

Saritha Shetty

From: [REDACTED]
Sent: Tuesday, 28 November 2023 10:11 am
To: District Plan Review Team
Subject: [EXTERNAL] I G L Graham rezoning of Property

Follow Up Flag: Follow up
Flag Status: Completed

Kia Ora,

Letter dated 8 November from Jo Miller for Rezoning medium to Large Lot Residential Zone.

I reject this change it will cause financial lose to me when I go to sell my property's [REDACTED] currently zone 3 dwellings to one.

The reasons you have put forward are weak.

1.the area is stable no landslides and no natural hazard.

2.You quote lack of infrastructure, this is rubbish the neighbour next door has 4bedroom house rents each room that is pressure on infrastructure and he pays for single dwelling rates a joke,there are six vehicles on site at any one time causing congestion.

3. Neighbour opposite has six vehicles and one trailer, he parks the trailer and one vehicle permanently in the public council car park at [REDACTED] taking 2 spaces permanently, that is congestion from a single dwelling, he is causing more congestion from his property than 3 houses could create.

4. I own the only vacant section up here ,the last section built on was 2 years ago, where is it fair that council can devalue my properties and allow the neighbours to cause congestion freely. and use more resources than they are charged for by council. Changing the zone on my properties is unfair and will cause financial lose for no gain to the environment or infrastructure due to the way council operates poorly.

Regards

[REDACTED]

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Saritha Shetty

From: [REDACTED]
Sent: Wednesday, 22 November 2023 3:25 pm
To: District Plan Review Team
Subject: Re: [EXTERNAL] Your letter dated 8th November 2023

Follow Up Flag: Follow up
Flag Status: Completed

Thanks Stephen,

ASB is now usual, your answers are prompt and helpful too. Are you sure you are employed by the Hutt city Council? 😊
Sent from my iPhone

On 22/11/2023, at 11:02, District Plan Review Team <district.plan@huttcity.govt.nz> wrote:

Hi [REDACTED]

Not sure I entirely understand your question, but your ability to subdivide would depend on the zoning of the section – if it's Large Lot Residential, you can subdivide as long as all the resulting lots are over 1000m². If it's Medium Density Residential, you can subdivide as long as each lot contains an existing unit or is capable of having a new unit built on it.

You might want to give feedback on:

1. Whether we should use a Large Lot Residential Zone at all, and
2. Where it should be applied to

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 8:03 PM
To: District Plan Review Team <district.plan@huttcity.govt.nz>
Subject: Re: [EXTERNAL] Your letter dated 8th November 2023

Thanks Stephen,

That's quite puzzling.

If I understand it correctly, If I have a smaller section that is not re-zoned, I can build 3 dwellings as of right, but if I have more than 1000 sq Metres and it is sloping (as most are in the Hutt Valley), I can only build a single unit?

Seems odd.

Thanks again,

[REDACTED]

On 21/11/2023, at 5:41 PM, District Plan Review Team
<district.plan@huttcity.govt.nz> wrote:

Hi [REDACTED]

You've been sent a letter about your property at [REDACTED] because we're proposing to rezone it from Medium Density Residential to Large Lot Residential, which would reduce the level of development you could do there as-of-right, from three units per site to one unit and no minimum lot size, to one main unit and one minor unit per site with a minimum lot size of 1000m². You can read more about the Large Lot Residential Zone at https://hccpublicdocs.azurewebsites.net/api/download/587890ba7b2542ef8532867346c3a343/_extcomms/242b27ad4185161c480abe7b67124eb037e6 or let me know if you've got any questions or other feedback.

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

<Mail Attachment.png>

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From: [REDACTED]
Sent: Tuesday, November 21, 2023 4:40 PM
To: District Plan Review Team <district.plan@huttcity.govt.nz>
Subject: Re: [EXTERNAL] Your letter dated 8th November 2023

Thank you again Stephen,

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We received a total of 4 letters yesterday (all marked 8th November), three of which are different from each other.

Two of these relate to our other property at [REDACTED]

Those letters say only that “at least part of your property falls into one or more of these areas.” In this case, the letter does not suggest which part of the property falls into which risk area.

Are you able to let us know which part of the property is thought for fall into which category of risk?

Thank you,

[REDACTED]

On 21/11/2023, at 3:06 PM, District Plan Review Team
<district.plan@huttcity.govt.nz> wrote:

Hi [REDACTED]

HCC doesn't employ anyone who is an expert in the science of tsunami modelling, we rely on the advice we get from GNS Science, so we can't really comment much. As I've said in my previous email if you want to dive into how the areas were identified, you would need to look at the technical report from GNS at <https://hccpublicdocs.azurewebsites.net/api/download/7210cb015bf3423eb849e753bed7dbae/districtplann/309fa59a13784b1f9407c97d2a5984235d0cc>. However, my understanding from what we've been told in the past is that the depth and force of tsunamis tends to dissipate as they move inland, even on flat or close to flat ground, as the water has room to spread out and is slowed by obstacles such as buildings, structures, vehicles, vegetation, rough ground, and so on.

The work Council has done is around what the planning response should be to this information about tsunami risks, i.e. what level of development and what conditions should apply in the High, Medium, and Low tsunami risk areas. There's a short factsheet about our proposed approach at https://hccpublicdocs.azurewebsites.net/api/download/587890ba7b2542ef8532867346c3a343/_extcomms/4c6892a64184480e4ec4b14fc5cef916a054 and more detail on the website at <https://hutt.city/dpreview>.

We look forward to your feedback – you can email comments through, or there's a survey form on the website, whichever you prefer.

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 2:20 PM
To: District Plan Review Team <district.plan@huttcity.govt.nz>
Subject: Re: [EXTERNAL] Your letter dated 8th November 2023

Thank you for your prompt reply Stephen,

...and also for the layout map showing the three areas high, medium, and low-risk areas.

We will have feedback and will offer it in time for the 15th December 2023 (thanks to your prompt reply).

At the moment, I at least, am a little bit puzzled by the division of the risk areas which are all mostly on the exact same level. I wonder if you have any comment on that?

Thanks again for your prompt reply,

[REDACTED]

On 21/11/2023, at 1:51 PM, District Plan Review Team <district.plan@huttcity.govt.nz> wrote:

Hi [REDACTED]

With regards to the error messages you've got trying to send email to dpreview@huttcity.govt.nz, I recommend you double-check the address and/or get technical support from your internet service provider as we're confident our email system is working correctly and we're receiving email from other people without issue.

In answer to your questions:

[REDACTED] is subject to the High Tsunami Hazard overlay which applies to approximately the front 10 metres of the site. I've attached a screen grab of the maps showing the relevant area. (The other two overlays are the Medium and Low tsunami overlays).

This was identified through modelling commissioned from GNS Science by Council in 2021. The report detailing the modelling is available at <https://hccpublicdocs.azurewebsites.net/api/download/7210cb015bf3423eb849e753bed7dbae/districtplann/309fa59a13784b1f9407c97d2a5984235d0cc>

If you've got any feedback or other questions on the draft plan, you can check out the website at <https://hutt.city/dpreview>, reply to this email, phone us on 04-570-7426, or visit us in person at 30 Laings Road, Hutt Central.

Kind regards,
Stephen Davis

<image001.png>

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 1:05 PM
To: Jo Miller <Jo.Miller@huttcity.govt.nz>
Cc: District Plan Team
<DistrictPlan.Team@huttcity.govt.nz>; ContactHCC
<contact@huttcity.govt.nz>
Subject: [EXTERNAL] Your letter dated 8th November 2023

We have previously attempted to reply to both the "dpreview@huttcity.govt.nz", which was returned with the comment "Unroutable Address" and also to the letterhead printed emailcontact@huttcity.govt.nz, which was returned with the comment "Unable to find the named recipient."

We received your letter bearing date 8 November 2023, yesterday, (20th November 2023). The 13-day delivery time is important in this case because of your requirement for feedback by 15th December 2023.

Our property is located at [REDACTED]
[REDACTED]

Your letter appears to inform us that our property is identified as a "High Hazard Area". The defined inclusions in your letter that might make this a "High Hazard Area" include four quite diverse possibilities.

We would very much like to know:-

1. Which of the four possible features is said to apply to [REDACTED]
[REDACTED]
2. On what date was this identified?
3. By whom was/were the relevant feature(s) identified as applying to [REDACTED]
[REDACTED]

We look forward to receiving answers to these three fairly simple questions in sufficient time to enable us to provide the feedback which the Hutt City Council has requested be provided before 15th December 2023.

Thank you,



Saritha Shetty

From: [REDACTED]
Sent: Wednesday, 6 December 2023 7:32 pm
To: District Plan Review Team
Cc: igerrard@actrix.co.nz
Subject: [EXTERNAL] Submission - Highly Productive Land Overlay - [REDACTED]

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Sean

Ms J Miller
Chief Executive
Hutt City Council
e-mail districtplan@huttcity.govt.nz

Kia ora,

DISTRICT PLAN SUBMISSION – HIGHLY PRODUCTIVE LAND

We wish to object to the draft district plan that identifies our property at [REDACTED] as Highly Productive Land. We believe the classification of Rural Lifestyle Zone is more appropriate given the historic subdivision of the land which has resulted in an area of only 16.4 hectares.

For land to be Highly Productive, investment inputs are required and the economy of scale must be of sufficient size for an economic return. The size, configuration, very high winds and floodplain does not support a Highly Productive category.

The land is unprotected (no stop banks) and impacted from the river flooding, forestry slash from logging up river, litter and debris from the urban area. It is also subject to very high winds.

The bulk of the land is across the river and access is restricted to when the river is at normal levels. A bridge being uneconomical to construct, and highly unlikely to be issued resource or building consent.

Built amenities to support highly productive land are uneconomical to construct and again unlikely to achieve consent. And finally, insurance on the investment into the land would either be not obtainable or economic to service.

If you have information you wish to share such as studies which show how our particular property can be made Highly Productive, we would be interested in seeing this evidence.

Yours faithfully,

[REDACTED]

Saritha Shetty

From: Thejas Jagannath <TJagannath@heritage.org.nz>
Sent: Tuesday, 12 December 2023 10:44 am
To: District Plan Review Team
Subject: [EXTERNAL] Submission of Heritage New Zealand Pouhere Taonga on Hutt City Draft District Plan
Attachments: HNZPT Cover Letter_Hutt City Draft Plan.pdf; Heritage New Zealand Pouhere Taonga Submission Table on Hutt City Draft District Plan.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Steve

Kia ora,

Please find attached the Cover Letter and Submission Table of Heritage New Zealand Pouhere Taonga on the Hutt City Draft District Plan.

Ngā mihi,
Thejas

Thejas Jagannath | Planner – Central Region | Kaiwhakamahere | Heritage New Zealand Pouhere Taonga | PO Box 2629, Wellington 6140, New Zealand | Ph: +64 275561836 | Visit [Welcome to Heritage New Zealand Pouhere Taonga](#). and learn more about New Zealand's heritage places

Tairangahia a tua whakarere; Tatakihia nga reanga o amuri ake nei –Honouring the past; Inspiring the future

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HERITAGE NEW ZEALAND
POUHERE TAONGA

Tairangahia a tua whakarere; Tatakīhia
nga reanga o amuri ake nei Honouring
the past; Inspiring the future

File ref: 33002-082

12 December 2023

Planning Team
Hutt City Council
Private Bag 31912
Lower Hutt 5040

district.plan@huttcity.govt.nz

Kia ora!

SUBMISSION OF HERITAGE NEW ZEALAND POUHERE TAONGA ON HUTT CITY DRAFT DISTRICT PLAN

1. Heritage New Zealand Pouhere Taonga (HNZPT) is an autonomous Crown Entity with statutory responsibility under the Heritage New Zealand Pouhere Taonga Act 2014 for the identification, protection, preservation and conservation of New Zealand's historical and cultural heritage.
2. In general, there is much to commend in the Hutt City Draft District Plan with regard to heritage matters. There is a wide range of heritage included in the schedules, including Māori heritage, heritage precincts, and a variety of built heritage. The heritage provisions in the Hutt City Draft District Plan for the protection of heritage are also in our view generally supportable.
3. HNZPT has made specific comments on certain provisions of the Draft Plan which includes details of amendments sought, and the reasons for the comments. This is contained in the attached table (Attachment 1).
4. We are looking forward to further opportunities for involvement in the District Plan process. We can meet with Council staff and/or consultants to discuss our submission points and to answer any questions you might have.

Yours sincerely

Dean Raymond

Area Manager / *Kaiwhakahaere ā-Takiwā*
Central Region / *Te Takiwā o Te Pūtahi a Māui*
Heritage New Zealand Pouhere Taonga

Attachment:

1. Heritage New Zealand Pouhere Taonga Submission Table on Hutt City Draft District Plan.

Address for service:

Heritage New Zealand Pouhere Taonga
Te Takiwā o Te Pūtahi a Māui
PO Box 2629
Wellington 6140
Ph: 04 494 8320

Contact person: Dean Raymond, Kaiwhakahaere
Email: draymond@heritage.org.nz

Attachment 1
Submission of Heritage New Zealand Pouhere Taonga on Hutt City Draft District Plan

Chapter	Specific Provision	Support or oppose	Reasons for submission	Relief sought Strike: abc = delete Underline: <u>abc</u> = addition
Part 1 – Definitions				
Definitions	Contributing building	Support	It is beneficial that the Plan includes a definition of 'contributing building'	Retain definition
	Heritage building/structure	Support	HNZPT supports this definition of heritage building/structure	Retain definition
	Historic heritage	Support	HNZPT supports the inclusion of the legislative definition of historic heritage	Retain definition
	Historic heritage areas	Support	HNZPT supports including a definition of historic heritage areas	Retain definition
	Missing definitions:		There are a number of specialised words used in the Plan, which may benefit from being defined. The following submission points include several suggested definitions which relate to historic heritage and related matters. Many other recently drafted district plans include these definitions.	
	New definition: Archaeological site	Oppose	The term 'archaeological site' is used in a number of places in the Plan, and for the avoidance of doubt, it would be beneficial for the term to be defined. It should be drafted so that the word 'site' does not include a hyperlink to the definition of that word.	Insert new definition: <u>Archaeological site:</u> <u>Has the same meaning as given in the Heritage New Zealand Pouhere Taonga Act 2014 (as set out below): means, subject to section 42(3) of the HNZPT Act, —</u>

Attachment 1
Submission of Heritage New Zealand Pouhere Taonga on Hutt City Draft District Plan

Chapter	Specific Provision	Support or oppose	Reasons for submission	Relief sought Strike: abc = delete Underline: <u>abc</u> = addition
				<ul style="list-style-type: none"> a. <u>any place in New Zealand, including any building or structure (or part of a building or structure), that—</u> <ul style="list-style-type: none"> i. <u>was associated with human activity that occurred before 1900 or is the site of the wreck of any vessel where the wreck occurred before 1900; and</u> ii. <u>provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand; and</u> b. <u>includes a site for which a declaration is made under section 43(1) of the HNZPT Act.</u>
	New definition: alterations	Oppose	The term ‘alterations’ is used in the historic heritage chapter, in both policies and rules. A definition would be beneficial.	New definition: <u>Alteration means modifications to a building or object that do not have the effect of increasing the gross floor area,</u>

Attachment 1 Submission of Heritage New Zealand Pouhere Taonga on Hutt City Draft District Plan				
Chapter	Specific Provision	Support or oppose	Reasons for submission	Relief sought Strike: abc = delete Underline: <u>abc</u> = addition
				<u>footprint, mass or height of the building or object</u>
	New definition: maintenance	Oppose	The word <i>maintenance</i> has a common, widely understood meaning, but also a more specific meaning in relation to heritage policies and rules. A definition would be useful.	New definition: <u>maintenance (of a heritage building or item): means regular and ongoing protective care of a place to prevent deterioration and to retain its values. Maintenance excludes alterations and additions.</u>
	New definition: partial demolition	Oppose	The heritage chapter includes policies and rules on partial demolition and total demolition. While total demolition should be an unambiguous term, it would be beneficial to include a definition of partial demolition.	New definition: <u>partial demolition: alterations to demolish, destroy or remove part of any building or structure.</u>
	New definition: repair	Oppose	The word <i>repair</i> has a common, widely understood meaning, but also a more specific meaning in relation to heritage policies and rules. A definition would be useful.	New definition: <u>repair: means to make good decayed or damaged fabric using identical, closely similar, or otherwise appropriate material.</u>
Part 2 – Strategic Direction				

Attachment 1
Submission of Heritage New Zealand Pouhere Taonga on Hutt City Draft District Plan

Chapter	Specific Provision	Support or oppose	Reasons for submission	Relief sought Strike: abc = delete Underline: <u>abc</u> = addition
	CC-O2	Support	HNZPT is supportive of this objective, however it is also imperative that there is a commitment to actively engage with Māori when it comes to climate change and the effects it will have on sites and areas of significance to Māori.	Retain objective
	TW-O1 to TW-O4	Support	HNZPT in general supports these objectives which relate to the tangata whenua of Lower Hutt City. However, this support is based on an assumption that there is ongoing meaningful dialogue with tangata whenua in all aspects regarding whenua, awa, and Te Moana, as well as the identification of Wāhi Tapu/ Wāhi Taonga.	Retain objectives, subject to input from mana whenua.
	UFD-O3	Support	HNZPT supports this objective, in particular clause (h) which recognises the city's historic heritage.	Retain objective
	UFD-O8	Support	HNZPT supports this objective that seeks to maintain and enhance a city wide network of open spaces valued for, among other things, cultural and heritage values. HNZPT considers this is essential for maintaining the social, economic and cultural wellbeing of the community.	Retain objective

Attachment 1				
Submission of Heritage New Zealand Pouhere Taonga on Hutt City Draft District Plan				
Chapter	Specific Provision	Support or oppose	Reasons for submission	Relief sought Strike: abc = delete Underline: <u>abc</u> = addition
	UFD-O13	Support	HNZPT supports this objective which recognises the special values of Lower Hutt (character, heritage, and open space). The Draft plan, however, does not include any provisions which would assist in the retention of <i>significant character values</i> of Lower Hutt.	Retain objective, but investigate the possibility of character areas within Lower Hutt City.
Part 2 - REG				
	REG-P4	Support	HNZPT supports this policy, which provides for community-scale and commercial-scale renewable electricity activities whilst recognising that there may be potential adverse effects on historic heritage, among other matters.	Retain policy
	REG-R2 and REG-R3	Support	HNZPT supports the permitted activity status of these activities, noting that the rules from other chapters also apply to these activities and will consider adverse effects on historic heritage values where appropriate.	Retain provisions
Part 2 - INF				
	INF-P4	Support	HNZPT supports this policy which acknowledges the 'values of areas within overlays'.	Retain policy Consider the need for a definition of 'overlay'.

Attachment 1 Submission of Heritage New Zealand Pouhere Taonga on Hutt City Draft District Plan				
Chapter	Specific Provision	Support or oppose	Reasons for submission	Relief sought Strike: abc = delete Underline: <u>abc</u> = addition
			It should be noted that some district plans (Porirua) have included a definition of 'overlay' so any doubt as to its meaning is avoided.	
	INF-P17	Support	HNZPT supports this policy, which provides for new or upgraded infrastructure in SASM and heritage sites, where significant adverse effects on the values of these places is avoided.	Retain policy
	INF-Rules	Support	HNZPT supports the suite of rules which recognise the presence of historic heritage, and the inclusion of a different activity status for infrastructure activities within heritage areas and on sites containing scheduled heritage.	Retain INF rules
Part 2 – Historic Heritage				
Historic Heritage	Historic Heritage Introduction – Responsibilities of Heritage New Zealand Pouhere Taonga	Support (partial)	<p>HNZPT in general supports the statement on the responsibilities of HNZPT with regards to archaeological sites, however the sentence could be revised to more accurately capture the responsibilities regarding the archaeological authority process.</p> <p>The other responsibility of HNZPT can also be mentioned here, with regards to the New Zealand Heritage List / Rārangī Kōrero.</p>	<p>Revise provision relating to the responsibilities of Heritage New Zealand Pouhere Taonga regarding archaeological sites:</p> <p>Heritage New Zealand (Pouhere Taonga) is responsibility <u>responsible</u> for managing <u>the archaeological authority process, which applies</u></p>

Attachment 1
Submission of Heritage New Zealand Pouhere Taonga on Hutt City Draft District Plan

Chapter	Specific Provision	Support or oppose	Reasons for submission	Relief sought Strike: abc = delete Underline: abc = addition
			<p>There is also a grammatical error in the first line of this section: the word 'responsibility' should be replaced with 'responsible'.</p>	<p>when a person is <u>proposing an activity that may affect an archaeological site, as defined in the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA).</u> and protecting archaeological sites associated with pre 1900 human activity. <i>Modification or destruction of these sites requires <u>an</u> archaeological authority under the HNZPTA. While this protection exists, the district plan is required to manage the inappropriate subdivision, use or development that may relate to these places or sites.</i></p> <p><u>Heritage New Zealand Pouhere Taonga is also responsible for maintaining the New Zealand Heritage List / Rārangī Kōrero. Under Section 74 of the RMA local authorities are required to have regard to places entered on this list</u> <u>Where applicable, the NZ Heritage list numbers are cross referenced in Appendix xx.</u></p>

Attachment 1
Submission of Heritage New Zealand Pouhere Taonga on Hutt City Draft District Plan

Chapter	Specific Provision	Support or oppose	Reasons for submission	Relief sought Strike: abc = delete Underline: <u>abc</u> = addition
	HH-P1	Support	<p>HNZPT supports the identification of significant historic heritage.</p> <p>The criteria are brief, but are based on the more detailed provisions of Policy 21 of the Regional Policy Statement. It may be helpful to refer to this connection, as has been done in the Porirua PDP and Wellington PDP.</p>	<p>Retain policy, and add the following note: <u>Advice Note: The values listed in HH-P1 are derived from the criteria set out in Policy 21 of the Wellington Regional Council's Regional Policy Statement for the Wellington Region.</u></p>
	HH-P2	Support	HNZPT supports the policy relating to the identification of historic areas and contributing buildings.	Retain policy
	HH-P3	Support	HNZPT supports the policy to enable repair and maintenance to historic heritage buildings and structures.	Retain policy
	HH-P4	Support	HNZPT supports the policy for continued use and adaptive reuse of historic heritage buildings.	Retain policy
	HH-P5	Support	HNZPT supports the policy for non-regulatory measures.	Retain policy
	HH-P6	Support	HNZPT supports the policy for seismic strengthening, fire safety and accessibility.	Retain policy

Attachment 1 Submission of Heritage New Zealand Pouhere Taonga on Hutt City Draft District Plan				
Chapter	Specific Provision	Support or oppose	Reasons for submission	Relief sought Strike: abc = delete Underline: <u>abc</u> = addition
	HH-P7	Support	HNZPT supports Policy HH-P7 particularly in respect of continued use or adaptive reuse, which contributes positively to historic heritage values of a place.	Retain policy
	HH-P8 and HH-P9	Support	HNZPT supports policy HH-P8 in respect of relocation of heritage buildings and other structures within the site extent; With some additional considerations provided for in HH-P9 where the proposed relocation is outside the site extent.	Retain policies
	HH-P10	Support	HNZPT supports the policy relating to new buildings and other structures on the site of a historic heritage building or other structures	Retain policy
	HH-P11	Support (partial)	HNZPT supports the intent of the policy relating to demolition of buildings and structures. However, clause (b) needs to be strengthened, as merely <i>considering</i> alternatives does not require an analysis of which alternative should be chosen. The policy should require evidence that reasonable alternatives have been considered, and ruled out.	Amend HH-P11: b. <u>It can be demonstrated that there are no</u> Consideration has been given to all reasonable alternatives to demolition.
	HH-P12	Support (partial)	HNZPT supports this policy regarding non-contributing buildings in heritage areas. A minor edit is needed.	Retain policy, with the following amendment: Provide for redevelopment of non-contributing buildings in heritage areas (...) <u>where:</u>

Attachment 1 Submission of Heritage New Zealand Pouhere Taonga on Hutt City Draft District Plan				
Chapter	Specific Provision	Support or oppose	Reasons for submission	Relief sought Strike: abc = delete Underline: <u>abc</u> = addition
				a. b.
	HH-P13	Support	HNZPT supports the policy relating to new buildings and structures in historic heritage areas.	Retain policy
	HH-R1	Support	HNZPT supports permitted activity for maintenance and repair to heritage buildings in heritage areas.	Retain rule
	HH-R2	Support	HNZPT supports permitted activity for alterations and additions to heritage buildings and structures in heritage areas that are scheduled.	Retain rule
	HH-R3	Oppose (partial)	<p>HNZPT recommends that Restricted Discretionary activity is proposed for partial demotion of heritage buildings.</p> <p>HH-R3 deals with partial demolition. However, clause R3.1.a refers to internal alterations or additions. This matter is covered in HH-R2 and should not be repeated in HH-R3.</p>	<p>Amend HH-R3 by deleting clause HH-R3.1.a:</p> <p>a. For buildings/structures listed in SCHEDXX– Heritage Buildings and Structures or in an area listed in SCHEDXX – Heritage Areas and identified as a contributing building:</p> <p>‡ The <u>partial demolition</u> alteration or addition is internal</p>

Attachment 1				
Submission of Heritage New Zealand Pouhere Taonga on Hutt City Draft District Plan				
Chapter	Specific Provision	Support or oppose	Reasons for submission	Relief sought Strike: abc = delete Underline: <u>abc</u> = addition
				to the building/ structure; or
	HH-R4	Support	HNZPT supports this rule for the relocation of buildings.	Retain rule
	HH-R5	Support	HNZPT supports this rule for the demolition of non-contributing buildings, and non-complying activity status for identified heritage buildings.	Retain rule
	HH-R6 and HH-R7	Support	HNZPT supports these rules for new buildings and structures on identified heritage sites and heritage areas. A minor amendment to clarify meaning is suggested.	Retain rules, with the following amendment: HH-R6.2 1. The impacts <u>of the new building/structure</u> on the heritage values of the <u>site building/structure</u> .
	HH-S1	Support	HNZPT supports these standards for building bulk and location within heritage areas.	Retain standards
Part 2 – Sites and Areas of Significance to Māori				
	SASM objectives and policies	Support	HNZPT is supportive of these objectives and policies. The fact that <i>rules are still being developed</i> is noted. There is a spelling mistake in the heading of this chapter – ‘significamce’.	Correct spelling mistake: Significamce <u>Significance</u>

Attachment 1				
Submission of Heritage New Zealand Pouhere Taonga on Hutt City Draft District Plan				
Chapter	Specific Provision	Support or oppose	Reasons for submission	Relief sought Strike: abc = delete Underline: <u>abc</u> = addition
Part 2 – Subdivision				
	SUB-O2	Support	HNZPT supports this objective, in particular clause 4, which provides for and protects identified values.	Retain objective
	SUB-P15	Support	HNZPT supports this policy relating to subdivision of land containing a site or area of significance to Māori.	Retain policy
	SUB-P16	Support	HNZPT supports this policy relating to subdivision of land containing heritage buildings and structures.	Retain policy
	SUB-P17	Support	HNZPT supports this policy relating to subdivision of land within heritage areas.	Retain policy
	SUB-R6	Support	HNZPT supports this rule for to subdivision of land containing a site or area of significance to Māori.	Retain rule
	SUB-R7	Support (partial)	HNZPT supports this rule relating to subdivision of land containing heritage buildings and heritage areas. However, there appears to be an error in the heading of the rule, with the word 'structure' missing.	Amend Rule SUB-R7 (heading): Subdivision of land containing heritage buildings or heritage <u>structure</u> or land within a heritage area.
Part 2 – Earthworks				

Attachment 1				
Submission of Heritage New Zealand Pouhere Taonga on Hutt City Draft District Plan				
Chapter	Specific Provision	Support or oppose	Reasons for submission	Relief sought Strike: abc = delete Underline: <u>abc</u> = addition
	Earthworks introduction – other relevant legislation and planning documents	Support	HNZPT supports the sentence referring to the potential need for an archaeological authority.	Retain clause
	EW-O1	Support (partial)	Objective EW-O1 includes a number of important matters, but does not touch on potential effects on historic or cultural values. Including these matters in the objective would improve consistency and flow with other provisions, including EW-P8, EW-P9, EW-R8 and EW-R9.	Add to EW-O1: Earthworks are undertaken in a manner that: <u>Minimises adverse effects on cultural and historic values.</u>
	EW-P8	Support	HNZPT support this policy which recognises the potential effects of earthworks on heritage values.	Retain policy
	EW-P9	Support	HNZPT support this policy which recognises the potential effects of earthworks on sites and Areas of Significance to Māori. The hyperlink of the word 'site' in this policy does not make sense and should be removed.	Retain policy, but undo the 'site' word hyperlink.
	EW-R8	Support	HNZPT supports this rule addressing earthworks on the site of heritage items and within heritage areas.	Retain rule
	EW-R9	Support	HNZPT support this rule addressing earthworks on sites and Areas of Significance to Māori.	Retain rule

Attachment 1 Submission of Heritage New Zealand Pouhere Taonga on Hutt City Draft District Plan				
Chapter	Specific Provision	Support or oppose	Reasons for submission	Relief sought Strike: abc = delete Underline: <u>abc</u> = addition
	EW-S8 and EW-S9	Support	<p>HNZPT supports the presence of standards for earthworks on the site of heritage buildings and sites and areas of significance to Māori.</p> <p>However, a permitted activity standard of 50m² and 0.5m depth in a 12 month period is overly permissive for heritage sites and SASM.</p> <p>HNZPT recommends adopting the earthworks standards in the Wellington PDP (EW-S10), which has a limit of 10m² area and 10m³ in volume.</p>	<p>Amend standards EW-S8 and EW-S9:</p> <p>Earthworks must not exceed:</p> <p>A total area of <u>10m²</u>50m² per site within any 12 month period; and</p> <p>A maximum cut height or fill depth greater than 0.5m (measured vertically).</p>
Part 2 - SIGNS				
General District Wide	SIGN-P6	Support (partial)	<p>HNZPT supports the intent of this policy, however the policy is internally inconsistent with regard to whether it applies to individually scheduled heritage buildings, as well as heritage areas.</p> <p>For consistency, the word <i>historical</i> should be replaced with historic heritage.</p>	<p>Amend SIGN-P6:</p> <p>Heading: Signs on <u>heritage buildings and signs</u> in historic heritage areas</p> <ol style="list-style-type: none"> Any adverse effects on historical <u>historic heritage</u> values associated with the <u>heritage building or</u> historic heritage area.
	SIGN-R6	Support	HNZPT supports this rule controlling signs on heritage buildings and within heritage areas.	Retain rule

Attachment 1
Submission of Heritage New Zealand Pouhere Taonga on Hutt City Draft District Plan

Chapter	Specific Provision	Support or oppose	Reasons for submission	Relief sought Strike: abc = delete Underline: <u>abc</u> = addition
	SIGN-S9	Support (partial)	<p>HNZPT supports the majority of SIGN-S9. However, there are several issues with the standard as drafted.</p> <p>Aspects of the standard are overly strict, particularly that a sign must only consist of text, that replacements signs need to be the same materials, typeface, and colours.</p> <p>Regarding the 'only text' clause, this would unreasonably restrict businesses from displaying their logo or other graphics. Regarding replacement signs, the key consideration is signs of the same size in the same location. Requiring a new tenant to keep the same typeface and colours seems unreasonable.</p> <p>On the other hand, clause 3 should refer to any sign, not just third-party signs. This standard would be clearer if it refers to obscuring 'architectural features' of heritage buildings, rather than the building as a whole.</p> <p>SIGN-S9 should contain a clause that signs on heritage buildings or n heritage areas should not be digital.</p>	<p>Amend SIGN-S9:</p> <p>1.a. Is an official sign, for wayfinding, interpretative content about the heritage item, the name of the building or structure, or consists only of text <u>and/or graphics</u>, and relates to an activity within that building or structure, and ...</p> <p>2. Despite 1., any existing sign may be replaced with another sign of the same size <u>and location</u>, materials, typefaces, colours, and overall design, but different wording and imagery.</p> <p>3. <u>Any</u> A third-party advertising sign must not obscure any <u>architectural feature of a</u> heritage building or heritage structure from the street.</p> <p><u>4. Digital signs are not permitted.</u></p>

Attachment 1 Submission of Heritage New Zealand Pouhere Taonga on Hutt City Draft District Plan				
Chapter	Specific Provision	Support or oppose	Reasons for submission	Relief sought Strike: abc = delete Underline: <u>abc</u> = addition
Part 3 – Medium Density Residential Zone and High Density Residential Zone				
Residential Zones		Oppose	<p>It is noted that there are no character areas or precincts included within the Medium Density and High Density Zones.</p> <p>As part of Plan Change 56 (PC56) several new 'heritage precincts' were proposed (identified in PC56 as HA1, HA3, HA7, HA8, HA9, and HA11).</p> <p>The Hearing Panel's recommendation on PC56 (adopted by Council) rejected these additional heritage precincts, but included commentary that the proposed precincts were possibly better categorised as 'character areas' rather than satisfying the criteria for scheduled historic heritage. The panel made the comment that the precincts 'resemble the character areas in Wellington City' for example Mount Victoria and Thorndon (paragraph 3.7.27). The panel made the further comment that these areas should be dealt with through the ongoing district plan review (paragraph 3.7.30).</p> <p>HNZPT submits that Council should re-assess these areas to determine if any of the precincts proposed in PC56 would meet the criteria of a special character area, and if so, that they be included in the PDP as</p>	HNZPT submits that Council should re-assess the heritage precincts proposed under PC56 to determine if any of the areas would meet the criteria of a special character area, and if so, they should be granted the status of qualifying matters under the NPS-UD, and their character values retained.


Attachment 1 Submission of Heritage New Zealand Pouhere Taonga on Hutt City Draft District Plan				
Chapter	Specific Provision	Support or oppose	Reasons for submission	Relief sought Strike: abc = delete Underline: <u>abc</u> = addition
			qualifying matters under the NPS-UD, and their character values retained.	
Part 3 – City Centre Zone				
City Centre Zone	CCZ-PREC2	Support	The Civic Precinct partially overlaps with the Civic Centre Heritage Precinct (Administration Building and Town Hall). It is appropriate that the CCZ chapter acknowledges the historic character of the civic area. It would be beneficial to include a more explicit cross-reference to the historic heritage chapter, and the schedule of heritage areas.	Retain provisions, and include a comment making explicit the overlap between the Civic Precinct and the Civic Centre Heritage Precinct.
Part 3 – Metropolitan Centre Zone				
	MCZ-PREC1	Support	A significant portion of the MCZ corresponds with the Jackson Street Heritage Area. The introduction to the MCZ chapter appropriately refers to the heritage values of Jackson Street, and MCZ-PREC1 further elaborates on this area, and provides cross-reference to the historic heritage chapter.	Retain provision

Attachment 1 Submission of Heritage New Zealand Pouhere Taonga on Hutt City Draft District Plan				
Chapter	Specific Provision	Support or oppose	Reasons for submission	Relief sought Strike: abc = delete Underline: <u>abc</u> = addition
	MCZ-PREC2	Support	HNZPT supports the Transition Precinct at either end of the Jackson Street Heritage Precinct, as development immediately abutting the heritage precinct has the potential to adversely impact on heritage values.	Retain provision
	MCZ-PREC1-O1	Support	HNZPT supports this objective to retain and enhance the heritage values of Jackson Street.	Retain objective
	MCZ-PREC2-O1	Support	HNZPT supports this objective to sympathetically reflect the heritage values of the Jackson Street Heritage Precinct and the industrial heritage of western Petone.	Retain objective.
	MCZ-PREC1-P1	Support	HNZPT supports this policy to manage the character values of the Heritage Precinct.	Retain policy
	MCZ-PREC1-P2	Support	HNZPT supports this policy which has specific provisions relating to development capacity within the Jackson Street Heritage Precinct.	Retain policy
	MCZ-PREC2-P1	Support	HNZPT supports this policy to manage the character values of the Transition Precinct.	Retain policy
Part 4 – Schedule XX – Heritage Buildings and Structures				
Schedules	Heritage Buildings and structures	Support (partial)	HNZPT supports the overall content of this schedule. It would be beneficial for plan users to have a cross-	Insert the New Zealand Heritage List / Rārangī Kōrero numbers and


Attachment 1 Submission of Heritage New Zealand Pouhere Taonga on Hutt City Draft District Plan				
Chapter	Specific Provision	Support or oppose	Reasons for submission	Relief sought Strike: abc = delete Underline: <u>abc</u> = addition
			reference to the New Zealand Heritage List / Rārangi Kōrero numbers and category. It is also noted that the column 'link to location' is blank at this stage.	category for each item (as applicable). HNZPT is able to provide references for each place.
Schedules	Belmont Coach Road	Oppose	The Belmont Coach Road is scheduled in the Operative District Plan (Sites of Significance to European Culture in Chapter 14E, Items 25 and 26). This heritage place (New Zealand Heritage List number 7711, Category 2) appears to be missing from the Draft District Plan schedules. Belmont Coach Road is included in the Porirua PDP (decisions version) in Schedule 4 (historic heritage sites), which are equivalent to the historic heritage areas in the Draft Hutt plan.	Include Belmont Coach Road in the appropriate schedule. It may fit best in the heritage area schedule.
Part 4 – Schedule XX - Heritage Areas				
Schedules	Heritage areas shown on maps but not in schedules		There are two areas which were proposed as 'heritage precincts' as part of PC56, which appear on the Draft Plan maps as heritage areas, but are not included in the schedules. <ul style="list-style-type: none"> • Terracrete Houses at 44 – 54 Wainuiomata Road 	Confirm whether or not the Terracrete Houses and the State Housing flats are included as heritage items/areas in the Draft District Plan.

Attachment 1 Submission of Heritage New Zealand Pouhere Taonga on Hutt City Draft District Plan				
Chapter	Specific Provision	Support or oppose	Reasons for submission	Relief sought Strike: abc = delete Underline: <u>abc</u> = addition
			<ul style="list-style-type: none"> • State Housing Flats, 1-35 Hardham Crescent <p>Council needs to confirm if these two places are included in the Draft Plan, or are they shown on the maps in error.</p>	
	Jackson Street Heritage Area	Support (partial)	The mapping and extent of Jackson Street Heritage Area is not consistent between the map shown in the schedule, and what is shown on the online maps. The extent of this area was subject to amendment as part of PC56. The hearing panel for PC56 recommended an addition to the Jackson Street Heritage Area (shown below) – this is not reflected in the Draft Plan.	<p>Check the extent of Jackson Street Heritage Area, and add the blue stars into the schedule to show individually scheduled buildings.</p> <p>Amend the Jackson Street Heritage Area to include 354, 358, and 362-362 Jackson Street. This is shown accurately on the maps, but not in the schedule.</p>

Attachment 1
Submission of Heritage New Zealand Pouhere Taonga on Hutt City Draft District Plan

Chapter	Specific Provision	Support or oppose	Reasons for submission	Relief sought Strike: abc = delete Underline: <u>abc</u> = addition
			 <p>In the schedule, the individually scheduled buildings are not shown.</p>	
	Somes Island	Support (partial)	<p>The Somes Island entry in the Heritage Areas Schedule is lacking a legend regarding the red stars – are they individually scheduled, or contributing features?</p> <p>The island should be referred to by its official name of Matiu / Somes, which was assigned by the New Zealand Geographic Board in 1997.</p>	<p>Amend name of entry to Matiu / Somes.</p> <p>Add more information on contributing places and/or individually scheduled items.</p>

Attachment 1
Submission of Heritage New Zealand Pouhere Taonga on Hutt City Draft District Plan

Chapter	Specific Provision	Support or oppose	Reasons for submission	Relief sought Strike: abc = delete Underline: <u>abc</u> = addition
			<p>On the Draft District Plan maps, it appears that the lighthouse on the south coast of the island is excluded from the heritage area (although it is shown in the schedule as a red star).</p> 	<p>Amend map to include the lighthouse.</p>

Saritha Shetty

From: [REDACTED]
Sent: Friday, 15 December 2023 12:48 pm
To: District Plan Team
Subject: [EXTERNAL] draft district plan of [REDACTED]

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Steve

This location is a high residential area. Surrounded by houses and a nearby primary school.

I object to it being turned into a mixed zone allowing for commercial use and three storey level housing. The current buildings on the site were constructed for worship purposes and other low noise community events.

Nature - the sounding houses have a high level of visiting bird life such as the native Tui and Wood Pigeon. This would be dramatically reduced by noise pollution.

Traffic - this part of the street already has a high level of traffic from neighbouring streets and the local Koraunui Primary School.

Parking - we currently have a resident from a neighbouring street parking unused vehicles parking across the road since 25/04/22. This has created a hazard when I have vehicles behind whilst trying to enter my own property.

Crime - Stokes Valley only has one community constable. Commercial buildings in residential areas bring more crime to the area. Stokes Valley has a continuous problematic issue with youth hanging around commercial buildings. The narrowness of the street has no room for more allocated residential parking.

I live by myself in the neighbouring property, and would not feel safe having a commercial property next door.

water infrastructure - the Mayor Campbell Barry is quoted in the Hutt News 14/12/23 stating that council cannot meet the costs for current upgrading. Commercial properties use extreme amounts of water daily.

I saved and worked very hard to afford my house and I don't wish to see the value of it dramatically decrease. Nor do I wish to see the sun disappear.

[REDACTED]

From: [Sean Thompson](#)
To: [District Plan Review Team](#)
Cc: [Stuart Ryan](#); [Jonathan Bhana-Thomson](#)
Subject: [EXTERNAL] Re: Hutt CC Draft District Plan - feedback of New Zealand Heavy Haulage Association Inc
Date: Friday, 15 December 2023 4:17:37 pm
Attachments: [2023_12_15 - Letter to Hutt CC - feedback on Draft Plan.pdf](#)

Dear planning team,

Please see **attached** feedback on behalf of the New Zealand Heavy Haulage Association Inc.

Kind Regards

Sean Thompson | [Junior Barrister](#)

Mobile: +64 21 244 1444

Ākarana Chambers, Level 11, Southern Cross Building, 59 High Street, Auckland

PO Box 1255, Shortland Street, Auckland 1140, New Zealand

<http://stuartryan.co.nz/>

Hutt City Council
30 Laings Road
Hutt Central
Lower Hutt 5010

15 December 2023

Attention: Team leader – Planning

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

Feedback on the Hutt City Council Draft Plan – Rules for Relocated Buildings

1. The House Movers Section of the New Zealand Heavy Haulage Association Inc (the “**Association**”) represents firms and individuals engaged in building removal and relocation throughout New Zealand.
2. Hutt City Council has sought feedback on the Draft District Plan (“**Draft Plan**”).
3. This feedback relates specifically to the management and activity status of the relocation of buildings in the Draft Plan.
4. The Association wishes to ensure that regulatory controls through District Plans properly reflect the purpose and intentions of the Resource Management Act 1991 as expressed in the decision of the Environment Court in *New Zealand Heavy Haulage Association Inc v The Central Otago District Council* (Environment Court, C45/2004, Thompson EJ presiding). In that decision the Environment Court held that there was no real difference in effect and amenity value terms between the in situ construction of a new dwelling and relocation of a second-hand dwelling, subject to appropriate permitted activity performance standards.
5. Since the decision in Central Otago decision, most territorial authorities in New Zealand have either adopted permitted activity classification for relocated buildings (with no standards) or provided for permitted activity status with prescribed performance standards, unless the building is a scheduled heritage building, or located in some special zone for example a conservation zone.
6. There are several aspects to the shifting of buildings, including removal (off a site), relocation (onto a site), and re-siting (within a site).

The specific provisions which this feedback relates to are:

7. All provisions (including objectives, policies, rules, assessment criteria, methods and reasons) regulating the removal, re-siting-and relocation of buildings in the plan, and any definitions relating to removal, re-siting, and relocation of buildings.

Provisions in the Draft Plan – Relocated Buildings

8. There is a definition of “building” in the Draft Plan:

Building: means a temporary or permanent movable or immovable physical construction that is:

Feedback on the Hutt City Council Draft Plan – Rules for Relocated Buildings

a. *Partially or fully roofed; and*

b. *Fixed or located on or in land*

But excludes any motorised vehicle or other mode of transport that could be moved under its own power.

9. There is a definition of 'relocation' in the Draft Plan which states:

to physically shift the location of a building within a site or to remove it from the site. Relocation may include raising or lowering a building or structure.

10. Relocation of historic heritage buildings is provided for in rule HH-R4. The Association takes no issue with heritage provisions for scheduled or identified historic heritage buildings.

11. However, there is no separate activity status or rule for relocation of buildings which are not heritage items. As a consequence, it is not clear whether the draft plan intends to regulate relocated buildings generally, as a discretionary activity, or whether the intent of the draft plan is to provide for relocated buildings as a permitted activity, unless restricted by some heritage or building conservation value.

Reasons for Feedback

12. The Draft Plan definition of "*building*" does not clearly include second hand relocated buildings which are not heritage items.

13. It is therefore not clear that permitted activity status also applies to the relocation of second-hand buildings which are not heritage items.

