastructure chapter to assist with navigation of relevant provisions. KiwiRail supports consideration of the functional or operational need of infrastructure to be in an overlay as specified in INF-P13 – INF-P18.

21. KiwiRail supports rules INF-R1 and INF-R2 which provide for the operation, maintenance, repair and removal of existing infrastructure as permitted activities subject to standards.
22. KiwiRail supports INF-R5 which provide for new cabinets and new infrastructure within existing buildings or located on existing bridges or structures across streams as permitted activities, subject to standards.
23. KiwiRail supports INF-R9 which provides for new vehicle access tracks and extensions to existing tracks as a permitted activity subject to standards.
24. KiwiRail supports INF-R10 which provides for new underground infrastructure as a permitted activity subject to standards.
25. KiwiRail supports INF-R16 which provides for temporary infrastructure and electricity generators as a permitted activity.
26. KiwiRail supports INF-R21, INF-R22 and INF-R23 which provides for ancillary transport network infrastructure, upgrading existing and new transport network infrastructure as permitted activities.
27. KiwiRail generally supports standards INF-S1, INF-S2, INF-S8 in relation to location, height, size of infrastructure, and earthworks in INF-S11, INF-S12 and INF-S13. KiwiRail generally supports INF-S15 in relation to removal of indigenous vegetation.

Transport

28. KiwiRail supports TR-O1 and TR-O2. It is important to protect and recognise the importance of a safe, efficient and effective transport network.
29. KiwiRail generally supports TR-P2 and TR-P3 to enable site access that provides for and protects the safe, efficient use of the site and functioning of the transport network.
30. KiwiRail supports TR-P8 to manage the effects of vehicle crossings by controlling the number and design of vehicle crossings.
31. KiwiRail supports TR-R2 for new vehicle crossings requiring compliance with TR-S6 in all zones. TR-S6 requires new vehicle crossings to be setback more than 30m from the railway. KiwiRail seeks the **inclusion of an additional clause to avoid any ne at-grade level crossings.**
32. KiwiRail seeks the inclusion of a new policy, rule and standard which protect sightlines at level crossings. This is critical for safety where roads intersect the rail corridor. KiwiRail seeks the following new policy, rule and standard:

TR-P

Ensure the safe and efficient operation of the rail net or by

- a. **protecting sight lines at rail level crossings by managing ad acent land use and development**
- b. **controlling ne or increased use of vehicle access to sites ad acent to level crossing and**
- c. **avoiding ne at-grade level crossings.**

TR-R5 Sight lines at railway level crossings

All zones

Activity status Permitted

here

Compliance is achieved with TR-S .

Activity status here compliance is not achieved

Restricted Discretionary

Matters of discretion are

. The potential for adverse effects on the safety and efficiency of the rail network .

. Applications under this rule must provide, in addition to the standard information requirements, evidence of engagement with Ki iRail.

TR-S Sight triangles at railway level crossings

Restart sight triangles at level crossings

On sites adjacent to all rail level crossings, no building, structure, planting or visual obstruction shall be located within the shaded areas shown in figure . These are defined by a sight triangle taken 5 metres from the outside rail and distance A along the railway track . Distance A depends on the type of control Table .

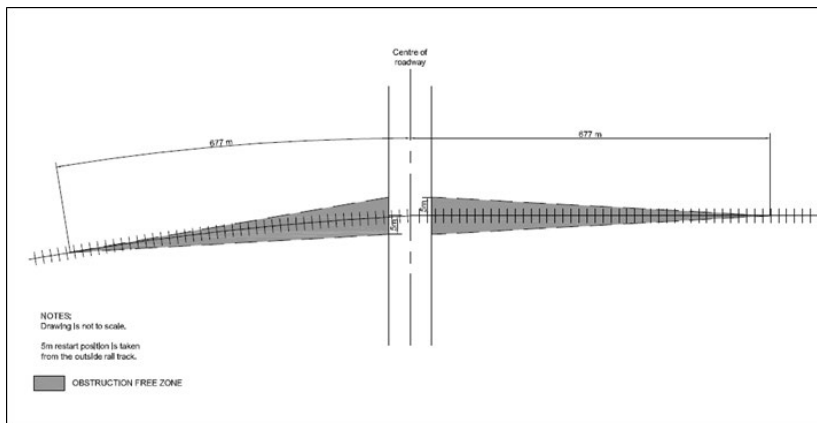


Figure Restart Sight Triangles for all level Crossings

Table Required Restart Sight Distances for Figure

<u>Required approach visibility along tracks A m</u>		
<u>Signs only</u>	<u>Alarms only</u>	<u>Alarms and barriers</u>
<u>677m</u>	<u>677m</u>	<u>6 m</u>

Advice Note

The restart sight line triangles ensure that a road vehicle driver stopped at a level crossing can see far enough along the railway to be able to start off, cross and clear the level crossing safely before the arrival of any previously unseen train.

Of particular concern are developments that include shelter belts, tree planting, or a series of building extensions. These conditions apply irrespective of whether any visual obstructions already exist.

Approach sight triangles at level crossings with Give way signs

On sites adjacent to rail level crossings controlled by Give Way Signs, no building, structure, planting or other visual obstruction shall be located within the shaded areas shown in figure .

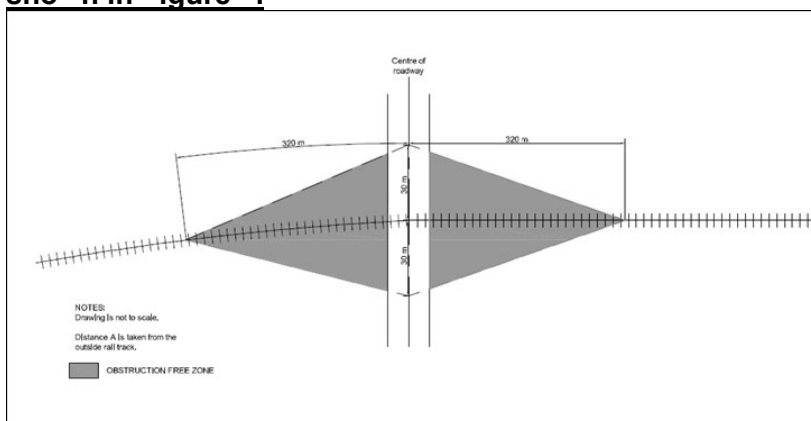


Figure 2: Approach Sight Triangles for Level Crossings with “Give Way” Signs

Advice Note

The approach sight triangles ensure that clear visibility is achieved around rail level crossings with Give Way signs so that a driver approaching a rail level can either

- **See a train and stop before the crossing or**
- **Continue at the approach speed and cross the level crossing safely.**

Of particular concern are developments that include shelter belts, tree planting, or a series of building extensions. These conditions apply irrespective of whether any visual obstructions already exist.

No approach sight triangles apply for level crossings fitted with alarms and or barrier arms. However, care should be taken to avoid developments that have the potential to obscure visibility of these alarm masts.

This is particularly important where there is a curve in the road on the approach to the level crossing, or where the property boundary is close to the edge of the road surface and there is the potential for vegetation growth.

Subdivision

33. KiwiRail supports SUB-P3 to provide for subdivision that maintains the safe and efficient functioning of the transport network.

Noise

34. KiwiRail supports NOISE-O2 and NOISE-P3 which seek to avoid reverse sensitivity effects from new noise sensitive activities and require sound insulation near the rail network.
35. KiwiRail supports Rule exemption clause d.
36. KiwiRail generally supports the intent of NOISE-R6, NOISE-S5, NOISE-APP5 and the Highway and Railway Noise Overlay. KiwiRail supports the consenting pathways including the option to demonstrate compliance with the construction schedule. However, we seek amendment to align with our model provisions, as tested and refined in recent Waikato Proposed Variation 3 Appeal decision. These provisions seek to protect rail operations and the amenity of noise sensitive activities in proximity to the rail corridor.

37. KiwiRail firstly seek amendment to the Highway and Railway Noise Overlay to increase the extent of this overlay to up to 100m from the railway corridor as opposed to the proposed 40m. Noise effects from rail operations are felt up to 100m from the corridor and KiwiRail seeks to ensure new or altered noise sensitive activities have adequate protection from established rail operations.
38. The rail network is a 24 hour a day, seven day a week operation, and the frequency, length and weight of trains can change without community consultation. Noise can have an impact on the internal amenity of a building. Appropriate mitigation, installed to ensure that the health and wellbeing of those living and working near to the rail network are not adversely affected, is pivotal to ensure that undue restrictions are not placed on the operation of the rail network.
39. KiwiRail seeks the inclusion of new matters of discretion and a new standard which sets out the level of mitigation required to be achieved to ensure an appropriate level of internal amenity in buildings for sensitive activities. This is most effectively achieved at the time of construction. The further removed from the rail corridor a building is, the less additional mitigation may be required. The noise level proposed is in accordance with the World Health Organisation standards, with an adjustment reflecting that trains are intermittent and that often there is a degree of community acceptance of train noise.
40. Where the permitted standards are not complied with, consent is required as a restricted discretionary activity which is consistent with the Draft Plan.
41. KiwiRail has had an informal discussion on the proposed noise provisions with NZTA. KiwiRail and NZTA are both transport infrastructure agencies who seek to protect the safe and efficient operation of their respective transport networks, and the amenity of those who reside and work within proximity to transport corridors. KiwiRail and NZTA welcome the opportunity to meet with Council Officers to discuss the draft provisions prior to notification of the Proposed Plan.
42. I have provided our model rule and standard to appropriately manage noise sensitive activities within 100m of the rail corridor which is attached as Appendix B. KiwiRail's Section 32 Report on Noise and Vibration has also been provided to support these provisions.

Part 3 – Area specific Matters

All zones adjoining the rail corridor

43. The rail corridor adjoins several zones within Hutt City. There is a variation of building setback requirements in the draft plan however, no setbacks relate specifically to the rail corridor.
44. KiwiRail seek a "no-build" setback within 5m of the railway corridor for new buildings or structures on sites adjoining the railway corridor where there is a yard setback of less than 5m. This is to ensure that people can use and maintain their land and buildings safely without needing to extend out into the railway corridor, minimising the risks of physical interference on railway operations and health and safety hazards on these residents.
45. It is critical that the Plan provides for adequate management of the interface between urban development and lawfully established, critical infrastructure, such as the railway network. This is necessary to ensure our communities are built in healthy living environments, and the rail network can operate and develop in the future without constraint. An integrated and proactive approach to planning is critical to support the overall vision of our urban environments, and to ensure that our transport network can support the increasing growth and housing intensification.
46. KiwiRail is concerned that without appropriate setback requirements, the risk of adverse health and safety effects impacting people locating in proximity to the rail corridor will be elevated.
47. KiwiRail seeks that a 5m building setback from the rail boundary be introduced in all zones that adjoin the corridor where there is a yard setback of less than 5m applying to the rail corridor as follows:

SX Setback from rail corridor

Buildings and structures must not be located within a 5m setback from a boundary with a rail corridor.

Activity status where compliance not achieved: Restricted Discretionary

Matter of discretion

1. ***The safe and efficient operation of the rail network.***
2. ***Compatibility with the surrounding environment.***
3. ***The reason for the reduced setback.***

APPEND B Model noise and vibration district plan provisions

1. Increase the extent of the Highway and Railway Noise Overlay on planning maps to extend up to 100m from the rail corridor boundary.
2. Insert a new paragraph in the Noise Chapter Introduction as follows and add new overlay to planning maps to extend 60m from rail corridor boundary.

Introduction text addition:

A Rail Vibration Alert Overlay has been applied which identifies the vibration-sensitive area within 6 metres each side of the railway designation boundary as properties within this area may experience rail vibration effects. No specific district plan provisions apply in relation to vibration controls as a result of this Rail Vibration Alert Area. The Rail Vibration Alert Overlay is to advise property owners of the potential vibration effects but leaves it to the site owner to determine an appropriate response.

3. Insert amended rule and standard as follows:

NOISE-R6: Noise sensitive activities in the Highway and Railway Noise Overlay	
<p>Activity Status: Permitted</p> <p>Where:</p> <p>a. Compliance is achieved with NOISE-S5</p>	<p>Activity Status: Restricted discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with NOISE-R6-1</p> <p><u>Matters of discretion are</u></p> <ul style="list-style-type: none"> 1. <u>Adverse effects on health and amenity of people indoors within the 'Railway Noise Overlay.</u> 2. <u>Alternative options for building design or location that could achieve compliance with the standards in Table-S5.</u> 3. <u>Adverse effects on the continuing operation of the railway corridor as a result of non-compliance with the standards in Table-S5.</u> 4. <u>The reverse sensitivity effects on the rail network, including the extent to which the activity will unduly constrain the ongoing operation, maintenance and upgrade of the rail network.</u> 5. <u>Any natural or built features of the site or surrounding area that will mitigate noise effects.</u> 6. <u>The outcome of any consultation with KiwiRail.</u>

NO SE-S5 Acoustic treatment for noise sensitive activities in the High way and Railway Noise Overlay

Indoor railway noise

- . Any new building, or alteration to an existing building, that contains an activity sensitive to noise where the building or alteration is
 - a. designed, constructed and maintained to achieve indoor design noise levels resulting from the railway not exceeding the maximum values in in Table-S5; or
 - b. at least 5 metres from any railway net or and is designed so that a noise barrier completely blocks line-of-sight from all parts of doors and windows to all points 3.8 metres above railway tracks or
 - c. is a single-storey framed residential building with habitable rooms designed, constructed and maintained in accordance with the construction schedule in NO SE-APP5.

Matters of discretion are

- . Adverse effects on health and amenity of people indoors within the 'Railway Noise Overlay'.
- . Alternative options for building design or location that could achieve compliance with the standards in Table-S5.
- 3. Adverse effects on the continuing operation of the railway corridor as a result of non-compliance with the standards in Table-S5.
- 4. The reverse sensitivity effects on the rail net or , including the extent to which the activity will unduly constrain the ongoing operation, maintenance and upgrade of the rail net or .
- 5. Any natural or built features of the site or surrounding area that will mitigate noise effects.
- 6. The outcome of any consultation with KiwiRail.

Table-S5

<u>Building type</u>	<u>Occupancy activity</u>	<u>Maximum railway noise level (A_{eq})</u>
<u>Residential</u>	<u>Sleeping spaces</u>	<u>35 dB</u>
	<u>All other habitable rooms</u>	<u>4 dB</u>
<u>Education</u>	<u>Lecture rooms, theatres, music studios, assembly halls</u>	<u>35 dB</u>
	<u>Teaching areas, conference rooms, drama studios,</u>	<u>4 dB</u>

level must be measured after the system has cooled the rooms to the temperatures in ii , or after a period of 3 minutes from the commencement of cooling whichever is the lesser .

- b. Alternatively, in lieu of section a. above, a design verified by a suitably qualified and experienced HVAC expert stating the design proposed will provide ventilation and internal space temperature controls to meet or exceed the outcomes described in parts a.
- c. A commissioning report must be submitted to the Council prior to occupation of the building demonstrating compliance with all of the mechanical ventilation system performance requirements in .

Design report

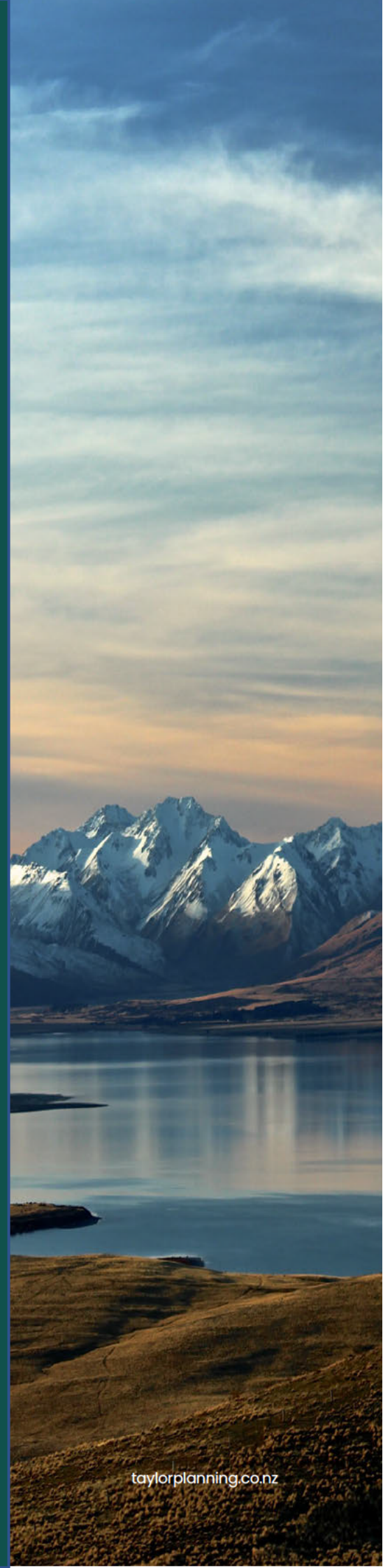
- 3. A report is submitted to the council demonstrating compliance with clauses to above as relevant prior to the construction or alteration of any building containing an activity sensitive to noise. Compliance with a and c must be confirmed by a Registered Acoustician and when doing so railway noise must be assumed to be 7 Aeq h at a distance of metres from the track, and must be deemed to reduce at a rate of 3 dB per doubling of distance up to 4 metres and 6 dB per doubling of distance beyond 4 metres.

KiwiRail Holdings Limited

Standard Railway Noise and Vibration
Reverse Sensitivity Provisions and
Section 32 Report

16 August 2023

Report Authors: Louise Taylor and Lisa Thorne



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KiwiRail Holdings Limited Section 32 Analysis of Rail Noise and Vibration Provisions

1. Introduction

KiwiRail Holdings Limited (**KiwiRail**) is the State-Owned Enterprise responsible for the construction, maintenance and operation of New Zealand's rail network. The rail network is critical to the safe and efficient movement of freight and passengers throughout New Zealand, and forms an essential part of the national transportation network and the wider supply chain.

KiwiRail is a network utility operator, and the Requiring Authority for railways throughout New Zealand. KiwiRail's rail network operates over 3500km of rail network and infrastructure, used by more than 900 freight trains every week, operating between Whangarei and Bluff. The rail network is utilised to carry imported and exported goods from New Zealand ports, timber and forestry products, bulk good such as dairy products and steel, domestic goods between cities, and domestic passengers, and demand for this service is expected to continue to grow. Passenger rail is also a growing source of traffic for the rail network. While passenger rail volumes are currently only located in New Zealand's main cities, expansion of passenger rail inter-regionally is a growing focus of national transport strategy.

This mix of freight and passenger rail traffic is critical to New Zealand's decarbonisation and public transport goals currently and into the future. For this reason, the rail network is recognised as nationally significant, and is often classified as regionally and/or nationally significant infrastructure in District Plans.

This report has been prepared in accordance with the requirements of s32 and Schedule 1 of the Resource Management Act 1991 (**Act**). It assesses and supports the inclusion of District Plan land use provisions to appropriately manage noise and vibration effects on sensitive activities in the vicinity of the rail network. In some cases, the provisions may require amendment to reflect the structure and style of the District Plan drafting (for example, utilising existing definitions, objectives or policies relating to the transport network or Activities Sensitive to Noise).

1.1 Value of Rail

The rail network is a significant contributor to the movement of freight within New Zealand, carrying 16% of total national freight, 25% of exports, and 18 million tonnes of freight every year. The 2021 Value of Rail in New Zealand report¹ found that the total value of rail in New Zealand was estimated to be between \$1.70 billion – \$2.14 billion each year, from:

- reduced greenhouse gas emissions and air pollution, by reducing 2.5 million tonnes of CO₂ emissions each year;
- time savings and reduced congestion; reducing cars and trucks on road, avoiding 26 million car trips a year in Auckland and Wellington alone, and removing 24,000 trucks from the road;
- improved road safety, including fewer injuries and fatalities, with 288 fewer injuries and fatalities each year; and
- lower road maintenance costs for taxpayers and greater fuel savings, saving between \$310–\$329 million each year.

Rail is an energy efficient mode of transport, and generates 70% fewer emissions than heavy road freight transport. KiwiRail is a leader in low emissions freight transport, supporting the national transition to net zero carbon by 2050. To achieve this, KiwiRail's Sustainability Strategy 2022–2025 contains specific carbon emission reduction objectives. With New Zealand's freight market projected to grow by 30% by 2030, rail will play an increasing part in handling the increase, providing greater resilience to the transport network, and reducing carbon emissions.

Acknowledging the benefits of rail (as outlined briefly above) and the role rail will play in decarbonising the freight network, the New Zealand Government has, to an extent not seen in a generation, chosen to fund, via the National Land Transport Fund, rail infrastructure, to ensure rail can scale effectively and efficiently to the needs of passengers and freight. Investment in rail (including new and improved infrastructure and rolling stock – locomotives, wagons and carriages) since 2019 now exceeds \$8b.

Given the nationally significant benefits and savings to the New Zealand economy, the greenhouse gas emission reductions, and air pollution reductions associated with rail freight, the adverse effects of failing to protect the rail network from reverse sensitivity are significant. At a national

¹ Ernst and Young, The Value of Rail in New Zealand, Report for the Ministry of Transport, February 2021

scale, for illustrative purposes, every 1% reduction in rail traffic caused by reverse sensitivity may equate to costs in the range of approximately \$17 to \$21 million per annum.

1.2 Proposed Provisions

KiwiRail proposes to introduce a suite of provisions to the District Plan to appropriately protect the railway network from reverse sensitivity by avoiding and mitigating adverse health and amenity effects associated with railway noise and vibration where sensitive uses locate in proximity to the railway corridor². As outlined in further detail below, similar provisions are already included in numerous operative plans throughout New Zealand.

These proposed provisions are provided in full in **Appendix 1** and are summarised below:

- Insert a new objective and two policies providing for the importance of the rail network and the potential for reverse sensitivity effects when activities sensitive to noise are in close proximity; [if needed, depending on nature of plan change or proposed district plan, including any existing policies which are in place regarding management of reverse sensitivity or activities sensitive to noise near infrastructure / industry]
- Insert a new definition for 'Activity Sensitive to Noise' In the Definitions Section (if required);
- Insert new vibration alert layer to District Plan maps;
- Insert new 100m rail corridor buffer to District Plan maps (called "Rail Noise Control and Vibration Alert Area") to which the rules below will apply:
- Insert new rules and standards for noise and vibration in the vicinity of the railway corridor:
 - Railway noise standards for Activities Sensitive to Noise within 100m of a rail network boundary (i.e. within the Rail Noise Control and Vibration Alert Area); and
 - Construction design standards for indoor noise control for Activities Sensitive to Noise within 100m of a rail network boundary (i.e. within the Rail Noise Control and Vibration Alert Area).
- Require resource consent for a Restricted Discretionary Activity where these standards are not met. Provide matters of discretion by which resource consent applications will be assessed against.

² "Railway Corridor" means the area captured within the KiwiRail designation.

- Include an advice note that applies within the Rail Noise Control and Vibration Alert Area, and which alerts the plan user that activities within this Area may be subject to vibration effects from rail activities. No standards or other rules apply in relation to vibration.

1.2 Supporting Information and Assessment

The development of these provisions and the assessment in this Section 32 Report is informed by:

- an expert Noise and Vibration Memorandum by Stephen Chiles, dated July 2023, and attached as **Appendix 2**; and
- an expert Economic Assessment of Options to Manage Rail Noise and Vibration Effects (Economic Assessment) by Insight Economics, dated July 2023, and attached as **Appendix 3**.

The Noise and Vibration Memorandum characterises the noise and vibration associated with the operation of the rail network, and analyses the adverse health effects associated with rail noise and vibration both internationally and in New Zealand. It includes an assessment of appropriate levels for exposure to railway sound and vibration in the New Zealand context to avoid or mitigate sensitivity to rail noise and vibration in proximity to the KiwiRail network. This has informed the preparation and analysis of the proposed provisions, and particularly the appropriateness of the proposed Rail Noise Control and Vibration Alert Area and associated setbacks, acoustic standards, and the consideration of vibration standards.

The Economic Assessment analyses the economic costs and benefits associated with the proposed provisions against a 'do nothing approach', and KiwiRail proposed provisions approach (being option G in this report), and a 100m setback approach (being Option E in this report). This includes the economic costs and benefits of health and amenity effects, building design/location, policy implementation, administration and compliance, opportunity costs of potentially forgoing noise sensitive development, and compromised rail operation and efficiency as a result of reverse sensitivity. The Economic Assessment quantifies an estimate of the net costs and benefits per kilometre of track, which confirms that the preferred option has the highest net economic benefit of the three options assessed.

1.3 Requirements of Section 32 of the Act

This report provides an evaluation of the proposed objective and options to achieve the objectives in accordance with section 32 of the Act. Under the Act, a section 32 evaluation must:

- Examine whether the proposed objectives of the proposal are the most appropriate way to achieve the purpose of the Act (s32(1)(a));

- Examine whether the proposed provisions are the most appropriate way to achieve the objectives by identifying other reasonably practicable options, assessing the efficiency and effectiveness of options and summarising the reasons for deciding on provisions (s32(1)(b));
- Relative to considering the efficiency and effectiveness of the provisions in achieving the objective, include an assessment of the benefits and costs of the effects anticipated from implementing the provisions (s32(2));
- Contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from implementing the proposal (s32(1)(c)); and
- Where amendments are sought to a plan change that is already proposed or a plan which already exists, evaluate the proposal against both the objectives of the proposal and the objectives of the existing plan or plan change (s32(3)). As this assessment applies to District Plans generally, additional evidence is likely to be required in terms of s32(3) for specific plans or plan changes.

Each of these matters is assessed in this report (other than s32(3)), and on that basis the proposed provisions are considered the most appropriate way to achieve the sustainable management purpose of the Act.

2. Resource Management Issue

2.1 Operational Rail Noise

Railway noise levels are dependent on the type and condition of train and traffic volumes, speeds, track geometry and condition, and terrain and other factors. When considering railway noise levels the assumed railway traffic volumes are also important. With full geospatial details and information on railway activity, various standard acoustics computer modelling packages can be used to predict railway noise levels, depending on the situation. However, there is currently no standardised approach to this modelling for railway sound in New Zealand, nor consistent use of a particular method.

In 2009 KiwiRail commissioned Marshall Day Acoustics to provide a recommended method for the prediction and control of rail noise. The recommendations of Marshall Day Acoustics have provided the basis for the methods developed and considered in this report. This is assessed and explained in greater detail in the Noise and Vibration Memorandum provided at Appendix 2 to this report.

The method proposed by Marshall Day Acoustics, and outlined in detail in the Noise and Vibration Memorandum uses a 1 hour averaging method, to appropriately capture the noise maximums likely from the rail network. Specifically, it utilises the following assumed noise levels from rail activities at certain distances:

The following provides an illustration of typical railway sound levels based on an assumption of approximately two freight train movements in a one-hour period, in a flat area without screening. This is based on data summarised by Marshall Day Acoustics. More recent (unpublished) measurements for various New Zealand train types confirm these sound levels are in a realistic range.

Distance from track	Sound level
10 metres	71 dB L _{Aeq} (1h)
20 metres	68 dB L _{Aeq} (1h)
30 metres	66 dB L _{Aeq} (1h)
40 metres	64 dB L _{Aeq} (1h)
50 metres	62 dB L _{Aeq} (1h)
60 metres	60 dB L _{Aeq} (1h)
70 metres	59 dB L _{Aeq} (1h)
80 metres	58 dB L _{Aeq} (1h)
90 metres	56 dB L _{Aeq} (1h)
100 metres	56 dB L _{Aeq} (1h)

Table 1: Typical rail sound levels (Noise and Vibration Memorandum)

The Noise and Vibration Memorandum sets out that internal sound levels with windows ajar for ventilation will typically be around 15 dB less than the above external levels.

2.2 Reverse Sensitivity

Reverse sensitivity is the susceptibility of lawfully established effects-generating activities (which cannot internalise all of their effects) to complaints or objections arising from the location of new sensitive activities nearby those lawfully established activities.

In the context of the railway corridor, this can adversely affect the 3500km of rail network throughout New Zealand, where activities that are sensitive to noise and vibration establish in close proximity to the rail corridor without suitable mitigation. The rail corridor is existing, fixed in place, and actively used for rail services (freight and/or passenger).

Without appropriate land use controls in place to manage health and amenity effects and the resulting reverse sensitivity effects associated with new or altered land uses in the vicinity of the railway corridor, sensitive activities can be adversely affected by rail noise and vibration, and this has adverse reverse sensitivity effects on the efficient operation of the rail network.

The rail network is usually identified as “regionally significant infrastructure” or similar definition in District Plans, which makes clear its importance to the District, Region and in some cases Country in terms of transportation of freight, passengers and associated resilience.

The Economic Assessment quantifies the net benefits and costs on rail operations under a ‘do nothing’ scenario (being Option A in this report). The net costs related to impacts on rail operation are estimated as \$97,000 per kilometre of track. Conversely, the Economic Assessment confirms

there will be 0\$ net costs to rail operation resulting from the proposed provisions.

2.3 Health Effects of Rail Noise

Where noise effects from the railway corridor are not appropriately managed by land use controls, health and amenity effects can arise for Activities Sensitive to Noise located on land near the railway network throughout New Zealand.

It is widely accepted nationally and internationally that sound and vibration from rail networks have the potential to cause adverse health effects on people living nearby. This has been documented by authoritative bodies such as the World Health Organisation³ (**WHO**), including a publication by WHO Europe in October 2018 (**2018 WHO Guidelines**), which set out guidelines for managing environmental noise⁴. These WHO publications are underpinned by robust scientific research.

The 2018 WHO Guidelines are based on a critical review of academic literature and followed a rigorous protocol to determine the quality of evidence of adverse effects. With respect to noise from rail networks, the 2018 WHO Guidelines note the following adverse effects: ischaemic heart disease, hypertension, high annoyance and sleep disturbance. Based on the evidence of adverse effects, WHO makes recommendations to policymakers to reduce rail noise exposure to below a range of guideline values.

The Noise and Vibration Memorandum provides an analysis of the WHO Guidelines and applicability of those guidelines to New Zealand. Research published in 2019⁵ specifically addresses the applicability of international data on noise annoyance to New Zealand. For rail noise, this research was based on a survey of 244 people living in the vicinity of the North Island Main Trunk in South Auckland, including the section through Drury. The survey was based on the questions and methods set out in the international technical specification ISO/TS 15666⁶, which is the same approach used in most international studies. The research found that international noise response curves are generally applicable to the New Zealand context, although potentially New Zealanders may be slightly more noise sensitive.

³ World Health Organisation, Guidelines for community noise, 1999; World Health Organisation, Burden of disease from environmental noise, 2011.

⁴ World Health Organisation, Environmental noise guidelines for the European region, 2018.

⁵ Humpheson D. and Wareing R., 2019. Evidential basis for community response to land transport noise, Waka Kotahi Research Report 656. <https://nzta.govt.nz/resources/research/reports/656/>

⁶ International Standards Organisation ISO/TS 15666:2003 Acoustics – assessment of noise annoyance by means of social and socio-acoustic surveys.

Although there is current New Zealand and international research that may further refine the understanding of health effects associated with exposure to railway noise, the memorandum sets out that the existing 2018 WHO Guidelines already establishes there are adverse health effects that warrant intervention.

KiwiRail employs various other mechanisms to reduce rail noise and vibration from the railway corridor. These include the installation of ballast mat, rail grinding and tamping, ballast cleaning and replacement, and automated monitoring of rolling stock wheel condition. In terms of track condition, KiwiRail has comprehensive procedures including measurement of track condition/ geometry with a specialist survey vehicle several times a year, and maintenance systems acting on that data.

As explained by Dr Chiles in the Noise and Vibration Memorandum, noise attenuation walls are rarely available for mitigation purposes as typically the rail corridor is elevated and therefore such a wall would need to be unreasonably high to provide benefit. Therefore, not all noise and vibration effects can be completely internalised within the KiwiRail designation boundaries. These effects are the result of normal rail operation and maintenance and cannot be solely attributed to defects in track or rolling stock, and form part of the existing environment.

For new buildings and alterations or additions to existing buildings near to the railway network, it is relatively straight-forward to control internal noise through building location, design and systems (such as using acoustic insulation and mechanical ventilation). In most cases, it is practical to achieve acceptable internal noise levels using such measures. Therefore, with careful design of building location, orientation and materials, and/or the use of new or existing barriers such as acoustic walls and/or bunds, or locating new dwellings behind existing dwellings or landforms on a site, the adverse effects of noise can be appropriately avoided and/or mitigated.

The Noise and Vibration Memorandum sets out that in the New Zealand context:

...railway sound level criteria of 35 dB LAeq(1h) inside bedrooms and 40 dB LAeq(1h) inside other habitable spaces have previously been applied for protection from health effects. These values are slightly higher (more lenient) than the 2018 WHO Guidelines for regular sound events but would be more stringent for infrequent events. This comparison relates only to average sound levels, but corresponding relationships with health effects for different frequencies of railway events are uncertain/unknown. Therefore, currently there is not an evidence base available that would support significantly more or less stringent railway sound criteria than 35 dB LAeq(1h) inside bedrooms and 40 dB LAeq(1h) inside other habitable spaces for

protection of health.

The provisions proposed by KiwiRail is consistent with this approach, and adapted for the New Zealand context as an integral part of KiwiRail's broader noise management activities. The internal noise levels are therefore adopted in the proposed provisions, which provide a suite of options for compliance including building location, orientation and materials, and/or the use of barriers such as acoustic walls and/or bunds.

2.4 Effects of Rail Vibration

Norwegian Standard NS 8176⁷ provides a summary of annoyance and disturbance relationships associated with vibration from land-based transport. These relationships demonstrate that adverse effects occur at vibration exposures typically found around existing rail networks. The primary issue relates to people in buildings being disturbed due to feeling vibration. Furthermore, the same vibration can cause buildings to radiate noise inside. As for managing sound, routine track and rolling stock (wheel) maintenance can contribute to reducing vibration at source.

Vibration can vary significantly depending on ground conditions and localised features such as buried services and structures. Even with 'good' ground, track and rolling stock conditions there is still inherent vibration from railways that can cause disturbance.

The Noise and Vibration Memorandum sets out that:

Adverse effects of railway vibration can include annoyance and sleep disturbance for building occupants and damage to buildings. Damage to buildings (even cosmetic damage) occurs at greater vibration magnitudes than those which can cause annoyance.

Internationally, there has been less research into transportation vibration effects on people compared to research on transportation sound effects. However, the evidence that does exist on adverse health effects caused by railway vibration indicates they are material, and as such the relative paucity of research is not an indicator of the degree of effects. There is international research ongoing in this area. Research is also investigating health effects arising from the combination of railway sound and vibration.

⁷ Norwegian Standard NS 8176:2017 Vibration and shock – Measurement of vibration in buildings from land based transport. and guidance to evaluation of its effects on human beings.

In analysing the standards currently adopted nationally and internationally for assessing vibration effects, the Noise and Vibration Memorandum assesses vibration levels measured from different sources in New Zealand, and concludes that,

There is a knowledge gap as to the actual likelihood of cosmetic damage from railway vibration in New Zealand. However, all potential criteria for vibration effects on people are substantially more stringent, such that for buildings containing sensitive activities, cosmetic building damage might not require separate consideration.

For new buildings and alterations or additions to existing buildings near to the railway network, as with railway noise, vibration can be controlled through building location, and design. Therefore, with careful design of building location, orientation and materials, the adverse effects of vibration can be appropriately avoided and/or mitigated.

However, the exact design requirements to ensure compliance with appropriate vibration levels depend significantly on site-specific factors, including ground condition / soil type, topography or other environmental features. The level of controls required and the associated cost of implementing such controls can therefore differ significantly on a site-to-site basis.

Without further research into the requirements and cost of implementing such controls on a district-wide basis, there is insufficient existing data to confirm appropriate district-wide provisions which require physical controls for vibration.

For this reason, KiwiRail has instead pursued a “Rail Vibration Alert Layer” be added to the District Plan maps. Such alert layers ensure landowners and occupiers are aware that vibration effects may be present in this location (100m from the rail corridor). They can then make their own design and location decisions should they wish to mitigate such effects. This enables behaviour change and appropriate notice to landowners, while avoiding uncertain costs of controls at this time.

2.4 Economic Effects

The Economic Assessment estimates the likely costs and benefits of 3 options: Option 1 to ‘do nothing’ (Option A in the s32 assessment below), Option 2 being the proposed provisions (Option G in the s32 assessment below), and Option 3 being a 100m setback option (per kilometre of rail track) (Option E in the s32 assessment below). The net costs and benefits of each option based on the assumptions set out in the Economic Assessment are summarised below.

Costs/Benefits per km of Track	Option 1	Option 2	Option 3
Amenity & health benefits	-\$4,665,600	\$0	\$0
Impacts on rail operation	-\$97,000	\$0	\$0
Policy compliance costs	\$0	-\$1,728,000	\$0
Housing market impacts	\$0	\$0	-\$28,800,000
Option Net Benefits/Costs	-\$4,762,600	-\$1,728,000	-\$28,800,000

Table 2: Estimated net benefits and costs per kilometre of track (Economic Assessment)

The Economic Assessment notes there are different economic costs associated with the assessed options, and that when compared to a ‘do nothing’ or set back approach, the proposed approach has the lowest economic cost.

“Doing nothing” (Option 1/Option A) has a higher economic cost, primarily related to impacts on amenity and health, with some costs to rail operations. The Economic Assessment sets out that it is impossible to accurately assess the extent to which reverse sensitivity would disrupt the rail network and the consequential impacts on the economy. However the Economic Assessment sets out for illustrative purposes, at a national scale, *“every 1% reduction in rail traffic caused by reverse sensitivity from new Activities Sensitive to Noise establishing nearby would cost approximately \$17 to \$21 million per annum”*.

A 100m setback (Option 3/Option E) while avoiding any economic impacts on rail and human health, *“will have the greatest impacts on housing supply because it sterilises the use of land for Activities Sensitive to Noise within 100 metres of the rail network”*. The housing market costs associated with the loss of developable land are analysed in the Economic Assessment, and estimated net costs for a conservative typical mixed residential and non-noise sensitive activity scenario are approximately \$28,800,000 per kilometre of track.

The proposed approach (Option 2/Option G) is assessed in the Economic Assessment as having no economic impacts associated with human health and rail operation effects. However there will be policy, administrative, and compliance costs estimated at approximately \$1,728,000 per kilometre of track for a conservative typical mixed residential and non-noise sensitive activity scenario. These costs include the upfront costs to comply with the noise standards (acoustic assessment and the mitigation measures themselves), conservatively estimated as being \$3000 (for an acoustic assessment), plus 3% of the building value for the associated mitigation to achieve compliance.

Although this places some cost burden on those establishing activities sensitive to noise in the vicinity of the rail network, these are largely one-off upfront costs which are a small proportion of

the total build cost. Additionally, these costs are significantly lower than the costs to health associated with no mitigation, and significantly lower still than the opportunity costs to the housing market of prohibiting the activity in the vicinity of the rail network.

2.5 Duty to Avoid Unreasonable Noise

Section 16 of the Act requires that:

"Every occupier of land... shall adopt the best practicable option to ensure that the emission of noise from that land or water does not exceed a reasonable level", and

"A national environmental standard, plan, or resource consent made or granted for the purposes of any of sections 9, 12, 13, 14, 15, 15A, and 15B may prescribe noise emission standards, and is not limited in its ability to do so by subsection".

KiwiRail is a responsible infrastructure operator that endeavours to avoid, remedy or mitigate the adverse rail noise and vibration it produces, through its ongoing programme of upgrade, repairs and maintenance work to improve track conditions.

As discussed above, KiwiRail employs various mechanisms to reduce rail noise and vibration from the railway corridor. These include the installation of ballast mat, rail grinding and tamping, ballast cleaning and replacement, and automated monitoring of rolling stock wheel condition. KiwiRail has comprehensive procedures including measurement of track condition/geometry with a specialist survey vehicle several times a year, and maintenance systems acting on that data.

Not only is this important to KiwiRail as part of being a good neighbour, but it is also under a statutory obligation to use the best practicable option to avoid unreasonable noise (s16) and to avoid, remedy or mitigate adverse effects on the environment (s17).

The proposed provisions complement the above measures undertaken by KiwiRail in respect of its responsibilities under s 16 of the Act – to mitigate the remaining adverse effects that remain following the responsible management of noise and vibration by KiwiRail. They apply only to those developments which are bringing new or expanded sensitive activities to the existing activity operated by the KiwiRail – they do not impose new obligations on already established activities. As set out in the Economics Report, the provisions are also likely to result in a range of ancillary benefits to those dwellings where they are incorporated, including warmer, drier, and quieter homes that are also worth more.

Given the responsibility for the new activity lies with the neighbouring landowners, and the benefits

which come from the controls accrue to the new landowners, including in respect of overall property value, it is considered appropriate that the costs are assumed by those landowners. This is discussed further below in respect of Option H.

3. Approach to Issue

Mapping, land use rules and standards to avoid or mitigate adverse noise and vibration effects on sensitive activities are critical to protect sensitive activities from these effects. These standards are also fundamental to managing the potential for reverse sensitivity effects on the railway network as a result of this sensitivity. The location of incompatible sensitive activities in proximity to rail infrastructure can lead to noise and vibration effects on and complaints from sensitive users, affecting both the occupants in these areas, and affecting KiwiRail.

There are many examples in NZ district plans which seek to control the location and design of sensitive activities such as housing, healthcare and education facilities where such activities seek to locate near existing sources of noise and/or vibration. These include roads, railways, airports, ports, quarries, industrial sites, industrial and business zones, gun clubs and motorsport facilities. For sensitive activities near existing railways, examples of second-generation operative district plans containing controls include: Christchurch, Dunedin, Tauranga, Hamilton, Palmerston North and Hutt City. All these existing plans control land use standards to manage the adverse effects of noise and/or vibration.

The proposed provisions require that noise and vibration sensitive activities that may establish in proximity to the rail network are appropriately designed and sited to reduce the noise effect to an acceptable level. This will ensure that adverse effects on human health and amenity are appropriately managed, protects public health, provides certainty to those developing land adjacent to the rail corridor of the permitted standards, and protects nationally and regionally significant rail infrastructure from reverse sensitivity.

The proposed provisions are set out in full in **Appendix 1** and are summarised briefly below.

3.1 New Definitions

KiwiRail seeks the following definitions be added to the Definitions Section (if a suitably similar definition is not already in place in the District Plan):

Activity Sensitive to Noise: means any residential activity (including student or retirement accommodation), visitor accommodation, educational facility, child care facility, healthcare activity, and places of worship/marae.

3.2 New Objective and Policies

Insert a new objective and two policies providing for the importance of the rail network and the potential for reverse sensitivity effects when activities sensitive to noise are in close proximity:

- The Objective is to *'Ensure adverse reverse sensitivity, health and wellbeing effects arising from the development of Activities Sensitive to Noise adjacent to the railway network are appropriately avoided or mitigated'*.
- The policies are to:
 - *'Avoid reverse sensitivity effects on the ongoing and future operation and development of the railway network by ensuring new Activities Sensitive to Noise are designed or located to meet appropriate acoustic design standards'*; and
 - *'Manage effects on the health and wellbeing of communities through the design and location of Activities Sensitive to Noise adjacent to the railway network to meet appropriate acoustic design standards'*.

Where plans include existing objectives and/or policies which appropriately capture the matters above, or which could be amended or added to in order to integrate the objectives above, then this may be appropriate to ensure greater integration of the provisions into the particular plan.

3.3 New Rules and Standards

KiwiRail seeks the following rules and standards be added to the District Plan:

- For all zones at any point within 100 meters from the legal boundary of the KiwiRail Rail Corridor Designation (**Rail Noise Control and Vibration Alert Area**), all new buildings or alterations to existing buildings containing an Activity Sensitive to Noise, must meet:
 - Specified Internal noise standards ranging from:
 - 35 dB LAeq(1h) for sleeping spaces, lecture rooms/theatres, music studios, assembly halls, and places of worship and marae,
 - 40 dB LAeq(1h) for all other habitable rooms, and education teaching areas, conference rooms, drama studios and sleeping areas, and overnight medical care and wards, and

- 45 dB LAeq(1h) for libraries, and health clinics, consulting rooms, theatres and nurses' stations; or
 - The nearest exterior façade of the building accommodating the activity is at least 50m from the railway network and is protected by a specified noise barrier, or
 - It can be demonstrated by way of prediction or measurement that the noise at all exterior façades of the listed activity is no more than 15 dB above the relevant noise levels; and
 - For buildings which require windows to be closed to achieve the noise standards, mechanical ventilation standards must be met; and
 - A report is submitted to the council demonstrating compliance with the above rules prior to the construction or alteration of any building containing an activity sensitive to noise using specified assumptions.
- Require resource consent for a Restricted Discretionary Activity where these standards are not met. Provide matters of discretion by which resource consent applications will be assessed against which limit the assessment of effects to the extent of non-compliance, effects on health and wellbeing, reverse sensitivity effects, and the outcome of any consultation with KiwiRail.
 - Include an advice note that applies within the Rail Noise Control and Vibration Alert Area, and which alerts the plan user that activities within this Area may be subject to vibration effects from rail activities. No standards or other rules apply in relation to vibration.

4. Assessment of Objective

Section 32(1)(a) requires an assessment of whether the proposed objective is the most appropriate way to achieve the purpose of the Act. The purpose of the Act is set out in Section 5 as:

- (1) *The purpose of this Act is to promote the sustainable management of natural and physical resources.*
- (2) *In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—*
 - (a) *sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
 - (b) *safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
 - (c) *avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

An assessment of the provisions against the proposed Objective against section 5 is set out in the table, below.

Table 3: Assessment of Objective under Section 5 of the Act

Proposed KiwiRail Provisions	Reason for Objective
<p>Objective</p> <p>Ensure adverse reverse sensitivity, health and wellbeing effects arising from the development of Activities Sensitive to Noise adjacent to the railway network are appropriately avoided or mitigated.</p> <p>Policy</p> <p>Avoid reverse sensitivity effects on the ongoing and future operation and</p>	<p>The objective and supporting policies enable communities to provide for their health and wellbeing, and protects the railway network from reverse sensitivity.</p> <p>Where located in close proximity to the railway corridor, activities sensitive to noise are appropriately designed and sited so that adverse effects on health and wellbeing are appropriately managed, and railway infrastructure is appropriately protected from reverse sensitivity.</p>

<p>development of the railway network by ensuring new Activities Sensitive to Noise are designed or located to meet appropriate acoustic design standards.</p> <p>Policy</p> <p>Manage effects on the health and wellbeing of communities through the design and location of Activities Sensitive to Noise adjacent to the railway network to meet appropriate acoustic design standards.</p>	<p>This enables people to provide for the economic and social use of sites adjacent to the railway corridor, and to meet the reasonably foreseeable needs of the activity, while ensuring that adverse noise and vibration effects are avoided and mitigated.</p> <p>It is therefore considered that the proposed objective is the most appropriate way to achieve the purpose of the Act.</p>
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5. Assessment of Proposed Noise and Vibration Provisions

Sections 32(1)(b) and 32(2) require an assessment of the proposed provisions to be undertaken to test their appropriateness and efficiency and effectiveness. This must include:

- whether the proposed provisions are the most appropriate way to achieve the objectives by identifying other reasonably practicable options, assessing their efficiency and effectiveness and summarising the reasons for deciding on provisions; and
- relative to considering the efficiency and effectiveness of the provisions in achieving the objective, include an assessment of the benefits and costs of the effects anticipated from implementing the provisions.

The cost and benefit assessment must identify and assess the costs and benefits associated with environmental, economic, social, and cultural effects including economic growth and employment that are anticipated to be provided or reduced. If practicable, the Act requires that these be quantified.

Section 32(2)(b) also requires an assessment of the risk of acting or not acting if there is uncertain or insufficient information. In this case, it is acknowledged that the costs of implementing the insulation measures will vary on a site by site basis, and the scale will depend on factors such as extent of area affected and density of housing. However, there is considered to be sufficient information about the effects of noise and vibration on health and amenity and reverse sensitivity to the rail corridor, to determine the range and nature of effects of the options. No assessment of the risk of acting or not acting is necessary.

5.1 Identification of Reasonably Practicable Options

KiwiRail have considered a range of potential options. This includes 'doing nothing', a number of existing approaches, the proposed provisions, and other regulatory methods and mechanisms available. These are summarised below:

Option A – Do nothing:

No or limited railway noise and vibration provisions in the District Plan. This may include no specific noise and vibration rules, standards or mapping overlays, but may include consideration of reverse sensitivity effects when assessing the adverse effects of any resource consent application, depending on the existing objectives, policies and rules in the District Plan.

This includes subdivision, use or development within the vicinity of the railway corridor if the District Plan provides sufficient direction to do so.

Option B – Rail operator reduces noise and vibration emissions:

The rail operator ensure that noise and vibration emissions are reduced to the extent that Activities Sensitive to Noise within 100m of the rail corridor achieve the recommended noise and vibration levels without needing to undertake any specific insulation, ventilation or construction design standards.

Option C – Noise barriers:

Acoustic walls or bunds installed by the applicant or the rail operator with no other noise or vibration management methods.

Option D – Construction design standards:

A table which specifies minimum construction materials and standards necessary to achieve internal acoustic levels within buildings, with no other noise or vibration management methods.

Option E – Setbacks:

Requiring Activities Sensitive to Noise to be set back 100m from the railway corridor with no other noise or vibration management methods.

Option F – Internal acoustic standards:

Require internal acoustic and ventilation rules and standards for noise-sensitive activities, but provide no other options to achieve compliance.

Option G – Combination of rules and standards (Proposed provisions):

Within 100m of the railway corridor, provide several options to achieve compliance with internal acoustic levels – within 50m of the rail corridor buildings are designed to meet specified Internal noise levels, or must meet a 50m setback, or where the noise at exterior façades is measured or predicted to be no more than 15 dB above the relevant noise level. Buildings must also meet mechanical ventilation standards and reporting standards. Includes an advice note to alert plan users that Activities Sensitive to Noise within the Rail Noise Control and Vibration Alert Area may be subject to vibration effects.

Option H – Proposed provisions funded by rail operator:

Within 100m of the railway corridor, via a mapped Rail Noise Control and Vibration Alert Area, the same options to achieve compliance would be available – buildings are designed to meet

specified Internal noise levels, or must meet a 50m setback, or noise at exterior façades is no more than 15 dB higher. Buildings must also meet mechanical ventilation standards and reporting standards, and there is an advice note regarding vibration effects. However, the difference is that KiwiRail would fund the achievement of these standards.

Option I – Landscaping:

Landscape planting to provide acoustic mitigation, with no other noise or vibration management methods.

Option J – National regulation:

This may include changes to the Building Act or Building Code or introduction of a National Planning Standard or National Environmental Standard. The Building Act and Code currently provides specifications to manage inter-tenancy noise (eg noise between residential apartments within the same building with shared tenancy walls). However, it does not require the management of internal noise where noise is generated from outside a building (e.g. rail noise from an adjacent rail corridor).

Option K Reverse sensitivity covenant:

A plan provision which requires a covenant whereby property owners agree not to complain about noise and vibration effects on sensitive land uses. This is often referred to as a ‘no complaints’ covenant.

An assessment of these options in accordance with Sections 32(1)(b) and 32(2) of the Act is provided below.

5.2 Assessment of Reasonably Practicable Options

Table 4: Assessment of Reasonably Practicable Options

<p>Option A - Do nothing</p> <p>No or limited railway noise and vibration provisions, but this option may include consideration of reverse sensitivity effects when assessing a resource consent application for subdivision, use or development within the vicinity of the railway corridor.</p>
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Effectiveness and Efficiency	Costs	Benefits
<p>Doing nothing requires no action from the territorial authority or applicant so could be considered efficient.</p> <p>It is considered to be the least effective option as it will place no limit on the establishment of Activities Sensitive to Noise in the vicinity of the railway corridor. This will result in an increase in exposure of sensitive activities to the adverse effects of rail noise and vibration.</p>	<p>Doing nothing will result in the establishment of Activities Sensitive to Noise in the vicinity of the railway corridor without being appropriately designed and sited.</p> <p>This will result in an increase in exposure of sensitive activities to the adverse effects of rail noise and vibration, resulting in adverse health and amenity effects for people, and adverse reverse sensitivity effects on rail activity.</p> <p>These costs are analysed in the Economic Assessment, and estimated net costs to health and amenity are approximately \$4,665,600, estimated net costs to rail operation is approximately \$97,000, with these costs totalling approximately \$4,762,600 per kilometre of track.</p>	<p>There will be no additional regulatory cost or costs to landowners and occupiers in terms of compliance or building cost increases.</p> <p>There will be no administration and regulatory costs to the territorial authority as there will be no associated resource consenting or monitoring and compliance.</p>
<p><i>Is doing nothing reasonably practicable?</i> No - it will not achieve the objective and will result in adverse health and wellbeing effects, and adverse reverse sensitivity effects.</p>		

Option B - Rail operator reduces noise and vibration emissions

The rail operator ensure that noise and vibration emissions are reduced to the extent that Activities Sensitive to Noise within 100m of the rail corridor achieve the recommended noise and vibration levels without needing to undertake any specific insulation, ventilation or construction design standards.

Effectiveness and Efficiency	Costs	Benefits
<p>This option would not be efficient or effective as, given mitigation measures to minimise rail noise and vibration are unable to comprehensively control these effects, this would significantly curtail the reasonable operation of the existing rail network, and would eliminate the opportunity for any growth in rail traffic over time, resulting in an inefficient use of infrastructure.</p> <p>This would then have consequences for the delivery of freight and passenger transport, and may compromise the achievement of emissions reduction targets by increasing the reliance on road freight.</p>	<p>This option would likely be cost prohibitive to KiwiRail given the impacts on its operations.</p> <p>There may be an environmental cost associated with an increase in emissions associated with having to rely on alternative transport methods.</p>	<p>There are no potential benefits to KiwiRail associated with this option.</p> <p>There would be health and amenity benefits associated with the reduction of rail noise and vibration for Activities Sensitive to Noise within the vicinity of the rail corridor.</p> <p>There may be benefits to landowners to maximise development potential for Activities Sensitive to Noise within the vicinity of the rail corridor.</p>

Is doing noting reasonably practicable? No – this option would places significantly curtail rail the efficient use and development of rail infrastructure.

Option C - Noise barriers		
Acoustic walls or bunds installed by the property owner or by the rail operator.		
Effectiveness and Efficiency	Costs	Benefits
<p>This option is effective and efficient when it integrated into the design of a new development in some instances.</p> <p>Acoustic walls may be able to be retrofitted in some instances.</p> <p>However it is not always practical because the height of the barrier required to achieve compliance would be very high (often in excess of 3.8m) and is therefore either impracticable or not consentable/difficult to consent. Most locations have practical limitations to install noise barriers. Limitations include the typical raised nature of rail lines (and train engines above these) above surrounding land, or from undesirable ground conditions and a lack of physical corridor which may necessitate property purchase due to the wider</p>	<p>There is a monetary cost of the installation of acoustic walls by KiwiRail. However this is not typically done by KiwiRail given the practical limitations set out in the efficiency and effectiveness review.</p> <p>Acoustic walls can be visually dominant and result in significant shading and shadowing, and can block view and outlook, given the heights required to achieve acoustic compliance. For these reasons the amenity and construction costs may in some circumstances be greater than the health and amenity effects they seek to mitigate.</p> <p>Walls and bunds also may reduce passive surveillance of surrounds and do not reduce vibration effects which would still need to be managed in a different way.</p> <p>If the permitted standards</p>	<p>Acoustic walls and bunds can provide noise reduction for single storied buildings.</p> <p>They also assist in visually screening development from the rail corridor, reducing the perception of noise, however they are often not practical or consentable, and can result in other health and amenity effects.</p>

<p>area of land required for the foundations of the noise barriers which require a wide base (which may result in the removal of adjacent activities) or for the physical space required for any bund.</p> <p>Whether bunds or acoustic walls are used, these may not often be effective for buildings of more than one storey.</p>	<p>are not met, then there will be costs borne by the applicant to prepare a resource consent application, costs to the territorial authority to assess the application, and costs to KiwiRail as a submitter to the application.</p>	
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Is the proposed approach reasonably practicable? In some circumstances acoustic walls and bunds can manage the adverse effects of noise on Activities Sensitive to Noise, and will protect KiwiRail railway infrastructure from reverse sensitivity. However, they are difficult to retrofit to existing situations, are often impractical for new situations, and can result on other adverse health and amenity effects.

Option D - Construction design standards

A table which specifies minimum construction materials and standards necessary to achieve internal acoustic levels.

Effectiveness and Efficiency	Costs	Benefits
<p>This option is somewhat effective and efficient. It is a relatively common approach</p>	<p>There will be additional compliance costs during building consent and building</p>	<p>Construction standards provide certainty as to outcome and design</p>

<p>to managing the adverse effects of noise in District Plan.</p> <p>However, it can have some limitations in terms of effectiveness as it essentially 'locks in' the standards to those at the time of writing the provisions. This means as construction standards improve and change over time, the standards in the plan remain static. This can result in future activities needing to obtain a resource consent where the standards are not met – even where the noise and vibration effects are appropriately managed.</p> <p>The Noise and Vibration Memorandum also sets out that in the Christchurch District Plan, although multiple compliance options were included for mitigating road and rail noise in buildings, including design standards, that on review of the controls the Council found that in most cases site-specific assessment associated with meeting internal acoustic standards was selected. This was presumably as despite any</p>	<p>construction when compared with Option A.</p> <p>Building and compliance design costs will be borne by the applicant and compliance confirmation costs will be borne by the territorial authority and/or the applicant.</p> <p>If the permitted standards are not met, then there will be costs borne by the applicant to prepare a resource consent application, costs to the territorial authority to assess the application, and costs to KiwiRail as a submitter to the application.</p> <p>Construction standards can often be complex, and typically require technical expertise on behalf of applicant and regulatory authority if there is any deviation from the standards in the schedule. This can impose additional monetary and time costs.</p> <p>Construction standards often lack the flexibility to accommodate individual site circumstances. This may occur if the topography of the site removes or reduces the</p>	<p>specifications, and the associated costs can be estimated.</p> <p>Where compliance with the standards is demonstrated, an acoustics specialist does not need to be engaged by any party. Compliance can simply be demonstrated on building plans at the time a building consent is lodged.</p>
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<p>specialist assessment costs the site-specific assessment provided a more efficient solution. This option is therefore considered to be less efficient than the preferred options.</p>	<p>need for all construction design standards to be met. As the standards are essentially 'locked in' to the plan, it requires a plan change to update them.</p> <p>The same requirements apply regardless of the level of external noise exposure. This means that some buildings will have more treatment and associated costs than is necessarily needed to achieve adequate indoor noise levels. Conversely, some buildings with the higher external noise exposure might not have adequate treatment.</p>	
<p><i>Is the proposed approach reasonably practicable?</i> Somewhat – construction standards are a common regulatory approach to manage the adverse effects of noise and vibration for Activities Sensitive to Noise, and will protect KiwiRail railway infrastructure from reverse sensitivity. However, achieving compliance can be complex, and it is less preferred in practice than the acoustic standards in Option F, and there are limitations to this approach.</p>		

<p>Option E - Setbacks</p> <p>Building or activity setback for Activities Sensitive to Noise of 100m from the railway corridor with no other noise or vibration management methods.</p>		
<p>Effectiveness and Efficiency</p>	<p>Costs</p>	<p>Benefits</p>
<p>This option is effective as it is a simple method to minimise noise and vibration. However, it is not an efficient use of land.</p> <p>This approach is efficient for large rural sites where there is flexibility to locate Activities Sensitive to Noise away from the railway corridor.</p>	<p>The costs of requiring effective setbacks is the loss of developable land for Activities Sensitive to Noise within the vicinity of the railway corridor.</p> <p>The housing market costs associated with the loss of developable land are analysed in the Economic Assessment, and estimated net costs for a conservative typical mixed residential and non noise sensitive activity scenario are approximately \$28,800,000 per kilometre of track.</p> <p>This also imposes a maintenance burden on the landowner as the person responsible for maintaining the large setback areas.</p> <p>If the permitted standards are not met, then there will be costs borne by the applicant to prepare a resource consent application, costs to</p>	<p>This is a simple approach that can work well for large rural sites where setback areas can continue to be used for agricultural purposes. However this approach remains open to rural sites as a method of management under other controls (including noise provisions).</p> <p>Setbacks effectively minimise noise, vibration and amenity effects.</p>

	<p>the territorial authority to assess the application, and costs to KiwiRail as a submitter to the application.</p>	
<p><i>Is the proposed approach reasonably practicable?</i> Yes – it provides a tried and tested regulatory approach to effectively manage the adverse effects of noise and vibration on Activities Sensitive to Noise, and will protect KiwiRail railway infrastructure from reverse sensitivity. However, it is only efficient and effective for large rural sites, and there are high opportunity costs to the housing market.</p>		

<p>Option F – Acoustic Standards</p> <p>Require internal acoustic rules and standards for noise-sensitive activities, but provide no other options to achieve compliance.</p>		
<p>Effectiveness and Efficiency</p>	<p>Costs</p>	<p>Benefits</p>
<p>Acoustic standards are reasonably efficient and are common in a number of District Plans to manage noise effects of different activities including road, rail and aircraft noise.</p> <p>Territorial authorities typically require certification that the standard is met as part of the building consent application processing. Compliant buildings would not require a resource</p>	<p>There will be additional compliance costs during building consent and building construction when compared with Option A.</p> <p>Building and compliance design costs will be borne by the applicant and compliance confirmation costs will be borne by the territorial authority and/or the applicant.</p> <p>If the permitted standards are not met, then there will be</p>	<p>Acoustic standards which require Activities Sensitive to Noise to meet internal noise standards provide flexibility to the applicant to determine how they wish to meet the standards. This can be achieved using different options.</p> <p>Provides health and amenity benefits for new and expanded sensitive activities locating adjacent to the rail corridor, without unduly constraining development of</p>

<p>consent.</p> <p>Internal acoustic standards are not effective if there are opening windows. Any standards therefore require internal ventilation standards to be included alongside insulation controls.</p>	<p>costs borne by the applicant to prepare a resource consent application, costs to the territorial authority to assess the application, and potentially costs to KiwiRail as a submitter to the application depending on the potential level of reverse sensitivity effect.</p> <p>These policy, administrative and compliance costs for a conservative typical mixed residential and non noise sensitive activity scenario are analysed in the Economic Assessment, and estimated net costs are approximately \$1,728,000 per kilometre of track.</p>	<p>Activities Sensitive to Noise near the rail corridor.</p> <p>Acoustic insulation also provides energy savings to occupiers and is likely to be capitalised in the value of the property.</p> <p>Avoids reverse sensitivity impacts on KiwiRail from increased numbers of sensitive activities locating adjacent to the rail corridor.</p>
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Is the proposed approach reasonably practicable? Yes – as addressed in full above it provides for a tried and tested regulatory approach to effectively manage the adverse effects of noise and vibration on Activities Sensitive to Noise, and will protect KiwiRail railway infrastructure from reverse sensitivity.

Option G – Proposed Approach: Combination of new rules and standards for Activities Sensitive to Noise

Within 100m of the railway corridor, provide several options to achieve compliance with internal acoustic levels – within 50m of the rail corridor buildings are designed to meet specified Internal noise levels, or must meet a 50m setback, or where the noise at exterior façades is measured or predicted to be no more than 15 dB above the relevant noise level.

<p>Buildings must also meet mechanical ventilation standards and reporting standards. Includes an advice note to alert plan users that Activities Sensitive to Noise within the Rail Noise Control and Vibration Alert Area may be subject to vibration effects.</p>		
<p>Effectiveness and Efficiency</p>	<p>Costs</p>	<p>Benefits</p>
<p>The provisions are effective as, depending on the activity and site circumstances, they provide several options for compliance.</p> <p>This option is efficient as it provides a range of options to achieve compliance.</p> <p>The standards are efficient as development meeting these standards will not require a consent and can be advanced as a permitted activity, which strikes an appropriate balance between enabling development and managing adverse effects.</p> <p>The standards are also efficient as they align with the rules in other District Plans – providing a nationally consistent approach and improving administration for KiwiRail and organisations operating nationally such as housing, healthcare and</p>	<p>There will be additional compliance costs during building consent and building construction when compared with Option A.</p> <p>Building and compliance design costs will be borne by the applicant and compliance confirmation costs will be borne by the territorial authority and/or the applicant.</p> <p>If the permitted standards are not met, then there will be costs borne by the applicant to prepare a resource consent application, costs to the territorial authority to assess the application, and costs to KiwiRail as a submitter to the application depending on the potential level of reverse sensitivity effect.</p> <p>These policy, administrative and compliance costs are analysed in the Economic Assessment, and for a</p>	<p>There will be an improvement in human health and amenity outcomes compared to Option A as there will be a reduction in the number of sensitive activities exposed to unacceptable levels of noise and vibration. It therefore enables Activities Sensitive to Noise to establish in the vicinity of the railway corridor where adverse effects can be effectively managed. This provides for the efficient use and development of land in accordance with section 7(b) of the Act.</p> <p>The range of permitted standards provides a flexible compliance pathway for applicants. It provides a range of potential responses to achieve compliance.</p> <p>This option also provides a comprehensive regulatory approach which recognises the actual spatial extent of railway corridor noise and vibration – and only limits</p>

<p>education providers.</p> <p>The noise and vibration provisions do not apply to existing activities so there are no additional constraints on developed sites where redevelopment is not anticipated.</p> <p>The provisions provide clear and specific matters of discretion which gives greater certainty to developers (and the Council) over the matters that will be assessed if resource consent is required.</p>	<p>conservative typical mixed residential and non noise sensitive activity scenario, the estimated net costs are approximately \$1,728,000 per kilometre of track.</p>	<p>activities which are adversely affected by operating outside these parameters.</p>
<p><i>Is the proposed approach reasonably practicable?</i> Yes – it provides for a range of tried and tested regulatory approaches to effectively manage the adverse effects of noise and vibration on Activities Sensitive to Noise, and will protect KiwiRail railway infrastructure from reverse sensitivity.</p>		

Option H - Proposed provisions funded by rail operator

Within 100m of the railway corridor, via a mapped Rail Noise Control and Vibration Alert Area, the same options to achieve compliance would be available – buildings are designed to meet specified Internal noise levels, or must meet a 50m setback, or noise at exterior façades is no more than 15 dB higher. Buildings must also meet mechanical ventilation standards and

<p>reporting standards, and other than an advice note, there are no vibration standards. However, the difference is that KiwiRail would fund compliance with these standards.</p>		
Effectiveness and Efficiency	Costs	Benefits
<p>This option is efficient as it provides a range of options to KiwiRail to achieve compliance.</p> <p>This option is not effective as putting the onus on KiwiRail to fund any compliance costs could perversely incentivise landowners to develop closer to the rail corridor than they would if the measures were self-funded. This could increase the costs of compliance as higher standards of insulation could be required, and it would result in more Activities Sensitive to Noise establishing in closer proximity to the rail corridor.</p>	<p>The policy, administrative and compliance costs are analysed in the Economic Assessment, and for a conservative typical mixed residential and non noise sensitive activity scenario, the estimated net costs are approximately \$1,728,000 per kilometre of track. A large portion of these costs would be borne by KiwiRail.</p>	<p>The same benefit outlined in Option G apply, noting that benefits accrue to the landowner and occupier without any cost to them, despite their choice being to locate near a railway corridor.</p>
<p><i>Is the proposed approach reasonably practicable?</i> No – this option could result in considerable cost to KiwiRail, of a level that would mean the implementation of the provisions is not feasible, and could perversely incentivise Activities Sensitive to Noise to establish in closer proximity to the rail corridor than they would otherwise.</p>		

Option I - Landscaping Planted buffers to provide acoustic mitigation.		
Effectiveness and Efficiency	Costs	Benefits
<p>This option is not effective or efficient, as dense landscaping in excess of tens of metres in width would be needed to provide noise reduction.</p> <p>Seasonal variations in terms of leaf density and weather induced variations may impact vegetation quality.</p>	<p>The costs of requiring effective landscape mitigation setbacks is the loss of developable land within the vicinity of the railway corridor. This also imposes a maintenance burden on the landowner as the person responsible for maintaining the large planted areas.</p> <p>If the permitted standards are not met, then there will be costs borne by the applicant to prepare a resource consent application, costs to the territorial authority to assess the application, and costs to KiwiRail as a submitter to the application.</p>	<p>Provides the benefit of added visual screening.</p>
<p><i>Is the proposed approach reasonably practicable?</i> No – landscape planting is not an efficient or effective option.</p>		

Option J - National Regulation		
This may include changes to the Building Act or Building Code or the introduction of a National Planning Standard or National Environmental Standard.		
Effectiveness and Efficiency	Costs	Benefits
This option is likely to be the most efficient and effective compared to all other options. Unfortunately, although a nationally consistent approach would have a number of benefits, it is outside the Schedule 1 process of the Act and ultimately relies on political will.	Not applicable.	Not applicable.
<i>Is the proposed approach reasonably practicable? No – not within scope.</i>		

Option K - Reverse Sensitivity Covenant		
A plan provision which requires a covenant requiring the property owners agree not to complain about noise and vibration effects on sensitive land uses.		
Effectiveness and Efficiency	Costs	Benefits
This option is not effective and efficient, because it addresses the ability to complain about noise and vibration, rather than deal with those effects directly. Although this may avoid complaint regarding noise and vibration, Activities	There are legal costs associated with the covenant preparation and registration process. These costs will be borne by both the landowner and the territorial authority. This option provides for poor health and amenity outcomes as the actual	A covenant is a legally binding agreement between the property owner and the territorial authority, and is generally simple to understand. A covenant is likely to be a more cost effective approach compared to the other

<p>Sensitive to Noise will still be affected by noise and vibration, resulting in adverse health and amenity effects for the occupants of these buildings and areas.</p> <p>A provision which requires a covenant is not efficient as it requires every individual site seeking to establish or add to a building to go through a covenant registration process against that individual parcel of land. In time, this can become difficult for a territorial authority to administer as it is not obvious whether or not a covenant applies to a record of title without searching that record of title individually.</p>	<p>effects of railway noise are not appropriately avoided or mitigated.</p> <p>If the permitted standards are not met, then there will be costs borne by the applicant to prepare a resource consent application, costs to the territorial authority to assess the application, and costs to KiwiRail as a submitter to the application.</p>	<p>options (excluding 'do nothing'), as It requires no additional building or design controls, or landscaping or noise barriers.</p>
<p><i>Is the proposed approach reasonably practicable?</i> No – a reverse sensitivity covenant standard is not an efficient or effective option.</p>		

6. Assessment Summary

Table 5: Assessment Summary

Reasonably Practicable Option	Assessment Summary
<p>Option A – Do nothing: No or limited provisions.</p>	<p>Not reasonably practicable.</p>
<p>Option B – Rail operator reduces noise and vibration emissions: To the extent that no noise or vibration effect is generated on nearby Activities Sensitive to Noise.</p>	<p>Not reasonably practicable.</p>
<p>Option C – Noise barriers: Acoustic walls or bunds.</p>	<p>Not reasonably practicable.</p>
<p>Option D – Construction design standards: A table of minimum design requirements and construction materials to meet noise levels.</p>	<p>Somewhat reasonably practicable, but no favoured by plan users.</p>
<p>Option E – Setbacks: Building or activity setback of 100m with no other noise or vibration management methods.</p>	<p>Preferred methods – these methods can effectively manage the adverse effects of noise and vibration on Activities Sensitive to Noise and will protect KiwiRail railway infrastructure from reverse sensitivity.</p> <p>The most appropriate method to use is dependant on the site context.</p>
<p>Option F – Internal acoustic standards: Require internal acoustic rules and standards for noise-sensitive activities, but provide no other options to achieve compliance.</p>	
<p>Option G – Combination of rules and standards (Proposed provisions): New rules and standards for Activities Sensitive to Noise</p> <p>Within 100m of the railway corridor, provide several options to achieve compliance with internal acoustic levels – within 50m of the rail corridor buildings are designed to meet specified Internal noise levels, or must meet a 50m setback, or where</p>	<p>Most preferred method – Combines several of the methods above to provide options to effectively manage adverse noise effects and vibration and protect KiwiRail railway infrastructure from reverse sensitivity.</p>

<p>the noise at exterior façades is measured or predicted to be no more than 15 dB above the relevant noise level.</p> <p>Buildings must also meet mechanical ventilation standards and reporting standards. Includes an advice note to alert plan users that Activities Sensitive to Noise within the Rail Noise Control and Vibration Alert Area may be subject to vibration effects.</p>	
<p>Option H – Proposed provisions funded by rail operator: As above but funded by KiwiRail.</p>	<p>Not reasonably practicable.</p>
<p>Option I – Landscaping: Landscaping to provide acoustic mitigation.</p>	<p>Not reasonably practicable.</p>
<p>Option J – National Regulation: Changes to the Building Act or Code or new National Planning or Environmental Standards.</p>	<p>An out-of-scope potential long term solution.</p>
<p>Option K – Covenant: A 'no complaints' covenant provision.</p>	<p>Not reasonably practicable.</p>

7. Conclusion

The operation, maintenance and development of the rail network is critical to the safe and efficient movement of freight and passengers throughout New Zealand, and forms an essential part of the national transportation network and the wider supply chain. KiwiRail's proposed provisions to the District Plan enable Activities Sensitive to Noise to be developed in the vicinity of the railway corridor where adverse noise and vibration effects can be effectively managed through a range of standards. The proposed provisions will mitigate health and amenity effects on new and altered Activities Sensitive to Noise that seek to establish within 100 metres of the railway corridor. This will ensure that the continued operation of nationally and regionally significant infrastructure of the rail corridor will be appropriately protected from reverse sensitivity, and neighbouring communities will experience positive health and amenity outcomes.

Consistent with section 32 of the Act, the proposed objective and policies have been developed and analysed against Part 2 and it is considered that the proposed objective is the most appropriate way to achieve the purpose of the Act.

The proposed provisions have been assessed against a number of alternative options in terms of their costs, benefits, and efficiency and effectiveness in accordance with the relevant clauses of section 32 of the Act.

The proposed provisions are considered to represent the most appropriate means of achieving the proposed objective. The provisions are also the most appropriate way of addressing the underlying resource management issues relating to managing the adverse effects of noise and vibration of surrounding land uses, and minimising reverse sensitivity effects to protect the railway network. Adopting the proposed provisions will maintain and enhance the continued use of Railway infrastructure while enabling the efficient subdivision, use and development of land in its vicinity, and providing for health and amenity outcomes.

Appendix 1: Proposed Provisions



Model District Plan Provisions

1. Definitions

Noise sensitive activity [if required]

Means any residential activity (including student or retirement accommodation), visitor accommodation, educational facility, child care facility, healthcare activity, and places of worship/marae.

The following provisions should be co-located together in a district -wide chapter (preferable noise and infrastructure) rather than applied on a zone by zone basis.

2. Objective

Ensure adverse reverse sensitivity, health and wellbeing effects arising from the development of noise sensitive activities adjacent to the railway network are appropriately avoided or mitigated.

3. Policies

Avoid reverse sensitivity effects on the ongoing and future operation and development of the railway network by ensuring new noise sensitive activities are designed or located to meet appropriate acoustic design standards.

Manage effects on the health and wellbeing of communities through the design and location of noise sensitive activities adjacent to the railway network to meet appropriate acoustic design standards.

4. Rules/Standards

4.1 Noise and vibration

E. Activities sensitive to noise within 100m of [KiwiRail Rail Corridor Designation]:

Activity sensitive to noise near a railway network				
All zones – at any point within 100 metres from the legal boundary of [KiwiRail Rail Corridor Designation] (Rail Noise Control and Vibration Alert Area)	Activity status: Permitted			Activity status when compliance with standards 1, 2 or 3 not achieved: Restricted discretionary Matters of discretion are restricted to: 1. The extent of non-compliance with the noise and vibration standards. 2. Effects on the health and wellbeing of people. 3. The reverse sensitivity effects on the rail network, including the extent to which the activity will unduly constrain the-ongoing operation, maintenance and upgrade of the rail network. 4. The outcome of any consultation with KiwiRail.
	Indoor railway noise 1. Where any activity listed in Table 1 is located within the Rail Noise Control and Vibration Alert Area: (a) the entire room or space shall be designed, constructed and maintained (including in any alterations) to achieve indoor design noise levels in Table 1; or			
	[RULEXX] Table 1			
	Building type	Occupancy/activity	Maximum railway noise level LAeq(1h)	
Residential <i>[note definition in the plan must be broad enough to cover all types of residential activities – or other types of</i>	Sleeping spaces	35 dB		
	All other habitable rooms <i>[note this may require the definition from the National</i>	40 dB		

<i>residential activities not addressed within it will need to be added to this table]</i>	<i>Planning Standards to be added if this is not already defined in the District Plan]</i>		Notification: Application for resource consent under this rule shall not be notified or limited notified unless KiwiRail is determined to be an affected person determined in accordance with section 95B of the Resource Management Act 1991 or the Council decides that special circumstances exist under s 94A(4) of the Resource Management Act 1991.
Visitor Accommodation	Sleeping spaces	35 dB	
	All other habitable rooms	40 dB	
Education Facility	Lecture rooms/theatres, music studios, assembly halls	35 dB	
	Teaching areas, conference rooms, drama studios, sleeping areas	40 dB	
	Libraries	45 dB	
Health	Overnight medical care, wards	40 dB	
	Clinics, consulting rooms, theatres, nurses' stations	45 dB	
Cultural	Places of worship, marae	35 dB	
<p>(b) the nearest exterior façade of the building accommodating the activity listed in Table 1 is at least 50 metres from the legal boundary of the [KiwiRail Rail Corridor Designation], and there is a solid building, fence, wall or landform that completely blocks line-of-sight from all parts of doors and windows, to all points 3.8 metres above railway tracks; or</p> <p>(c) it can be demonstrated by way of prediction or measurement that the noise at all exterior façades of the listed activity is no more than 15 dB above the relevant noise levels in Table 1.</p> <p>Mechanical ventilation</p> <p>2. If windows must be closed to achieve the design noise levels in clause 1(a), the building is designed, constructed and maintained with a mechanical ventilation system that:</p> <p>(a) For habitable rooms for a residential activity or visitor accommodation activity, achieves the following requirements:</p> <ol style="list-style-type: none"> i. provides mechanical ventilation to satisfy clause G4 of the New Zealand Building Code; and ii. is adjustable by the occupant to control the ventilation rate in increments up to a high air flow setting that provides at least 6 air changes per hour; and iii. provides relief for equivalent volumes of spill air; iv. provides cooling and heating that is controllable by the occupant and can maintain the inside temperature between 18°C and 25°C; and 			

	<p>v. does not generate more than 35 dB $L_{Aeq(30s)}$ when measured 1 metre away from any grille or diffuser.</p> <p>(b) For other spaces, is as determined by a suitably qualified and experienced person.</p> <p>Report required</p> <p>3. A report is submitted to the council demonstrating compliance with clauses (1) to (2) above (as relevant) prior to the construction or alteration of any building containing an activity sensitive to noise. Compliance with 1(a) and (c) must be confirmed by a Registered Acoustician and when doing so railway noise must be assumed to be 70 $L_{Aeq(1h)}$ at a distance of 12 metres from the track, and must be deemed to reduce at a rate of 3 dB per doubling of distance up to 40 metres and 6 dB per doubling of distance beyond 40 metres.</p> <p>Note: The Rail Noise Control and Vibration Alert Area identifies the vibration-sensitive area within 100metres each side of the [KiwiRail Rail Corridor Designation]. Properties within this area may experience rail vibration effects. No specific district plan rules or notification requirements apply in relation to vibration controls as a result of this Rail Noise Control and Vibration Alert Area.</p>	
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Insert mapping overlay which identifies a 100m buffer on each side of the [KiwiRail Rail Corridor Designation] called "Rail Noise Control and Vibration Alert Area" to which the above rules will apply.

Appendix 2: Acoustics Advice



Chiles Ltd

Project: **Land use controls for railway sound and vibration**

Report: **Acoustics advice**

Client: KiwiRail

Reference: 130418h

Date: 19 July 2023

Author: Stephen Chiles

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1. Introduction

- 1.1. KiwiRail is undertaking an analysis of potential controls for existing/permitted railway sound and vibration from its national network, affecting new and altered sensitive land uses nearby. Chiles Ltd has been engaged by KiwiRail to provide advice on associated acoustics details to inform that analysis. This report sets out: effects of sound and vibration on people and buildings, indicative sound and vibration levels at different distances from railway tracks, methods to reduce sound and vibration, and recommendations for land use controls.
- 1.2. In normal acoustics usage the term "noise" describes unwanted airborne "sound", although some people use the words interchangeably. However, under the Resource Management Act (RMA) "noise" is defined as including vibration; presumably ground-borne. Notwithstanding that in practice "noise limits" in rules and conditions under the RMA refer exclusively to airborne sound. The term sound has been used in this report to distinguish airborne sound from ground-borne vibration in an RMA context where both are defined as noise.
- 1.3. A fundamental input when assessing railway sound and vibration is the type, volume and timing of railway traffic to be assumed on a particular section of the network. For comparison, when considering roads in New Zealand, road traffic volumes often gradually increase or remain steady, such that acousticians can sometimes use existing measured road traffic volumes as a reasonable baseline for future design. However, for railways in New Zealand, railway traffic volumes and times can change significantly, such that existing railway traffic may not be a reliable baseline when considering effects associated with new neighbouring houses that will exist for many decades. Therefore, appropriate assumptions for railway traffic types, volumes and times are an essential input that should be considered alongside the following acoustics information in this report.
- 1.4. Both sound and vibration have complex varying characteristics which are only approximated by metrics representing levels as a single number. There are compromises with whichever metrics are used. In the case of railway sound and vibration in New Zealand the choice of metrics is particularly challenging because often there are a relatively small number of intense events. In this situation, use of average values might under-represent adverse effects and use of maximum values might over-represent effects. The extent of under or over representation varies depending on the rail traffic in any location, which in turn relates to the comment above on railway traffic volumes. Metrics and objective analysis can still be valuable to focus interventions in the most effective places, but the limitations of the metrics require consideration when evaluating potential land use controls. This issue is discussed further in section 4.

2. Effects of sound

- 2.1. The World Health Organisation ("WHO") has periodically reviewed and collated evidence of health effects caused by environmental sound including from railways.¹ The most recent publication was by WHO Europe ("2018 WHO Guidelines"),² which was based on systematic

¹ World Health Organisation, Guidelines for community noise, 1999; World Health Organisation, Burden of disease from environmental noise, 2011.

² World Health Organisation, Environmental noise guidelines for the European region, 2018.

- reviews of a large number of published studies. There have been numerous other discrete studies of these issues, but the 2018 WHO Guidelines provides a robust synthesis of available information and its findings with respect to railway sound appear to be widely accepted.
- 2.2. From preceding studies, the 2018 WHO Guidelines found moderate quality evidence that railway sound causes adverse health effects in that it increases the risk of annoyance and sleep disturbance in the population. Various other potential health effects were examined but evidence was not available to determine a relationship for them with railway sound. Based on the information available the 2018 WHO Guidelines made "strong" recommendations that external railway sound levels should be reduced below 54 dB L_{den} and 44 dB L_{night} . The 2018 WHO Guidelines found there was insufficient evidence to recommend one type of intervention over another to reduce levels.
 - 2.3. The above 2018 WHO Guidelines recommendations are in terms of long-term (annual) average sound levels. One of the metrics relates just to the night period (L_{night}) and the other (L_{den}) is for a 24-hour average including penalties for sound occurring in the evening (+5dB) and at night (+10dB). By necessity, this use of long-term averages is a pragmatic approach given that potential health effects generally relate to exposure over extended periods and are determined from consideration of the community/population rather than specific individuals. Other research into health effects, such as relating to awakenings from sleep, has previously referenced maximum sound levels, but sleep disturbance as a health effect is only assessed in terms of average levels in the 2018 WHO Guidelines.
 - 2.4. The 2018 WHO Guidelines were based on international research from a wide range of countries. There was no available data from New Zealand at that time. Subsequent research published in 2019 specifically addressed the applicability of international data on railway sound annoyance of the New Zealand population.³ This included a survey of people living in the vicinity of the North Island Main Trunk line in South Auckland, using the same general methodology as most international studies. The research found that international noise annoyance response curves are generally applicable for the New Zealand population.
 - 2.5. There is current New Zealand and international research that may further refine the understanding of health effects caused by railway sound. However, the existing 2018 WHO Guidelines already establishes there are adverse health effects that warrant intervention.
 - 2.6. In New Zealand, railway sound criteria have commonly been defined in terms of one-hour average levels (see section 4). Values of 35 dB $L_{Aeq(1h)}$ inside bedrooms and 40 dB $L_{Aeq(1h)}$ inside other habitable spaces have previously been applied for protection from health effects. Accounting for the different metrics, these values are slightly higher (more lenient) than the 2018 WHO Guidelines for regular sound events but would be more stringent for infrequent events. This comparison relates only to average sound levels, but corresponding relationships with health effects for different frequencies of railway events are uncertain/unknown. Therefore, currently there is no evidence base available that would support significantly more or less

³ Humpheson D. and Wareing R., 2019. Evidential basis for community response to land transport noise, Waka Kotahi Research Report 656. <https://nzta.govt.nz/resources/research/reports/656/>

stringent railway sound criteria than 35 dB $L_{Aeq(1h)}$ inside bedrooms and 40 dB $L_{Aeq(1h)}$ inside other habitable spaces for protection of health.

- 2.7. There is a lack of information on the combination of indoor and outdoor living conditions in relation to health effects. Even if indoor conditions are controlled, there may still be residual health effects arising from outdoor conditions. In a New Zealand context, based on criteria applied for other sources, reasonable conditions in outdoor living spaces might be achieved with railway sound levels of 55 dB $L_{Aeq(1h)}$.

3. Effects of vibration

- 3.1. Adverse effects of railway vibration can include annoyance and sleep disturbance for building occupants and damage to buildings. Damage to buildings (even cosmetic damage) occurs at greater vibration magnitudes than those which can cause annoyance.
- 3.2. Internationally, there has been less research into transportation vibration effects on people compared to research on transportation sound effects. However, the evidence that does exist on adverse health effects caused by railway vibration indicates they are material, and as such the relative paucity of research is not an indicator of the degree of effects. There is international research ongoing in this area. Research is also investigating health effects arising from the combination of railway sound and vibration.
- 3.3. Norwegian Standard NS 8176⁴ summarises research of human response to transportation vibration and provides exposure response curves in terms of the percentage of people who would perceive or experience degrees of annoyance from vibration. The current version of the standard (2017) discusses the inherent uncertainty in the data, including that it does not account for varying traffic volumes, although notes no other studies addressing that factor were found.
- 3.4. NS 8176 defines four categories of vibration exposure in residential buildings, with Class A representing the best vibration conditions and Class D (or below) representing the worst. The Class C criterion has previously been applied in New Zealand for habitable spaces in new buildings. This corresponds to a vibration level at which about 20% of people would be expected to be highly or moderately annoyed by vibration. The Class C criterion is defined as a $v_{w,95}$ of 0.3 mm/s (vibration metrics are explained in section 4).
- 3.5. For vibration effects on buildings, a ppv criterion of 5 mm/s is often used in New Zealand as a threshold at which there is potential for cosmetic damage to new buildings. While the 5 mm/s ppv criterion has been taken from guidance in an overseas standard, it does not relate specifically to railway vibration and is generally regarded as a cautious value. There is a knowledge gap as to the actual likelihood of cosmetic damage from railway vibration in New Zealand. However, all potential criteria for vibration effects on people are substantially more stringent, such that for buildings containing sensitive activities, cosmetic building damage might not require separate consideration.