14. In most zones, an activity which is not provided for is discretionary.

15. The Association **supports**:

a. Modification of the definition of relocation to:

"relocated building: means the relocation of an existing building to another site, but excludes movement of a building within the same title or buildings that are new and have not been used."

b. Express provision in the Draft Plan for the relocation of second-hand buildings (which are not heritage items) as a permitted activity in all zones where building activities are provided for as a permitted activity with performance standards and criteria, as set out in **Schedule 1** attached.

c. Council retaining a degree of control over relocated buildings through the use of performance/permitted activity standards (including through the use of a building pre-inspection report, a recommended template for a pre-inspection report is attached as **Schedule 2**).

Feedback on the Hutt City Council Draft Plan – Rules for Relocated Buildings

- d. Restricted Discretionary activity status for relocated buildings that do not meet the permitted activity status standards.

16. The Association would welcome any opportunity to discuss this feedback with the Plan Committee in advance of notification of the proposed plan.

Yours faithfully



Stuart Ryan
Barrister

Address for Service:

Stuart Ryan
Barrister
By email: stuart@stuartryan.co.nz / jonathan@hha.org.nz

Phone (021) 286 0230

Cc: Jonathan Bhana-Thomson,
Chief Executive
New Zealand Heavy Haulage Association Inc
Wellington

Email: jonathan@hha.org.nz

Feedback on the Hutt City Council Draft Plan – Rules for Relocated Buildings**Schedule 1 – Recommended Performance Standards for Relocated Buildings**

1. Any relocated dwelling complies with the relevant standards for permitted activities in the District Plan.
2. Any relocated building intended for use as a dwelling must have previously been designed, built and used as a dwelling.
3. A building pre-inspection report shall accompany the application for a building consent for the destination site. That report is to identify all reinstatement works that are to be completed to the exterior of the building. The report shall include a certification by the property owner that the reinstatement works shall be completed within the specified 12 month period.
4. The building shall be located on permanent foundations approved by building consent, no later than 2 months of the building being moved to the site.
5. All other reinstatement work required by the building inspection report and the building consent to reinstate the exterior of any relocated dwelling shall be completed within 12 months of the building being delivered to the site. Without limiting (c) (above) reinstatement work is to include connections to all infrastructure services and closing in and ventilation of the foundations.

Schedule 2 - proposed form of pre-inspection report



Building Pre-Inspection Report for Relocation

*New Location Address
Region*

For: *Council Name*

Date of report

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APPENDICES

APPENDIX A – PHOTOGRAPHS

1.0 GENERAL INFORMATION

1.1 Introduction

This Building Pre-Inspection report accurately records the external condition of the *dwelling house/garage/ancillary building* to be relocated and to establish all reinstatement works required to the exterior of the building after relocation to a workmanlike standard and to achieve a tidy appearance to meet requirements of the District Plan .

Limited inspection of the interior has been undertaken for the purpose of the Report.

The Report confirms whether the building is considered Safe and Sanitary.

The Report also identifies site-specific requirements including but not limited to the requirement for; the construction of the new foundations, new retaining walls, service connections, water and sewerage treatment (if applicable).

The Report must be read in conjunction with the condition table and photographs provided, which assist in providing a representation of the condition of the premises prior to the commencement of the relocation.

The Report has been prepared by *Name of Company Name* as per our instruction/agreement dated _____ on behalf of our clients *Name*

1.2 Applicants Contact Details

Applicant:	<i>Applicant (clients) name</i>
Contact address:	<i>Contact address</i>
Telephone:	
Email:	
Any Additional information:	

Agent:	<i>Authorised agent</i>
Contact address:	<i>Contact address</i>
Telephone:	
Email:	
Any Additional information:	

1.3 Building details

Type of building	<i>Dwelling house, garage, ancillary building</i>
Approximate age of building:	<i>Provide date range i.e. 1940-1950</i>
Brief Description:	<i>Number of storeys, approximate size, roof, walls, floor construction, additional features</i>
Proposed site address:	<i>Address of the intended site of the relocated building</i>
Site address where the building was inspected:	<i>Address...</i>
Proposed Use of Building	<i>Dwelling house, residential garage, ancillary</i>
Previous Use of the Building	<i>Relocated building must have been previously designed, built and used as a dwelling (Except previously used garage and ancillary buildings)</i>
Inspection Dates & Weather:	<i>Date and weather at the time of inspection</i>
Inspection by:	<i>Name of inspector</i>
Other persons present:	<i>Name of other parties present</i>
Building Consent Status	<i>Has Building Consent documentation been prepared for the relocation works.</i>

1.4 Reporting Conditions

This Report has been prepared under the following conditions of engagement:

- The survey is based on a visual inspection only; therefore it is not possible to guarantee that all concealed areas containing defects will be accessible (floor voids, roof voids, etc). No intrusive investigation will therefore be undertaken.
- Signs of water ingress will be searched for during the completion of the survey, however the Report cannot warrant that the building is free from water penetration, from defective roofing, cladding, rainwater goods, rising damp or the like unless evident at the time of our visual survey.
- Only areas where safe access is possible have been inspected.
- The Report is provided for the use of the client identified in section 1.1 and the council and may not be used by others without written permission. The writer of this report accepts no liability to third parties who may act on the report.
- This Report must be read in conjunction with photograph and condition tables provided.
- This Report is for the purposes of the District Plan. The Report also requires a safe and sanitary declaration for the purposes of the Building Act 2004.

1.5 Exclusions

This report **does not** include comment about the following:

- a) The structure of the building unless otherwise commented upon;
- b) The surrounding neighbourhood;
- c) The value of the property;
- d) Illegal Works; and
- e) Internal condition of the building unless otherwise commented upon.

Additionally, no search has been made of:

- f) Local Authority rates;
- g) Government Valuation; or
- h) LIM or PIM reports.

1.6 Definitions

The following defines the condition comments of the elements surveyed:

- Good: Items that have suffered minimal weathering, wear or decay and are free from any visual defects.
- Reasonable: Items that have worn through 'normal' use and weathering, and is in commensurate condition to the building age and use.
- Poor: Items that are worn, decayed or weathered either due to the age, abnormal use or lack of maintenance.

1.7 Areas Accessed



Example:

The external envelope of the subject building viewed from ground floor level and where safely accessed by ladder from ground level.



Internally, our inspection was limited to those parts of the buildings that could be safely accessed and a head and shoulders inspection of the roof space.

Access was gained into the subfloor space....

2.0 MANDATORY CONDITION TABLE

RMA 1991 – Mandatory External Reinstatement					
Item	Construction Element	Description	Condition	Required Upgrades & Comments	Photograph
1	Roof	<i>Corrugated iron/fibre cement sheet, concrete tile, metal tile, butynol membrane, other</i>	<i>Good/Reasonable/ Poor</i>	<i>None/ Repaint/ Re-roof etc</i>	 <p><i>Insert multiple photographs if/as required under any of the below sub-headings.</i></p>
2	Spouting and Downpipes	<i>PVC, metal, butynol membrane, other</i>	<i>Good/Reasonable/ Poor</i>	<i>None/ Repaint/ Replace etc</i> <i>Example: Repair all timber fascias, barges as well as rainwater goods to ensure surface moisture discharges into new Council approved outlet at new site location.</i>	

2.0 MANDATORY CONDITION TABLE

RMA 1991 – Mandatory External Reinstatement					
Item	Construction Element	Description	Condition	Required Upgrades & Comments	Photograph
3	Wall Cladding	<i>Fibre cement weatherboard/sheet, timber weatherboard, Board and batten, metal sidings, other</i>	<i>Good/Reasonable/Poor</i>	<i>None/ Repaint/ Replace etc</i>	
4	Foundation cladding	<i>NA</i>	<i>NA</i>	<i>Foundation cladding is to be installed as specified in the Building Consent</i>	
5	Window and Door Joinery	<i>Powder coated aluminium, timber, steel, single glazed, double glazed</i>	<i>Good/Reasonable/Poor</i>	<i>None/ Install new joinery/Repair and redecorate existing joinery</i> <i>Example: Repair and repaint window and door joinery. Replace all broken glass immediately after relocation.</i>	

3.0 BUILDING ACT REQUIREMENTS

This Report is for purposes required by the District Plan. It is not a report to address matters required by the Building Act.

A building consent is required for the relocation of this building and all subsequent works as a consequence. The building work must be designed and undertaken by Licensed Building Practitioners with the appropriate category of licence (certain homeowner exemptions may apply). This Pre-inspection Report must be submitted to council with an application for building consent.

The building consent documents must be provided to council along with the appropriate fees and proof of ownership (Certificate of Title less than 3 months old or sale and purchase agreement for the proposed site).

The site specifics must be appropriately designed to include foundations, considering, layout, sizing, position, bracing, ventilation, access etc.

4.1 SAFE AND SANITARY

Comment is required.

Licensed Building Practitioner MUST give a declaration regarding whether the building is/isn't Safe and Sanitary.

Note:

If the building is not considered safe and sanitary then give reasons. (example: evidence of leaky building)

4.2 HEALTH & SAFETY

Set out below is a description of the health and safety concerns identified.

Example:

Building materials identified are suspected to contain asbestos. This includes, but not limited to fibre cement claddings, vinyl flooring and soffit linings. Asbestos is relatively safe when encapsulated, but is dangerous to health when fibres become air borne. This can occur when the building materials are damaged or become degraded.

No specialist laboratory testing has been carried out to confirm the presence or absence of asbestos or any other material hazardous to health. All comments are based upon a visual inspection only.

It is recommended that a specialist asbestos surveyor be instructed to identify the risks present.

5.0 ESTIMATE OF COSTS OF EXTERNAL REINSTATEMENT WORKS

The estimate of costs of external reinstatement works is the sum of [*to insert*]

Note:

Allow a contingency sum for any damage in transit

“Reinstatement Works” means the extent of the work required to the exterior of the Relocated Building as specified in the Building Pre-Inspection Report for the purposes of the District Plan. The exterior reinstatement works will not include matters regulated by the building legislation or connection to foundations; but may include matters required by the District Plan for work to be undertaken and completed to the exterior of the building to a workmanlike standard and to achieve a tidy appearance, including, without limitation:

- (a) Repair of broken windows and window frames;*
- (b) Repair of rotten weatherboards or other damaged wall cladding;*
- (c) Necessary replacement or repair of roof materials;*
- (d) Cleaning and/or painting of the exterior where necessary e.g. roof, walls, window frames etc;*
- (e) Repair of transit damage; and/or*
- (f) Replacement and painting of baseboards or other foundation cladding.*

6.0 LICENSED BUILDING PRACTITIONER SIGNATURE

I, certify that the information provided is true and correct and that the building described above appears to have applied with the relevant Building Regulations at the time of its construction, and (if a dwelling) the building has been previously designed, built and used as a dwelling (Except previously used garage and ancillary buildings).

Author

Peer Reviewer

Signed:

If undertaken/available

Qualifications *LBP Category, BOINZ, RICS, NZIBS, ANZIA etc*

For and On Behalf of *Company Name*

Address

Inspectors business address

Telephone

Telephone business number

Email

Email business address

7.0 OWNER DECLARATION

As a requirement of the [insert council name] District Plan/Resource Consent, I/we _____ CERTIFY that I/we will ensure that within 12 months from the building being delivered to site the buildings external reinstatement, insulation, heating, infrastructure, closing in, ventilation of foundations, and connections to services (mains or private) will be completed.

I acknowledge that failure to complete any mandatory work identified in 2.0 'Mandatory Condition Table' relating to the reinstatement of the building may lead to council taking enforcement action under the Building Act 2004, or Resource Management Act 1991, including by way of a notice to fix, infringement notice, abatement notice, enforcement order, or prosecution.

Signed:..... (PRINT).....

Owner

Signed:..... (PRINT).....

Owner

Signed:..... (PRINT).....

Owner



Elevation description i.e. Front Elevation

Elevation description i.e. Rear Elevation

Elevation description

Elevation description

Elevation description

Elevation description

<i>Elevation description</i>	<i>Elevation description</i>	<i>Elevation description</i>
<i>Elevation description</i>	<i>Elevation description</i>	<i>Elevation description</i>

Additional Comments and Notes

Saritha Shetty

From: [REDACTED]
Sent: Saturday, 27 January 2024 1:32 pm
To: District Plan Review Team
Subject: [EXTERNAL] Opposition to rezoning of rural land to industrial in Manor Park

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Nathan

Hi,
I spend 3 days every week in Silverstream. While my main concern is increased traffic on the roundabout coming off Haywards, I also feel for my fellow citizens who have bought homes in Manor Park for the rural ambience but who now face adjacent land being rezoned as industrial, with the inevitable increase in noise and loss of habitat for native birds that would result.

I think the land should remain as rural and oppose a change to industrial.

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PROVISION	KEEP, CHANGE, OR CHUCK?	EXPLANATION
DEFINITIONS		
Active recreation activities	Add	Means the use of land and/or sports facilities for organised sport, recreation activities, tournaments, coaching, sports education and clubs. Add in specific activities that need to be captured to cover GWRC activities.
Park facilities	Change	'means land or structures that facilitate the management, use and enjoyment of a public open space, including' Add 'or conservation or recreation activity associated with it' Add - amenity areas and infrastructure camping facilities, houses, huts, shearers quarters, shearing sheds, outbuildings, vehicle bridges crossings, lease or licensee facilities, roads, tracks, plant nurseries, onsite water and wastewater facilities. consider adding in additional definitions for 'Park Amenities', 'Park Infrastructure' or similar to capture range of anticipated activities proposed by GWRC.
Hazard sensitive activity	Keep	It is necessary to include a definition for hazard sensitive activities. The activities identified are appropriate.
High hazard area	Keep	It is important to identify hazard areas in the district plan, and to use a hierarchy to assign the areas into high hazard, moderate hazard or low hazard areas. This definition appropriately includes the stream corridor overlay which aligns with the GW planning guidance document.
Less hazard sensitive	Keep	Query the inclusion of plantation forest(ry). Based on flood events that occurred in early 2023 – Is this really a low hazard sensitivity activity? GW request that this term is amended to state 'Low' instead of 'Less', or similar, and the required changes made throughout the Plan.
Low hazard area	Keep	It is important to identify hazard areas in the district plan, and to use a hierarchy to assign the areas into high hazard, moderate hazard, or low hazard areas. This definition appropriately includes the inundation area overlay which aligns with the GW planning guidance document.
Medium hazard area	Keep	It is important to identify hazard areas in the district plan, and to use a hierarchy to assign the areas into high hazard, moderate hazard or low hazard areas. This definition appropriately includes the overland flowpath overlay which aligns with the GW planning guidance document.

PROVISION	KEEP, CHANGE, OR CHUCK?	EXPLANATION
Natural Hazard	Keep	The definition provided in the draft Plan is appropriate as it refers to the definition in the RMA.
Natural hazard mitigation works	Keep	Previous definition included specific reference to GW (WRC as our official name) given that they have the responsibility under the RMA for construction and maintenance of flood hazard mitigation structures.
Potentially hazard sensitive activity	Keep	It is necessary to include a definition for potentially hazard sensitive activities. The range of activities identified are appropriate. GW request that this term is amended to state 'Medium' instead of 'Potentially', or similar, and the required changes made throughout the Plan.
Sensitive activity	Clarify	Assume that this is a roll over definition related to the national grid. This creates a bit of confusion with the other definitions for hazard sensitive activities, potentially hazard sensitive activities and less sensitive activities.
Specified infrastructure	Keep	It is important to identify public flood control, flood protection and drainage works undertaken by or on behalf of a local authority, as specified infrastructure.
New definition: Motorised Recreation	Add	Add definition as per GW: 'motorised recreation vehicles include four wheel drives (4WD), "side by side" light utility vehicles, trail bikes, quadbikes and high powered electric bicycles (see Land Transport Act).
Name corrections throughout DP	Change	The NZ Gazetted name for Baring Head is 'Baring Head/Ōrua-pouanui' (in this order with a lower case 'p'). This correct name is used in some places but not others e.g. heritage schedules, Coastal Natural character schedule etc see Notice of Treaty of Waitangi Settlement Place Names for Taranaki Whanui ki Te Upoko o Te Ika - 2009-In7381 - New Zealand Gazette
DESIGNATIONS		
WRC10 Wainuiomata/Orongorongo Water Collection Area	Change (for discussion)	Discuss the partial removal of the designation over Wainuiomata Regional Park which is not part of the water collection area. GW have recently been discussing this specific designation with Stephen Dennis, Principal Resource Consents Planner at HCC regarding track upgrade works that we propose to undertake within this designation. He said that the purpose of the designation, while vague, is for Orongorongo water and conservation area – there are no conditions attached to this designation. He said the initial check to see if it falls within the designation purpose would be whether the works serve the conservation of the wider designated area? (i.e. will

PROVISION	KEEP, CHANGE, OR CHUCK?	EXPLANATION
		it serve those undertaking that sort of work). If not, then the works would fall back to the rules of the District Plan.
Existing designations for Flood Protection and Erosion Control	Keep	GW wish to retain their existing designations, and these should roll over into the new designation chapter. Any alterations to existing designations will be explored with HCC early in the new year.
New designations for Flood Protection and Erosion Control AND Parks Management	Add (for discussion)	New designations will be explored with HCC early in the new year.
INF – Infrastructure		
INF-P3	Keep	Policy 3 is appropriate as it requires that infrastructure is resilient to impacts of natural hazards.
INF-P4	Keep	Policy 4 is appropriate as it is required that adverse effects from upgrades or development of new infrastructure are managed, including effects on natural hazard risks.
INF-P13	Change / Clarify	<p>Infrastructure sometimes needs to be established in areas where a hazard is present. It is appropriate this is provided for, where there is an operational or functional need.</p> <p>The current wording of INF-P13(2) and (3) are a bit unclear.</p> <p>(2) requires buildings, structures or earthworks to not significantly increase natural hazard risk in overland flow and stream corridors;</p> <p>(3) requires that increases in natural hazard risk in identified high hazard areas and the overland flow overlay are avoided.</p> <p>This should be amended to have consistency is how the hazards are referred to, noting that stream corridor overlay is a high hazard area and overland flow under (2) should refer to the overlay.</p> <p>(3) seems to contradict (2), as it requires that increases in natural hazard risk in those areas are avoided, but (2) allows for buildings, structures and earthworks where increases to risk are not significant.</p>
INF-R (General)	TBD	<ul style="list-style-type: none"> • It is appropriate to include reference to INF-P3 and P4 within the matters of discretion for all restricted discretionary activities within this chapter. • The general approach of providing for the activities as a permitted activity where they are not within a high hazard area is appropriate.

PROVISION	KEEP, CHANGE, OR CHUCK?	EXPLANATION
		<ul style="list-style-type: none"> The rules do not seem to have accounted for other hazard risk areas (i.e. medium hazard areas). For some activities, it may be relevant to provide for infrastructure within medium hazard areas (overland flowpath overlay). This isn't well addressed in these rules.
INF-R3(1) Upgrading	Keep	<p>INF-R3(1) It is appropriate to provide for infrastructure upgrading in all zones as a permitted activity where the activity can comply with the required standards.</p> <p>The majority of Wainuiomata and East Harbour regional parks in the overlays: Outstanding Natural Features and Outstanding Natural Landscapes. Will mean the upgrade of GW's existing environmental monitoring equipment for air quality and meteorological data that GW operates within the entire EHB and WRP will be a non-complying activity. Confirmed by HCC's Peter McDonald by email "Although not technically fitting within the "infrastructure" definition, these provisions were considered to fit best in the infrastructure chapter as being similar in form and effect as infrastructure such as poles as well as also having a public benefit."</p>
INF-R3(2)	Change	<p>INF-R3(2) When infrastructure upgrading cannot meet the standards under INF-R3(1)(a) it is appropriate to require consent for the activity as a restricted discretionary activity. The matters of discretion are generally appropriate as they specific reference back to policies INF-P3 and P4.</p> <p>However, it is unreasonable for any infrastructure within Outstanding Natural Features, Outstanding Natural Landscapes, High and Very High Coastal Natural Character and Outstanding Coastal Natural Character Overlays, that cannot meet all the permitted standards to become discretionary. This should be amended to read:</p> <p><i>Where:</i></p> <p><i>a. Compliance is not achieved with TR-R3.1; and</i></p> <p><i>b. Not where located in the Outstanding Natural Features, Outstanding Natural Landscapes, High and Very High Coastal Natural Character and Outstanding Coastal Natural Character Overlays.</i></p> <p>This would make activities in those overlays restricted discretionary activities and appropriate conditions should be included to enable assessment of relevant matters such as reference back to policies for those overlays.</p>

PROVISION	KEEP, CHANGE, OR CHUCK?	EXPLANATION
INF-R4(1) New cabinets	Keep	INF-R4(1) It is appropriate to include new cabinets in all zones as a permitted activity where they are not located in a high hazard area.
INF-R4(4)	Keep	INF-R4(4) When cabinets cannot meet the standards under INF-R4(1)(c) it is appropriate to require consent for the activity as a restricted discretionary activity. The matters of discretion referencing back to INF-P3 and P4 are appropriate, as are the requirements to consider alternative locations, changes to risk, likelihood and consequences of failure in natural hazard event and any mitigation measures.
INF-R7(1) New telecommunication poles	Keep	INF-R7(1) It is appropriate to include new telecommunication poles in all zones as a permitted activity where they are not located in a high hazard area.
INF-R7(4)	Change	INF-R7(4) When telecommunication poles cannot meet the standards under INF-R7(1)(c) it is appropriate to require consent for the activity as a restricted discretionary activity. The matters of discretion are appropriate, as they require consideration of alternative locations, impacts on hazard risk, risk of failure in natural hazard event and any mitigation measures. This should include reference to policies INF-P3 and P4 which are relevant. There should also be alignment in the wording of matters of discretion for activities.
INF-R10(1) New underground infrastructure excluding gas transmission pipelines and transmission lines over 100 kV.	Keep	INF-R10(1) It is appropriate to include new underground infrastructure excluding gas transmission pipelines and transmission lines over 100 kV in all zones as a permitted activity where they are not located in a high hazard area.
INF-R10(3)	Change	INF-R10(3) When underground infrastructure cannot meet the standards under INF-R10(1)(b) it is appropriate to require consent for the activity as a restricted discretionary activity. The matters of discretion are appropriate, as they require consideration of alternative locations, changes to risk, likelihood and consequences of failure in natural hazard event and any mitigation measures. This should include reference to policies INF-P3 and P4 which are relevant. There should also be alignment in the wording of matters of discretion for activities.
INF-R11(1)and (2) Underground gas transmission pipeline	Keep	It is appropriate to require underground gas transmission pipelines not within a high hazard area as a discretionary activity and it is appropriate to include this activity as a non-complying activity where it is located within a high hazard area.

PROVISION	KEEP, CHANGE, OR CHUCK?	EXPLANATION
INF-R12(1) New above ground lines including associated support structures, excluding transmission lines over 110kV	Keep	INF-R12(1) It is appropriate to include New above ground lines including associated support structures, excluding transmission lines over 110kV in all zones as a permitted activity where they are not located in a high hazard area.
INF-R12(4)	Change	INF-R12(3) When underground infrastructure cannot meet the standards under INF-R12(1)(c) it is appropriate to require consent for the activity as a restricted discretionary activity. The matters of discretion are appropriate, as they require consideration of alternative locations, changes to risk, likelihood and consequences of failure in natural hazard event and any mitigation measures. This should include reference to policies INF-P3 and P4 which are relevant. There should also be alignment in the wording of matters of discretion for activities
INF-R13 and R14 New above ground lines including associated support structures, that convey electricity over 110kV or above and upgrading lines	Keep	It is appropriate for these activities to be discretionary within the listed zones where they are not located within a high hazard area and it is appropriate for the activity to be non-complying when it is located within a high hazard area.
INF-R17(1) New substations, transformers, switching stations and ancillary buildings for the electricity network not contained in a cabinet	Keep	It is appropriate for these activities to be permitted where they are not located within a high hazard area.
INF-R17(4)	Change	When new substations, transformers, switching stations and ancillary buildings for the electricity network not contained in a cabinet cannot meet the standards under INF-R17(1)(c) it is appropriate to require consent for the activity as a restricted discretionary activity. The matters of discretion are appropriate, as they require consideration of alternative locations, changes to risk, likelihood and consequences of failure in natural hazard event and any mitigation measures. This should include reference to policies INF-P3 and P4 which are relevant. There should also be alignment in the wording of matters of discretion for activities

PROVISION	KEEP, CHANGE, OR CHUCK?	EXPLANATION
INF-R18(1) Telecommunications exchange, not contained in a cabinet	Keep	It is appropriate for these activities to be permitted where they are not located within a high hazard area.
INF-R18(4)	Change	When telecommunications exchanged not in a cabinet cannot meet the standards under INF-R17(1)(c) it is appropriate to require consent for the activity as a restricted discretionary activity. The matters of discretion are appropriate, as they require consideration of alternative locations, changes to risk, likelihood and consequences of failure in natural hazard event and any mitigation measures. This should include reference to policies INF-P3 and P4 which are relevant.
INF -R19(1) Navigational aids, sensing, environmental monitoring equipment (including air quality and meteorological) and tsunami warning devices where mounted on new or existing support structures or existing buildings	Keep	It is appropriate for these activities to be permitted where they are not located within a high hazard area.
INF-R19(4)	Change	When Navigational aids, sensing, environmental monitoring equipment (including air quality and meteorological) and tsunami warning devices where mounted on new or existing support structures or existing buildings cannot meet the standards under INF-R19(1)(c) it is appropriate to require consent for the activity as a restricted discretionary activity. The matters of discretion are appropriate, as they require consideration of alternative locations, changes to risk, likelihood and consequences of failure in natural hazard event and any mitigation measures. This should include reference to policies INF-P3 and P4 which are relevant.
INF-R20(1) and (2) New water reservoirs, water and wastewater treatment plants and water, wastewater and	Keep	It is appropriate that these activities are a discretionary activity when not within a high hazard area and it is appropriate to include this activity as a non-complying activity where it is located within a high hazard area.

PROVISION	KEEP, CHANGE, OR CHUCK?	EXPLANATION
stormwater pump stations, not contained in a cabinet		
INF-R23 (1) and (2) New transport network infrastructure, including cycleways and shared paths	TBD	This rule would require any new transport network infrastructure including cycleways and shared paths to be a discretionary activity when located within a high hazard area. This seems onerous, and GW consider this is a low risk activity?
INF-R24(1) infrastructure not otherwise provided for	Keep	It is appropriate for these activities to be permitted where they are not located within a high hazard area.
INF-24(2)	Keep	It is appropriate to require consent for all other infrastructure not otherwise provided for as a discretionary activity.
NH – Natural Hazards		
Natural hazard overlays	Keep	<ul style="list-style-type: none"> • The table included is appropriate to show the risk hierarchy and the associated flood related natural hazard overlays. This table should clearly state that those flood related areas (stream corridor, overland flow, inundation) all sit within the Flood Hazard Overlay. • The new flooding maps prepared by GW should be included in the district plan maps. • The way the flood hazard overlay policies are worded could be improved. It would be better to separate these out by either activity sensitivity or the type of flood hazard rather than the activity. This would then provide a clearer framework and alignment of the hierarchy risk and hazard type. • All of the rules rely on NH-P9 to assess the activities and the only condition to meet for all activities (where applied) is locating the finished floor level above the 1% AEP flood level. This seems insufficient to be able to actually determine if any activity and/or building is suitably mitigating and minimising effects on/from flood hazards.
NH-O1 Risk from natural hazards in high hazard areas of the Natural Hazard Overlays	Keep	Although the objective discusses natural hazards more generally than just flood hazards, the wording of this objective is acceptable. GW support the wording that subdivision, use and development is to “reduce or avoid increasing” existing risk from hazards. Consider rephrasing of “reduce or avoid increasing”.

PROVISION	KEEP, CHANGE, OR CHUCK?	EXPLANATION
NH-O2 Risk from natural hazards in Low and Medium Hazard Areas of the Natural Hazard Overlays	Keep	The objective to require subdivision, use and development to minimise the risk from hazards to people, buildings and infrastructure is appropriate. This objective could be strengthened by identifying different level of risk through the sensitivity of the activity.
NH-O3 Planned natural hazard mitigation works	Keep	The objective to reduce risk to people, buildings and infrastructure from flood hazards is appropriate. This largely aligns with the GW example.
NH-O4 Natural systems and features	Keep	The wording of this objective generally aligns with the GW planning guidance.
NH-P1 Risk-based approach	Keep	This policy appropriately identifies the key factors of sensitivity, likelihood, and consequences and the operational or functional need. This generally aligns with the GW planning guidance.
NH-P2 Levels of risk	Change	<p>The wording of NHP2(1) generally aligns with the GW Planning Guidance.</p> <p>NH-P2(2) requires buildings in low and medium hazard areas to mitigate the risk from natural hazards as far as practicable. This could be strengthened by requiring that “impacts are minimised” as per the GW planning guidance.</p> <p>The wording of NH-P2(3) generally aligns with the GW planning guidance. This could be strengthened by amending wording from “mitigates the existing risk” to “incorporates mitigation measures to minimise the impacts”.</p> <p>Also recommend that text is added to require that such mitigation must be “to an acceptable level”.</p>
NH-P3 Natural systems and features	Keep	It is important to encourage maintenance and enhancement of natural systems to reduce risk. The wording of this policy is acceptable.
NH-P4 Natural hazard mitigation	TBD	To discuss – may want to suggest that this includes specific reference to stream and river corridor management? This wording is acceptable.
NH-P5 Green infrastructure	TBD	To discuss – this policy encourages use of green infrastructure or mātauranga Māori approaches when undertaking natural hazard mitigation works by the GWRC within NH overlays. Generally aligns with guidance document.
NH-P8 Additions to existing buildings and structures in the Flood Hazard Overlay	TBD	<p>Consideration should be given to splitting these policies out.</p> <p>Consider splitting policies by the sensitivity and risk.</p> <p>NH-P8(1) This wording is acceptable for less sensitive activities is lower risk flood hazard areas.</p>

PROVISION	KEEP, CHANGE, OR CHUCK?	EXPLANATION
		<p>NH-P8(2) This wording is acceptable for less hazard sensitive activities in medium and high flood hazard areas. It requires mitigation on site to minimise risk, not increasing existing risk on adjacent properties and ensuring overland flows and stream corridors are unimpeded and unobstructed.</p> <p>NH-P8(3) This wording is acceptable. The requirements for additions to buildings for potentially hazard sensitive and hazard sensitive activities within inundation areas are generally more stringent than the GW recommendations.</p> <p>NH-P8(4) This wording is acceptable for potentially hazard sensitive and hazard sensitive activities within overland flow paths and stream corridors, and generally aligns with the GW planning guidance document.</p>
<p>NH-P9 Subdivision, use and development in the Flood Hazard Overlay</p>	<p>Change</p>	<p>The only reference to subdivision is the ‘building platforms’, there is no specific mention of subdivision within these policies. Based on this, NH-P9(1) would allow for subdivision in inundation areas with no mitigation. Further clarification on applicability to subdivision is required for this policy.</p> <p>NH-P9(1) This policy allows for new buildings, structures, building platforms and conversion of buildings containing less hazard sensitive activities in the inundation areas. It is recommended that this is amended to include requirements to ensure that they do not impede or block pathways of flood waters and risks to adjacent buildings and people is not significantly increased.</p> <p>NH-P9(2) This wording is acceptable for new buildings and structures, building platforms containing less hazard sensitive activities within overland flow path and stream corridor areas.</p> <p>NH-P9(3) This policy needs to be reconsidered. The wording is: to provide for new buildings, platforms for potentially hazard sensitive and hazard sensitive activities in the inundation areas where:</p> <ol style="list-style-type: none"> a. <i>The risk from the 1% Annual Exceedance Probability Flood to people and <u>buildings</u> is minimised through either:</i> <ol style="list-style-type: none"> i. <i>The implementation mitigation measures;</i> ii. <i>The depth of the flood waters within the <u>building</u>; or</i> iii. <i>The type of activity undertaken within the <u>building</u>; and</i>

PROVISION	KEEP, CHANGE, OR CHUCK?	EXPLANATION
		<p><i>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.</i></p> <p>The matter listed under (a)(ii) does not really make sense and should be reconsidered.</p> <p>NH-P9(4) The wording of the policy is acceptable. This policy could be strengthened to align more with the matters identified for Nh-P9(5).</p> <p>NH-P9(5) The wording of this policy is acceptable. The aim to avoid new buildings and development unless the required matters are met is appropriate.</p>
NH-R7(1) Additions to existing buildings in flood hazard overlay	Keep	Allows for additions to buildings for less hazard sensitive activities in the inundation area of the overlay in all zones as permitted activity with no conditions to be complied with. This is appropriate as there is less risk associated with less hazard sensitive activities.
NH-R8(1)	Change	Allows for additions to buildings for less hazard sensitive activities in overland flow paths and stream corridors in all zones as restricted discretionary. The matters of discretion refer back to the matters is NH-P9. This is the wrong policy reference and should refer back to. Policy NH-P8.
NH-R9(1)	Keep	Allows for additions to buildings for potentially hazard sensitive activities and hazard sensitive activities in inundation areas in all zones as a permitted activity where meeting the condition. The condition requires that finished levels are above the flood level. The wording of this rule and the associated condition are appropriate.
NH-R9(2)	Change	This requires consent as a restricted discretionary activity when not meeting NH-9(1). The matters of discretion refer back to the matters is NH-P9. It is appropriate for this to require consent as a restricted discretionary activity. However, the rule includes the wrong policy reference and should refer back to Policy NH-P8, not P9.
NH-R10(1)	Keep	Additions to existing buildings containing potentially hazard sensitive activities and hazard sensitive activities in overland flow paths is a discretionary activity. It is appropriate to require consent as a discretionary activity for these activities in overland flow path areas. This aligns with the GWRC planning guidance document.
NH-R11(1)	Keep	Additions to existing buildings containing potentially hazard sensitive activities and hazard sensitive activities in stream corridors is a non-complying activity. It is appropriate to require consent as a non-complying activity for these activities in stream corridor areas. This aligns with the GWRC planning guidance document.

PROVISION	KEEP, CHANGE, OR CHUCK?	EXPLANATION
NH-R12(1) New Buildings and Structures and the Conversion of Existing Buildings in the Flood Hazard Areas	Keep	New buildings containing less hazard sensitive activities within inundation areas are a permitted activity. This is appropriate and aligns with G planning guidance.
NH-R13(1)	Keep	Provides for new buildings for less hazard sensitive activities in overland flow paths and stream corridors in all zones as restricted discretionary. The matters of discretion refer back to the matters is NH-P9. This is appropriate and aligns with GWRC planning guidance.
NH-R14(1)	Keep	New buildings and structures and the Conversion of Existing Buildings that will contain Potentially Hazard Sensitive Activities within the Inundation Areas of the Flood Hazard Overlay require consent as a restricted discretionary activity where meeting the required condition. The conditions require floor levels to be above the 1% AEP flood level. The wording of this rule, activity status and the associated condition are appropriate.
NH-R14(2)	Keep	Where the condition under NH-R14(1) cannot be met, consent is required as a discretionary activity. This is appropriate to allow sufficient assessment of risks where the condition under NH-R14(1) is not met. This also aligns with GW planning guidance document.
NH-R15(1)	Keep	New buildings and structures and the Conversion of Existing Buildings that will contain Potentially Hazard Sensitive Activities or Hazard Sensitive Activity within the Overland Flowpaths of the Flood Hazard Overlay in all zones is a discretionary activity where the condition is met. The condition requires floor levels to be above the 1% AEP flood level. This is appropriate and is more stringent than the GW planning guidance document.
NH-R15(2)	Keep	Where the condition under NH-R15(1) cannot be met, consent is required as a non-complying activity. This is appropriate to allow sufficient assessment of risks where the condition under NH-R15(1) is not met. This also aligns with GW planning guidance document.
NH-R16(1)	Keep	Non-complying activity for New buildings and structures and the Conversion of Existing Buildings that will contain Potentially Hazard Sensitive Activities or Hazard Sensitive Activity within the Stream Corridors of the Flood Hazard Overlay. This is appropriate to allow sufficient assessment of such applications.
Rule NH-R17(1) New buildings and structures and the Conversion of Existing Buildings	Change	The rule allows for this activity in all zones as a permitted activity, where finished floor levels are above the 1% AEP flood level.

PROVISION	KEEP, CHANGE, OR CHUCK?	EXPLANATION
that will contain Hazard Sensitive Activities within the Inundation Areas of the Flood Hazard Overlay		This should be a restricted discretionary activity to ensure that the matters in Policy NH-P9(3) are achieved. It is not appropriate to allow new buildings for hazard sensitive activities as permitted activities with only the condition included being to require finished floor levels above the 1% AEP flood level. This should be a restricted discretionary activity to ensure that those matters listed under NH-P9 are met.
Rule NH-R17(2)	Change	The activity would become restricted discretionary is not meeting NH-R17(1) above. As noted above, this is inappropriate for new buildings containing hazard sensitive activities. The activity under (1) should be restricted discretionary and where not meeting the NH-P9 matters, the activity should become discretionary.
Rule NH-R24(1) Flood Mitigation works within the Flood Hazard Overlays	Keep	This rule provides for flood mitigation works within the flood hazard overlay undertaken by either Crown entity, Regional or Territorial Authority an agent on their behalf as a permitted activity. This aligns with GW planning guidance document and is appropriate.
NH-R24(2)	Keep	The activity becomes discretionary where the works are not undertaken by the noted agencies. This is appropriate.
NATC – Natural Character		
NATC – General		<ul style="list-style-type: none"> • Introductory text states: <i>Setbacks from waterbodies and the coast to address natural hazard risks are located in the Natural Hazard Chapter.</i> General note that there are no standards or setback requirements set out in the Natural Hazards chapter. • No allowance for maintenance or repair of existing buildings and structures within Coastal Margins and Riparian Margins in NATC rules. However, covered under e.g. NFL-R6 or CE-R6. • check with HCC whether these activities will be covered by NOSZ rules? Or rules relating to overlays below?
NATC-P3 Vegetation removal within coastal margins and riparian margins	Keep	This policy provides for vegetation removal in the noted areas where it is required for natural hazard management works. This is suitably enabling to provide flood protection works to be undertaken. This also allows for vegetation removal works to be undertaken for safe operation of tracks, restoration and conservation activities. This is generally enabling of open space maintenance works.

PROVISION	KEEP, CHANGE, OR CHUCK?	EXPLANATION
NATC-P5	Change	Add <i>c. 'Unless provided for in the reserve management plan'</i>
NATC-R4 Land use activities within coastal margins and riparian margins (RBR)	Change / Clarify	<p>No definition or clarification regarding 'land use activities'. Discretion restricted to NATC-P4 and P5 which relate to appropriate and inappropriate use and development. Appears all-encompassing.</p> <p>The district-wide rules trump the NOSZ rules and will mean consent will be required for <u>all</u> activities in the coastal and riparian margins in the regional parks (referring to GW operational activities specifically).</p> <p>Toitū te Whenua is not detailed enough to cover GW operational activities. These activities are generally covered by rules in the NRP/NES also.</p> <ul style="list-style-type: none"> • Need clarification from HCC re: which rule would prevail e.g. NATC-R4 or NFL-R4 or CE-R4? <p>Add to PA 'Unless provided for in the reserve management plan' as land use activities (undertaken by others) within the regional parks are managed by Toitū te Whenua.</p> <p>And add a PA specifically related to LU activities within BEL, EHB and WRP for specific purposes of: <u>parks maintenance and repair</u>, <u>recreation activity</u> and/or <u>conservation activity</u>. (All defined in proposed DP and would cover off the majority of the operational activities, except earthworks perhaps).</p>
NATC-R5 New, Alteration of or Addition to Buildings and Structures within Coastal Margins and Riparian Margins	Change / clarify	<p>Permitted where buildings or structures are for hazard mitigation activities and undertaken by a statutory agency or their nominated contractor or agent.</p> <p>This is appropriate to ensure that flood protection works could be undertaken by GWRC. (GWRC Comment): Definition of buildings/structures in the existing DP has been changed in the proposed DP to be consistent with the national planning standards. Agree with definition change, however this has large implications for GW operational works – existing DP rules allow smaller structures as a permitted activity (e.g. gates, retaining walls).</p> <p>Will mean <u>all</u> new, alterations and additions to buildings and structures within Coastal Margins and Riparian Margins that are not for "hazard mitigation activities" will require consent. Overly onerous and a big change from current DP. Toitū te Whenua is not detailed enough to cover GW operational activities relating to addition/alteration of buildings and structures.</p>

PROVISION	KEEP, CHANGE, OR CHUCK?	EXPLANATION
		<ul style="list-style-type: none"> Also need clarification from HCC re: which rule would prevail e.g. NATC-R5 or NFL-R7 or CE-R7? E.g. minor erosion protection retaining structure within 10m of the Wainuiomata river will be PA under NATC-R5 but require consent under NFL-R7. <p>Add a PA condition specifically related to activities within BEL, EHB and WRP for specific purposes of: <u>parks maintenance and repair</u>, <u>recreation activity</u> and/or <u>conservation activity</u>. (All defined in proposed DP and would cover off the majority of the operational activities, except earthworks perhaps).</p>
NFL – Natural Features and Landscapes		
NFL – General	Change	<ul style="list-style-type: none"> These rules are too restrictive. Need to provide for public amenity infrastructure and recreational activities. Should consider introduction of more enabling policies and rules for activities and works undertaken by DOC, regional or territorial authorities for activities provided for in specific management plan for sites.
NFL-P5 Existing use and development in ONFL	TBD	<p>The policy includes provision for existing land uses and associated buildings and structures where (1) it is of scale and nature that maintains or restores the identified characteristics and values, or (2) it is associated with farming activities for an established working farm and maintains identified characteristics; or (3) it is for maintenance and operation of existing public track and any ancillary structures and is undertaken by DOC, regional or territorial authority.</p> <p>This would allow for some structures required where associated with existing activities occurring on park sites.</p> <p>It would only need to meet one of these. (1) is relatively permissive and would just require that any building/structure is of a scale and nature that maintains/restores the characteristics.</p> <p>Could be worth trying to also add in (4) It is associated with recreational activities undertaken by DOC, regional or territorial authority and maintains identified characteristics of the ONFL.</p>
NFL-P6	TBD	<p>This policy allows for new land use activities, buildings, and structures in ONL/ ONFs outside coastal environment where it is of a scale and nature that protects the values. This is acceptable.</p>

PROVISION	KEEP, CHANGE, OR CHUCK?	EXPLANATION
		<p>Within coastal environments and within ONL requires that adverse effects on values are avoided and includes range of other matters to consider. The matters seem reasonable. The requirement to avoid adverse effects on the values may be problematic depending on what the specified values are.</p> <p>For ONFs in the coastal environment, the policy is more restrictive and for new buildings and structures the directive is to avoid new buildings and structures unless adverse effects on characteristics and values are avoided and there is a functional and operational need for the building / structure. Consideration for the need to provide for public amenities should be included to enable provision for buildings and structures within open spaces. Specific inclusion for references to open space zones managed by authorities should be included. For example, under (5), after (b) include “: or (c) the new buildings and structures are within park / open space areas managed by DOC, or regional or territorial authorities and the new buildings and structures are for the purpose of public recreation.</p>
NFL-R4(1) and (2) New Land Use Activities in Outstanding Natural Features or Landscapes	Keep	<p>This is permitted where it is within an ONL outside the coastal environment and the activity is also permitted in the underlying zone and complying with relevant zone standards. This is reasonable and acceptable.</p> <p>It would become a restricted discretionary activity under Rule NFL-R4(2) where it is within the coastal environment, or is not permitted in zone or is restricted discretionary under the zone rules. The matter of discretion in NFL-P6 which is reasonable for ONLs.</p> <p><i>Same comments/changes requested as NATC-R4 above (and CE-R4 below).</i></p> <p><i>ONFL overlays proposed for entire Parangarahu Lakes block, entire Baring Head, entire Wainuiomata RP & catchment area, meaning consent required (no PA).</i></p> <p><i>Add: ‘2. Unless permitted via the reserve management plan’</i></p>
NFL-R4(3) and (4)	Change	<p>Within an ONF outside coastal environment, the activity is restricted discretionary and the matter of discretion is NFL-P6. The matters within the policy for new activities are reasonable. However, within the coastal environment, it would become discretionary. Noting that some of the activities proposed within parks may fall outside of typical park amenities (visitor accommodation, shearing sheds, etc), this would likely be an issue for GW.</p> <p>Under the RD activity, suggest including (b) the land use activity is located in an ONF within the coastal environment and is associated with public recreation and being undertaken by</p>

PROVISION	KEEP, CHANGE, OR CHUCK?	EXPLANATION
		DOC, territorial or regional authority. The matters of discretion would still apply and are considered to be reasonable. The discretionary activity would also need to be amended to exclude the activities identified in NFL-R4(3)(b).
NFL -R7(1) New, Alteration of or Addition to Buildings and Structures in Outstanding Natural Features and Landscapes	Keep	<p>It is reasonable for this activity to be a restricted discretionary activity where located in an ONL outside the coastal environment and the matter of discretion is NFL-P6. The matters within the policy for buildings and structures are reasonable.</p> <p>It is unclear why this is separate from the activities in NFL-R7(2). The only difference is requiring compliance with NFL-S3 which are standards for new buildings. This would suggest that new buildings in an ONL outside the coastal environment do not need to comply with that standard, however there is nothing to say that this standard does not apply to NFL-R7(1).</p> <p><i>Same comments/changes requested as NATC-R5 above.</i></p> <p><i>ONFL overlays proposed for entire Parangarahu Lakes block, entire Baring Head, entire Wainuiomata RP & catchment area, meaning consent required (no PA). Further, within ONF and CE these will be NC activity (e.g. entire EHB).</i></p>
NFL-R7(2)	Change	<p>Would make more sense for (1) to be deleted and just have (2) include “in an ONL within or outside the coastal environment” since it’s the same activity status.</p> <p>As per comments above, there should also be provision for buildings located in an ONF within the coastal environment associated with public recreation and being undertaken by DOC, territorial or regional authority. The matters of discretion would still apply and would be sufficient to enable Council to review the design of any new structure and ensure that the values of the ONF/ONL are maintained. The discretionary activity would also need to be amended to exclude the activities identified in NFL-R7(2).</p> <p><i>Same comments/changes requested as NATC-R5 above.</i></p> <p><i>ONFL overlays proposed for entire Parangarahu Lakes block, entire Baring Head, entire Wainuiomata RP & catchment area, meaning consent required (no PA). Further, within ONF and CE these will be NC activity (e.g. entire EHB).</i></p>
NFL-R7(3) and (4)	Change	<p>It is reasonable for activities not meeting NFL-S3 to be a discretionary activity.</p> <p>It is not reasonable for any new building or structures within an ONL in the coastal environment or within an ONF outside the coastal environment to be discretionary. Within the coastal environment, new buildings in an ONF are non-complying.</p>

PROVISION	KEEP, CHANGE, OR CHUCK?	EXPLANATION
		<p>This is very restrictive. With suggested provisions for public recreation activities and associated structures included within policies and rules, this would appropriately allow for GWRC activities that are required within parks.</p> <p>Same comments/changes requested as NATC-R5 above.</p> <p>ONFL overlays proposed for entire Parangarahu Lakes block, entire Baring Head, entire Wainuiomata RP & catchment area, meaning consent required (no PA). Further, within ONF and CE these will be NC activity (e.g. entire EHB).</p>
NFL – S3 building and structures	Keep / Clarify	<p>Check that there is no conflict between the zone standards and the standards specified in NFL-S3. Otherwise would need (1) to be amended to specify what standards are applicable within zones.</p> <p>The matters of discretion seem to be reasonable.</p>
CE – Coastal environment		
CE – General	TBD	<ul style="list-style-type: none"> • Need to provide for public amenity infrastructure and recreational activities. • Should consider introduction of more enabling policies and rules for activities and works undertaken by DOC, regional or territorial authorities for activities provided for in specific management plan for sites.
CE-R4 Land Use Activities in the Coastal Environment (RBR)	Change / Clarify	<p>Same comments/changes requested as NATC-R4 and NFL-R4 above.</p> <p>Will be a discretionary activity for all land use activities located within a High or Very High Coastal Natural Character Area (e.g. entire EHB).</p>
CE-R7 New, Alteration of or Addition to Buildings and Structures in the Coastal Environment (RBR)	Change / Clarify	<p>Same comments/changes requested as NATC-R5 and NFL-R7 above.</p> <p>CE covers almost entire EHB – at best will be RDA.</p>
CE-R8 to CE-R22 Additions to existing/new buildings and structures for Hazard Sensitive Activities in the Coastal Hazard Overlays (RBR)	Clarify	<p>Need clarification from HCC:</p> <ul style="list-style-type: none"> ➤ CE-R8 and others refer to ‘all Coastal Hazard Overlays’ - does this mean specifically the coastal inundation overlays and the tsunami hazard overlays? ➤ CE-R9 and others refer to ‘low coastal hazard overlays’, but I can only find a ‘low’ overlay in the tsunami hazard overlay - is this correct? ➤ Which rule would prevail if the overlays overlap? e.g. NATC-R7 or NFL-R7 or CE-R7 or CE-R8/R9/R10

PROVISION	KEEP, CHANGE, OR CHUCK?	EXPLANATION
		Park facilities appears in the definition of both Less Hazard Sensitive Activities and Potentially Hazard Sensitive Activities . Please clarify which definition prevails and therefore which rules apply?
SUB – Subdivision		
SUB_General		<ul style="list-style-type: none"> The matters of discretion of subdivision within the flood hazard overlay should specifically refer back to the natural hazard chapter policies. Currently, the matters of discretion only refer back to SUB policies 9 and 22 which do not adequately capture all of the relevant matters for natural hazards and the natural hazards policies specifically reference subdivision.
SUB-O2	Keep	The policy requires subdivision manage the risk from natural hazards including coastal hazards. This overarching policy is appropriate to capture the importance of natural hazard risks.
SUB-P8	Keep	The policy is around esplanade requirements and requires provision of esplanade reserves and strips adjacent to the CMA, rivers, and lakes to maintain and enhance natural hazard resilience, and only allow for reduction or waiver of requirements where the reduced width is sufficient to manage risk of adverse effects resulting from natural hazards. This is appropriate to capture the importance of buffers to manage and minimise natural hazard risk.
SUB-P22	Keep	This policy requires a risk based approach to the management of subdivision of land affected by natural hazards based on the sensitivity of the activities to impacts of natural hazards and the hazard posed. Although this applies to all natural hazards it captures the requirement to consider both likelihood and consequence of natural hazard events.