⁴ Norwegian Standard NS 8176:2017 Vibration and shock - Measurement of vibration in buildings from land-based transport, vibration classification and guidance to evaluation of effects on human beings

4. Methods

Sound level metrics

- 4.1. As discussed in section 1, for railway lines with intermittent traffic in New Zealand, use of an average sound level over any time period can cause inconsistencies between the level and the corresponding human response or health effect.
- 4.2. The noise provisions which have been sought by KiwiRail in plan changes around New Zealand to date have adopted a one-hour average ($L_{Aeq(1h)}$) for railway sound in their standards. This approach was initially proposed by Marshall Day Acoustics in a review undertaken in 2009 of appropriate noise criteria for district planning rules.⁵ This report considered the utilisation of one-hour averaging as against broadscale setbacks and average / maximum or day / night averages. The one-hour average allows for a degree of averaging compared to single events, but still represents periods of activity when disturbance from railway sound is occurring. In the New Zealand context an alternative metric with longer averaging times (e.g. L_{den}/L_{night}) would be likely to significantly under-represent adverse effects from maximum/event sound levels over much of the network.
- 4.3. Neither one-hour averages or maximum levels however have an established, researched relationship with the health effects correlated to the external long term average sound level criteria recommended by the 2018 WHO Guidelines. This represents a knowledge gap and currently necessitates a broad judgement to determine criteria using the one-hour average (or another metric like maximum levels).
- 4.4. As set out in section 2, the 2018 WHO Guidelines recommend annual average criteria of 54 dB L_{dn} and 44 dB L_{night} applying outside buildings. These values assume windows may be open, resulting in internal sound levels around 15 dB lower than the criteria (with windows ajar for ventilation): 39 dB L_{den} and 29 dB L_{night} . In a situation where there are regular railway sound events, it could be appropriate to directly take the long-term average L_{den} and L_{night} criteria to apply as one-hour criteria (the L_{den} would also need a -10dB adjustment if applying at night). However, for irregular or infrequent events a higher one-hour criterion could be appropriate. It might also be appropriate to adjust criteria if there are no events at night.

Vibration level metrics

- 4.5. Internationally there are a range of different metrics used to quantify vibration affecting humans, with no accepted standardisation for this application. The "statistical maximum value of weighted velocity" ($v_{w,95}$) metric has been used previously in New Zealand for both road and railway vibration affecting people, and has the advantage that it corresponds to the exposure response curves in Norwegian Standard NS 8176.
- 4.6. For vibration effects on buildings and structures, the "peak particle velocity" (ppv) metric is in widespread use in New Zealand. This metric is mandated by the Noise and Vibration Metrics National Planning Standard for construction vibration affecting structures.

⁵ Marshall Day Acoustics, *Ontrack rail noise criteria reverse sensitivity guidelines*, 22/10/09

- 4.7. In this report, vibration is presented in terms of the $v_{w,95}$ with respect to effects on people, and in terms of the ppv with respect to effects on buildings/structures.

Railway traffic characteristics

- 4.8. The above railway sound levels and effects depend on the timing, type and frequency of train movements at a particular location. As discussed in section 2, the proposed one-hour average sound criteria are generally less stringent than international daily average values for lines with more frequent movements. This was acknowledged by the original Marshall Day Acoustics report, which noted the application of one-hour averages are likely insufficient for lines with greater than 20 train movements a day, and the use of day / night averages or maximum levels would be more protective.
- 4.9. At the other end of the spectrum, for lines with very infrequent movements the proposed one-hour average criteria might be considered too stringent. With the numerous factors involved and the underlying knowledge gaps relating to sound effects, it is not possible to precisely define a lower railway traffic volume at which one-hour average sound criteria might become unwarranted. Any such consideration should not just include current rail volumes, but potential future rail volumes to which newly established activities may be subject to in the future.
- 4.10. Railway vibration levels and effects also depend on the traffic characteristics. However, the vibration criteria discussed in section 3 relate to levels from individual events rather than average levels. As such, the criteria are independent of the number of movements. Under the specified standard (NS 8176) the vibration criteria relate to the type of train at a particular location that generates the highest vibration levels, which will generally be freight trains. Therefore, the proposed criteria could be applied to all lines regardless of traffic characteristics.

5. Sound levels

- 5.1. Different options for sound level metrics are discussed in section 4 with respect to effects and criteria. In this section, example railway sound levels are presented in terms of average values over one hour ($L_{Aeq(1h)}$).
- 5.2. Railway sound levels are dependent on train types/condition, traffic volumes, speeds, track geometry/condition, terrain and various other factors. As discussed above, when considering average levels the assumed railway traffic volumes are a critical input.
- 5.3. With full geospatial details and information on railway activity, various standard acoustics computer modelling packages are available to predict railway sound levels for a specific situation. There is currently no standardised approach to this modelling for railway sound in New Zealand or consistent use of a particular calculation algorithm. Consequently, even with the same input data, predictions are likely to vary when made by different practitioners.
- 5.4. The following provides an illustration of typical railway sound levels based on an assumption of approximately two freight train movements in a one-hour period, in a flat area without screening. This is based on data summarised by Marshall Day Acoustics.⁶ More recent

⁶ Marshall Day Acoustics, *Ontrack rail noise criteria reverse sensitivity guidelines*, 22/10/09

(unpublished) measurements for various New Zealand train types confirm these sound levels are in a realistic range.

Distance from track	Sound level
10 metres	71 dB $L_{Aeq(1h)}$
20 metres	68 dB $L_{Aeq(1h)}$
30 metres	66 dB $L_{Aeq(1h)}$
40 metres	64 dB $L_{Aeq(1h)}$
50 metres	62 dB $L_{Aeq(1h)}$
60 metres	60 dB $L_{Aeq(1h)}$
70 metres	59 dB $L_{Aeq(1h)}$
80 metres	58 dB $L_{Aeq(1h)}$
90 metres	56 dB $L_{Aeq(1h)}$
100 metres	56 dB $L_{Aeq(1h)}$

- 5.5. In the Marshall Day Acoustics report which generated the above levels, this sound level assumption of 2 freight train movements in a one-hour period was originally proposed as being approximately equivalent to the sound level from lines with regular passenger trains. It was not intended to apply in settings which actually experienced two freight train movements per hour across a day (as noted in section 4 above, where there were more than 20 movements a day, a one-hour average was considered inadequate to address the likely effects). Instead the intention of the average is to provide an approximation of both the effects of a single event, and a generalised average of noise from the corridor. The report considered a single measurement would enable simpler application of the rule framework by landowners (compared to an average/maximum approach which was considered to add extra complication without significant benefits in effects management given the variability of single train pass-bys).
- 5.6. Based on this assumption the proposed sound criteria are likely to be appropriate for all urban lines with passenger trains and any lines with at least say six daily freight movements and/or freight movements at night (including where this level of activity may be required in future). This threshold of six freight movements is tentatively suggested based on a hypothesis that the one-hour average criteria would not be unduly stringent at this frequency of effect.
- 5.7. Internal sound levels with windows ajar for ventilation will typically be around 15 dB less than the external levels set out above. As such, at 100 metres from a track with 56 dB $L_{Aeq(1h)}$ outside, there is still potential to exceed internal criteria of 35 and 40 dB $L_{Aeq(1h)}$ (section 2). A 35 dB internal criterion in particular could be exceeded significantly beyond 100 metres from the track, potentially to around 200 metres. However, at progressively further distances from the track the actual sound level is more likely to be affected by topography and localised screening such that there will be greater variability in sound levels.
- 5.8. For land use controls, the appropriate method to determine railway sound levels for a particular site (specified values, modelled, measured) depends significantly on the approach to information on train types, volumes and times. This is discussed further in section 9 with respect to recommended controls.

6. Vibration levels (ground-borne)

- 6.1. The following table summarises various railway vibration measurements (and associated predictions) in New Zealand from a range of sources, generally ordered from lowest to greatest magnitude (other than the first row which uses the ppv metric rather than $v_{w,95}$). Where the data relates to a private development or complaint, a generic source reference is given. Not all measured values are directly comparable due to issues such as differences in measurement positions (ground/building) that would require adjustments.

Data source	Vibration levels
Marshall Day Acoustics, <i>Ontrack rail noise criteria reverse sensitivity guidelines, 22/10/09 (secondary reporting of Marshall Day Acoustics 2006 assessment for Marsden Point)</i>	Based on measurements: 2 to 3 mm/s ppv at 30m 0.5 to 1 mm/s ppv at 60m
AECOM, <i>Bayfair to Bayview – Rail Relocation Post Construction Noise and Vibration Monitoring, 6/3/17</i>	Measured: 0.56 mm/s $v_{w,95}$ at 7m From measurement and distance correction: 0.19 mm/s $v_{w,95}$ at 100m 0.26 mm/s $v_{w,95}$ at 50m 0.37 mm/s $v_{w,95}$ at 25m
Marshall Day Acoustics, <i>Wiri to Quay Park third main rail line noise and vibration assessment, 10/7/20</i>	Measured: 0.6 mm/s $v_{w,95}$ at 9.5m
URS, <i>Maunganui-Girven Road Intersection -Rail Vibration Assessment, 14/4/14</i>	Measured: 26.5 mm/s ² $a_{w,95}$ at 17m <i>(this $a_{w,95}$ value has different units and is not directly comparable to a $v_{w,95}$ value)</i> From measurement and distance correction: 0.34 mm/s $v_{w,95}$ at 100m 0.47 mm/s $v_{w,95}$ at 50m 0.67 mm/s $v_{w,95}$ at 25m
URS, <i>Operational noise and vibration assessment Peka Peka to North Ōtaki Expressway Project, 12/2/13</i>	Measured: 0.58 mm/s $v_{w,95}$ at 60m
Marshall Day Acoustics, <i>assessment in relation to a complaint near Hamilton, 28/11/12</i>	Measured (on a deck structure): 0.42 mm/s $v_{w,95}$ at 140m
Marshall Day Acoustics, <i>assessment for development in Napier, 6/2/20</i>	Measured: 1.2 mm/s $v_{w,95}$ at 10m
URS, <i>Ground-borne vibration measurements at Hornby, Christchurch, 12/9/14</i>	Measured before renewal: 2.2/2.9 mm/s $v_{w,95}$ at 8.4m Measured after renewal: 0.5/0.4 mm/s $v_{w,95}$ at 8.4m

- 6.2. The data in the above table illustrates the significant variation that is inherent in railway vibration. Vibration levels often vary even within a localised area and cannot be reliably predicted, such as in the same manner as airborne sound. Hence, measurements are generally required to assess ground-borne vibration.
- 6.3. With respect to effects on people, a vibration criterion of 0.3 mm/s $v_{w,95}$ is discussed in section 3. The measurement data shows that this criterion can routinely be exceeded at over

100 metres from railway tracks in New Zealand, but there is significant variation. Vibration levels exceeding this criterion occur beyond at least 50 metres from the track in most cases.

- 6.4. With respect to effects on buildings, a vibration criterion of 5 mm/s ppv is discussed in section 3. The vibration measurement data indicates that vibration levels might exceed this criterion within approximately 20 metres of the track. The implications of this are discussed further with respect to recommended controls in section 9.

7. Approaches to manage effects of railway sound

Source

- 7.1. Routine rolling stock and track maintenance undertaken by KiwiRail contributes to reducing sound at source. There might be incremental improvements if more stringent maintenance service standards were adopted.
- 7.2. Locomotives can be designed with sound reducing features, such as attenuators and silencers. Generally, these need to be integrated at the time of initial design/manufacture. Retrofitting measures to existing locomotives may be constrained and would be likely to constitute a major rebuilding. Locomotives with alternative power systems such as battery power can have reduced sound, although significant sound still arises from the track/wheel interface. Unpublished research⁷ included measurements that show the sound levels set out in section 5 remain representative for the current locomotive fleet, including the newer DL class locomotives. It is understood that KiwiRail has existing workstreams to renew its rolling stock (including the locomotives) overtime. This workstream is focused on alternative power systems, and as a multi-year project to explore (and where supported) upgrades/renewals of its stock, as opposed to retrofitting of existing or old stock.
- 7.3. Specific sound sources such as wheel squeal, can sometimes be reduced through treatment of rolling stock.
- 7.4. If older track is not continuously welded, implementing this measure can reduce sound.

Pathway

- 7.5. Barriers such as formed by earth bunds or walls can reduce railway sound. A barrier providing effective screening could typically reduce railway sound levels by around 5 dB. However, this is often impracticable because any noise barrier would typically need to be in the order of 5 metres high to achieve effective screening of locomotive sound sources that are several metres above the tracks, which in turn are often raised above local ground level. Sound screening might also be provided by intervening buildings or the terrain. As barrier performance is limited by sound passing over the top, typical barriers generally do not provide sufficient sound reduction for receivers close to the railway (within around 50 metres).

⁷ Waka Kotahi research programme. Social cost (health) of land transport noise exposure, <https://www.nzta.govt.nz/planning-and-investment/research-programme/current-research-activity/active-research-projects/>

- 7.6. Increasing the distance of the pathway reduces sound levels: i.e. separating the receiver from the source by a greater distance. As discussed previously, this measure in isolation may require separation of 100 to 200 metres.

Receiver

- 7.7. If habitable/sensitive spaces are orientated with no opening windows with exposure to railway sound then internal levels will be reduced. Hence the layout of a building can be used to manage railway sound. A practical approach can be to locate only ancillary, non-sensitive spaces such as garages and bathrooms on the side of the building facing the railway.
- 7.8. Where windows do have exposure to railway sound, closing those windows reduces internal sound levels. This typically provides a reduction in the order of 10 dB compared to when windows are open ajar for ventilation. However, if windows are required to be closed to reduce sound then an alternative (i.e. mechanical) ventilation and temperature control method is needed for occupants to maintain thermal comfort such that they have a genuine choice to leave the windows closed. For two older roading projects (SH20 Mt Roskill and SH1 Plimmerton) Waka Kotahi installed ventilation systems in 35 and 57 houses respectively with the intention that it would allow windows to be kept closed to reduce road-traffic noise.⁸ However, those systems only provided ventilation and not temperature control (e.g. cooling) and for both projects residents reported the temperature being uncomfortable with windows closed. Therefore, if closed windows are to be considered as a noise reduction measure, temperature control should be included in any alternative ventilation system.
- 7.9. If greater reductions are required than can be achieved just by building layout or closing windows, then the building fabric can be upgraded. This typically requires thicker and/or laminated glazing of windows and in some cases additional/thicker layers of plasterboard wall/ceiling linings.

8. Approaches to manage effects of railway vibration

Source

- 8.1. As for managing sound, routine track and rolling stock (wheel) maintenance contributes to reducing vibration at source. Again, there might be incremental improvements if more stringent maintenance service standards were adopted. It is understood based on evidence previously provided by KiwiRail that it endeavours to undertake current maintenance best practice where practicable, and continues to invest in ongoing upgrades of its maintenance abilities. This includes the recent commissioning of a new wheel maintenance facility at its Hutt Workshops, which should contribute to improved wheel servicing and repair. In terms of track condition, KiwiRail has comprehensive procedures including measurement of track condition/geometry with a specialist survey vehicle several times a year, and maintenance systems acting on that data.
- 8.2. There are several different methods to treat railway track to reduce vibration. These include resilient clips fastening the rails to sleepers, resilient material under the sleepers or ballast, and

⁸ Waka Kotahi, State highway guide to acoustic treatment of buildings, 2015

tracks directly or on ballast on concrete slabs, "floating" on resilient or spring vibration bearings. These vibration treatments are generally "built into" the overall track formation, particularly for the better performing options. Some treatments can increase the height of the track, having implications on clearances from bridges and overhead structures. As such, these measures are most commonly used for new tracks when the treatments can be integrated into and constructed as part of the overall design (e.g. on the Auckland City Rail Link). Retrofitting treatments over a wide area would require a major rebuilding of the tracks, beyond standard upgrading or maintenance.

Pathway

- 8.3. There are no standard pathway controls to reduce vibration. In some instances, depending on the dominant propagation route in the specific location, in-ground barriers can reduce vibration propagation. In addition to practical/space constraints (where the corridor is too narrow to construct an in-ground barrier), this is generally not something that could be applied broadly along a rail corridor as it would require analysis and design for specific locations.
- 8.4. Again, increasing the distance of the pathway reduces vibration levels: i.e. separating the receiver from the source by a greater distance.

Receiver

- 8.5. Depending on the specific propagation paths, use of different building foundation types (e.g. pile/pad) can result in reduced vibration entering a structure. Likewise, propagation through a structure will alter depending on its design (e.g. concrete/steel).
- 8.6. Buildings can be built on vibration bearings to reduce vibration from the foundations entering the building. (Some types of vibration bearing are similar to earthquake bearings.) Individual spaces within a building could be constructed as separate structures mounted on vibration isolators, but this is unlikely to be a practical solution in most cases compared to isolating the entire building.

9. Recommended land use controls

Form of controls

- 9.1. Extensive and widespread mitigation at source would generally only give relatively small incremental improvements and/or would require renewal/replacement of a substantial proportion of track and rolling stock. While (as set out at 7.2 above) there are programmes being undertaken by KiwiRail to renew its existing rolling stock, this confirms any improvements are likely to be incremental as fleets are gradually renewed. There are therefore unlikely to be practicable options for extensive mitigation at source to address sound and vibration effects on new and altered sensitive land uses seeking to establish near existing railways.
- 9.2. In terms of sound and vibration affecting people, the most robust control would be avoidance of effects by separating sensitive activities from railways. This could be achieved by defining an area around railways where new noise sensitive activities are not allowed. However, in addition to any non-acoustic impacts of such a control, if it contributed to larger and/or more dispersed urban areas then it might in itself cause increased transportation sound and vibration as the

overall population travels greater distances. The following recommendations are therefore made on the assumption that avoidance of effects by separation alone is not a practicable option.

- 9.3. If new and altered sensitive activities are allowed near railways, then to manage potential health effects, controls are needed to result in appropriate design of buildings or effective screening and separation of those buildings from the railway.
- 9.4. Several different methods have previously been used in RMA plans. Two common approaches are:
 - a) setting internal sound and vibration limits; or
 - b) specifying building constructions directly or in terms of sound reduction performance.
- 9.5. The first approach requires a site-by-site assessment and tailored mitigation for each development, whereas the second approach requires the same mitigation for all developments. The first requires specialist acoustics expertise whereas the second does not if specifying building constructions directly.
- 9.6. The potential health effects discussed above have been shown to occur (or be more likely) above certain sound and vibration threshold levels inside buildings. As discussed previously, there are a large number of variables that determine external railway sound and vibration exposure and there are nuances with building siting/layout and design that affect the internal levels. Controls that require the same mitigation for all developments result in excess treatment in many cases and inadequate treatment for those developments most exposed (nearest to the railway). Technically, setting internal sound and vibration criteria and requiring a site-by-site assessment should be the most efficient and effective approach.
- 9.7. In the Christchurch District Plan, multiple compliance options were included for mitigating road and rail noise in buildings for new sensitive activities. On review of the controls the Council found that in most cases site-specific assessment was selected by developers rather than fixed mitigation (i.e. following a standard building design schedule or fixed sound reduction performance).⁹ This was presumably as despite any specialist assessment costs the site-specific assessment provided a more efficient solution.
- 9.8. It is recommended that any land use controls should be based on achieving internal sound and vibration criteria and allowing for requirements for each site to be determined through individual assessment.

Sound and vibration criteria

- 9.9. For the reasons discussed previously, the following criteria are recommended to manage potential health effects. A range of sensitive activities have been included in this table, extending from the primary issue of residential units.
- 9.10. For all these building types the vibration criterion relating to health effects is more stringent than any separate control that might relate to building damage. For other building types a

⁹ Christchurch District Plan, Plan Change 5E

separate vibration criterion is included in the table, which could be used to avoid potential building damage.

Building type	Occupancy/activity	Sound criterion	Vibration criterion
		$L_{Aeq(1h)}$	
Residential	sleeping spaces	35 dB	0.3 mm/s $v_{w,95}$
	all other habitable rooms	40 dB	
Visitor accommodation	sleeping spaces	35 dB	
	all other habitable rooms	40 dB	
Education	lecture rooms/theatres, music studios, assembly halls	35 dB	
	teaching areas, conference rooms, drama studios, sleeping areas	40 dB	
	libraries	45 dB	
Health	overnight medical care, wards	40 dB	
	clinics, consulting rooms, theatres, nurses' stations	45 dB	
Cultural	places of worship, marae	35 dB	
All	All occupancies/activities not specified above	-	5 mm/s ppv

- 9.11. As discussed in section 2, reasonable conditions should be achieved in outdoor living spaces if they are subject to a sound criterion of 55 dB $L_{Aeq(1h)}$.
- 9.12. The sound level criteria are based on intermittent rail activity. For the assumed rail activity discussed in sections 4 and 5, controls should specify that criteria are to be achieved for external railway sound of 70 $L_{Aeq(1h)}$ at a distance of 12 metres from the track, reducing at a rate of 3 dB per doubling of distance up to 40 metres and 6 dB per doubling of distance beyond 40 metres.

Extent of controls

- 9.13. Setting a distance for application of controls that includes most land affected by railway sound and vibration would extend for say 200 metres from railways, and would include a substantial area towards the periphery where on closer examination of specific developments no building treatments would be required. Previously, a distance of 100 metres has been used for the application of controls for railway sound. Technically this represents a reasonable compromise if the aim is to capture the most affected sites without requiring assessment where building treatment is less likely to be required. This aligns with the assumed sound levels applied for the rail volumes and one-hour average discussed at section 5 above.
- 9.14. For vibration, a distance of 60 metres has been used for controls previously. On the basis of the measurement data presented above, I have recommended this be increased to 100 metres consistent with the distance used for sound.

Ventilation

- 9.15. Where windows are required to be closed it is recommended that a mechanical system be required to provide thermal comfort so there is a genuine choice to leave windows closed. Ventilation is outside the expertise of Chiles Ltd, but on the basis of work published by Waka Kotahi^{10,11} the following system specification for residential and visitor accommodation habitable rooms may be appropriate:
- i. provides mechanical ventilation to satisfy clause G4 of the New Zealand Building Code; and
 - ii. is adjustable by the occupant to control the ventilation rate in increments up to a high air flow setting that provides at least 6 air changes per hour; and
 - iii. provides relief for equivalent volumes of spill air;
 - iv. provides cooling and heating that is controllable by the occupant and can maintain the inside temperature between 18°C and 25°C; and
 - v. does not generate more than 35 dB $L_{Aeq(30s)}$ when measured 1 metre away from any grille or diffuser.

Alternative compliance pathways

- 9.16. Existing controls in district plans based on internal sound and vibration criteria, often include alternative compliance pathways that can be used in some cases to demonstrate that appropriate sound and vibration conditions will be achieved, without requiring specialist assessment or only requiring a reduced assessment. Essentially, these pathways allow for sites and buildings that are likely to have lower sound exposure, or that adopt conservative building designs, to face reduced assessment requirements. Alternative pathways have included:
- a) Compliance with internal sound criteria demonstrated by external levels not exceeding the internal criteria by more than 15 dB (reduced assessment needed for external levels).
 - b) Compliance with internal sound criteria demonstrated by the building being at least 50 m from the railway and screened by a solid barrier, from all points up to 3.8 m above the tracks.
 - c) Compliance with internal sound criteria demonstrated by using prescribed building constructions.
 - d) Compliance with internal vibration criterion demonstrated by use of prescribed building base isolation system.
- 9.17. Technically, the alternative pathways are valid as they result in compliance with the sound and vibration criteria, albeit generally not in the most efficient manner. As discussed above, in the case of the Christchurch District Plan alternative pathways provided were generally not used and were found to make the plan more confusing for users and harder to administer for the Council.

¹⁰ Acoustic Engineering Services, NZTA Ventilation specification review, 30 June 2020

¹¹ Beca, Ventilation systems installed for road-traffic noise mitigation, 26 June 2014

Appendix 3: Economic Assessment





Final Report: 16 August 2023

Economic Assessment of Options to Manage Adverse Rail Noise Effects

Prepared for: **KiwiRail Holdings Limited**

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1. Executive Summary

Introduction

The rail network is an integral part of New Zealand's transport infrastructure and is estimated to generate nearly \$2 billion of value annually (via reduced traffic). To ensure that it is free to grow and operate as needed, and to protect the health and amenity of people, KiwiRail promotes the inclusion of District Plan provisions that require new buildings and/or alterations to existing ones, for noise sensitive activities to mitigate the effects of rail noise. To assist decision-makers, this report assesses the likely high level economic costs and benefits of three options for managing such effects.

Options Analysed

The three options analysed are:

1. Do nothing – where the adverse effects of rail noise are not managed (Option A in the s32 report);
2. KiwiRail's proposed provisions – which apply within 100 metres of the rail network (Option G in the s32 report); and
3. No noise sensitive development within 100 metres of the rail network (Option E in the s32 report).

Option Costs and Benefits

The main costs and benefits of the options relate to:

1. Adverse health and amenity effects from prolonged exposure to rail noise.
2. Costs of changing building designs and/or locations to mitigate effects.
3. Policy implementation, administration, and compliance costs.
4. The opportunity cost of potentially foregoing noise sensitive development near the network.
5. Compromised rail operation and efficiency due to potential reverse sensitivity issues (complaints, changes in operating regime).

Worked Example

The likely costs and benefits of each option are area- and context-specific because they depend on a range of factors that are fluid through both time and space. To demonstrate how the approach can be applied in each territorial authority where KiwiRail's preferred provisions are sought, we derived a model that can be applied on a case-by-case-basis. It contains nearly 20 inputs and assumptions that can be populated with figures that match the circumstances of each district at that time to provide timely and reliable insights to the likely costs and benefits of the three options evaluated herein.

Table 1 below shows the various inputs and parameters in the model, which are populated here with a set of hypothetical values purely for illustration.

Table 1: Model Parameters for Assessing Option Costs and Benefits (Hypothetical Example)

Area of Land Affected & Likely Dwelling Yield	Values
Control Area (Buffer) start distance in metres from edge of rail network	10
Control Area (Buffer) end distance in metres from edge of rail network	100
Share of land within proposed buffer otherwise available for development	80%
Residential development density - dwellings/ha (gross)	10
Metres per kilometre	1,000
Square metres per hectare	10,000
Land Values for Noise Sensitive and Non-Sensitive Activities	Values
Value of land zoned for residential & other noise sensitive activities (\$/m ²)	\$400
Value of land zoned for non-noise sensitive activities (\$/m ²)	\$200
Health & Amenity Benefits	Values
Average dwelling price	\$540,000
Mitigation Impact (dB of noise reduction)	5
Mitigation benefits (as a % of property value) per 1 dB improvement	1.20%
Policy Compliance Cost Parameters	Values
Average dwelling build cost	\$300,000
Mitigation fixed costs per dwelling	\$3,000
Mitigation variable cost (as a % of construction cost)	3%
Impacts on Rail Operation	Values
Annual value of rail to New Zealand (from Deloitte Study)	\$1,900,000,000
Impact of new noise sensitive activities on value of rail (as a %)	2%
Total length of NZ railway track (km)	3,700
Financial Parameters	Values
Time Period of Analysis (years)	30
Discount Rate	10%

Finally, Table 2 shows the corresponding option costs and benefits for this specific example, where KiwiRail's proposed provisions generate the lowest net cost and hence are the preferred option.

Table 2: Estimated Net Costs/Benefits per Kilometre of Track (Hypothetical Example)

Costs/Benefits per km of Track	Option 1	Option 2	Option 3
Amenity & health benefits	-\$4,665,600	\$0	\$0
Impacts on rail operation	-\$97,000	\$0	\$0
Policy compliance costs	\$0	-\$1,728,000	\$0
Housing market impacts	\$0	\$0	-\$28,800,000
Option Net Benefits/Costs	-\$4,762,600	-\$1,728,000	-\$28,800,000

2. Introduction

2.1 Context & Purpose of Report

KiwiRail is responsible for the development and operation of New Zealand's rail network. To ensure that the rail network is free to grow and operate as needed to meet ever-evolving needs, KiwiRail promotes the inclusion of District Plan provisions that require new buildings, and/or alterations to existing ones, for noise sensitive activities to mitigate the effects of rail noise. To assist, this high-level report assesses the likely key economic costs and benefits of three options for managing such effects, including KiwiRail's proposed provisions.

2.2 Steps in Assessment & Report Structure

Below are the key steps in our assessment and the sections of this report where each is addressed.

1. Understand the strategic context (section **3**)
2. Identify options to manage rail noise effects (section **4**)
3. Identify option effects and key stakeholders (section **5**)
4. Assess the impacts of each option on stakeholders (sections **6 to 9**)
5. Identify the best/preferred option (section **10**)

The rest of this report works through each step.

3. Strategic Context

3.1 About the New Zealand Freight Task

New Zealand, like all developed nations, is highly dependent on domestic and international trade. This trade creates a massive freight task, with approximately 280 million tonnes moved around NZ annually.¹ While rail plays a key role in the freight sector, particularly for certain goods like timber, dairy, and meat², most of the national freight task is performed by diesel trucks. These generate harmful emissions, including CO₂, and are therefore the target of a concerted effort to decarbonise the transport fleet. For example, the New Zealand freight and supply chain strategy seeks to move 20% more freight by 2035 while generating 25% lower emissions, including via modal shifts to rail.

3.2 Rail for Passengers

Rail is not just a freight mode, either, and also plays an increasingly important role in keeping people moving in and around our largest metropolitan areas, particularly Auckland and Wellington. As those cities continue to intensify with more people living in and around centres serviced by the rail network, the share of passenger journeys taken by rail will also naturally increase too. The potential for to reconnect large metropolitan centres through inter-regional passenger rail is also an increasing focus, building on pilot programmes like the Te Huia connection between Auckland and Hamilton.

3.3 The Future Role of Rail

In parallel, the New Zealand Government has recognised the need to maximise the value of its existing investments in the rail network, including making rail a more attractive mode for freight and expanding the passenger rail network. Previously, investment in the rail network lacked a long-term view about its role in the transport system. This caused short-term thinking and investment decision-making, so a new approach was needed.³

The New Zealand Rail Plan⁴ was developed in 2021 to articulate the Government's vision and priorities for rail to 2030, and to identify the investment needed to achieve it. In June 2021, the Rail Network Investment Programme (RNIP) was created to fund various planks of the Rail Plan that will help renew the network, restore it to a resilient and reliable state, and support freight and passenger rail growth and productivity.⁵

3.4 The Value of Rail to New Zealand

The New Zealand rail network delivers significant value to its freight and passenger customers, and also generates significant benefits for all New Zealanders. These wider benefits are far-reaching, but the most significant are lower road congestion, fewer road accidents, and lower carbon emissions that result from less road traffic.

¹ <https://www.transport.govt.nz/assets/Uploads/Freight-and-supply-chain-issues-paper-full-version.pdf>

² <https://www.kiwirail.co.nz/our-business/freight/>

³ <https://www.transport.govt.nz/area-of-interest/infrastructure-and-investment/the-new-zealand-rail-plan/>

⁴ *ibid*

⁵ *ibid*

In 2021, Ernst & Young were commissioned by the Ministry of Transport to evaluate the value of rail to New Zealand.⁶ Their study built on an earlier analysis from 2016 and considered the benefits of (i) national freight rail, and (ii) passenger rail in Auckland and Wellington.⁷ Two scenarios were modelled. The first assumed that all rail services were cancelled, with all rail freight and passengers shifted to the road network. The second scenario also assumed that all rail services were cancelled and shifted to the road network, but with 20% higher rail traffic to capture the impacts of projected future growth. For both scenarios, the value of rail equals the costs of road traffic avoided.

The table below summarises the study's estimates of rail's benefits for the first scenario, where rail volumes match today. In short, the value of rail is estimated to be \$1.7 to \$2.1 billion per annum.

Table 3: Estimated Annual Value of Rail to New Zealand

Benefit	Low Estimate	High Estimate
Time (congestion) savings	\$939	\$1,054
Reduced air pollution	\$170	\$474
- NOx emissions	\$92	\$394
- SOx emissions	<\$1	<1
- Brake & tire (PM10)	\$21	\$22
- Exhaust (PM2.5)	\$57	\$58
Reduced fuel use	\$211	\$222
Reduced GHG emissions	\$178	\$182
Maintenance benefits	\$104	\$107
Safety	\$94	\$98
- Death	\$63	\$65
- Serious injuries	\$25	\$27
- Minor injuries	\$5	\$6
Totals	\$1,695	\$2,137

In the words of the Ernst & Young study, as demonstrated above, rail transportation provides the largest benefits to the road sector and society through:

- Time and congestion savings (49% - 55% of benefits)
- Reduced air pollution (10% - 22% of benefits)
- Reduced fuel use and maintenance costs (14% of benefits)
- Reduced greenhouse gas (GHG) emissions (9% to 10% of benefits).

The report also notes that the second scenario, where rail volumes are 20% higher, generates higher benefits than the scenario summarise above, but the difference is not linear with rail volumes. Specifically, the second scenario generates benefits that are about 10% higher than scenario one.

⁶ Ernst & Young, the Value of Rail in New Zealand, 2021.

⁷ i.e. it excluded inter-island ferries and long-distance passenger rail services, which are also operated by KiwiRail.

3.5 Need for Operational Freedom & Flexibility

To continue realising rail's substantial value to New Zealand, as per above, and to maximise its potential to limit growth in road traffic over time, the rail network must be available for operations 24/7 just like the road network. Reverse sensitivity from nearby sensitive receivers risks undermining that flexibility.

3.6 Summary and Conclusion

Rail is an important part of New Zealand's current transport mix. It provides significant value to New Zealand. It is necessary to protect that critical role to enable rail traffic to grow over time alongside population and economic growth. It is on this basis that KiwiRail seeks the inclusion of District Plan provisions which manage the risk to its operations and future growth that reverse sensitivity poses.

4. Policy Options

This section identifies three policy options to manage the adverse effects of rail noise. These were considered the most plausible/workable options from the long list shown in the appendix.

4.1 Option 1: Do Nothing (option A in the s32 report)

The first option is to “do nothing” with the adverse effects of rail noise not managed, either in the District Plan, or via other means. This forms the baseline (or counterfactual) against which the impacts of the other options are assessed.

4.2 Option 2: KiwiRail Proposed Provisions (option G in the s32 report)

The next option is KiwiRail’s proposed provisions. These require new buildings for noise sensitive activities, or alterations to existing ones, within 100 metres of the railway network boundary to mitigate the effects of noise. Specifically, affected buildings must either:

- (a) be designed, constructed and maintained to achieve indoor design noise levels resulting from the railway not exceeding the maximum values in the following table; or

Building Type	Occupancy or Activity	Max Railway Noise LAeq(1h)
Residential	Sleeping spaces	35 dB
	All other habitable rooms	40 dB
Visitor Accommodation	Sleeping spaces	35 dB
	All other habitable rooms	40 dB
Education Facility	Lecture rooms/theatres, music studios, assembly halls	35 dB
	Teaching & sleeping areas, conference rooms, drama studios	40 dB
	Libraries	45 dB
Health	Overnight medical care, wards	40 dB
	Clinics, consulting rooms, theatres, nurses’ stations	45 dB
Cultural	Places of worship, marae	35 dB

- (b) be located at least 50 metres from any railway network, and is designed so that a noise barrier completely blocks line-of-sight from all parts of doors and windows, to all points 3.8 metres above railway tracks, or

- (c) it can be demonstrated by way of prediction or measurement that the noise at all exterior façades of the listed activity is no more than 15 dB above the relevant noise levels in Table 1 (above).

If windows must be closed to achieve the design noise levels in (a), mechanical ventilation must be designed, constructed, and maintained. Finally, a report must be submitted to the Council demonstrating compliance with the proposed provisions prior to the construction or alteration of any building containing a noise sensitive activity.

We note the assessment of the costs of Option 2 may also be helpful in assessing a scenario where KiwiRail adopts the funding of the various mitigation measures. This scenario is not assessed

separately below, but we note from an economics assessment, the feasibility of implementing these provisions drops rapidly should KiwiRail adopt both its internal (eg track maintenance and noise reduction costs) and the cost of implementing the provisions. Given the benefits of the provisions also attribute the benefits of the costs of implementation (via warmer, drier, and quieter homes that are also worth more) solely to the landowner, this further reduces the burden of the costs of those provisions sitting with the landowner, rather than KiwiRail.

4.3 Option 3: No Noise Sensitive Development within 100 Metres (option E in the s32 report)

The final option is to prevent new buildings for noise sensitive activities, or alterations to existing ones, occurring within 100 metres of the railway network to avoid adverse noise effects. For clarity, this option does not preclude activities that are not noise-sensitive (eg commercial, industrial or rural activities) from establishing there.

5. Option Impacts & Key Stakeholders

This section identifies likely option impacts and key stakeholders affected.

5.1 Option Costs

The main costs of the options are likely to be:

1. Adverse **health and amenity effects** from prolonged exposure to rail noise. These impacts will vary with several factors, including distance from the network, the design and orientation of buildings, the extent of outdoor activity, plus the health and resilience of affected people.
2. Costs of **changing building designs and/or locations** to mitigate effects. These costs result directly from the need to mitigate effects within the 100-metre buffer area (where deemed necessary by a suitably-qualified noise/acoustic expert).
3. Policy **implementation (ie construction), administration, and compliance** costs. While KiwiRail is seeking the inclusion of provisions only during District Plan review processes, rather than via its own plan change processes (which helps minimise implementation costs), the proposal will still have ongoing administration and compliance costs. These include costs borne by Councils as the administrators of District Plans, plus costs incurred by affected landowners, such as the engaging a noise/acoustic expert to assess the extent of mitigation required, if any.
4. Potential **impacts on housing supply**. If affected properties cannot mitigate the adverse effects of rail noise in a financially feasible manner, there may be a reduction in the quantity of new housing built. This, in turn, could affect the wider housing market and may affect the ability of some Councils to meet their obligations under the National Policy Statement on Urban Development 2020 (NPSUD).
5. **Compromised rail operation and efficiency** due to potential reverse sensitivity. Finally, for options that do not properly manage the adverse effects of rail noise on nearby noise sensitive activities, there may be potential risks to the ongoing operation and efficiency of the rail network.

5.2 Option Benefits

The main benefits of the options are likely to be:

- Improved **health and amenity effects** from properly managing exposure to rail noise. In many cases, these measures will also result in **warmer, drier, healthier homes** that are cheaper to run.
- For options that properly manage the adverse effects of noise, there will be **benefits from the ongoing, unconstrained operation of the rail network**. To the extent that rail can attract a larger share of the national freight task, as sought by several policy initiatives, all new Zealanders will benefit from **lower congestion, accidents, and harmful emissions**.

- Compared to options that effectively sterilise development (for noise sensitive activities) near the rail network, those that enable it will **allow affected land to be put to higher and better uses** than they likely would to otherwise.
- Finally, to the extent that options avoid investments that would otherwise be needed, there will be benefits in the form of **avoided costs saved**.

5.3 Key Stakeholder Groups

Our analysis considers the extent to which option costs and benefits affect the following key stakeholder groups:

- **Affected property owners** – this group will be directly affected in several ways. First, if they develop their land to accommodate noise sensitive activities near the railway line and no mitigation measures are adopted, future occupants may experience adverse effects from prolonged exposure to rail noise. Conversely, affected property owners may face provisions that either (i) limit their ability to develop their land for certain activities, and/or (ii) which impose additional costs to enable noise sensitive activities to establish there.
- **Rail network customers** – this group could be adversely affected if growth in noise sensitive activities near the rail network causes reverse sensitivity, which in turn reduces the frequency, reach, and/or availability of the rail services upon which they rely.
- **KiwiRail and the NZ Government** – As the rail network operator and funder, respectively, KiwiRail and the New Zealand Government will also be affected by the presence or absence of provisions to manage the adverse effects of rail noise. For example, if such effects are left unmanaged, these groups may be negatively impacted by potential constraints arising from reverse sensitivity, which would undermine the operation of – and investment in – the rail network.
- **Territorial authorities** – to the extent that provisions are included in District Plans, territorial authorities will bear the costs and responsibility of incorporating and administering them. While these costs are unlikely to be significant over and above those already associated with their day-to-day functions, they are still an important consideration.
- **NZ's people and its economy** – finally, we note that provisions to manage adverse rail noise, or the absence thereof, may have far reaching effects. For example, if such effects are not properly managed leading to reverse sensitivity that curtail rail operation or availability, any consequent increases in road freight traffic will have negative effects on all of New Zealand. In addition, New Zealanders will bear some of the costs of treating adverse health effects via the tax-funded public health system.

6. Health and Amenity Impacts

This section considers the health and amenity impacts of each option.

6.1 Option 1: Do Nothing⁸

Under this option, the District Plan does not contain provisions that manage the adverse health and amenity impacts of rail noise. Accordingly, it exposes proximate noise sensitive activities to potential adverse health and amenity effects from the rail network.

6.2 Option 2: KiwiRail Proposed Provisions⁹

By design, KiwiRail's proposed provisions directly manage the adverse effects of proximity to the rail network and therefore create ongoing benefits for affected landowners and their tenants (if any). In addition, this option will have wider benefits on the increased warmth, energy efficiency and dryness of homes due to the kinds of mitigation measures imposed (see further discussion re these benefits in the report of Dr Chiles).

However, the true impacts of this option on health and amenity depend fundamentally on the extent to which any proposed mitigation measures would be required anyway, for example to meet the New Zealand Building Code. As the code (likely) continues to strengthen over time, or as developers voluntarily include such measures anyway to keep pace with consumer preferences, the marginal benefits of complying with these provisions will decline. So too, however will the costs, which we return in section 8 below.

To the extent that KiwiRail's proposal does cause some buildings to install design features or elements that they would not have otherwise, there will be health and amenity benefits. First, and most foremost, the adverse effects of rail noise will be properly managed. While it is difficult to accurately quantify such benefits, a recent report for Christchurch City Council (CCC) estimated the health and amenity benefits of noise attenuation to be approximately 1.2% of property value per decibel of road noise reduction.¹⁰

We consider it unlikely that health and amenity effects accrue linearly with property value, as suggested by the CCC estimate. This would imply, for example, that a \$1 million house receives double the benefits of a \$500,000 one. Instead, there are likely to also be lump-sum (per-property) elements. That said, these estimates are the best currently available, so below we use them to show the potential benefits for different combinations of property values and noise level reductions.

Table 4: Health & Amenity Benefits by Property Value and Size of Noise Reduction in dB (\$000s)

Property Value (000s)	Noise Reduction dB									
	1	2	3	4	5	6	7	8	9	10
\$250	\$3	\$6	\$9	\$12	\$15	\$18	\$21	\$24	\$27	\$30
\$500	\$6	\$12	\$18	\$24	\$30	\$36	\$42	\$48	\$54	\$60
\$750	\$9	\$18	\$27	\$36	\$45	\$54	\$63	\$72	\$81	\$90

⁸ Option A in the s32 report

⁹ Option G in the s32 report

¹⁰ Formative, Christchurch Plan Change 5E Noise Sensitive Activities Near Road and Rail Corridors, 30 September 2022.

\$1,000	\$12	\$24	\$36	\$48	\$60	\$72	\$84	\$96	\$108	\$120
\$1,250	\$15	\$30	\$45	\$60	\$75	\$90	\$105	\$120	\$135	\$150
\$1,500	\$18	\$36	\$54	\$72	\$90	\$108	\$126	\$144	\$162	\$180
\$1,750	\$21	\$42	\$63	\$84	\$105	\$126	\$147	\$168	\$189	\$210
\$2,000	\$24	\$48	\$72	\$96	\$120	\$144	\$168	\$192	\$216	\$240

Table 4 shows that health and amenity benefits could be substantial, especially if they accrue linearly with property value as assumed/modelled. For example, a 5dB reduction could translate to a \$30,000 benefit for a \$500,000 home, or \$60,000 for a \$1 million home.

In addition, measures adopted to comply with KiwiRail’s proposed provisions, such as double glazing and/or mechanical ventilation, are likely to make homes warmer, healthier, and drier. For example, a 2022 interim report by EECA¹¹ found that 62% of families who were provided heat pumps reported being in very good or excellent health, compared to only 46% before installation. Further, EECA’s final report from December 2022¹² noted that electricity use (through winter) falls in a house fitted with a heat pump by an estimated 16% relative to a house without a heat pump installed.

Thus, not only do heat pumps make homes warmer, drier, and healthier, but they also save on energy costs. Over time, these savings will add up and help offset the initial costs of purchase and installation.

6.3 Option 3: No Noise Sensitive Development within 100 Metres¹³

This option also (largely) avoids the adverse effects of rail noise but does not deliver the additional benefits resulting from building improvements associated with the KiwiRail proposal.

¹¹ Motu report for EECA, Warmer Kiwis Study: Interim Report: An impact evaluation of the Warmer Kiwi Homes programme

¹² Motu report for EECA, Warmer Kiwis Study: Final Report: An impact evaluation of the Warmer Kiwi Homes programme

¹³ Option E in the s32 report

7. Impacts on Rail Uptake & Operation

This section considers impacts of each option on rail network uptake and operation.

7.1 Option 1: Do Nothing¹⁴

Because this option does not manage adverse rail noise effects, it can cause reverse sensitivity that gradually undermines the future uptake and operation of the rail network. This, in turn, would erode the value created by rail (as summarised above) and limit rail's ability to attract market share from the road freight sector. In addition, it can affect the ability of passenger rail services to shift people out of single occupancy vehicles during rush hour, which are a major contributor to congestion and delay on the road network as well as emissions.

Unfortunately, it is impossible to accurately assess the extent to which reverse sensitivity resulting from this option would disrupt the rail network and the consequential impacts on the economy. However, for the sake of illustration, we note that every 1% reduction in rail traffic caused by reverse sensitivity from new noise sensitive activities establishing nearby would cost the broader economy approximately \$17 to \$21 million per annum (based on the annual values shown in section 3.3 above).

7.2 Option 2: KiwiRail Proposed Provisions¹⁵

By design, KiwiRail's proposed provisions would directly manage the adverse effects of new noise sensitive activities establishing in proximity to the rail network which would help it become an increasingly credible alternative to road transport for freight and passenger movements. However, that said, we acknowledge that reverse sensitivity may still arise from existing proximate activities.

7.3 Option 3: No Noise Sensitive Development within 100 Metres¹⁶

This option also (largely) avoids the adverse effects of rail noise and therefore should result in the same outcomes for the rail network as KiwiRail's proposed provisions.

¹⁴ Option A in the s32 report

¹⁵ Option G in the s32 report

¹⁶ Option E in the s32 report

8. Policy Administration/Compliance Costs

8.1 Option 1: Status Quo¹⁷

The status quo does not incur any administrative or compliance costs because it is (assumed to be) devoid of such provisions.

8.2 Option 2: KiwiRail Proposed Provisions¹⁸

KiwiRail's proposed provisions will have one-off costs to the Council of including them in the District Plan. However, because KiwiRail is proposing their introduction only during District Plan review or Plan Change processes, where changes to plans are occurring anyway, the marginal costs to Councils of including the proposed provisions is likely to be negligible. Further, while there will be ongoing costs from administering the provisions once operative, these are not expected to be material in the context of functions ordinarily carried out by Councils.

The greatest administrative and compliance costs associated with this option are those that fall on affected landowners. First, affected properties must commission a noise/acoustic expert to identify the need for, and optimal types of, mitigation to manage rail noise. We understand that these are likely to cost about a few thousand dollars.

Where buildings cannot be situated on a site or designed to locate sensitive activities away from the rail corridor, installing insulation, double glazing, mechanical ventilation, and other mitigation features will be the major cost felt by affected landowners. Again, unfortunately, it is difficult to provide reliable generalised estimates of these features because they are context-specific, and depend on the particular design choices of each landowner and their preferred use of their site. In addition, as noted earlier, the true cost of complying with these provisions will depend on the extent to which such measures would have been included in the building design anyway (either due to Building Code requirements and/or because the developer chose to adopt them).

Another complication is that the nature and cost of mitigation works will differ with several variables, including building height and distance from the rail network. For example, the following table from a recent report by Chiles Limited indicates the general relationship between distance from the rail network and the level of noise experienced.¹⁹

¹⁷ Option A in the s32 report

¹⁸ Option G in the s32 report

¹⁹ Chiles Limited, Land use controls for railway sound and vibration, March 2023.

Table 5: Relationship Between Distance and Sound Levels

Distance from Track	Sound Level $L_{Aeq(1h)}$
10 metres	71 dB
20 metres	68 dB
30 metres	66 dB
40 metres	64 dB
50 metres	62 dB
60 metres	60 dB
70 metres	59 dB
80 metres	58 dB
90 metres	56 dB
100 metres	56 dB

To advance the analysis, and for the sake of illustration, we draw on work completed by Beca for Waka Kotahi in 2013²⁰, which estimated the cost of mitigating road noise for dwellings located at different distances from the state highway network. The excerpt below summarises their key findings.

Figure 1: Beca Estimate of Mitigation Costs by Distance from Road Network (2013 \$)



A more recent estimate of likely costs was provided by AES for Christchurch City Council, which suggested that they may be about 1 to 2% of construction costs. Thus, the expense for a dwelling that costs \$300,000 to build may be \$3,000 to \$4,000, while the cost for a \$500,000 dwelling would be around \$5,000 to \$10,000. Again, however, we emphasise that the true cost of complying with the

²⁰ New Zealand Transport Agency Building Acoustic Mitigation Case Study, prepared for NZTA, 2013

provisions depends fundamentally on the extent to which any of the design features or building elements required would have been provided anyway.

It is also important to acknowledge that these costs will be offset by potential energy savings over time, as noted in the previous section. Plus, as set out in the table at 6.2 above, more importantly, they will likely be capitalised in the value of the property. Even setting aside that direct research, houses with double glazing and/or heat pumps are generally worth more than those without. Thus, while this option imposes upfront costs on homeowners, these will not be lost and instead could be better described as investments in the quality and future marketability of properties.

8.3 Option 3: No Noise Sensitive Development within 100 Metres²¹

This option is unlikely to impose any notable administrative or compliance costs.

²¹ Option E in the s32 report

9. Housing Market Impacts

9.1 Option 1: Status Quo²²

The status quo will not affect the quantity of housing supplied in each district.

9.2 Option 2: KiwiRail Proposed Provisions²³

KiwiRail's proposed provisions may have small impacts on housing supply at the margin if the costs of mitigation are considered prohibitively expensive. However, this seems unlikely given the quantum of costs estimated by AES for Christchurch City Council, as per the previous section.

9.3 Option 3: No Noise Sensitive Development within 100 Metres²⁴

This option will have the greatest impacts on housing supply because it sterilises the use of land for noise sensitive activities within 100 metres of the rail network. To broadly quantify this impact, we used GIS to inspect the proximity of existing noise sensitive activities to the rail network in built-up areas, particularly Auckland. To that end, the figure below draws 10 and 100 metre buffers around the rail network in pink, and blue, respectively, to investigate how close existing homes are to the tracks.

Figure 2: Proximity of Noise Sensitive Activities to the Rail Network in Mt Albert, Auckland



This map shows there is very little development within 10 metres of the network, although the edges of some buildings are close. Conversely, there are large swathes of development within the 100-metre

²² Option A in the s32 report

²³ Option G in the s32 report

²⁴ Option E in the s32 report

buffer. Accordingly, per kilometre of track, this option may prohibit noise sensitive development that would have otherwise likely occurred on approximately 180,000m² (or 18 hectares) of land.²⁵

The cost of this prohibition will depend on several factors, including the zoning of affected land, the extent to which it is already developed or not, the presence or absence of other binding constraints on development, the underlying value of land, and the scope for accommodating non-noise sensitive activities instead.

Below, we estimate the value of land foregone for noise sensitive development per kilometre of track based on (i) the proportion of land that is developable for any purpose, and (ii) the incremental value of developing land for noise sensitive activities vs other activities. Table 5 presents the results.

Table 6: Value of Land Foregone for Noise Sensitive Activities by 100-Metre Setback per Kilometre of Track (\$ millions)

Developable Land %	Incremental Value of Using Land for Noise Sensitive Activities per m ²							
	\$50	\$100	\$150	\$200	\$250	\$300	\$350	\$400
0%	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
10%	\$1	\$2	\$3	\$4	\$5	\$5	\$6	\$7
20%	\$2	\$4	\$5	\$7	\$9	\$11	\$13	\$14
30%	\$3	\$5	\$8	\$11	\$14	\$16	\$19	\$22
40%	\$4	\$7	\$11	\$14	\$18	\$22	\$25	\$29
50%	\$5	\$9	\$14	\$18	\$23	\$27	\$32	\$36
60%	\$5	\$11	\$16	\$22	\$27	\$32	\$38	\$43
70%	\$6	\$13	\$19	\$25	\$32	\$38	\$44	\$50
80%	\$7	\$14	\$22	\$29	\$36	\$43	\$50	\$58
90%	\$8	\$16	\$24	\$32	\$41	\$49	\$57	\$65
100%	\$9	\$18	\$27	\$36	\$45	\$54	\$63	\$72

To summarise: the opportunity cost of precluding noise sensitive development within the 100-metre buffer depends critically on the proportion of such land that is developable in the first place, and the difference in land value between noise sensitive activities and all others.

For example, suppose that the current value of residential land is \$200 per square metre but (say) \$100 for industrial, and that 50% of land within the buffer is available for some form of development. According to the table above, the cost per kilometre of track is \$9 million.²⁶

In more extreme cases, say where residential land values are \$300 higher than industrial and the full buffer area is available for development, the opportunity cost per kilometre is \$54 million.

²⁵ This equals one kilometre of track (1,000 metres) multiplied by 90 metres of developable land between the 10- and 100-meter buffers, which is then multiplied by two because the buffer extends in both directions on both sides of the tracks.

²⁶ This can be found by subtracting the value of land for industrial from the value for residential (which is \$100 per m²) and scanning down that column to the row labelled as 50% developable.

10. Calculating Option Net Benefits

10.1 Introduction

The likely costs and benefits of each option are area- and context-specific because they depend on a range of factors that are fluid through both time and space. To demonstrate how the approach can be applied in each territorial authority where Kiwirail’s preferred provisions are sought, we derived a model that can be applied on a case-by-case-basis. It contains nearly 20 inputs and assumptions that can be populated with figures that match the circumstances of each district at that time to provide timely and reliable insights to the likely costs and benefits of the three options evaluated herein.

10.2 Worked (Hypothetical) Example

Table 7 below shows the various inputs and parameters in the model, which are populated here with a set of hypothetical values purely for illustration.

Table 7: Model Parameters for Assessing Option Costs and Benefits (Hypothetical Example)

Area of Land Affected & Likely Dwelling Yield	Values
Control Area (Buffer) start distance in metres from edge of rail network	10
Control Area (Buffer) end distance in metres from edge of rail network	100
Share of land within proposed buffer otherwise available for development	80%
Residential development density - dwellings/ha (gross)	10
Metres per kilometre	1,000
Square metres per hectare	10,000
Land Values for Noise Sensitive and Non-Sensitive Activities	Values
Value of land zoned for residential & other noise sensitive activities (\$/m ²)	\$400
Value of land zoned for non-noise sensitive activities (\$/m ²)	\$200
Health & Amenity Benefits	Values
Average dwelling price	\$540,000
Mitigation Impact (dB of noise reduction)	5
Mitigation benefits (as a % of property value) per 1 dB improvement	1.20%
Policy Compliance Cost Parameters	Values
Average dwelling build cost	\$300,000
Mitigation fixed costs per dwelling	\$3,000
Mitigation variable cost (as a % of construction cost)	3%
Impacts on Rail Operation	Values
Annual value of rail to New Zealand (from Deloitte Study)	\$1,900,000,000
Impact of new noise sensitive activities on value of rail (as a %)	2%
Total length of NZ railway track (km)	3,700
Financial Parameters	Values
Time Period of Analysis (years)	30
Discount Rate	10%

Finally, Table 2 Table 8 shows the corresponding option costs and benefits for this specific example, where KiwiRail’s proposed provisions generate the lowest net cost and hence are the preferred option.

Table 8: Estimated Net Costs/Benefits per Kilometre of Track (Hypothetical Example)

Costs/Benefits per km of Track	Option 1	Option 2	Option 3
Amenity & health benefits	-\$4,665,600	\$0	\$0
Impacts on rail operation	-\$97,000	\$0	\$0
Policy compliance costs	\$0	-\$1,728,000	\$0
Housing market impacts	\$0	\$0	-\$28,800,000
Option Net Benefits/Costs	-\$4,762,600	-\$1,728,000	-\$28,800,000

11. Appendix: Long List of Options

Below is the long list of options from which the three analysed in this report were drawn.

Option A - Do nothing:

No or limited railway noise and vibration provisions in the District Plan. This may include no specific noise and vibration rules, standards or mapping overlays, but may include consideration of reverse sensitivity effects when assessing the adverse effects of any resource consent application, depending on the existing objectives, policies and rules in the District Plan. This includes subdivision, use or development within the vicinity of the railway corridor if the District Plan provides sufficient direction to do so.

Option B – Rail operator reduces noise and vibration emissions:

The rail operator ensure that noise and vibration emissions are reduced to the extent that Activities Sensitive to Noise within 100m of the rail corridor achieve the recommended noise and vibration levels without needing to undertake any specific insulation, ventilation or construction design standards.

Option C - Noise barriers:

Acoustic walls or bunds installed by the applicant or the rail operator with no other noise or vibration management methods.

Option D - Construction design standards:

A table which specifies minimum construction materials and standards necessary to achieve internal acoustic levels within buildings, with no other noise or vibration management methods.

Option E - Setbacks:

Requiring Activities Sensitive to Noise to be set back 100m from the railway corridor with no other noise or vibration management methods.

Option F - Internal acoustic standards:

Require internal acoustic and ventilation rules and standards for noise-sensitive activities, but provide no other options to achieve compliance.

Option G – Combination of rules and standards (Proposed provisions):

Within 100m of the railway corridor, provide several options to achieve compliance with internal acoustic levels – within 50m of the rail corridor buildings are designed to meet specified Internal noise levels, or must meet a 50m setback, or where the noise at exterior façades is measured or predicted to be no more than 15 dB above the relevant noise level. Buildings must also meet mechanical ventilation standards and reporting standards. Includes an advice note to alert plan users that Activities Sensitive to Noise within the Rail Noise Control and Vibration Alert Area may be subject to vibration effects.

Option H – Proposed provisions funded by rail operator:

Within 100m of the railway corridor, via a mapped Rail Noise Control and Vibration Alert Area,

the same options to achieve compliance would be available - buildings are designed to meet specified Internal noise levels, or must meet a 50m setback, or noise at exterior façades is no more than 15 dB higher. Buildings must also meet mechanical ventilation standards and reporting standards, and there is an advice note regarding vibration effects. However, the difference is that KiwiRail would fund the achievement of these standards.

Option I - Landscaping:

Landscape planting to provide acoustic mitigation, with no other noise or vibration management methods.

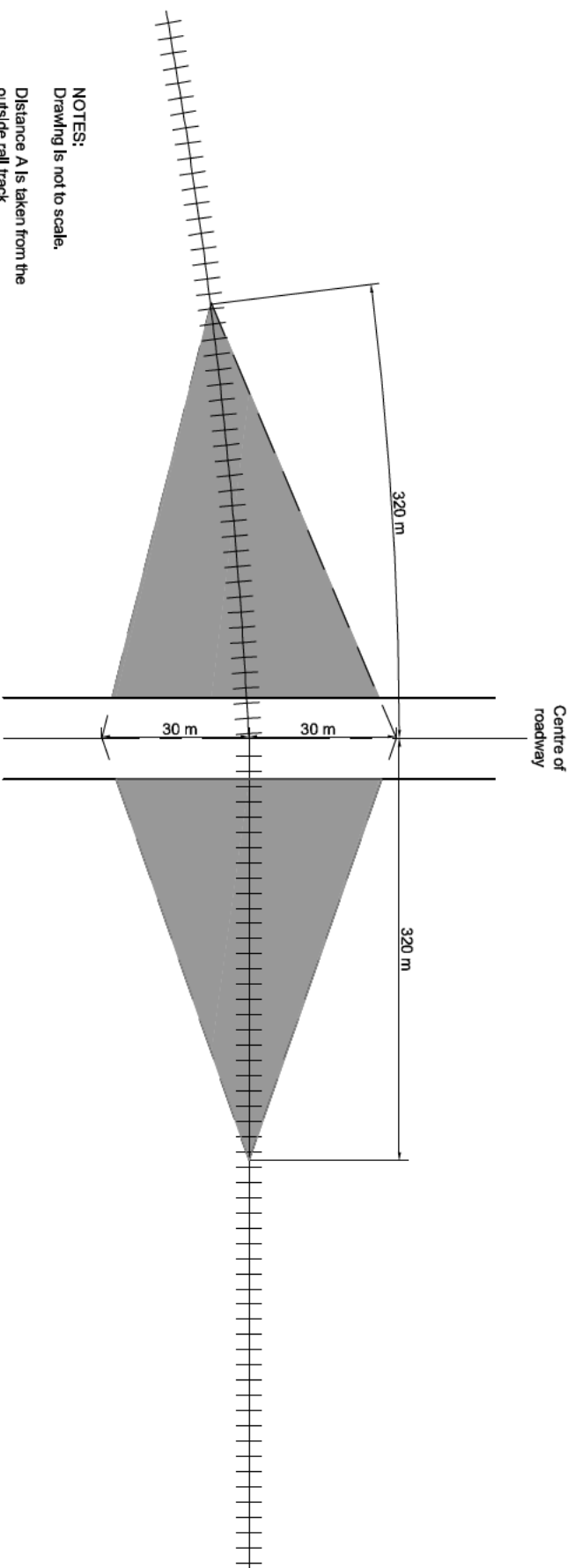
Option J - National regulation:

This may include changes to the Building Act or Building Code or introduction of a National Planning Standard or National Environmental Standard. The Building Act and Code currently provides specifications to manage inter-tenancy noise (eg noise between residential apartments within the same building with shared tenancy walls). However, it does not require the management of internal noise where noise is generated from outside a building (e.g. rail noise from an adjacent rail corridor).

Option K Reverse sensitivity covenant:

A plan provision which requires a covenant whereby property owners agree not to complain about noise and vibration effects on sensitive land uses. This is often referred to as a 'no complaints' covenant.

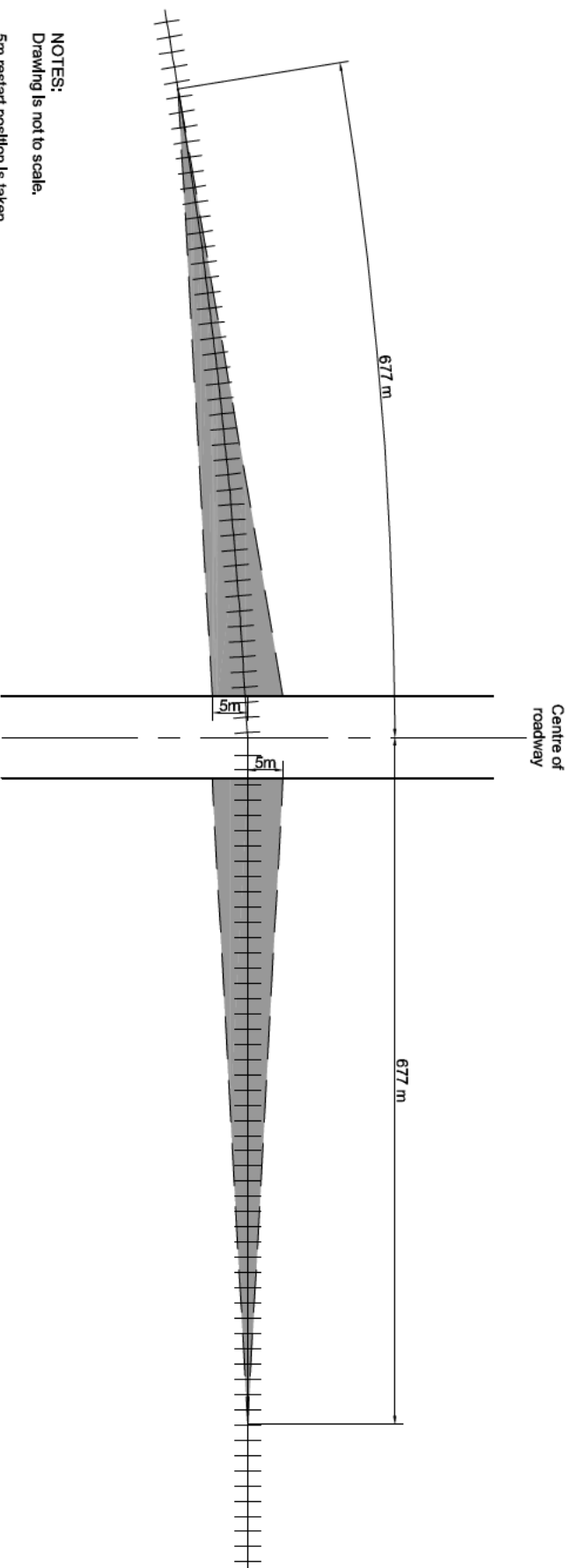
APPROACH SIGHT TRIANGLES AT RAILWAY LEVEL CROSSINGS



NOTES:
Drawing is not to scale.
Distance A is taken from the outside rail track.

 OBSTRUCTION FREE ZONE

RESTART SIGHT TRIANGLES AT RAILWAY LEVEL CROSSINGS



NOTES:
Drawing is not to scale.

5m restart position is taken from the outside rail track.

 OBSTRUCTION FREE ZONE

Saritha Shetty

From: [REDACTED]
Sent: Monday, 20 November 2023 2:25 pm
To: District Plan Review Team
Subject: [EXTERNAL] Large Lot Residential Zone

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Steve

Hi there,

I received a letter last week regarding changing the zoning of my property.

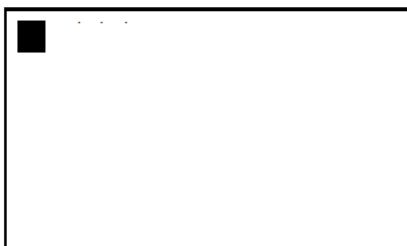
I called the main line and was given a phone number and an email address to send my enquiry to.

There are several items that have come to mind after reading the letter which I would like some clarity on.

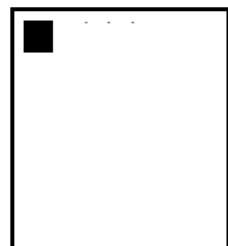
I always take an approach with most things as "if its not broken why fix it" I'm interested to know the root reason for the change as I would think if I was wanting to build 3 x 3 story dwellings on my property I would go and have a meeting with a planner and it would be decided on a case by case basis if I could physically fit the dwellings onto my property at that particular time, depending on the design and siting of the dwellings.

I'm personally not looking to add more dwellings to my property, I quite like the bush around my house but if I was considering adding more than a "granny flat" it would seem like with this change of zoning it would cut down my options from what say my neighbors have. Would this therefore come with a reduction in rates as a result of cutting down my options? Would there be any benefit to me personally if there was a change on zoning or would it cost me more?

Kind regards



[REDACTED]



Saritha Shetty

From: [REDACTED]
Sent: Friday, 15 December 2023 4:09 pm
To: District Plan Review Team
Cc: Claire; Dan Jackson; Ken Jackson; chrisbishopoffice@parliament.govt.nz
Subject: [EXTERNAL] Submission on district plan review
Attachments: Distict plan reviw.docx; Highly Productive land.docx

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Sean

To whom it may concern.

There are 2 attachments as our submission for rural areas within the district plan review.

This submission is done on behalf of the following people.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Sent from my Galaxy

DISTRICT PLAN REVIEW RURAL AREAS

To whom it may concern

We have put together some thoughts and ideas after discussions with a few other landowners on some possible changes that could be made to the existing District plan review.

I believe it is important to maintain the open space and rural character, but to also create opportunity for some development in the more practical and suitable areas. This development could be subdivision, tourism, recreation and the ability to have more than 1 dwelling per property where suitable sites etc allow.

SUBDIVISION

A more flexible criteria should be encouraged to subdivide in a rural area, as the existing 15m and 150m road frontage is generally impractical and doesn't make best use of land available.

I am aware of at least 1 block that has been recently subdivided down to approx 1.3 hectares and a few others down to 2.3 hectares in rural areas in Lower Hutt.

Possibly having an average area per lot could be 4 Hectares, but having the flexibility to go smaller where practical. Flexibility is the key to having a well designed subdivision to suit the lay of the land.

POSSIBLE CRITERIA

- Each lot would need a suitable building site out of the flood and erosion zones
- Suitable effluent and water system
- Suitable entrance
- No or minor effect to the rural landscape

Mitigation could include Tree planting for screening of buildings or Protection of biodiversity.

PROS

- Makes best use of land available.
- May help the housing shortage with only minor effect and no need for Council to supply infrastructure.
- More practical boundary lines.
- More rates for HCC.

RESIDENTIAL AND OTHER FORMS OF ACCOMMODATION

Currently Permitted is 1 dwelling per lot or up to 2 dwellings on a minimum of 30 hectares.

Visitor Accommodation up to 10 people max.

No clear rules on minor dwellings (65 sq)

Possible changes could include.

- 2 dwellings per property with a minimum average of 2 hectares per dwelling
- 1 standard dwelling and 1 minor dwelling per property on less than 2 hectares.
- More scope to build extra dwellings for family without the need to subdivide.

All subject to having suitable building sites, entrance, effluent system etc.

Clear rules on minor dwellings eg 65 sq m.

Will help housing shortage

RECREATION, TOURISM AND ACCOMMODATION

Due to the extra housing and loss of space in urban areas, there is going to be an even greater need for recreation and tourism in rural areas.

Rules should encourage tourism opportunities and minimize red tape.

Coast Rd in particular has huge potential to create great recreation , tourism and visitor accommodation for local and international visitors.

GATEWAY TO THE GREAT OUTDOORS.

COASTAL AND OUTSTANDING LANDSCAPES

There needs to be very good communication with private landowners in Coastal and Outstanding land areas prior to any restrictions being imposed on their property.

A good compromise by both parties will be the key to preserving the natural landscapes , while also providing good opportunities for the landowners to develop their property in a sustainable way that also protects the natural biodiversity of these areas.

It is our understanding that the new government is looking at reviewing SNAs and Outstanding landscapes etc.

VEGETATION CLEARANCE.

TO align with GWRC on this for rural areas.

EARTHWORKS AND CLEANFILL.

The existing permitted activities for earthworks in rural areas where the scale is much larger is unreasonable and unworkable .

Possible solutions could be to have GWRC monitor earthworks in rural areas or if that's not possible , to implement the following as permitted activities.

- QUANTITY ... 50 cu m expanded to at least 400 cu m
- AREA .. 1,000 sq m expanded to at least 4,000 sq m.
- HEIGHT... 1.2 m expanded to 2m.

Conditions could apply as follows

- To have a basic site plan if necessary.
- Avoid water ways or to mitigate.. where unavoidable.
- To be reestablished within 12 mths
- Tracking as per GWRC rules. 200m up to 2.0m high

CLEANFILL

To allow cleanfill to be delivered to private property providing it adheres to the above rules and conditions.

Cleanfill for this would only include natural rock, topsoil, clay etc.

PROS

- Recycling these materials could potentially save on a lot of truck milage which would also help to reduce carbon emissions and wear on the local roads.
- Instead of landowners purchasing and trucking these materials in from quarries etc for landscaping purposes, it would help to dramatically reduce road milage for trucks and also again help reduce carbon emissions .
- Potentially Help HCC as there is a lack of suitable cleanfill sites.
- Improved landscapes in rural areas.

SUMMARY

To make these changes would make life abit easier and a lot more practical for rural landowners , while also hopefully helping resolve some of the pressing issues, such as the housing shortage, biodiversity etc , It should also help to reduce some of HCC processing time needed for these type of activities.

We would like the opportunity to give an oral submission if possible.

I appreciate you taking the time to consider our thoughts on these changes.



HIGHLY PRODUCTIVE LAND

We **OPPOSE** Highly productive land being included in the district plan review for the following reasons.

- Large areas of the overlay for HPL is clearly inaccurate .
- Most of the Hutt Valley rural areas are not food producing land and has never been economically viable to farm.
- Our personal properties have very poor soils and have not been farmed for well over 30 years.
- The new government is looking at reviewing whether class 3 land should be included in the Highly productive land overlays.
- It would be financially and morally prudent to exclude the HPL overlay on class 3 land until HCC gets clear direction from the new government.
- The amount of restrictions proposed with HPL is a clear breach of property rights.
- There is an obvious over reach on what was truly intended to be Highly productive land.

RECOMMENDATIONS.

Exclude class 3 land from the HPL overlays.

If class 3 land is not excluded by the new government , the wording in the review should incorporate the flexibility to allow for landowners to be able to have the opportunity to show that their land is clearly not HPL .

A commonsense approach should be taken.

Thanks

██████████

████████████████████

Saritha Shetty

From: [REDACTED]
Sent: Tuesday, 21 November 2023 8:46 pm
To: District Plan Review Team; Robert Burrell
Subject: Re: [EXTERNAL] Letter received regarding changes to draft district plan

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Steve

Kia ora, Stephen,

Thank you for the information and links. Can you please confirm with me when this map / information regarding the inundation area in the flood hazard overlay was created and published?

My concern is that it states in our LIM report from the council that the property is not at flood risk, however this map now classes our property as a flood hazard risk. This obviously causes concern for me regarding the insurance on my property.

In regards to the stream corridor, the tiny portion of stream at the very back corner of the property is down a step bank. I cannot even be confident that the stream flows through our property, as it is a very slim stream and essentially inaccessible from our property. It is also located downhill at least 15m from the main house.

Thank you for your advice.

Kind regards,

[REDACTED]

On Fri, Nov 17, 2023 at 11:46 AM District Plan Review Team <district.plan@huttcity.govt.nz> wrote:

Kia ora [REDACTED]

Your property is partly covered by the Stream Corridor overlay. You can see maps showing exactly what is covered at <https://maps.huttcity.govt.nz/HuttCityMapsViewer/?map=3ed4094fd509449d93074cd30891640f> and read more about the District Plan Review at <https://hutt.city/dpreview>.

If you've got any other questions let me know.

Ngā mihi,

Stephen Davis

District Plan Review Team

Hutt City Council, 30 Laings Road, Lower Hutt

P: 04 570 6666 M: W: www.huttcity.govt.nz



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From: [REDACTED]
Sent: Friday, November 17, 2023 11:39 AM
To: District Plan Team <DistrictPlan.Team@huttcity.govt.nz>
Cc: [REDACTED]
Subject: [EXTERNAL] Letter received regarding changes to draft district plan

Kia ora,

Just a quick enquiry regarding the letter I received in the post about proposed changes in the Hutt city council draft district plan.

According to this letter, my property (2 swainson street, naenae) has been identified as in an area of high hazard area.

Please will you confirm out of the four high hazards listed in this letter which area my property falls under?

- 1) wellington fault rupture
- 2) stream corridor
- 3) tsunami

4) coastal inundation

Kind regards,

[REDACTED]

Saritha Shetty

From: [REDACTED]
Sent: Friday, 17 November 2023 11:39 am
To: District Plan Team
Cc: [REDACTED]
Subject: [EXTERNAL] Letter received regarding changes to draft district plan

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Steve

Kia ora,

Just a quick enquiry regarding the letter I received in the post about proposed changes in the Hutt city council draft district plan.

According to this letter, my property (2 swainson street, naenae) has been identified as in an area of high hazard area.

Please will you confirm out of the four high hazards listed in this letter which area my property falls under?

- 1) wellington fault rupture
- 2) stream corridor
- 3) tsunami
- 4) coastal inundation

Kind regards,

[REDACTED]

Saritha Shetty

From: [REDACTED]
Sent: Friday, 8 December 2023 8:59 am
To: District Plan Team
Subject: [EXTERNAL] 220 Marine Drive, Lowry Bay

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Steve

Good Morning,

I am writing to express our objection to the proposed changes in the Hutt City Council district plan.

Dillon St, which is out our back gate, is a marked, tsunami safe zone.

It does not make sense for our property to be assessed as 'high risk', when 70 metres away, I can be standing in the 'safe zone', with nothing in between?

I would really like to have written confirmation on how that can be justified.

There is one house in between us, and Dillon St [#11 Dillon St].

There is significant concern for resale, and an increase in insurance, if the proposed changes are brought in.

That aside, the bigger issue, is you cannot have a high risk zone, and a safe zone, side by side – it is ludicrous.

If this proposal is to move forward, we will continue to raise objection, so please ensure that any correspondence is forwarded for our consideration.

Kind regards

[REDACTED]

Saritha Shetty

From: [REDACTED]
Sent: Tuesday, 12 December 2023 9:21 am
To: District Plan Review Team
Subject: [EXTERNAL] Submission on draft district plan
Attachments: Submission on Draft District Plan - [REDACTED]

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Steve

hello

Please find attached my submission for [REDACTED] on the Draft District Plan.

Contact Details are:

[REDACTED]

Thanks and regards

[REDACTED]

Submission on Draft District Plan - [REDACTED]

Contact details:

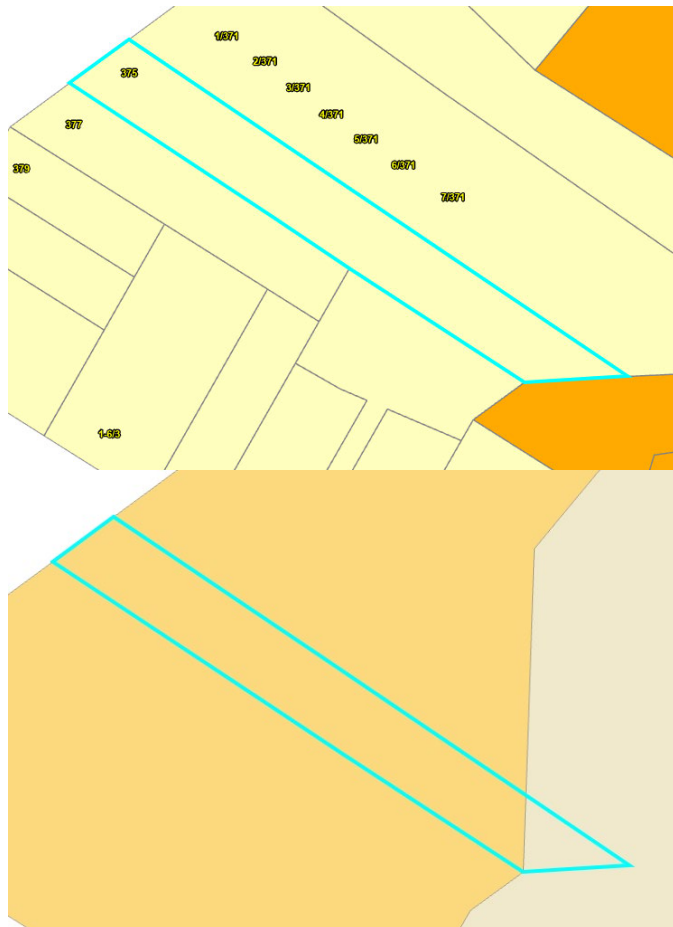


Submission points:

- 1- Query the new split zoning for the property
- 2- Query the mapping of the overland flow path on the property

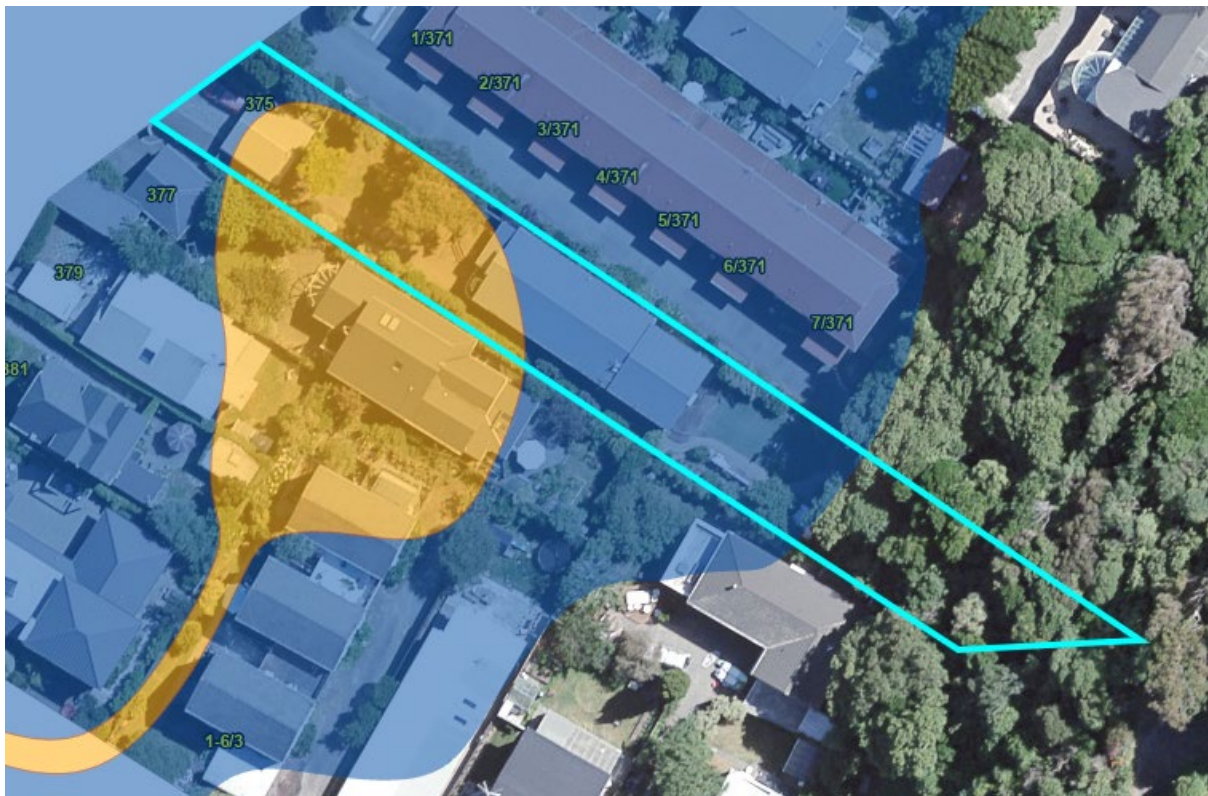
Query the new split zoning for the property

- In the operative District Plan the property is fully within the Medium Density Activity Area as shown in the top map below.
- In the draft District Plan the property has become split-zoned to be both Medium Density and Large Lot Residential as shown on bottom map below.
- It is requested that this split-zoning be reviewed and that that the property is fully included in the Medium Density Residential Zone.



Query the mapping of the overland flow path on the property

- In the draft District Plan there is an Overland Flowpath shown on the property (see map below).
- Can this mapping please be reviewed and checked.
- We have lived in this property for 11 years and there has been no physical on-site evidence of this type of flooding occurring on this property during this time, noting also that the topography of the immediate area is flat and there is no obvious reason why it should be identified as an overland flow path.
- There are a number of existing buildings and structures (houses, accessory buildings and solid boundary fences) that are located within the mapped overland flow path which would impact on the flow of water. It is queried whether these have been taken into account in the mapping.



We are happy for any Council or Wellington Water officers to visit the site if that would assist in the review and checking of the accuracy of this mapping.

Saritha Shetty

From: Nathan Geard
Sent: Friday, 2 February 2024 11:58 am
To: District Plan Review Team
Subject: FW: [EXTERNAL] Re: Kainga Ora Feedback on the Draft Hutt City District Plan

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Nathan

Nathan Geard
Policy Planning Manager

Hutt City Council, 30 Laings Road, Hutt Central, Lower Hutt 5010
P: 04 570 6996 M: W: www.huttcity.govt.nz



We're currently at:
Water Restriction Level 2

Wellington Water | HUTT CITY | [Click to learn more](#)


No sprinklers or irrigation.
Only water your garden by hand.

From: developmentplanning <developmentplanning@kaingaora.govt.nz>
Sent: Friday, January 19, 2024 4:16 PM
To: Stephen Davis <Stephen.Davis@huttcity.govt.nz>; Nathan Geard <Nathan.Geard@huttcity.govt.nz>
Cc: Julie Cooke <Julie.Cooke@kaingaora.govt.nz>; Gurv Singh <Gurv.Singh@kaingaora.govt.nz>
Subject: [EXTERNAL] Re: Kainga Ora Feedback on the Draft Hutt City District Plan

Kia ora Stephen and Nathan,

Thank you for providing Kāinga Ora – Homes and Communities (“**Kāinga Ora**”) with the opportunity to provide feedback on the City of Lower Hutt (“**Council**”) Draft District Plan (“**Draft District Plan**”).

The Kāinga Ora feedback on the Draft District Plan is high-level in nature and is intended to provide Council with an overview and indication of Kāinga Ora’s position prior to the notification of the District

Plan. Kāinga Ora appreciates Council taking the time to meet with Kāinga Ora in the coming weeks to discuss its feedback in further detail.

Feedback on Draft District Plan

1. Kāinga Ora supports the general direction and intent of the Draft District Plan, including the recognition of well-functioning urban environments with sufficient development capacity, while also seeking to address challenges such as infrastructure constraints, climate change, natural hazards and protecting historic and cultural taonga.
2. The feedback of Kāinga Ora focusses on the following key areas:
 - a) Centres Hierarchy;
 - b) Mixed Use Zone;
 - c) Jackson St Character Transition Precinct;
 - d) Financial Contributions; and
 - e) Papakāinga
3. For feedback on the Draft District Plan, Kāinga Ora has not provided high-level feedback on Residential Zones and Centre Zone Provisions (noting that many outcomes that Kāinga Ora has sought have been resolved through PC56), and District-Wide Matters. Kāinga Ora is still undertaking a more intensive review of provisions of the Draft District Plan at a high-level and do anticipate to have some minor comments on certain provisions in these chapters. The intent of these comments is to offer a peer-review of the plan, and we will provide the Council with a table of comments in February to assist the District Plan Review team in their amendment of the plan. This feedback is not considered the final view of Kāinga Ora which will be reflected through the formal submission process.

Centres Hierarchy

4. Kāinga Ora considers that a well-structured centres hierarchy in accordance with the National Planning Standards is important for the implementation of the planning framework and in providing clarity on where growth is anticipated and planned for.
5. Kāinga Ora seeks to understand the rationale for the proposed Centres Hierarchy and considers that amendments could be made for the centres to be consistent with the descriptions for the centres zones under the National Planning Standards and to be more consistent with the Strategic

Direction UFD-O11 Centres Hierarchy to *“Establish and maintain a hierarchy of viable and vibrant business centres that provide a focus for retail, commercial, entertainment, education and employment activities and serve the social, cultural, environmental and economic needs of the community.”*

6. Kāinga Ora considers that there is a lack of hierarchy within the proposed Local Centre Zones (“LCZ”), with some centres more appropriately classified as a Town Centre Zone (“TCZ”) based on their role and function, as well as their catchments and the settlement patterns around these centres. A number of Local Centre Zones would also be more appropriately classified as a Neighbourhood Centre Zone (“NCZ”) due to their scale, activities and proximity to other Local Centre Zones.
7. Appendix 1 of this feedback sets out the recommended changes by Kāinga Ora to the Centres Hierarchy. These are based on factors such as the perceived role and function of each centre including the range of activities offered, the catchments served, and the proximity and relationship to other centres. The proposed Centres Hierarchy is also considered to be more consistent with the zone names and descriptions under the National Planning Standards and that a stronger differentiation and hierarchy will more appropriately achieve UFD-O11.
8. In addition to Appendix 1, further comments on the Centres Hierarchy are as follows:

a) City Centre Zone

Zone description under the National Planning Standards:

“Areas used predominantly for a broad range of commercial, community, recreational and residential activities. The zone is the main centre for the district or region.”

Kāinga Ora supports the consideration and classification of a Centres Hierarchy from both a local and regional perspective and considers that the Wellington City Centre is the main centre for the region. As such, Kāinga Ora considers Hutt Central to be more appropriately classified as a Metropolitan Centre Zone within a regional context.

b) Metropolitan Centre Zone

Zone description under the National Planning Standards:

“Areas used predominantly for a broad range of commercial, community, recreational and residential activities. The zone is a focal point for sub-regional urban catchments.”

Kāinga Ora supports the Metropolitan Centre zoning applied in Petone. However, as per a) above, Kāinga Ora considers that Hutt Central is better suited as a Metropolitan Centre Zone and notes that both Hutt Central and Petone are equally important focal points for the City of Lower Hutt, with similar journey to work catchments, employment opportunities and commercial / residential activity.

c) Town Centre Zone

Zone description under the National Planning Standards:

“Areas used predominantly for:

- in smaller urban areas, a range of commercial, community, recreational and residential activities.*
- in larger urban areas, a range of commercial, community, recreational and residential activities that service the needs of the immediate and neighbouring suburbs.”*

Kāinga Ora recommends that the Council reviews the centre classification for Wainuiomata and Stokes Valley as Local Centre Zones. Based on our review, Kāinga Ora considers that a Town Centre Zoning would be more consistent with the National Planning Standards and the geographic context and separation of these centres. These two suburbs are large, fairly self-sufficient (with commercial, community, recreational and residential activities) and have less ease-of-access to the centres further up in the centres hierarchy. Additionally, due to their geographical separation from the valley floor, it is considered that a more sustainable outcome would be for these centres to grow to provide for the daily needs of their catchments without the need to leave the locality to meet these daily needs. This is also supported by the Medium Density Zone that will provide for an increase in housing supply as a Permitted Activity. Both Wainuiomata and Stokes Valley consists of big box retail and smaller shops. There are also community facilities such as libraries and community hubs available in each of these two centres.