PROVISION	KEEP, CHANGE, OR CHUCK?	EXPLANATION
SUB-R14(1) subdivision within the inundation area of the flood hazard overlay	Change / Clarify.	Controlled activity where subdivision creates building platforms for less hazard sensitive activities or potentially hazard sensitive. This rule looks unfinished? Approach is generally acceptable and refers back to appropriate policy – SUB-P22. The restricted discretionary activity status for hazards sensitive activities in the inundation area is appropriate. Should refer back to Natural Hazard chapter policies to address the relevant matters especially since the policies in that chapter also refer to building platforms.
SUB-R14(2)	Change / Clarify.	It is appropriate for subdivision for hazard sensitive activities in the inundation area to require consent as a restricted discretionary activity. Approach is generally acceptable and refers back to appropriate policy – SUB-P22. Should really refer back to Natural Hazard chapter policies to address the relevant matters especially since that chapter also refers to building platforms.
SUB-R15(1)	Change / Clarify	Subdivision within the overland flow path for less hazard sensitive activities is a restricted discretionary activity. This activity status is appropriate. Approach is generally acceptable and refers back to appropriate policy – SUB-P22. The restricted discretionary activity status for hazards sensitive activities in the inundation area is appropriate. Should really refer back to Natural Hazard chapter policies to address the relevant matters especially since that chapter also refers to building platforms.
SUB-R15(2)	Keep	It is appropriate for subdivision for potentially hazard sensitive and hazard sensitive activities within overland flow paths to be a discretionary activity. This aligns with GW planning guidance document.
SUB-R16(1)	Keep	It is appropriate for subdivision for less hazard sensitive, potentially hazard sensitive or hazard sensitive activities to be non-complying within the stream corridor overlay. This aligns with GW planning guidance document.
EW – Earthworks		
EW- GENERAL	TBD	<ul style="list-style-type: none"> • The policies listed are generally acceptable, although quite detailed for a policy. • Generally, does not seem to align with policies provided within natural hazard chapter well. These need work.

PROVISION	KEEP, CHANGE, OR CHUCK?	EXPLANATION
		<ul style="list-style-type: none"> • For earthworks in natural hazard areas, there should be reference back the NH chapter policies. • There should be permitted rules for earthworks in ONFL overlays. This is quite restrictive.
EW-O1	Keep	Appropriately references that earthworks must not cause or exacerbate risks from natural hazards. It is important to have this included in the overarching objective.
EW-P5 Earthworks within flood hazard overlays	Change / clarify	<p>This provides for earthworks where they do not significantly increase the flood risk when compared to existing situation to the site or neighbouring properties through displacement or conveyance.</p> <p>Does this approach of “do not significantly increase” align with the approach within the natural hazards chapter. Seems confusing to have earthworks related policies within the natural hazard chapter but then also refer to natural hazards in the earthworks chapter. Should really be kept in one place.</p>
EW-P6 – Earthworks associated with natural hazard mitigation works.	Change / clarify	<p>As above, this provides for specific earthworks commentary of natural hazard mitigation works and green infrastructure which are also somewhat covered in the natural hazards chapter. Would be best to keep all natural hazard related policies together rather than split across the various activities.</p> <p>The policies listed are generally acceptable, although quite detailed for a policy and does not seem to align with policies provided within natural hazard chapter well. This needs work.</p>
EW- R2, R3, R4, R5 (RBR)	Support	PA rules and associated standards for general earthworks, including public walking and cycling tracks e.g. Belmont RP
EW-R5 (1) Earthworks within flood hazard overlays	Change / clarify	Permitted where not located in overland flow path or stream corridor, or, if located within these areas, the finished ground level must be the same as existing prior to start of works. Oddly worded. Could be clarified.
EW-R5(2)	Change	Restricted discretionary where not meeting rule above. Matter of discretion is Policy 5 which is generally appropriate. Should also refer back to specific policies within the natural hazards chapter.

PROVISION	KEEP, CHANGE, OR CHUCK?	EXPLANATION
EW-R6 and R7	TBD	Permitted where undertaken by either Hutt City Council, Greater Wellington Regional Council, Waka Kotahi NZ Transport Agency, CentrePort, Wellington Water or a nominated contractor or agent for the express purpose of Natural Hazard Mitigation Works. This is appropriate and has no permitted conditions to be met for R6 only R7. This does not include any reference to Policy P6 so assume that only applies if the activity becomes discretionary. For R7(2) which is restricted discretionary, this might also need to refer back to natural hazard policies.
EW-R6(2)	TBD	Jumps to discretionary if not meeting rule above.
EW-R11 Earthworks within Outstanding Natural Landscapes and Features	Change	Would appear that at a minimum earthworks would be Restricted discretionary for open space zones within ONFL and outside coastal environment; and would be discretionary where not meeting EW-S10 or non-complying if located within coastal environment. If it became discretionary, rules specifically state that assessment by suitably qualified landscape architect is required. These rules are onerous and restrictive and should allow for earthworks for specified activities. The non-complying rule is onerous. Within WRP – Even earthworks <100m ² within any 12 month period that are not related to walking tracks within WRP will require consent as RDA; >100m ² will be DA. Within EHB (within the CE) - <u>any</u> earthworks that are not permitted (e.g. for the maintenance of existing public walking and cycling tracks) will default directly to a NC activity.
EW-R12 Earthworks within Coastal Margins and Riparian Margins (RBR)	TBD	Except for earthworks for the maintenance of existing public walking and cycling tracks, all earthworks (all area/volumes/heights) within BEL, EHB and WRP within 10m horizontal distance of a river will require consent (RDA or DA).
EW-R13 Earthworks within High, Very High Coastal Natural Character Areas (RBR)	TBD	Except for earthworks for the maintenance of existing public walking and cycling tracks, all earthworks (all area/volumes/heights) within Northern Forest and along margins of Parangarahu lakes (EHB) will require consent (RDA if can meet EW-S12, otherwise DA).
Earthworks within overlays	Clarify	Need clarification from HCC: Which rule EW R11-R13 would prevail if the overlays overlap?

PROVISION	KEEP, CHANGE, OR CHUCK?	EXPLANATION
GENERAL		
Part 3 – Area-Specific Matters ZONES Open Space and Recreation Zones Natural Open Space Zone	Change	<p>The text references <i>The zone primarily provides for the operation and development of large parks, reserves and gardens owned and/or administered by Hutt City Council, Wellington Regional Council or the Department of Conservation. These include East Harbour Regional Park, Belmont Regional Park and the Wainuiomata/Orongorongo Water Collection Area.</i></p> <p>The primary purpose of the Wainuiomata/Orongorongo Water Collection Area is water collection and maintenance of forests for this purpose. Its closed to public access other than by permit. Either remove reference to it in this sentence or separate to have a separate section to say: ‘The primary purpose of the Wainuiomata/Orongorongo Water Collection Area is maintenance of natural values for drinking water collection and supply purposes’.</p>
Part 4 – Appendices, SCHEDULES, SCHEDXX - Heritage Structures and Buildings and Heritage Areas	Correct	<p>Item 167 in the Schedule for Heritage Buildings and Structures, the name description is ‘Baring Head lighthouse’. In Schedule xx for ‘Heritage Areas’, the map showing ‘boundary of heritage area’ encompasses both the Maritime NZ lighthouse and the lighthouse complex in East Harbour Regional Park.</p> <p>Either correct the map to just the Maritime NZ lighthouse, or amend the schedule to include lighthouse complex in the regional park (which is now on the New Zealand Heritage List Rārangī Kōrero)</p>
Part 4 – Appendices, SCHEDULES, SCHEDXX - Heritage Structures and Buildings and Heritage Areas	Add	<p>No reference was found to Old Coach Road which traverses Belmont Regional Park. Its also on the New Zealand Heritage List Rārangī Kōrero and could be added to the schedules</p>
Part 2 – District-Wide Matters NATURAL ENVIRONMENT VALUES -Natural Features and Landscapes	Change	<p>Add as an extra point in items 1-5 add ‘directions of the operative reserve management plan’</p>
UFD-O1	Change	<p>Support this clear direction to emphasise intensification and for greenfield development to be sequenced and planned; this is consistent with the RPS (operative and proposed). Suggest strengthening the direction to greenfield development.</p>

PROVISION	KEEP, CHANGE, OR CHUCK?	EXPLANATION
		The city's urban form consolidates and intensifies the existing urban area, with greenfield development only taking place within identified areas <u>where it would contribute to a well-functioning urban environment.</u>
UFD-O2	Keep	Strongly support this objective.
NOSZ – Natural Open Space Zone		
NOSZ – GENERAL	Change / Clarify	<ul style="list-style-type: none"> • Introduction to zone provides for wide range of activities but not clear whether definitions appropriately reflect the range of anticipated activities and the associated structures. • The standards seem reasonable. • Need to change reference to mobile commercial activities. This is too narrow. • Also need to have definition amended to capture specific activities anticipated. • The general approach of identifying enabled, potentially compatible and incompatible activities is appropriate. Definitions should align with these categories. I.e. there should be a list of activities and the categories that they fall under. The rules should then be updated to reflect the list of activities. • Very specific activities listed such as 'motorised recreation' should be defined. • Consider adding in more specific activities, if not captured by the definitions for the general activities listed. E.g. visitor accommodation, camping grounds, club rooms, recreation facilities, public amenities, park infrastructure etc.c • NOSZ Section titled 'Note' referencing HCC owned land: Suggest rewording this section to: <i>'All activities and uses on land owned by the City of Lower Hutt in Regional Parks must be in accordance with the Reserves Act S17 Agreements for GWRC Control and Management of these reserves, and the operative reserve management plan.</i> • The S17 agreements address the detail already and should be referenced. If the current text is kept, it needs to reference other permission mechanisms e.g. <i>permits, concession agreements.</i> • <i>All activities and uses on land in regional parks must obtain permission (such as a licence or lease) from Wellington Regional Council. This is in addition to, and</i>

PROVISION	KEEP, CHANGE, OR CHUCK?	EXPLANATION
		<p><i>resource consent requirements under the District Plan. Belmont Regional Park, Wainuiomata Regional Park and East Harbour Regional Park.</i></p> <p>Not all activities require permission. There is a hierarchy of permissions. Many activities are 'allowed' or 'managed' via permits. Higher impact or longer-term activities require concessions, leases or licences. Clarify and change e.g.:</p> <p><i>Some uses and development activities and uses on land in regional parks, as identified in reserve management plans, require permissions (such as a licence or lease) from Wellington Regional Council.</i></p>
NOSZ-O2	Change	Policy appropriately anticipates some buildings and structures (a low level of built form) principally ancillary to informal recreation activities or conservation activities.
NOSZ-P2	Change	Provide for built development including: small buildings and structures, park facilities designed and located at a scale to support passive recreation activities, conservation and customary activities that do not adversely affect the natural character and amenity values. The policy provides for buildings for a range of activities. It may be necessary to ensure that the definitions provide for the range of activities GWRC expect to undertake. Could also include reference to Reserve Management Plans within the policies.
NOSZ-P4	TBD	Potentially compatible activities – These seem reasonable. See general comments above.
NOSZ-P5	Change	<p>Incompatible activities – These seem reasonable, however all of the listed activities should be defined within the definitions. 'Motorised recreation' is not defined.</p> <p>See comments on definitions.</p> <p><i>Remove 'motorised recreation' from the list of incompatible activities</i></p> <p><i>Remove hours of use. These are addressed in the necessary permissions for activities.</i></p> <p><i>Or, Add 'Unless permitted in the relevant <u>reserve management plan for the site</u>'</i></p>
NOSZ-R3 Construction, alteration and additions to buildings and structures, including additions	Change	<p>Permitted where compliance with standards NOSZ-S1 – S5.</p> <p>Jumps to discretionary if not meeting those standards. This seems unreasonable. Should become restricted discretionary if not meeting standards.</p>
NOSZ- R4 – R11	TBD	Provides for wide range of activities. Need to check definitions more closely.
NOSZ-R13 Visitor accommodation	Change	<p>Provides for visitor accommodation where purpose is for people accessing the park/reserve, the activity is provided for in a reserve management plan.</p> <p>Should be clarified whether this is an 'and' or 'or'. Not clear.</p>

PROVISION	KEEP, CHANGE, OR CHUCK?	EXPLANATION
		<p>Jumps to non-complying if not meeting the rule. Also does not include any relevant standard conditions to comply with.</p> <p>There probably should be provision for RD status with relevant policies to assess against.</p>
NOSZ-R14 Commercial activities	Change	<p>Permitted where mobile commercial activities are ancillary to passive recreation and conservation activities, the mobile commercial activity is provided for in Reserve Management Plan; and hours of operation are limited to 8am – 5pm.</p> <p>This seems to have been drafted for a very specific purpose.</p> <p>Amend to enable commercial activities generally where provided for in a reserve management plan.</p> <p>Need to consider what other commercial activities are likely to occur and need to be provided for, especially if leases to commercial operators is expected. Will need to potentially provide for more specific activities. As noted, these should be captured through definitions.</p> <p>Appropriate for RD activity status where not meeting permitted conditions. Appropriately refers back to NOSZ-P4.</p> <p>Non-complying where not meeting (a) which is that mobile commercial activities are to be ancillary to passive recreation and conservation activities. Might be difficult to provide a clear cut link between commercial activities and passive recreation?</p> <p>Also non-complying if not a mobile commercial activity. This should be amended. ‘Mobile commercial activity is too narrow. Consider alternative such as ‘temporary activity’. ‘temporary leaseholder up to XX days per month or XX months per year’.</p>
NOSZ-R15 residential activity	Change	<p>Discretionary where residential activity is for caretaker’s residence. Non-complying if not meeting this. Suggest this should be restricted discretionary and include specific matters of discretion to ensure open space values are maintained.</p> <p>Change from Discretionary to Permitted or add ‘Unless provided for in the reserve management plan’</p> <p><i>Rationale - The Reserves Act addresses this. We have residential ranger accommodation in Regional Parks for management purposes.</i></p> <p>Suggest amendment to be a restricted discretionary activity where the purpose is to provide for caretakers residence or park ranger accommodation.</p>

PROVISION	KEEP, CHANGE, OR CHUCK?	EXPLANATION
NOSZ-R16 motorised recreation	Change	<p><i>Change to Permitted, and add, 'in accordance with the relevant reserve management plan for the site</i></p> <p>Consider adding in permitted rule for motorised recreation where provided for in a reserve management plan for the site. Would still need to include some permitted standards to cover off potential adverse effects because motorised recreation covers 4wds to electric bikes.</p> <p>Would then require a restricted discretionary activity status if not meeting permitted standards.</p>
NOSZ-R17 any other activity not provided for	TBD	<p>Discretionary – need to be careful to see what would fall into this category. Best chances would be to get appropriate activities captured in definition.</p>
NOSZ-S4 Maximum gross floor area	Change	<p><i>Consider existing park buildings exceeding 100m2 including park houses, shearing sheds, storage buildings.</i></p> <p>As noted above against Rule NOSZ-R3 it should restricted discretionary where the standards are not met, rather than the discretionary status identified.</p>
OSZ – Open Space Zone		
OSZ – General	Change / Clarify	<ul style="list-style-type: none"> • The general approach of identifying enabled, potentially compatible and incompatible activities is appropriate. Definitions should align with these categories. I.e. there should be a list of activities and the categories that they fall under. • All references to other zone rules should be deleted. There are rules in this chapter listed for NOSZ and Sports and Recreation Zone. • There should be more provision for activities in accordance with reserve management plans. • General comment – see comments made on NOSZ.
OSZ-O2	Change.	<p>“Character and amenity characterised by open vegetated landscapes with low level of built development; small scale buildings and structures that directly relate to maintenance of open space, passive and active recreation or support community use of public open space...”. This is appropriate to support a range of uses and supporting structures. Could do with amendment to change ‘directly relate to’ to something a bit more open.</p>

PROVISION	KEEP, CHANGE, OR CHUCK?	EXPLANATION
OSZ P1	Keep	The policy is very broad which is good. As noted above, suggest that there should be a list of example activities in definitions that state what enabled activities are.
OSZ-P2	Change / clarify	Potentially compatible activities – These seem reasonable. See general comments above.
OSZ-P3	Change / clarify	Incompatible activities – These seem reasonable. However, see comments on NOSZ. See general comments above.
OSZ-R1 Construction, alteration and additions to building and structures.	Keep	Permitted where meeting standard OSZ-S1-S7. Becomes RD if not meeting the standards. Specifically refers to matters of discretion for respective infringed standard. This is appropriate.
OSZ-R4-R10	Keep	Range of permitted activities with no relevant standards to comply with. This is appropriate.
OSZ-R11 Visitor centres	TBD	Activity is listed as RD. List of matters of discretion are very specific. May need to discuss. Why does this have a very specific list compared to other activities?
OSZ-R14 – Commercial activities	Delete	As per comments on NOSZ-R14. This rule almost repeats Rule NOSZ-R14 and applies to the Natural Open Space Zone. Unclear why these rules are located here. Note that the rules for commercial activities within the OSZ chapter also slightly differ from NOSZ-R14 in that reference to OSZ-R14(1)(a) is not included in the non-complying activity matters. This rule does not belong in this chapter and should be removed.
OSZ-R15 – Motorised recreation	Change	The activity is non-complying. As per comments under NOSZ.
OSZ-R16 any other activity not provided for	TBD	Discretionary – need to be careful to see what would fall into this category. Best chances would be to get appropriate activities captured in definition.

Saritha Shetty

From: Nathan Geard
Sent: Thursday, 14 December 2023 11:40 am
To: District Plan Review Team
Subject: FW: [EXTERNAL] Another batch of GW feedback on draft district plan
Attachments: GW EDITS - HCC Draft District Plan Review Feedback_T+T comments_12122023 (003).docx

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Nathan

Nathan Geard
Policy Planning Manager

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From: Richard Sheild <Richard.Sheild@gw.govt.nz>
Sent: Thursday, December 14, 2023 9:56 AM
To: Stephen Davis <Stephen.Davis@huttcity.govt.nz>; Nathan Geard <Nathan.Geard@huttcity.govt.nz>; Peter McDonald <Peter.McDonald@huttcity.govt.nz>; Sean Bellamy <Sean.Bellamy@huttcity.govt.nz>
Subject: [EXTERNAL] Another batch of GW feedback on draft district plan

Kia ora koutou,

Multiple pages of feedback from our Riverlink people attached, and some high level thoughts from one of our biodiversity people below:

- The draft plan appears to primarily manage adverse effects on indigenous biodiversity (IB) only in Outstanding Natural Features/landscapes and within coastal and riparian margins, and there are minimal policies/rules to limit indigenous vegetation modification and adverse effects on IB outside of these areas.
- It would be beneficial to have broader protections in place, especially prior to formal identification of SNA's (also required under policies 23 and 24 of the RPS) to protect these areas in the interim.
- Policy 47 of the RPS does provide direction on managing effects on areas of IB prior to identification of indigenous ecosystems and habitats, as required by policy 23 of the RPS, including through application of the effects management hierarchy.
- While NATC-R3 (b), NFL-S1, NFL-S2 do limit the extent of vegetation removal, there is potential, especially prior to comprehensive SNA identification, for smaller pockets of potentially very significant vegetation/habitat to be cleared as a permitted activity. Perhaps an additional exception could be considered where if a threatened species or naturally uncommon habitat is present it is excluded. Or, as

proposed in Far North District Plan, that a report is obtained from a suitably qualified ecologist confirming that the indigenous vegetation does not meet the criteria for a SNA.

- Generally supportive of use of restoration provisions, though as above think these could be extended outside of just coastal and riparian margins and Outstanding Natural Features and Landscapes.
- Generally supportive of use of strong avoid provisions, particularly in NATC-P4, NATC-P5, NFL-P7, NFL-R5.
- Overall, more general provisions seeking to maintain and protect areas of indigenous biodiversity outside of just coastal and riparian margins and Outstanding Natural Features and Landscapes would be good to see.

Ngā mihi,



Richard Sheild MNZPI ([he/him](#))

Kaitohutohu Matua/Senior Policy Advisor, Environmental Policy

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Saritha Shetty

From: Stephen Davis
Sent: Wednesday, 13 December 2023 9:29 am
To: District Plan Review Team
Subject: FW: [EXTERNAL] GW feedback on draft District Plan review
Attachments: HCC Draft District Plan Review Feedback.docx

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Steve

Stephen Davis
Senior Policy Planner

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From: Richard Sheild <Richard.Sheild@gw.govt.nz>
Sent: Wednesday, December 13, 2023 9:01 AM
To: Nathan Geard <Nathan.Geard@huttcity.govt.nz>; Stephen Davis <Stephen.Davis@huttcity.govt.nz>; Peter McDonald <Peter.McDonald@huttcity.govt.nz>; Sean Bellamy <Sean.Bellamy@huttcity.govt.nz>
Subject: [EXTERNAL] GW feedback on draft District Plan review

Good morning all,

Attached is GW's feedback on the draft District Plan review, please let me know if any of this needs clarification. Three waters feedback has been sent separately to Nathan.

Ngā mihi,



Richard Sheild MNZPI ([he/him](#))
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stated, any views or opinions expressed are solely those of the author, and do not represent those of the organisation.

PROVISION	KEEP, CHANGE, OR CHUCK?	EXPLANATION
<p>CL-O1- Safety of contaminated land- Contaminated and potentially contaminated land is safe for its intended use.</p>	<p>Change- Safety of contaminated land-</p> <ol style="list-style-type: none"> 1. Priority contaminant standards are safe for the land-use exposure scenario. 2. Is transport/roading earthworks adequately covered as a scenario? 3. Is potential disturbance from wetland construction/rewetting scenario covered? To learn lessons from Kāpiti expressway issues. 	<p>Specific soil contaminant standards are allocated for 12 contaminants, called “priority contaminants”, including metals such as arsenic and lead, and organic contaminants such as DDT and dioxin. If the land in question falls within an identified “expose scenario” then these standards apply. Land use scenario include rural, residential, high density, recreation and commercial/industrial outdoor worker.</p> <p>We have a lot of potentially contaminated land, and it never gets investigated, so its safety is a bit of a moot point.</p>
<p>CL-P1- Identification of contaminated and potentially contaminated land</p> <p>1. Working with Greater Wellington Regional Council to maintain the Selected Land Use Register; and</p>	<p>Change- Identification of contaminated and potentially contaminated land</p>	<p>New NBA rules</p> <ul style="list-style-type: none"> • Regional Councils must identify all HAIL land within their boundaries and maintain a publicly available register which contains up-to-date records of all identified HAIL land.

	<p>1. Must work with Greater Wellington Regional Council to maintain up-to-date records of all identified HAIL land for the public register.</p>	<ul style="list-style-type: none"> • The SLUR name may change in future due to national data consistency rules • They don't actually maintain the register, and they barely send me reports which is frustrating
<p>CL-P1- Identification of contaminated and potentially contaminated land</p> <p>2. Requiring the investigation of contaminant risks for sites with a history of land use or activity that could have resulted in contamination of soil.</p>	<p>Change</p> <p>Requiring the investigation of sites with a history of HAIL activity that could have resulted in contamination of soil, in compliance with the NESCS.</p> <p>Or</p> <p>Requiring the investigation of sites with a history of HAIL activity in compliance with the NESCS.</p>	<p>MfE HAIL list outlines all the activities (60 or so) and the NESCS sets out methods on how this should be done-in terms of investigations, which all has to be compliant now.</p> <p>Had advice from the contaminated land SIG group-Apparently Prosecution around the NES is complex and difficult and has to be proven within reasonable doubt- rules need to be within regional plan (National Environmental Standards for Contaminated land).</p>
<p>CL-P2- Management of contaminated land</p>	<p>New add on –</p> <p>3. Must Notify Landowners to provide all environmental reports of identified HAIL land to</p>	<p>New rules</p> <ul style="list-style-type: none"> • Landowners must notify GWRC of HAIL activity on their land and provide all environmental reports to GWRC within 2 months of the investigation.

	Greater Wellington Regional Council within 2 months of the investigation	
CL-P3- Benefit of remediating contaminated land Recognise the benefits of remediation and site management of contaminated and potentially contaminated land in enabling development opportunities that can contribute to social, economic, and health benefits for people and communities.	Change or Chuck	Not sure what this means in a practical sense. Remediation of contaminated land is undoubtedly a benefit but what is meant by “Recognise the benefits of remediation”?? How will this be done? If this is a policy, then some more thought should be given as to how it will be actioned.
NATURAL OPEN SPACE ZONE		
NOSZ-R3 and NOSZ-P5 Incompatible activities	Change	Remove ‘motorised recreation’ from the list of incompatible activities Remove hours of use. These are addressed in the necessary permissions for activities. Or, Add ‘ Unless permitted in the relevant reserve management plan for the site ’ Rationale: we allow this by permit in the Parks Network Plan. This level of detail is not required in the DP. Reserve management plans address it.
NOZS-R14 Commercial Activities	Change	Remove ‘ mobile ’. Rationale: as discussed in the meeting there are a many long term, fixed commercial activities in Regional Parks and these will continue. Reserve Management Plan processes address permissions, its not required in the DP.
NOZS-R16 Motorised Recreation	Change	Change to Permitted , and add, ‘ <i>in accordance with the relevant reserve management plan for the site</i> ’ Or if you wish to leave as Discretionary, add ‘ <i>except where permitted in the reserve management plan for the site</i> ’

		Rationale: Motorised recreation by permit is permitted in most regional parks. Its generally on track and highly managed via permit. This level of detail is not required in the DP.
NOSZ-R15 Residential activity	Change	Change from Discretionary to Permitted or add 'Unless provided for in the reserve management plan' Rationale: The Reserves Act addresses this already. We have residential ranger accommodation in Regional Parks for management purposes. This level of detail is not required in the DP.
NOSZ-S4 Maximum gross floor area	Change	There are many park buildings exceeding 100m2 including park houses, shearing sheds, storage buildings. Change to 'unless existing' Each individual building
NOSZ Rules	Change	<i>All activities and uses on land in regional parks must obtain permission (such as a licence or lease) from Wellington Regional Council. This is in addition to, and resource consent requirements under the District Plan. Belmont Regional Park, Wainuiomata Regional Park and East Harbour Regional Park.</i> Rationale: Not all activities require permission. There is a hierarchy of permissions. Many activities are 'allowed' or 'managed' via permits. Higher impact or longer-term activities require concessions, leases or licences. Clarify and change e.g.: <i>Some uses and development activities and uses on land in regional parks, as identified in reserve management plans, require permissions (such as a licence or lease) from Wellington Regional Council.</i>
Part 3 – Area-Specific Matters ZONES Open Space and Recreation Zones Natural Open Space Zone	Change	The text references <i>The zone primarily provides for the operation and development of large parks, reserves and gardens owned and/or administered by Hutt City Council, Wellington Regional Council or the Department of Conservation. These include East Harbour Regional Park, Belmont Regional Park and the Wainuiomata/Orongorongo Water Collection Area.</i> The primary purpose of the Wainuiomata/Orongorongo Water Collection Area is water collection and maintenance of forests for this purpose. It's

		<p>closed to public access other than by permit. Either remove reference to it in this sentence or separate to have a separate section to say: ‘The primary purpose of the Wainuiomata/Orongorongo Water Collection Area is maintenance of natural values for drinking water collection and supply purposes. Rationale: it is technically inaccurate as is</p>
Part 4 – Appendices, SCHEDULES, SCHEDXX - Heritage Structures and Buildings and Heritage Areas	Correct	<p>Item 167 in the Schedule for Heritage Buildings and Structures, the name description is ‘Baring Head lighthouse’. In Schedule xx for ‘Heritage Areas’, the map showing ‘boundary of heritage area’ encompasses both the Maritime NZ lighthouse and the lighthouse complex in East Harbour Regional Park. Either correct the map to just the Maritime NZ lighthouse, or amend the schedule to include lighthouse complex in the regional park (which is now on the New Zealand Heritage List Rārangī Kōrero) Rationale: it is technically inaccurate as is</p>
Part 4 – Appendices, SCHEDULES, SCHEDXX - Heritage Structures and Buildings and Heritage Areas	Add	<p>No reference was found to Old Coach Road which traverses Belmont Regional Park. Its also on the New Zealand Heritage List Rārangī Kōrero and could be added to the schedules Rationale: its significant enough to be on the NZHPT List but if you don’t want to add it, that’s fine too, it’s a road. Discuss in early January</p>
Part 2 – District-Wide Matters NATURAL ENVIRONMENT VALUES Natural Features and Landscapes	Change	<p>Add as an extra point in items 1-5 add ‘directions of the operative reserve management plan’</p>
INF-R3 Upgrading of existing infrastructure, plus associated rules in INF (RBR)	?	<p>➤ Needs attention from Knowledge & Insights- sent to Evan. The majority of Wainuiomata and East Harbour regional parks in the overlays: Outstanding Natural Features and Outstanding Natural Landscapes. Will mean the upgrade of GW’s existing environmental monitoring equipment for air quality and meteorological data that GW operates within the entire EHB and WRP will be a non-complying activity. Confirmed by HCC’s Peter McDonald by email “Although not technically fitting within the “infrastructure” definition, these provisions were considered to fit best in the infrastructure chapter as being similar in</p>

		form and effect as infrastructure such as poles as well as also having a public benefit.”
NATC and NFL and CE chapters	Clarify / Discuss	Keen to understand HCC intentions re: the application of these rules in areas with multiple overlays and applicable rules e.g. how restrictive they would be? Need to provide for public amenity /recreation /conservation activities in regional parks. See spreadsheet here with actual examples worked through operative and draft DPs (please provide copy to HCC)
NATC-R4 Land use activities within coastal margins and riparian margins (RBR)	Change / Clarify	<p>No definition or clarification regarding ‘land use activities’. Discretion restricted to NATC-P4 and P5 which relate to appropriate and inappropriate use and development. Appears all-encompassing. The district-wide rules trump the NOSZ rules and will mean consent will be required for <u>all</u> activities in the coastal and riparian margins in the regional parks (referring to GW operational activities specifically). Toitū te Whenua is not detailed enough to cover GW operational activities. These activities are generally covered by rules in the NRP/NES also.</p> <ul style="list-style-type: none"> ➤ Need clarification from HCC re: which rule would prevail e.g. NATC-R4 or NFL-R4 or CE-R4? <p>Add to PA ‘Unless provided for in the reserve management plan’ as land use activities (undertaken by others) within the regional parks are managed by Toitū Te Whenua.</p> <p>And add a PA specifically related to LU activities within BEL, EHB and WRP for specific purposes of: parks maintenance and repair, recreation activity and/or conservation activity. (All defined in proposed DP and would cover off the majority of the operational activities, except earthworks perhaps).</p>
NATC-R5 New, Alteration of or Addition to Buildings and Structures within Coastal Margins and Riparian Margins (RBR)	Change / Clarify	<p>Definition of buildings/structures in the existing DP has been changed in the proposed DP to be consistent with the national planning standards. Agree with definition change, however this has large implications for GW operational works – existing DP rules allow smaller structures as a permitted activity (e.g. gates, retaining walls).</p> <p>Will mean <u>all</u> new, alterations and additions to buildings and structures within Coastal Margins and Riparian Margins that are not for “hazard</p>

		<p>mitigation activities” will require consent. Overly onerous and a big change from current DP. Toitū te Whenua is not detailed enough to cover GW operational activities relating to addition/alteration of buildings and structures.</p> <ul style="list-style-type: none"> ➤ Also need clarification from HCC re: which rule would prevail e.g. NATC-R5 or NFL-R7 or CE-R7? E.g. minor erosion protection retaining structure within 10m of the Wainuiomata river will be PA under NATC-R5 but require consent under NFL-R7. <p>Add a PA condition specifically related to activities within BEL, EHB and WRP for specific purposes of: parks maintenance and repair, recreation activity and/or conservation activity. (All defined in proposed DP and would cover off the majority of the operational activities, except earthworks perhaps).</p>
NATC maintenance or repair of existing buildings and structures (RBR)	Clarify	<p>No allowance for maintenance or repair of existing buildings and structures within Coastal Margins and Riparian Margins in NATC rules. However, covered under e.g. NFL-R6 or CE-R6.</p> <ul style="list-style-type: none"> ➤ check with HCC whether these activities will be covered by NOSZ rules? Or rules relating to overlays below?
NATC-P5	Change	Add C. Unless provided for in the reserve management plan’
NFL-R4 New land use activities in outstanding natural features or landscapes (RBR)	Change	<p>Same comments/changes requested as NATC-R4 above (and CE-R4 below).</p> <p>ONFL overlays proposed for entire Parangarahu Lakes block, entire Baring Head, entire Wainuiomata RP & catchment area, meaning consent required (no PA).</p> <p>Add: ‘2. Unless permitted via the reserve management plan’</p>
NFL-R7 New, alteration of or addition to buildings and structures in outstanding natural features and landscapes (RBR)	Change / Clarify	<p>Same comments/changes requested as NATC-R5 above.</p> <p>ONFL overlays proposed for entire Parangarahu Lakes block, entire Baring Head, entire Wainuiomata RP & catchment area, meaning consent required (no PA). Further, within ONF and CE these will be NC activity (e.g. entire EHB).</p>
CE-R4	Change / Clarify	Same comments/changes requested as NATC-R4 and NFL-R4 above.

Land Use Activities in the Coastal Environment (RBR)		Will be a discretionary activity for all land use activities located within a High or Very High Coastal Natural Character Area (e.g. entire EHB).
CE-R7 New, Alteration of or Addition to Buildings and Structures in the Coastal Environment (RBR)	Change / Clarify	Same comments/changes requested as NATC-R5 and NFL-R7 above. CE covers almost entire EHB – at best will be RDA.
CE-R8 to CE-R22 Additions to existing/new buildings and structures for Hazard Sensitive Activities in the Coastal Hazard Overlays (RBR)	Clarify	Need clarification from HCC: <ul style="list-style-type: none"> ➤ CE-R8 and others refer to ‘all Coastal Hazard Overlays’ - does this mean specifically the coastal inundation overlays and the tsunami hazard overlays? ➤ CE-R9 and others refer to ‘low coastal hazard overlays’, but I can only find a ‘low’ overlay in the tsunami hazard overlay - is this correct? ➤ Which rule would prevail if the overlays overlap? e.g. NATC-R7 or NFL-R7 or CE-R7 or CE-R8/R9/R10 ➤ Park facilities appears in the definition of both Less Hazard Sensitive Activities and Potentially Hazard Sensitive Activities. Please clarify which definition prevails and therefore which rules apply?
EW- R2, R3, R4, R5 (RBR)	Support	PA rules and associated standards for general earthworks, including public walking and cycling tracks e.g. Belmont RP
EW-R11 Earthworks within Outstanding Natural Features and Landscapes (RBR)	TBD	Within WRP – Even earthworks <100m2 within any 12 month period that are not related to walking tracks within WRP will require consent as RDA; >100m2 will be DA. Within EHB (within the CE) - <u>any</u> earthworks that are not permitted (e.g. for the maintenance of existing public walking and cycling tracks) will default directly to a NC activity.
EW-R12 Earthworks within Coastal Margins and Riparian Margins (RBR)	TBD	Except for earthworks for the maintenance of existing public walking and cycling tracks, all earthworks (all area/volumes/heights) within BEL, EHB and WRP within 10m horizontal distance of a river will require consent (RDA or DA).
EW-R13 Earthworks within High, Very High Coastal Natural Character Areas (RBR)	TBD	Except for earthworks for the maintenance of existing public walking and cycling tracks, all earthworks (all area/volumes/heights) within Northern

		<p>Forest and along margins of Parangarahu lakes (EHB) will require consent (RDA if can meet EW-S12, otherwise DA).</p> <p>Add 'Allowed if the activity is provided for in a reserve management plan or operative accommodation standard for the site'</p> <p>Rationale: feedback from park rangers</p>
Earthworks within overlays	Clarify	<p>Need clarification from HCC:</p> <ul style="list-style-type: none"> ➤ Which rule EW R11-R13 would prevail if the overlays overlap?
DEFINITIONS		
Name corrections throughout DP		<p>The NZ Gazetted name for Baring Head is 'Baring Head/Ōrua-pouanui' (in this order with a a lower case 'p'). This correct name is used in some places but not others e.g. heritage schedules, Coastal Natural character schedule etc see Notice of Treaty of Waitangi Settlement Place Names for Taranaki Whanui ki Te Upoko o Te Ika - 2009-In7381 - New Zealand Gazette</p>
Park facilities	Change	<p>'means land or structures that facilitate the management, use and enjoyment of a public open space, including'</p> <p>Add 'or conservation or recreation activity associated with it'</p> <p>Add - camping facilities, houses, huts, shearers quarters, shearing sheds, outbuildings, vehicle bridges crossing, lease or licensee facilities, roads, tracks, plant nurseries, onsite water and wastewater facilities</p>
Rules		
NOSZ Section titled 'Note' referencing HCC owned land	Change	<p>Suggest rewording this section to:</p> <p><i>'All activities and uses on land owned by the City of Lower Hutt in Regional Parks must be in accordance with the Reserves Act S17 Agreements for GWRC Control and Management of these reserves, and the operative reserve management plan.</i></p> <p>The S17 agreements address the detail already and should be referenced. If the current text is kept, it needs to reference other permission mechanisms e.g. <i>permits, concession agreements.</i></p>
DESIGNATIONS		

<p>WRC10 Wainuiomata/Orongorongo Water Collection Area</p>	<p>Change</p>	<p>Consider altering the existing the designation over Wainuiomata Regional Park which is not part of the water collection area? – to be discussed with HCC.</p> <p>***please note this needs to be discussed further with Sarah Bevin (RBR) RBR recently been discussing this specific designation with Stephen Dennis, Principal Resource Consents Planner at HCC regarding track upgrade works that we propose to undertake within this designation. He said that the purpose of the designation, while vague, is for the Wainuiomata/Orongorongo Water Collection Area – there are no conditions attached to this designation. He said the initial check to see if it falls within the designation purpose would be whether the works serve the conservation of the wider designated area? (i.e. will it serve those undertaking that sort of work). If not, then the works would fall back to the rules of the District Plan.</p> <ul style="list-style-type: none"> ➤ Is there a process where GW and HCC can agree on a purpose, scope of works and conditions for WRC10? ➤ Can we apply a similar designation over the land GW manages in EHB and BEL (within HCC jurisdiction)? I assume this would be via a Notice of Requirement but have no idea what that entails. ➤ Is this process the best time to do this, or should this be a separate process from the DP review?
<p>New Regional Park designations via Notice of Requirement from GWRC to follow</p>		<p>Add new designations for Belmont, Wainuiomata and East Harbour Regional Parks to allow activities foreseen the operative management plan for the reserve. This includes:</p> <ul style="list-style-type: none"> • Recreation activities • Natural and cultural heritage conservation activities • Parks maintenance and repair activities. <p>to be discussed with HCC in early January</p>

UFD-O1		Change	<p>Support this clear direction to emphasise intensification and for greenfield development to be sequenced and planned; this is consistent with the RPS (operative and proposed). Suggest strengthening the direction to greenfield development, and providing a clear link to UFD-O3.</p> <p>The city's urban form consolidates and intensifies the existing urban area, with greenfield development only taking place within identified areas <u>where it would contribute to a well-functioning urban environment</u>.</p>
UFD-O2		Keep	Strongly support this objective.
UFD-O3		Change	<p>Strongly support this objective, particularly the reference to climate change resilience, natural hazards resilience, and ecological sensitivity. Recommend inserting reference to compactness to align with RPS Objective 22.</p>
UFD-O5		Keep	Strongly support this objective.
UFD-O6	Keep		Strongly support this objective.
UFD-O8		Change	Support this; recommend inserting reference to indigenous biodiversity values specifically.
SUB-P1		Keep	Strongly support this objective.
SUB-P11		Keep	Support this policy; gives effect to the NPS-HPL.
SUB-P23		Change	Align with NPS-HPL wording – should not be “provide for subdivision of land within the HPL Overlay ... where” but “avoid the subdivision of land within the HPL Overlay unless the following applies:”. Clauses are fine.
GRUZ-O3		Change	Support the objective of protecting highly productive land, but needs amendment to align with NPS-HPL wording and give effect to the NPS. Change “managed” to “avoided”.
GRUZ-P7		Change	Appreciate intent of this policy to give effect to NPS-HPL 3.12; amend to strengthen and align with NPS wording. “ <u>Enable Prioritise land-based primary production activities on sites located on highly productive land.</u> ”
GRUZ-P8		Keep	Good; gives effect to NPS, strong direction to protect HPL.

Saritha Shetty

From: Richard Sheild <Richard.Sheild@gw.govt.nz>
Sent: Friday, 1 December 2023 9:41 am
To: Nathan Geard
Subject: [EXTERNAL] Some feedback on the freshwater/three waters provisions
Attachments: S42A-Appendix-1-HS5-Freshwater-Te-Mana-o-te-Wai-Recommended-Amendments-WORD-VERSION (1).docx; Whaitua recs for HCC.xlsx

Hey Nathan,

Some early comments/feedback on the freshwater/three waters stuff.

I have a table of the regulatory WIP recs for TAs, and my thoughts on whether the draft provisions implement them. I've also attached a word doc of Kate Pascall's s42A changes she's recommending to the RPS freshwater provisions, and comments have my thoughts on whether the draft provisions align with them. I'm mindful that the RPS is still going through its hearings process, so there's probably a decision at HCC's end as to how far you guys want to go on aligning with the RPS Change 1 direction.

I do want to be very clear that GW will strongly support all the freshwater/three waters stuff the draft plan has in it now if the provisions manage to make it to the notified version.

Please let me know if you'd like to chat about any of this.

Also, do let me know if there's any technical evidence GW can provide to help HCC make the case for the draft three waters/freshwater provisions. We've got a bunch of stuff from the whaitua process, RPS Change 1, and NRP Change 1, and I've been cleared to share anything and everything that will be useful for you guys.

Ngā mihi,



Richard Sheild MNZPI ([he/him](#))

Kaitohutohu Matua/Senior Policy Advisor, Environmental Policy

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Objective 12 – Te Mana o te Wai in the Wellington Region

The Region’s waterbodies and freshwater ecosystems are returned to a healthy state and the ongoing management of land and water:

- a) Restores the mana of water and its fundamental role in providing for the current and future health and wellbeing of the environment and the community
- b) Protects waterbodies and freshwater ecosystems from further degradation
- c) Incorporates and protects mātauranga Māori, in partnership with mana whenua/tangata whenua
- d) Recognises the individual natural characteristics and processes of waterbodies
- e) Re-establishes mana whenua/tangata whenua connections with freshwater
- f) Provides for the ability of mana whenua/tangata whenua to safely undertake their cultural and spiritual practices associated with freshwater, including mahinga kai
- g) Includes mana whenua/tangata whenua in decision-making in relation to the Region’s waterbodies
- h) Applies the Te Mana o te Wai hierarchy of obligations by prioritising:
 - i. First, the health and wellbeing of waterbodies and freshwater ecosystems,
 - ii. Second, the health needs of people
 - iii. Third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.

New Freshwater policy in Chapter 4.1 – Regulatory Policies

Policy FWXX – Mana whenua/tangata whenua and Te Mana o te Wai – regional and district plans

District and regional plans shall include objectives, policies, rules or other methods to give effect to Te Mana o te Wai, and in doing so:

- (a) Recognise and provide for the mana whenua/tangata whenua Statements of Te Mana o te Wai in Appendix 5, as applicable to the territorial authority area shown in Table X. Regional plans shall apply the mana whenua/tangata whenua statements as relevant to the scope and content of the plan change or review process.
- (b) Partner with mana whenua/tangata whenua in the development of the required district and regional plan objectives, policies, rules or other methods that give effect to Te Mana o te Wai.

Table X: Mana whenua/tangata whenua statements and applicable territorial authority areas

<u>Mana whenua/tangata whenua statement</u>	<u>Territorial authority area(s)</u>
<u>Rangitāne o Wairarapa</u>	<u>Masterton District</u> <u>Carterton District</u> <u>South Wairarapa District</u>
<u>Kahungunu ki Wairarapa</u>	<u>Masterton District</u> <u>Carterton District</u> <u>South Wairarapa District</u>
<u>Taranaki Whānui</u>	<u>Wellington City</u>

	Hutt City Upper Hutt City
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New Freshwater policy in Chapter 4.2 – Regulatory Policies – Matters to be considered

Policy FWXX: Mana whenua/tangata whenua and Te Mana o te Wai – consideration

When considering an application for resource consent, notice of requirement, or a change, variation or review of a regional or district plan that relates to freshwater, have regard to the mana whenua/tangata whenua Te Mana o te Wai Statements contained in Appendix 5, as applicable to the territorial authority area shown in Table X.

Table X: Mana whenua/tangata whenua statements and applicable territorial authority areas

<u>Mana whenua/tangata whenua statement</u>	<u>Territorial authority area(s)</u>
<u>Rangitāne o Wairarapa</u>	Masterton District Carterton District South Wairarapa District
<u>Kahungunu ki Wairarapa</u>	Masterton District Carterton District South Wairarapa District
<u>Taranaki Whānui</u>	Wellington City Hutt City Upper Hutt City

New Statement of Taranaki Whānui Te Mana o te Wai expression to into new Appendix 5:

Statement of Taranaki Whānui Te Mana o te Wai expression

He Whakapuaki mō Te Mana o te Wai

Te Kāhui Taiao have drafted a number of statements that outline a local approach on how to give effect to Te Mana o te Wai in Te Whanganui-a-Tara. With respect to Section 3.2 of the National Policy Statement for Freshwater Management 2020, the following statements are the proffered objectives of Taranaki Whānui that describe how the management of freshwater in the region will give effect to Te Mana o te Wai. In Te Whanganui-a-Tara the care of freshwater gives effect to Te Mana o te Wai when:

1. Taranaki Whānui can exercise kaitiakitanga and lead freshwater and coastal management decision-making.
2. Taranaki Whānui can implement and practice traditional rangatiratanga management techniques, for example; rāhui to protect the mana and mōuri of water
3. Taranaki Whānui are resourced to be active and have an integral presence as Ngā Mangai Waiora (ambassadors for water) in Whaitua monitoring and management

4. Taranaki Whānui are visible in the management of mahinga kai and riparian and coastal areas through nohoanga (camp) and other cultural practices.

5. The mōuri and life-supporting capacity of water in Te Whanganui-a-Tara enables the customary practices of Taranaki Whānui such as tohi (baptism), whakarite (preparing for an important activity/event), whakawātea (cleansing) manaakitanga (hospitality) at a range of places throughout the catchment.

6. Taranaki Whānui can serve manuhiri fresh and coastal mahinga kai species by 2041.

7. The wellbeing and life of the wai is primary.

8. The mana (dignity and esteem) of water as a source of life is restored and this includes regarding and respecting all waterbodies (including āku waiheke), repo (wetland) and estuaries as living entities, and naturalising, naming, mapping, and protecting each.

9. Freshwater is cared for in an integrated way through mai i uta ki tai, from te mātāpuna (the headwaters) to the receiving environments like the Parangarehu Lakes, Hinemoana (the ocean), Te Whanganui-a-Tara (Wellington Harbour) and Raukawakawa Moana (the Cook Strait).

10. All freshwater bodies are managed holistically to allow them to exhibit their natural rhythms, natural form, hydrology, and character.

11. Freshwater bodies can express their character through a range of flows over the seasons.

12. There are sufficient flows and levels to support connectivity throughout mai i uta ki tai and between rivers and their banks to support spawning fish.

13. Key areas like te mātāpuna (headwaters), estuaries and repo (wetland) are prioritised for protection and restoration so that they are once again supporting healthy functioning ecosystems.

14. Mahinga kai species are of a size and abundance to be sustainably harvested.

15. Areas that are not currently able to be harvested (for example; coastal discharge areas and others) are able to be harvested by 2041.

16. Te Awa Kairangi, Waiwhetū, Korokoro, Kaiwharawhara, the Wainuiomata river and its aquifers are declared 'Te Awa Tupua' (an indivisible and living whole, incorporating all its physical and metaphysical elements) and given 'legal personhood' in legislation.

17. Te Awa Kairangi, Wainuiomata and Ōrongorongo are publicly acknowledged for the part they play in supporting human health through their contribution to the municipal water supply.

Policy FW.3 Urban development effects on freshwater and ~~the coastal marine area~~ receiving environments – district plans

District plans shall include objectives, policies, and methods including rules *for urban development*, that give effect to *Te Mana o te Wai* and section 3.5(4) of the NPS-FM, and in doing so must:

- (a) Partner with mana whenua / tangata whenua in the preparation of district plans;

Commented [RS1]: Can't see a provision for this but sounds like HCC is doing this from what you've said.

- ~~(b)~~ Protect and enhance Māori freshwater values, including mahinga kai;
- (c) Partner with Provide for mana whenua / tangata whenua and recognise and provide for their relationship with their culture, land, water, wāhi tapu and other taonga;
- (d) Incorporate the use of mātauranga Māori to ensure the effects of urban development are considered appropriately;
- (e) Adopt an integrated approach, ki uta ki tai, that recognises the interconnectedness of the whole environment to determine the location and form of urban development;
- (f) Integrate planning and design of stormwater management to achieve multiple improved outcomes – amenity values, recreational, cultural, ecological, climate, vegetation retention;
- (g) Consider the location, layout and design of urban development in relation to effects on freshwater and the coastal marine area receiving environments of subdivision, use and development of land;
- ~~(h)~~ Consider the use and development of land in relation to target attribute states and any limits set in a regional plan;
- (i) Require that Water Sensitive Urban Design principles and methods are applied during consideration of subdivision, including the extent of impervious surfaces and in the control of stormwater infrastructure;
- (ia) Require urban development to be designed, constructed and maintained to achieve hydraulic neutrality;
- ~~(j)~~ Require that urban development is located and designed to minimise the extent and volume of earthworks and to follow, to the extent practicable, existing land contours;
- (k) Require that urban development is located and designed to protect and enhance gully heads, rivers, lakes, wetlands, springs, riparian margins and estuaries;
- (l) Require riparian buffers for all waterbodies and avoid piping of rivers;
- ~~(m)~~ Require hydrological controls to avoid adverse effects of runoff quantity (flows and volumes) and maintain, to the extent practicable, natural stream flows;
- ~~(n)~~ Require efficient use of water;
- (o) Manage land use and development in a way that will minimise the generation of contaminants, including in relation to the choice of building materials, and the extent of impervious surfaces;
- ~~(p)~~ Consider daylighting of streams, where practicable; and
- ~~(q)~~ Consider the effects of land use and development on drinking water sources;

Commented [RS2]: Looks to be covered by draft SASM provisions.

Commented [RS3]: Matauranga Maori doesn't seem to be mentioned?

Commented [RS4]: UFD-O3 touches on this but overall I can't see this explicitly in the draft provisions.

Commented [RS5]: Partially covered, ecological aspect definitely is, but other aspects could do with more explicit mention in the stormwater management provisions.

Commented [RS6]: Doesn't seem to be covered.

Commented [RS7]: Looks to be mostly covered, with the possible exception of extent of impervious surfaces? If that's not covered by current provisions a new matter of discretion for THW-R5 could cover it.

Commented [RS8]: All good here, covered by hydraulic neutrality provisions.

Commented [RS9]: Doesn't seem to be covered, though SUB-P4 looks to touch on this stuff? Maybe a new UFD objective could address this.

Commented [RS10]: All good, covered by the copper and zinc building materials provisions.

Explanation

Policy FW.3 requires district plans to manage the effects of urban development on freshwater and ~~the coastal marine area receiving environments.~~

Policy 15: ~~Managing~~ Minimising the effects of earthworks and vegetation ~~disturbance~~ clearance – district and regional plans

Regional and district plans shall ~~include policies, rules and/or methods that control earthworks and vegetation disturbance to~~ minimise the extent necessary to achieve the target attribute states for water bodies and freshwater ecosystems including the effects of these activities on the life supporting capacity of soils, and to provide for mana whenua / tangata whenua and their relationship with their culture, ~~land, water, sites, wāhi tapu and other taonga~~ manage the effects of earthworks and vegetation clearance, as follows:

- (a) ~~Regional Plans shall include policies, rules and/or methods that:~~
 - i. ~~Control the effects of earthworks and vegetation clearance to achieve the target attribute states for water bodies and freshwater ecosystems, including receiving environments;~~
 - ii. ~~In the absence of target attribute states, minimise silt and sediment runoff into freshwater and receiving environments, or onto land that may enter water; and~~
 - iii. ~~Minimise erosion.~~

- (b) ~~District Plans shall include policies, rules and/or methods that:~~
 - i. ~~Require urban development to follow existing land contours, to the extent practicable;~~
 - ii. ~~Minimise the extent and volume of earthworks required for urban development~~
 - iii. ~~Require setbacks from waterbodies for vegetation clearance and earthworks activities;~~
 - iv. ~~Manage sediment associated with earthworks;~~
 - v. ~~Manage subdivision layout and design.~~

- Commented [RS11]:** Might be covered, just not explicitly?
- Commented [RS12]:** Doesn't seem to be covered
- Commented [RS13]:** Doesn't seem to be covered?
- Commented [RS14]:** Covered
- Commented [RS15]:** Looks to be covered by EW-P2

~~(a) — erosion; and~~

~~(b) — silt and sediment runoff into water, or onto land that may enter water, aquatic ecosystem health is safeguarded.~~

Explanation

An area of overlapping jurisdiction between Wellington Regional Council and district and city councils is the ability to control earthworks and vegetation ~~clearance disturbance, including clearance.~~ Large scale earthworks and vegetation ~~clearance disturbance~~ on erosion prone land in rural areas and many small scale earthworks in urban areas – such as driveways and retaining walls – can cumulatively contribute large amounts of silt and sediment to stormwater and water bodies. This policy is intended to minimise erosion and silt and sedimentation effects associated with these activities.

Policy FW.2: Reducing water demand – district plans

District plans shall include policies, rules and/or methods to reduce demand ~~effor~~ water from ~~registered water suppliers and users~~ community drinking water supplies and group drinking water supplies, including where practicable:

- ~~(a) provisions improving the efficiency of the end use of water on a per capita basis for new developments; and~~
- (b) provisions requiring promoting alternate water supplies for non-potable use in new developments, such as the requirement to install rainwater tanks.

Explanation

Policy FW.2 requires district plans to address the reduction of demand in community drinking water supplies or group drinking water supplies ~~municipal~~ water supplies.

Policy FW.5: Water supply planning for climate change and urban development – consideration

When considering a change, variation or review of a regional or district plan, local authorities must give effect to Te Mana o te Wai, and particular regard shall be given to:

- (a) climate change impacts on community drinking water supplies and group drinking water supplies, including water availability and demand and the potential for saline intrusion into aquifers;
- (b) demand from future population projections;
- (c) development of future water sources, storage, treatment and reticulation; and
- (d) an integrated approach, ki uta ki tai, in the protection of existing and future water sources.

Explanation

Policy FW.5 requires water supply planning to adequately considered including the impacts of climate change and new urban development.

Policy FW.6: Allocation of responsibilities for land use and development controls for freshwater

Regional and district plans shall recognise and provide for the responsibilities below, when developing objectives, policies and methods, including rules, to protect and enhance the health and well-being of water bodies and freshwater ecosystems:

- (a) Wellington Regional Council has primary responsibility for freshwater. Wellington Regional Council shall be responsible for the control of the use and development of land for the purposes of ~~water quality and quantity~~ the maintenance and enhancement of water quality and ecosystems in water bodies, and the maintenance of water quantity.
- ~~(b)~~ In relation to wetlands, Wellington Regional Council is responsible for managing land use within, and within a 100m ~~margin~~ setback of natural wetlands as directed by the NES-F 2020, as well as areas adjoining and/or upstream of a wetland for the purpose of protecting wetlands;
- ~~(ba)~~ Wellington Regional Council is responsible for earthworks and vegetation clearance in riparian margins of water bodies.

Commented [RS16]: Covered by rainwater tank provisions/standards in three waters chapter.

Commented [RS17]: Rainwater tanks/water storage provisions are good, not sure how much more a TA could do in this space?

- (c) ~~City and district councils~~ Territorial authorities are responsible for the control of land use and subdivision. ~~City and district councils~~ Territorial authorities must include objectives, policies, and methods in district plans to promote positive effects, and avoid, remedy or, or mitigate adverse effects (including cumulative effects) of land use and subdivision on the health and wellbeing of water bodies, freshwater ecosystems and receiving environments (as required by NPS-FM 3.5 (4)). They must carry out their responsibility in regard to the NPS-FM through their functions under Section 31 of the RMA.

Explanation

Policy FW.6 outlines the allocation of responsibilities for land use and development controls for freshwater between Wellington Regional Council and territorial authorities.

Rec

Rec text

30 By 2024, territorial authorities establish a complete set of regulatory and policy measures that: » Require landowners to repair all failed private laterals and record these failures on their LIMs until the repairs are complete Provide a funding mechanism to support landowners in making these repairs (such as instalments on their rates bills or councils recovering the costs when properties are sold).

57 By 2025, Greater Wellington, Mana Whenua and territorial authorities amend the relevant planning documents to retain, restore and enhance the natural drainage system – so that they require hydraulic neutrality and water-quality treatment in urban catchments through WSUD.

58 Greater Wellington and Mana Whenua, together with territorial authorities and the relevant three waters agency, develop (by 2025) a comprehensive suite of regulatory and non-regulatory interventions for new property developments and infrastructure, to be implemented through WSUD via a catchment-management approach. These interventions would include water impact assessments, rainwater/stormwater harvesting, rain gardens, constructed wetlands, green roofs, improved sump maintenance, strategic street sweeping and permeable pavements to reduce water-quality impacts and reduce peak wet weather flows.⁷ Existing properties and infrastructure should be retrofitted using this WSUD approach whenever opportunities arise (e.g., at the end of an asset's life).

60 By 2025, Greater Wellington and territorial authorities amend the relevant planning documents so that all resource consents for property developments and infrastructure upgrades/repairs require the minimisation of stormwater effects and achieve hydraulic neutrality on-site. Where this is not possible or practical on development sites, a formal stormwater offsetting programme could be adopted to fund more efficient centralised systems in the public realm.

61 Territorial authorities amend regulatory documents, while working with the relevant three waters agency, to (by 2035) reduce the effects of stormwater flooding on public health, safety and property by further integrating the use of roads and open spaces (such as parks and sports grounds) to act as overland flow paths and flood storage

64 Greater Wellington works with Mana Whenua, community groups and territorial authorities to amend (by 2024) all relevant regulatory documents to ensure: » That river management enhances habitat restoration and stormwater treatment along the full length of developed rivers » The protection of swimming holes. Specifically, for Te Awa Kairangi/Hutt River, these objectives should be accounted for when undertaking flood protection works.

65 Territorial authorities update the relevant regulatory documents (by 2025) to ensure they incorporate up-to-date flood hazard mapping and are supported by rules that prevent property development in high-risk areas.

66 By 2024, Greater Wellington amends the relevant regulatory documents to include policies that aim to avoid unsuitable property development, with reference to setbacks from stream/river margins and hydraulic neutrality. By 2025, territorial authorities incorporate rules in their district plans that: » Require WSUD, including hydraulic neutrality in any developments » Provide for buildings to be set back from river and stream margins (these setbacks are to provide for āhua and natural character) » Restrict development in known overland flow paths (in line with Recommendation 61).

- 82 Greater Wellington, Mana Whenua and territorial authorities (including Porirua City Council) recognise, promote and provide for the mana of the Te Awa Kairangi/Hutt, Wainuiomata and Ōrongorongo Rivers as awa tupuna for Taranaki Whānui and Ngāti Toa Rangatira. They are treasured taonga and providers of wai ora and hauora (health and wellbeing) for the whole Whaitua Te Whanganui-a-Tara community and Te Awarua-o-Porirua community
- 96 Territorial authorities promote the use of rainwater tanks or alternative water-storage solutions for non-potable uses in new commercial and residential developments.

Addressed?

This doesn't seem to be covered in the draft provisions? Is it something the district plan can even do?

Covered by THW-O2, THW-P3, THW-P4, THW-R2, THW-R5

Partially covered by WSUD provisions, but only seems to cover new development rather than retrofitting existing development. Any way the district plan can tackle that?

Looks to be covered by hydraulic neutrality provisions.

Guess this is partially covered by the WSUD provisions? Maybe a more explicit link could be made though?

I think this is covered implicitly by the draft suite of provisions, ie implementing the draft provisions would achieve this, or at least help achieve this.

I'll defer to hazards people on whether this has been done, but noting here it is a rec.

The TA aspects of this rec look to be covered by the draft THW provisions and SUB-P8

Partially covered by NE-O1 and NE-O2, should consider adding Orongorongo river to NE-O2

Covered by THW-S2

Saritha Shetty

From: Richard Sheild <Richard.Sheild@gw.govt.nz>
Sent: Thursday, 30 November 2023 1:31 pm
To: Peter McDonald
Subject: [EXTERNAL] FW: Follow up - HCC-GWRC meeting on draft district plan review
Attachments: HCC District Plan Review 2023 24 NH Feedback.docx

Hi Peter, some updated feedback from our regional transport team attached. If you've got any questions or want to chat further feel free to reach out to Natasha Hayes (natasha.hayes@gw.govt.nz)

Cheers,
Richard

From: Natasha Hayes <Natasha.Hayes@gw.govt.nz>
Sent: Monday, November 27, 2023 4:15 PM
To: Richard Sheild <Richard.Sheild@gw.govt.nz>
Cc: Grant Fletcher <Grant.Fletcher@gw.govt.nz>; Catherine Knight <Catherine.Knight@gw.govt.nz>; Mika Zollner <Mika.Zollner@gw.govt.nz>
Subject: RE: Follow up - HCC-GWRC meeting on draft district plan review

Hi Richard – see updated feedback table attached – a couple of my comments **highlighted blue** have been updated to reflect the clarification re status of RPS Change 1 CC.2 re Travel Choice Assessments.

Also happy to discuss my comments with relevant HCC person in due course when you have any transport comments from others including Metlink.

Ngā mihi,
Tash

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NH Feedback – Draft HCC DP Review

Context:

- RT Strategy develops the Regional Land Transport Plan on behalf of the Regional Transport Committee – comprising all TAs in the region.
- The RLTP includes strategic direction via objectives, policies, and targets – for development of the transport network. Land-use is a key contributor.
- The RLTP strategic direction has influenced provisions in the Operative Regional Policy Statement (RPS) and Proposed RPS Change 1
- Note: While RLTP is a statutory plan – there is no legislated requirement for DP’s to take account of them – so linking requests back to RPS provides a stronger basis for any amendments sought.

Key relevant RLTP direction:

- 30-year vision: *A connected region, with safe, accessible and liveable places – where people can easily, safely and sustainably access the things that matter to them and where goods are moved efficiently, sustainably and reliably*
- Objective 1: *People in the Wellington Region have access to good, affordable travel choices*
- Objective 2: *Transport and land use are integrated to support compact urban form, liveable places, and a strong regional economy*
- Objective 3: *People can move around the Wellington Region safely*
- Objective 4: *The impact of transport and travel on the environment is minimised*
- Objective 5: *Journeys to, from and within the Wellington Region are connected, resilient and reliable*
- Headline Targets: relating to safety, carbon emission reduction and mode share for public transport, walking and cycling.
- Most relevant policies - 1.4, 1.10, 2.1, 2.3, 2.4, 2.6, 2.7.

Key relevant RPS direction:

- Objective 22
- Policy 57

Change 1

- Objective CC.1; CC.2; CC.3
- Objective 22
- Policy 30, 31, 33, 55, 57, 58

Provision	Support/oppose/amend/discuss	Explanation
Overall	A good first draft with some good transport and urban form provisions to support PT and active modes, reduced car dependency, intensification, and compact urban form etc.	
CCZ, MRZ, HRZ	SUPPORT the provision for: <ul style="list-style-type: none"> – residential activity within the City Centre Zone – building heights over the enabled 3-storeys in the MDRZ where adjacent to identified centres (see question) – high-density residential development enabled in significant areas surrounding train stations, Hutt City Centre, Petone Metropolitan Centre, and some suburban centres – along with further increased building heights in identified areas within a walkable catchment of the city centre (see question) 	This will be important to support an evolving city centre which offers more homes within easy walking access to jobs, community facilities and public transport – supporting transport and urban outcomes such as compact urban form, good travel choice, reduced trip distances and reduced transport related emissions – consistent with RPS Obj 22 and Pol 57 Question: Was not clear to me exactly where these areas within the MDRZ and HDRZ with additional height allowances were. Are they shown on the maps?
TR – Transport	SUPPORT AND AMEND	The introduction to this chapter has good direction re land use and transport integration, multi-modal network, and encouraging uptake of active modes and public transport. It could be improved by linking these elements to their important contribution to VKT and emission reduction – through travel choice/mode shift/reduced travel distances.
TR Objectives		
TR O1	SUPPORT/ AMEND - could be more directive about objective for on-site facilities to support ‘multi-modal’ access.	<i>On-site transport facilities, including for high trip generating activities, provide safe, effective and efficient multi-modal site access for all users.</i>
TR Policies		
TR-P1	SUPPORT/DISCUSS	Add requirement for a Travel Choice Assessment for high trip generating activities - Consistent with RPS Change 1 – Policy CC.2

TR-P2	Strongly SUPPORT	Promoting active modes and PT – supports mode shift, travel choice, emission reduction
TR-P4	Strongly SUPPORT	Providing cycle parking and end of trip facilities for active modes – supports mode shift, travel choice, emission reduction
TR-P5	Strongly SUPPORT	Recognising the positive effects from improving the provision and access for active mode and public transport - supports mode shift, travel choice, emission reduction
TR-P6	Strongly SUPPORT	Consistent with good land use and transport integration – RPS Policy 57 – supports reduced travel demand, reduced travel distances, and mode shift.
TR Rules		
TR-R3	DISCUSS	See also feedback re TR-P1 above - If an activity exceeds the threshold as a high trip generating activity – a matter for discretion could include requirement for Travel Choice Assessment – consistent with RPS Plan Change 1 Policy CC.2
TR Standards		
TR-S2 and TR-S3	Strongly SUPPORT.	Great to see some cycle parking ‘quality’ standards – these appear to be generally in accordance with Waka Kotahi best practice standards. Could also reference best practice guidance for extra optional considerations.
TR-S8	DISCUSS	Does this standard, or TR-S1, require the provision of safe pedestrian walkways ‘through’ a car park area – particularly larger car parks? - for pedestrians entering the site and also people walking from a car to a building entrance? If not, can this be considered?
SUB – Subdivision chapter		
SUB – P4: Subdivision Design and Layout	SUPPORT/DISCUSS	In addition to sub-clause 4 re ‘well connected’ – <u>could include</u> a new sub-clause so that the design and layout of larger subdivisions <u>provides for direct, easy, safe</u>

		<u>pedestrian/cycle links or shortcuts within the development to nearby local facilities and public transport stops/routes.</u>
SUB-P6	Strongly SUPPORT	Supports good land use and transport integration, travel choice, mode shift, emission reduction outcomes.
SUB-P7	DISCUSS	Sub-cause 3.b. – should this include pedestrian safety – unsure if pedestrian safety is specifically covered by 3.c
SUB -S3 Roads	DISCUSS Metlink??	Didn't spot anything in the TR chapter or this chapter about <u>provision of/design of public transport infrastructure and roads to enable accessible and efficient public transport services.</u> Mostly relevant to larger subdivision and development which may mean an extension or change to existing bus route is needed. How is this being provided for? Does INF-05 cover it adequately? What are the relevant standards? Could public transport infrastructure be specified in Sub-clause 3 here?

Saritha Shetty

From: Richard Sheild <Richard.Sheild@gw.govt.nz>
Sent: Monday, 27 November 2023 1:27 pm
To: Nathan Geard
Subject: [EXTERNAL] FW: Follow up - HCC-GWRC meeting on draft district plan review

Hi Nathan,

A few comments from one of our ecologists on the natural environment provisions below.

Cheers,
Richard

From: Roger Uys <Roger.Uys@gw.govt.nz>
Sent: Monday, November 27, 2023 12:03 PM
To: Richard Sheild <Richard.Sheild@gw.govt.nz>
Subject: RE: Follow up - HCC-GWRC meeting on draft district plan review

Hi Richard

I think they've captured the outstanding natural features and landscapes well. I'd just mention the following values they might also highlight:

- Parangārahu Lakes ONF supports at least two Regionally Threatened - Critical coastal plant species, *Eryngium vesiculosum* (sea holly) and *Muehlenbeckia ephedroides*.
- Matiu/Somes Island ONL supports a breeding pair of the Regionally Threatened – Critical reef heron and, like Baring Head, the island also supports a large population of rare lizards and invertebrates

I assume they took the coastal natural character information from the work Tim Blackman championed?

Under the Strategic Direction, Climate Change and Natural Hazards, would it be possible to get a point in there about driving nature-based solutions?

Also under the Strategic Direction, Natural Environment, could we ask for the significant bird habitats to be included (or would that be a double up with the NRP?) and there should probably be something in there to achieve the 10 percent indigenous vegetation cover target in urban and non-urban areas from the NPS-IB (if it survives the review).

Regards
Roger

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Saritha Shetty

From: Richard Sheild <Richard.Sheild@gw.govt.nz>
Sent: Thursday, 23 November 2023 12:39 pm
To: Nathan Geard; Stephen Davis; Peter McDonald; Sean Bellamy
Subject: [EXTERNAL] GW feedback so far
Attachments: HCC Draft District Plan Review Feedback.docx; HCC District Plan Review 2023 24 NH Feedback.docx

Afternoon gents,

Attached is the early feedback from one of our transport planners, and some stuff from our contaminated land people. More to follow over the next couple of weeks.

Ngā mihi,



Richard Sheild MNZPI ([he/him](#))

Kaitohutohu Matua/Senior Policy Advisor, Environmental Policy

Greater Wellington Te Pane Matua Taiao

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PROVISION	KEEP, CHANGE, OR CHUCK?	EXPLANATION
<p>CL-O1- Safety of contaminated land- Contaminated and potentially contaminated land is safe for its intended use.</p>	<p>Change- Safety of contaminated land- Priority contaminant standards are safe for the land-use exposure scenario.</p>	<p>Specific soil contaminant standards are allocated for 12 contaminants, called “priority contaminants”, including metals such as arsenic and lead, and organic contaminants such as DDT and dioxin. If the land in question falls within an identified “expose scenario” then these standards apply. Land use scenario include rural, residential, high density, recreation and commercial/industrial outdoor worker.</p> <p>We have a lot of potentially contaminated land, and it never gets investigated, so its safety is a bit of a moot point.</p>
<p>CL-P1- Identification of contaminated and potentially contaminated land</p> <p>1. Working with Greater Wellington Regional Council to maintain the Selected Land Use Register; and</p>	<p>Change- Identification of contaminated and potentially contaminated land</p> <p>1. Must work with Greater Wellington Regional Council to maintain up-to-date records of all identified HAIL land for the public register.</p>	<p>New NBA rules</p> <ul style="list-style-type: none"> Regional Councils must identify all HAIL land within their boundaries and maintain a publicly available register which contains up-to-date records of all identified HAIL land. The SLUR name may change in future due to national data consistency rules They don’t actually maintain the register, and they barely send me reports which is frustrating
<p>CL-P1- Identification of contaminated and potentially contaminated land</p> <p>2. Requiring the investigation of contaminant risks for sites with a history of land use or activity that could have resulted in contamination of soil.</p>	<p>Change</p> <p>Requiring the investigation of sites with a history of HAIL activity that could have resulted in contamination of soil, in compliance with the NESCS.</p> <p>Or</p>	<p>MfE HAIL list outlines all the activities (60 or so) and the NESCS sets out methods on how this should be done-in terms of investigations, which all has to be compliant now.</p> <p>Had advice from the contaminated land SIG group-Apparently Prosecution around the NES is complex and difficult and has to be proven within reasonable doubt- rules need to be within regional plan (National Environmental Standards for Contaminated land).</p>

	Requiring the investigation of sites with a history of HAIL activity in compliance with the NESCS.	
CL-P2- Management of contaminated land	New add on – 3. Must Notify Landowners to provide all environmental reports of identified HAIL land to Greater Wellington Regional Council within 2 months of the investigation	New rules <ul style="list-style-type: none"> Landowners must notify GWRC of HAIL activity on their land and provide all environmental reports to GWRC within 2 months of the investigation.
CL-P3- Benefit of remediating contaminated land Recognise the benefits of remediation and site management of contaminated and potentially contaminated land in enabling development opportunities that can contribute to social, economic, and health benefits for people and communities.	Change or Chuck	Not sure what this means in a practical sense. Remediation of contaminated land is undoubtedly a benefit but what is meant by “Recognise the benefits of remediation”?? How will this be done? If this is a policy, then some more thought should be given as to how it will be actioned.

NH Feedback – Draft HCC DP Review

Context:

- RT Strategy develops the Regional Land Transport Plan on behalf of the Regional Transport Committee – comprising all TAs in the region.
- The RLTP includes strategic direction via objectives, policies, and targets – for development of the transport network. Land-use is a key contributor.
- The RLTP strategic direction has influenced provisions in the Operative Regional Policy Statement (RPS) and Proposed RPS Change 1
- Note: While RLTP is a statutory plan – there is no legislated requirement for DP’s to take account of them – so linking requests back to RPS provides a stronger basis for any amendments sought.

Key relevant RLTP direction:

- 30-year vision: *A connected region, with safe, accessible and liveable places – where people can easily, safely and sustainably access the things that matter to them and where goods are moved efficiently, sustainably and reliably*
- Objective 1: *People in the Wellington Region have access to good, affordable travel choices*
- Objective 2: *Transport and land use are integrated to support compact urban form, liveable places, and a strong regional economy*
- Objective 3: *People can move around the Wellington Region safely*
- Objective 4: *The impact of transport and travel on the environment is minimised*
- Objective 5: *Journeys to, from and within the Wellington Region are connected, resilient and reliable*
- Headline Targets: relating to safety, carbon emission reduction and mode share for public transport, walking and cycling.
- Most relevant policies - 1.4, 1.10, 2.1, 2.3, 2.4, 2.6, 2.7.

Key relevant RPS direction:

- Objective 22
- Policy 57

Change 1

- Objective CC.1; CC.2; CC.3
- Objective 22
- Policy 30, 31, 33, 55, 57, 58

Provision	Support/oppose/amend/discuss	Explanation
Overall	A good first draft with some good transport and urban form provisions to support PT and active modes, reduced car dependency, intensification, and compact urban form etc.	
CCZ, MRZ, HRZ	SUPPORT the provision for: <ul style="list-style-type: none"> – residential activity within the City Centre Zone – building heights over the enabled 3-storeys in the MDRZ where adjacent to identified centres (see question) – high-density residential development enabled in significant areas surrounding train stations, Hutt City Centre, Petone Metropolitan Centre, and some suburban centres – along with further increased building heights in identified areas within a walkable catchment of the city centre (see question) 	This will be important to support an evolving city centre which offers more homes within easy walking access to jobs, community facilities and public transport – supporting transport and urban outcomes such as compact urban form, good travel choice, reduced trip distances and reduced transport related emissions – consistent with RPS Obj 22 and Pol 57 Question: Was not clear to me exactly where these areas within the MDRZ and HDRZ with additional height allowances were. Are they shown on the maps?
TR – Transport	SUPPORT AND AMEND	The introduction to this chapter has good direction re land use and transport integration, multi-modal network, and encouraging uptake of active modes and public transport. It could be improved by linking these elements to their important contribution to VKT and emission reduction – through travel choice/mode shift/reduced travel distances.
TR Objectives		
TR O1	SUPPORT/ AMEND - could be more directive about objective for on-site facilities to support ‘multi-modal’ access.	<i>On-site transport facilities, including for high trip generating activities, provide safe, effective and efficient multi-modal site access for all users.</i>
TR Policies		
TR-P1	SUPPORT/ DISCUSS	Could require - a Travel Demand Management Plans for high trip generating activities - Consistent with RPS Change 1 – Obj CC.3, Policy CC.2, Method CC3

TR-P2	Strongly SUPPORT	Promoting active modes and PT – supports mode shift, travel choice, emission reduction
TR-P4	Strongly SUPPORT	Providing cycle parking and end of trip facilities for active modes – supports mode shift, travel choice, emission reduction
TR-P5	Strongly SUPPORT	Recognising the positive effects from improving the provision and access for active mode and public transport - supports mode shift, travel choice, emission reduction
TR-P6	Strongly SUPPORT	Consistent with good land use and transport integration – RPS Policy 57 – supports reduced travel demand, reduced travel distances, and mode shift.
TR Rules		
TR-R3	DISCUSS	If an activity exceeds the threshold as a high trip generating activity – a matter for discretion could include requirement for Travel Demand Management Plan – consistent with RPS Plan Change 1 Obj CC.3, Policy CC.2, Method CC3. But I'm still a little unsure what is anticipated by this RPS method so a question for RPS team? Does the provision in sub-clause 2. under 'matters of discretion' cover this expectation adequately?
TR Standards		
TR-S2 and TR-S3	Strongly SUPPORT.	Great to see some cycle parking 'quality' standards – these appear to be generally in accordance with Waka Kotahi best practice standards. Could also reference best practice guidance for extra optional considerations.
TR-S8	DISCUSS	Does this standard, or TR-S1, require the provision of safe pedestrian walkways 'through' a car park area – particularly larger car parks? - for pedestrians entering the site and also people walking from a car to a building entrance? If not, can this be considered?

SUB – Subdivision chapter		
SUB – P4: Subdivision Design and Layout	SUPPORT/ DISCUSS	In addition to sub-clause 4 re ‘well connected’ – <u>could include a new sub-clause so that the design and layout of larger subdivisions provides for direct, easy, safe pedestrian/cycle links or shortcuts within the development to nearby local facilities and public transport stops/routes.</u>
SUB-P6	Strongly SUPPORT	Supports good land use and transport integration, travel choice, mode shift, emission reduction outcomes.
SUB-P7	DISCUSS	Sub-clause 3.b. – should this include pedestrian safety – unsure if pedestrian safety is specifically covered by 3.c
SUB -S3 Roads	DISCUSS Metlink??	Didn’t spot anything in the TR chapter or this chapter about <u>provision of/design of public transport infrastructure and roads to enable accessible and efficient public transport services.</u> Mostly relevant to larger subdivision and development which may mean an extension or change to existing bus route is needed. How is this being provided for? Does INF-05 cover it adequately? What are the relevant standards? Could public transport infrastructure be specified in Sub-clause 3 here?

Saritha Shetty

From: [REDACTED]
Sent: Monday, 27 November 2023 1:09 pm
To: District Plan Team
Subject: [EXTERNAL] Rezoning some properties from the medium density residential zone.

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Steve

Hi Jo Miller,

Thankyou for writing to us over this proposed change.
In reply and in order to make our points easy to read, I will list in point format.

1/ The bipartisan central govt. change to allow medium density in the older housing stock areas of the Hutt has been a game changer, bringing new investment into these suburbs not seen for many decades.

2/ I am aware the new govt. is going to make this legislation able to be changed by council.

Your letter seems to be in response to this.

MDRS TO BE COUNCIL OPTIONAL.

3/ Current developments finished and underway have been a great start to housing renewal to Stokes Valley and of course many other areas in the Hutt.

4/ Developers have been attracted to this suburb and Wainui as the properties are larger as originally layed out and those which haven,t been already subdivided are tailor made for MDRS.
(They are also lower in price to say NaeNae or Taita.)

5/ Our property at [REDACTED] in area currently has 75% of its value in land.
(the house on the front thus only 25%.) We would expect any development would see the house either altered or removed entirely.

6/ While we have developed the rear area into a park like extended garden and increased winter sun lines over it, our adult children are the ones who will inherit the property.
It is my hope, it will realize a capital value enough for them both to be able to have homes of their own.
Marie and I are now a retired couple and don,t wish to subdivide as others in our situation have.

7/ Consequently any reduction of property sale value in the future is a worry!
Large garden property,s are not as attractive as they once were. The two income family is time poor and values a bathroom for every bedroom over what our current property has.

8/ You speak of steep slopes and lack of infrastructure.
I am not sure what you are referring to here?
The property to our west side has a 12 meter retaining wall into our hill and the new Rakawa street development likewise.
The only Manuka street shortcoming as I see it is our water pressure .
This is due to a low header concrete tank at the top of the street as I understand it.
(not a new frustration,but an upgrade needed now ,not relating to more development.)

We have put in an upgraded driveway already to the foot of the slope where we have a shed and a small cottage (no plumbing and inside min. size.)

9/ Your team are welcome to visit the property to gain a real prospective ,rather than the photos you have on file.

10/ At the end of the day ,as the property owner, the last thing we wish to see is a further restriction to its title. The Forest and Bird suggestion to lock up 50% of ours and many others around the Hutt without any financial compensation, was a huge shock. Which caused a very strong push back from most of us.

Why because property values would have gone down.The council in the end made it vollenary only.

Recently you have seen a similar outcry from old property owners when you created Historic Property areas in Petone.

I note council listened to rate payer feed back and I hope you will again this time.

We need to keep the momentum of replacement new builds going.

The Hutt is developing again, something which we haven,t seen since the harsh Rodgernomics economic reforms shut the Hutt down in the early 1980,s.

Regards,

A solid black rectangular box redacting the signature of the sender.

Saritha Shetty

From: [REDACTED]
Sent: Friday, 15 December 2023 5:24 pm
To: District Plan Team
Subject: [EXTERNAL] Objection to Proposed Daft District Plan
Attachments: [REDACTED]

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Steve, LLRZ

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]

15 December 2023

Re: Proposed Changes to the Hutt City Council Draft District Plan

To whom it may concern

As per the letter sent to me on 8 November 2023 by Hutt City Council, I would like to lodge an objection to part of the Draft District Plan

I own 2 properties, being [REDACTED]

The proposal involves rezoning some properties from **Medium Density Residential** to **Large Lot Residential**, including my property at [REDACTED]

I purchased this property in or about 2011. At that time, the District Plan allowed for 2 separate dwellings to be built on the 1049m² property.

12 Months ago. I received a letter from Hutt City Council advising me that I could now build 3 separate dwellings on that property.

In the letter sent to me on 8 November 2023 by Hutt City Council, it says that the proposed rezoning of the land in the current Draft District plan to **Large Lot Residential**, would provide for a single dwelling per site plus a minor additional dwelling (Granny Flat). The number of approved dwellings has gone from two to three and now to one. This is completely unacceptable.

I have had [REDACTED] formally on the market with a real estate company since approximately October 2022 with marketing based on meeting councils' requirements as being suitable for 3 dwellings. Being rezoned to **Large Lot Residential** would seriously devalue the property.

I would like to meet with council face to face or by correspondence to discuss this impact further.

Please confirm back to me that you have received this objection and what steps we can take to get this situation resolved.

All further email correspondence should be sent to [REDACTED]

Kind regards

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Saritha Shetty

From: [REDACTED]
Sent: Sunday, 10 December 2023 2:26 pm
To: District Plan Team
Subject: [EXTERNAL] Totara tree

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Nathan

To whom it may concern

I would like to have a notable  tree on my property preserved at [REDACTED]

Saritha Shetty

From: [REDACTED]
Sent: Monday, 4 December 2023 8:29 pm
To: District Plan Team; Alison Fleming
Subject: [EXTERNAL] District plan and Notable Trees

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Nathan

Hi Jo, we are responding to your letter that was sent out to us on 8 November 2023 regarding HCC District plan and a Notable tree that is on our property. The tree is a Kauri and was planted in 1920 by Sir Joseph Heenan as a memorial to Hugh Girdlestone who was killed in action at Passchendaele in world war 1. The tree is of historical relevance to Eastbourne and there is a plaque at the front of the property noting this .The tree is thriving and full of birdlife. A number of parties in Eastbourne such as the RSA and Historical society and ourselves would like to see this notable Kauri tree continue with its protection in the District Plan.

Just on another note i did apply with the council a while ago to have our mature Nikau palms-some of which are 80 years old to have protection-someone from the council did come around to our property at 19 Nikau street, however we have not heard anything more regarding them. Can you please look into this for us.

We would appreciate a response to this email.

[REDACTED]

From: [REDACTED]
To: [District Plan Team](#)
Subject: [EXTERNAL] Large Lot Residential Zone
Date: Friday, 17 November 2023 4:01:29 pm
Attachments: [image.png](#)

I have just read the dp changes for the large lot residential zone and I am not clear on one thing. Can a large lot be subdivided under the proposed changes? Does this requirement mean that we could built 2 primary residential units on a 2000m2 section of land and sub-divide to do so?

Please can you clarify for me the impact of this change?

Thanks

[REDACTED]



Saritha Shetty

From: [REDACTED]
Sent: Friday, 15 December 2023 10:06 am
To: Sean Bellamy
Subject: [EXTERNAL]
Attachments: Letter of Objection Proposed Change To District Plan.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Hi Sean,

Further to our conversation a couple of weeks ago, please find attached my submission objecting to the proposed changes to the council's district plan.

Thank you for your help with this issue.

Kind regards, [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
15/12/2023

Re: Proposed changes to the Hutt City Council Draft District Plan

Dear Sean,

I am writing to express my objection to the proposed changes to the District Plan for the property situated at [REDACTED]

Please consider the reasons for my objection which are as follows.

The section is 1767m² and currently has an 84m² 2-bedroom home on site. There is ample flat land to accommodate additional dwellings. The section allows for relatively easy building and there are multiple potential building sites on the section.