Accordingly, Kāinga Ora recommends that the Council considers a new Town Centre Zone chapter is included in the District Plan.

d) Local Centre Zone

Zone description under the National Planning Standards:

“Areas used predominantly for a range of commercial and community activities that service the needs of the residential catchment.”

Kāinga Ora supports the Local Centre zoning being applied at and/or adjacent to stops along the Hutt Valley Line. Kāinga Ora questions the number of local centres (i.e. having 19 local centres) in the Draft District Plan. Kāinga Ora also notes that in some cases, the parcels of land zoned Local Centre consist only of a few street corner shops that serve the immediate residential neighbourhood therefore may be more appropriate as Neighbourhood Centres as discussed in paragraph 3 e) below.

e) Neighbourhood Centre Zone

Zone description under the National Planning Standards:

“Areas used predominantly for small-scale commercial and community activities that service the needs of the immediate residential neighbourhood.”

Further to National Planning Standard considerations, Kāinga Ora recommends that the following LCZs are reconsidered as NCZs:

Centre	Comments
Main Road in Wainuiomata	A smaller cluster of shops that service a smaller residential catchment than the nearby Wainuiomata Centre.
Norfolk Street in Wainuiomata	A row of shops that service a smaller residential catchment than the nearby Wainuiomata Centre.
Rata Street in Naenae	A row of small-scale shops and the larger Naenae centre is nearby.
Taita Drive in Avalon	A row of small-scale shops and the larger Naenae and Taita centres are nearby.
High St / Mitchell St in Boulcott	A row of small-scale shops and there are several other centres nearby.

Furthermore, Kāinga notes that all other Councils in the Wellington Region urban environment have Neighbourhood Centre Zones, therefore signalling from a regional perspective the appropriateness of the zone classification. Kāinga Ora considers consistency across the region to be a desirable outcome.

Mixed Use Zone

9. Kāinga Ora queries the application of the Mixed Use Zone (“**MUZ**”) throughout the urban environment.
10. Zone description under the National Planning Standards:

“Areas used predominantly for a compatible mixture of residential, commercial, light industrial, recreational and/or community activities.”
11. Kāinga Ora notes that the MUZ has been applied in a dispersed nature and mainly to existing small-scale commercial activities, apart from its application along Jackson Street which is currently residential.
12. Kāinga Ora is concerned with the spatial extent of some of the proposed MUZ zoning – does the spatial extent of some of the MUZ actually enable the anticipated activities of the zone?
13. Kāinga Ora questions the rationale for the increase of the MUZ and its locations. Kāinga Ora notes that the MUZ should reflect the long-term planned use for the applicable sites and that it should be consistent with the zone description under the National Planning Standards.
14. Kāinga Ora considers that some of the MUZ could be High Density Residential Zone (e.g. where spot-zoned throughout the HRZ), as it provides for commercial activities as Restricted Discretionary activities as an outcome of PC56. If the Council considers some locations / other factors to be more appropriate for commercial activities within the HRZ, certain policies within the zone could clarify this policy position.
15. Kāinga Ora also recommends that the Council reviews the proposed MUZ proposed on the fringes of a number of LCZs; is MUZ appropriate in these locations? Kāinga Ora considers there is an opportunity to review the intended outcomes of the proposed zone in these locations and consider whether an increase in the spatial extent of centres would be a more appropriate outcome.

Jackson Street Character Transition Precinct

16. Kāinga Ora questions the suitability of the proposed Jackson Street Character Precinct and its provisions within the District Plan.
17. It is noted from the policy wording that the purpose is to manage the effects of development and design on the Jackson St heritage values. However, Kāinga Ora considers that Heritage provisions within the Heritage chapter are appropriate for managing development of and around heritage buildings and areas in order to manage the effects on the identified heritage values.
18. Kāinga Ora particularly queries why this is applied within the Petone MCZ on the eastern side of Jackson St, where there is currently a hub of large format stores that support the role and function of Petone. Furthermore, due to the scale of the proposed Precinct in this location, a large part of

the proposed Precinct is separated from Jackson St heritage and therefore it is not clear what the purpose of the Precinct is.

Financial Contributions

19. Kāinga Ora is concerned about the scope of the Financial Contributions (“FCs”) Policies and Rules. The Financial Contributions Chapter Introduction states that FCs will only be taken for out of sequence impacts on infrastructure, but the policies, rules and methodology give rise to concern regarding “double-dipping” with Development Contributions. This is of particular concern considering the steep increase in Development Contributions that is expected as of July 2024.
20. Furthermore, the methodology appears to require FCs when existing servicing is inadequate, but Policy FC-P2 states that the policy intent is only to require FCs when the infrastructure is solely required for the proposed subdivision or development.
21. Kāinga Ora considers that a Prohibited Activity status is too restrictive and does not acknowledge contributions that can be made through infrastructure investment / construction by organisations such as Kāinga Ora. It is recommended that these rules are reconsidered to account for contributions that may not be in the form of Financial Contributions.
22. Kāinga Ora considers that the Financial Contributions Chapter should be reviewed against the Development Contributions Policy to ensure that there will not have a significant impact on the feasibility of development in Lower Hutt. We seek to discuss this further with you to gain a better understanding of the policy intent.

Papakāinga

23. Kāinga Ora notes that the Draft District Plan does not include a Papakāinga Chapter or provisions that provide for Papakāinga. Based on Kāinga Ora consultation within the region, a chapter specific to Papakāinga is a desired outcome for District Plans by Mana Whenua. Kāinga Ora recommends that the Council undertakes further consultation with Mana Whenua to understand their aspirations in relation to papakāinga outcomes in the District Plan.

Next Steps

24. Kāinga Ora thanks Council for the opportunity to provide feedback on the Draft District Plan. Kāinga Ora is generally supportive of the changes to the District Plan which Council has proposed but asks that Council considers its feedback.

25. Kāinga Ora welcomes the opportunity to discuss the feedback provided and seek that Kāinga Ora is engaged in an ongoing manner as work continues in preparation for notifying the Proposed District Plan.

Appendix 1: Centres Hierarchy Table

The following table set out the amendments sought from Kāinga Ora to the centres hierarchy of the City of Lower Hutt Draft District Plan.

Location	Draft Zoning	Kāinga Ora Recommended Zoning
Hutt Central	City Centre	Metropolitan Centre
Petone West and Jackson Street	Metropolitan Centre	-
Wainuiomata	Local Centre	Town Centre Zone
Stokes Valley	Local Centre	Town Centre Zone
Moera	Local Centre	-
Eastbourne	Local Centre	-
Waterloo	Local Centre	-
Woburn	Local Centre	-
Epunī	Local Centre	-
Naenae	Local Centre	-
High St / Daysh St, Avalon	Local Centre	-
Taita	Local Centre	-
Fairfield	Local Centre	-
High St / Boulcott St, Boulcott	Local Centre	-
Cuba St / Victoria St, Alicetown	Local Centre	-
Maungaraki	Local Centre	-
High St / Mitchell St, Boulcott	Local Centre	Neighbourhood Centre
Rata Street, Naenae	Local Centre	Neighbourhood Centre
Taita Drive, Avalon	Local Centre	Neighbourhood Centre
Main Street, Wainuiomata	Local Centre	Neighbourhood Centre
Norfolk Street, Wainuiomata	Local Centre	Neighbourhood Centre

We look forward to meeting with you next week to discuss the feedback.

Kind Regards,



Lezel Beneke MNZPI. BPlan(Hons)

Principal Development Planner
Development Planning
Urban Planning and Design

Mobile: [REDACTED]
Email: lezel.beneke@kaingaora.govt.nz

Freephone: 0800 801 601 | [REDACTED] | Kāinga Ora - Homes and Communities
P.O.BOX 2628, WELLINGTON, 6140 | New Zealand Government | www.kaingaora.govt.nz

From: Stephen Davis <Stephen.Davis@huttcity.govt.nz>
Sent: Wednesday, November 22, 2023 10:13 AM
To: Julie Cooke <Julie.Cooke@kaingaora.govt.nz>
Cc: Gurv Singh <Gurv.Singh@kaingaora.govt.nz>
Subject: HCC draft district plan

CAUTION: External email. Do not click or open attachments unless you recognise the sender and know the content is safe. If unsure use the Report Phishing button.

Hi Julie,

We've finally released our draft district plan for public comment – both general information and the draft text and maps are online at <https://www.huttcity.govt.nz/council/district-plan/district-plan-review>. Given your strong interest in our plan in the past, we'd like to meet to discuss your thoughts on the draft plan once you've had a chance to digest it. If this suits, let me know when you might be available to meet.

Cheers,
Stephen Davis

Stephen Davis
Senior Policy Planner

Hutt City Council, 30 Laings Road, Hutt Central, Lower Hutt 5010
P: 04 570 6761 M: W: www.huttcity.govt.nz



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Please:

- (1) reply promptly to that effect, and remove this email, any attachment and the reply from your system;
- (2) do not use, disclose or act on this email in any other way. Thank you.

Saritha Shetty

From: Juliette Lister <juliette@easypeasyproperty.co.nz>
Sent: Monday, 11 December 2023 6:13 pm
To: District Plan Team
Subject: [EXTERNAL] Large Lot Residential Zone

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Sean

Hi

We received a letter dated 8 November to A Nadilo & J Lister relating to a property we own.

It is informing us of changed to the District Plan regarding Large Lot Residential Zones.

It does not specify in the letter which property this refers to.

Can you let me know please?

Kind Regards

Juliette Lister | Property Manager | Easy Peasy | 021 547 837

Saritha Shetty

From: [REDACTED]
Sent: Friday, 8 December 2023 3:55 pm
To: District Plan Team
Subject: [EXTERNAL] Proposed changes to district plan

Importance: High

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Check if replied, Sean

Kia ora

[REDACTED]

We received your letter about the proposed district plan changes.

I've read the documentation and have a few questions:

- 1) Did the stream corridor exist before this proposed district plan change?
- 2) Are there any changes to the boundaries of the stream corridor in Stokes Valley?
- 3) Why is this property considered high risk but [REDACTED] isn't considered high risk? I'm making this assumption because they didn't receive the letter.
- 4) If I applied for a LIM report on this property today what would be said about the property's risks in relation to the stream?
- 5) If I applied for a LIM report on this property once the proposed changes are implemented what would be said about the property's risks in relation to the stream?
- 6) Does this proposed change in the district plan limit the Council's responsibility in any way for the existing buildings within a high hazard area?
- 7) Has the Council considered what impact this will have on insurance costs in the future?
- 8) Has the Council considered what impact this will have on the saleability and value of the property?

I would appreciate a reply as soon as possible so that I can provide feedback on the proposed changes.

Ngā mihi nui

[REDACTED]

Saritha Shetty

From: ContactHCC
Sent: Friday, 15 December 2023 10:54 am
To: [REDACTED]
Subject: FW: [EXTERNAL] District Plan Review
Attachments: Submission to Draft District Plan - HCC September 2023.docx

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Sean

Kia ora [REDACTED]

Thank you for your email.

We have forwarded this to our District Plan team to arrange a reply.

If you would like more information about Hutt City Council and our services, please ring our Customer Contact Centre on 04 570 6666 or 0800 488 824.

Thank you,
Billie

CUSTOMER SERVICES

Hutt City Council, 30 Laings Road, Hutt Central, Lower Hutt, Lower Hutt 5010
P: 04 570 6666 **M:** **W:** [www.huttcity.govt.nz]www.huttcity.govt.nz



From: [REDACTED]
Sent: Friday, December 15, 2023 10:18 AM
To: ContactHCC <contact@huttcity.govt.nz>
Subject: [EXTERNAL] District Plan Review

Hi People

Can you please direct this submission to the people who need to know.

Thanks and have a good xmas

Submission to Draft District Plan 2023

This submission covers the Rural Lifestyle Zone only and doesn't consider another zone. Thank you for allowing the opportunity to read and comment on this portion of the plan.

COMMERCIAL ACTIVITIES RNZ- P7

This section appears to rule out home offices in the zone.

It also seems to rule out activities that are associated to the rural ownership, for example welding and machinery repairs etc.

ENABLE SMALL SCALE BUSINESSES GRUZ – P3

- A) Undertake or operate by at least one residence of the site – Too narrow, how about adding the following words “and any other person who is associated with the business”.
- B) Incidental to the use of the site for a residential activity, for the rural lifestyle zone add For rural,-rural lifestyle living and managing the land and buildings needed for home business.

POTENTIALLY COMPATIBLE ACTIVITY RLZ – P4

Why exclude Rural Industry, this is totally unworkable in a lifestyle area. As an example cutting dry grass for hay, which if left would be a fire hazard. Just take a look at Australia!!!

REVERSE SENSITIVITY – RLZ – P6

The moral of the story, council should **STOP** ribbon development and urban creep into rural areas like the real estate add I found. (copy attached) The official information request has not been answered. It was just walked around!!!

RULES:- BUILDINGS AND STRUCTURES

DEMOLITION OR REMOVAL OF BUILDINGS AND STRUCTURES RLZ -R1

Don't allow demolition as of right, reuse repurpose as much as possible. Recycle houses, if in too bad of condition, Council to inspect and give ok to demolish. Too much is being demolished especially in the urban area.

CONSTRUCTION, ALTERATIONS OR ADDITIONS RLZ – R3

There has been huge setback from streams 3 meters plus wide, what about recommending homes that are permanently fixed to the ground have a basement under I gather this was written for flooding. Water going into a garage is not as bad as water going through a home.

PIGGERIES RLZ – R5

Won't work, some rural lifestyle properties are not fifty meters wide in some places. I am sure I don't want my neighbour's pigs on my boundaries. 5 adult pigs, pigs breed and have litters in excess of 10 babies. Taking the lowest common denominator $10 \times 5 = 50$ babies. These babies are born with an instinct of how to root ground up. Babies are like rotary hoes they turn the ground over as well as adult pigs. Pigs are best kept in **CLEAN** purpose-built confined areas made of concrete.

RESIDENTIAL ACTIVITY RLZ -R6

Minor residential units, remove minimum size from these second dwelling, but make them totally off grid. Solar power, own water, incinerating toilet in all minor units. This would be, expensive to set up. This would have the effect of limiting the number of people who would want to take this option. May appeal to a family who want to look after an aged parent.

Home Business

Why limit home business – a large number of businesses start from home, expand, and then move into a commercial or industrial area. Don't make it any more difficult for new business in the area.

Development or activities in the Quarry Protection Area RLZ - R13

I don't think it would be a good idea to have Hospitals, kids and accommodation exposed to quarry dust.

Saritha Shetty

From: [REDACTED]
Sent: Friday, 15 December 2023 10:58 pm
To: District Plan Review Team
Subject: [EXTERNAL] District Plan - [REDACTED] - Query regarding "High Hazzard Zone"

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Sean

Good day

I will like to query the rating of our property as a so called "High Hazzard Zone", which is absolutely ridiculous.

We have been living in this home since November 2018. In the past 5 years we have not experienced ANY sort problems what so ever. We have seen fairly severe weather come through here & not a single case of damage what so ever. We have even seen massive flooding in December 2019 in Stokes Valley & our house was perfect in this bad weather.

I have looked at the mentioned possible reasons given for the rating & cant find any of them relevant:

- **Wellington Fault Rapture** - This runs along or through the SH2, so out home is not even nearby the fault line.
- **Stream Corridor** - We have storm water stream running at the back of our house. This has NEVER flooded EVER, even under really severe conditions like in December 2019 flooding for example & there was NO problems from this at all. So no risk from this stream at all. The ground around us is really stable.
- **Tsunami** - Again our home is not even close to ANY Tsunami risk zones. So not even relevant
- **Coastal Inundation** - We are not even near the coast at all. So again not relevant.

So based on the info you/ HCC provided or the "reason" for your rating, there is no reason to rate our home for any Hazzard at all. We were built on fairly flat territory with no risks at all. This can even be seen on the building assessment report.

We would like to request for the "High Hazzard" rating on our property to be removed please.

Regards

[REDACTED]

From: [REDACTED]
To: [District Plan Review Team](#)
Subject: [EXTERNAL] Submission from He Puawai Trust
Date: Sunday, 17 December 2023 7:33:52 pm
Attachments: [HPT Submission to HCC - District Plan Review 2023..pdf](#)

Kia ora

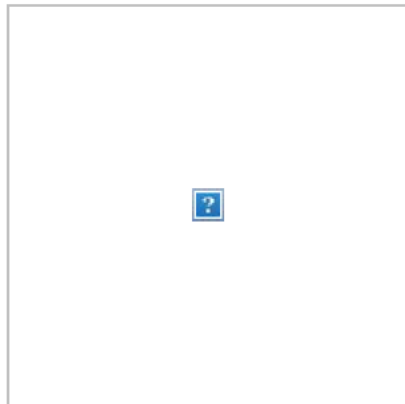
Please find attached our community submission to the District Plan review.

Arohamai for this being late, we took some extra time to get it right with our whanau who contributed.

Nga mihi

[REDACTED]

[REDACTED]





Submission to Hutt City Council on Draft District Plan December 2023

Who we are:

This submission was compiled and submitted by He Puāwai Trust on behalf of the whānau and communities it serves across Te Awa Kairangi. Information and opinions have been gathered over the last 18 months via our mahi we undertake in the communities of Central Hutt, Taita/Pomare, Wainuiomata and Stokes Valley. We have a focus as a charitable organisation to restore resilient kai systems across the Hutt Valley. We do this by partnering with organisations, (especially foodbanks) and collaborate on shared strategies that can walk with whānau/families on the journey from kai insecurity and crisis to resilience and sovereignty.

What we are requesting:

We are responding to the Open Space Zones in the Draft District Plan.

- We call for the Hutt City Council to set aside land in various locations across the valley for the production of kai by whānau/families.
- We request this land be held safely in perpetuity for the production of local kai, via the development of a

community land trust, safe from housing development and sale, forevermore.

- We ask HCC to consider a 500 year approach to the usage of land and the wellbeing of whānau that live within this precious valley.

Why?

Data (derived from our partnerships with Lower Hutt Foodbank, Stokes Valley Foodbank, Kokiri Marae Pataka Kai and Aroha Kai, Pomare) shows there has been a steady increase of 15 - 20% since Covid lockdowns in the amount of emergency food parcels provided in Te Awa Kairangi. This, coupled with the decrease of central Govt investment and the drying up of resources from within the philanthropic community, suggests an absolute melt down for many, many whānau/families doing it hard in the Hutt.

Maori remain disproportionately affected, continuously marginalised and over represented in the emergency food space. But Māori are also clear on what they need in order to thrive. A recent campaign led by He Puāwai Trust to support whānau, showed a massive 120 whānau signing up within one month to have access to their own kai plots and support to begin their own kai production journey. Sadly, with no land usage agreements in place or a collaborative strategy with HCC, we are able to only support a very small amount of whānau currently. This must change.

Foodbanks are not, and should never be, the solution to getting the whānau fed. They are a further colonising, mana diminishing tool of the industry of poverty that has been prevalent since early settlement times. Yet, for whānau seeking support, they remain our only current option for

feeding hundreds of whānau each week. This too, must change.

The community (via the Te Awa Kairangi Kai Collective Partnership Agreement with HCC in 2021) has previously requested that land be mapped for kai production. This request emerged strongly during Covid times but sadly was not actioned. We encourage HCC to take a 500 year approach to the use of land by co-creating partnerships with iwi and community to hand over land for kai production, foraging and customary hunting in the name of generations to come.

This way, we have the potential to make a meaningful contribution to alleviating hunger and promoting sovereign, whānau-led solutions for the provision of kai. This initiative must be a collaborative effort between iwi, local government and community, with the development of a community land trust overseeing guardianship of the land, of which Council has a seat at, but not ultimate control of.

We ask HCC Council to co-create with community, equitable resilient neighbourhoods - rather than simply building housing without consideration of access to kai production spaces. Neighbourhoods where residents are able to live sustainably within their own local environments - a plan HCC sets out in its own Climate Change strategy, but one that it is only able to deliver on by authentically partnering with the community.

What we have been doing/a model that will work:

He Puawai Trust has been co-designing and implementing kai production sites across the Hutt Valley for the last year. Drawing from a significantly experienced Board, researchers and partnerships. This has enabled us to co-design a model based on the allotment method of food production that has been so

enduring across Europe and Britain for generations, sustaining communities in high density housing, using land that has been set aside by local authorities. Allotments and shared food production spaces are therefore deeply embedded culturally and so successful they were able to sustain communities during World War Two.

We also recognize and weave through our model the plight of our former refugee and migrant community who speak of the need to access land to feed themselves and express their indigenous kai needs.

Reimagining the allotment model, but with more of an indigenous/ te ao Maori approach, has led us to designing and piloting Māra Ora.

Māra Ora sites act as a place of education and kai sovereignty. They contain plots for local whānau that cannot grow in their backyard/neighbourhood. They are looked after by a Māra Kai Facilitator living locally who supports whānau to grow and to lead. This is a critical part of the model as it acknowledges the lost skills of kai production due to colonisation and also allows whānau to bring forth their own ideas and needs. This approach has led to chicken/egg share schemes, a tool library, beekeeping opportunities, community greenhouses providing seedlings into foodbanks, exploration of community compost hubs, looking at rongoā māra and education and, most importantly, growing capability of local leadership and employment through an internship programme. Currently only one of our Māra Ora sites is on Council land, with this taking 18 months to develop due to no current clear process for the use of land for kai production. This is an unacceptably long time to make the community wait for something they are increasingly asking for access to.

Benefits of utilising public land for kai cultivation in this manner:

Honouring Te Tiriti O Waitangi : We remind HCC to consider whose land we stand on and what came before us, in the shaping of the District Plan review. We encourage HCC to take a Tangata Tiriti approach to the use of land and development of a community land trust.

The colonisation effects of settlement here in Te Awa Kairangi has meant the fertile river valley has become home to many whānau living in high density, under resourced communities, dependent on foodbanks with no sense of sovereignty.

We have, however, the opportunity through this review to embrace whānau-led strategies that address kai insecurity and poverty faced by many whānau in Te Awa Kairangi.

Addressing kai Insecurity: Providing a sustainable source of fresh, nutritious kai for everyone to access in our community. By acknowledging and revitalising traditional practices and customs of gathering kai, promoting kai security, protecting the environment, and empowering Māori communities, we transition from kai dependency to kai sovereignty.. Council currently has no policy in place to support this, nor has it responded previously to the request it helps shape the development of a city wide kai strategy that would ensure whānau/families are provided with equal opportunity to access land for kai production.

Community Connection/local markets: Fostering a sense of community by bringing residents together for a basic need, promoting social interaction, and providing educational opportunities. The development of Māra Ora sites across the valley lends itself well to small neighbourhood based markets with locals being able to share and sell surplus food.

Health and Well-being: Encouraging healthy eating habits and an active lifestyle through access to fresh, equitably produced kai.

Environmental Impact: Utilising public land for food cultivation contributes to environmental sustainability and local resilience as well as climate change mitigation.

An Invitation:

We kindly request that the City Council consider the potential of this proposal and explore the feasibility of using public land for the cultivation and harvesting of kai. We invite HCC Councillors to visit one of our Māra Ora sites in 2024 and to imagine with us what an equitable, Te Tiriti based kai system could look like here in Te Awa Kairangi. We would like the opportunity to speak to this submission at Council hui.

We thank you for your time and consideration. We look forward to the possibility of working together to create a more resilient and compassionate community.

"Ehara taku toa i te toa takitahi, engari he toa takitini"

Ngā mihi nui



(on behalf of the He Puawai Trust whanau)

Saritha Shetty

From: [REDACTED]
Sent: Friday, 1 December 2023 5:50 pm
To: District Plan Review Team
Subject: RE: [EXTERNAL] Submission to HCC Draft District Plan Review

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Steve

Good afternoon Stephen,

Thank you for your reply.

May I please add two more points to my previous submission? Now that the new government is outlining more details, I wish to make the following submissions:

F. Zones of housing intensification:

The government's required housing intensification was originally intended for city centres, CBDs, and areas surrounding major transport hubs. Lower Hutt City Council however has zoned almost the entire HCC area for intensification, incl. High, Medium and Large Lot Zones.

Now that the government's housing intensification has become optional for councils, HCC should not allow housing intensification well beyond the original intended scope of intensification.

Submission 8:

HCC should reduce the areas of housing intensification to the originally intended scope: city centres, CBDs, and areas surrounding major transport hubs.

(Related to Submission 1)

G. Higher risk areas of housing intensification:

The HCC zones where housing intensification is allowed does include higher risk areas and makes no distinction to lower risk areas.

Now that the government's housing intensification has become optional for councils, the consequences of allowing housing intensification will be entirely the responsibility of HCC, particularly where consents are (or have to be granted), which in the future prove to be subject to managed retreats.

Submission 8:

HCC should reduce the areas of housing intensification and exclude higher risk areas, and thus reduce its legal exposure to future managed retreat liabilities in areas with higher flood, tsunami or slide risks.

(Related to Submission 5)

Thank you for adding this to my submissions.

Kind regards,

[REDACTED]

From: District Plan Review Team [mailto:district.plan@huttcity.govt.nz]

Sent: Tuesday, 21 November 2023 16:22

To: Juerg Tschumperlin

Subject: RE: [EXTERNAL] Submission to HCC Draft District Plan Review

Hi Juerg,

Thanks for your feedback on the draft district plan. We've recorded your comments and will include these when we present feedback to councillors for decisions on the plan.

In response to your specific question on resource management reform: yes, if the outgoing government's resource management reforms still go ahead, this plan will need to be redone (in part) as part of a region-wide Natural and Built Environment Plan. However, the transition period for the resource management reforms is extremely drawn out, and our estimate is that it's likely to be close to a decade. There's also a significant chance that the incoming government abandons or reconfigures the reforms. Our existing plan is also in a number of areas quite dated. So Council's current position is to continue with the new plan and expect that once in place it will still last for several years.

If you've got any other questions or feedback let us know.

Kind regards,
Stephen Davis

District Plan Review Team

Hutt City Council, 30 Laings Road, Lower Hutt

P: 04 570 6666 **M:** **W:** www.huttcity.govt.nz



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From: [REDACTED]

Sent: Tuesday, November 21, 2023 3:53 PM

To: District Plan Review Team <district.plan@huttcity.govt.nz>

Subject: [EXTERNAL] Submission to HCC Draft District Plan Review

Dear Madam/Sir,

Please find below my submissions to the HCC Draft District Plan Review.

The views expressed are to be seen in the interest of the rates payers, incl. the HC Council and its responsibilities. I do not stand to gain from any of my submissions.

Should I misinterpret the current draft, please let me know.

Overall,

- a. I support the need for housing intensification. It is needed to accommodate population growth and allow for lower cost housing to be created.
- b. The need to manage the risks of natural hazards and protect the environment is also increasingly important, not least to avoid potentially major future costs.

The HCC Draft District Plan however puts too much focus on housing intensification (a), whilst failing to address effectively the other aspects with clear standards and rules (b).

Points of concern:

A. Areas of intensification (zones)

Current Draft: All mapped residential areas allow for intensification, albeit to varying degree of intensity. The HCC should expect a lot of new standards-compliant houses, even in the Large Lot Residential Zone.

Submission 1: High density housing should at first be encouraged and allowed centred around the main transport hubs and CBD only. These areas should be able to grow from the inside out as they fill up. This will provide better overall results than scattering intensification across all residential areas without recognisable centres.

B. Notification

Current Draft: I understand if an application for resource consent is rules- and standards-compliant, HCC will need to grant resource consent without notifications and cannot deny resource consent.

Submission 2: HCC must always inform the adjacent neighbours and allow them to bring issues to HCC's attention before granting resource consent.

Submission 3: HCC must retain an option to deny resource consent even when the application is standards-compliant.

(Related with Submission 5, 6 and 7)

C. Managing natural hazards and protect environment

Current Draft: The Draft District Plan fails to identify or separate areas of increased natural hazards. For example, areas that would be first at risk of a managed retreat are having the same intensification rules and standards as others. For example, even the properties with lowest elevation at sea level have the same relaxed intensification rules.

Many properties will easily meet the standards for an additional residential unit, or an additional ancillary

residential unit in Large Lot Residential Zone, without a case by case impact assessment.

Submission 5: The District Plan must identify areas of increased natural hazards, such as sea level rise, landslides, etc. This will avoid creating new liabilities for HCC for newly consented housing in the context of managed retreat payouts or natural disasters (red stickers).

D. Infrastructure

Current Draft: I understand if an application for resource consent is rules- and standards-compliant, HCC will need to grant resource consent regardless of the current state of infrastructure (roading, water supply, waste water, storm water, telco, electricity, etc.). Much of our infrastructure is ageing, some of it at capacity.

When HCC is granting a resource consent, it must also ensure to provide the infrastructure services, meeting minimum service standards. Where the infrastructure is suddenly overloaded, HCC will be obliged to upsize and replace at short notice.

For example, our local waste water pipe is at capacity, so is storm water, street parking and electricity line.

Some of this publicly owned and maintained infrastructure is situated on private land, some of it built under the Public Works Act without easements. This is quite common in the Large Lot Residential Zone. Often Council Services are unaware of the actual location, land ownership and existing easements (or lack thereof).

For example, recently Chorus wanted to replace a copper phone line with fibre, servicing 5 properties. The Public Works Act does not apply anymore to a new fibre line, and without easements the fibre line could not be laid.

Submission 6: HCC must always assess infrastructure capacity and retain an option to deny resource consent even when the application is standards-compliant. This will avoid creating newly consented liabilities for HCC in the context of overloaded infrastructure.

(Related with Submission 2 and 3)

E. Shared Driveways / Easements on private property

Current Draft: I understand if an application for resource consent is rules- and standards-compliant, HCC will need to grant resource consent regardless of increased use of easements and services on adjacent properties.

For example, an at capacity HCC waste water pipe below a privately owned and maintained, shared driveway with extensive steel reinforcement in the concrete surface. No notifications allowed, despite potentially major implications and litigation, and thus cost to HCC.

Submission 7: HCC must always inform the adjacent neighbours providing essential easements to the applicant and allow affected neighbours to bring issues to HCC's attention before granting resource consent.

(Related to Submission 2 and 3)

Summary:

The Draft District Plan allows for a much simplified resource consent process without notifications where rules and standards are met. This will be fine for "normal" property characteristics with minimal natural risk and easy access to services.

If the same simplified process is applied to all properties, incl. those with high natural hazard risks or complicated services' access, the HCC will still have to grant consents to such standards-compliant applications. Yet HCC will not know the full extent of the financial liabilities (both short and long term) it is burdening itself with, with each newly

consented dwelling, to meet the minimum service standards for infrastructure, damage to neighbouring properties when upgrading these services, or payouts for managed retreats in areas hit first.

The uncertainty around the future of the Resource Management Act Reform does not make things clearer either. Will it have to be redone next year to meet new legislation?

I'd be interested to hear back from HCC on the above points.

Thank you in advance and kind regards,



Saritha Shetty

From: [REDACTED]
Sent: Tuesday, 21 November 2023 3:53 pm
To: District Plan Review Team
Subject: [EXTERNAL] Submission to HCC Draft District Plan Review

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Steve

Dear Madam/Sir,

Please find below my submissions to the HCC Draft District Plan Review.

The views expressed are to be seen in the interest of the rates payers, incl. the HC Council and its responsibilities. I do not stand to gain from any of my submissions.

Should I misinterpret the current draft, please let me know.

Overall,

- a) I support the need for housing intensification. It is needed to accommodate population growth and allow for lower cost housing to be created.
- b) The need to manage the risks of natural hazards and protect the environment is also increasingly important, not least to avoid potentially major future costs.

The HCC Draft District Plan however puts too much focus on housing intensification (a), whilst failing to address effectively the other aspects with clear standards and rules (b).

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The uncertainty around the future of the Resource Management Act Reform does not make things clearer either. Will it have to be redone next year to meet new legislation?

I'd be interested to hear back from HCC on the above points.

Thank you in advance and kind regards,



Saritha Shetty

From: [REDACTED]
Sent: Friday, 1 December 2023 5:50 pm
To: District Plan Review Team
Subject: RE: [EXTERNAL] Submission to HCC Draft District Plan Review

Follow Up Flag: Follow up
Flag Status: Flagged

Good afternoon Stephen,

Thank you for your reply.

May I please add two more points to my previous submission? Now that the new government is outlining more details, I wish to make the following submissions:

F. Zones of housing intensification:

The government's required housing intensification was originally intended for city centres, CBDs, and areas surrounding major transport hubs. Lower Hutt City Council however has zoned almost the entire HCC area for intensification, incl. High, Medium and Large Lot Zones.

Now that the government's housing intensification has become optional for councils, HCC should not allow housing intensification well beyond the original intended scope of intensification.

Submission 8:

HCC should reduce the areas of housing intensification to the originally intended scope: city centres, CBDs, and areas surrounding major transport hubs.

(Related to Submission 1)

G. Higher risk areas of housing intensification:

The HCC zones where housing intensification is allowed does include higher risk areas and makes no distinction to lower risk areas.

Now that the government's housing intensification has become optional for councils, the consequences of allowing housing intensification will be entirely the responsibility of HCC, particularly where consents are (or have to be granted), which in the future prove to be subject to managed retreats.

Submission 8:

HCC should reduce the areas of housing intensification and exclude higher risk areas, and thus reduce its legal exposure to future managed retreat liabilities in areas with higher flood, tsunami or slide risks.

(Related to Submission 5)

Thank you for adding this to my submissions.

Kind regards,

[REDACTED]

From: District Plan Review Team [mailto:district.plan@huttcity.govt.nz]
Sent: Tuesday, 21 November 2023 16:22
To: [REDACTED]
Subject: RE: [EXTERNAL] Submission to HCC Draft District Plan Review

Thanks for your feedback on the draft district plan. We've recorded your comments and will include these when we present feedback to councillors for decisions on the plan.

In response to your specific question on resource management reform: yes, if the outgoing government's resource management reforms still go ahead, this plan will need to be redone (in part) as part of a region-wide Natural and Built Environment Plan. However, the transition period for the resource management reforms is extremely drawn out, and our estimate is that it's likely to be close to a decade. There's also a significant chance that the incoming government abandons or reconfigures the reforms. Our existing plan is also in a number of areas quite dated. So Council's current position is to continue with the new plan and expect that once in place it will still last for several years.

If you've got any other questions or feedback let us know.

Kind regards,
Stephen Davis

District Plan Review Team

Hutt City Council, 30 Laings Road, Lower Hutt
P: 04 570 6666 M: W: www.huttcity.govt.nz



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Sent: Tuesday, November 21, 2023 3:53 PM
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I'd be interested to hear back from HCC on the above points.

Thank you in advance and kind regards,



Saritha Shetty

From: [REDACTED]
Sent: Tuesday, 5 December 2023 9:26 am
To: Peter McDonald
Cc: Sean Bellamy
Subject: Re: [EXTERNAL] Highly constrained roads;

Thank you for the information. We'll watch with interest.

Get [Outlook for Android](#)

From: Peter McDonald <Peter.McDonald@huttcity.govt.nz>
Sent: Tuesday, December 5, 2023 9:22:37 AM
To: [REDACTED]
Cc: Sean Bellamy <Sean.Bellamy@huttcity.govt.nz>
Subject: RE: [EXTERNAL] Highly constrained roads;

Hello Joyanne

The highly constrained roads provisions, including which roads are included or excluded in the overlay, will be subject to more detailed review following the draft consultation and will be informed by the feedback we receive.

The considerations for including roads in the overlay was the existing condition of the road (ie width of formation, passing opportunities), and constraints to future upgrades of the road such as steep topography. These characteristics were considered most apparent in the roads selected for inclusion. But we will be reviewing this based on the feedback we receive.

The transport chapter which includes provisions for highly constrained roads can be viewed [here](#).

Kind regards,
Peter

Peter McDonald
Senior Resource Consents Planner

Hutt City Council, 30 Laings Road, Hutt Central, Lower Hutt, Lower Hutt 5010
P: 04 570 6745 M: W: www.huttcity.govt.nz



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From: Sean Bellamy <Sean.Bellamy@huttcity.govt.nz>
Sent: Tuesday, December 5, 2023 7:44 AM
To: Peter McDonald <Peter.McDonald@huttcity.govt.nz>
Subject: FW: [EXTERNAL] Highly constrained roads;

Hi Joyanne,

Thank you for the email. I've forwarded your email to one of my Colleagues. Peter has been directly involved in the drafting of the provisions for highly constrained roads and will be better able to answer your question.

regards

Sean Bellamy
Intermediate Policy Planner

Hutt City Council, 30 Laings Road, Hutt Central, Lower Hutt, Lower Hutt 5010
P: 04 570 6976 M: W: www.huttcity.govt.nz



From: [REDACTED]
Sent: Monday, December 4, 2023 6:18 PM
To: Sean Bellamy <Sean.Bellamy@huttcity.govt.nz>
Subject: RE: [EXTERNAL] Highly constrained roads

Thanks, Sean, there appear to be only three areas of highly constrained roads, one of which is around the Winstone Quarry. If those roads are considered highly constrained, there are many more in the western hills that would equally qualify, eg. Stratton Street. The depth of information supplied in the draft district plan makes it difficult for us to comment.

From: Sean Bellamy <Sean.Bellamy@huttcity.govt.nz>
Sent: Monday, December 4, 2023 8:25 AM
To: [REDACTED]
Subject: RE: [EXTERNAL] Highly constrained roads

Hi [REDACTED]

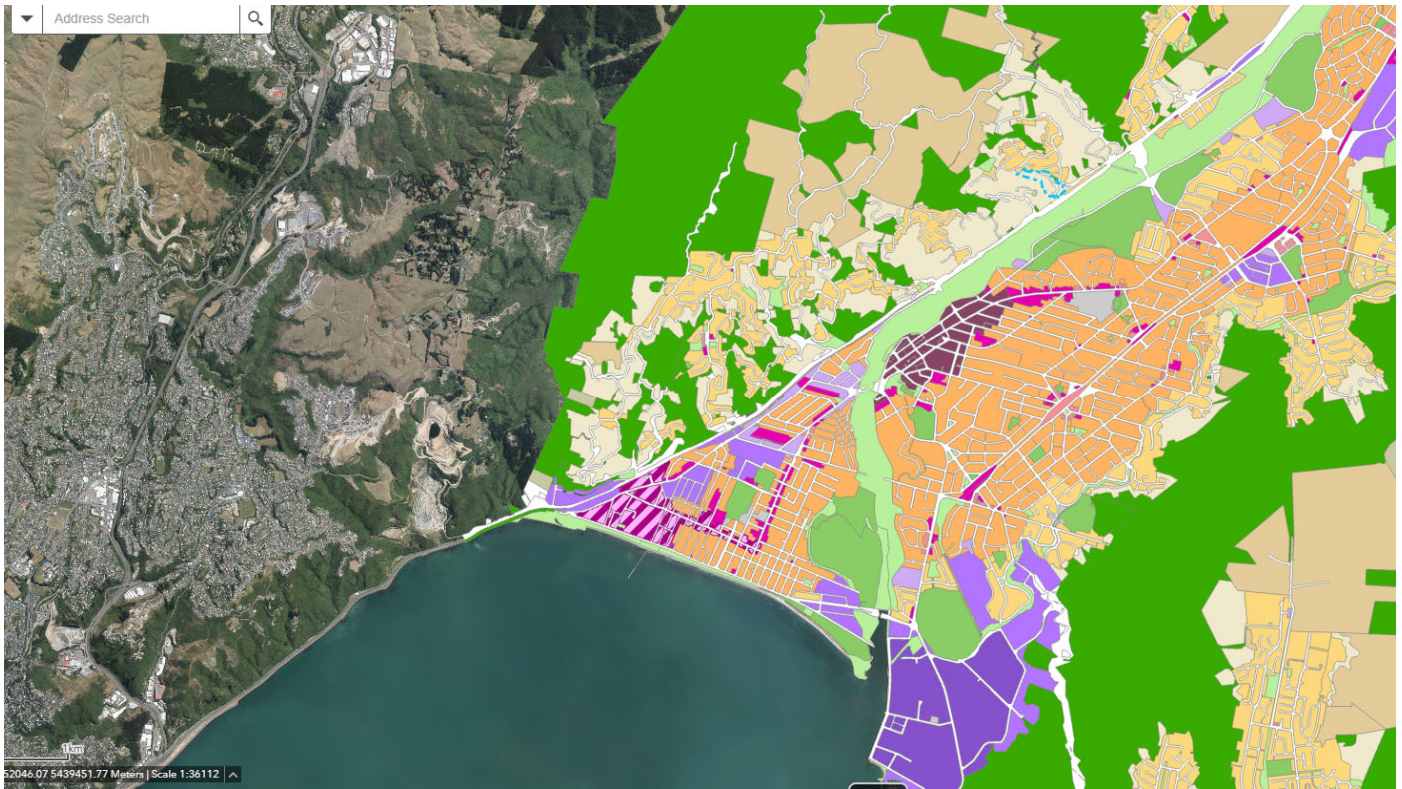
It may be easier for me to send you a snap shot of the GIS map. If you send me your address, I can email you the map with the layer.

The GIS map for the draft district plan change can be found [here](#).

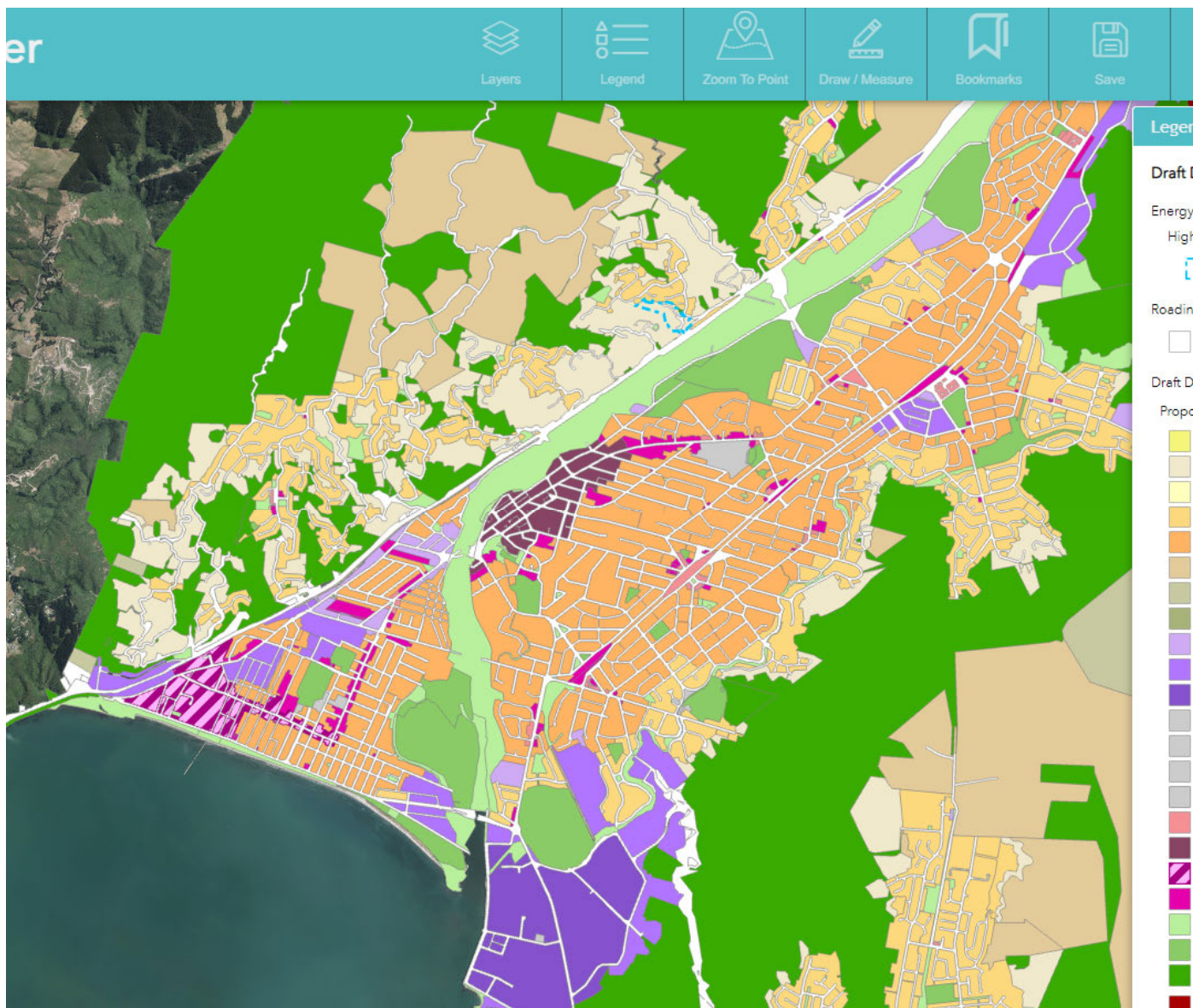
Once you are in the map open the

1. district plan layer (see screenshot below)
2. the energy, infrastructure and transport layer, and tick the square (turn the layer on)
3. ensure the highly constrained layer is turn on (i.e. ticked)
4. type your address into the address search on top left of the screen or use the mouse to find you property.

I hope this helps. Please contact me if you have any questions.



Use the legend tab at the top of the map to help you see the extent of the area.



Regards.

Sean Bellamy
Intermediate Policy Planner

Hutt City Council, 30 Laings Road, Hutt Central, Lower Hutt, Lower Hutt 5010
P: 04 570 6976 M: W: www.huttcity.govt.nz



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From: [REDACTED]
Sent: Saturday, December 2, 2023 6:32 PM
To: District Plan Team <DistrictPlan.Team@huttcity.govt.nz>
Subject: [EXTERNAL] Highly constrained roads

I've been searching the website but can't find a list or map of the "highly constrained roads" referred to in the Transport chapter of the Draft District Plan. Can you please send me the link or the list of affected roads.

Saritha Shetty

From: [REDACTED]
Sent: Thursday, 23 November 2023 11:48 am
To: District Plan Review Team
Subject: [EXTERNAL] HCC Draft District Plan - Letter 08.11.23

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Check if replied, Sean

Morning

We received a letter dated 08.11.23, advising that our Property may be affected by the proposed changes in the Hutt City Council Draft District Plan.

The proposed change for our Property at [REDACTED] is a change from Rural Residential to a Rural Lifestyle Zone.

As we border both a Large Lot Residential Zone and a Medium Density Residential Zone, we would be interested in having our Property (5 Acres) zoned as either one of these Zones.

We currently have access to some Services and border other connections.

If you could please advise whether it would be possible to discuss this option with someone from the HCC.

Thanks

[REDACTED]

This electronic message together with any attachments or the contents thereof is confidential and may be legally privileged or comprise inside information under the securities laws.

Use of it or any part of it for other than the intended purposes or in amended form without our written approval is at the sole risk of the user. If you are not the intended recipient,

please notify us immediately and erase the original message and attachments received. Except for that purpose, you must not read, use, copy or disclose any of the information to others.

Saritha Shetty

From: [REDACTED]
Sent: Thursday, 16 November 2023 7:02 pm
To: District Plan Team
Subject: [EXTERNAL] Proposed changes to draft district plan rezoning

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Sean

Good afternoon,

Thank you for the 2 letters we received regarding the proposed rezoning of our properties.

In regard to the rezoning of large lot residential properties, my husband and I are not in favour of this.

We own both 4 Manor Drive (Dwelling) and 13 Thomas St (Bare land) in Stokes Valley. A combined land holding of around 2700sqm.

We have spent a substantial amount on feasibility and topographical reports with the intention of subdividing.

Our feasibility report has shown that with the 2 properties combined we are able to subdivide the combined properties into 4.

Our plan is to build our dream home on this property and then have the remainder subdivided as we are both too old to maintain big sections plus have mobility issues.

Your proposed plan will not allow us to complete this or even start our project.

It also reduces our options of selling both as a combined package with subdividable options if we are unable to proceed with our plans.

I am not sure how many others would be affected but this would be a major hurdle for us.

Kind regards,
[REDACTED]

[REDACTED]

[REDACTED]

Saritha Shetty

From: [REDACTED]
Sent: Friday, 24 November 2023 1:36 pm
To: [REDACTED]
Cc: District Plan Team
Subject: [EXTERNAL] [REDACTED] Council advice Proposed On district plan that may affect our property regarding listing as High Hazards Areas

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Sean

[REDACTED] can you please pass /forward this directly to MS Jo MILLER CEO as I do not have her direct email.

MS Miller HUTT COUNCIL CEO

RE YOUR LETTER 8th November [no ID reference]High Hazard areas relation to our property on proposed district plan .

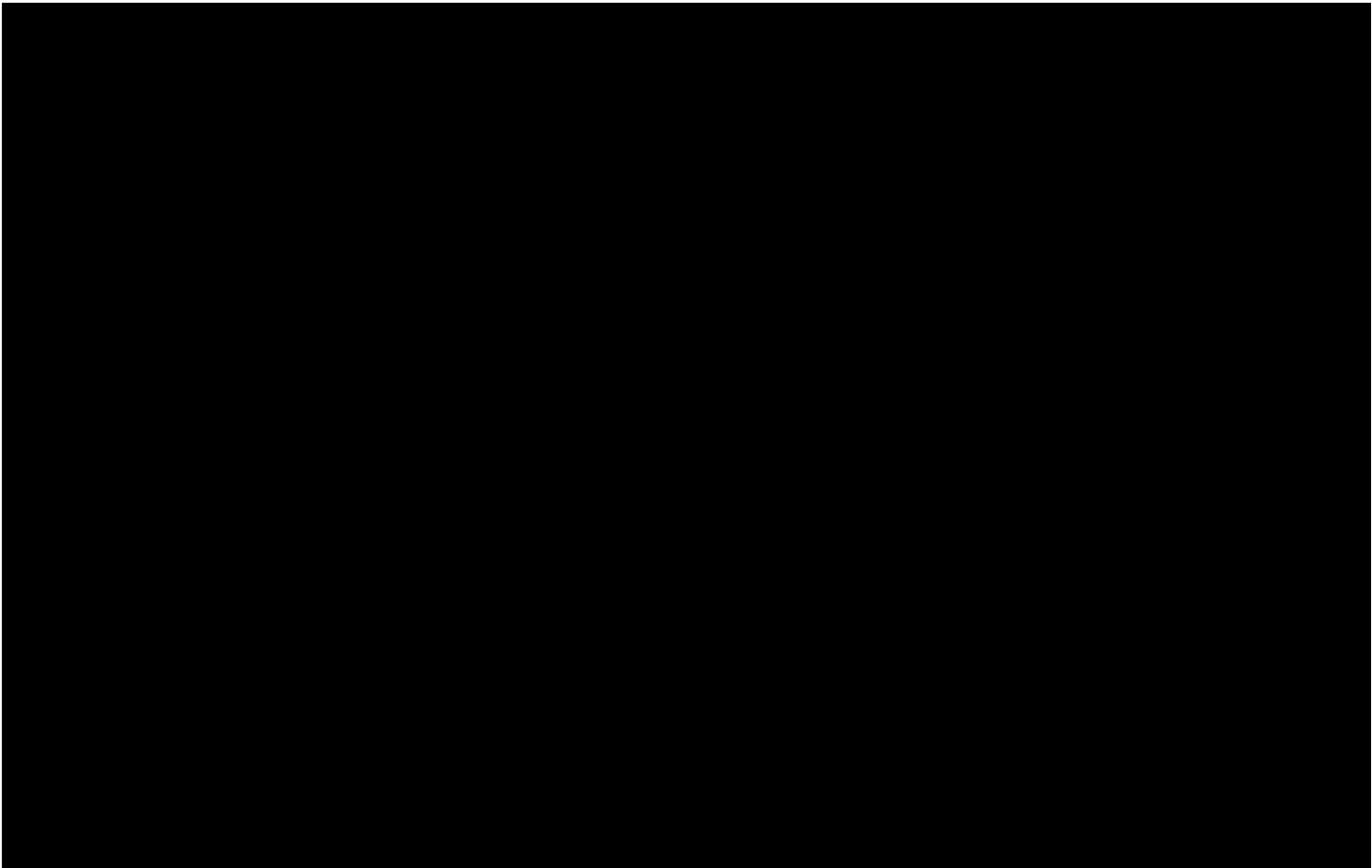
Firstly, it is important that the powers that be and who will decide this matter understands the following :

- 1. The senior writer has vulnerable status by way of multiple serious illness's one of them being life threatening which could potentially become fatal at any time.**
- 2. The writer is in constant high level of pain and due to this affecting concentration ability is not able to pursue the normal citizen /property requirements of discovery about this matter.**
- 3. This vulnerable status limits the mobility and energy of the writer and consequentially the writer must [reasonably place the onus on council] request council officers assistance in furnishing all exacting information explaining which of these hazards potentially affect our property and precisely how ?**
- 4. Further council [by way of governing enactment or on its own volition] disclosing & releasing all or any information they hold or are aware of that may have given cause for the powers that be to include our property into the designation Of HAZARD area warranting inclusion .**
- 5. The writer has owned the property approaching 40 years in all of that time nothing has happened on this property or around it that I could deem even potentially HAZARDESS -just specific to this property or area of land .**
- 6. The writer is also very concerned that when he bought the property for a protentional development investment there was nothing available at council to persuade him otherwise i.e., no restrictions that could restrict my potential investment and development opportunity .**
- 7. Since then, over time ,council and others in power have place in my view draconian and oppressive restrictions on the property regarding what we cannot do with the native bush areas ,initiated extended power pylon**

restrictions on where we can build making the property 2 thirds controlled by council /others yet the council keeps increasing the rates up and up so as to make it untenable and unaffordable for a cash strapped vulnerable status senior to be able remain in the property where he would like to conclude his remaining life .

- 8. These complaints have to date fallen on deaf ears at council and I think when others control through/by mandatory force citizens property they should pay the rates for that portion of the property and/or give rates rebates accordingly for the areas affected that cannot be utilised by the owner .**
- 9. Further to these restrictive complaint issues in points 6 -7- historically before these restrictions were put in place I complain about -the writer has paid a \$1500 fee to council to register and gain approval for the building of a 11-room extension wing to the existing house with garages but when I last enquired about this given council approval the council informed initially stated that they could not find the documents .
When I produced documentation proving the same ,plans approval and receipt ,council had to agree that they were in place and valid but would not comment further except to state that I should up spec the approved plans .The senior officer dealing with the matter then left the council and we were unable to have further dialogue about our approvals for this project but I am sure his correspondence will be on our council file?**

Please provide the information requested so that we can have further interactions, if necessary, on this matter once I am appraised fully about what you refer to and how it potentially could affect our [all or any in general] future rights regarding the potential development of our property.





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Saritha Shetty

From: Lucy Hodgins
Sent: Tuesday, 12 December 2023 12:17 pm
To: District Plan Team
Subject: Feedback into the proposed District Plan
Attachments: The key feedback recorded regarding the Wellington Fault Hazard Overlay is that Mr Wadham objects.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Nathan

Kia ora

Please find attached, [REDACTED] feedback into the proposed District Plan.

Ngā mihi
Lucy Hodgins

Saritha Shetty

From: [REDACTED]
Sent: Tuesday, 21 November 2023 11:44 am
To: District Plan Team
Cc: letterstoeditor@stuff.co.nz
Subject: [EXTERNAL] Hutt City District plan

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Steve

Kia ora

I have two significant concerns about the plan: -

- 1) Hutt City Council seems hell-bent on destroying the two or three 'character' residential areas in Hutt City, in some misguided belief that the 'whole' of the city must become 'available' for high-density housing. This is nonsense. All the great cities in the world have these areas, and they protect them zealously, because they know what they deliver to a city. This Council seems intent on turning all the lower Hutt Valley into a 'future slum'. Be very careful here about what you wish for, because that is what you are going to deliver!
- 2) In respect to Riverlink. In concept I can't argue, the City needs protection from potential floods. However, Council is now so caught up in its 'vanity project' that it can't see the wood for the trees. Private vehicles aren't going to go away. There may be a conversion from petrol to electric, but cars aren't going to disappear. Your CBD workers will not suddenly, in some mass lemming-like wave, move to public transport to get to work. No, they will find other places to work. Your CBD employers need to be given greater consideration. Continuing to build high-density housing in the CBD (with no parking provision required), adding to the demand for parking, and then removing 60% of the main parking area (riverbank), without something to replace it, is simply idiotic. This aspect of the plan must have a re-think.

Sincerely

[REDACTED]

Saritha Shetty

From: [REDACTED]
Sent: Wednesday, 15 November 2023 4:57 pm
To: District Plan Review Team
Subject: RE: [EXTERNAL] zoning letters - proposed DP changes

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Steve

Thank you Stephen,

I'll go through them.

At a glance, feel free to save yourselves some work on this one - J S Ross & J V Jones:

- 610 High Street, Boulcott – proposed to be included in the Mixed Use Zone, has a proposed notable tree As I had all the trees removed a few months ago as they kept blocking all the gutter and the occupants sun.

Ngā mihi nui | Thank you,

From: District Plan Review Team <district.plan@huttcity.govt.nz>

Sent: Wednesday, November 15, 2023 4:31 PM

Subject: RE: [EXTERNAL] zoning letters - proposed DP changes

You don't often get email from district.plan@huttcity.govt.nz. [Learn why this is important](#)

Hi [REDACTED]

For the letters you've received, they relate to:

Silverstream Park Christian Centre:

- 3 Reynolds Bach Drive, Stokes Valley – rezoned from Medium Density Residential to Large Lot Residential

Windows Trust:

- 150 Upper Fitzherbert Road, Wainuiomata – proposed to be Rural Lifestyle Zone
- 38 Treadwell Street, Naenae – proposed to be included in the Mixed Use Zone
- 40 Treadwell Street, Naenae – proposed to be included in the Mixed Use Zone

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] these are the reasons we thought were significant enough to send you a letter for. For more information about the Draft District Plan see <https://hutt.city/dpreview>, or if you've got any other questions let me know.

Kind regards,
Stephen Davis

District Plan Review Team

Hutt City Council, 30 Laings Road, Lower Hutt
P: 04 570 6666 M: W: www.huttcity.govt.nz



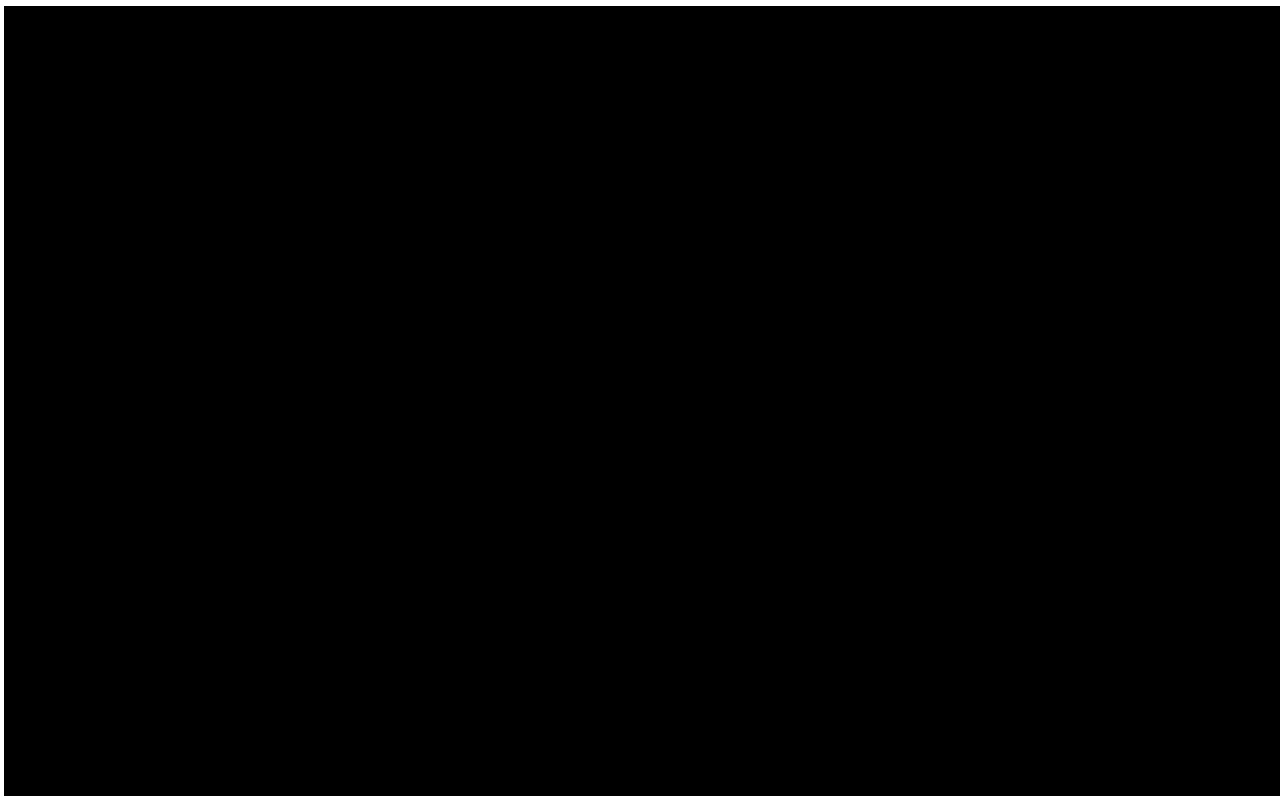
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From: [REDACTED]
Sent: Wednesday, November 15, 2023 11:28 AM
To: District Plan Team <DistrictPlan.Team@huttcity.govt.nz>
Cc: [REDACTED]
Subject: [EXTERNAL] zoning letters - proposed DP changes

Please see the 8 letters (attached) that relate to entities which I preside over.

Could you please advise what properties these are for as the entities own multiple properties.

Ngā mihi nui | Thank you,



Saritha Shetty

From: [REDACTED]
Sent: Thursday, 16 November 2023 8:48 am
To: District Plan Review Team
Cc: john pickett
Subject: [EXTERNAL] Proposed Changes to Rural Lifestyle Zone

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Sean

Hello

Further to your letter relating to proposed changes to the Hutt City Council Draft District plan relating to the Rural Lifestyle Zone, we are both totally supportive of the proposal to reduce the minimum site size from 2 hectares to 1 hectare.

Our property falls within this category and in our view this makes very good sense as the proposed one (1) hectare zones are more than large enough to accommodate a separate dwelling on each site should we decide to make application to subdivide.

Regards

[REDACTED]

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Saritha Shetty

From: Corinna Tessendorf <Corinna@urbanedgeplanning.co.nz>
Sent: Thursday, 7 December 2023 11:54 am
To: District Plan Review Team
Cc: havler.jl@gmail.com; James Beban
Subject: [EXTERNAL] Submission on the HCC Draft District Plan - 452 Cambridge Terrace
Attachments: HCC DDP - 452 Cambridge Terrace - Submission.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Steve

Kia ora,

Please find attached a submission on the Draft District Plan by Urban Edge Planning on behalf of [REDACTED]
Please feel free to contact me with any queries.

Kind Regards,

Corinna Tessendorf
Principal Policy Planner
022 304 4187
corinna@uep.co.nz



Bouverie Business Centre (BBC)
Suite 1B, [5 Bouverie Street, Petone](#)
PO Box 39071, Wellington Mail Centre, Lower Hutt 5045

**SUBMISSION ON
HUTT CITY COUNCIL - DRAFT DISTRICT PLAN**

To: Hutt City Council
By email to: district.plan@huttcity.govt.nz

Submission on: Draft District Plan

Name of Submitter: Urban Edge Planning Ltd
on behalf of [REDACTED]

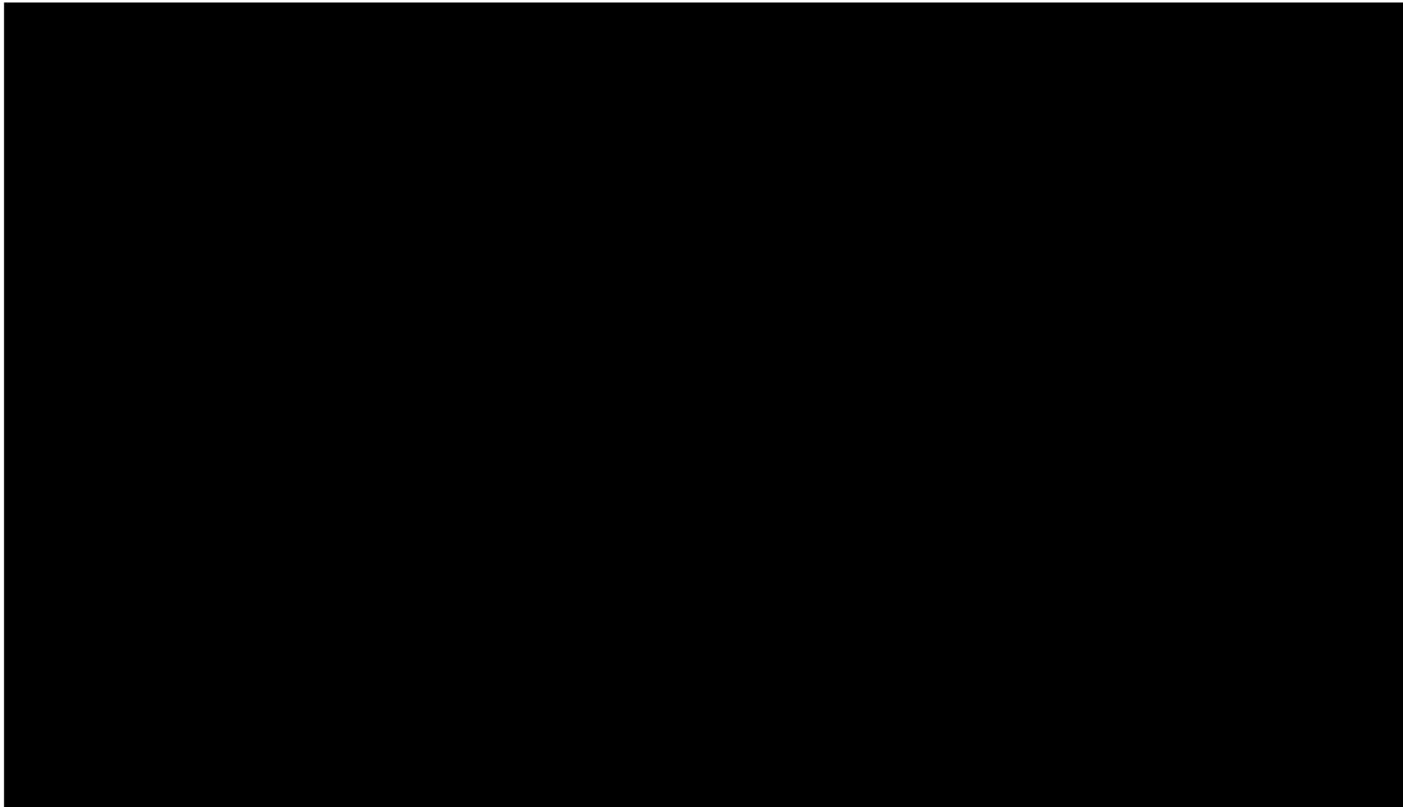
Address for service: Urban Edge Planning
PO Box 39071
Wellington Mail Centre
Lower Hutt 5045

Attention: Corinna Tessendorf
022 304 4187
Corinna@urbanedgeplanning.co.nz

- This is a submission made on behalf of [REDACTED] concerning the Draft District Plan as notified by Hutt City Council on 9 November 2023.
- The specific provision of the Draft District Plan that this submission relates to is the proposed zoning of the site at [REDACTED] as Large Lot Residential Zone.
- Urban Edge Planning on behalf of Mr Havler seeks the zoning of the site at [REDACTED] as High Density Residential Zone.



SITE CONTEXT



The site can be described as follows:

Address	[REDACTED]
Size	7.39ha
Title	576029
Parcel ID	7575492
Legal description	Lot 7 DP 451628 RT 576029
Location	The site is located to the rear of residential properties along Cambridge Terrace and Kowhai Street and adjacent to Taita Cemetery
Operative DP Zoning	Hill Residential Activity Area
Operative DP Overlays	<ul style="list-style-type: none"> ▪ SNR 12 (in part) ▪ Flood Hazard Overlay (marginal)
Draft DP Zoning	Large Lot Residential Zone
Draft DP Overlays	<ul style="list-style-type: none"> ▪ Flood Hazard Inundation Overlay (marginal)
Current Use and Development	<p>Currently undeveloped and mostly covered in vegetation. No rivers, streams or wetlands are known to be on the site.</p> <p>The site contains a small sealed area that forms part of the driveway and access for the adjoining residential properties at [REDACTED]</p> <p>The most recent granted resource consent for the site relates to earthworks and a boundary adjustment (RM230100).</p>



Surrounding Area	<p>The site is surrounded by residential land to the south and west, industrial and commercial activities to the north and reserve land and the Taita Cemetery to the east.</p> <p>Current Zoning</p> <ul style="list-style-type: none"> ▪ High Density Residential to the south and west ▪ General Business to the north ▪ General Recreation and Passive Recreation to the east ▪ Medium Density Residential to the southeast <p>Proposed Zoning</p> <ul style="list-style-type: none"> ▪ High Density Residential to the south and west ▪ General Industrial to the north ▪ Open Space and Natural Open Space to the east ▪ Medium Density Residential to the southeast
-------------------------	--

PLANNING CONTEXT

Operative District Plan

Under the Operative District Plan the site at [REDACTED] is zoned as Hill Residential Activity Area and partially covered by SNR 12 (eastern portion of the site). It is also marginally affected by Flood Inundation Overlay along the western boundary. No other precincts or overlays apply.

The Hill Residential Activity Area covers developed residential land on the hill sides of Hutt City and recognises the related amenity values and constraints. It provides predominantly for residential activities and is characterised by low density development.

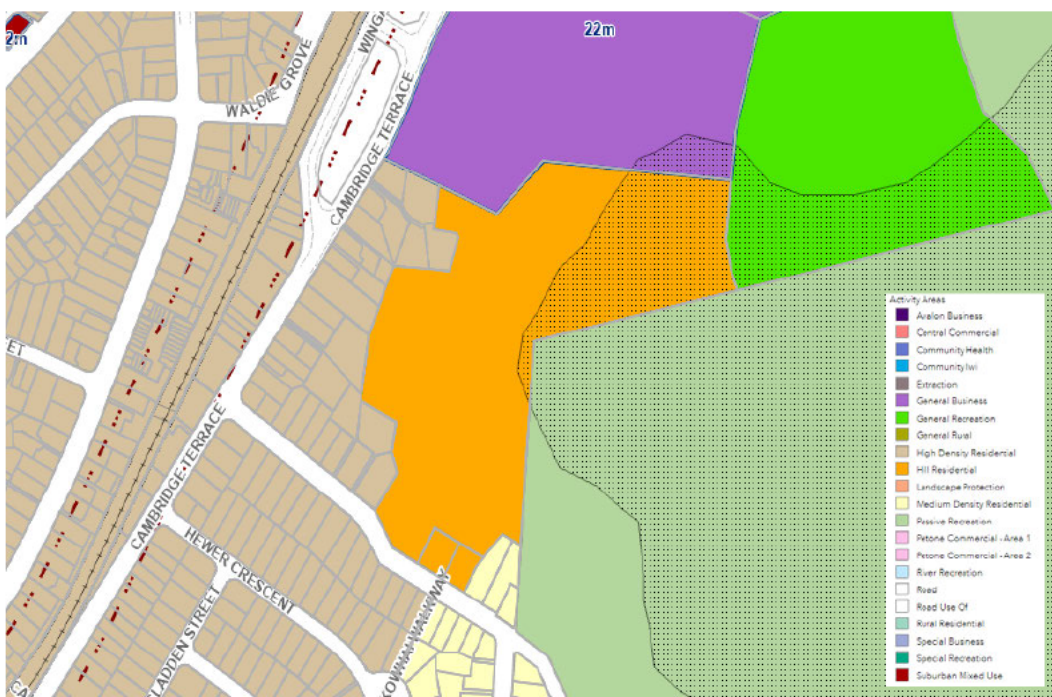


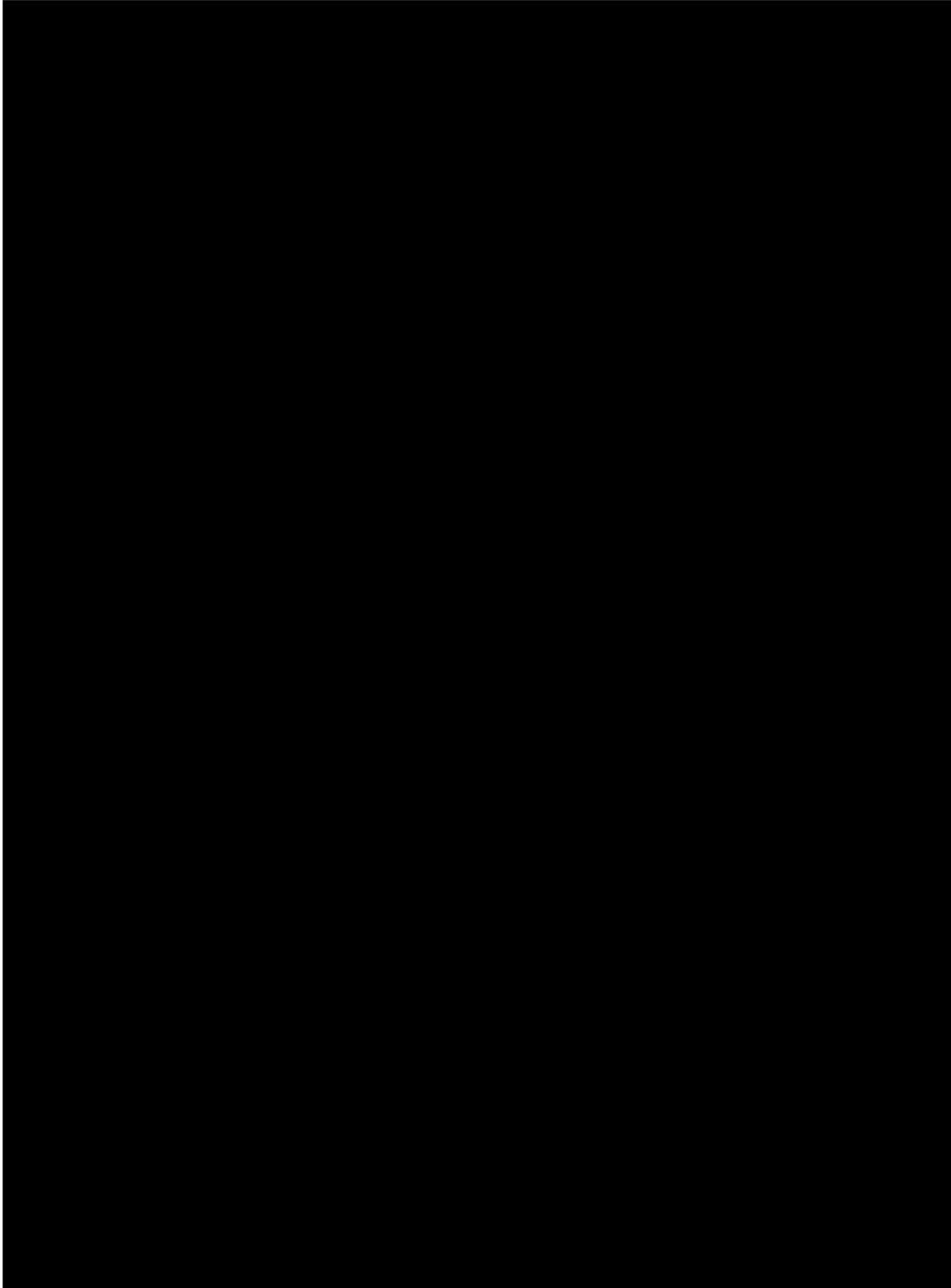
Figure 2: ODP Zones (Source: HCC GIS Viewer)



Draft District Plan

Under the Draft District Plan the site at [REDACTED] is proposed to be zoned as Large Lot Residential Zone. It is marginally affected by the Flood Inundation Overlay along the western boundary. No other precincts or overlays apply to the site.

The proposed Large Lot Residential Zone applies to areas where medium to high density development is generally considered inappropriate. The zone provides predominantly for residential activities in a low density built environment.



It is noted that the neighbouring properties at [REDACTED] that are currently zoned Hill Residential are proposed to be rezoned to Medium Density Residential under the Draft District Plan.

Plan Change 56

Plan Change 56 (PC56) introduced changes to the operative plan to introduce Medium Density Residential Standards and give effect to the National Policy Statement on Urban Development. The focus of the plan change was on urban zones and it did not propose any changes to the Hill Residential Activity Area.

Design Network Architecture on behalf of Mr Havler made a submission on PC56 requesting the rezoning of the sites at [REDACTED] from Hill Residential to Medium Density Residential Activity Area.

The S42A report prepared by Council did not support the decision requested, mainly based on scope issues:

586 *Design Network Architecture (178.1) request [REDACTED] be rezoned from Hill Residential to Medium Density Residential. Parts of Naenae currently zoned General Residential are proposed to be zoned Medium Density Residential as part of the city-wide changes to zoning of residential land. As [REDACTED] are currently zoned Hill Residential, making a significant change in policy direction for rural areas or hill residential areas (e.g. rezoning land) is not part of this plan change which is targeted to urban intensification and is outside the scope of the ISPP. It is recommended this submission is rejected. (paragraph of the officer's report for PC56)*

The hearing panel in their recommended decisions followed the in officer's recommendation and made no changes to the zoning of the sites:

3.8.19 *In addition to the aforementioned spot zoning requests from HDRAA and MDRAA to Hill Residential, several submitters also requested spot rezonings in the other 'direction'; namely, rezoning of areas currently zoned Hill Residential to MDRAA or HDRAA. Mr Thornton also provided evidence supporting the rezoning requests in Stokes Valley and Wainuiomata. This included the Silverstream Park Christian Centre at 320 Eastern Hutt Road, Stokes Valley.*

3.8.20 *At our direction, Ms Wheatley considered the merits of each of these requests, however the legal opinion provided by Mr Quinn confirmed that these site specific, spot zoning requests are out of the scope of PC56 and if they were ever pursued it should be through the full District Plan review. We therefore accept the recommendations of Ms Wheatley, set out in the Council Officers Reply Statement. Accordingly, there are no changes to the maps in Appendix 4.*

Subsequently the requested rezoning has been raised and discussed with the District Plan team for consideration as part of the full District Plan review process.



SUBMISSION

Submission

This submission opposes the proposed zoning of the site at [REDACTED] as Large Lot Residential Zone as proposed by the Draft District Plan and requests the zoning as High Density Residential Zone.

Considering the close proximity of the site to the Wingate train station the zoning of the site as High Density Residential is deemed appropriate and consistent with the zoning methodology applied by Plan Change 56.

The residential land surrounding the site is mostly zoned High Density Residential. The Medium Density Residential Zone only applies to the areas located to the south east of the site. Therefore, the High Density Residential Zone would be consistent with the anticipated density of the surrounding residential areas.

The land abutting the site to the north, which is characterised by the same general topography and contours, has been found suitable for industrial use and development and is proposed to be zoned General Industrial.

Under the Draft District Plan the Medium Density Residential Zone provides for up to three residential units per site and applies the Medium Density Residential Standards to new development. There is no minimum allotment size for the Medium Density Residential Zone provided it is practicable to build a permitted residential unit on the site or land use consent is sought or has been granted at the same time. The High Density Residential Zone also allows for greater building height and provides for higher densities particularly for multi-unit developments (4 or more units) with a more enabling policy framework.

The proposed Large Lot Residential Zone provides for low density development. It allows for one residential unit per site with a minimum allotment size of 1000m² and the Medium Density Residential Standards do not apply. The introduction of the proposed chapter states that:

The zone applies to areas where medium to high density development is generally inappropriate due to the lower level of demand for housing due to limited accessibility to commercial activities and community services though active and public transport, and where there are often other constraints such as topography, natural features, ecological values, servicing constraints, and/or physical limitations to more intensive development.

As noted above that the site at [REDACTED] has good access to public transport and commercial and community services. It is located within the walkable catchment (800m) of Wingate Station and the Naenae Local Centre which is reflected by the High Density Residential zoning of surrounding areas.

We further note that through recent plan changes the zoning around the periphery of the site at [REDACTED] has continuously and incrementally changed from Hill Residential to General/Medium Density/High Density Residential, reflecting previous subdivision patterns and subsequent built development.

It is considered that the topography of the site and any other site specific issues or constraints can be sufficiently identified, addressed and managed through the relevant overlays (e.g. SNA, ONFL, Natural Hazards overlay) and do not justify the application of the Large Lot Residential zoning.

We note that the Draft District Plan does not propose the identification and protection of Significant Natural Areas. It is therefore unclear whether there are any areas of significant indigenous biodiversity on the site that warrant the limitation of development.

The site at [REDACTED] has not been identified as containing or being part of any Outstanding Natural Feature or Landscape (ONFL) or Special Amenity Area (SAL). It does not contain an identified or protected ridgeline.

We are not aware of any servicing constraints and note the close proximity to existing services.

It is expected that any future development of the site would naturally be focused on the lower, less steep portions of the site, which could support medium or high density development. The steeper portions of the site naturally lend themselves to lower densities to address the more challenging topography and potential slope hazards.

Overall we consider there is no justification for the application of the Large Lot Residential Zone to the site at 452 Cambridge Terrace.

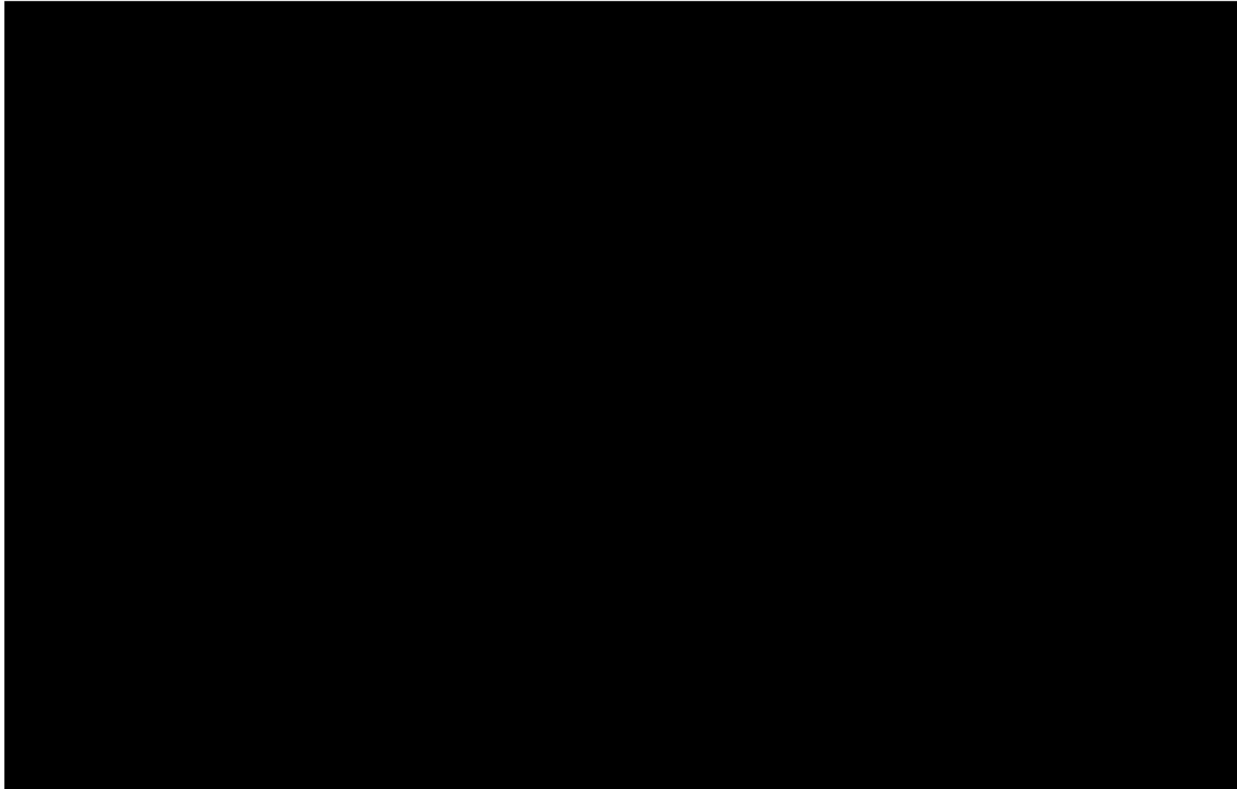
Urban Edge Planning on behalf of Mr John Havler therefore opposes the proposed zoning of the site as Large Lot Residential and seek the zoning as High Density Residential Zone instead.

The requested zoning would provide for the development of the site at a density level that aligns with the development anticipated and enabled in surrounding residential areas. Any potential constraints that could limit the development potential of the site can be appropriately addressed and managed through overlays.



Option A – Zoning of the site as Medium Density Residential Zone

Should the zoning of the site at [REDACTED] as High Density Residential Zone not be acceptable to Council, Urban Edge Planning on behalf of [REDACTED] seeks the zoning of the entire site as Medium Density Residential Zone. The Medium Density Residential zoning would provide for the development of the site at a medium density level that aligns with the development anticipated and enabled in surrounding residential areas. Any potential constraints that could limit the development potential of the site can be appropriately addressed and managed through overlays.



Option B – Zoning as High or Medium Density Residential Zone in part and Large Lot Residential Zone in part

Should Council not find the requested rezoning of the entire site as either High or Medium Density Residential Zone acceptable we seek the following split-zoning instead:

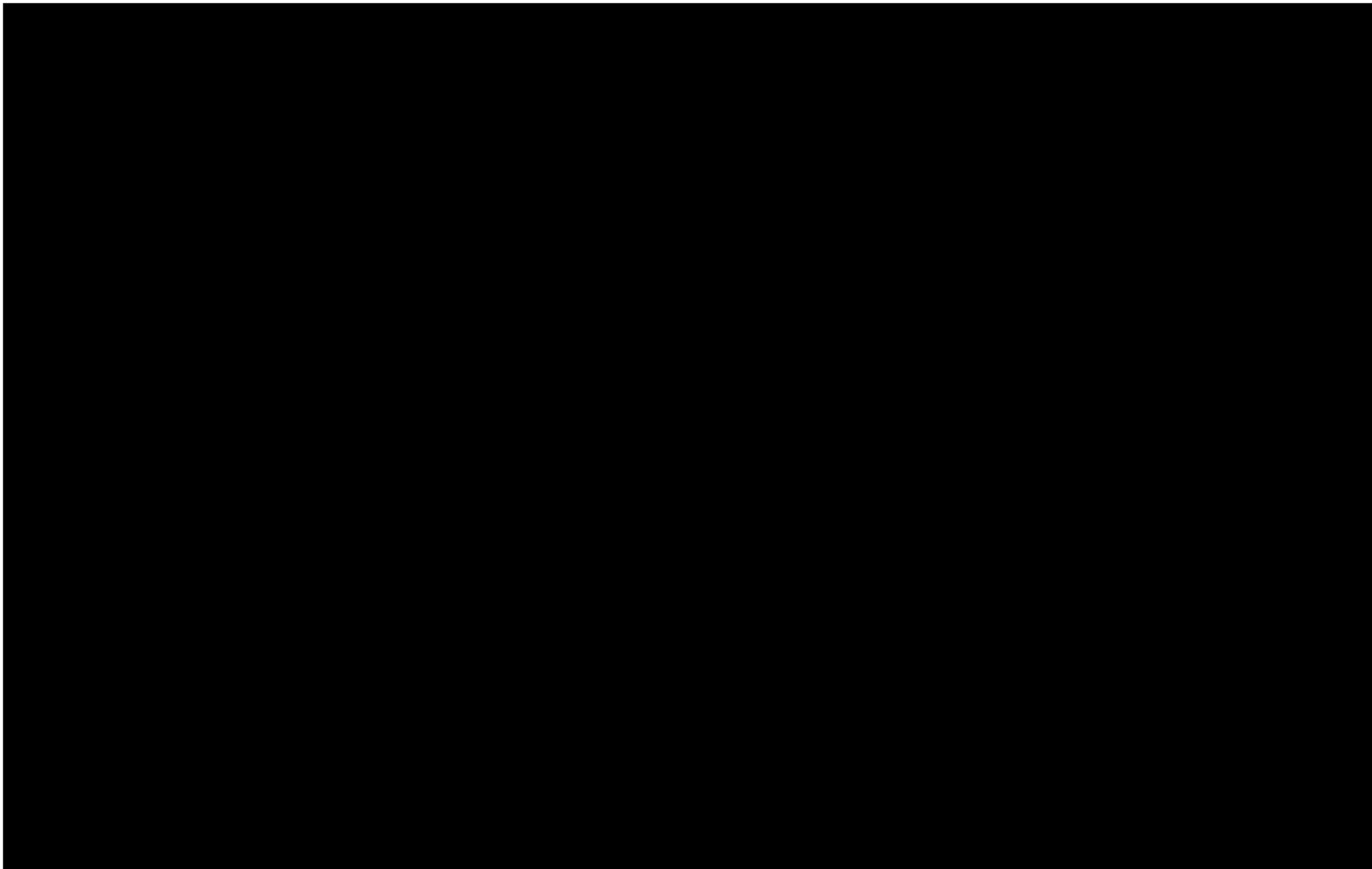
- Zoning of the western portion of the site as High Density Residential Zone.
- Zoning of the eastern portion of the site as Large Lot Residential Zone.