There is a natural waterway to drain the land. The waterway begins in the gully on the eastern side of the driveway at the front of the section and does not impact the areas where housing could be built. The gully only becomes a waterway during periods of intense torrential rain, and returns to its natural dry state as soon as the rain stops as the catchment area is limited to the small area of the section near to the road. The waterway begins approximately 5 metres from our boundary and drains south east into the neighbouring property at [REDACTED]. Given that the stream begins on a steep part of our section it is inconceivable that the stream could cause flooding or a landslide to occur on our land or our neighbours.

There is an existing sewer connection to the rear of the section to allow for a new build. I note there is no number [REDACTED]. Presumably this connection was intended for a new build that never happened.

Neighbouring properties have much less land area than the 1000m² proposed, [REDACTED] has a 121m² home on a 546m² section, [REDACTED] has a 150m² home on a 741m² section, and [REDACTED] has a 211m² home on a 822m² section.

As the section is very private and secluded by bush, any new dwellings would have little impact on neighbouring properties.

We have already engaged with surveyors, urban planners and architects with the intention of building new homes on the section as the current rules allow. We are keen to build new warm and healthy homes to help alleviate the housing crisis and I believe that the section at [REDACTED] could be responsibly developed to allow this to happen without negatively affecting our neighbours or the local environment. My wife and I live at the property next door at [REDACTED]. We have lived in the community for 15 years and we are keen to develop the land whilst protecting our neighbours privacy and the areas natural beauty by building properties that the land can naturally support.

I appreciate your time on the phone with me to discuss the proposals and their likely affects. I hope you consider the points I have raised here in my objection to rezoning the property at 46 Pekanga Road.

Please get in touch if you have any issues or questions that you'd like to discuss. I look forward to hearing from you.

Yours sincerely,
[REDACTED]

Saritha Shetty

From: ContactHCC
Sent: Monday, 27 November 2023 11:28 am
To: District Plan Review Team
Subject: regarding a property that may be affected by changes
Attachments: 1904_001.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Steve

From: George [REDACTED]
Sent: Thursday, November 23, 2023 2:12 PM
To: ContactHCC <contact@huttcity.govt.nz>
Subject: [EXTERNAL] regarding a property that may be affected by changes

Hello

I have received the attached letter, however the entity owns multiple properties could you please inform me as to what property the letter may be referring to

[REDACTED]



17 November 2023



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 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 Council has chosen to do to ensure that the views of the community are heard as part of this review.

The Draft District Plan proposes to introduce a **Mixed Use Zone**. This new zone would provide flexibility to the types of activities that could take place. This includes residential activities, community facilities, commercial activities and light manufacturing.

Your property is next to an area that is proposed for the new Mixed Use Zone.

These areas have primarily been chosen as they are either near existing commercial centres, are located along key transport corridors (including Cuba Street, Victoria Street and parts of High Street) or have a history of a mix of uses.

The implication of living next to the Mixed Use Zone is that people within that area will be able to undertake a wider range of activities and developments, including non-residential activities.



R / S000125001



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: Monday, 18 December 2023 12:28 pm
To: District Plan Team
Subject: [EXTERNAL] District Plan Review - Heritage Buildings/Review

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Nathan

Hi

I understand I missed the deadline for the review but I would like to make the following comments in relation to the Heritage Review and the proposed changes relating to Heritage buildings, and more specifically the Jackson Street Heritage area.

I am the owner of [REDACTED] A building currently within the Jackson Street Heritage Area and proposed to be an individually listed building.

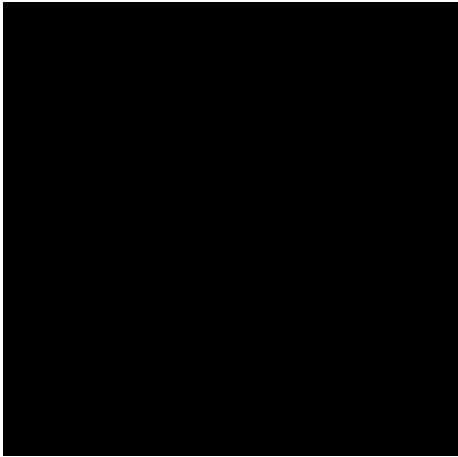
1. Within the Jackson Street Heritage area, a number of buildings are proposed to be individually listed. This is not valid as the buildings (including [REDACTED]) do not have heritage value except for their part in the Jackson Street realignment, and adding character to the street. While we agree it should be part of the Heritage area, there is nothing unique about the design, materials, or historic use of the building that warrants it being individually listed.
2. The report notes that: *"Historic Heritage Areas (HHA) are groupings of interrelated, but not necessarily contiguous, places or features that collectively represent historic value. These individual components of an area collectively form a streetscape, townscape or cultural environment that has value for its architectural style, town planning or urban design excellence, landscape qualities, strong historic associations, or legibility as an archaeological landscape. The emphasis is on the collective values of the area, rather than the significance of individual places."*
However, at the time we were applying for a resource consent, the council (via their Heritage consultant Ian Bowman) stated that they treat all buildings within the Heritage Area as if they were individually listed. While I believe this was an over-reach, I believe it shows that it is not necessary to individually list buildings within the area.
3. The report notes that *"Historic heritage refers to the places, buildings and structures that people value for their historical, physical, and cultural significance."*
The reference to people means the general public (not private owners), therefore, maintaining Heritage is a public benefit. The proposal adds a significant number of buildings as individually listed, many of which are in private ownership. Therefore the council is forcing private owners to bear the cost of maintaining a public benefit. The council funding for heritage is virtually non-existent (\$1.5m over ten years). whereas the actual cost would be transferred to private owners is probably in the tens of millions, if not more. With such a severe lack of funding and a commercial environment that means Heritage buildings (particularly pre-1935 buildings) are non-economic, the council risks losing more heritage through building neglect than they hope to gain. It would be better to focus on and provide support for fewer buildings rather than spread meager resources across more.
4. The additional buildings proposed to be listed will require more resources within the HCC planning team, to manage the additional resource consents and monitor compliance. I don't believe the council has provided funding or planning for this increase. The council currently doesn't have the resources to fully manage the

existing Heritage areas, which can be seen via air conditioning units and aerals being added to Jackson Street facades without consent.

In summary,

- I don't believe any other buildings within the Jackson Street Historic area need to be individually listed.
- The council needs to include a cost-benefit analysis for each property that is proposed to be individually listed, so that the council, public, and privately affected owners have a true understanding of the economic impact of the proposed plan.
- Where those costs are to be borne privately, funding needs to be allocated so that the council can pay for the public benefit.
- The council needs to provide funding for HCC increased work associated with managing the listed heritage and consent.

Kind regards



Saritha Shetty

From: [REDACTED]
Sent: Monday, 4 December 2023 8:38 am
To: District Plan Review Team
Subject: [EXTERNAL] Feedback on draft district plan proposal
Attachments: HCC DP response letter.docx

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Peter

Kia ora,

Please find attached response to plan document. Please don't hesitate to contact us further if there are any questions you have.

HCC DP response letter 28/11/2023

From: [REDACTED]

To whom it may concern,

This letter is in response to a letter we received notifying us of proposed changes in the HCC District Plan that would impact us as the owners of [REDACTED]

The letter we received informed us that it was HCC intentions to categorize our property as **“High Hazard”**

This letter outlines our strenuous objection to this proposal.

We strongly oppose this proposal for the following reasons,

- 1) The letter outlines four (4) possible risk scenarios without specifying which particular scenario we are supposedly at “risk” from.
- 2) The four “High Hazard Areas” could apply to vast swathes of both Hutt City and Wellington City. How any of these things would apply to our property specifically is not mentioned, and our response to the four theoretical events are as follows.
 - The Wellington Fault Rupture:** This could have devastating effects across the greater Wellington area, targeting specific residences as specifically “High Hazard” is totally circumstantial at best.
 - Stream Corridor:** Prior to buying our home (In July 2021) we performed our due diligence. We searched through HCC records looking for flood risk. We found NO suggestion that we were at any greater risk than many others in the Hutt Valley. In fact, in photographic images of our area taken during significant flooding all indicated we were in fact unaffected, despite other areas (Waiwhetu in particular and other areas closer to Te Awakairangi) being inundated with flood waters.
 - Tsunami:** Again, an event like this could have devastating effects across the Hutt Valley in general. We are a significant distance from the coast itself, and it could be argued successfully that all residences and businesses within a 3km radius of the coast could be affected. Again, it is hugely circumstantial.
 - Coastal inundation:** In terms of coastal inundation, we believe we are far enough back from the coast (at least 1 km) for this not to affect us directly over the next 10 to 20 years.
- 3) The terminology “High Hazard” is inflammatory. This could have dramatic impacts in two areas, 1) House Insurance, and 2) Re-sale value on property. Both these things have such significant implications on our home ownership that casually using such an inflammatory term, seemingly with little discretion, we see as short sighted and unnecessarily damaging to our living situation and financial security.

Below are excerpts from the LIM report. All of which would seem to indicate a “Medium” risk would be a far more appropriate tag if there must be one at all.

The wash of the sea or of a river. **Sudden loss of soil from flood or from shift in course of stream. Council records show flooding has been reported in the area in February 2004 during a large storm event. Please see aerial photography below (please note, photograph may not be representative of maximum extent of flooding). Council holds no information about reported instances of flooding on the property. Council records show the property is in the 1 in 100 year flood area, as modelled by Greater Wellington Regional Council.

TSUNAMI Council has divided the Hutt Valley coastline into three tsunami evacuation zones - red, orange and yellow (see attached map). The property is in the orange zone. In the case of a natural or official warning, all three zones should be evacuated immediately. Do not return until an official all-clear is given. A natural warning is defined as: a strong earthquake (one in which it is hard to stand up); unusual noises from the ocean (for example, the ocean rushing in or out); or a weak rolling earthquake that lasts more than a minute. An official warning may come from local Civil Defence officials or emergency services using sirens, text messages or radio and TV broadcasts. The zoning is based on a report compiled in 2016 entitled Hydrodynamic Inundation Modelling.

a



In conclusion, we find the proposal to class our home in this “High Hazard Area” to be disadvantageous to us in every way. There are no possible positive outcomes from this as homeowners, and in fact could leave us in a perilous position in terms of our long-term financial security. The fact that your letter was not accompanied with any reference to any data, expert opinion, or thought to the adverse financial impacts this could have on people’s lives we find particularly distressing.

Having only purchased the property just over 2 years ago, after pursuing every avenue of due diligence available to us makes this proposal even more galling. We would welcome HCC thoughts on how we are to move forward in terms of our home ownership and financial security were you to move ahead with this proposal.

Just last year we were faced with HCC proposing that our home be listed as “Heritage” which came with all sorts of possible financial and personal complications. That proposal was finally shelved after much effort by us and others. To have that instance so quickly followed by this proposal reeks of HCC pursuing an agenda in any way possible.

Please don’t hesitate to contact us should you require any further feedback or to discuss this feedback more thoroughly.

Regards

[Redacted signature line]

[Redacted contact information]

COMMENTS BY THE FUEL COMPANIES ON THE DRAFT HUTT CITY DISTRICT PLAN

Local authority: Hutt City Council
Attention: Planning Team
Email: district.plan@huttcity.govt.nz

Submission on: Draft Hutt City District Plan

Submitter: bp Oil New Zealand Limited Mobil Oil New Zealand Limited
PO Box 99 873 PO Box 1709
Auckland 1149 Auckland 1140

Z Energy Limited
PO Box 2091
Wellington 6140

Hereafter referred to as “the Fuel Companies”

Address for service: SLR Consulting New Zealand
201 Victoria Street West
Auckland Central
Auckland 1010

Attention: Phil Brown

Phone: 027 467 1566
Email: philip.brown@slrconsulting.com

Date: 15 December 2023

SLR Ref No.: Fuel Companies Comments - Draft Hutt City District Plan_v1.0_

SLR Project No.: 16188



A. Introduction

1. bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (the Fuel Companies) receive, store and distribute refined petroleum products around New Zealand.
2. In Lower Hutt, the Fuel Companies own, operate and/or supply service stations and truck stops, and supply various commercial activities.
3. The Fuel Companies also operate four fuel company bulk storage terminals within the Seaview area of Lower Hutt. These facilities are all lower tier Major Hazard Facilities under the Health and Safety (Major Hazardous Facilities) Regulations 2016. The terminals are:
 - a) Mobil Seaview Terminal (Seaview Road),
 - b) bp Seaview Terminal (Port Road),
 - c) Z Seaview Terminal, and
 - d) Hutt Terminal (a joint owned terminal (bp and Z) operated by New Zealand Oil Services Limited).
4. These terminals receive their fuel supplies from regular ship deliveries via the Seaview wharfline which runs from the Seaview wharf and connects to each terminal. In recent years, the wharfline has been undergoing resilience upgrading in and along the waterfront as part of the Seaview Energy Resilience Project, which is scheduled for completion in 2025.
5. The Fuel Companies comments to Hutt City Council (Council) on the draft Hutt City District Plan (Draft Plan) are made with the above interests in mind.

B. Risk Management Overlay (within the Hazardous Substances Chapter)

6. The Hazardous Substance chapter refers to a 'risk management overlay', however this overlay is not mapped in the district plan. The Fuel Companies assume that Council's intention is to insert a risk management overlay around the four bulk storage fuel terminals and wharfline to ensure that a protection framework is in place for surrounding land uses.



7. In November 2021, the Fuel Companies sent a letter to Council which contained a Risk Contour Plan in relation to the Seaview terminals and wharflines. This letter, which was sent at the request of Council to inform its District Plan review process, is provided in **Appendix A** to this feedback. The contours shown in the Risk Contour Plan encompass the areas surrounding the terminals including a number of industrial activities but most notably most of the Seaview Marina area.¹

8. The risk contours identified were informed by quantitative risk assessment (QRA) work undertaken in relation to the terminals in accordance with the New South Wales Hazardous Industry Planning Advisory Paper No.4 Risk Criteria for Land Use Safety Planning (HIPA4). The contours reflect the acceptability of risk to sensitive land use. However, QRA work that informed the contours did not account for the cumulative effect of the existing wharflines (which in this area is located parallel to Marine Drive on the south-eastern side of the Marina), nor the proximity of the bp terminal also on Port Road. That being the case, it is considered that a conservative approach needs to be taken to the provision for development within the subject area and the interpretation of the risk contours.

9. The QRAs undertaken in relation to the terminals essentially identified that:
 - a) Currently, the terminals pose a level of risk that is acceptable for the existing land use activities in the surrounding industrial zone and in the Seaview Marina.
 - b) New sensitive or residential activities within the risk contours may be subject to an unacceptable level of risk.
 - c) New activities within the risk contours which may not fall as sensitive activities (including for example commercial or recreation activities) may be subject to an unacceptable level of risk where not appropriately managed.

10. The Fuel Companies support the intent of the hazardous substance chapter to manage residual risk associated with the bulk fuel terminals (refer to comments below) but seek to ensure that a stronger risk framework is established. In this regard, the Fuel Companies seek the insertion of a risk management overlay that is consistent with the Risk Contour Plan (**Appendix A**), along with a clear policy and rules framework to support the mapped risk management overlay which:

¹ The risk contours also extend slightly into the Draft Plan's Low density residential zone on the eastern side of Seaview Road, however no dwellings are understood to fall within the risk contours.



- a) Ensures that the use and development of identified hazardous facilities and infrastructure are not unreasonably constrained by the establishment or expansion of sensitive and incompatible activities.
- b) Avoids and prohibits the establishment of sensitive or residential activities in the risk management overlay, recognising that these activities in proximity of a fuel terminal could be subject to an unacceptable level of risk. In this regard, the Fuel Companies seek that new sensitive activities within the risk management area are prohibited activities under Rule HS-R3 and HS-R4, instead of non-complying activities as drafted.
- c) Requires activities within the risk management overlay to prepare a Site Emergency Management Plan which addresses how the site will respond to a potential emergency event occurring within the fuel terminals.
- d) Requires new buildings and alterations to buildings to be designed in a manner which ensures its occupants are safe in the event of an emergency. This includes considerations around the orientation / layout of buildings, the location of glazing, and emergency egress points.
- e) Restricts commercial activities in the Seaview Marina area unless it can be demonstrated by way of QRA that risk is at acceptable levels.

11. The Fuel Companies would be pleased to engage in further correspondence with Council to assist with the drafting of appropriate provisions relating to the risk management overlay. It is considered that Chapter E29 (Emergency management area – Hazardous facilities and infrastructure) of the Auckland Unitary Plan (AUP), which sets a framework to manage risks associated with the Wiri Oil Terminal, Wiri LPG Depot and the high pressure Refinery to Auckland petroleum pipeline, provides a good example in this regard. For reference, Chapter E29 of the AUP is provided as **Appendix B** to this feedback.

C. Heavy Industrial Zone

12. The Fuel Companies' four bulk storage terminals along with most of the Seaview wharfline are located in the Heavy Industrial Zone (HIZ), and characterise a large portion of this zone. The Fuel Companies broadly support the intent of the relevant objectives and policies in the HIZ which seek to prevent future reverse sensitivity issues and ensure that regionally significant industrial activities such as the fuel terminal and wharfline can continue to operate and supply fuel to the wider region. However, the Fuel Companies consider that the rules, which permit a wide range of activities, do not clearly reflect this policy direction.

13. A number of activities, including grocery stores and supermarkets (less than 200m² GFA), food and beverage activities (less than 200m² GFA), and commercial activities not otherwise provided for, are permitted activities in the HIZ. The Fuel Companies are



concerned that this could lead to a range of activities in the HIZ which are incompatible with existing heavy industrial activities in the zone. Furthermore, this rule pathway is inconsistent with Policy HIZ-P3 which generally seeks to avoid non-industrial activities in the HIZ.

D. Seaview Marina Precinct

14. As shown in the Risk Contour Plan included in the Fuel Companies' letter to Council (**Appendix A**), the sensitive land use criteria risk contours associated with the Mobil Terminal and the industry wharflines² encompass most of the Seaview Marina Precinct (SMP) including the yacht club, a number of marina berths, trailer boat storage, and the boat ramp access. Refer to **Figure 1** below.

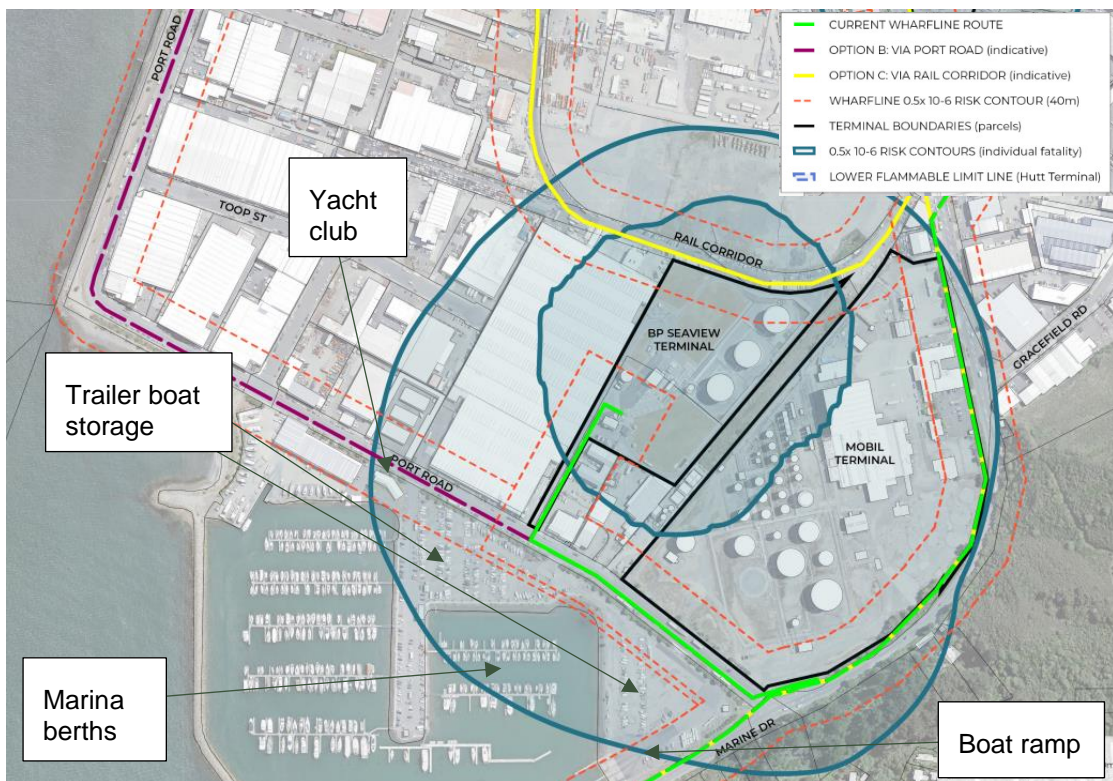


Figure 1: Risk Contour Plan in relation to existing landuses within the Seaview Marina

15. The Fuel Companies support the continued operation of existing Marina activities, noting that the QRAs undertaken demonstrate that the terminals pose a level of risk that is acceptable to existing activities within the Seaview Marina. However, the Fuel

² It is noted that some sections of the industry wharflines are yet to be built. The planned location of these sections are expected to be confirmed in 2024.



Companies are concerned that the provisions of the SMP do not recognise the risk that activities in the precinct face due to their proximity to significant hazardous facilities (SHFs).

16. For similar reasons expressed in relation to the HIZ, the Fuel Companies are concerned about the permitted pathway provided for a range of activities in the SMP including grocery stores and supermarkets (less than 200m² GFA), food and beverage activities (less than 200m² GFA), and commercial activities not otherwise provided for. While the risk management overlay should provide a consenting framework to address risk associated with the terminals, permitting these activities within the SMP is at the very least misleading given that most of the precinct will fall within the risk management overlay.
17. At a high level, the Fuel Companies seek that the Seaview Marina Precinct chapter establishes a clear policy direction, with suitable provisions, which:
- a) Recognise the Seaview Marina Precinct's proximity to SFHs, including associated risk considerations.
 - b) Avoid the establishment of sensitive activities in the Seaview Marina Precinct.
 - c) Manage activities in the Seaview Marina Precinct to ensure that they are subject to an acceptable level of risk. This includes consideration of building design, the location of activities, and site emergency management plans.

E. Hazardous Substances

18. The Draft Plan's Hazardous Substances chapter recognises that hazardous substances are controlled by a wide range of legislation including Hazardous Substances and New Organisms Act 1996 (HSNO) and the Health and Safety at Work Act 2015 (HSWA) legislation. The Fuel Companies support this approach and consider that it is consistent with the direction imposed through the Resource Legislation Amendment Act 2017 (RLAA), which removed the explicit function of district and regional councils to control the adverse effects of the storage, use, disposal or transportation of hazardous substances under sections 30 and 31 of the RMA.
19. The Fuel Companies support the general intent of the Hazardous Substance chapter to manage residual risks associated with SHF and activities involving the manufacture, use, storage, transportation or disposal of hazardous substances. However, the Fuel Companies consider that, in addition to the comments provided above in respect of the



risk management overlay, further amendments are necessary to ensure that an appropriate risk management framework is established.

20. The references in the Draft Plan to residual risk (in particular in Objective HS-O1, Policies HS-P1 and HS-P2) need to be amended so that they relate to *unacceptable* residual risk. Risk is inherent to the storage of hazardous substances and, while the Fuel Companies operate their facilities in accordance with HSNO and WorkSafe regulations and industry best practice to minimise risk to the extent practicable, risk cannot be entirely avoided. The key issue is the acceptability of any residual risk from significant hazardous facilities to surrounding land uses.
21. The Fuel Companies also seek changes to Policy HS-P1 to recognise that the level of unacceptable residual risk is determined not only by location (i.e. proximity to SHFs), but also by management (i.e. how hazardous substances are stored / transferred / used).
22. The Fuel Companies also consider that changes are necessary to Objective HS-O2 to ensure that there is a clear avoidance of sensitive activities in proximity to SHFs.
23. Accordingly, the following relief is sought:

HS-O1 Protection from residual risk

People, communities, and identified areas are protected from ~~any~~ unacceptable residual risk ~~of resulting from~~ facilities and activities involving the manufacture, use, storage, transportation or disposal of hazardous substances.

HS-O2 Protection of existing facilities

Sensitive activities are established in appropriate locations to ~~minimise~~ avoid reverse sensitivity effects and unacceptable residual risk from existing significant hazardous facilities.

HS-P1 Residual risk to people and communities

~~Avoid~~ New facilities and activities involving the manufacture, use, storage, transportation or disposal of hazardous substances, including significant hazardous facilities, are located and managed so that they do not result in unacceptable ~~from locating in areas where they may adversely affect human health unless it can be demonstrated that the residual risk to human health, people and communities. ~~or these identified areas and their values will be avoided or, if avoidance is not possible, unacceptable risk is adequately mitigated.~~~~

HS-P2 Location of hazardous facilities and activities

Avoid unacceptable residual risk to people and sensitive activities from facilities and activities involving the manufacture, use, storage, transportation or disposal of hazardous substances by:



Adequately separating sensitive activities from existing hazardous facilities and activities; and

Establishing new hazardous facilities and activities in appropriate locations, separated from incompatible land uses and existing sensitive activities.

24. The Fuel Companies also seek amendments to the definition of 'significant hazardous facility' and seek the insertion of a definition for 'residual risk', as set out at the end of this document.

F. Three Waters

25. The Fuel Companies' interest in the Three Waters provisions primarily relates to stormwater discharges from service stations, truck stops, and fuel terminals. The Fuel Companies manage stormwater discharges from their sites in accordance with the Environment Guidelines for Water Discharges from Petroleum Industry Sites in New Zealand (MfE Guidelines) 1998. These guidelines set appropriate design criteria for interceptors, water quality standards and spill containment requirements in the at-risk areas of each site and have stood the test of time.
26. The Fuel Companies support the intent of the chapter to protect Three Waters infrastructure through managing the effects of land use activities. However, the Fuel Companies seek that the Draft Plan clarifies its relationship with other legislation regarding stormwater management. The Three Waters chapter includes references to the district plan, the Wellington Water Regional Standard for Water Services (WRSWS), and the Wellington Natural Resources Plan (NRP). It would assist plan users to further clarify the relationship between the approval processes under these documents, particularly approval processes under the District Plan and WRSWS and whether these are intended to work in tandem or provide an alternative pathway and whether applicants should seek approval under either the District Plan or WRSWS first or at the same time.
27. In addition, the Fuel Companies consider the existing NRP provisions already provide an efficient and effective approach to managing stormwater discharges from industrial and trade premises, such that there is no need to duplicate the regulation of discharges from such sites at a district level.
28. The Fuel Companies are opposed to Rule THW-R5, which requires that any 'new development' which is not an activity involving three or less residential units is a restricted discretionary activity, with no associated standards or explanation. This means



that nearly any non-residential works involving additions or alterations at any site in the district would require resource consent. Such an approach creates a huge administrative burden on a wide range of activities, does not appear to be clearly effects based, and conflates the relationship with other approval processes in relation to discharge quality including the NRP and the WRSWS.

29. Finally, the Fuel Companies consider that the rules should only be applicable where there are new or additional impervious areas proposed, or new / changes to connections to Three Water infrastructure. Otherwise, the new provisions apply a range of regulatory requirements to any new 'development', regardless of whether it changes flood risk or relates to Three Water connections.
30. The Fuel Companies seek that references to 'development' in the Three Waters Chapter, including in the introduction section, THW-O2, THW-O3, THW-P3, THW-P4, THW-R1, THW-R2, THW-R3, THW-R5, are replaced with references to 'new or redevelopment of existing impervious areas'.

G. Contaminated Land

31. The Contaminated Land chapter contains objectives and policies under which resource consent applications relating to the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NESCS) will be assessed. The Fuel Companies support the focus on human health as relevant to the NESCS.
32. The Fuel Companies support the intent of Policy CL-P1 but consider that in order for it to be consistent with the NESCS, it needs to be clearly tied to the risk to human health. Further, the inclusion of 'development' is confusing, in that it will often be necessary to disturb the land (i.e. undertake 'development') for sampling the soil (i.e. undertake an 'investigation of contaminant risks') in order to meet the policy. The following amendments are proposed:

CL-P1 Identification of contaminated and potentially contaminated land

Identify contaminated land and potentially contaminated land prior to subdivision or change of use ~~or development~~ by:

- 1. Working with Greater Wellington Regional Council to maintain the Selected Land Use Register; and*



2. *Requiring the investigation of contaminant risks for sites where there is a potential risk to human health ~~with a history of land use or activity that could have resulted in contamination of soil.~~*

H. Infrastructure

33. The infrastructure provisions of the draft plan are relevant to the Fuel Companies' terminal activities, in particular in relation to the Seaview Wharfline, which is mostly underground, but also has aboveground components including aboveground pipelines and manifold / tie-in sections. Ensuring the effective, secure, and efficient transmission or distribution of fuel via the Seaview wharfline is of critical importance to the Wellington region.
34. The Fuel Companies support the intent of the infrastructure chapter, which generally seeks to provide a pathway for infrastructure activities such as wharflines. The Fuel Companies also support the zone and earthworks chapters not applying to infrastructure, unless specifically stated.
35. However, the Fuel Companies consider that some changes are necessary to ensure that regionally significant infrastructure (RSI) and the ongoing works associated with its operation, is appropriately protected and provided for, in recognition of its critical role in the district. While the introduction section notes that the Regional Policy Statement (RPS) for the Wellington Region requires appropriate recognition of the benefits of RSI in district plans, the infrastructure chapter does not contain any provisions which explicitly provide for RSI, nor is a definition provided in the Draft Plan.
36. The Fuel Companies seek the insertion of new provisions into the draft plan to provide a clear policy framework for RSI and to ensure that it is protected from inappropriate development in close proximity. This includes the insertion of new objectives / policies that are consistent with Policy 7³ and Policy 8⁴ of the Wellington RPS. The Fuel Companies also seek the insertion of a definition for RSI, consistent with the NRP definition for RSI.
37. The Draft Plan requires that works involving 'upgrades' to existing infrastructure are subject to a range of earthworks standards, while maintenance, repair, replacement

³ Policy 7 of the RPS: Recognising the benefits from renewable energy and regionally significant infrastructure – regional and district plans

⁴ Policy 8 of the RPS: Protecting regionally significant infrastructure – regional and district plans



works are exempt from the earthworks standards. As well as regular maintenance, repair, replacement works, the wharfline is also subject to 'upgrade' works which are necessary to ensure that the line remains resilient to natural hazard risk, is responsive to demand changes (e.g. transitioning to alternative, zero carbon fuels), and can adapt to upgrades in technology and industry practices. The Fuel Companies support the infrastructure rules relating to the 'maintenance, repair and removal' of existing infrastructure, but seek that a permissive pathway is also provided for 'upgrades' to the wharfline, noting that it is often difficult to distinguish between the two and that that they involve similar methodologies.

38. Finally, the Fuel Companies support the provision of a permitted pathway for electric vehicle (EV) charging stations per Rules INF-S8 and INF-S9, but consider that the bulk and location standards could be more enabling, noting that EV charging infrastructure can sometimes marginally exceed 2m in height and that the zone bulk and location standards are much more enabling. For instance, INF-S8 provides for a maximum height level of 2m for electric vehicle charging infrastructure in industrial zones, while the maximum height level in the General Industrial Zone is 22m.

I. Transport

39. Rule TR-R3 sets restricted discretionary activity status for activities where the trip generation standards in Tabel 8. The Fuel Companies are opposed to 'any' service station being a high trip generating activity in Table 8 and seek that the high trip generation threshold is 6 fill points for service stations, consistent with a number of district plans around the country. The Fuel Companies also oppose Rule TR-R3 applying to service stations regardless of any exceedance to the trip generation thresholds.

40. The Fuel Companies also oppose Rule TR-R3 relating to changes to existing operations, maintenance and upgrades of existing service stations. The Fuel Companies do not consider it appropriate to require resource consent for trip generation purposes for changes to existing operations, in particular where operations, maintenance and upgrades will not materially change vehicle movements to / from an existing activity.

J. Service Stations and Zone Provisions

41. The Fuel Companies own and operate numerous service stations (including truck stops) across the Lower Hutt district, which are located in a wide range of zones, including:



- Industrial zones
 - Light industrial Zone (LIZ)
 - General Industrial Zone (GIZ)
 - Heavy Industrial Zone (HIZ)
- Commercial zones
 - Local Centre Zone (LCZ)
 - Mixed Use Zone (MUZ)
 - Metropolitan Centre Zone (MCZ)
 - City Centre Zone (CCZ)

42. There are no service stations currently located in the residential or rural zones.

43. The general position of the Fuel Companies is that the zone rules should provide for existing service stations (i.e. additions or alterations) as a permitted activity where it is an industrial or commercial zones. New service stations should be permitted in zones that are appropriate for the activity, particularly the industrial zones.

Industrial zones

44. In relation to the industrial zones, service stations are not an industrial activity but are considered compatible with and appropriate to locate in these zones (LIZ, GIZ and HIZ).

45. Rules LIZ-R12, GIZ-R12 and HIZ-R12 of the Draft Plan propose a permitted activity for service stations, including ancillary retail activities. The condition in these rules limits the gross floor area of the activity to no more than 200m². While the intent of this rule and condition are supported, it is noted that service station sites can involve a number of different components, such as carwashes and workshops for motor vehicle servicing, which add to the total floor area of buildings. These non-retail activities on the site are compatible with the industrial zoning and for this reason, the Fuel Companies seek that the floor area limit on the rule applies only to the retail activities on the site, as follows:

Where:

The retail activity has a gross floor area of no more than 200m²

Commercial zones

46. All of the commercial zones provide for service stations activities as a discretionary activity (LCZ-R17, MUZ-R18, MCZ-R21 and CCZ-R22). The Fuel Companies consider that these zones are appropriate for service stations and that the discretionary activity



status does not reflect the compatibility of these activities with the purpose of the zones where the activity is able to meet the standards for each of the commercial zones.

47. The Fuel Companies seek that the commercial zones permit the additions or alterations to existing service stations where this is in accordance with the standards for the zone. In all other cases, it is appropriate that the service stations activity is a restricted discretionary activity, with the matter of discretion relating to any standard not met. This can be achieved by making changes to the commercial zones rules (LCZ-R17, MUZ-R18, MCZ-R21 and CCZ-R22) as follows (with the below example being the change for the Local Centre Zone, and an equivalent change for the other commercial zones):

LCZ-R17 Service stations

1. **Activity status: Permitted**

Where:

a. The activity is an addition or alteration to an existing service station, and

b. Compliance is achieved with LCZ-S1 to LCZ-S11.

2. **Activity status: Restricted Discretionary**

Where:

a. Compliance is not achieved with LCZ-R17.1.

Matters of discretion are restricted to:

1. The matters of discretion any standard(s) not met.

K. Definitions

48. The Fuel Companies are opposed to the Draft Plan's definition of significant hazardous facilities ('SHF') which includes the storage/use of more than 100kl of petrol and 50kl of diesel. The definition as it applies to the storage/use of petrol and diesel is not risk based, appears to be an arbitrary limit based on historic quantities of storage, and would capture a range of facilities which do not have risks to justify such a classification. This would include for instance a 60kl diesel tank at a truck stop, located either above or below ground. Such facilities will continue to operate in accordance with the relevant HSNO Codes of Practice, which are widely recognised as managing risks associated with storage at retail service stations and truck stops to acceptable levels, and do not have risks to justify their classification as a SHF. The potential risks associated with 100kl of above ground petrol storage are far more significant than the equivalent in diesel. If there are to be controls on storage then from a risk point of view it would make



more sense for the thresholds to be 100kl diesel and 50kl petrol, and only in relation to above ground storage.

49. For the same reasons, the definition should be amended to clarify that it does not apply to the distribution or transmission by pipeline of petroleum products, such as the Fuel Companies' wharflines and bunkerlines.

50. The Fuel Companies seek that the definition of SHF is amended as follows:

Significant hazardous facilities

Means any facility which involves one or more of the following activities:

3. The storage/use of more than ~~400~~50,000 litres of petrol

4. The storage/use of more than ~~50~~100,000 litres of diesel

.....

This definition does not apply to:

1. The underground storage of petrol and diesel at service stations and truck stops that is undertaken in accordance with HSNOCOP 44 Below Ground Stationary Container Systems for Petroleum – Design and Installation and HSNOCOP 45 Below Ground Stationary Containers Systems for Petroleum – Operation.

2. The distribution or transmission by pipelines of petroleum products.

51. The Fuel Companies also seek that a definition of residual risk is inserted into the Draft Plan, as follows:

Residual risk:

Means, in relation to the Hazardous Substances chapter, the level of any remaining risk of an adverse effect after other industry controls, legislation and regulations, including the Hazardous Substances and New Organisms Act 1996, the Land Transport Act 1998, the Health and Safety at Work (Hazardous Substances) Regulations 2017 and any other subordinate instruments, and regional planning instruments have been complied with.

52. The Fuel Companies also seek the insertion of a definition for RSI, consistent with the NRP definition for RSI.

L. Conclusion

53. Thank you for reviewing these comments. The Fuel Companies would very much appreciate the opportunity to discuss these matters further with the Council, in particular regarding the drafting of a risk management overlay, in advance of notification of the draft plan.



SLR Consulting New Zealand

201 Victoria Street West Auckland 1010, New Zealand

Signed on behalf of bp Oil New Zealand Limited, Mobil Oil New Zealand Limited and Z Energy Limited



Phil Brown

Senior Planner

SLR Consulting New Zealand



2 November 21

Hamish Wesney
Divisional Manager District Plan Policy
Hutt City Council
Private Bag 31-912
Lower Hutt 5040

By e-mail: Hamish.Westney@huttcity.govt.nz

Dear Hamish,

Re: Lower Hutt District Plan Review – Explanation of Seaview Wharfline and Terminal Risk Contours Plan

The attached Risk Contour Plan (the Plan) has been produced on behalf of the fuel companies at the request of the Hutt City Council as part of the input into its District Plan Review. It is of relevance to the consideration of hazardous substances, appropriateness of zoning and compatibility of land use activities for the current industrial Seaview area.

Within the Seaview area are four fuel company bulk storage terminals. These facilities are Major Hazardous Facilities under the Health and Safety at Work (Major Hazardous Facilities) Regulations 2016. All are lower tier facilities.

They are:

- a. Mobil Seaview Terminal (Seaview Road)
- b. BP Seaview Terminal (Port Road)
- c. Z Seaview Terminal (Seaview Road)
- d. Hutt Terminal (a joint owned terminal (BP and Z) operated by NZ Oil Services Ltd)

These terminals receive their fuel supplies from regular ship deliveries via the Seaview wharfline. The wharfline runs from the Seaview wharf and connects to each terminal. The current wharfline has been undergoing resilience upgrading in and along the waterfront area. The next stage of the wharfline project is to reroute the section of wharfline running along Barnes Street (between the Z Terminal and Hutt Terminal) to either traverse around the rail corridor (from the Z terminal) or construct a new line around Port Road to the Hutt Terminal. Decisions have yet to be finalised on the preferred route.

Three of the terminals have had a Quantitative Risk Assessment (QRA) undertaken. Risks at each terminal have been assessed against New South Wales risk acceptance criteria (Hazardous Industry Planning Advisory Paper No 4 Risk Criteria for Land Use Safety Planning). There are currently no NZ risk acceptance standards and the HIPAP criteria have been used in other New Zealand jurisdictions. The risk models used for the QRA's have generated a series of individual fatality risk contours for each terminal (the point at which there may be a chance of fatality if one were to stay in that location for an entire year). Different contours reflect the level of risk suitable for certain land use types. To avoid undue clutter within the Plan we have elected to show only the sensitive land use criteria contour of 0.5×10^{-6} (this pertains to hospitals, childcare facilities, old age housing etc) around the terminals. Other criteria (residential 1×10^{-6} , commercial 5×10^{-6} and open space 10×10^{-6}) will be inside the contour we have shown.

We have also used the 0.5×10^{-6} contour for the wharfline options, and which equates to a 40m offset distance either side of the wharfline centreline for each route. AS2885.6 (the relevant pipeline standard) makes the comment that overseas data (i.e., the data used in the 2009 Lloyds report) has

much higher failure rates than those experienced in Australian pipelines. Consequently, the extent of the pipeline contour depicted is conservative.

The reports relied upon to compose this plan are as follows:

- For the wharfline: The contour was established by the April 2009 Lloyds Register Risk Assessment Report: Proposed new tank terminal in Lower Hutt, New Zealand for BP Oil New Zealand Limited.
- Mobil Seaview Terminal: June 2018 Sherpa Consulting report “Quantitative Risk Assessment Addendum Future Case Sensitivity Study”.
- BP Seaview Terminal: August 2012 Lloyds Register report “BP Seaview Terminal QRA Update Proposed butane storage and blending facility”. The QRA was updated to include the consideration of gas storage and this updated contour has been used, rather than the contour from the 2009 report.
- Z Seaview Terminal: February 2018 Sherpa Consulting report “Quantitative Risk Assessment Seaview Terminal”.

The QRA’s have assessed risk and included a provision for future growth. In terms of the BP terminal, consent has already been obtained for additional tanks (in 2009) and while these have yet to be constructed, they were modelled in the QRA. The Mobil terminal QRA assesses both existing risk and a future case of switching an existing tank to petrol. It is this future case that has been included. The Z terminal QRA (as for the others) did make allowance for some 5-year throughput growth.

The Hutt terminal has had a risk assessment undertaken but there has not been an assessment against acceptance criteria and therefore no risk contours have been generated. For the Hutt terminal we have used the Lower Flammable Limit (LFL) that was identified through the September 2017 Worley report: NZOSL Hutt City Safety Case Tank Overflow Vapour Dispersion and Blast Effects Assessment”. The BP terminal has a separate September 2020 Worley report: “NZOSL Seaview Terminal MAPP Tank Overflow Vapour Dispersion and Blast Effects Assessment” in which an LFL has been identified, however we have stuck with the risk contours for that terminal on the Plan. The Hutt LFL line illustrates the potential extent of an incident rather than representing a level of risk. The circumstances when such vapour clouds can form are only in very still conditions. It shows the extent where an ignitable vapour cloud may travel to if the modelled overfill scenario occurs. It is shown as a line around the whole terminal, but it must be recognised, that it is not depicting the size of the cloud, but where vapour could end up extending to, depending upon the prevailing weather conditions in the event of the scenario modelled. The generation of such a vapour cloud from an overfill event is often referred to as the Buncefield scenario.

Buncefield was an inland terminal in the UK receiving three pipeline feeds from other terminals and where in 2005 there was an overfill event that resulted in an over pressure event (vapour cloud explosion). The effect of confinement resulting in overpressure was not anticipated at such terminals until then and is now a scenario that is considered during risk assessment. This type of scenario has been considered for each of the terminals at Seaview (in the Mobil and Z QRA’s and in separate reports for the Hutt and BP terminals).

Table 1 shows a comparative table for the various terminal petrol tanks (petrol being the key driver due to volatility) at each terminal; the extent of the LFL for the type of release scenario contemplated; and the distance to the 0.5×10^{-6} risk contour where appropriate.

A tank overfill risk arises during ship unloading. There are specific procedures and communications to ensure this risk is minimised. The various reports have used different filling rates. The variation of filling rates between terminals is due to internal infrastructure matters and assumptions applied in the reports. The Buncefield scenario was a 20-minute overfill event. The Mobil and Z QRA’s have

conservatively used a 30min overfill event, the BP report a 20-minute event and the Hutt a 10-minute event (although a 20-minute event has also been considered). However, even for the 10-minute overfill event to occur at the Hutt terminal filling will need to continue through various layers of protection, including an operator level alarm (OLA), past the safe fill level, the high-level alarm, the high-high level alarm, and the overfill level all before flowing out of the tank vents. In the Hutt terminal case, the total elapsed time from triggering the first alarm (OLA) to flowing out the vents to start a 10-minute event is 56 minutes and for the BP terminal 50 minutes.

What the reports effectively demonstrate is that currently the terminals pose a level of risk that is acceptable for the surrounding land use activities in industrial zone and recreational zoning of the Seaview Marina. There are currently no sensitive or residential activities that are exposed to an unacceptable level of risk. The fuel companies therefore wish to ensure this situation is maintained. They do not support any changes to the industrial or Seaview Marina zoning that would allow sensitive receptors to establish and thereby create potentially significant constraints on the terminal operations and fuel supplies to the wider region.

I would be happy to discuss these matters further with you.

Kind Regards,

A handwritten signature in blue ink, appearing to read 'David Le Marquand', is written over a light blue horizontal line.

David Le Marquand
Principal Planning and Policy Consultant
4Sight Consulting Ltd

Encl: Annexure 1 – Table 1 Terminal List LFL Comparison
Annexure 2 – Seaview Wharfline and Terminal Risk Contours v1 22 10 21

TABLE 1: Terminal Comparisons for LFL from Tank Overfill

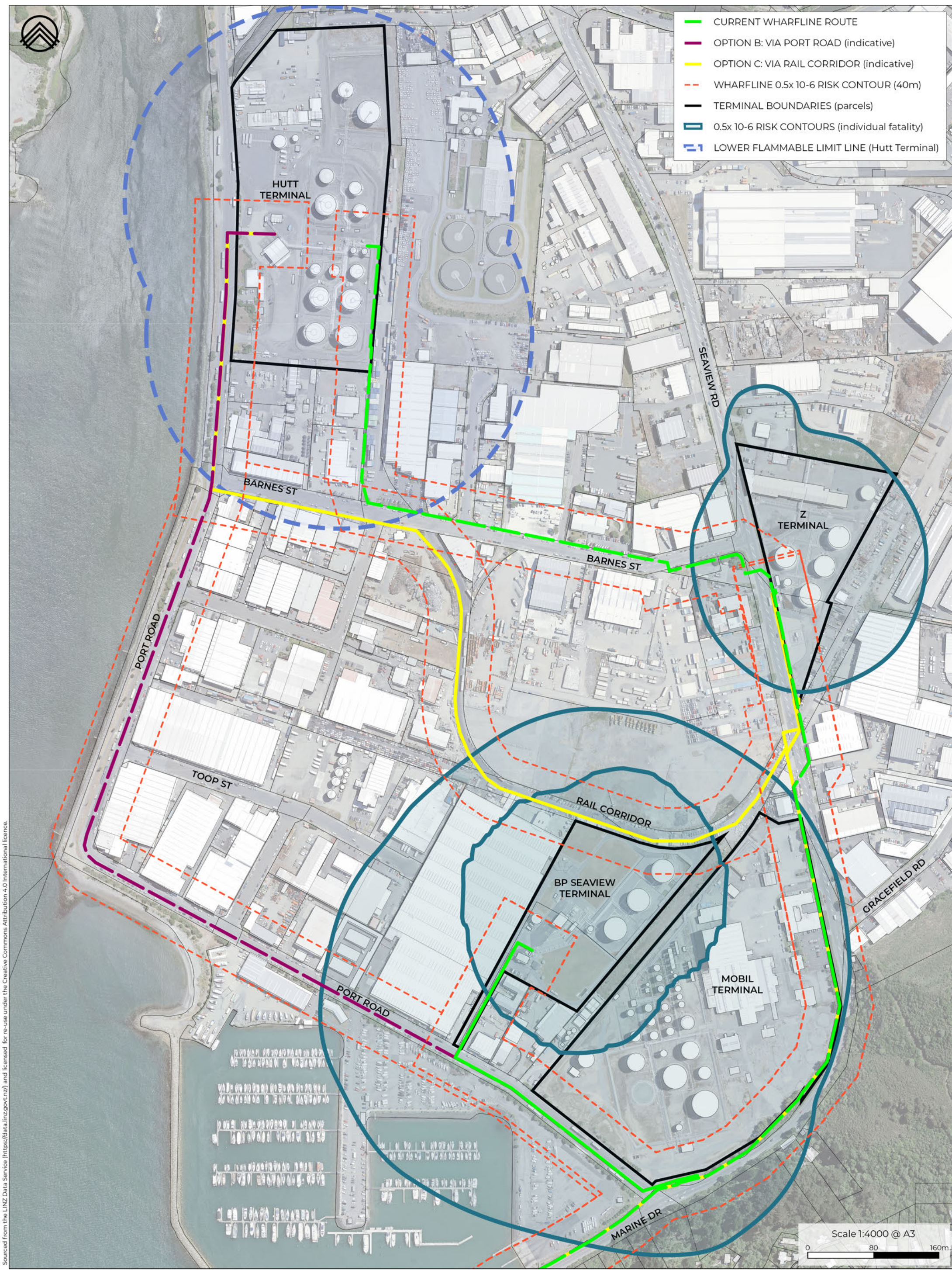
MOBIL SEAVIEW TERMINAL*¹					
Tank	Product	Diameter (m)	Height (m)	Lower Flammable Limit LFL (m)	Distance (m) to Risk Contour 0.5 x10 ⁻⁶ from tanks
T53	91	31.6	14.6	380	As per LFL
T54	91	14.6	14.6	290	As per LFL
T64	Premium	21.9	14.7	334	As per LFL
T86	91	22.0	14.5	334	As per LFL
T84	91	22.0	14	330	As per LFL
Z TERMINAL SEAVIEW ROAD/BARNES STREET*²					
T519	91	26.5	11.1	363	105 – 145
T524	Premium	23.5	11.1	339	
BP TERMINAL PORT ROAD*³					
T2	91	27.2	14.5	163 (2009 report) 231 (10min) 327 (20min)	100-200
T3	98	27.2	14.5	163 (2009 report) 231 (10min) 327 (20min)	100-200
HUTT TERMINAL (NZOSL)					
WP1	91	25.1	12.8		
WP4	91	25	14.1		
WP2	91	25.3	13.2		
WP5	Premium	25	14.1	223 (10min) 316 (20min)	Using only LFL
WP10	91	25	14.1		

*¹Mobil fill rate assumed at 650m³/hr. 30min overfill (325m³)

*²Z Fill rate assumed at 900m³/hr 30min overfill (450m³)

*³ BP fill rate assumed at 1237m³. 20min overflow (408 m3)

*⁴ Hutt fill rate assumed at 1237m³. 10min overflow (204 m3) (they do also model a 20min release)(408m3)



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Saritha Shetty

From: Philip Brown <philip.brown@slrconsulting.com>
Sent: Friday, 15 December 2023 3:52 pm
To: District Plan Review Team
Subject: [EXTERNAL] Fuel Companies' Comments on the Draft Hutt City District Plan
Attachments: Fuel Companies Comments - Draft Hutt City District Plan_v1.0.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Steve

Good afternoon,

Please see attached comments from the Fuel Companies on the Draft Hutt City District Plan.

Please confirm receipt.

Nga mihi

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Saritha Shetty

From: [REDACTED]
Sent: Friday, 15 December 2023 4:45 pm
To: District Plan Review Team
Subject: [EXTERNAL] Objection to rezoning of our property to the large Lot residential Zone

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Peter

To whom it may concern

I would like to comment as follows in reply to your letter dated 8 November 2023 in which you advise that the Draft District Plan proposes rezoning our property from a Medium density to a Large Lot residential zone. It specifies that a Large lot residential zone may have only one single dwelling per site plus a minor additional dwelling with a minimum lot size of 1000m.

I do not agree with the restrictions imposed on our property as it does not make sense for our large section to be limited to one dwelling plus a minor additional dwelling only whereas on a much smaller section you appear to allow for 3 three story dwellings per site. It does not make sense to have a blanket restriction without taking into consideration site specific conditions and the fact that with modern design and techniques the steep slopes can be properly designed for and need not be a problem. Professionally competent design engineers also have indemnity insurance.

Regards

[REDACTED]

Saritha Shetty

From: Fleur Rohleder <Fleur.Rohleder@beca.com>
Sent: Friday, 15 December 2023 11:44 am
To: District Plan Review Team
Subject: [EXTERNAL] Fire and Emergency Feedback - Hutt City Draft District Plan
Attachments: Fire and Emergency New Zealand - Hutt City Council - Hutt City Draft District Plan.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Steve

Kia ora,

Please see the attached feedback on behalf of Fire and Emergency New Zealand regarding the Draft Hutt City District Plan.

Ngā mihi,

Fleur Rohleder

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Sensitivity: General

Feedback on Hutt City Draft District Plan

To: Hutt City Council

From: Fire and Emergency New Zealand

- This feedback is from Fire and Emergency New Zealand (Fire and Emergency) on the Hutt City Draft District Plan (DDP).
- The specific provisions of the DDP that Fire and Emergency's feedback relates are set out in Attachment A.

Fire and Emergency's submission is:

Fire and Emergency wish to acknowledge the level of consideration that has been given to firefighting water supply and access matters in the drafting of the DDP. Overall, Fire and Emergency is supportive of the DDP and seeks only minor amendments to the provisions of the DDP to further refine and improve the protection of life and property within Hutt City.

The primary objective of Fire and Emergency is to reduce the incidence of unwanted fire and the associated risk to life and property. Fire and Emergency seeks to:

- protect and preserve life,
- prevent or limit injury,
- prevent or limit damage to property and land, and
- prevent or limit damage to the environment¹.

Fire and Emergency's main functions² are—

- (a) to promote fire safety, including providing guidance on the safe use of fire as a land management tool; and
- (b) to provide fire prevention, response, and suppression services; and
- (c) to stabilise or render safe incidents that involve hazardous substances; and
- (d) to provide for the safety of persons and property endangered by incidents involving hazardous substances; and
- (e) to rescue persons who are trapped as a result of transport accidents or other incidents; and
- (f) to provide urban search and rescue services.

Fire and Emergency also has secondary functions to assist in matters to the extent that Fire and Emergency has the capability and capacity to do so and the capability to perform their main functions efficiently and effectively. These secondary functions³ are:

- (a) responding to medical emergencies; and

¹ Fire and Emergency New Zealand Act 2017 section 10(a)(b)

² Fire and Emergency New Zealand Act 2017 section 11(2)

³ Fire and Emergency New Zealand Act 2017 section 12(3)

- (b) responding to maritime incidents; and
- (c) performing rescues, including high angle line rescues, rescues from collapsed buildings, rescues from confined spaces, rescues from unrespirable and explosive atmospheres, swift water rescues, and animal rescues; and
- (d) providing assistance at transport accidents (for example, crash scene cordoning and traffic control); and
- (e) responding to severe weather-related events, natural hazard events, and disasters; and
- (f) responding to incidents in which a substance other than a hazardous substance presents a risk to people, property, or the environment; and
- (g) promoting safe handling, labelling, signage, storage, and transportation of hazardous substances; and
- (h) responding to any other situation, if Fire and Emergency has the capability to assist; and
- (i) any other function conferred on Fire and Emergency as an additional function by the Minister in accordance with section 112 of the Crown Entities Act 2004.

With the wider mandate and changing nature of Fire and Emergency response, the volume of incidents that Fire and Emergency responds to has grown, as has the range of incident types.⁴

Fire and Emergency also faces broad challenges, such as the increasing frequency and severity of extreme weather events, increasing intensification of urban areas, and competing access to resources such as water and transport infrastructure. These challenges make the environment Fire and Emergency operates in more complex and puts greater demands on Fire and Emergency as an organisation.

Territorial authorities have a role in ensuring that Fire and Emergency, as an emergency services provider, can continue to operate effectively and efficiently in a changing urban environment. As such, Fire and Emergency has an interest in the DDP to ensure that, where necessary, appropriate consideration is given to fire safety and operational firefighting and property requirements.

This feedback seeks to enable Fire and Emergency to carry out its duties under the Fire and Emergency New Zealand Act 2017 effectively in the protection of lives, property, and the surrounding environment. This feedback addresses matters relating to activities required to be undertaken to enable effective firefighting training, emergency response and to provide for the health and safety of people and communities in the Hutt city.

The provisions of the DDP that relate to Fire and Emergency's statutory functions and responsibilities are:

- fire safety and fire prevention,
- firefighting water supply and access to this supply,
- property access for fire appliances,
- subdivision and development including in remote areas,
- noise from emergency services activities,
- the ability to undertake training activities for the firefighters within the district,
- the operation of existing fire stations, and
- the establishment of new fire stations.

There are seven existing fire stations in Hutt City, as follows:

⁴ There is an increasing need to respond to a wide range of non-fire emergencies, where Fire and Emergency often coordinates with and assist other emergency services. These include responding to motor vehicle accidents, medical call-outs, technical rescues, hazardous substance incidents such as gas or chemical leaks, and accidents and other incidents at sea. In 2016/17, Fire and Emergency attended more medical emergencies than structure and vegetation fires combined. (Source: NZ Fire Service Annual Report 2016/17)

Fire station	Legal description	Physical address	Hutt City Operative District Plan	Hutt City Draft District Plan
Eastbourne Volunteer Fire Brigade	Lot 3 DP 55283	2 Makaro Street.	<p>Zone</p> <p>Medium Density Residential</p> <p>Overlays</p> <ul style="list-style-type: none"> • Tsunami Evacuation Zone (orange) • Specific Height Control Overlay 	<p>Zone</p> <p>Medium Density Residential</p> <p>Overlays</p> <ul style="list-style-type: none"> • Coastal Environment • Specific height control overlay (18 metres) • Flood Hazard Overlay (inundation area)
Wainuiomata Volunteer Fire Brigade	Lot 2 DP 17210	35 Fitzherbert Road	<p>Zone</p> <p>Medium Density Residential</p> <p>Overlay</p> <ul style="list-style-type: none"> • Specific Height Control Overlay • Flood Hazard Overlay 	<p>Zone</p> <p>Medium Density Residential</p> <p>Overlays</p> <ul style="list-style-type: none"> • Liquefaction Hazard Overlay • Flood Hazard Overlay (inundation area)
Wainuiomata Bush Voluntary Rural Fire Force	Lot 2 DP 78612	23 The Strand	<p>Zone</p> <p>Suburban Mixed Use</p> <p>Overlays</p> <ul style="list-style-type: none"> • Specific height Control Overlay • Flood Hazard Overlay 	<p>Zone</p> <p>Mixed Use Zone</p> <p>Overlays</p> <ul style="list-style-type: none"> • Liquefaction Hazard Overlay • Flood Hazard Overlay (inundation area)
Seaview Station	Lot 2 DP 55311	51 Parkside Road	<p>Zone</p> <p>Special Business Zone</p> <p>Overlay</p> <ul style="list-style-type: none"> • Tsunami Evacuation Zone (orange) • Flood Hazard Overlay • Coastal Hazard Overlay (inundation) • Coastal Hazard overlay (Tsunami) 	<p>Zone</p> <p>Heavy Industrial Zone</p> <p>Overlay</p> <ul style="list-style-type: none"> • Mana Whenua Statutory Acknowledgement • Wellington Fault Induced Subsidence Area • Medium Coastal Inundation Overlay

Fire station	Legal description	Physical address	Hutt City Operative District Plan	Hutt City Draft District Plan
Hutt City Station	Lot 1 DP 307532	39 Marsden Street	Zone General Business Overlay <ul style="list-style-type: none"> Tsunami Evacuation Zone (yellow) Flood Hazard Overlay 	Zone Light Industrial Zone Overlay <ul style="list-style-type: none"> Mana Whenua Statutory Acknowledgement Medium Coastal Inundation Overlay
Avalon Station	Lots 3 & 4 DP 8651	955 High Street	Zone Suburban Mixed Use Overlay <ul style="list-style-type: none"> Flood Hazard Overlay 	Zone Mixed Use Zone Overlay <ul style="list-style-type: none"> Mana Whenua Statutory Acknowledgement Flood Hazard Overlay (inundation)
Stokes Valley Volunteer Fire Brigade	Lots 232-234 DP 8382	374 Stokes Valley Road	Zone Medium Density Residential Overlay <ul style="list-style-type: none"> Flood Hazard Overlay 	Zone Mixed Use Zone Overlay <ul style="list-style-type: none"> Mana Whenua Statutory Acknowledgement Flood Hazard Overlay (inundation)

Fire and Emergency has a Statement of Performance Expectations⁵ which sets out targets for delivering timely and effective fire response and suppression services as well as other services. Community need for Fire and Emergency services has been increasing, thereby increasing Fire and Emergency's presence on the roads and need for fast and efficient access to incidents across the city.

Urban growth and intensification coupled with the increasing rate of extreme weather events and risk from natural hazards as a result of climate change and other environmental and demographic changes across communities is likely to result in a greater demand on emergency services and consequently can affect response times if not managed. Fire and Emergency's response time commitments to the government and community are key determinants for the location of new, or expansion of existing fire stations. Fire stations therefore need to be strategically located within and throughout communities to maximise their coverage and maintain appropriate response times and efficiently provide for the health and safety of people and communities. As urban areas develop and intensify, the ability to construct and operate fire stations in locations which enable acceptable response times to fire and other emergencies is critical for the health,

⁵ <https://www.fireandemergency.nz/assets/Documents/Files/Statement-of-Performance-Expectations-2022-2023.pdf>

safety and wellbeing of people in the community. In this regard, it should also be noted that Fire and Emergency is not a requiring authority under section 166 of the RMA and therefore does not have the ability to designate land for the purposes of fire stations. Provisions within the rules of the district plan therefore are the best way to facilitate the development of any new emergency service facilities as the city grows. Ongoing and frequent engagement with Fire and Emergency as a key stakeholder in terms of growth projections and demographic changes will assist Fire and Emergency in understanding where there is a need for new emergency service facilities in the future.

Appendix A sets out the details of Fire and Emergency's feedback, including the amendments sought by Fire and Emergency to specific provisions in the DDP, and the reasons for the amendments. Many of these are in favour of retaining the proposed provisions as currently proposed.



Signature of person authorised to sign on behalf of Fire and Emergency

Date:	15/12/2023
Electronic address for service of person providing feedback:	fleur.rohleder@beca.com
Telephone:	+64 4 460 1792
Postal address:	PO Box 3942 Wellington 6140
Contact person:	Fleur Rohleder

Appendix A: Fire and Emergency New Zealand feedback on the Hutt City Draft District Plan

The following table sets out the specific feedback and amendments sought by Fire and Emergency. Where specific amendments to provisions of the DDP are sought, these amendments are shown as red underline (for new text sought) and ~~were~~ (for deletion).

ID	Proposed provision	Support / oppose	Feedback	Requested relief
PART 1 – INTRODUCTION AND GENERAL PROVISIONS				
Interpretation – Definitions				
1	Accessory building	Support	<p>Fire and Emergency supports the definition for ‘Accessory Building’ as it best defines detached ancillary buildings that excludes any minor residential unit.</p> <p>Accessory buildings may be subject to specific fire protection requirements including firefighting water supply and access to reduce any potential fire risks</p>	Retain as drafted.
2	Community facility	Support with amendment	<p>Fire and Emergency supports in part the definition for ‘community facility’ insofar that it includes land and buildings used by the community for safety purposes. However, as currently drafted, the definition could be interpreted to include fire stations which Fire and Emergency does not consider appropriate. While fire stations are important to enable Fire and Emergency to serve communities, the facilities themselves are not community facilities in the same way that churches and community halls are. They are not for the use of the general public and have very specific location and functional requirements such as car parking requirements and vehicle crossing dimensions etc.</p> <p>For this reason, Fire and Emergency would like emergency service activities and facilities to be excluded from the definition of community facilities, and a new definition for ‘emergency service facilities’ to be added to the plan.</p> <p>Fire and Emergency considers explicitly excluding emergency service facilities from this definition necessary to differentiate emergency service facilities for the purpose of providing a more appropriate rule framework to better support building and operational requirements related to new and existing fire stations. This will better enabled Fire and Emergency to carry out its duties fully to protect the community.</p>	<p>Amend as follows:</p> <p>Community facility</p> <p>means land and buildings used by members of the community for recreational, sporting, cultural, safety, health, welfare, or worship purposes. It includes provision for any ancillary activity that assists with the operation of the community facility.</p> <p><u>Note: ‘Community facility’ excludes land and buildings used for emergency service activities which is covered by the definition ‘emergency service facility’.</u></p>
3	Emergency service facility	Support	<p>Fire and Emergency supports the definition for ‘Emergency Service Facility’ as it subsequently provides for the relief sought through its submission in relation to the provision of fire station in Hutt city. It is vital that the DDP provides for emergency service facilities to better provide for the health, safety, and wellbeing of communities by enabling the establishment of fire stations.</p>	Retain as drafted.
4	Functional need	Support	<p>Fire and Emergency supports the definition of ‘Functional Need’ as it defines and recognises activities that have a need to be in certain locations.</p> <p>Fire stations may have a functional need to be located in certain areas, including those with increased risk of natural hazards. Locating fire stations where they have a functional need can help reduce response times to fire events and protect the community more efficiently.</p>	Retain as drafted.
5	Habitable room	Support	<p>Fire and Emergency supports the definition for ‘Habitable Room’ as it includes occupied rooms.</p> <p>Habitable rooms may be subject to specific fire protection requirements including firefighting water supply and access to reduce any potential fire risks.</p>	Retain as drafted.

ID	Proposed provision	Support / oppose	Feedback	Requested relief
6	Hazardous substance	Support	Fire and Emergency supports the definition of 'Hazardous Substance' being consistent with section 2 of the RMA and reference to other relevant legislation including the 'Hazardous Substances and New Organisms Act 1996' as a hazardous substance and the 'Hazardous Substances and New Organisms Act 1996'.	Retain as drafted.
7	Natural hazard	Support	Fire and Emergency supports the definition of 'natural hazard' being consisted with section 2 of the RMA.	Retain as drafted.
8	Operational need	Support	Fire and Emergency supports the definition of 'Operational Need' as it defines and recognises activities that have a need to operate in certain locations where the activity is specifically required. Fire stations that have a need to function in certain areas may including areas with increased risk of natural hazards. Allowing fire stations to operate where there is an operational need can help reduce response times to fire events and protect the community more efficiently.	Retain as drafted.
9	Residential activity	Support	Fire and Emergency supports the definition for 'residential activity' as it includes the use of land and buildings that are primarily purposed for living accommodation. Residential buildings shall be subject to specific fire protection requirements including firefighting water supply and access to protect people from fire risks.	Retain as drafted.
10	Residential unit	Support	Fire and Emergency supports the definition for 'residential unit' as it includes buildings used for residential activity (as supported above). Residential units shall be subject to specific fire protection requirements including firefighting water supply and access to protect people from fire risks.	Retain as drafted.
11	Structure	Support	Fire and Emergency supports the definition for 'structure' as it defines buildings that are fixed / located on land. Structures may be subject to specific fire protection requirements including firefighting water supply and access to reduce any potential fire risks.	Retain as drafted.
12	New definition	-	Fire and Emergency seeks the inclusion of a new definition for 'Temporary emergency services training activity' in order to provide greater clarity to plan users and to support the relief sought elsewhere in this submission. In order to ensure an efficient and effective emergency response, firefighter training is an essential activity undertaken by Fire and Emergency. Firefighter training may include live fire training and equipment training both on and off site. The Statement of Performance Expectations (SPE) 2022/23 confirms a commitment to the Government that all firefighters achieve a certain level of training.	Add a new definition: <u>Temporary emergency services training activity</u> <u>means a temporary activity undertaken for the training of any component of Fire and Emergency New Zealand for any emergency purpose.</u> <u>An emergency purpose are those purposes which enable Fire and Emergency New Zealand to achieve its main functions under sections 11 and 12 of the Fire and Emergency New Zealand Act 2017.</u>

ID	Proposed provision	Support / oppose	Feedback	Requested relief
13	Temporary activity	Support	<p>Fire and Emergency supports in part the definition of 'temporary activity' insofar that it provides for temporary events.</p> <p>However, as above, Fire and Emergency has requested a new definition for 'temporary emergency services training activity' to provide greater clarity to plan users and to support relief sought elsewhere in this submission.</p> <p>Subject to acceptance of the new definition for 'temporary emergency services training activity' Fire and Emergency considers that 'temporary emergency services training activities' should be excluded from this definition to provide further clarity to the plan user.</p>	Retain as drafted.
PART 2: DISTRICT-WIDE MATTERS				
SD – Strategic Direction				
14	CC-O2 Natural Hazards	Support	Fire and Emergency supports CC-O2 insofar as it seeks to protect people, communities, and property from natural hazards and the potential effects of climate change. Natural hazards are defined to include fire, and Fire and Emergency has a role in responding to both fire and other natural hazard emergencies.	Retain as drafted.
15	INF-O1 Integration	Support	Fire and Emergency supports INF-O1 as it recognises the benefits of integrated infrastructure including transport and three waters servicing. Three waters includes a water supply distribution system which Fire and Emergency supports the promotion of as a critical part of providing firefighting water supply. For Fire and Emergency, it is important that adequate infrastructure is in place before the development of new areas, particularly those that are intended to be serviced with a reticulated water supply network.	Retain as drafted.
16	INF-O2 Coordination	Support	For the reasons set out in the previous feedback point, Fire and Emergency supports INF-O2 as drafted.	Retain as drafted.
17	INF-O4 Multi-Modal Land Transport Network	Support	Fire and Emergency supports INF-O3 insofar as it promotes the operation of a safe and efficient transport network.	Retain as drafted.
18	UFD-O3 Well-Functioning Urban Environment	Support	Fire and Emergency supports UF-O3 insofar as it promotes the creation of urban environments that serviced by the necessary infrastructure appropriate to the intensity, scale, and function of the development.	Retain as drafted.
INF – Infrastructure				
19	INF-O4 Infrastructure Availability and Capacity	Support	Fire and Emergency supports INF-O4 insofar as the objective promotes safe, resilient, sustainable, and efficient infrastructure that is able to meet the needs to existing and planned subdivision, use, and development.	Retain as drafted.
20	INF-O5 Transport network	Support	Fire and Emergency supports INF-O5 insofar as it promotes the development of an effective, accessible, and integrated transport network.	Retain as drafted.

ID	Proposed provision	Support / oppose	Feedback	Requested relief
21	INF-P1 Recognise benefits of infrastructure	Support	Fire and Emergency supports INF-P1 insofar as the policy recognises the benefit infrastructure provides to public health and safety.	Retain as drafted.
22	INF-P3 Coordinate provision of infrastructure	Support	Fire and Emergency supports INF-P2 insofar as it promotes the efficient coordination of infrastructure planning and delivery with land use, subdivision, development, and urban growth.	Retain as drafted.
23	INF-P10 Upgrading and development of the transport network	Support	Fire and Emergency supports INF-P10 insofar as it promotes the upgrade and development of the transport network where safe and efficient operation is not compromised, and integration / connectivity is maintained.	Retain as drafted.
24	INF-S10 Road design	Support in part	<p>By way of background, Fire and Emergency appliances have key access requirements including specific roading widths, surface, and gradients. These include, but are not limited to the following:</p> <ul style="list-style-type: none"> The minimum roading and carriageway widths should not be less than 4m for general appliance access. This width is required for firefighters to efficiently work around the fire appliance to access hoses and pumps. The maximum negotiable gradient is 1:5, but in general the roading gradient should not exceed 16%. The height clearance along roads (for example trees) should not be less than 4m. For multi-storey buildings an aerial appliance may be necessary which requires a carriageway width of 6.5m. <p>Fire and Emergency supports INF-S10 insofar as it requires roads to be designed in accordance with NZS 4404:2010 Land Development and Subdivision Infrastructure (NZS 4404:2010). Table 3.2 in NZS 4404:2010 provides the design standards for roads, which are generally supported by Fire and Emergency. However, Fire and Emergency notes that there are some instances where Table 3.2 enables road design that would not enable access for emergency appliances. For example, where a road provides access to lifestyle or clustered housing (with 1-6 dwellings) a maximum gradient of 20% and minimum carriageway width of 2.5m is permitted.</p> <p>Access for Fire and Emergency is particularly important in unreticulated areas where fire appliances will, in most cases, need to enter a site to access the onsite firefighting water supply and the emergency (i.e. structural fire). In areas that may be reticulated, if a dwelling is not located within 50m from a road with appropriate widths / gradients, there is a risk that the hose run distance between an accessible hydrant and site of a fire will be exceeded.</p> <p>As such, Fire and Emergency requests a new standard which manages emergency service access. Therefore, Fire and Emergency seeks amendment of INF-S10 to reflect this proposed change which it considers will better provide for the protection of life and property in Hutt city.</p>	<p>Amend as follows:</p> <p>INF-S10 Road design</p> <ol style="list-style-type: none"> All roads must be designed and constructed in accordance with NZS 4404:2010 Land Development and Subdivision Infrastructure, except where superseded by INF-S13.2 and INF-S13.3 <u>or</u> INF-SX. Street lighting must be provided in accordance with AS/NZS 1158:2005. Street trees must be provided in accordance with Table xx and yy. All roads must be designed so that compliance is achieved with New Zealand Standard 6806:2010 Acoustics – Road-traffic noise – New and altered roads
25	New standard	-	As set out in the previous feedback point, Fire and Emergency seeks the introduction of a new standard requiring roads to be designed to provide for emergency service access when located in an unreticulated area or hose run distances between hydrants and buildings are exceeded.	<p>Add a new standard as follow:</p> <p>INF-SX Road design for emergency services</p> <p><u>Where a road is providing access to land use activities in environments with:</u></p> <ol style="list-style-type: none"> No reticulated water supply; or

ID	Proposed provision	Support / oppose	Feedback	Requested relief
				<p>2 <u>Greater than 50m between a hydrant and building.</u></p> <p>Roads must be designed to provide:</p> <ul style="list-style-type: none"> <u>A minimum carriageway width of 4m.</u> <u>A maximum gradient of 16%.</u>
26	INF-S15 Removal of indigenous vegetation	Support	Fire and Emergency supports INF-S15 insofar as vegetation removal is exempt from the standard if the removal is required in accordance with sections 43 or 64 of the Fire and Emergency New Zealand Act 2017.	Retain as drafted.
TR – Transport				
27	TR-P9 Firefighting access	Support	Fire and Emergency strongly supports TR-P9 insofar as it promotes the provision of firefighting service access to on-site activities by controlling the design and location of site accesses.	Retain as notified.
28	TR-S1 Pedestrian and cycling access	Support in part	<p>Fire and Emergency strongly supports the requirement for any rear site which is only accessible via a pedestrian / cycling accessway to comply with the following:</p> <ol style="list-style-type: none"> A fully reticulated water supply system including hydrants must be available within the road corridor to which the access connects. The pedestrian and cycling access must be no more than 75m in length measured from the road boundary to any existing building or proposed building platform on the site. <p>Furthermore, Fire and Emergency supports the matter of discretion which enables HCC to consider whether activities have safe and effective access for firefighting purposes.</p> <p>It is vital that where developments are only provided with pedestrian / cycling access, the effective and efficient access and manoeuvring of crew and equipment for firefighting, medical, rescue and other emergency response is sufficiently considered. Fire and Emergency would prefer a 4m wide accessway, however recognises the practical realities of providing this. As such, Fire and Emergency requests:</p> <ul style="list-style-type: none"> A 3m clear width and a centred 1.8m wide formed accessway The 3m width is kept clear of gates, fences, wheely bins and other permanent obstructions. Landscaping either side of the 1.8m formed accessway should not exceed 1.5m in height and must be trimmed to maintain the clear 1.8m pathway at all times. An unobstructed height of up to 4m The provision of passing bays for accessways that exceed 50m in length Requirement for surface treatments which are firm, stable, and slip resistant in any weather condition. <p>Fire and Emergency seeks that TR-S1 is amended to reflect the full requirements it has for pedestrian / cycling only accessways. Furthermore, Fire and Emergency seeks to amend the 75m maximum length to 50m, to ensure that the necessary hose run distance is provided to access all parts of the building as opposed to only reaching one side of the property. These provisions will help</p>	<p>Amend as follows:</p> <p>TR-S1 Pedestrian and cycling access</p> <p>...</p> <ol style="list-style-type: none"> For firefighting purposes, any pedestrian and cycling access to an activity on a rear site which is the sole access to the activity or site, must comply with the following: <ol style="list-style-type: none"> A fully reticulated water supply system including hydrants must be available within the road corridor to which the access connects. The pedestrian and cycling access must be: <ol style="list-style-type: none"> <u>Be no more than 750m in length measured from the road boundary to any existing building or proposed building platform on the site; and</u> <u>Have a 3m width clear of obstructions and a centred 1.8m sealed width; and</u> <u>Have a surface treatment which is firm, stable and slip resistant in any weather condition; and</u> <u>Be unobstructed for its full length up to a heigh of 4m; and</u>

ID	Proposed provision	Support / oppose	Feedback	Requested relief
			to ensure emergency personnel and their equipment can safely and efficiently access a site in the case of an emergency, while also ensuring that residents are safely able to escape.	<u>v.</u> Landscaping either side of the 1.8m formed accessway should not exceed 1.5m in height and must be trimmed to maintain a clear path at all times.
29	TR-S7 On-site driveways	Support in part	<p>Fire and Emergency strongly supports TR-S7 insofar as it controls the design of on-site driveways and includes a matter of discretion regarding whether activities have safe and effective access for firefighting purposes. Furthermore, TR-S7(3) requires any driveway for a site located in an area where no fully reticulated water supply is available, or having a length greater than 75m when connected to a road that has a reticulated water supply system, must:</p> <ol style="list-style-type: none"> Have a minimum unobstructed width of 4m; Have a minimum formed width of 3.5m; Have a minimum height clearance of 4m; and Be designed to be free of obstacles that could hinder access for emergency service vehicles. <p>However, Fire and Emergency seeks to amend the 75m maximum length to 50m, to ensure that the necessary hose run distance is provided to access all parts of the building, as opposed to only reaching one side of the property. Additionally, Fire and Emergency notes that a gradient of up to 20% is allowed in some instances. As such, Fire and Emergency seeks a control on the gradient of on-site driveways to ensure emergency service vehicles are able to manoeuvre adequately.</p>	<p>Amend as follows:</p> <p>TR-S7 On-site driveways</p> <p>...</p> <ol style="list-style-type: none"> Any driveway for a site located in an area where no fully reticulated water supply system is available, or having a length greater than <u>75</u>0m when connected to a road that has a fully reticulated water supply system including hydrants, must: <ol style="list-style-type: none"> Have a minimum unobstructed width of 4m; Have a minimum formed width of 3.5m; Have a minimum height clearance of 4m; and Be designed to be free of obstacles that could hinder access for emergency service vehicles. Have a maximum gradient of 16%.
THW – Three Waters				
30	THW-O1 Infrastructure-enabled urban development THW-P1 Three Waters Infrastructure Servicing	Support	Fire and Emergency supports THW-O1 and THW-P1 insofar as the objective and policy encourage future subdivision, use, and development of land in urban areas to be sufficiently supported by existing or planned three waters infrastructure capacity and level of service.	Retain as drafted.
31	THW-R1 New buildings (except accessory buildings), conversions of existing buildings and new allotments Residential Zones Commercial and Mixed Use Zones Industrial Zones Sport and Recreation Zone Hospital Zone	Support	Fire and Emergency supports THW-R1 insofar as new buildings, conversions of existing buildings, and new allotments are a permitted activity where a connection to an existing reticulated water supply is provided in accordance with Chapter 6 of the Wellington Water Regional Standard for Water Services December 2021. Chapter 6 requires the provision of a firefighting water supply in accordance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNA PAS 4509:2008. Furthermore, Fire and Emergency supports the inclusion of a matter of discretion which considers the relevant sections of the Wellington Water Regional Standard for Water Services December 2021.	Retain as drafted.

ID	Proposed provision	Support / oppose	Feedback	Requested relief
	Tertiary Education Zone			
32	New rule	-	<p>Fire and Emergency notes that THW-R1 does not apply to rural areas and that the Wellington Water Regional Standard for Water Services December 2021 does not include provisions for unreticulated firefighting water supplies.</p> <p>As such, to ensure that a suitable firefighting water supply is provided in the rural environment, Fire and Emergency seeks the inclusion of a new rule. Fire and Emergency considers this will promote the health, safety and wellbeing of rural communities.</p>	<p>Add a new rule as follows:</p> <p><u>THW-RX New buildings (except accessory buildings), conversions of existing buildings and new allotments</u></p> <p><u>Rural Zones</u></p> <p>1. <u>Activity status: Permitted</u></p> <p><u>Where a suitable onsite firefighting water supply is provided in accordance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNA PAS 4509:2009 is provided for buildings not connected to a reticulated water supply.</u></p> <p><u>Note: A potential means of compliance could include the installation of a sprinkler system. A sprinkler system can reduce the spread of fire through a building and substantially reduces the volume of water required for firefighting. Sprinkler systems should comply with Fire Sprinkler Systems for Houses SNZ 4517:2010.</u></p>
NH – Natural Hazards				
33	NH-P1 Risk-Based Approach	Support	<p>Fire and Emergency supports NH-P1 insofar as it promotes a risk-based approach to the management of subdivision, use and development taking into consideration the operational and/or functional need for some activities (such as fire stations) to locate in Natural Hazard Overlays. Fire and Emergency has existing stations located within Natural Hazard Overlays and may have an operational and/or functional need to locate new stations in areas subject to Natural Hazard Overlays.</p>	Retain as drafted.
34	NH-P2 Levels of Risk NH-P9 Subdivision, use and development in the Flood Hazard Overlay	Support	<p>Similar to the previous feedback point, Fire and Emergency supports NH-P2 and NH-P9 insofar as it recognises that buildings and activities may have an operational and/or functional need to locate in high hazard areas and the Flood Hazard Overlay.</p>	Retain as drafted.
36	NH-P10 New Buildings and the Conversion of Existing Buildings in the Liquefaction Hazard Overlay NH-P11 Fault Induced Subsidence Hazard overlay	Support	<p>Fire and Emergency supports NH-P10 and NH-P11 insofar as these policies provide for emergency service facilities to locate in the Liquefaction Hazard Overlay and Fault Induced Subsidence Hazard Overlay providing it can be demonstrated that:</p> <ul style="list-style-type: none"> • occupants will be able to safely evacuate, • post-disaster functionality can be maintained, • and emergency vehicles will be able to service the impacted community by being able to enter and leave the site. 	Retain as drafted.

ID	Proposed provision	Support / oppose	Feedback	Requested relief
NATC – Natural Character				
37	NATC-P3 Vegetation Removal within Coastal Margins and Riparian Margins	Support	Fire and Emergency supports NATC-P3 insofar as it provides for the removal of vegetation with coastal and riparian margins where it is required for the reduction of wildfire risk through the removal of highly flammable vegetation near existing residential units or rural property.	Retain as drafted.
38	NATC-R3 Vegetation Removal within Coastal Margins and Riparian Margins	Support	Fire and Emergency supports NATC-R3 insofar as it permits the removal of vegetation within coastal and riparian margins where it is required in accordance with sections 43 or 64 of the Fire and Emergency New Zealand Act 2017.	Retain as drafted.
NFL – Natural Features and Landscapes				
39	NFL-P4 Vegetation Removal in Outstanding Natural Features and Landscapes	Support	Fire and Emergency supports NFL-P4 insofar as it seeks to reduce the risk of wildfire through the removal of highly flammable vegetation near existing residential units on rural property.	Retain as drafted.
40	NFL-R3 Vegetation Removal in Outstanding Natural Features and Landscapes	Support	Fire and Emergency supports NFL-R3 insofar as it permits the removal of vegetation in outstanding natural features and landscapes where it is required in accordance with sections 43 or 64 of the Fire and Emergency New Zealand Act 2017.	Retain as drafted.
SUB – Subdivision				
41	SUB-P6 Transport Network	Support	Fire and Emergency supports SUB-P6 insofar as it provides for subdivision where the safe and efficient functioning of the transport network is maintained.	Retain as drafted.
42	SUB-P7 Servicing and Access	Support	Fire and Emergency strongly supports SUB-P7 insofar as it promotes all allotments created by subdivision being serviced by a reticulated water supply system in accordance with the Wellington Water Regional Standard for Water Services December 2021. Where reticulated services are not available, allotments should be of a sufficient size and shape to accommodate onsite water supply infrastructure, including for firefighting purposes.	Retain as drafted.
43	SUB-R1 Boundary adjustments SUB-R3 Subdivision that does not result in the creation of any new vacant allotments... SUB-R4 Subdivision that creates any vacant allotments	Support	Fire and Emergency strongly supports the requirement for subdivision in all zones relating to the activities managed by SUB-R1 to SUB-R4 to comply with SUB-S1 to SUB-S4.	Retain as drafted.
44	SUB-S1 Minimum Allotment Size	Support	Fire and Emergency supports SUB-S1 insofar as the minimum allotment size for sites in the Rural Lifestyle zone is 1ha, which should provide a sufficient size to accommodate onsite water supply infrastructure, giving effect to SUB-P7.	Retain as drafted.
45	SUB-S2 Access	Support in part	Subject to the amendments sought under the Transport Chapter, Fire and Emergency strongly supports SUB-S2 insofar as it requires every allotment to have practical, physical and legal access to a formed legal road and for that access to be in accordance with the rules and standards of the Transport Chapter.	Retain as drafted.

ID	Proposed provision	Support / oppose	Feedback	Requested relief
46	SUB-S3 Roads	Support in part	<p>Subject to the amendment sought under the Transport and Infrastructure chapters, Fire and Emergency supports SUB-S3 which requires all new roads and intersections to comply with the rules and standards set out in the Transport and Infrastructure chapters.</p> <p>Fire and Emergency also supports the inclusion of a matter of discretion relating to public health and urban including the safe functioning of the transport network. However, Fire and Emergency also seeks the inclusion of an additional matter of discretion relating to the ability for emergency service vehicles to safely and efficiently manoeuvre the transport network when a rule or standard in the Transport or Infrastructure chapter is not complied with.</p>	<p>Amend as follows:</p> <p>SUB-S3 Roads</p> <p>...</p> <p>Matters of discretion:</p> <p>...</p> <p>4. The ability for emergency service vehicles to safely and efficiently manoeuvre the transport network.</p>
47	SUB-S4 Water Supply	Support	<p>Fire and Emergency strongly supports SUB-S4 insofar as, where a reticulated water supply system is available, all new allotments must be provided with a connection which meets the requirements of the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008. Where a connection to a reticulated water supply system is not available, all allotments must comply with the water supply requirements of the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008. Furthermore, SUB-S4 includes a matter of discretion relating to the suitability of the proposed water supply for firefighting purposes, including effects on people's health and safety and on property.</p>	Retain as drafted.
GENERAL DISTRICT-WIDE MATTERS				
CE – Coastal Environment				
48	CE-P5 Vegetation removal in the Coastal Environment	Support	<p>Fire and Emergency supports CE-P5 insofar as it promotes the removal of vegetation in the coastal environment, including within High and Very High Coastal Natural Character Areas and Outstanding Coastal Natural Character Areas where the risk of wildfire is reduced through the removal of highly flammable vegetation near existing residential units on rural property.</p>	Retain as drafted.
49	CE-R3 Vegetation Removal in the Coastal Environment	Support	<p>Fire and Emergency supports CE-R3 insofar as it permits the removal of vegetation in the Coastal Environment where it is required in accordance with sections 43 or 64 of the Fire and Emergency New Zealand Act 2017.</p>	Retain as drafted.
50	CE-S1 Vegetation trimming or removal within High and Ver High Coastal Natural Character Areas	Support	<p>Fire and Emergency is supportive of the removal of vegetation that is required in accordance with sections 43 or 64 of the Fire and Emergency New Zealand Act 2017 being exempt from CE-S1.</p>	Retain as drafted.
NOISE – Noise				
51	NOISE – Noise chapter	Support	<p>Fire and Emergency supports that the rules of the NOISE chapter do not apply to any warning device or siren used by emergency services for civil defence or emergency purposes, including testing and routine maintenance conducted between 7:00am and 7:00pm.</p>	Retain as drafted.
TEMP – Temporary Activities				

ID	Proposed provision	Support / oppose	Feedback	Requested relief
52	New rule	-	<p>In order to ensure an efficient and effective emergency response, firefighter training is an essential activity undertaken by Fire and Emergency. Firefighter training may include live fire training and equipment training both on and off site.</p> <p>Fire and Emergency's Statement of Performance Expectations (SPE) 2022/23 confirms a commitment to the Government that all firefighters achieve a certain level of training. In order to ensure an efficient and effective emergency response, firefighter training is an essential activity undertaken by Fire and Emergency.</p> <p>Firefighter training may include live fire training and equipment training both on and off site. Fire and Emergency seeks that the DDP clearly provides Fire and Emergency the ability to undertake firefighting training activities throughout the district.</p> <p>This will ensure that any adverse effects of temporary activities are managed in accordance with community expectations.</p>	<p>Add new rule as follows:</p> <p><u>TEMP-RX Temporary emergency services training activities</u></p> <p><u>All Zones</u></p> <p>1. Activity Status: PER</p> <p><u>Where the following conditions are met:</u></p> <p>a. Limited to:</p> <p><u>i. a period of two days, excluding set-up or pack-down activities, which can occur up to one week prior to commencement and up to one week following completion of the temporary emergency services training activity.</u></p> <p>2. Activity status where compliance not achieved: Discretionary.</p>
PART 3 – AREA SPECIFIC MATTERS				
LLRZ – Large Lot Residential Zone				
53	LLRZ-P3 Non-residential activities	Support with amendment	<p>Fire and Emergency requires the ability to construct and operate fire stations in locations which enable reasonable response times to fire and other emergencies. As such, Fire and Emergency seeks an amendment to LLRZ-P3 that enables non-residential activities that have an operational and/or functional need to locate within the zone. It is considered that this will support the health, safety and well-being of residential communities.</p>	<p>Amend as follows:</p> <p>LLRZ-P3 Non-residential activities</p> <p>Only allow non-residential activities where:</p> <p>...</p> <p><u>x. They have an operational and / or functional need to locate in the zone.</u></p>
54	LLRZ-R11 Emergency facilities	Support with amendment	<p>As described in the previous feedback point, Fire and Emergency requires the ability to construct and operate fire stations in locations which enable reasonable response times to fire and other emergencies. This means new fire stations may be necessary in any zone across the city in order to continue to achieve emergency response time commitments in situations where development occurs and population change. In this regard, it is noted that Fire and Emergency is not a requiring authority under section 166 of the RMA, and therefore does not have the ability to designate land for fire stations.</p> <p>Furthermore, Fire and Emergency notes that the effects of a fire station can be largely anticipated and, in the most part, do not differ to the effects of a number of activities that may be anticipated through rural and urban environments. As such, Fire and Emergency supports the Restricted Discretionary status LLRZ-R11 and the proposed matters of discretion.</p>	<p>Amend as follows:</p> <p>LLRZ-R11 Emergency <u>service</u> facilities</p> <p>...</p>

ID	Proposed provision	Support / oppose	Feedback	Requested relief
			However, Fire and Emergency notes that the DDP defines these facilities as 'Emergency Service Facilities' and as such seeks an amendment to LLRZ-R11 to provide consistency and clarity throughout the plan.	
MRZ – Medium Density Residential Zone				
55	MRZ-O1 Purpose of the Medium Density Residential Zone	Support	Fire and Emergency requires the ability to construct and operate fire stations in locations which enable reasonable response times to fire and other emergencies. Fire and Emergency supports MRZ-O1 insofar as it provides for non-residential activities that support the health and wellbeing of people and communities.	Retain as drafted.
56	MRZ-O2 Planned urban environment of the Medium Density Residential Zone	Support	Fire and Emergency supports MRZ-O2 insofar as it promotes built development which is integrated with existing and planned infrastructure. As defined in the RMA, infrastructure includes a water supply distribution system which Fire and Emergency supports the promotion of as a critical part of providing firefighting water supply. For Fire and Emergency, it is important that adequate infrastructure is in place before enabling the development / intensification of residential areas, particularly those that are intended to be serviced with a reticulated water supply network	Retain as drafted.
57	MRZ-P10 Non-residential activities	Support with amendment	As raised in previous feedback points, Fire and Emergency require the ability to construct and operate fire stations in locations which enable reasonable response times to fire and other emergencies. As such, Fire and Emergency seeks an amendment to MRZ-P1 that enables non-residential activities that have an operational and/or functional need to locate within the zone. It is considered that this will support the health, safety and well-being of residential communities.	Amend as follows: MRZ-P10 Non-residential activities Only allow non-residential activities where: ... <u>x. There is an operational and / or functional need to locate in the zone.</u>
58	MRZ-R12 Emergency facilities	Support with amendment	As described in the previous feedback point, Fire and Emergency require the ability to construct and operate fire stations in locations which enable reasonable response times to fire and other emergencies. This means new fire stations may be necessary in any zone across the city in order to continue to achieve emergency response time commitments in situations where development occurs and population change. In this regard, it is noted that Fire and Emergency is not a requiring authority under section 166 of the RMA, and therefore does not have the ability to designate land for fire stations. Furthermore, Fire and Emergency notes that the effects of a fire station can be largely anticipated and, in the most part, do not differ to the effects of a number of activities that may be anticipated through urban environments. As such, Fire and Emergency supports the Restricted Discretionary status MRZ-R12 and the proposed matters of discretion. However, Fire and Emergency notes that the DDP defines these facilities as 'Emergency Service Facilities' and as such seeks an amendment to MRZ-R12 to provide consistency and clarity throughout the plan.	Amend as follows: MRZ-R12 Emergency <u>service</u> facilities ...
HRZ – High Density Residential Zone				

ID	Proposed provision	Support / oppose	Feedback	Requested relief
59	HRZ-O1 Purpose of the High Density Residential Zone	Support	Fire and Emergency requires the ability to construct and operate fire stations in locations which enable reasonable response times to fire and other emergencies. Fire and Emergency supports HRZ-O1 insofar as it provides for non-residential activities that support the health and wellbeing of people and communities.	Retain as drafted.
60	HRZ-O2 Planned urban environment	Support	Fire and Emergency supports HRZ-O2 insofar as it promotes built development which is integrated with existing and planned infrastructure. As defined in the RMA, infrastructure includes a water supply distribution system which Fire and Emergency supports the promotion of as a critical part of providing firefighting water supply. For Fire and Emergency, it is important that adequate infrastructure is in place before enabling the development / intensification of residential areas, particularly those that are intended to be serviced with a reticulated water supply network	Retain as drafted.
61	HRZ-P10 Non-residential activities	Support with amendment	As raised in previous feedback points, Fire and Emergency requires the ability to construct and operate fire stations in locations which enable reasonable response times to fire and other emergencies. As such, Fire and Emergency seeks an amendment to HRZ-P1 that enables non-residential activities that have an operational and/or functional need to locate within the zone. It is considered that this will support the health, safety and well-being of residential communities.	Amend as follows: HRZ-P10 Non-residential activities Only allow non-residential activities where: ... <u>x. They have an operational and / or functional need to locate in the zone.</u>
62	HRZ-R13 Emergency facilities	Support with amendment	As described in the previous feedback point, Fire and Emergency requires the ability to construct and operate fire stations in locations which enable reasonable response times to fire and other emergencies. This means new fire stations may be necessary in any zone across the city in order to continue to achieve emergency response time commitments in situations where development occurs and population change. In this regard, it is noted that Fire and Emergency is not a requiring authority under section 166 of the RMA, and therefore does not have the ability to designate land for fire stations. Furthermore, Fire and Emergency notes that the effects of a fire station can be largely anticipated and, in the most part, do not differ to the effects of a number of activities that may be anticipated through urban environments. As such, Fire and Emergency supports the Restricted Discretionary status MRZ-R12 and the proposed matters of discretion. However, Fire and Emergency notes that the DDP defines these facilities as 'Emergency Service Facilities' and as such seeks an amendment to HRZ-R13 to provide consistency and clarity throughout the plan.	Amend as follows: HRZ-R13 Emergency <u>service</u> facilities ...
GRUZ – General Rural Zone				
63	GRUZ-P3 Potentially compatible activities	Support with amendment	As raised in previous feedback points, Fire and Emergency requires the ability to construct and operate fire stations in locations which enable reasonable response times to fire and other emergencies. As such, Fire and Emergency seeks an amendment to HRZ-P1 that enables non-residential activities that have an operational and/or functional need to locate within the zone. It is considered that this will support the health, safety and well-being of rural communities.	Amend as follows: GRUZ-P3 Potentially compatible activities Only allow other activities in the General Rural Zone where it can be demonstrated that: ...