The western portion of the site that is proposed to be zoned as High Density Residential Zone under this Option has an area of approximately 4.31ha. The eastern portion of the site proposed to be zoned as Large Lot Residential Zone has an area of approximately 3.08ha.

The rezoning of the western portion of the site to High Density Residential Zone would provide for residential use and development at a medium to high density that aligns with the development densities anticipated and enabled in surrounding residential areas. Under this option the eastern portion of the site would be zoned Large Lot Residential which would allow for low density residential development while continuing to provide a green backdrop.

Any site specific issues or constraints that would limit potential development could be appropriately addressed and managed through overlays.





Conclusion

Urban Edge Planning on behalf of [REDACTED] seek the following decision from Council:

- **Zoning of the entire site at [REDACTED] as High Density Residential Zone**

Should this not be acceptable to Council we seek the following decision instead:

- Option A: Zoning of the entire site as Medium Density Residential Zone; or
- Option B: Zoning of the western portion of the site as High Density Residential Zone while zoning the eastern portion of the site as Large Lot Residential Zone.

Under either option the requested zoning would provide for additional residential development while responding to constraints and limitations through relevant overlays.

Urban Edge Planning on behalf of [REDACTED] request any consequential changes or alternative relief required to achieve the intended outcomes sought within this submission.

Corinna Tessendorf
Urban Edge Planning Ltd

On behalf of:

[REDACTED]

07 December 2023



Saritha Shetty

From: [REDACTED]
Sent: Saturday, 9 December 2023 9:45 pm
To: District Plan Review Team
Cc: [REDACTED]
Subject: [EXTERNAL] Draft District Plan December 2023
Attachments: Submission - Attachment B - [REDACTED]

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Steve

Submission on Draft District Plan December 2023, from [REDACTED]

With respect to our property at [REDACTED] which the Draft District Plan proposes to rezone to Mixed Use:

In 2018, District Plan Change 43 created a Suburban Mixed Use (SMU) Zone, and the proposal was to include the properties at [REDACTED] in this zone. Our submission successfully argued against this, broadly on the grounds that it was not appropriate for this location, and that there would be significant loss of amenity for our property. Council staff and the Commissioner agreed, and these properties were removed from the SMU zone and rezoned to Medium Density Residential. We have attached the detail of this part of our submission in relation to our property at [REDACTED] (**Submission - Attachment B**). The arguments made in that submission still stand - there is no physical or logical boundary between these properties and the adjoining residential zone (there is a physical boundary to the south of [REDACTED] being the service lane); these affected properties are already fully developed and unlikely to require regeneration in the foreseeable future; the scale of building permitted in the Mixed Use zone is out of character and would not be compatible with the adjoining residential zone; and there is already excess commercial space on this side of the railway station. We also note that [REDACTED] has not been included in the rezoned area this time.

The Mixed Use zone appears to restrict the amenity of our residential property even more than that of the Suburban Mixed Use zone, in particular permitting substantially higher buildings - up to 22 metres high is allowed within the first 21.5 metres from the road frontage, which if built on our side boundary would cover almost the whole length of our house.

We submit that there is no logical reason for these three properties to be zoned Mixed Use, and request that they be zoned the same as the other residential properties in this section of [REDACTED]

We do think that if there is to be a full revision of the District Plan, then PC56 should be reconsidered. We opposed this change at the time on the grounds that consideration hadn't been given to the dimensions or shape of Lower Hutt, where there is only around 3km of flat land between the river and the eastern hills. Consequently most of the valley floor was rezoned High Density Residential because it is within 1200 metres of the railway lines. While these changes were mandated by Government, other councils refused to implement the one-size-fits-all policy. We have attached a copy of our submission for DPC56 (**Submission on PC56 - RMA Form 5**).

We request that the broad rezoning to High Density is reconsidered as part of the District Plan Review, with the intent of returning most of these properties to the Medium Density Zone that was agreed under PC43.

Yours sincerely



ATTACHMENT B

Submission from [REDACTED] - Proposed District Plan Change 43

We are the owners and residents at [REDACTED] which District Plan Change 43 proposes to rezone from General Residential Activity Area to Suburban Mixed Used Activity Area.

The specific provisions of the proposal that our submission relates to are :

Chapter 5E in its entirety as it pertains to the properties at [REDACTED]

Our submission is:

We **oppose** Chapter 5E in its entirety as it pertains to the properties at [REDACTED]

Reasons :

- Not appropriate for this location

There is already sufficient commercial space on the western side of Waterloo Station. This has never been a strong retail area, and has in general only supported food shops. The current commercial space is under-utilised, with premises often vacant on a long term basis, and there is further capacity for intensification through redevelopment should the market demand. There is very little foot traffic on the western side of the station, except at the morning and evening commuter hours.

The retail environment is already concentrated on the eastern side of Waterloo Station, and would be better encouraged and enabled in that area rather than being split over both sides of the railway line.

The Jacobs NZ Urban Development Plan evaluation of Waterloo looked at the suburb as a whole, and did not differentiate between the different areas on each side of the station. The Attributes of the Local Commercial Centre and the Availability of Land / Ownership would both score lower on the western side of the station, particularly in regard to the ownership of the properties at 45 - 48 Oxford Terrace.

The four properties [REDACTED] already comprise nine dwellings, and are, and always have been, solely residential properties. The sections have already been fully developed, either with multiple dwellings or landscaped gardens. The properties are in long-term private ownership, and are well maintained. The Medium Density Design Guide says there is an opportunity in the Suburban Mixed Use Activity Area for regeneration of existing buildings. However the buildings on these properties are not in need of regeneration nor likely to be in the next 25 years.

This group of properties directly abuts the group of properties at [REDACTED] [REDACTED] which have a proposed zoning of Medium Density Residential Activity Area. There is no physical or logical boundary between [REDACTED] [REDACTED] and there is a similarity of style and use among all the properties from [REDACTED] [REDACTED]. In the Jacobs NZ Urban Development Plan, the writers state %b should be noted that a change in intensification typeqgenerally does not occur mid block to avoid adverse boundary effects+. The current proposal has a change of zoning mid block.

There is a physical boundary between the current commercial zoned properties along Birch St and the residential property at [REDACTED] - they are separated by a 4.85m service lane. This would be a logical boundary between Suburban Mixed Use and Residential Activity Areas, and would provide a good buffer between the two, as it currently does between the existing commercial and residential zones.

Allowing the scale of building permitted under Suburban Mixed Use at [REDACTED] [REDACTED] would not be compatible with the amenity levels of the adjoining residential areas at 49 - 52 Oxford Terrace, and is contrary to Objective 5E 2.4.

10m high properties built boundary to boundary on these four sites would be out of character with the rest of the houses on this part of [REDACTED]

Policy 5E 3.6 is to encourage medium density built development to be in general accordance with the Medium Density Design Guide+. Although the MDDG includes various design principles for the Suburban Mixed Use Activity Area, the use of the guide is only required for built development that triggers resource consent. Therefore a 10m building could be built on our boundary without having to adhere to any design guide, as it would be a permitted activity not requiring resource consent.

Commercial premises are a greater target for vandalism such as graffiti, and premises that back onto Philip Evans Reserve would be prime targets, attracting undesirable elements to the area. The current residential properties access the Reserve at ground level and provide both active and passive surveillance, especially at night when commercial premises are closed.

There is no parking available along this stretch of road for commercial premises - all on-street parking spaces as well as the Park and Ride carparks at the Waterloo Station are at capacity during the working day and already spill over onto [REDACTED] [REDACTED]. This is confirmed in the Harriet Fraser Transport Report. This lack of parking would affect residents, workers, customers and deliveries. Rule 14A(iii) 1.1.3 states there should be adequate car parking provision in Suburban Commercial Activity Areas; this is not feasible in this location.

There would be a loss of established trees on this section of the street if buildings were built up to the street boundary.

- Negative effects on our amenity levels

Policy 5E 3.5 includes managing any adverse effects on residential amenity+. However all of the rules pertaining to this policy specifically exclude the properties rezoned from General Residential to Suburban Mixed Use.

Policy 5E 3.7 requires built development adjacent to Residential Activity Areas to manage the effects on the amenity value of those areas, having specific regard to dominance, privacy and shading. Being an existing residential activity involuntarily rezoned to Suburban Mixed Use, we should be afforded the same protections.

Our site [REDACTED] is a wedge shape, being 18 metres wide at the front and narrowing to five metres in width at the back. As Suburban Mixed Use allows building to the boundary with no yards or recessions planes, it is possible that a 10 metre high building could be built along both of our side boundaries. A building of these dimensions on one or both sides of our property would result in almost complete shading except when the sun is directly over head. The shade modelling for Cambridge Terrace in the Jacobs NZ Urban Development Plan gives an idea of the shading our property would experience, but since the diagrams have wide yard setbacks, the effects would be significantly greater where adjoining properties are built right to the boundary. The loss of sunlight would also result in increased heating costs through lack of passive solar heating.

The Public Voice Survey appears strongly in favour of recession planes to protect the amenities of existing residential properties, and although the survey question was specifically related to Medium Density, we think it is fair to expect the same answer would have been given had it been asked about existing residential properties in the Suburban Mixed Use Activity Area.

If the building(s) on our boundary line(s) had windows/balconies, we would also lose our privacy, both in our living and bedroom areas, as well as our backyard.

Our visual amenity would also be affected if our outlook was onto the 10 metre high walls of commercial premises.

Section 7(c) of the RMA says there shall be particular regard to the maintenance and enhancement of amenity values. Paragraph 153 of the Evaluation notes dominance and shading as effects of the proposal but states that these effects can be appropriately managed so that the amenity of the existing urban environment can be maintained. This is definitely not the case as it pertains to the sites at [REDACTED]

Although s10 of the Resource Management Act 1991 protects existing use rights as a residential property, the proposed rezoning rules remove the standard protections of yards and recession planes given to residential properties in other zones.

This is our home, and we have no desire to convert it to a commercial property. It is our intention to live here for the foreseeable future, but living fenced in by 10 metre high boundaries would be intolerable, and we would effectively be forced from our home.

- Restricted in alterations to our property

Although s10 of the RMA protects existing use rights, s10(3) says this section does not apply if reconstruction or alteration of, or extension to, any building to which this section applies increases the degree to which the building fails to comply with any rule in a district plan. Thus we would need resource consent for any alterations to our property, which adds significant cost and inconvenience, and as Policy 5E 3.2 is to discourage residential activities at ground level, resource consent may not necessarily be granted.

- Restricted in selling our property

The ability to sell our property may be compromised, as the pool of potential buyers for commercial property is considerably smaller than the pool of residential buyers. The Gray Partners economic assessment points out that the market for the type of properties envisaged for Suburban Mixed Use has yet to be established in the suburbs, and it is not proven that these areas would support an increase in commercial and retail space. Thus a lack of commercial demand coupled with the restrictions that make the property an undesirable purchase for residential use could mean we are unable to sell our property.

- Summary

We do not agree that the potential benefit of having these sites available for mixed commercial/residential use outweighs the costs for the property owners of loss of amenity in sunlight, privacy, dominance, shading and competitiveness in selling the sites.

We seek the following decision from Hutt City Council :

That the properties at [REDACTED] are rezoned as Medium Density Residential Activity Area.

Submission on publicly notified proposed district plan change



Clause 6 of Schedule 1, Resource Management Act 1991

To: Chief Executive, Hutt City Council

1. This is a submission from:

Full name	Last [REDACTED] First [REDACTED]	
Company/organisation		
Contact <i>if different</i>		
Address	Unit	Number [REDACTED] Street [REDACTED]
	Suburb	Hutt Central
	City	Lower Hutt Postcode 5011
Address for Service <i>if different</i>	Postal Address	Courier Address
Phone	Day	Evening
	Mobile	[REDACTED]
Email	[REDACTED]	

2. This is a submission on the following proposed change to the City of Lower Hutt District Plan:

Proposed District Plan Change No:

Title of Proposed District Plan Change:

3. I could could not gain an advantage in trade competition through this submission.
(Please tick one)

4. If you could gain an advantage in trade competition through this submission:

I am am not directly affected by an effect of the subject matter of that submission that—
 (a) adversely affects the environment; and
 (b) does not relate to trade competition or the effects of trade competition:

(Please tick one)

Note: if you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

5. The specific provisions of the proposal that my submission relates to are:

Give details:

The whole of the proposal as it relates to the redesignation of medium-density residential activity areas to high-density residential activity areas.

(Please use additional pages if you wish)

6. My submission is:

Include whether you support or oppose the specific provisions or wish to have them amended; and reasons for your views:

We would like to record our opposition to PC56 with regard to the provision of high-density residential activity areas throughout the whole of Lower Hutt.

Although Lower Hutt is a city in its own right, being a satellite city of Wellington we think many people still regard the lifestyle as suburban living. We choose to live in the suburbs for the benefit of space in our own property and in neighbouring properties, rather than living in built-up central city areas. The broad swathe of the city that is being redesignated as high-density residential could see the majority of the valley floor covered with six-storey buildings.

We have just been through a comprehensive revision of the District Plan (PC43) with regard to intensification, where there was already a high level of concern from the community. Most of the changes were approved, although we made a successful submission against one proposed change, which will be completely reversed by PC56.

A property we previously owned on a back section in Taita is bounded by nine other properties. It is conceivable that this single storey dwelling could be surrounded by nine six-storey buildings. Imagine living there.

This feels very much like a fait accompli; central government has dictated this and local government can do very little to mitigate or stop it. While we expect that the council might act to protect certain heritage areas, we can see that the rest of the city will be allowed multi-storeyed buildings. This is not the neighbourhood we want to live in.

We feel that the distance of 1200m from the CBD and 800m from commercial centres and train stations is too broad an area, for two reasons. Firstly, the shape of the valley and rail lines means that this metric would see almost the whole valley floor redesignated as high density residential. This affects Lower Hutt in a disproportionate way compared to other cities, and would see the majority of the city allowing six-storey buildings. Secondly, the distances are too large. Reportedly over 90% of New Zealand households have cars; however good the public transport intentions may be, connections are not good and our windy and wet weather is not conducive to walking much of the year.

Obviously we have no expertise in this area but would like to be sure that the effects of increased flooding, demand on infrastructure and possibilities of severe liquefaction in the event of a major earthquake are taken into account when considering this level of intensification.

We expect that our submission will have no effect on the outcome but feel that it is important to at least register our objection.

(Please use additional pages if you wish)

7. I seek the following decision from Hutt City Council:

Give precise details:

1. Note our objection to the change from medium-density to high-density residential activity.

2. Reduce the size of the areas to be designated as high-density residential to areas within 500m of the CBD edge and railway stations.

(Please use additional pages if you wish)

8. I wish do not wish to be heard in support of my submission.
(Please tick one)

9. If others make a similar submission,

I will will not consider presenting a joint case with them at the hearing.
(Please tick one)

Signature of submitter:
(or person authorised to sign on behalf of submitter)

	4/9/2022 <i>Date</i>
--	-------------------------

(a signature is not required if you make your submission by electronic means)

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Where to send your submission

- **By email (preferred):** district.plan@huttcity.govt.nz
- **By post:** Hutt City Council, Private Bag 31912, Lower Hutt 5040
- **In person:** At the Hutt City Council Customer Service Centre, 30 Laings Road, Lower Hutt

Saritha Shetty

From: [REDACTED]
Sent: Wednesday, 29 November 2023 12:55 pm
To: District Plan Team
Subject: [EXTERNAL] Large lot residential zone draft district plan

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Sean

Kia ora

I have received two letters regarding proposed changes to the district plan.

The first one regarding large lot residential zone changes, this letter says our property will be rezoned to a large lot residential zone. The reasoning given is that we are an area where there are constraints to more intensive development such as steep slopes or lack of infrastructure.

Our property at [REDACTED] is a large property, but the house on the property is set back off the road and there is plenty of room at the front of the property (which is right next to infrastructure i.e. water. power. communications lines) for development, much more than a granny flat!

Is this going to be a blanket 'large lot' rezoning, or will you be looking at property by property? I think this also applies to the steep slope aspect of the council proposal. There are two houses behind our lower neighbours that are on the slopes behind the front line houses on SV Rd, and as SV is a valley, many of the houses are on the slopes, again, should this not be on a case by case basis which would be covered by resource consent anyway, rather than restricted every large property in SV (of which there are many)?

The second letter is proposing that our property will be rezoned as a 'hazard zone'. Is the whole of SV not a hazard zone, being on steep country with streams running down either side of SV Rd and a large river at the bottom of the valley. How do you propose this will affect the insurance, rates and resale value of those proposed to be changed to hazard zones? Again (and in your letter also) isn't this covered by existing resource consent processes?

--

[REDACTED]

[REDACTED]

www.haora.nz

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Saritha Shetty

From: Peter McDonald
Sent: Friday, 15 December 2023 3:17 pm
To: [REDACTED]
Subject: RE: [EXTERNAL] Submission on Hutt City Council Draft District Plan - [REDACTED]
Attachments: 2A Helvetia Grove.pdf

Hello Jess

Thank you for your email, your feedback has been recorded.

I confirm the Stream Corridor Overlay is the High Hazard Area identified in relation to your property. The attached map shows the extent of the overlay in this location.

I can clarify that you were notified due to your part ownership of Lot 100 which contains the stream as it traverses the development site. The stream corridor overlay does not extend over Lot 1 which contains your dwelling. Let me know if you have any further questions.

Kind regards,
Peter

From: [REDACTED]
Sent: Friday, December 15, 2023 2:07 PM
To: District Plan Review Team <district.plan@huttcity.govt.nz>
Cc: [REDACTED]
Subject: [EXTERNAL] Submission on Hutt City Council Draft District Plan - [REDACTED]

Kia ora,

We refer to your letter of 8 November 2023 which advises that our property at [REDACTED] may be affected by proposed changes in the Hutt City Council Draft District Plan. You advise that our property is in an area that has been identified as a High Hazard Area for one of the following reasons:

- Wellington Fault Rapture (well-defined areas)
- Stream Corridor (1-in-100-year event)
- Tsunami (1-in-100-year scenario)
- Coastal Inundation (1-in-100-year storm)

We have prepared our submission on the basis that we have been identified under the category 'Stream Corridor', however please advise if it is a different category.

We do not agree that our property should be identified as a High Hazard Area due to the stream. We have attached the relevant Resource Consent (RM180509) which contains the results of flood hazard modelling post development. It sets out that the simulated flood extents are reduced post development with the elevated site levels reducing potential for flooding to spread out from the stream. It concludes that potential adverse effects related to flood hazard will be *less than minor*.

We have attached photographs showing the elevated set-away position of our property to the stream. It also shows the overland flow path in place along the edge of the stream (in relation to events where the stream does overtop its banks). The finished contours of the land (post development) are such that any overflow from the stream will be

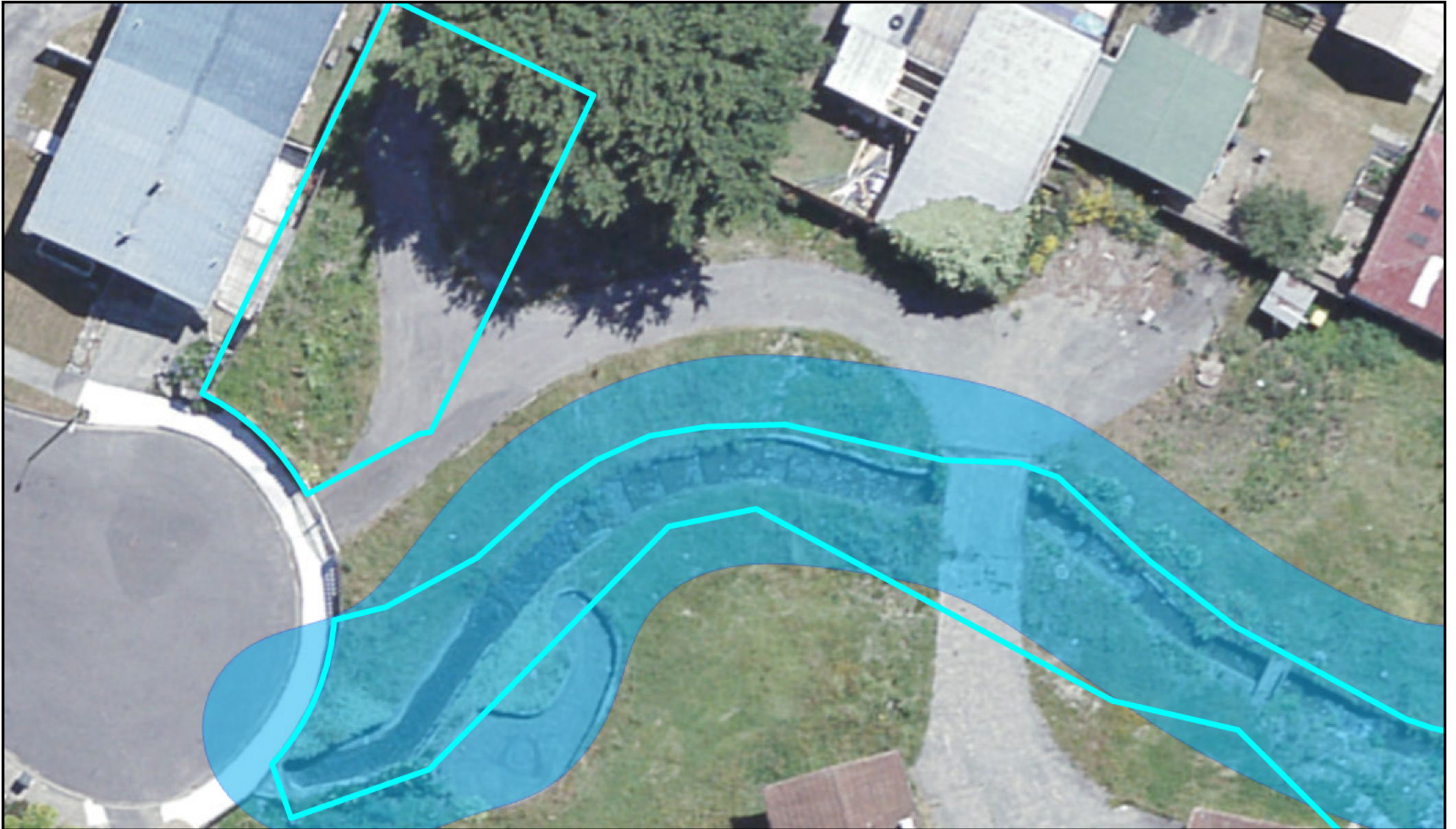
directed towards the road rather than our property, which is elevated above both the stream and the road. We are Lot 8 on the attached scheme plan.

If despite this information the Council intends to proceed with classification of our property as in a High Hazard Area, we would like the opportunity to make further submissions. We can be contacted via this email address or on


[REDACTED]

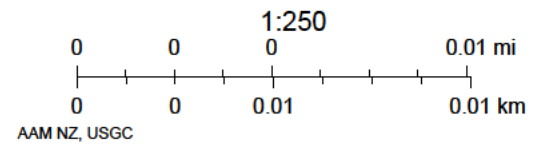
[REDACTED]

Local Maps Print



December 15, 2023

 Stream Corridor



Saritha Shetty

From: [REDACTED]
Sent: Thursday, 14 December 2023 8:32 pm
To: District Plan Review Team
Subject: [EXTERNAL] Submission
Attachments: Submission on Hutt City Draft District Plan.pdf

Categories: Peter, LLRZ

Hi

Please find attached my submission on the Draft District Plan.

Regards

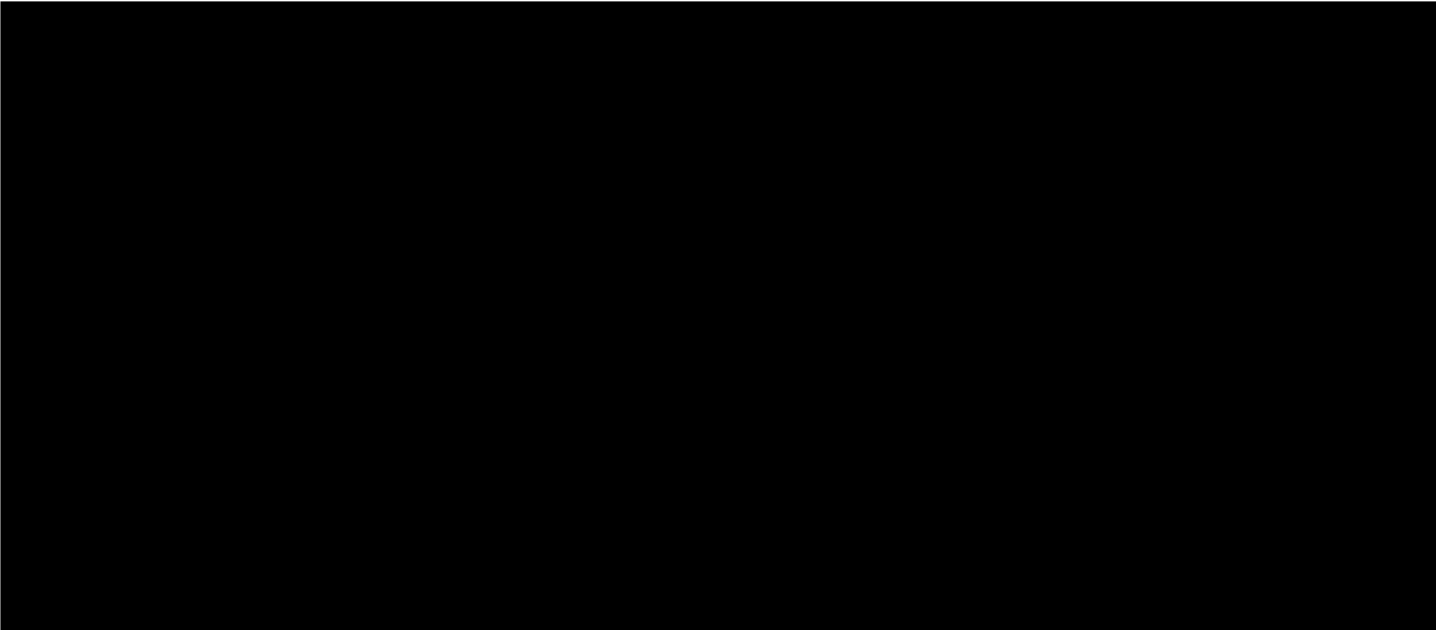
[REDACTED]

Submission on publicly notified proposed district plan change

Clause 6 of Schedule 1, Resource Management Act 1991



To: Chief Executive, Hutt City Council



2. This is a submission on the following proposed change to the City of Lower Hutt District Plan:

Proposed District Plan Change No:

Title of Proposed District Plan Change:

3. I could could not gain an advantage in trade competition through this submission.
(Please tick one)

4. If you could gain an advantage in trade competition through this submission:

I am am not directly affected by an effect of the subject matter of that submission that—
(a) adversely affects the environment; and
(b) does not relate to trade competition or the effects of trade competition:

(Please tick one)

Note: if you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

5. The specific provisions of the proposal that my submission relates to are:

Give details:
LLRZ
Rezoning of the top end of Seddon Street, Haven Grove and Kerkwell Drive from Medium Density Residential zone to Large lot Residential zone.

(Please use additional pages if you wish)

6. My submission is:

Include whether you support or oppose the specific provisions or wish to have them amended; and reasons for your views:
I oppose the specific provision of the rezoning.

The reasons are:

1. there is a significant impact on a small number of residential sections. approximately 41, who given the number, will be a limited voice of dissent and who's views therefore may be considered irrelevant.
2. The letter we recived from Hutt Clty, Chief Executive Jo Miller advised the minimum lot size is 1000m2.

However this requirement has already been breached by approximately 56% of the lots in the zone.

It is inappropriate that a zone is set where over half the properties in that zone are in breach of the requirements.

3. I expect there will be a significant loss of value for properties that move from Medium Density to Large Lot Residential. What is the proposed compensation for those lot owners and how will this be calculated.

(Please use additional pages if you wish)

7. I seek the following decision from Hutt City Council:

Give precise details:
That the proposed Large Lot Residential Zone at the end of Seddon Street, Haven Grove and Kerkwell Drive is not proceeded with and the area remains Medium Density Residential.

(Please use additional pages if you wish)

8. I wish do not wish to be heard in support of my submission.
(Please tick one)

9. If others make a similar submission,

I will will not consider presenting a joint case with them at the hearing.
(Please tick one)

Signature of submitter:
(or person authorised to sign on behalf of submitter)

	14/12/2023 <i>Date</i>
--	---------------------------

(a signature is not required if you make your submission by electronic means)

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- **By post:** Hutt City Council, Private Bag 31912, Lower Hutt 5040
- **In person:** At the Hutt City Council Customer Service Centre, 30 Laings Road, Lower Hutt

Saritha Shetty

From: [REDACTED]
Sent: Monday, 27 November 2023 1:32 pm
To: District Plan Review Team
Subject: Re: [EXTERNAL] Queries regarding heritage inventory

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Nathan

Hi,

Thank you for the clarification below. One more question: The document "Hutt City Council Heritage Report" makes reference to "**HCC Heritage Inventory Review (2007-2011), Ian Bowman, Nicole van Ruler, Warwick Johnston and Roberta Nichols**". This is listed as a published source but I am unable to locate it. Could you please provide a copy or a link to a copy.

Much appreciated,
[REDACTED]

On Mon, Nov 27, 2023 at 11:20 AM District Plan Review Team <district.plan@huttcity.govt.nz> wrote:

Good morning

The assessment that you will have seen on the Council website is the most detailed heritage assessment we have for the property (I appreciate the reference to it as a concise summary makes this unclear).

The author of this assessment will have been trying to signal that a more detailed assessment may be required in order to fully capture all aspects of heritage for the site.

Apologies for any confusion this may have caused.

Kind regards

Nathan Geard

District Plan Review Team

Hutt City Council, 30 Laings Road, Lower Hutt
P: 04 570 6666 M: W: www.huttcity.govt.nz



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From: [REDACTED]
Sent: Saturday, November 25, 2023 3:37 PM
To: District Plan Review Team <district.plan@huttcity.govt.nz>
Subject: Re: [EXTERNAL] Queries regarding heritage inventory

Hi,

Thanks for that link. I've reviewed the assessment of our property and noted that the following has been added to the draft we received previously: "This assessment is intended to provide a concise summary of the heritage significance of the place. It is not a detailed assessment of all of the place's heritage values and may not capture all aspects of heritage significance."

Given this is a summary could you please provide the detailed version of the assessment (28 Mahina Road)?

Regards,

[REDACTED]

On Wed, Nov 22, 2023 at 2:15 PM District Plan Review Team <district.plan@huttcity.govt.nz> wrote:

Hi Jeremy,

The reports behind HCC's identification of heritage items, including a description of the methodology, are available on our website at <https://www.huttcity.govt.nz/council/district-plan/district-plan-review/cultural-heritage>

If you've got any other questions let me know, and you can give feedback by email to this address or through our website at <https://hutt.city/dpreview>.

Kind regards,

Stephen Davis

District Plan Review Team

Hutt City Council, 30 Laings Road, Lower Hutt

P: 04 570 6666 M: W: www.huttcity.govt.nz



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From: [REDACTED]
Sent: Wednesday, November 22, 2023 1:29 PM
To: heritagereview <heritagereview@huttcity.govt.nz>
Subject: Re: [EXTERNAL] Queries regarding heritage inventory

Hi,

I am preparing a submission to the draft district plan and want to clarify some points from early email communications (included below).

In brief I asked for explicit references to the endorsed methodologies referred to (either directly or indirectly by way of guidance) by the experts engaged to perform the heritage review. The response I received was to refer to resources on the HNZPT and ICOMOS websites. Naturally I expected something more explicit however I did review

those sites for what information I could find, unfortunately I was not able to find anything meaningful that related to the methodologies actually employed by the experts engaged.

However I did find the following guidelines issued by the Auckland Council:

<https://www.aucklandcouncil.govt.nz/arts-culture-heritage/heritage/protecting-our-heritage/Documents/methodology-guidance-evaluating-aucklands-historic-heritage.pdf>

Although these differ in many ways to the approach taken in this instance, there are some similarities. **Would it be fair to say that the Auckland guidelines, at the very least, express a level of standard commensurate to that employed by the Hutt Councils experts for the purpose of the heritage review?**

Regards,



On Thu, Jan 27, 2022 at 2:47 PM Benjamin Haddrell <Benjamin.Haddrell@huttcity.govt.nz> wrote:

Hi Jeremy,

Apologies for the delay.

Here is an answer from our heritage experts:

These national and international sources are Heritage New Zealand Pouhere Taonga (HNZPT) and the International Council for Monuments and Sites (ICOMOS). Resources are freely available to download from their respective websites I believe.

Hope this helps.

Many thanks,

Ben

Benjamin Haddrell
Policy Planner

Hutt City Council 30 Laings Road, Lower Hutt 5040

P: 04 560 1041 | M: www.huttcity.govt.nz



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From: [REDACTED]
Sent: Wednesday, 26 January 2022 1:20 pm
To: Benjamin Haddrell <Benjamin.Haddrell@huttcity.govt.nz>
Subject: Re: [EXTERNAL] Queries regarding heritage inventory

Hi Benjamin,

Just following up on the email below.

Thanks,

[REDACTED]

On Wed, Jan 19, 2022 at 4:28 PM Jeremy Buckley <jerry@effacy.com> wrote:

Hi Benjamin,

Thanks for your reply. I was under the impression that they were using a specific established methodology rather than aligning with an endorsed one. The next best thing would be a reference to one of those endorsed methodologies. Which one (or ones) are they aligned with?

Thanks,

[REDACTED]

On Wed, 19 Jan 2022 at 3:03 PM, Benjamin Haddrell <Benjamin.Haddrell@huttcity.govt.nz> wrote:

[REDACTED]

Apologies this one slipped through the gaps.

Our experts were simply referring to the fact that the method used, and explained in the previous emails, is one that aligns with national and internally endorsed methods for assessing historic heritage values.

Hope that helps.

Ben

From: [REDACTED]
Sent: Wednesday, 19 January 2022 2:56 pm
To: Benjamin Haddrell <Benjamin.Haddrell@huttcity.govt.nz>
Subject: Re: [EXTERNAL] Queries regarding heritage inventory

Hi Benjamin,

I thought I'd just follow up on the below (in case you replied already could you resend).

Thanks,

On Thu, Jan 13, 2022 at 10:32 AM [REDACTED] wrote:

Hi Benjamin,

Thanks for your email. I'll digest the points in more detail but observe the comment about a "well-known and accepted methodology and framework endorsed by national and international heritage organisations to guide the assessment process". I am aware of the GWRC criteria embodied in Policy21 but I would doubt that is what you are referring to. Could you kindly provide a reference to the endorsed methodology and framework you refer to. I think that would help a lot for me to fill in the gaps.

Much appreciated,

On Thu, Jan 13, 2022 at 9:44 AM Benjamin Haddrell <Benjamin.Haddrell@huttcity.govt.nz> wrote:

Hi [REDACTED]

Our experts have provided a response to the questions below. We want to emphasise that this work is very much a qualitative and not quantitative exercise. We applied a well-known and accepted methodology and framework endorsed by national and international heritage organisations to guide the assessment process, but there is no 'one size fits all' approach to this work. In many cases, we collectively applied our shared experience and judgement on a case-by-case basis to come to an agreed position.

- 1. It was noted that there is a correlation between the area of significance and overall significance; however it's not clear if this is a post-hoc observation or expresses an a-priori relationship between the two quantities. Is the area of significance determined independently of the overall significance or is it derived in part from the overall level of significance (and adjusted by some additional considerations noting that there are variances from this correlation)?**

As explained above, while a methodology was applied to the process, each identified item was assessed on a case-by-case basis using the consultant teams' shared experiences and judgements to arrive at an agreed conclusion for the overall heritage significance of the item which did not always align with the broad approximations provided in the previous response (local = moderate significance, high = regional significance, exceptional = national significance). Rather than a 'post-hoc observation', the culmination of knowledge would better be described as being of an 'a posteriori' relationship between the two quantities, to borrow Jeremy's language.

- 2. It was stated that "63 individual items which fell short of the required threshold" and "...cut from the list...that they fell short of the necessary significance" which seems to suggest that the exclusion was based on not meeting the "local" threshold. Of the items and areas that were cut were they cut solely on the basis of not meeting the local area of significance**

threshold (if not what was the split between not meeting the policy criteria vs not meeting the "local" threshold)?

There was no 'split' between 'not meeting the Policy Criteria vs. not meeting the local threshold'. The criteria outlined in Policy 21 were used to assess each item. Based on the results of this assessment, and other factors specific to each individual case, an overall heritage significance was established for each item and a level of geographic significance. In most cases, as previously explained, the level of geographic experience had a correlation with the overall heritage significance, but this was not always the case.

Hopefully that helps.

Ben

From: [REDACTED]
Sent: Monday, 10 January 2022 10:23 pm
To: Benjamin Haddrell <Benjamin.Haddrell@huttcity.govt.nz>
Subject: Re: [EXTERNAL] Queries regarding heritage inventory

Hi Benjamin,

I've had a read through and could I clarify the following points from the response:

1. It was noted that there is a correlation between the area of significance and overall significance; however it's not clear if this is a post-hoc observation or expresses an a-priori relationship between the two quantities. **Is the area of significance determined independently of the overall significance or is it derived in part from the overall level of significance** (and adjusted by some additional considerations noting that there are variances from this correlation)?
2. It was stated that "63 individual items which fell short of the required threshold" and "...cut from the list...that they fell short of the necessary significance" which seems to suggest that the exclusion was based on not meeting the "local" threshold. **Of the items and areas that were cut were they cut solely on the basis of not meeting the local area of significance threshold (if not what was the split between not meeting the policy criteria vs not meeting the "local" threshold)?**

Thanks,

[REDACTED]

On Mon, Jan 10, 2022 at 11:52 AM Benjamin Haddrell <Benjamin.Haddrell@huttcity.govt.nz> wrote:

Hi [REDACTED]

Happy new year and I hope you've had a good break.

Our heritage experts have come back with responses to your queries (see attached). I hope this provides some clarification on the method.

Please let me know if you have any follow up questions or comments.

Regards,

From: Benjamin Haddrell <Benjamin.Haddrell@huttcity.govt.nz>

Sent: Monday, 20 December 2021 8:22 am

To: [REDACTED]

Subject: RE: [EXTERNAL] Queries regarding heritage inventory

Kia ora Jeremy,

You've raised some interesting points. I've forwarded this onto our experts who designed the method to get a response.

I hope to get back to you by the end of the year.

Regards,

Benjamin Haddrell

Policy Planner

Hutt City Council, [30 Laings Road](#), 5040, Lower Hutt 5040, New Zealand

T 04 560 1041, W www.huttcity.govt.nz

From: [REDACTED]
Sent: Sunday, 19 December 2021 11:43 am
To: Benjamin Haddrell <Benjamin.Haddrell@huttcity.govt.nz>
Subject: Re: [EXTERNAL] Queries regarding heritage inventory

Hi Benjamin,

That information is very helpful, thank you. I understand this is in draft and subject to change, however it speaks faithfully to the underlying assessment process (i.e before the "student contests the grade" so to speak). Some more questions arising (the questions are in italic, the balance of the text being context):

- 1. Determination of overall significance.** I note your point three where you confirm that the median value of the ratings is used to assign the overall significance. However this does not appear to be the case. Median (in this case with the odd number of criteria) is relatively easily calculated in the spreadsheet and around 15% of the items / areas have an overall significance that varies from the median value (with a reasonable bias to a higher level of significance). Some problematic examples include row 211 (moderate, moderate, exceptional, moderate, high evaluated as high yet the median is moderate and row 230 (all high but evaluated as exceptional). I ran similar calculations for some of the standard approaches to central tendency and all yielded variances. *Would it be fair to say that no actual automated calculation was used but rather the overall significance was effectively "eyeballed" from the criteria ratings (aka a judgment call)?*
- 2. Calculation of criteria rating from sub-criteria.** The sub-criteria carries the details or what is being assessed in each criteria and each is rated separately. These then appear to determine the rating for the associated criteria. *Is the same methodology used to determine the criteria rating from the sub-criteria ratings the same as used in (1) above?*
- 3. Area significance.** I note that the only values present for this are local, regional and national (both mentioned in your point 4 and what is present in the data). I also note point 4 states that "If an item or area did not achieve local significance or higher it was not considered further". Since the lowest possible value is "local" it appears as if this condition is automatically filled. *Is there another rating value that is not represented (i.e. none)?*
- 4. Completeness of assessment data.** I note that the assessment data provided contained only items or areas that meet the various thresholds for consideration for protection. Normally I would expect this to include those items and areas that were candidates but did not meet the requisite thresholds for consideration (i.e. those where the assessment mechanism qualified those items or areas out rather than just in). *How many items or areas went through the assessment process but were not considered further due to not meeting the requisite thresholds? Of these how many did not meet the threshold in respect of the Policy 21 criteria? This is quite an important point.*
- 5. Restatement of inclusion.** I note that an item or area is excluded if the overall significance is not medium or greater. I also note that for the overall significance to be medium or greater requires at least one of the listed criteria to be medium or greater (regardless of the actual mechanism to determine overall significance). According to your last bullet point this is the minimum condition to meet Policy 21 so is

automatically met if the overall significance is medium or greater. *Would it be fair to restate the last bullet point as: **If an item or area has an overall significance of at least moderate AND an area significance of at least local then it is deemed to meet the threshold of inclusion in the proposed heritage appendices?***

Thanks,

██████████

On Mon, Dec 13, 2021 at 10:31 AM Benjamin Haddrell <Benjamin.Haddrell@huttcity.govt.nz> wrote:

Hi ██████████

I hope this helps answer your question about the method and criteria:

- As mentioned in my previous email, the assessment criteria is based on Policy 21 of the Greater Wellington Regional Policy Statement. Each building or item was assessed against each part of the criteria. As described by the Policy, an item must meet one or more of the listed criteria in order to be considered for listing in the future District Plan.
- The degree to which it is significant under each criterion, and the level of local and regional relevance of the place, was assessed to determine if the place meets the threshold for inclusion in the proposed heritage appendices. Each criteria of Policy 21 was assessed to be either none, moderate, high or exceptional significance.
- Overall significance was then established by taking the median value of ratings across all of the criteria. If the item or area did not achieve moderate significance overall, it was not considered further.
- Overall significance was then moderated against a geographical scale from local, regional to national. If an item or area did not achieve local significance or higher it was not considered further.
- In summary, if an item or area achieved at least local significance, and at least moderate significance in one or more of the listed criteria, it was considered to meet the criteria of RPS Policy 21.

I've attached a spreadsheet with the other information requested.

I want to be very clear that this assessment is still in draft. We are currently engaging with property owners and receiving additional information. The information and data I've provided is subject to change and is likely to change over the coming months.

Additionally, the information provided here is raw data and does not provide you with a comprehensive understanding of what's been identified. This will simply give you a picture of how the method has been

applied through the assessment but does not provide full context. Once the engagement with property owners is finished, and our experts are able to finalise the draft, we will be able to provide the full list of buildings sites and areas that have been identified.