ID	Proposed provision	Support / oppose	Feedback	Requested relief
				x. They have an operational and / or functional need to locate in the zone.
64	GRUZ-P6 Infrastructure	Support	Fire and Emergency supports GRUZ-P6 insofar as it recognises that rural infrastructure can only sustain a low level of land use and intensification without significant investment and improvement.	Retain as drafted.
65	GRUZ-R13 Emergency facilities	Support in part	<p>Fire and Emergency requires the ability to construct and operate fire stations in locations which enable reasonable response times to fire and other emergencies. This means new fire stations may be necessary in any zone across the city in order to continue to achieve emergency response time commitments in situations where development occurs and populations change. In this regard, it is noted that Fire and Emergency is not a requiring authority under section 166 of the RMA, and therefore does not have the ability to designate land for fire stations.</p> <p>Furthermore, Fire and Emergency notes that the effects of a fire station can be largely anticipated and, in the most part, do not differ to the effects of a number of activities that may be anticipated through rural environments. It is noted that the current matters of discretion comprise the matters in GRUZ-P3. Fire and Emergency supports the Restricted Discretionary status GRUZ-R13 and, subject to the relief sought under GRUZ-P3, the proposed matters of discretion.</p> <p>However, Fire and Emergency notes that the DDP defines these facilities as 'Emergency Service Facilities' and as such seeks an amendment to GRUZ-R13 to provide consistency and clarity throughout the plan.</p>	<p>Amend as follows:</p> <p>GRUZ-R13 Emergency <u>service</u> facilities</p> <p>...</p>
RLZ – Rural Lifestyle Zone				
66	RLZ-P4 Potentially compatible activities	Support with amendment	As raised in previous feedback points, Fire and Emergency requires the ability to construct and operate fire stations in locations which enable reasonable response times to fire and other emergencies. As such, Fire and Emergency seeks an amendment to RLZ-P4 that enables non-residential activities that have an operational and/or functional need to locate within the zone. It is considered that this will support the health, safety and well-being of rural communities.	<p>Amend as follows:</p> <p>RLZ-P4 Potentially compatible activities</p> <p>Only allow other activities in the Rural Lifestyle Zone where it can be demonstrated that:</p> <p>...</p> <p>x. They have an operational and/or functional need to locate in the zone.</p>
67	RLZ-R13 Development of activities in the Quarry Protection Area	Support	<p>Fire and Emergency requires the ability to construct and operate fire stations in locations which enable reasonable response times to fire and other emergencies. This means new fire stations may be necessary in any zone across the city in order to continue to achieve emergency response time commitments in situations where development occurs and populations change. In this regard, it is noted that Fire and Emergency is not a requiring authority under section 166 of the RMA, and therefore does not have the ability to designate land for fire stations.</p> <p>Furthermore, Fire and Emergency notes that the effects of a fire station can be largely anticipated and, in the most part, do not differ to the effects of a number of activities that may be anticipated through rural environments. It is noted that the current matters of discretion comprise the matters in RLZ-P3. Fire and Emergency supports the Restricted Discretionary status RLZ-R13 and, subject to the relief sought under RLZ-P4, the proposed matters of discretion.</p>	<p>Amend as follows:</p> <p>RLZ-R13 Development or activities in the Quarry Protection Area</p> <p>Activity status: Restricted discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> Residential activities and buildings that are identified as permitted in the Rural Lifestyle Zone; Community Facilities; Emergency <u>Service</u> Facilities;

ID	Proposed provision	Support / oppose	Feedback	Requested relief
			However, Fire and Emergency notes that the DDP defines these facilities as 'Emergency Service Facilities' and, as such, seeks an amendment to RLZ-R13 to provide consistency and clarity throughout the plan.	<ul style="list-style-type: none"> d. Hospitals and Health Care Facilities; e. Kohanga Reo, Childcare and Education Facilities; and f. Visitor Accommodation. g.
68	New rule	-	<p>Fire and Emergency notes that the Rural Lifestyle Zone does not include a rule for 'Emergency Service Facilities' and, as such, a new fire station would currently be deemed a non-complying activity outside of the 'Quarry Protection Area'.</p> <p>For the reasons set out in the previous feedback point, Fire and Emergency seeks the inclusion of a new rule providing for the establishment of 'Emergency Service Facilities' in the zone as a Restricted Discretionary activity.</p>	<p>Add a new rule as follows:</p> <p>RLZ-RX Emergency Service Facilities</p> <ol style="list-style-type: none"> 1. <u>Activity status: Restricted discretionary</u> <p><u>Matters of discretion are the matters raised in RLZ-P4.</u></p>
LCZ – Local Centre Zone				
69	LCZ-P3 Potentially incompatible activities	Support with amendment	As raised in previous feedback points, Fire and Emergency requires the ability to construct and operate fire stations in locations which enable reasonable response times to fire and other emergencies. As such, Fire and Emergency seeks an amendment to LCZ-P3 that enables potentially incompatible activities that have an operational and/or functional need to locate within the zone. It is considered that this will support the health, safety and well-being of communities.	<p>Amend as follows:</p> <p>LCZ-P3 Potentially compatible activities</p> <ol style="list-style-type: none"> 1. Only allow for potentially incompatible activities where they ... x. <u>Have an operational and/or functional need to locate in the zone.</u>
70	New rule	-	<p>Fire and Emergency notes that the Local Centre Zone does not include a rule for 'Emergency Service Facilities'.</p> <p>For the reasons set out in previous feedback points, Fire and Emergency seek the inclusion of a new rule providing for the establishment of 'Emergency Service Facilities' in the zone as a Restricted Discretionary activity.</p>	<p>Add a new rule as follows:</p> <p>LCZ-RX Emergency Service Facilities</p> <ol style="list-style-type: none"> 1. <u>Activity status: Restricted discretionary</u> <p><u>Matters of discretion are the matters raised in LCZ-P3.</u></p>
MUZ – Mixed Use Zone				
71	MUZ-P3 Incompatible activities	Support with amendment	Fire and Emergency requires the ability to construct and operate fire stations in locations which enable reasonable response times to fire and other emergencies. As such, Fire and Emergency seeks an amendment to MUZ-P3 that enables potentially incompatible activities that have an operational and/or functional need to locate within the zone. It is considered that this will support the health, safety and well-being of communities.	<p>Amend as follows:</p> <p>MUZ-P3 Incompatible activities</p> <p>Incompatible activities are managed as follows:</p> <ol style="list-style-type: none"> 1. Only allow for industrial activities (that are not light manufacturing and servicing or heavy industrial activities) where they are consistent with the planned amenity values of the zone;

ID	Proposed provision	Support / oppose	Feedback	Requested relief
				2. Avoid heavy industrial activities and rural activities. 3. <u>Allow for emergency service activities where there is an operational and/or functional need to locate in the zone.</u>
72	New rule	-	<p>Fire and Emergency notes that the Mixed Use Zone does not include a rule for 'Emergency Service Facilities'.</p> <p>For the reasons set out in previous feedback points, Fire and Emergency seeks the inclusion of a new rule providing for the establishment of 'Emergency Service Facilities' in the zone as a Restricted Discretionary activity.</p>	<p>Add a new rule as follows:</p> <p>MUZ-RX Emergency Service Facilities</p> <p>1. <u>Activity status: Restricted discretionary</u></p> <p><u>Matters of discretion are:</u></p> <p>1. <u>The extent to which there is a functional and/or operational need to locate the activity in the zone.</u></p> <p>2. <u>The extent to which the activity may adversely impact on the transport network.</u></p> <p>3. <u>The extent to which the activity may adversely impact on the streetscape and the amenity of the neighbourhood, with particular regard given to the bulk of the buildings.</u></p> <p>4. <u>The extent to which the activity may adversely impact on the noise environment.</u></p>
MCZ – Metropolitan Centre Zone				
73	MCZ-P3 Potentially incompatible activities	Support with amendment	<p>Fire and Emergency requires the ability to construct and operate fire stations in locations which enable reasonable response times to fire and other emergencies. As such, Fire and Emergency seeks an amendment to MCZ-P3 that enables potentially incompatible activities that have an operational and/or functional need to locate within the zone. It is considered that this will support the health, safety and well-being of communities.</p>	<p>Amend as follows:</p> <p>MCZ-P3 Potentially Incompatible activities</p> <p>Only allow for potentially incompatible activities where they:</p> <p>a. ...</p> <p>x. <u>Allow for emergency service activities where there is an operational and/or functional need to locate in the zone.</u></p> <p>...</p>
74	New rule	-	<p>Fire and Emergency notes that the Metropolitan Centre Zone does not include a rule for 'Emergency Service Facilities'.</p> <p>For the reasons set out in previous feedback points, Fire and Emergency seeks the inclusion of a new rule providing for the establishment of 'Emergency Service Facilities' in the zone as a Restricted Discretionary activity.</p>	<p>Add a new rule as follows:</p> <p>MCZ-RX Emergency Service Facilities</p> <p>1. <u>Activity status: Restricted discretionary</u></p> <p><u>Matters of discretion are:</u></p>

ID	Proposed provision	Support / oppose	Feedback	Requested relief
				<p>1. <u>The extent to which there is a functional and/or operational need to locate the activity in the zone.</u></p> <p>2. <u>The extent to which the activity may adversely impact on the transport network.</u></p> <p>3. <u>The extent to which the activity may adversely impact on the streetscape and the amenity of the neighbourhood, with particular regard given to the bulk of the buildings.</u></p> <p><u>The extent to which the activity may adversely impact on the noise environment.</u></p>
CCZ – City Centre Zone				
75	CCZ-P3 Potentially incompatible activities	Support with amendment	<p>Fire and Emergency requires the ability to construct and operate fire stations in locations which enable reasonable response times to fire and other emergencies. As such, Fire and Emergency seeks an amendment to CCZ-P3 that enables potentially incompatible activities that have an operational and/or functional need to locate within the zone. It is considered that this will support the health, safety and well-being of communities.</p>	<p>Amend as follows:</p> <p>CCZ-P3 Potentially Incompatible activities</p> <p>Only allow for potentially incompatible activities where they:</p> <p>a. ...</p> <p>x. <u>Allow for emergency service activities where there is an operational and/or functional need to locate in the zone.</u></p> <p>...</p>
76	New rule	-	<p>Fire and Emergency notes that the City Centre Zone does not include a rule for 'Emergency Service Facilities'.</p> <p>For the reasons set out in previous feedback points, Fire and Emergency seeks the inclusion of a new rule providing for the establishment of 'Emergency Service Facilities' in the zone as a Restricted Discretionary activity.</p>	<p>Add a new rule as follows:</p> <p>CCZ-RX Emergency Service Facilities</p> <p>1. <u>Activity status: Restricted discretionary</u></p> <p><u>Matters of discretion are:</u></p> <p>1. <u>The extent to which there is a functional and/or operational need to locate the activity in the zone.</u></p> <p>2. <u>The extent to which the activity may adversely impact on the transport network.</u></p> <p>3. <u>The extent to which the activity may adversely impact on the streetscape and the amenity of the neighbourhood, with particular regard given to the bulk of the buildings.</u></p>

ID	Proposed provision	Support / oppose	Feedback	Requested relief
				4. The extent to which the activity may adversely impact on the noise environment.
LIZ – Light Industrial Zone				
78	LIZ-R7 Emergency facilities	Support with amendment	<p>Fire and Emergency strongly supports a permitted activity status for emergency service facilities within the Light Industrial zone.</p> <p>However, Fire and Emergency notes that the DDP defines these facilities as ‘Emergency Service Facilities’ and, as such, seeks an amendment to LIZ-R7 to provide consistency and clarity throughout the plan.</p>	<p>Amend as follows:</p> <p>LIZ-R7 Emergency <u>service</u> facilities</p>
GIZ – General Industrial Zone				
79	GIZ-R7 Emergency facilities	Support with amendment	<p>Fire and Emergency strongly supports a permitted activity status for emergency service facilities within the General Industrial zone.</p> <p>However, Fire and Emergency notes that the DDP defines these facilities as ‘Emergency Service Facilities’ and, as such, seeks an amendment to GIZ-R7 to provide consistency and clarity throughout the plan.</p>	<p>Amend as follows:</p> <p>GIZ-R7 Emergency <u>service</u> facilities</p>
HIZ – Heavy Industrial Zone				
80	HIZ-R7 Emergency facilities	Support with amendment	<p>Fire and Emergency strongly supports a permitted activity status for emergency service facilities within the Heavy Industrial zone.</p> <p>However, Fire and Emergency notes that the DDP defines these facilities as ‘Emergency Service Facilities’ and, as such, seeks an amendment to HIZ-R7 to provide consistency and clarity throughout the plan.</p>	<p>Amend as follows:</p> <p>HIZ-R7 Emergency <u>service</u> facilities</p>

From: [REDACTED]
To: [District Plan Review Team](#)
Cc: [Christopher Bishop](#); [Ray Wallace](#)
Subject: [EXTERNAL] Hutt City Draft District Plan
Date: Friday, 15 December 2023 1:14:10 pm
Attachments: [HCC draft district plan comments.docx](#)

As a rural landowner I request that the Hutt City pause and reconsider.....

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[REDACTED]

REQUEST FOR PAUSE

As rural landowners we are growing increasingly concerned with the stress and concern we have with the timelines and pressure regarding notifications of Plans as well as a raft of other regulations. We are equally concerned at the significant investment in resource and effort being ploughed into this process when we are all aware that a change in direction is likely from the new Government.

The new Government has clearly indicated one of the first step for new Ministers, to look for a comprehensive re-set of regulations that are presently not fit for purpose. That includes the NPS and will have significant ramifications for the Country. It is believed the requirements will be moderated to find a better balance and more appropriate time-frames to enable this process to take place in an effective and constructive way. Rushed policy is always poor policy.

There has been inadequate regard to

- The voice of public opinion has overwhelmingly spoken with the newly elected government. The National Policy Statement on Indigenous Biodiversity that compels local authorities to declare SNAs is more than likely to be gone relatively soon.
- The criteria for identifying significant natural areas (SNAs) remains flawed. The 2018 maps and data are inadequate and will need to be challenged in the environmental court. It will capture most if not all indigenous biodiversity as being 'significant', which is contrary to stated intent.
- While most/all indigenous biodiversity will be treated as an SNA, anything that is remaining will largely be treated the same as an SNA due to application of the effects management hierarchy. The highly mobile species habitat recognition and protection will not work in practice.
- A package of financial incentives and support is more effective and is a real opportunity to incentivise the protection of existing biodiversity, and increase the planting of natives.
- Positive interaction with landowners will achieve a more positive outcome for both Council and landowners.
- I know I'm repeating..... rushed policy is poor policy.
- Success in the area of biodiversity will largely come as a result of support, partnerships, collaboration and improved information and monitoring. An overly restrictive, or pecuniary, regulatory framework risks disincentivising restoration or enhancement, and deterring of the voluntary involvement of farmers and rural lifestyle workers working with council.
- There are a range of practical concerns. Consent information requirements and associated cost.

We ask that this process pause. The new Government campaigned on change. Reining in the barrage of new regulation and uncertain rural people face. In addition, our confidence, national economic situation is rapidly deteriorating with high inflation, falling business confidence, and local and central Government finances dramatically in the red.

Is it appropriate to create more uncertainty and distress by progressing with new regional plans that will radically reshape farming and other rural activities at any time, let alone a period of economic turbulence. We also endorse the submission by the Wainuiomata Rural Association.

Hutt City, being such an urbanised district, it is important that policy makers and decision makers understand the importance of our rural communities and the issues important to them.

Frank and Diana Clark
Members of Federated Farmers
648 Coast Road, Wainuiomata

Saritha Shetty

From: Kaaren Rosser - Corporate <Kaaren.Rosser@environz.co.nz>
Sent: Friday, 15 December 2023 9:16 am
To: District Plan Review Team
Subject: [EXTERNAL] Submission to Draft District Plan
Attachments: Submission to Hutt City draft District Plan Enviro NZ.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Steve

Good morning,

Please find attached submission from Enviro NZ with respect to the Draft district plan review.

Nga mihi



Kaaren Rosser
Environmental Planner

m 027 554 1065 | **e** kaaren.rosser@environz.co.nz
p 096228251 ext 5251

Please note I work Mondays, Tuesdays and Thursdays but am available if urgent on Wednesdays and Fridays.

Enviro NZ | Private Bag 92810, Penrose | Auckland 1642
L2, Building A, Millennium Centre. 602 Gt. South Road, Ellerslie | Auckland 1051

ENVIRO NZ SERVICES LTD SUBMISSION ON THE HUTT CITY DRAFT DISTRICT PLAN

Submitter Details:

1. Name: Enviro NZ Services Ltd (Enviro NZ)
2. Address for Service:
Postal: C/- Enviro NZ Services Ltd
PO Box 92810
Penrose
AUCKLAND 1642

Email: kaaren.rosser@environz.co.nz
3. Contact Person: Kaaren Rosser
Environmental Planner
Laurence Dolan
Environmental Manager
4. Date of Submission: 14 December 2022

Introduction:

5. Enviro NZ Services Limited (Enviro NZ) is the second-largest solid and liquid waste management company in New Zealand.
6. Enviro NZ owns and operates significant portions of the Country's waste management infrastructure including landfills, waste treatment facilities, recycling facilities and waste transfer facilities. Enviro NZ also provides waste and recycling collection services for Councils, businesses and households throughout New Zealand.
7. As a materials management and resource recovery company, Enviro NZ is committed to managing, recovering and processing waste streams to deliver sustainable outcomes. In the delivery of these outcomes, District Plans are important documents that need to allow for essential waste infrastructure in a city or district. They must ensure that appropriate and resilient infrastructure is provided for as the vulnerability of society to infrastructure short-comings can be severely detrimental to the economic, health and social well-being.
8. Enviro NZ operates waste, waste diversion, and recycling collection services within Hutt City. It operates these services from a site in Gracefield.



Figure 1: Gracefield depot site

Scope of Submission

1. Enviro NZ makes this submission on the following parts of the Draft District Plan:
 - Definitions
 - Strategic Direction
 - Light Industry Zone
 - General Industrial Zone
 - Heavy Industrial Zone
2. Specific comments have been detailed in the table at **Appendix 1**.

General Comments on the Draft District Plan

3. The Plan needs to accommodate sites for existing or planned waste management facilities. These sites often need to manage reverse sensitivity effects arising from the potential discharge of odour, dust and noise from the facilities. There are also high numbers of vehicle movements with respect to any waste facility. Therefore, waste facilities are ideally located distant to residential properties and other sensitive receivers.
4. Waste facilities can also take significant resources to design, consent and construct facilities that minimise effects on the natural environment and nearby residents. To achieve continuing waste diversion, existing sites are likely to

need upgrading to sort and handle different waste streams, or be expanded to handle increases in volumes. The equipment required to establish or upgrade a modern facility, that meets current environmental standards, is very capital intensive. Accordingly, it is important that waste facilities are recognised and provided for within the City, and also that their ongoing operation is protected from reverse sensitivity.

5. Therefore, the Heavy Industry zone extent and proposed rules are welcomed to allow for the continuance and/or establishment of necessary waste management infrastructure.

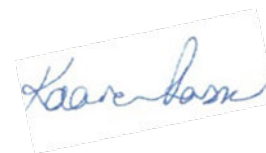
Infrastructure Definition

6. The draft Plan takes the infrastructure definition from the RMA. It is requested that the Infrastructure definition is amended to include district or regional resource recovery or waste disposal facilities as per the Natural and Built Environments Act. These facilities are of regional significance as they serve the district and beyond.
7. Adding to this definition acknowledges that waste management and disposal facilities are an essential part of the services needed for a society to function. Adding to the definition would then be in accordance with the NZ Waste Strategy, the Infrastructure Strategy and Aotearoa New Zealand's First Emissions Reduction Plan (where management of waste is required for the reduction of greenhouse gases).
8. If waste infrastructure is not added to the definition, they are excluded from consideration regarding infrastructure elsewhere in the Draft Plan. Amending the definition will also remove the need to amend clauses in the Draft Plan to include the waste facilities as listed within Appendix 1.

Signed for and on behalf of EnviroWaste Ltd:



Laurence Dolan
Environmental Manager
MSc(Hons) Dip Nat Res



Kaaren Rosser
Environmental Planner
BSc, DipNatRes, CPlan, Assoc. NZPI

Section of Proposed Plan	Support/ Oppose	Specific Text Identified	Relief Sought	Reasons
Part 1- Introduction and General Provisions				
Interpretation - Definitions				
ancillary transport network infrastructure	Support with amendments	<i>means infrastructure located within the road reserve that supports the transport network and includes:</i> ...	<i>means infrastructure located within the road reserve that supports the transport network and includes:</i> ... j. space for Council kerbside waste bins.	Refuse trucks need to have the appropriate space within road reserves that supports the collection of the Council residential rubbish and recycling bins. With intensification, road reserves need to be carefully planned to allow for refuse truck access to bins. While the placement of bins is temporary, the provision of space for their collection is paramount to allow efficient collection of bins and avoid injury to users of the road while refuse trucks are operating. Adding this clause to the definition will ensure that this element of the road reserve is considered.
cleanfill material	Support	<i>means virgin excavated natural materials including clay, gravel, sand, soil and rock that are free of:</i> a. combustible, putrescible, degradable or leachable components; b. hazardous substances and materials; c. products and materials derived from hazardous waste treatment, stabilisation or disposal practices; d. medical and veterinary wastes, asbestos, and radioactive substances; e. contaminated soil and other contaminated materials; and f. liquid wastes.		
Heavy industrial activity	Support in part	<i>means:</i> <ul style="list-style-type: none"> • an offensive trade, • a significant hazardous facility, • an abattoir, • a refinery, • the storage, treatment, or disposal of waste materials, • the composting of organic materials, or any other industrial activity that creates offensive and objectionable noise, dust, or odour, or elevated risks to people's health and safety.	<i>means:</i> <ul style="list-style-type: none"> • an offensive trade, • a significant hazardous facility, • an abattoir, • a refinery, • the storage, treatment, or disposal of waste materials, • the composting of organic materials <u>(excluding composting undertaken on the property from which the material is sourced up to 10m3 in volume)</u>, or any other industrial activity that creates offensive and objectionable noise, dust, or odour, or elevated risks to people's health and safety.	Small scale domestic composting needs to be excluded from the definition in order to allow for on-site composting of food scraps and green waste. If the exclusion is not provided for, then composting of organic materials produced on the property within residential zones becomes a non-complying activity as it is considered an industrial activity. It should also be defined that a heavy industrial activity is a subset of industrial activity. It is also queries whether recycling facilities for inert materials are defined as the treatment of waste materials?
Infrastructure	Oppose in part	<i>has the same meaning as in section 2 of the RMA (as set out below)</i> a) pipelines that distribute or transmit natural or manufactured gas,	<i>has the same meaning as in section 2 of the RMA (as set out below)</i> a) pipelines that distribute or transmit natural or manufactured gas,	The definition for infrastructure under the RMA excludes waste processing and disposal facilities, however the Natural and Built Environment Act includes 'district or regional resource recovery or waste disposal facilities'. It is therefore essential to include district and regional waste facilities as part of the infrastructure definition to acknowledge that waste management and disposal facilities are an essential part of the services needed for a society to function. It will also align with the definition of Regionally Significant Infrastructure for Proposed Plan Change 1 to the Regional Policy Statement and the operative Natural Resources Plan for

		<p><i>petroleum, biofuel, or geothermal energy:</i></p> <p>....</p> <p><i>l) anything described as a network utility operation in regulations made for the purposes of the definition of network utility operator in section 166.</i></p>	<p><i>petroleum, biofuel, or geothermal energy:</i></p> <p>....</p> <p><i>l) anything described as a network utility operation in regulations made for the purposes of the definition of network utility operator in section 166.</i></p> <p><i><u>m) district or regional resource recovery or waste disposal facilities.</u></i></p>	<p>the Wellington Region.</p> <p>Amending the definition will also ensure that the appropriate objectives and policies come into play in the Strategic Directions chapter, particularly INF-O1 to INF-O5. Without inclusion in the definition, none of these objectives and policies will operationally apply to the regional landfill or district refuse transfer stations or recycling facilities. The additional text to the definition will help to ensure that activities which may result in reverse sensitivity effects do not establish in close proximity to these sites, given that these sites are difficult to consent, and capital intensive to ensure strict environmental compliance.</p>
Offensive odour	Support	<p><i>an <u>offensive odour</u> occurs when an odour can be detected and is determined to be offensive by one or more observers; including at least one Hutt City Council enforcement officer.</i></p>		<p>Having an offensive odour verified by an Enforcement Officer using the FIDOL criteria ensures a methodology is in place to holistically assess odour complaints.</p>
Significant hazardous facility	Support	<p><i>means any facility which involves one or more of the following activities:</i></p> <ol style="list-style-type: none"> <i>1. Manufacturing of <u>hazardous substances</u> (including industries manufacturing agrochemicals, <u>fertilisers</u>, acids/alkalis or paints)</i> <i>2. Oil and gas exploration and extraction facilities</i> <i>3. The storage/use of more than 100,000 litres of petrol</i> <i>4. The storage/use of more than 50,000 litres of diesel</i> <i>5. The storage/use of more than 6 tonnes of LPG</i> <i>6. Galvanising plants</i> <i>7. Electroplating and metal treatment facilities</i> <i>8. Tanneries</i> <i>9. Timber treatment</i> <i>10. Freezing works and rendering plants</i> <i>11. <u>Wastewater</u> treatment plants</i> <i>12. Metal smelting and refining (including battery refining or recycling)</i> <i>13. Milk treatment plants</i> <i>14. Fibreglass manufacturing</i> <i>15. Polymer foam manufacturing</i> <i>16. Asphalt/bitumen manufacture or storage.</i> 		<p>The inclusion of the industries as stated is appropriate and allows for the incidental temporary storage of hazardous substances to be excluded.</p>
Specified infrastructure	Support	<p><i>means any of the following:</i></p> <ol style="list-style-type: none"> <i>a) infrastructure that delivers a service operated by a lifeline utility:</i> <i>b) infrastructure that is recognised as regionally or nationally significant in</i> 		<p>This definition is supported as it will include regional landfills as defined in the regional plan/RPS.</p>

		<p>a National Policy Statement, New Zealand Coastal Policy Statement, regional policy statement or regional plan:</p> <p>c) any public flood control, flood protection, or drainage works carried out:</p> <p>d) by or on behalf of a local authority, including works carried out for the purposes set out in section 133 of the Soil Conservation and Rivers Control Act 1941; or</p> <p>e) for the purpose of drainage, by drainage districts under the Land Drainage Act 1908</p>		
Part 2 Strategic Direction				
INF-O1 Integration	Support with amendments	<p>Land use and development is integrated with the provision of infrastructure, including transport, three waters services and open space.</p>	<p>Land use and development is integrated with the provision of infrastructure, including transport, three waters services, <u>resource recovery and waste disposal facilities</u> and open space.</p>	<p>The proposed objective is supported provided district or regional resource recovery or waste disposal facilities are defined as infrastructure. If not, the strategic chapter does not provide mention or support this type of infrastructure or any additional infrastructure (defined in NPSUD) critical to economic, social and cultural wellbeing.</p> <p>If the addition to the infrastructure definition is not accepted as above, then the proposed addition of 'resource recovery and waste disposal facilities' will ensure that this important infrastructure is provided for and integrated with land use and development. The submitter considers that amending the infrastructure definition is preferable to specifically referring to waste facilities in the Strategic Directions chapter.</p>
INF-O3 National and Regional Significance	Neutral	<p>Infrastructure of national and regional significance is supported and protected.</p>		<p>Provided the amendment to the definition of infrastructure above is accepted, this objective is supported as regional landfills for example are particularly vulnerable to reverse sensitivity and need to be included under this objective.</p>
UFD-O3 Well-Functioning Urban Environment	Support with amendments	<p>Urban development supports the creation of liveable, <u>well-functioning urban environments</u> that are:</p> <p>a. Safe and well-designed</p> <p>b. Walkable and connected by public transport and sustainable travel choices, including micro-mobility modes</p> <p>c. Serviced by the necessary <u>infrastructure</u> appropriate to the intensity, scale and function of the development</p> <p>d. Connected to open space and the natural <u>environment</u></p> <p>e. Ecologically sensitive</p> <p>f. Close to employment opportunities</p> <p>g. Resilient to the impacts of <u>natural hazards</u> and climate change</p> <p>h. Respectful of and integrated with the city's <u>historic heritage</u></p> <p>i. Adaptable over time and responsive to their evolving, more intensive surrounding context.</p>	<p>Urban development supports the creation of liveable, <u>well-functioning urban environments</u> that are:</p> <p>a. Safe</p> <p>...</p> <p>c. Serviced by the necessary infrastructure (<u>including additional infrastructure</u>) appropriate to the intensity, scale and function of the development</p>	<p>The additional wording will support infrastructure not defined as such in the definition but defined under the NPSUD. These other types of infrastructure are critical to the fabric of a successful urban environment.</p>

UFD-O12 Industrial and Business Activities	Support with amendments	<i>Industrial and business activities contribute to the economic, cultural, social and environmental wellbeing and prosperity of the community.</i>	<i>Industrial and business activities contribute to the economic, cultural, social and environmental wellbeing and prosperity of the community, <u>and where the purpose and function of industrial areas is protected.</u></i>	The intent is supported however additional wording will aid to ensure that in providing for industrial activities, the industrial activities are protected by the location of their zones and the types of activities within them.
UFD-O15	New objective		<i>Incompatible activities The location and effects of activities are managed to: a) minimise conflicts between incompatible activities; and b) protect significant infrastructure and industry from reverse sensitivity effects</i>	It is suggested that a further objective could be added to generally manage where incompatible activities are proposed to be located close to each other.
INF-Infrastructure				
Description	Oppose	<i>This chapter outlines the provisions of the District Plan that relate to infrastructure, including network utilities. Infrastructure enables a community to undertake its everyday activities and functions and allows people to provide for their social and economic well-being, and their health and safety. The infrastructure managed through this chapter include those defined as infrastructure under Section 2 of the Resource Management Act.</i>	<i>... The infrastructure managed through this chapter <u>referred to in the objectives and policies includes community and local infrastructure in addition to</u> those defined as infrastructure...<u>The rules relate to infrastructure as defined under Section 2 of the Resource Management Act.</u></i>	The third sentence is confusing in that it intimates that the chapter applies to other types of infrastructure. However, the definition for infrastructure in the draft plan is the same as proposed in the RMA and therefore the chapter cannot apply to other types of infrastructure. The sentence should be reworded to clarify that the objectives and policies apply to other types of infrastructure such as waste, social and community infrastructure for example.
INF-O1 Benefits of Infrastructure	Support	<i>The national, regional and local benefits of infrastructure are recognised and provided for.</i>		The objective is supported provided the chapter applies to community and local infrastructure.
INF-O2 Adverse effects of infrastructure	Support	<i>The adverse effects of infrastructure on the environment are managed while recognising the functional and operational needs of infrastructure.</i>		The objective is supported provided the chapter applies to community and local infrastructure.
INF-O3 Adverse effects on infrastructure	Support with amendments	<i>The adverse effects of subdivision, use and development on the function and operation of infrastructure is managed.</i>	<i>The adverse effects of subdivision, use and development <u>do not compromise</u> on the function and operation of infrastructure is managed.</i>	It is considered that the proposed amendment will strengthen the outcome to ensure that infrastructure is better protected from reverse sensitivity effects. District waste facilities are vulnerable to reverse sensitivity if inappropriate development occurs in proximity to these sites.
INF-O4 Infrastructure Availability and Capacity	Support	<i>Safe, resilient, sustainable, and efficient infrastructure that is well integrated with, and able to meet the needs of, existing and planned subdivision, use and development.</i>		The objective is supported provided the chapter applies to community and local infrastructure.
INF-P1 Recognise benefits of infrastructure	Support			The policy is supported provided the chapter applies to community and local infrastructure

INF-P2 Provide for infrastructure	Support			The policy is supported provided the chapter applies to community and local infrastructure
INF-P3 Coordinate provision of infrastructure	Support			The policy is supported provided the chapter applies to community and local infrastructure
INF-P4 Adverse effects of infrastructure	Support			The policy is supported provided the chapter applies to community and local infrastructure
INF-P5 Consideration of the adverse effects of infrastructure	Support			The policy is supported provided the chapter applies to community and local infrastructure
INF-P6 Adverse effects on infrastructure	Support with amendments	<p><i>Manage the effects on infrastructure from subdivision, land use and development, including by:</i></p> <ol style="list-style-type: none"> 1. <i>Avoiding the incompatible establishment of, or changes to, sensitive activities and incompatible buildings and structures within a defined National Grid Yard.</i> 2. <i>Avoiding the incompatible establishment of, or changes to, sensitive activities and incompatible buildings and structures within a defined Gas Transmission Pipeline Corridor.</i> 3. <i>Controlling subdivision within a defined National Grid Yard and Gas Transmission Pipeline Corridor.</i> 	<p><i>Manage the effects on infrastructure from subdivision, land use and development, including by:</i></p> <ol style="list-style-type: none"> 1. <i>Avoiding the incompatible establishment of, or changes to, sensitive activities and incompatible buildings and structures within a defined National Grid Yard.</i> 2. <i>Avoiding the incompatible establishment of, or changes to, sensitive activities and incompatible buildings and structures within a defined Gas Transmission Pipeline Corridor.</i> 3. <u><i>Avoiding the incompatible establishment of, or changes to, sensitive activities and incompatible buildings and structures in close proximity to regionally significant infrastructure.</i></u> 4. <i>Controlling subdivision within a defined National Grid Yard and Gas Transmission Pipeline Corridor.</i> 	The intent of the policy is supported however it should be widened to other types of infrastructure which also suffer from incompatible development establishing in close proximity.
INF-P12 Technological Advances	Support			The policy is supported provided the chapter applies to community and local infrastructure.
HS - Hazardous Substances				
HS-R2 New significant hazardous facilities	Support	<i>Heavy Industrial Zone – Activity status: Restricted discretionary</i>		This rule recognises the appropriate zone for a new facility to establish, with an appropriate activity status.

HS-R3 New sensitive activities within the risk management overlay	Support	<i>All zones - Activity status: Non-complying</i>		This rule is supported.
PART 3 – AREA SPECIFIC MATTERS				
LIZ – Light Industrial Zone				
LIZ-R18 and R19 Residential activities. Sensitive activities, other than residential activities	Oppose	<p>1. <i>Activity status: Restricted discretionary</i></p> <p>.....</p> <p>b. <i>Residential activities and other sensitive activities account for no more than 50% of the gross floor area of all buildings on site.</i></p> <p>....</p>	<p>1. <i>Activity status: Restricted Discretionary</i></p> <p>...</p> <p>b. <i>Residential activities and other sensitive activities account for no more than 50% 20% of the gross floor area of all buildings on site.</i></p>	<p>Enviro NZ considers industrial activities should not be compromised by the proposed restricted discretionary activity status for residential and sensitive activities within the light industrial zone, where the standard 1.b promotes owner/occupier units under the 50% floor area standard. Reverse sensitivity issues invariably result from these owner/occupier units and particularly where the premises are leased after consent to commercial activities.</p> <p>A discretionary activity status is preferred and only 20% for the residential gross floor area.</p>
GIZ – General Industrial Zone				
GIZ -O1 Purpose of the zone	Support with amendments	<i>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 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.</i>	<i>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 cannot be are not appropriately 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.</i>	The parameters in which the objective allows for commercial activities needs to be tightened given that these activities can normally establish in other zones. Efficiency of land use in other zones should not be an argument for establishing commercial activities in industrial zones.
GIZ-O4 Accommodating Growth	Support with amendments	<i>General Industrial areas play a significant role in accommodating growth and have sufficient serviced, resilient development capacity to meet industrial growth needs, and the needs for growth of those commercial activities which are most effectively located in General Industrial areas.</i>	<i>General Industrial areas play a significant role in accommodating growth and have sufficient serviced, resilient development capacity to meet industrial growth needs, and the needs for growth of those commercial activities which may be are most effectively located in General Industrial areas in limited circumstances.</i>	Similarly to GIZ-O1, commercial activities should have tighter parameters to establish in the General Industrial zone.
GIZ-P1 Enabled activities	Support with amendments	<i>Enable <u>industrial activities</u> and <u>research activities</u> and other activities with similar <u>effects</u> and requirements, provide for <u>commercial activities</u> that are not appropriately located</i>	<i>Enable <u>industrial activities</u> and <u>research activities</u> and other activities with similar <u>effects</u> and requirements, provide <u>allow</u> for <u>commercial activities</u> in limited circumstances that are</i>	The parameters in which the policy allows for commercial activities needs to be tightened given that these activities can normally establish in other zones. The clause regarding support activities is very open and would allow for unintended activities to the detriment of industrial activities.

		outside of Industrial Zones, and provide for any activities that support these	not appropriately located outside of Industrial Zones, and provide for any ancillary activities that support these	
GIZ-P2 Residential activities and sensitive activities	Oppose	Avoid new <u>residential activities</u> and other new <u>sensitive activities</u> unless they are: <ol style="list-style-type: none"> 1. ancillary to and support an <u>industrial activity, research activity, or emergency facility,</u> 2. managed so that they do not adversely impact the long-term development capacity of the zone for industrial development, including through managing the design of new <u>buildings,</u> and 3. managed to minimise reverse sensitivity <u>effects</u> for industry, including existing heavy industry. 	Avoid new <u>residential activities</u> and other new <u>sensitive activities</u> unless they are: <ol style="list-style-type: none"> 1. ancillary to and support an <u>industrial activity, research activity, or emergency facility, and</u> 2. managed so that they do not adversely impact the long-term development capacity of the zone for industrial development, including through managing the design of new buildings, and 3. avoid managed to minimise reverse sensitivity <u>effects</u> for industry, including existing heavy industry. 	The parameters for the establishment of residential and sensitive activities in this zone need to be tightened to ensure that these activities do not cause reverse sensitivity effects, which is the main premise for the zone.
GIZ-P3 Other potentially incompatible activities	Support with amendments	Avoid commercial and community activities unless they: <ol style="list-style-type: none"> 1. are ancillary to a permitted activity and support the purpose of the zone, 2. primarily serve the immediate area within the zone, 3. are better located in an Industrial Zone than anywhere else, or 4. primarily serve surrounding suburbs but where there is insufficient development capacity for the activity in centres in the City Centre Zone, Metropolitan Centre Zone, or Local Centre Zone. 	Avoid commercial and community activities unless they: <ol style="list-style-type: none"> 1. are ancillary to a permitted activity and support the purpose of the zone, 2. primarily serve the immediate area within the zone, 3. <u>Do not result in significant adverse effects on existing industrial activities</u> 3. are better located in an Industrial Zone than anywhere else, or 4. primarily serve surrounding suburbs but where there is insufficient development capacity for the activity in centres in the City Centre Zone, Metropolitan Centre Zone, or Local Centre Zone. 	Simply moving development capacity to an industrial zone creates a 'mixed use' zone that does not support industrial activities. Sufficient development capacity should be provided in the Centre Zones under the NPSUD to not require Clause 4 of this policy.
GIZ-P9 Design Outcomes	Oppose			It is questioned whether such detailed design outcomes should be prescribed for activities that can take place in the zone in limited circumstances. The outcomes 1-4 are more aligned to Centre zones. Most industrial sites have health and safety requirements which determine where public are able to be, for example.
GIZ-P11 Managing adverse effects	Support with amendments	Manage activities to mitigate adverse effects on streets and other public space and other sites within the zone,	Manage activities to mitigate adverse effects on streets and other public space and other sites within the zone, and	The proposed amendments address how these nuisances are controlled, primarily with good management.

generally		and beyond the zone, by: 1. Ensuring dust and odour nuisances are contained within sites, and 2. Providing for visual amenity and access to sunlight and daylight in streets and public spaces	beyond the zone, by: 1. Managing Ensuring dust and odour nuisances to be are contained within sites, and 2. Providing for visual amenity and access to sunlight and daylight in streets and public spaces	
New Policy				A policy is required to provide some parameters for the establishment of heavy industrial activities as these are discretionary in the zone. Other non-industrial activities have policies but heavy industrial activities do not.
GIZ-R14 and GIZ-R15	Support			These rules are supported for permitted activities <u>when</u> the activity is ancillary to an industrial activity.
GIZ-R23 Activities resulting in dust	Oppose			This rule does not require a consent from a type of business or industry, but an effect that any business may have. It would be difficult to enforce and cause temporary dust effects to require a consent, also those dust effects created by trucks coming into the site, for which the site has no control over. The rule should be deleted.
GIZ-R24 Activities resulting in odour	Oppose			This rule does not require a consent from a type of business or industry, but an effect that any business may have. It would be difficult to enforce and cause temporary odour effects to require a consent, also those odour effects created by trucks coming into the site, for which the site has no control over. The rule should be deleted.
HIZ – Heavy Industrial Zone				
HIZ – P2 Residential activities and sensitive activities	Support	Do not allow residential activity and other sensitive activities unless: 1. They are ancillary to and critical to the functioning of an industrial activity, research activity, or emergency facility, which itself is an existing activity or has a functional or operational need to be located in the Heavy Industrial Zone, and 2. They are managed to avoid significant reverse sensitivity issues for industry, including heavy industry.		This policy is supported given the very high bar to allow residential activity.
HIZ – P3 other potentially incompatible activities	Support	Avoid activities other than industrial activities or research activities unless they: 1. are ancillary to an industrial or research activity and support the purpose of the zone, 2. primarily serve the immediate area within the zone, 3. have similar effects and requirements to industrial activities, 4. have significant co-location benefits with existing industrial activities or research activities in the Heavy Industrial Zone, or 5. have a functional need or		This policy is supported given the clear parameters for other activities in the zone.

		operational need to locate in the Heavy Industrial Zone, and 6. they are managed to avoid significant reverse sensitivity issues for industry, including heavy industry.		
HIZ – P5 Role of network of commercial and industrial areas	Oppose	Recognise special circumstances where land uses may not be suitable in any other zone but are compatible with the intended purpose and character of the Heavy Industrial Zone	Recognise special circumstances where land uses may not be suitable in any other zone but are compatible with the intended purpose and character of the Heavy Industrial Zone	Given the scarcity of Heavy Industry land within the inner Wellington area, it is considered that this policy is deleted to ensure the primacy of industrial uses in the zone. Allowing exceptions will dilute the nature of the zone.
HIZ – P10 Residential amenity	Oppose	Manage residential development, in those rare circumstances where it is provided for, to provide on-site amenity for residents, recognising the industrial character of the area, by: 1. Providing residents with access to adequate outlook, privacy, and daylight, 2. Ensuring access to convenient private outdoor space, and 3. Providing passive surveillance over public and communal spaces.	Manage residential development, in those rare circumstances where it is provided for, to provide on-site amenity for residents, recognising the industrial character of the area, by: 1. Providing residents with access to adequate outlook, privacy, and daylight, 2. Ensuring access to convenient private outdoor space, and 3. Providing passive surveillance over public and communal spaces.	This policy undermines Policy HIZ-P2 by incidental encouragement of residential activities. It should be deleted, particularly given the non-complying status of residential activity in the zone.
HIZ- P11 Managing adverse effects generally	Support with amendments	Manage activities to mitigate adverse effects on streets and other public space and other sites within the zone, and beyond the zone, by: 1. Ensuring dust and odour nuisances are contained within sites, and 2. Providing for visual amenity and access to sunlight and daylight in streets and public spaces	Manage activities to mitigate adverse effects on streets and other public space and other sites within the zone, and beyond the zone, by: 1. Managing Ensuring dust and odour nuisances <u>so they</u> are contained within sites, and 2. Providing for visual amenity and access to sunlight and daylight in streets and public spaces	The proposed amendments address how these nuisances are controlled with good management. The change also acknowledges that industries in the heavy industry zone can cause dust and odour but these need to be managed.
HIZ-R10 Groceries stores and supermarkets	Support with amendments Where: a. The activity has a gross floor area of no more than 200m ² Where: The activity has a gross floor area of no more than 1 200m ² .	It is considered that 200m ² as the permitted baseline will create negative impacts on the viability of the zone. 100m ² would be a more appropriate gross floor area for these uses.
HIZ – R11 Food and beverage outlets	Support with amendments Where: The activity has a gross floor area of no more than 200m ² Where: The activity has a gross floor area of no more than 1 200m ² .	As for groceries and supermarkets, food and beverage outlets would have a more appropriate permitted floor area of 100m ² .
HIZ – R15 Commercial activities not otherwise provided for	Support			This rule maintains the viability of the zone and reduces reverse sensitivity effects on existing industrial uses.
HIZ-R19 (1) Residential activities	Support with amendments	1. Activity: Non-complying Where: a. There is no more than 1 residential unit on the site, and b. The residential unit is ancillary to an industrial activity, research activity, or emergency facility.	1. Activity: Non-complying Where: a. There is no more than 1 residential unit on the site, and b. The residential unit is ancillary to <u>caretaker accommodation</u> for an industrial activity,	Limiting the establishment of residential accommodation to caretaker accommodation will ensure that the range of possibilities for how 'ancillary' is defined is reduced to a suitable narrow residential activity that can be necessary for some industrial sites.