Please feel free to get in touch if you've got any questions about the information. Happy to discuss.

Regards,

Benjamin Haddrell

Policy Planner

Hutt City Council, [30 Laings Road](#), 5040, Lower Hutt 5040, New Zealand

T 04 560 1041, W www.huttcity.govt.nz



From: [REDACTED]
Sent: Sunday, 5 December 2021 2:04 pm
To: Benjamin Haddrell <Benjamin.Haddrell@huttcity.govt.nz>
Subject: Re: [EXTERNAL] Queries regarding heritage inventory

Hi,

Thanks for your email. I note that I've not had a response to the question:

Could you provide the criteria, guidelines and / or mechanisms that were used to determine a recommendation from the individual assessments of each of the areas considered (aka as per policy 21). For example: "the overall significance is determined as the median of the individually assessed significance for each of the policy areas" and "if the overall significance is moderate or higher then the recommendation is to place on the schedule of HNZPT listed items' ".

If that could be attended to that would be much appreciated.

Just to be clear, in order to engage in meaningful consultation (as an affected property owner) I need an understanding of the methodology employed that has led to the recommendation and comfort that the underlying process is both robust and has been applied consistently. The questions I've posed all speak to these concerns (noting that the data request yields insight to the underlying rules involved in the decision making process).

Following on from the above, I note that the request for the summary data (points 3 and 5 of my first email) has been denied. I will therefore make a separate (and more specific) request for the following information: for each property (a) the assessment outcomes for each of the categories and subcategories (limited to the level of significance), (b) the overall heritage significance (c) the importance level and (d) the recommended changes. These data would contain only the raw results and no identifying information (personal or property); with such content excluded this should avoid the information being withheld on the basis of protecting the privacy of a person (which I presume was the underlying reason for denying the initial request for the summary data).

Thanks,

██████

On Fri, Dec 3, 2021 at 1:46 PM Benjamin Haddrell <Benjamin.Haddrell@huttcity.govt.nz> wrote:

Hi

██████

Apologies for the delayed response.

At this stage, we cannot provide the information you've requested because it's attached to personal property information.

Council will be releasing the information following the engagement with individual property owners. This will be early next year.

Happy provide the information then.

Kind regards,

Benjamin Haddrell

Hutt City Council, [30 Laings Road](#), 5040, Lower Hutt 5040, New Zealand

T 04 560 1041, W www.huttcity.govt.nz



From: [REDACTED]
Sent: Sunday, 28 November 2021 6:32 pm
To: Benjamin Haddrell <Benjamin.Haddrell@huttcity.govt.nz>
Subject: Re: [EXTERNAL] Queries regarding heritage inventory

Hi,

Thanks for the response.

- 1) I look forward to seeing the results for questions (3) and (5). If it is easier, you could supply a spreadsheet of the raw data (with any sensitive information redacted). I can work out the statistics from there.

- 2) Could you provide the criteria, guidelines and / or mechanisms that were used to determine a recommendation from the individual assessments of each of the areas considered (aka as per policy 21). For example: "the overall significance is determined as the median of the individually assessed significance for each of the policy areas" and "if the overall significance is moderate or higher then the recommendation is to place on the schedule of HNZPT listed items' ".

Thanks,

[REDACTED]

On Fri, Nov 19, 2021 at 8:29 AM Benjamin Haddrell <Benjamin.Haddrell@huttcity.govt.nz> wrote:

Hi [REDACTED]

Thank you for getting in touch.

I've responded to your points below. Please give me a ring or send a follow up email if you'd like to discuss in more detail. Happy to help put this in context.

1. How many houses were included in the assessment?
 - a. The initial draft assessment includes approx. 200 individually listed buildings and 12 heritage areas.
2. Under "Scheduling Details" there is a line item for "Overall Heritage Significance". What are the possible categories for this? (i.e. I can infer at least "None", "Moderate" and "High")
 - a. Possible categories include: none, moderate, high, exceptional
3. How many houses were assessed to fall into each of the categories in (2) (i.e. 10 None, 15 Moderate, etc)?
 - a. Apologies, I don't have this information on hand. I've contacted our heritage specialists to get this data.
4. What are the possible categories for "Recommended Changes"?
 - a. This a statement recommending the listing of the building in the District Plan. The other category would be 'schedule of HNZPT listed items' or 'schedule of historic heritage areas'. However, another category could be 'not for listing in the draft District Plan.
5. For each of the categories in (2) and each of the categories for (4) what were the number of houses that fell into each pairing? (i.e. 5 houses that were "Moderate" and "Add to proposed Schedule of Non-HNZPT Listed Items", etc).
 - a. Again, we don't have this information on hand. I'll contact our specialists.
6. Can a reference be provided for the relevant sections of the "GWRC RPS".
 - a. Policy 21 and 22 are the most relevant sections of the Greater Wellington Regional Policy Statement (I've copied the text in below). Policy 21 provides the criteria for how Council must identify heritage through the District Plan – this criteria has been used to assess buildings, sites and areas in the draft assessment.
 - b. Section 75(3) of the Resource Management Act states the District Plan must give effect to (implement) the regional policy statement.
 - c. Section 6(f) of the Resource Management Act is most relevant to historic heritage: *the protection of historic heritage from inappropriate subdivision, use, and development*

Policy 21: identification of historic heritage

District and regional plans shall identify places, sites and areas with significant historic heritage values that contribute to an understanding and appreciation of history and culture under one or more of the following criteria:

- a. historic values: these relate to the history of a place and how it demonstrates important historical themes, events, people or experiences.
- (i) themes: the place is associated with important themes in history or patterns of development.
 - (ii) events: the place has an association with an important event or events in local, regional or national history.
 - (iii) people: the place is associated with the life or works of an individual, group or organisation that has made a significant contribution to the district, region or nation.
 - (iv) social: the place is associated with everyday experiences from the past and contributes to our understanding of the culture and life of the district, region or nation.
- b. physical values: these values relate to the physical evidence present.
- (i) archaeological: there is potential for archaeological investigation to contribute new or important information about the human history of the district, region or nation.
 - (ii) architectural: the place is notable for its style, design, form, scale, materials, ornamentation, period, craftsmanship or other architectural values.
 - (iii) technological: the place provides evidence of the history of technological development or demonstrates innovation or important methods of construction or design.
 - (iv) integrity: the significant physical values of the place have been largely unmodified.
 - (v) age: the place is particularly old in the context of human occupation of the Wellington region.
 - (vi) group or townscape values: the place is strongly associated with other natural or cultural features in the landscape or townscape, and/or contributes to the heritage values of a wider townscape or landscape setting, and/or it is a landmark.
- c. social values: these values relate to the meanings that a place has for a particular community or communities.
- (i) sentiment: the place has strong or special associations with a particular cultural group or community for spiritual, political, social, religious, ethnic, national, symbolic or commemorative reasons.

(ii) recognition: the place is held in high public esteem for its historic heritage values, or its contribution to the sense of identity of a community, to the extent that if it was damaged or destroyed it would cause a sense of loss.

(d) tangata whenua values: the place is sacred or important to Māori for spiritual, cultural or historical reasons.

(e) surroundings: the setting or context of the place contributes to an appreciation and understanding of its character, history and/or development.

(f) rarity: the place is unique or rare within the district or region.

(g) representativeness: the place is a good example of its type or era.

Policy 22: Protecting historic heritage values – district and regional plans

District and regional plans shall include policies, rules and/or other methods that:

- a. protect the significant historic heritage values associated with places, sites and areas identified in accordance with policy 21, from inappropriate subdivision, use, and development; and
- b. avoid the destruction of unidentified archaeological sites and wāhi tapu with significant historic heritage values.

Kind regards,

Ben

Benjamin Haddrell

Policy Planner

Hutt City Council, [30 Laings Road](#), 5040, Lower Hutt 5040, New Zealand

T 04 560 1041, W www.huttcity.govt.nz



From: [REDACTED]
Sent: Tuesday, 16 November 2021 10:56 am

To: heritagereview <heritagereview@huttcity.govt.nz>
Subject: [EXTERNAL] Queries regarding heritage inventory

Hi,

We received notice regarding our home in relation to the undergoing review of the district plan and historic heritage.

To help place this in context (and see where we fall in terms of the broader impact) would you kindly provide the following additional information:

1. How many houses were included in the assessment?
2. Under "Scheduling Details" there is a line item for "Overall Heritage Significance". What are the possible categories for this? (i.e. I can infer at least "None", "Moderate" and "High")
3. How many houses were assessed to fall into each of the categories in (2) (i.e. 10 None, 15 Moderate, etc)?
4. What are the possible categories for "Recommended Changes"?
5. For each of the categories in (2) and each of the categories for (4) what were the number of houses that fell into each pairing? (i.e. 5 houses that were "Moderate" and "Add to proposed Schedule of Non-HNZPT Listed Items", etc).
6. Can a reference be provided for the relevant sections of the "GWRC RPS".

Much appreciated,



H2-52 Fraser House (1972)

Saritha Shetty

From: [REDACTED]
Sent: Friday, 15 December 2023 3:21 pm
To: District Plan Review Team
Cc: Jeremy Buckley
Subject: [EXTERNAL] Draft District Plan Submission
Attachments: District Plan Submission.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Steve

Hi,

Please find attached a submission to the draft district plan.

Regards,

[REDACTED]

Saritha Shetty

From: [REDACTED]
Sent: Sunday, 10 December 2023 2:14 pm
To: District Plan Team
Subject: [EXTERNAL] High Hazard Area [REDACTED]

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Sean

Dear Hutt City Council Representative,

We received a letter from HCC notifying us that our property has been classified as being in a High Hazard area. Upon examining the map, we believe this designation is due to the presence of a creek at the bottom of our property. In the event that the creek is the determining factor, we kindly request a reconsideration of this decision, as the small creek is situated quite a distance from our residence. Our entire property, located on a slope, lies between the creek and our house. If the creek is not the basis for this classification, we would appreciate clarification on the reasons behind this decision.

Kind regards,

[REDACTED]

.....

[REDACTED]

[REDACTED]

Saritha Shetty

From: [REDACTED]
Sent: Wednesday, 13 December 2023 6:51 pm
To: District Plan Review Team; Jo Miller
Subject: [EXTERNAL] [REDACTED] High Hazard Area and overgrown vegetation on Council Land.

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Sean

Submission on Hutt City Council District Plan.

My name is Jennifer Snell, property owner of [REDACTED]. I have been advised by Jo Miller, (Chief Executive, Hutt City Council) of the proposed changes to the District Plan, advising that my property is in an area that is now identified as a 'High Hazard Area'. I assume this relates to the narrow stream running from Belmont Terrace down through my property, travelling (I assume piped) under my driveway and exiting onto the reserve land below Coach Lane. Your recent records will indicate that I have been endeavouring in recent months to have a conversation with Council officers regarding this stream, and also an area of Council-owned land between my property and that of [REDACTED] which is in an unacceptably overgrown and ugly state and quite beyond my best endeavours (85 years old/widowed) to maintain.

The stream itself is usually little more than a gentle flow of water behind the properties on Coach Lane - i.e. the odd numbered properties (right-hand side) and entering the underground drain on my driveway as outlined above. However, in (I think) 1991, it became quite a raging source of water behind the Coach Lane properties, gorging out our driveway and the retaining wall below.

The issues relating to the stream which I had wished, to no avail, to discuss with the Council are as follows:

- 1 Who is responsible for keeping the length of the stream, i.e. from 15 Belmont Tce down to my property, clear of vegetation - profuse tradescantia, annual weeds, etc. Is it the responsibility of the three Coach Lane properties behind which the stream flows, or is the Hutt Council tasked with maintaining the stream free of the above and, therefore, in a clear easily flowing condition?
2. To alleviate a repeat of the 1991 incident, I had wished to discuss with Council the possibility of 'piping' the length of stream from Belmont Tce down through my property and onto the reserve below - as outlined above I believe the stream is now, following the earlier incident, already piped under/alongside my drive and retaining wall. However, only the Council records will show that.

Following my letter to the Mayor requesting action on my unsuccessful endeavours to discuss with Council staff the above matters of concern to me, I received early this week a letter from Ms Miller advising that Leshea McDonald would be in touch with me regarding the concerns I had previously raised. Ms McDonald did indeed contact me yesterday (12 December) and we had a rather unfruitful conversation with my being advised that the Council had neither the means nor funds for maintaining areas of Council land bordering private property. Ms McDonald had no knowledge of my concerns regarding the stream.

I now request/would appreciate that the concerns I have outlined above be included as 'feedback' for discussion in the proposed changes to the District Plan.



repa and ; the Council, owners behind whose property it

The issues relating to the stream which I have wished, to no avail, to discuss with the Council are as follows:

1 Who is responsible for keeping the length of the stream, i.e. from [REDACTED] down to my property, clear of vegetation - profuse tradescantia, annual weeds, etc. Is it the responsibility of the three Coach Lane properties behind which the stream flows or the Hutt Council?

2. To alleviate a repeat of the 1991 incident, an incident in, I think about 1991, the stream becoming quite a raging source of water behind the Coach Lane properties, and ; the Council, owners behind whose property it

Saritha Shetty

From: [REDACTED]
Sent: Tuesday, 5 December 2023 4:31 pm
To: District Plan Team
Subject: [EXTERNAL] [REDACTED]

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Sean

Dear Jo Miller,

We wish to express a very strong objection to your proposed changes in the Hutt City Council district plan.

We have no idea and would like you to explain how your proposal of naming our property a High hazard property is going to manage any risks of natural disaster.

All this will achieve in our view is to devalue our property and make it harder for resale.

Council will be not acting in the best interests of all residents being affected by your proposal. Not to mention the insurance costs will definitely increase which the council will be responsible for.

Absolutely ridiculous and feel money should be invested elsewhere!

Please ensure we are informed of any future meetings or discussions on this matter as this is a huge financial problem you will be creating for us. Your proposal is a step too far over peoples common sense.

Kind regards

[REDACTED]

Saritha Shetty

From: [REDACTED]
Sent: Thursday, 16 November 2023 6:36 pm
To: District Plan Team
Subject: [EXTERNAL] Rezoning

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Sean

Hi,
We just received a letter from you outlining the changes to rezoning etc.
My question is now that we are now deemed to be in the large lot residential zone,are we or a future buying able to sub divide our section.

Kind Regards,

[REDACTED]

Sent from my

Saritha Shetty

From: [REDACTED]
Sent: Friday, 19 January 2024 11:08 am
To: District Plan Review Team
Subject: [EXTERNAL] Waste Transfer station

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Peter

I am opposed this project on so many levels. Mostly for the Manor Park residents. The noise the small the disruption will be a nightmare .

[REDACTED]

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Saritha Shetty

From: [REDACTED]
Sent: Thursday, 14 December 2023 9:49 am
To: District Plan Team
Subject: [EXTERNAL] proposed rezoning

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Steve

Subject:

Objection to Proposal for Rezoning of Property to Medium Density Housing

[REDACTED]

Dear Hutt City Council and its councillors, I am writing to express my strong objection to the proposed rezoning of my property [REDACTED] from its current classification of medium density housing. As a property owner in the community, I have a vested interest in the area's development and sustainability however this rezoning will affect my property unfairly. It is crucial to consider the long-term consequences and the well-being of current residents before making such significant alterations to the zoning regulations as per my property which has 3900sqmtrs most of which is not able to be built on due to the gradient of the slope however in saying that if I decided to add additional dwellings to my property say a large garage with a self contained apartment style area I would not want to run into zoning issues aimed at large developers over populating small plots which are clearly not large enough to do so as has been done throughout Lower Hutt over the past few years.

I urge the Council to reconsider this proposal and explore alternative solutions around land plots similar to mine that maintain the integrity and quality of life within our community without compromising the essence of the neighborhood. I appreciate your attention to this matter and would welcome the opportunity to discuss this further during any public hearings or discussions regarding the rezoning proposal.

Thank you for your time and consideration. Sincerely,
Jamie Ross

[REDACTED]



Saritha Shetty

From: [REDACTED]
Sent: Tuesday, 14 November 2023 9:57 pm
To: District Plan Review Team
Subject: [EXTERNAL] Submission on Draft District Plan

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Sean

Kia ora

Thanks for sending the letters to our property notifying us of the changes to the district plan. We live on [REDACTED]

I have had a read through the plan and support the majority of the changes, I think it is a useful and modern plan that is a good update from the older plan.

I appreciate the inclusion and added protection of highly productive land, and also the designated Quarry Zone which protects the large native bush area between [REDACTED] and the Quarry that has significant ecological values and mature indigenous forest.

I am also supportive of the proposed Rural Lifestyle Zone and its lot size of 1 ha. A number of properties on [REDACTED] are already smaller than the previous 2 ha requirement - for example, our neighbours property is 0.4 ha. So it is only equitable to allow other properties the chance to subdivide if it is appropriate to do so. Many people in these areas dont graze animals, they prefer living semi-rurally with native bush and space - subsequently, a 1 ha block is still quite alot of land that could also be retired and planted if no animals are wanted.

I have some comments/clarifications that would be great for the plan change team to consider.

1. TR-P10 - Highly Constrained Roads - [REDACTED] is identified. This rule requires some form of road enhancement to allow subdivision to occur on [REDACTED] despite the new zoning. However, it is not clear what an 'improvement' is. This vague term could be anything from a few mirrors through to significant roading upgrades. Could this be defined in the plan with some guidance, or atleast a guidance note developed for prospective subdivision applicants given the cost involved in doing a subdivision that will eventually benefit Hutt City through development contributions and more rates? If a traffic report is included that shows the safety risks are low from a subdivision, then presumably there should be no or minimal road contributions required?

2. QUARZ-S2 - The hours of operation are bit irrelevant if this excludes loading/unloading and movement of vehicles - this presumably includes large trucks and diggers - when operating they have beeps when reversing so essentially, they can operate at any time (which can be a noise issue when northerlies/NE are blowing) unless you are trying to specify smaller vehicles within the quarry yard?

3. GRUZ-O4 - Purpose of the Quarry Protection Area

This is a large mapped area, covering all of [REDACTED] (to the north) through Rural Lifestyle Zone (RLZ) and General Rural Zone (GRUZ), up to the Quarry Zone. The GRUZ-O4 description however only refers to the General Rural Zone, which suggests new activities should not restrict quarrying activities in the QZ. I believe the Quarry Protection Area should be re-mapped to cover the General Rural Zone only, between [REDACTED] and the Quarry (to align with its definition) - as this also reduces planning constraints on the Rural Lifestyle Zone.

4. RLZ-P8 - This is an onerous rule as it requires mitigation of the quarry effects on the RLZ, such as dust and noise and vibration. The quarry operations should not be contributing dust all the way into the RLZ and it shouldnt be the

responsible of a new activity (such as a subdivision and residential house build) to mitigate the quarrys effects - or build the house to have vibration minimization treatment. The latter clause is ambiguous and could result in significant costs on a build. Basically, this is a complicated rule that could be addressed by conditions on any new LIM/Title in the RLZ that says complaints relating to quarrying activities cannot occur unless they are breaching their activity rules.

Thanks for considering these comments,

Kind Regards

A solid black rectangular box used to redact the signature of the sender.

Saritha Shetty

From: [REDACTED]
Sent: Tuesday, 14 November 2023 9:57 pm
To: District Plan Review Team
Subject: [EXTERNAL] Submission on Draft District Plan

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Sean

Kia ora

Thanks for sending the letters to our property notifying us of the changes to the district plan. We live on [REDACTED]

I have had a read through the plan and support the majority of the changes, I think it is a useful and modern plan that is a good update from the older plan.

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I am also supportive of the proposed Rural Lifestyle Zone and its lot size of 1 ha. A number of properties on [REDACTED] are already smaller than the previous 2 ha requirement - for example, our neighbours property is 0.4 ha. So it is only equitable to allow other properties the chance to subdivide if it is appropriate to do so. Many people in these areas dont graze animals, they prefer living semi-rurally with native bush and space - subsequently, a 1 ha block is still quite alot of land that could also be retired and planted if no animals are wanted.

I have some comments/clarifications that would be great for the plan change team to consider.

1. TR-P10 - Highly Constrained Roads - [REDACTED] is identified. This rule requires some form of road enhancement to allow subdivision to occur on [REDACTED] despite the new zoning. However, it is not clear what an 'improvement' is. This vague term could be anything from a few mirrors through to significant roading upgrades. Could this be defined in the plan with some guidance, or atleast a guidance note developed for prospective subdivision applicants given the cost involved in doing a subdivision that will eventually benefit Hutt City through development contributions and more rates? If a traffic report is included that shows the safety risks are low from a subdivision, then presumably there should be no or minimal road contributions required?
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responsible of a new activity (such as a subdivision and residential house build) to mitigate the quarry's effects - or build the house to have vibration minimization treatment. The latter clause is ambiguous and could result in significant costs on a build. Basically, this is a complicated rule that could be addressed by conditions on any new LIM/Title in the RLZ that says complaints relating to quarrying activities cannot occur unless they are breaching their activity rules.

Thanks for considering these comments,

Kind Regards

A solid black rectangular redaction box covering the signature area.

Saritha Shetty

From: Sean Bellamy
Sent: Monday, 25 March 2024 4:56 pm
To: District Plan Review Team
Subject: FW: [EXTERNAL] Submission on Draft District Plan - James Blyth

Categories: Saritha

Sean Bellamy
Intermediate Policy Planner

Hutt City Council, 30 Laings Road, Hutt Central, Lower Hutt 5010
P: 04 570 6976 **M:** **W:** www.huttcity.govt.nz



We're currently at:
Water Restriction Level 2

Wellington Water HUTT CITY [Click to learn more](#)

2

No sprinklers or irrigation.
Only water your garden by hand.

The banner is split into a blue left section and a yellow right section. The blue section contains text and logos, while the yellow section features a graphic of three water droplets with the number '2' in the center, and a text message about water restrictions.

From: Sean Bellamy
Sent: Wednesday, November 15, 2023 5:09 PM
To: [REDACTED]
Subject: RE: [EXTERNAL] Submission on Draft District Plan

Hi James,

Thank you for your email. I have added your thoughts and ideas to our review. I appreciate the effort you have put into this email. We appreciate your feedback.

Please feel free to contact me if you have any questions, or if you want to discuss any of these issues or ideas.

Regards

From: [REDACTED]
Sent: Tuesday, November 14, 2023 9:57 PM
To: District Plan Review Team <district.plan@huttcity.govt.nz>
Subject: [EXTERNAL] Submission on Draft District Plan

Kia ora

Thanks for sending the letters to our property notifying us of the changes to the district plan. We live on [REDACTED]

I have had a read through the plan and support the majority of the changes, I think it is a useful and modern plan that is a good update from the older plan.

I appreciate the inclusion and added protection of highly productive land, and also the designated Quarry Zone which protects the large native bush area between [REDACTED] and the Quarry that has significant ecological values and mature indigenous forest.

I am also supportive of the proposed Rural Lifestyle Zone and its lot size of 1 ha. A number of properties on Liverton Road are already smaller than the previous 2 ha requirement - for example, our neighbours property is 0.4 ha. So it is only equitable to allow other properties the chance to subdivide if it is appropriate to do so. Many people in these areas dont graze animals, they prefer living semi-rurally with native bush and space - subsequently, a 1 ha block is still quite alot of land that could also be retired and planted if no animals are wanted.

I have some comments/clarifications that would be great for the plan change team to consider.

1. TR-P10 - Highly Constrained Roads - [REDACTED] is identified. This rule requires some form of road enhancement to allow subdivision to occur on [REDACTED] despite the new zoning. However, it is not clear what an 'improvement' is. This vague term could be anything from a few mirrors through to significant roading upgrades. Could this be defined in the plan with some guidance, or atleast a guidance note developed for prospective subdivision applicants given the cost involved in doing a subdivision that will eventually benefit Hutt City through development contributions and more rates? If a traffic report is included that shows the safety risks are low from a subdivision, then presumably there should be no or minimal road contributions required?

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Thanks for considering these comments,

Kind Regards

[REDACTED]

Saritha Shetty

From: [REDACTED]
Sent: Thursday, 16 November 2023 8:20 pm
To: District Plan Team
Subject: [EXTERNAL]

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Steve

Hello

We received a letter re Mixed Use Zone. We are home owners in [REDACTED]

The information in the letter is very vague and so it is hard to know what to think about the proposed plan. How can we find out more specific information please? Does the council have plans for Mills Street such as "commercial activities and light manufacturing"?

Yours sincerely

[REDACTED]

Saritha Shetty

From: Nathan Geard
Sent: Monday, 5 February 2024 12:03 pm
To: District Plan Review Team
Subject: FW: [EXTERNAL] Re: JSP Submission on Draft District Plan
Attachments: JSP Submission on HCC Draft District Plan 5.2.2024.docx

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Nathan

Nathan Geard
Policy Planning Manager

Hutt City Council, 30 Laings Road, Hutt Central, Lower Hutt 5010
P: 04 570 6996 M: W: www.huttcity.govt.nz



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No sprinklers or irrigation.
Only water your garden by hand.

From: [REDACTED]
Sent: Monday, February 5, 2024 11:27 AM
To: Nathan Geard <Nathan.Geard@huttcity.govt.nz>; Stephen Davis <Stephen.Davis@huttcity.govt.nz>
Subject: [EXTERNAL] Re: JSP Submission on Draft District Plan

Hi again Nathan and Stephen - please ignore the above version just sent, the final version of our submission is attached. Regards [REDACTED]

On Mon, Feb 5, 2024 at 11:14 AM [REDACTED] wrote:

Hi Nathan and Stephen

Please find attached a submission from the Jackson Street Programme on the HCC Draft District Plan. Apologies for missing the 31 January deadline but we hope this can be added to your deliberations for the subsequent steps in the process. We are also happy to meet to discuss if that would be considered useful.

Regards



Draft City of Lower Hutt District Plan - Submission by Jackson Street Programme

The Jackson Street Programme (JSP) has been operating for over thirty years with a central purpose of *Promoting, preserving and enhancing Jackson Street as a successful heritage, retail and commercial area*. It was formed at a time when the future of Petone and its central retail and commercial area was in significant peril. JSP has been instrumental in reversing the dire trajectory that Petone was facing, and it is now a place that is widely regarded as a major destination for the Hutt Valley and the wider Wellington region. Our submission seeks to ensure that the relevant aspects of the future City of Lower Hutt District Plan continues to enable JSP to deliver to this mission.

There are four areas of concern that JSP has with the Draft District Plan which are outlined below in order of importance. There is also an opportunity for refinement to the existing and Draft District Plans that JSP would like to see realised.

1. Petone Metropolitan Centre Zone – Scale of Retail Businesses

A central theme of the planning settings in relation to the Jackson Street commercial zone in the three decades that JSP has been operating (and before), has been the careful separation or containment of small scale enterprises to within the Heritage Precinct area. In the contiguous areas outside this zone, commercial activities have been restricted to “big box” retail to ensure that the Jackson Street retains its small business clientele and avoids the wholesale destruction that happened to central Lower Hutt retail outlets when the Queensgate Mall was built in the 1980s.

As “big box” retail began to develop in earnest in the 1990s and 2000s, a well-balanced (symbiotic like) relationship emerged where the two opposing segments of the retail ecosystem provided opportunities for the other. When Plan Change 29 was notified it recognised this delicate balance with appropriate restrictions on the scale of future activities.

These rules do not seem to make up part of the Draft District Plan. If these rules are not continued, Jackson Street faces a very real existential threat, the likes of which we have seen play out in terrible detail a mere few kilometres away. If mall like commercial enterprises are permitted in the western end of Petone, it is immediately game over for many small, family oriented, boutique outlets that simply cannot compete with national or international chains.

There is also a delicate balance in Jackson Street in relation to heritage. A virtuous cycle operates whereby the heritage and character of Jackson Street attracts people driving commercial success which then generates funds to ensure buildings can be maintained and heritage values can be enhanced.

In a nutshell, there is very little gain to removing these rules as there is a prospering big box retail sector in Petone, but there are potentially catastrophic outcomes to central Jackson Street businesses from their removal.

2. Listed Heritage Items

The heritage status of Jackson Street and its surrounds is a critical point of difference for Petone and is a powerful drawcard for the promotion of Jackson Street and Petone as a destination for local, regional and international visitors. To that end, in principle we would be very uncomfortable with a large scale de-listing of currently listed items in the Jackson Street vicinity. It appears that the Draft District Plan includes the de-

listing (i.e. removal from either current Schedule) of 20 items. Of these 20 items, 18 are in Petone and 14 of them in the Jackson Street vicinity especially in the historic Nelson Street area.

We appreciate that an assessment process needs to be undertaken to ascertain what items should comprise the future schedules. However there are over 1,253 pages of documentation in relation to items that are either currently proposed to be retained or added to the schedules, whereas there is precisely nothing in relation to those items proposed for removal.

This cannot be considered a robust or fair process as there is no transparency regarding how the decisions have been made for removing the 20 items. At a minimum we would expect to see documentation and evidence to support the removal of any currently listed items that after all must have been put there in the first place based on a non-arbitrary process.

3. Heritage Areas

It appears that Plan Change 56 has reduced the integrity of the long-standing Jackson Street and Patrick Street Precincts without any discernible logic or compelling reasoning. The arguments contained above in relation to the proposed removal of items from the schedule equally apply to these Heritage Precinct changes. The removal of these items derogates from the powerful heritage narrative that has underpinned Petone's revival in the past 30 years, with little or no ostensible offsetting benefit.

4. Mixed Zones

JSP is concerned that the proposed Mixed Use Zones on Cuba St, Hutt Road and Britannia St may also have flow on impacts on the viability of the businesses of Jackson Street, again with relatively little or no offsetting gain. This concern is heightened by the likelihood that if additional activities are permitted in these areas, the already significant pressures on parking in and around the Metropolitan Centre Zone will be exacerbated. This is particularly critical at peak hours and in the weekends, and is likely to have a negative impact on those businesses that rely on accessible parking.

5. Height Restrictions

There is currently a height restriction on buildings in the Jackson Street Heritage Precinct. We are strongly supportive of this restriction in general i.e. at the street front level. We would, however, like to see an amendment that would allow a higher height limit (15-16m) when an appropriate setback is applied e.g. five metres. This would not take away from the heritage values of the Heritage Precinct as it would typically have little or no visual impact at street level, but it would allow for an additional floor to be added to some buildings. This would ensure economic viability for a number of buildings that face significant earthquake strengthening costs and other commercial pressures in the next ten years.

[REDACTED]

From: [Nathan Geard](#)
To: [District Plan Review Team](#)
Subject: FW: Petone Community Board submission on draft District Plan
Date: Monday, 12 February 2024 8:13:59 am
Attachments: [Outlook-gb0jz0aa.png](#)
[ATT00001.png](#)
[ATT00002.png](#)
[Petone Community Board Draft District plan submission Feb 2024.docx](#)

Nathan Geard
Policy Planning Manager

Hutt City Council, 30 Laings Road, Hutt Central, Lower Hutt 5010
P: 04 570 6996 **M:** **W:** www.huttcity.govt.nz



From: Mike Fisher <Mike.Fisher@huttcity.govt.nz>
Sent: Friday, February 9, 2024 2:16 PM
To: Tim Johnstone <Tim.Johnstone@huttcity.govt.nz>; Nathan Geard <Nathan.Geard@huttcity.govt.nz>
Subject: Petone Community Board submission on draft District Plan

Kia ora Tim and team

As discussed here is a copy of submission from the Board on the draft district plan - thanks for the extension.

Nga mihi
Mike

Mike Fisher
Chairperson Petone Community Board

M: [REDACTED] **W:** www.huttcity.govt.nz



Submission of the Petone Community Board on the Hutt City Draft District Plan

The Petone Community Board (the Board) wishes to make the following comments on the Draft District Plan at this initial stage, and in due course with the benefit of further consultation make more substantial input when the final version of the plan goes out for public comment later mid-2024.

Natural Hazards

The valley floor areas of Petone and Moera are subject to multiple natural hazards. We should be listening to experts such as Geological and Nuclear Sciences and avoiding intensification in these areas.¹ Sea level rise, liquefaction, tsunami and flooding risk mean that the District Plan should prevent rather than encourage intensification where risks, and limits on how to mitigate them, mean intensification is not safe or sustainable in the long term. For example, the risk areas will become too expensive to insure as insurance companies' price in these risks.²

The multiplicity of overlays for hazards etc for areas such as Petone, make the plan quite a challenge for people to interpret, and anyway these could be simplified would be helpful.

Heritage Zones/Structures

The Board supports the retention of existing heritage designations, zones and precincts in their entirety rather than chipping away of portions of streets or buildings.

There are always going to be diverse opinions of the nature, value and perception of what constitutes heritage however the Board believes the existing heritage designations should be retained unaltered.

The Jackson Street Historic Area should include Victoria Street to Cuba Street. This was the case until Plan Change 56. We want this area reinstated as heritage to protect heritage and associated economic and social benefits this area provides to Wellington. This area should also have a 10 metre height limit.

We support some of the railway cottage heritage of Moera being recognised. The initial proposal in Plan Change 56 to protect some cottages in Moera a good starting point.

There ~~are likely to be~~~~We have~~ diverse views about the proposal to designate the area to the west of the Jackson St a heritage precinct. ~~While some may~~~~Some members~~ support this change, ~~others.~~~~Others~~ are concerned, while well intentioned, the change would be in conflict with the original thinking behind the Plan Change 29 designation. The design and appearance of some newer buildings at the western end of Jackson St has been well received, hopefully

¹ Dellow, G.D.; Perrin, N.D.; Ries, W.F. 2018 Liquefaction hazard in the Wellington region. Lower Hutt, N.Z.: GNS Science. GNS Science report 2014/16; [SR 2016-057 \(isref.co.nz\)](#)

² [How long will insurers stick with Petone? | The Post](#)

encouraging developers to follow these examples. This could be required by developing and requiring compliance with design guidelines for this area.

The protection and future use of Petone Wharf is naturally of great concern to the Board and its historic, tourism and recreational use and potential is a key concern and focus for us and the wider community.- We seek recognition of the heritage value of this wharf and encourage every effort for its retention.

Intensification

The previous Governments policy and PC56 has already seen development city wide, and in Petone which significantly alter the look and feel of neighbourhoods and streets. There will be diverse views on this, from different perspectives, however we would note that the new Government has now indicated a different approach, potentially allowing greater flexibility for Councils to interpret this policy.

This could have a major impact on the final form of the District Plan and ideally some indication of this will be forthcoming before the district plan is finalised.

Mixed use zones

We are concerned about the proposal for a mixed use zone for a significant part of Britannia Street, Petone. This would create the potential for significant changes to important community facilities such as Petone Library and Community House with minimal community input as much wider land use would be permitted.

Also, the vitality of the Jackson Street retail area should not be put at risk by shifting any more activity to side streets through mixed use zones.

Randwick Road should not be further commercialised. We do not support these changes.

Active frontages

Active street frontages are important to vitality and safety and should be required in retail areas.

Water planning/Three waters

Better management of storm water and reducing run off is important to protecting the Petone Community Board area as much of the storm water in the Hutt Valley ends up in the Hutt River and enters the harbour in our area. We support requirements to manage storm water on site and reducing run off from new developments.

Signs and temporary activities

We do not want to see digital billboards in our area. These are visually intrusive and create risks for more vulnerable road users such as cyclists.

Climate change mitigation

We want to see protection for existing trees on public land such as street verges. Many of these trees are now significant sizes such as in parts of Petone and Moera. These trees can help protect areas from urban heat sink effects that are an increasing issue from climate change. Protection of trees on private land is more complex. But there should be minimum rules addressing the need for trees in urban areas within Hutt City.

Thank you for the opportunity to comment and we look forward to seeing the next version of the Plan.

Petone Community Board
9 February 2024

Saritha Shetty

From: [REDACTED]
Sent: Thursday, 14 December 2023 2:12 pm
To: District Plan Team
Subject: [EXTERNAL] High hazard rating.

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Sean

I have read through the letter that you sent out which states that our property which is [REDACTED] is classified as a high hazard area. I have three questions.

1. Will this increase our rates.
2. Will this devalue our property
3. Which of the 4 classifications places our property in the high hazard category.

Saritha Shetty

From: [REDACTED]
Sent: Friday, 15 December 2023 4:23 pm
To: District Plan Review Team
Subject: [EXTERNAL] Submission on DDP
Attachments: SUBMISSION ON HUTT CITY DRAFT DISTRICT PLAN.docx

Follow Up Flag: Follow up
Flag Status: Completed

Kia ora

Please find attached my submission.

Nice job on it all, team Planning.

Ngā mihi

[REDACTED]

[REDACTED]

[REDACTED]

SUBMISSION ON HUTT CITY DRAFT DISTRICT PLAN

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

I will not gain an advantage in trade from this submission
I am submitting as an individual
I wish to speak to my submission

General:

It's great to see Hutt building on the great foundation of PC56.

I support, and support strengthening, of District Plan provisions that will get a far greater proportion of Hutt City residents living in quarter-hour paradise: a 15-minute neighbourhood experience with a special riff for Aotearoa. Its three core elements are: Things you need for dignified everyday life are close by; there's lots of medium density, done well; and the streets are truly people-friendly. These are explained in more detail [here](#).

I support the Mixed Use zone which shouldn't be watered down or contracted.

I support the provisions enabling and encouraging small neighbourhood-focussed businesses and community facilities into centres (e.g. exemption from the trip-generating provisions, not requiring parking).

I support the special consenting pathway for small commercial to set up in the High Density zone.

These provisions are helping Hutt have better neighbourhoods with more little neighbourhood-focussed businesses providing useful amenities close to where people live. (Think pharmacies, grocery stores, daycares, cafes.) The more we can deliberately break up the Euclidian zoning that forces people to travel long distances to do the stuff of daily life, including growing one's whare tapa whā, the better.

Small businesses particularly on street corners should be required to have an active frontage, and blanking out windows or making long contiguous opening-less walls (*cough cough malls cough cough), shouldn't be allowed.

Other instruments:

Complementing this, the street networks in the mixed use zone urgently need a shakeup, including lots of traffic calming especially narrowing of intersections/shortening crossing distances.

What's needed is a strong NOF, that around suburban centres (and especially the city centre) deliberately prioritises fresh-air (active and micromobility) and intelligent (i.e. time-managed) servicing access over private car access and especially over private car storage. Transport policies and instruments are lagging badly behind the planning / landuse regulatory instruments.

The sooner Hutt City shows people it's got a strategic grip on movement x place, and shows a clear, unflinching trajectory of change for landuse and transport in particular areas of the city, the sooner people will start planning their investments and their futures around that - rather than getting ready to kick and scream and force good transport changes out of "their" backyard – which we're already seeing plenty of.

I support the requiring of cycle parking and end of trip facilities; I'd encourage adding a CPTED lens for people using cycle parking so it doesn't end up stuffed into dodgy corners

I support discouraging vehicle crossings on main "active frontage" streets in local centres, to encourage walkability and enable streets to be closed to traffic (opened to people) temporarily or permanently with less hassle from those who only ever experience the street from behind a steering wheel. This is a great move; my walks through the Hutt, even on key routes like between the civic centre and rail stations, are way too stressful because of the entitled, fast-driving attitude that the street environments "self explain" to people driving – including me when I'm driving!

I support no longer regulating purely aesthetic issues for homes.

I support encouraging landscaping to achieve stormwater benefits as well as (or instead of) just looking nice, and I support requirements to use appropriate native plants to join up biodiversity networks. I encourage council to look at and Kirikiriroa Hamilton and Tamaki-Makau-Rau Auckland water-sensitive urban design guides. For a city that floods a lot, these are useful inspiration.

I support strengthening safe and high-quality walking and wheeling access to buildings:

Great to have but it's a bit vague. Given how car-centric Hutt City is right now, more specifics are needed. I suggest including explicit reference to the Pedestrian Network Guidance developed recently by Waka Kotahi, and the NACTO guides for accessible streets and buildings.

Complementing these good changes in other instruments:

- I urge councillors to resource the urban renewal, transport and parking teams sufficiently, through LTP decisions, such that they can properly play their vital roles in helping the city be its best self through the transition period.
 - This includes updating and implementing station access plans (already earmarked within the Cross Valley Connections, and should be citywide) and neighbourhood parking plans such as WCC's Berhampore and Newtown.
 - It also includes lots of enforcement, ramped up over time, reinforcing the trajectory of change
 - A strategic transport planner is needed to start bringing to life the ITS in HCC's bids for central government transport funding. It's remarkable the disconnection of this well-founded document from actual activity.

There will be lots of wailing and gnashing of teeth about street parking, private car access, and the changes in neighbourhoods. I urge councillors and officers to make heavy use of the Coordinated Urban Renewal Programme's (working) city change objectives, and of its outcomes monitoring and evaluation framework, to show people the trajectory of change that's going to make Hutt City nicer to live in as well as making its infrastructure more economic to run.

Density done well is one of the greatest gifts to an urban area because its higher levels of taxable activity per hectare which enable more all sorts of good things including more sophisticated three waters water management, provision of community facilities, building (and operating areas of buildings) that deliver better feelings of neighbourhood and greater social cohesion, and higher-performing buildings. I refer council to the piles of scientific and economic evidence on this point from cities overseas.

[ends]

Saritha Shetty

From: ContactHCC
Sent: Tuesday, 28 November 2023 1:04 pm
To: ian@maxtaitlaw.co.nz
Cc: District Plan Review Team
Subject: FW: [EXTERNAL] FW: [REDACTED]
Affected by Draft District Plan
Attachments: Letter Lower Hutt City Council.pdf
Follow Up Flag: Follow up
Flag Status: Completed
Categories: Nathan

Kia ora Ian,

Thank you for your email received.

We have forwarded this to District Plan team to arrange a reply.

If you would like more information about Hutt City Council and our services, please ring our Customer Contact Centre on 04 570 6666 or 0800 488 824.

Ngā mihi nui,
Tara

CUSTOMER SERVICES

HUTT CITY COUNCIL

30 Laings Rd
Private Bag 31912
Lower Hutt 5040
New Zealand

From: Ian McCulloch <ian@maxtaitlaw.co.nz>
Sent: Tuesday, November 28, 2023 8:41 AM
To: ContactHCC <contact@huttcity.govt.nz>
Subject: [EXTERNAL] FW: [REDACTED]
Draft District Plan

Affected by

Apologies please see attached is for Lower Hutt City Council

Regards

Ian McCulloch | Principal |

Ian McCulloch, Max Tait Legal incorporating K J Sampson

Level 1, 178 Main Road, Tawa

Ph: +64 4 232 4060 | Fax: +64 4 232 9466

PO Box 51105, Wellington 5249 **(Please note our postal address has changed)**

From: Ian McCulloch

Sent: Tuesday, November 28, 2023 8:37 AM

To: 'contact@huttcity.govt.nz' <contact@huttcity.govt.nz>

Subject: [REDACTED] - Affected by Draft District Plan

Please find letter attached.

Regards

Ian McCulloch | Principal |

Ian McCulloch, Max Tait Legal incorporating K J Sampson

Level 1, 178 Main Road, Tawa

Ph: +64 4 232 4060 | Fax: +64 4 232 9466

PO Box 51105, Wellington 5249 **(Please note our postal address has changed)**

22 November 2023

The Chief Executive
Hutt City Council
30 Laings Road
LOWER HUTT

Email: contact@huttcity.govt.nz

Dear Chief Executive

[REDACTED]

AFFECTED BY DRAFT DISTRICT PLAN.

We act for [REDACTED]

[REDACTED] is an elderly woman living on her own and when she received your letter of 8 November 2023 she was very upset, however, as I understand it, remedial action was taken at the time of erection of the dwelling to take in account of it being in a "high hazard area".

We note from your letter that high hazard areas includes stream corridor 1-in-100-year event. We would assume that that is the hazard affecting [REDACTED] property. Perhaps you would be good enough to confirm our understanding.

The dwelling was built recently, and we understand from [REDACTED] that it was erected more than 1 meter higher than that normally required to take account of possible stream flooding.

We would be obliged if you could confirm to us that the above understanding is correct and therefore that when the dwelling was erected it was erected with the known hazard being taken into account.

Obviously, [REDACTED] is concerned about what will happen on the resale of her property and does not wish to have sale prospects badly affected by the property being noted as in a high hazard area.

We look forward to your comments to allay our client's concerns.

Yours faithfully
Ian McCulloch Max Tait Legal

Ian McCulloch
Principal
Email: ian@maxtaitlaw.co.nz