			<i>research activity, or emergency facility.</i>	

Saritha Shetty

From: [REDACTED]
Sent: Friday, 8 December 2023 2:55 pm
To: District Plan Review Team
Subject: [EXTERNAL] High hazard area

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Check if replied, Sean

Hi there,

We are trying to figure out why our house and land have been deemed to be in the high hazard zone. Could you please shed some light on this and what this will mean for rates, insurance, resale etc. this is reasonably concerning.

Kind regards,

[REDACTED]

Saritha Shetty

From: Elliott Thornton <elliott.thornton@cuttriss.co.nz>
Sent: Wednesday, 24 January 2024 4:58 pm
To: Nathan Geard; District Plan Review Team
Cc: Tim Johnstone; Colin McElwain; Emma Bean
Subject: [EXTERNAL] [#CCL30271] DMAC (Friday Home) Submission on Hutt City Council's Draft District Plan - 30 Pencarrow Crescent, Wainuiomata
Attachments: 30271, Submission to HCC Draft DP, 30 Pencarrow Crescent, Wainuiomata.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Nathan

Hi Nathan,

Please find attached our submission on the Draft District Plan (DDP) on behalf of our client, DMAC Trading as Friday Homes.

Our submission is in support of the proposed rezoning of land at 30 Pencarrow Crescent, Wainuiomata from Hill Residential to Medium Density Residential.

If you require clarity on any matter within the submission, please don't hesitate to get in contact.

Kind regards,

Ngā mihi nui | Thank you
Elliott Thornton | Principal Planner | BUrbEnvPlan | MNZPI |
Cuttriss Consultants Limited
| e. elliott.thornton@cuttriss.co.nz | m. +64 21 449 053
| <http://www.cuttriss.co.nz>

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Wellington Region Business Awards – Professional Service and Supreme Award Winners 2019

From: Nathan Geard <Nathan.Geard@huttcity.govt.nz>
Sent: Friday, December 1, 2023 2:23 PM
To: Elliott Thornton <elliott.thornton@cuttriss.co.nz>
Cc: Tim Johnstone <Tim.Johnstone@huttcity.govt.nz>; Colin McElwain <colin@cuttriss.co.nz>
Subject: RE: [EXTERNAL] RE: Engagement on Hutt City Council's Draft District Plan - Extension to Submission Period Request

Hi Elliott

Just confirming our phone discussion for Tim and Colin's benefit. We're happy for feedback to come through in January.

We'll be summarising all the feedback that we received in a report that will be presented to our District Plan Review Committee, and that report needs to be completed in early February, so we just need to receive it by then.

Cheers

Nathan

Nathan Geard
Policy Planning Manager

Hutt City Council, 30 Laings Road, Hutt Central, Lower Hutt, Lower Hutt 5010
P: 04 570 6996 M: W: www.huttcity.govt.nz



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From: Elliott Thornton <elliott.thornton@cuttriss.co.nz>

Sent: Friday, December 1, 2023 2:05 PM

To: Nathan Geard <Nathan.Geard@huttcity.govt.nz>

Cc: Tim Johnstone <Tim.Johnstone@huttcity.govt.nz>; Colin McElwain <colin@cuttriss.co.nz>

Subject: [EXTERNAL] RE: Engagement on Hutt City Council's Draft District Plan - Extension to Submission Period Request

Importance: High

Hi Nathan / Tim,

Cuttriss who represents a number of the developers within Hutt City will be making a submission to the Draft District Plan on their behalf. We will also be preparing a submission in a professional capacity to contribute our knowledge and experience to the Draft District Plan.

However, as you are probably aware, the lead up to Christmas is an extremely busy time with pressure to lodge resource consent and have matters finalised prior to the holiday period. In addition, the Greater Wellington Regional Council has notified Plan Change 1 of the Natural Resources Plan, which has significant implications for many of our clients, and which we also intend to submit on, due at the same time.

As such, I wonder if you could consider extending the submission period until mid-late January (noting there may be limited work carried out over the Christmas period on the Draft District), or at least 22nd December to enable the planners and development community the best opportunity to contribute to the drafting on the plan in a meaningful way, prior to any formal notification, especially as this is only the consultation phase of the Draft District Plan.

Kind regards,

Ngā mihi nui | Thank you

Elliott Thornton | Principal Planner | BUrbEnvPlan | MNZPI |

Cuttriss Consultants Limited

| e. elliott.thornton@cuttriss.co.nz | m. +64 21 449 053

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From: Nathan Geard <Nathan.Geard@huttcity.govt.nz>

Sent: Tuesday, November 21, 2023 9:25 AM

Subject: Engagement on Hutt City Council's Draft District Plan

Kia ora

Hutt City Council is currently undertaking a full review of the City of Lower Hutt District Plan. This review is looking at all parts of the District Plan, ranging from how the plan manage risks of natural hazards, how it protects the natural environment and heritage, and how the city provides for population and business growth.

As part of this review, we have released a new Draft District Plan for engagement with the community and other stakeholders.

The Draft District Plan is an indication of where the review is currently heading. It provides an opportunity for people to let us know if we're heading in the right direction, and if not, what people think should be changed.

More information on the Draft District Plan is available on Council's website at hutt.city/dpreview. If you'd like to delve into the details, you can also access the [full draft plan online](#) or [explore the maps](#).

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 by 15 December.

If you would like to provide feedback on the draft or would like to discuss the draft with one of our officers, please get in touch with us at dpreview@huttcity.govt.nz.

Kind regards,

Nathan Geard

Nathan Geard

Policy Planning Manager

Hutt City Council, 30 Laings Road, Hutt Central, Lower Hutt, Lower Hutt 5010
P: 04 570 6996 M: W: www.huttcity.govt.nz



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ref: Bean/30271

24 January 2024

Hutt City Council
Private Bag 31912
Lower Hutt

Via email to: dpreview@huttcity.govt.nz

Dear Hutt City Council

SUBMISSION TO DRAFT HUTT CITY DISTRICT PLAN

This is a submission on behalf of our client DMAC Homes Limited (trading as Friday Homes) (the applicant) generally in support of the Draft District Plan (DDP), with particular regard to the rezoning of their land at 30 Pencarrow Crescent, Wainuiomata to Medium Density Residential Zone.

The site, and surrounding block of land (“the block”) does not exhibit the characteristics of the Hill Residential Zone as it is relatively flat and contains no significant vegetation. The Medium Density Residential Zone is located at the west and south of this block of land and is considered to be a more appropriate zoning for the site.

On behalf of the applicant, we are expressing our support to the rezoning of No. 30 Pencarrow Crescent, and surrounding properties, to Medium Density Residential zoning.

We have offered reasoning for your consideration below:

National Policy Statement on Urban Development 2020

We consider it appropriate to rezone this entire block of land to Medium Density Residential, as it gives effect to policy 2 of the **National Policy Statement on Urban Development** (NPS-UD) requiring the Hutt City Council, as a tier 1 Council, to enable sufficient development capacity to meet expected demand for housing over the short and medium term.

To meet the definition of sufficient, the development capacity must be plan enabled, infrastructure ready, feasible and reasonably expected to be realised, and meet the expected demand plus appropriate competitiveness margin.

Plan-enabled

As per clause 3.2(2)(a) of the NPS-UD, Hutt City Council must provide sufficient development capacity that is plan-enabled. Under clause 3.4(1) of the NPS-UD, plan enabled means land identified for growth in the medium term is zoned for housing in the PDP. To meet policy 2 of the NPS-UD the land should be rezoned Medium Density Residential as part of the District Plan review in order to meet clause 3.4(1)(b) of the NPS-UD.

This block of land is largely already residential in nature, rezoning this land is a logical extension of the Medium Density Residential zoning. The block of land has a reasonably gentle grade, readily serviced and does not exhibit the same characteristics of land elsewhere in the Hill Residential Zone.

As it is on the periphery of the Medium Density Residential Zone, the rezoning to Medium Density Residential Zone is considered a logical and would allow for larger sites to provide for cohesive medium density development in which greater yields are possible as less constraints are applicable such as existing dwellings, small sites and access etc.

Infrastructure-ready

As per clause 3.2(2)(b) of the NPS-UD, Hutt City Council must provide sufficient development capacity that is infrastructure-ready. The block already meets the definition of being infrastructure-ready under clause 3.4(3) of the NPS-UD in that there is already adequate existing development infrastructure. This includes:

- **Network infrastructure** including power, telecommunications, stormwater, wastewater and water services are already running along Pencarrow and Antrim Crescents; and
- **Transportation infrastructure** with road connections from Pencarrow and Antrim Crescents, access to the site and connectivity through the property can be easily achieved.

Feasible and reasonably expected to be realised

As per clause 3.2(2)(c) of the NPS-UD, Hutt City Council must provide sufficient development capacity that is feasible and reasonably expected to be realised. Given the demand for housing, availability of infrastructure and surrounding context being already zoned Medium Density Residential to the south and west of the site, there is no indication that development of the site for medium density would not be feasible or reasonably expected to be realised.

Meet expected demand plus appropriate competitive margin

As per clause 3.2(2)(d) of the NPS-UD, Hutt City Council must provide sufficient development capacity that to meet expected demand plus appropriate competitive margin. Clause 3.22 of the NPS-UD requires that in addition to expected demand, a 20% margin be applied to provide for competition.

Wellington Regional Housing and Business Capacity Assessment 2023 (HBA)

The 2023 Wellington Regional Housing and Business Capacity Assessment Update (HBA) has been undertaken to assess the demand for housing and business land over the next 30 years, compared to land available and identified for future growth, across the Wellington Region. This analysis takes into consideration the capacity for necessary infrastructure to support this growth.

Cuttriss

Surveyors. Engineers. Planners.

The HBA update has estimated that population of Lower Hutt is anticipated to grow by 39,600 people by 2052, of which an estimated 17,904 residential units will be required, with 2,631 of the units of demand being within the Wainuiomata catchment.

The rezoning of the block from Hill Residential to Medium Density Residential Activity Area provides greater opportunity for residential development of this area, enabling up to three dwellings to be constructed on each allotment as a permitted activity, as opposed to the Hill Residential Activity Area where the minimum net site area associated with a residential dwelling is 1,000m². The Medium Density Residential Activity Area also provides greater flexibility with regard to subdivision, through the removal of minimum lot sizes for subdivisions around existing or consented dwellings.

Summary

These sites are a logical extension of the Medium Density Residential Zone. Rezoning this land is consistent with the NPS-UD and HBA as it will add to the development capacity, satisfying Council's requirements to provide or realise development capacity along with enabling enhanced competitiveness which will assist with housing affordability.

Yours faithfully,



Emma Bean, BSci
Planner
CUTTRISS CONSULTANTS LTD
Emma.Bean@cuttriss.co.nz



Elliott Thornton, BUrbEnvPlan, MNZPI
Principal Planner
CUTTRISS CONSULTANTS LTD
Elliott.Thornton@cuttriss.co.nz

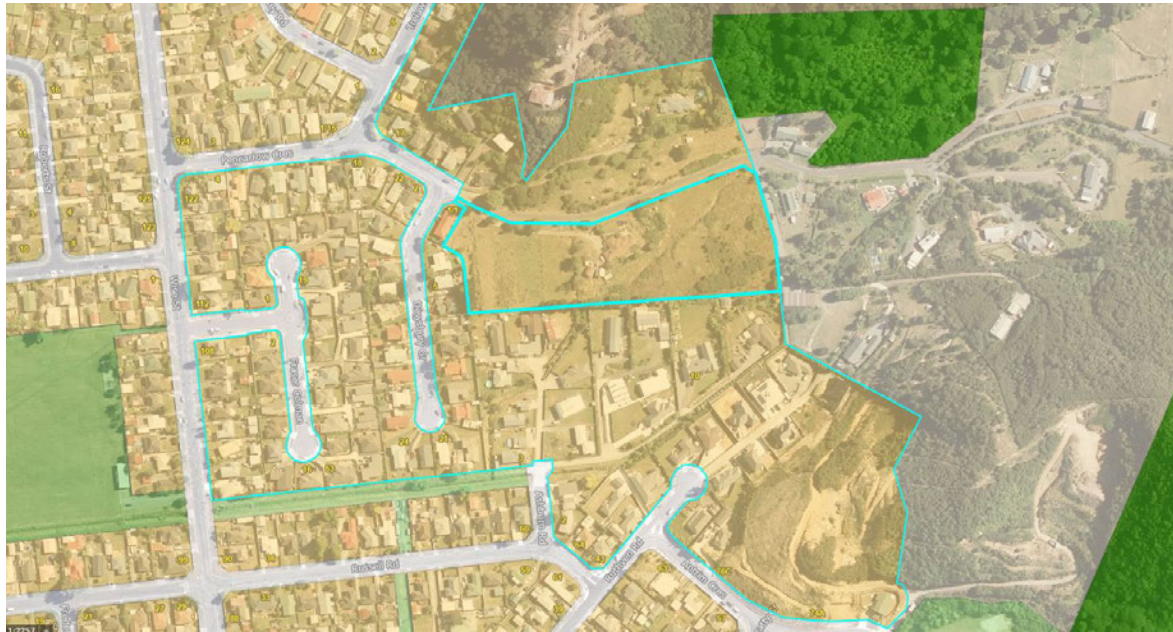


Figure 1: Hill Residential Zone at Antrim Crescent and Pencarrow Crescent

Saritha Shetty

From: Elliott Thornton <elliott.thornton@cuttriss.co.nz>
Sent: Wednesday, 24 January 2024 3:52 pm
To: Nathan Geard; District Plan Review Team
Cc: Tim Johnstone; Colin McElwain
Subject: [EXTERNAL] Cuttriss Submission on Hutt City Council's Draft District Plan
Attachments: Cuttriss Submission and Comments on Hutt City Draft District Plan 24_01_2024.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Nathan

Hi Nathan,

Please find attached our submission on the Draft District Plan (DDP).

We have provided commentary on aspects of the DDP we support along with a few areas we suggest be considered further. Where relevant, we have offered some suggested wording or tweaks.

We note there may still be substantial work still to be done before plan notification, however can you provide us with an indication as to when the DDP may become a Proposed District Plan?

We would also welcome the opportunity to work with Hutt City Council on any further refinements, research or review of the DDP. As you are aware, we are familiar with the current District Plan provisions and developing in Hutt City and can offer our extensive expertise in land development, resource management, surveying, engineering and planning to aid in refining and improving the DDP or any other matter as required.

If you require clarity on any matter within the submission, please don't hesitate to get in contact.

This will be followed up with a couple of specific comments on behalf of our clients.

Kind regards,

Ngā mihi nui | Thank you

Elliott Thornton | Principal Planner | BUrbEnvPlan | MNZPI |

Cuttriss Consultants Limited

| e. elliott.thornton@cuttriss.co.nz | m. +64 21 449 053

| <http://www.cuttriss.co.nz>

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Subject: RE: [EXTERNAL] RE: Engagement on Hutt City Council's Draft District Plan - Extension to Submission Period Request

Hi Elliott

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We'll be summarising all the feedback that we received in a report that will be presented to our District Plan Review Committee, and that report needs to be completed in early February, so we just need to receive it by then.

Cheers

Nathan

Nathan Geard
Policy Planning Manager

Hutt City Council, 30 Laings Road, Hutt Central, Lower Hutt, Lower Hutt 5010
P: 04 570 6996 M: W: www.huttcity.govt.nz



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Importance: High

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Kind regards,

Ngā mihi nui | Thank you

Elliott Thornton | Principal Planner | BUrbEnvPlan | MNZPI |

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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 by 15 December.

If you would like to provide feedback on the draft or would like to discuss the draft with one of our officers, please get in touch with us at dpreview@huttcity.govt.nz.

Kind regards,

Nathan Geard

Nathan Geard

Policy Planning Manager

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

P: 04 570 6996 M: W: www.huttcity.govt.nz



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ref: Thornton / HCC Draft District Plan Review

24th January 2024

Hutt City Council
Private Bag 31-912
Lower Hutt 5040

Attention: Nathan Geard

via email

SUBMISSION ON DRAFT DISTRICT PLAN REVIEW

Dear Hutt City Council

Cuttriss is a land surveying, engineering and planning consultancy based in Lower Hutt. We have over 75 years' land development experience in the Greater Wellington Region with a commitment to positively influencing our environment through design. Our projects range from small to large, ranging from individual property owners wanting to maximise the development potential of their land, to seasoned developers delivering large scale subdivisions, townhouses, and apartments.

As a local based consultancy, we employ over 50 staff, many of whom live within Hutt City. We also represent many clients with projects in Hutt City.

We are supportive of the District Plan Review. In particular, we support the alignment of the District Plan with the National Planning Standards, enabling of smaller lot sizes in the Rural and Rural Lifestyle Zones, rezoning some Hill Residential Areas to Medium Density Residential and provisions aimed at making the city more resilient to natural hazards and the effects of climate change.

We also support:

- Changes to the High-Density Residential Zone policies that support a planned built environment of up to and including 6 storeys, rather than at least 6 storeys, as this better reflects the practicalities and market expectations of delivering intensive development within the High Density Residential Zone;
- Changes to policies within the Residential Zones regarding urban design outcomes as they provide a clear and concise objective of what urban design outcomes are expected, and in particular we support the provision that states what the policy does not protect;
- The introduction of a contaminated land chapter, making the policy position applied when resource consent is required under the National Environment Standard clearer;

- Requirements for cycle parking and end-of-trip facilities for commercial activities, and cycle parking for residential activities.

However, based on our experience working with our clients and the Hutt City Council, we provide the following comments on the Draft District Plan Review for your consideration:

- We do not support the rezoning of any Medium Density Residential Areas to Large Lot Residential.

The latest Housing and Business Assessment (HBA) for Lower Hutt identifies that within the next 30 years, the city will need to accommodate an additional 39,600 people and 18,001 dwellings with a competitive margin applied.

Within this context, the downzoning of land that is already enabled for housing growth will make achieving this anticipated growth more challenging.

Further, many of the areas proposed for downzoning do not exhibit a character or qualities that would justify the rezoning as Large Lot Residential. For example, many of these properties have a site area significantly smaller than the minimum of 1,000m² which applies to development in the Large Lot Residential Zone and an existing character that is more akin to the existing Medium Density Residential Zone than Large Lot Residential. This includes a number of sites within Wainuiomata (eg. August Avenue, Hine Road, Sunny Grove, Hair Street, Holland Street, etc.), Korokoro, Normandale, Tirohanga, Stokes Valley, Waterloo and Naenae.

The proposed change in zoning would mean that for sites proposed for downzoning, they will no longer be able to accommodate 3 dwellings as a permitted activity, which will limit intensification of these areas. This change is not in keeping with the intended outcomes of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 and subsequent Plan Change 56, to provide for housing growth with a competitive margin.

It is therefore strongly suggested that all areas currently zoned Medium Density Residential remain unchanged to achieve the necessary infill and accommodate projected growth over the next 30 years, and reduce pressure to rezone less suitable land in the future.

- While we are supportive of the proposed rezoning of much of the Hill Residential Areas to Medium Density Residential under the Draft District Plan, we believe that more of these areas can be rezoned Medium Density Residential rather than Large Lot Residential.

As per the rationale provided in point 1 above, the Hutt City needs to enable land that is suited for urban development to meet the projected growth under the HBA.

Many of these areas exhibit qualities that would be more akin to Medium Density Residential particularly where located directly adjacent or on the periphery of Medium Density Residential Zone are predominately urban in character, or have few of the characteristics that were prevalent in Hill Residential Areas such as limited vegetation, or challenging topography or where the existing lot sizes are already well below the minimum 1,000m².

It is instead suggested that such areas be included within the Medium Density Residential Zone.

Our suggestion is that a greater portion of the area of Korokoro, Wainuiomata, Belmont and Normandale should instead be rezoned Medium Density Residential, where they exhibit these qualities.

- We note that a large portion of predominately urban land around Rata Street, Naenae is proposed to be rezoned Natural Open Space Zone. We do not support this rezoning as the area is within private ownership as residential housing, however we suspect this is a drafting error rather than an intentional rezoning.
- We do not support the heritage listing of the group of houses 44 - 54 Wainuiomata Road, Wainuiomata. While we acknowledge the historical context of these houses, the heritage listing will make the redevelopment of these houses challenging.

Aesthetically, they offer very little in terms of townscape or streetscape, and due to their age and condition, they are very challenging to retrofit to meet modern building standards.

Further, the heritage value is already compromised as our client who owns 46 Wainuiomata Road, Wainuiomata Road has obtained resource consent to demolish and construct four modern residential housing in this location (ref: RM220075). Our client has every intention to develop this property in line with the approved resource consent, and once it is given effect to, this will breakup the pattern of the houses such that their heritage value will be diminished.

It is further noted that these houses do not form part of the Heritage List maintained by Heritage New Zealand Pouhere Taonga.

We would instead suggest that a full photographic record of the houses be carried out by Hutt City Council for historical record keeping, and they not be included as Heritage Buildings so that they may be redeveloped for much needed housing in the future, given their prominent location close to public transport and the Wainuiomata Town Centre.

- We do not support the introduction of small pockets of land to be mapped as Highly Productive Land (HPL), particularly around Wainuiomata as they are geographically isolated and not cohesive.

The mapping of many of these areas would be contrary to clause 3.4(5)(d) of the National Policy Statement for Highly Productive Land (NPS-HPL) which states that areas of Land Use Capability 3 (LUC3) need not be included where they are separated from any large and geographically cohesive areas which is the case for all of the areas proposed to be mapped as highly productive land under the Draft District Plan, with the exception of the area along Coast Road, Wainuiomata.

We note that this clause relates specifically to mapping by a Regional Council, however we consider that it would be premature to include such maps in the District Plan Review until this exercise has been completed by Greater Wellington Regional Council.

With the exception of Coast Road, Wainuiomata, we believe the areas proposed to be mapped as HPL are not practically feasible to ever be utilised for productive purposes either:

- Because of the proximity to existing urban areas and the potential for reverse sensitivity effects the limited area of HPL to make them economically viable or
- There are other constraints such as steep topography or the land has ecological merit such as where it is identified as a Significant Natural Resource.

Further, we note that during the election campaign, the National Party's Going for Growth stated that they would exclude LUC3 from the definition of highly productive land¹.

As such, it would be prudent to wait for the Government to confirm their intention with regards to the NPS-HPL before mapping the land as highly productive.

- We suggest reconsidering the appropriateness of zoning high and medium hazard areas of Petone and Eastborne as High-Density Residential.

It is well documented that many of these areas are highly natural hazard prone, and that evacuation may be difficult in the event of an emergency. In particular, both of these areas, particularly Petone, are prone to multiple different hazards including flooding, coastal storm surge inundation, tsunamis, liquefaction and fault rupture (Petone). In addition, we understand that much of Petone is subsiding, with reports by GNS suggesting that following a Wellington Fault rupture, the low-lying Lower Hutt Valley Floor will be 1m lower in elevation.

The inclusion of these area in the High-Density Residential Zones therefore seems irresponsible, giving an unrealistic expectation that residential intensification may be possible, or is even encouraged, contradicting other policies of the Draft District Plan under the Coastal and Natural Hazard Chapters which aim to avoid development in high hazard areas, and minimise risk in low or medium hazard areas.

Instead, it is suggested that these most hazard prone areas be included as a 'Special Zone' which can detail area specific outcomes for the Petone and Eastbourne, or outline in more detail the circumstances upon which intensification may be suitable.

Alternatively, we suggest rezoning these areas Low-Density Residential Zone to give a more realistic expectation regarding growth and potential for intensification, in line with the objective NH-O1 and policy NH-P2 to reduce or avoid increasing risk to people, buildings and infrastructure in High Hazard Areas.

1

https://assets.nationbuilder.com/nationalparty/pages/17928/attachments/original/1685403005/Going_for_Housing_Growth.pdf?1685403005

- We suggest reconsidering the appropriateness of zoning land on the Wellington Faultline Overlay as High Density Residential. This includes areas of Manor Park, Alicetown and Petone.

There is a reasonably high probability that within the design life of most new buildings, the Wellington Faultline will rupture, with land on the Faultline potentially being vertically or horizontally displaced. In line with other policies, best practice planning is to avoid siting buildings within proximity to the Faultline.

As per the point above, the inclusion of these areas as High-Density Residential Zones this gives an unrealistic that residential intensification may be possible. We would instead suggest these areas be downzoned to Medium or even Low-Density Residential Zone to give a more realistic expectation regarding growth and potential for intensification, in line with the objective NH-O1 and policy NH-P2 to reduce or avoid increasing risk to people, buildings and infrastructure in High Hazard Areas.

- We suggest reconsidering the permitted standard for permeable surface in the High-Density Residential Zone to be a minimum of 10% of site area.

While we generally support the Council's strong approach to permeability, and the need for land to be used as flood storage and soakage, the minimum permeability standards for High Density Residential Zones can be challenging to achieve. To enable high density residential development including multi-storey apartment living up to and including six storeys, often much of the site needs to be covered by buildings or hard surfaces to make these outcomes economically and practically feasible.

The suggested 10% and retention of policies for stormwater neutrality would make it more feasible to deliver multi-storey residential development while not compromising flood risks associated with stormwater run-off.

- We suggest reducing the minimum ground level outdoor living space in the High-Density Residential Zone to a minimum of 10m².

This would align better with the area of outdoor living space requirements above ground level and make it easier to achieve multi-storey apartments.

We consider this will not compromise the amenity of occupants as the High-Density Residential Zones are typically close to other amenities such as parks, services and conveniences, as they generally border existing Centres. It would also closely align with most people's expectations around private open space in a High-Density Residential Zone, which in our opinion is an expectation that private open space will be less than in areas zoned for lower density because of their proximity to other amenities.

- We suggest removing provisions that enable commercial activities within Industrial Zones as this may compromise the Wellington Future Development Strategy (FDS)

which identifies a shortage of industrial land identified in the FDS totally about twice the size of the Seaview / Gracefield / Morea area in the next 30 years².

In addition, enabling of commercial activities within Industrial Zones may compromise the vitality and viability of existing Centre zones, whereas the FDS identifies there is already enough retail and commercial land to meet our growing needs. There are already a number of vacancies within much of the Centres Zones such as in and around the Lower Hutt City Centre and the enabling of food and beverage outlets of up to 200m² per site, and supermarkets up to 1,500m² may increase vacancy rates as these activities may locate in Industrial zoned land, rather than in our City's Centre's.

For example, 200m² per site which is enabled as a permitted activity is about the size of most cafes and restaurants located along Jackson Street, Petone, and a 1,500m² supermarket is about the size of the New World supermarket at Stokes Valley, all of which would be better located within existing Centre zones.

We suggest that only Industrial activities should be enabled within the Industrial Zones, and all other activities including commercial should be considered on their merits, or actively discouraged. Any commercial purposes proposed within industrial land should be required to consider the economic impact by justifying the need for the activity (i.e. that is couldn't be accommodated elsewhere), and that there was no economic need now, or in the future, for the site to be used for industrial purposes to understand the impact of displacing the provision of industrial land for industrial purposes, and economic impact on the vitality and viability of Centres.

- We suggest removing provisions which enable residential activities that are ancillary to industrial activities, as this could enable 'residential encroachment' into industrial areas by stealth. By definition, ancillary means necessary support. There are very few instances where a residential activity is necessary to support an industrial activity.

Further, they are often incompatible with industrial activities as industrial land is often contaminated, noisy or with poorer quality land or hazard prone. Further, industrial zoned land often lacks the infrastructure, services and amenity that is expected in residential areas.

The enabling of ancillary residential activities may lead to some 'crafty' interpretation which could lead to an erosion of our industrial areas which as outlined in the point above, would result in a detrimental impact on the availability of industrial zoned land which was identified as being in short supply in the FDS, and further, reverse sensitivity issues could arise such that may lead to increased costs to develop industrial land for industrial purposes, complaints, or rezoning at some point in the future.

Again, we suggest that only Industrial activities should be enabled within the Industrial Zones, and all other activities including residential should be considered

² <https://wrlc.org.nz/wp-content/uploads/2023/10/DRAFT-Future-Development-STRATEGY-September-2023.pdf>

on their merits or actively discouraged due to the potential impact it could have on the availability of industrial zoned land in the future.

- We suggest strengthening the natural hazard provisions to include consideration of safe site access, particularly as flooding and coastal inundation is expected to worsen over time due to the effects of climate change.

The intended natural hazard policies state as the objective to maintain safety of people and minimise damage to property. While minimum floor levels go a long way to minimising property damage, greater attention is needed to minimise risks to public safety, as often fatalities during major flooding events occur when people attempt to enter or access a site.

This has been well documented in Australia, and the Greater Wellington Regional Council's Flood Modelling Standard 2021 (see figure 1 below) includes a widely adopted matrix based on laboratory testing by Australian Rainfall and Runoff of when certain flood depths and velocities are unsafe for various people, buildings and vehicles.

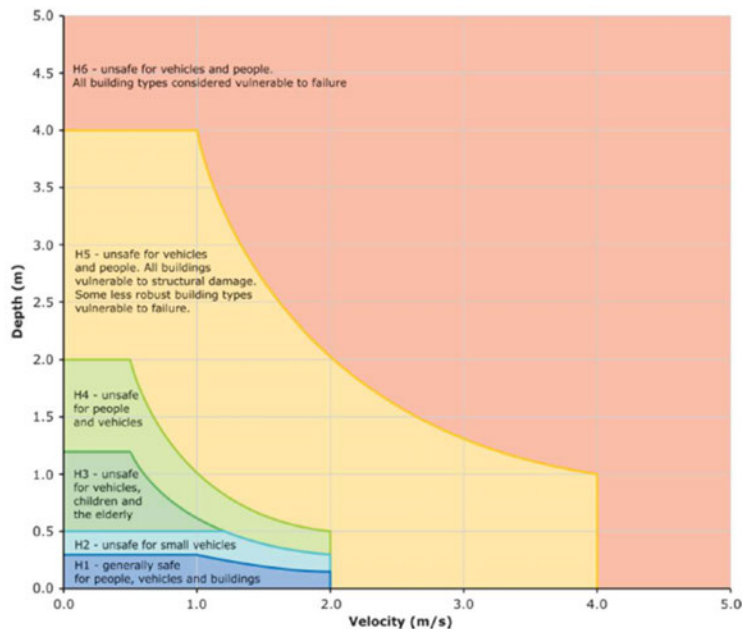


Figure 1 - Hazard Classification

It is suggested that this could be adopted as a standard for site access, whereby development meeting H1 of the matrix is permitted, and consent required where not meeting H1. Matters of consideration may as part of a resource consent may include:

- Location of access at the point of lowest flood hazard risk;
- Notice of the hazard and ability to relocate to higher ground;
- Alternative means of access during the hazard event (eg. pedestrian access but not vehicular);
- Likely duration of the hazard event;
- Vulnerability of persons to the hazard; and

- Ability for emergency service access.
- We suggest providing further guidance as to when development may be acceptable on sites subject to medium flood hazard risk with a focus on providing a resilience approach to flood and coastal hazard management in addition to setting minimum floor levels.

While we support the setting of minimum floor levels, which is now widely adopted both as part of the resource consent, and building consenting process, there are other measures can be considered that may provide for some development, while managing the risks associated with flooding and coastal inundation.

In particular, we suggest the policies be amended to enable:

- An adaptive approach to managing flood risk where the hazard is not immediately present, but may be present in the future. Such an approach may include the adaptive raising of ground or floor levels, and identifying the triggers for actions to be carried out;
- Adopt the need for a Flood Risk Management Plan, where there is likely to be notice or warning of the hazard, such as would be the case for storm-tide surges whereby MetService would issue a High Swell Warning. This would require actions to be carried out by the occupant to minimise harm and damage during the potential hazard event, which may include measures such as closing the facility, moving vulnerable items to higher ground including vehicles or working from home measures;
- Resilient design, including a requirement that any levels vulnerable to flooding are fitted with flood resilient materials that can be easily cleaned during a flood event such as tiles, masonry and stainless steel, and avoid materials such as chipboard that may be vulnerable to drainage following inundation.
- Requirements that essential electrical services are either installed and meeting an ingress protection rating to avoid inundation, or located above the 1% annual exceedance probability inundation level.
- Enabling some development within an overland flow path, where the development will not restrict the flow of flood waters (i.e. such as a standard requiring a minimum undercroft level).
- Suggest the coastal hazards be moved back to the natural hazards chapter, so there is a single place for all matters relating to natural hazards, with the coastal chapter only relating to natural character and amenity.
- We have carried out a review of the Transport, Three Waters and Subdivision Chapters and offer some technical comments in the attachment to this letter. In general, we support many of the amendments, however suggest they align or refer to compliance with AS/NZS 2890 or Austroads Guide to Traffic Engineering

Cuttriss

Surveyors. Engineers. Planners.

Practice, as these are widely adopted and reviewed standards, unless there are special circumstances whereby an exception may be necessary.

The above measures aim to improve the application to the Draft District Plan in practice, and suggested some areas for further consideration to ensure our city can accommodate growth and remains a safe and desirable place to live, work and play.

Cuttriss would also welcome the opportunity to work with the Hutt City Council in any drafting, research, or review of further amendments to their Draft District Plan. As a local surveying, engineering and planning consultancy in business for over 75 years, we have extensive knowledge and expertise in land development, natural hazard planning, resource management and engineering both within New Zealand and abroad that could provide valuable input into the Draft District Plan.

If you have any questions or queries regarding any of the above comments, please get in contact.

Yours faithfully



Elliott Thornton, BUrbEnvPlan, MNZPI
Principal Planner
CUTTRISS CONSULTANTS LTD
Elliott.Thornton@cuttriss.co.nz
021 449 053



Appendix A – Technical Standards and Rules

Transport Chapter:

- Standard TR-S2b (Provision of cycle parking and end of trip facilities) – requiring the provision of adequate cycle parking for developments is supported, however requiring showers and lockers for residential developments is unnecessary as these facilities would be available in the residential units.
- Standard TR-S6.5 (Vehicle crossings) – Consider allowing vehicle crossings between points ‘C’ and ‘D’ in Figure 1 where the intersection is only at the junction of Access Roads, as these are low volume roads where risks associated with the crossing at the intersection is also low and typically approved as part of a resource consent application.
- Standard TR-S8.4b (Design requirements for on-site vehicle parking etc) – Amend the wording so it is clear that the 5 movements include each individual movement for entering and exiting the site.
- Table 5 – The first two rows of the table have the same parking space depths and are noted as being applicable to regular users, but in the second row the carparks with wider spaces are required to have a wider manoeuvring space. This seems incorrect. Also 4m carpark depths where an kerb overhang is available seems quite short. We suggest the table as a whole is reviewed as there appear to be a number of inconsistencies, and that as noted in point 1, consideration be given to adopting the standards in AS/NZS2890 rather than re-inventing the wheel. If AS/NZS 2890 is not adopted, it would be helpful to at least include diagrams to assist with the interpretation of the standards eg. see diagram associated with Fig 2 in 2890.
- Standard TR S10.3b (loading and unloading) – amend wording as follows “....so that within five turning movements a medium rigid vehicle can enter *and* exit the site in a forward direction...”.

Three Waters Chapter:

- Rule THW-R2 (New Development – Hydraulic Neutrality) – Currently, Wellington Water Limited (WWL) approved solutions are applicable to developments of 10 or less dwellings, whereas it appears that this Rule will restrict that to developments of no more than 3 dwellings. It is noted that this may be to align with other permitted activity standards which limit permitted development no more than 3 dwellings per site, however we wish to confirm if that the intention?

- Standard THW-S2 (Rainwater storage tanks and greywater re-use systems) – The provision of 10,000 litres of rainwater storage seems excessive, and is highly impractical for townhouse developments. We suggest that more research is done on this matter, as by our calculations based on the standards in the Auckland Unitary Plan, a 100m² dwelling would require only 500 litres of storage, which is significantly less.

It is also suggested that you clarify how this applies to multi-storey residential development, whereby the units may be contained within a single 'building' and thus does each unit within a single building needs to provide for 10,000 litres of rainwater storage, or just each building.

If it applies to each unit, this seems excessive as the water demand for each unit (particularly where above ground) is significantly less than for units with ground floor gardens.

Subdivision Chapter:

- Policy Sub-P3 (update of Cross Lease titles) – this should be expanded to include Unit Title updates.
- Standard Sub-S1 (minimum allotment size) – Residential Zones, 3rd bullet point beside the minimum lot size standard for Medium and High Density Residential should read “The subdivision application *is* accompanied by a land use application...”.
- Standard Sub-S6 (Stormwater management) – There is some duplication between the Three Waters Chapter and the Subdivision Chapter. These could be cross-references such that the Subdivision Chapter refers back to Three Waters Chapter. One area that is included in the Three Waters Chapter, but not the Subdivision Chapter is requirement to consider water sensitive urban design measures (WSUD). We believe WSUD should be considered for both land use, and subdivision.

Saritha Shetty

From: Elliott Thornton <elliott.thornton@cuttriss.co.nz>
Sent: Thursday, 25 January 2024 4:20 pm
To: Nathan Geard; District Plan Review Team
Cc: Tim Johnstone; Colin McElwain
Subject: [EXTERNAL] [#CCL29447] Major Gardens Submission on Hutt City Council's Draft District Plan - 50 Kaitangata Crescent, Kelson
Attachments: Major Gardens Ltd Submission and Comments on Hutt City Draft District Plan 25_01_2024.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Nathan

Hi Nathan,

Please find attached our submission on the Draft District Plan (DDP) on behalf of our client, Major Gardens.

Our submission is opposed of the proposed rezoning of land at 50 Kaitangata Crescent, Kelson from Medium Density Residential to Large Lot Residential.

If you require clarity on any matter within the submission, please don't hesitate to get in contact.

Kind regards,

Ngā mihi nui | Thank you

Elliott Thornton | Principal Planner | BUrbEnvPlan | MNZPI |

Cuttriss Consultants Limited

| e. elliott.thornton@cuttriss.co.nz | m. +64 21 449 053

| <http://www.cuttriss.co.nz>

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ref: Thornton/29447

25 January 2024

Hutt City Council
Private Bag 31912
Lower Hutt

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

Dear Hutt City Council

SUBMISSION TO DRAFT HUTT CITY DISTRICT PLAN

This is a submission on behalf of our client Major Gardens Ltd opposed to the rezoning of their land at 50 Kaitangata Crescent, Kelson to Large Lot Residential under the Draft District Plan (DDP).

The site, and surrounding block of land ("the block") is currently zoned Medium Density Residential Zone.

Under Plan Change 47, the site was rezoned from Rural Residential to General Residential.

Under Plan Change 56 the site was rezoned from General Residential to Medium Density Residential.

Both plan changes were fully notified, and subject to consideration by an Independent Hearings Panel.

We therefore see no rationale why the Council is now considering to downzone the site to Large Lot Residential.

We have offered further reasoning for your consideration below:

National Policy Statement on Urban Development 2020

We consider it appropriate that this entire block of land remain Medium Density Residential, as it gives effect to policy 2 of the **National Policy Statement on Urban Development** (NPS-UD) requiring the Hutt City Council, as a tier 1 Council, to enable sufficient development capacity to meet expected demand for housing over the short and medium term.

To meet the definition of sufficient, the development capacity must be plan enabled, infrastructure ready, feasible and reasonably expected to be realised, and meet the expected demand plus appropriate competitiveness margin.

The site meets the requirements of policy 2 as outlined by clause 3.2(2) of the NPS-UD, as:

- It is already plan enabled. Downzoning would mean it is no longer plan enabled.

- It is able to be made infrastructure ready. Design work is already well progressed, to service the site by three waters, power, telecommunications and road access.
- It is feasible and reasonably expected to be realised as our client has already gone to the expense of a Private Plan Change (Plan Change 47), and design work is already well progressed with an anticipated lodgement of resource consent later this year. Our client would not have made this expenditure if they did not have any intention of developing the site.
- Meets market demand and provides a competitive margin to the availability of residentially zoned land within Lower Hutt.

Wellington Regional Housing and Business Capacity Assessment 2023 (HBA)

The 2023 Wellington Regional Housing and Business Capacity Assessment Update (HBA) has been undertaken to assess the demand for housing and business land over the next 30 years, compared to land available and identified for future growth, across the Wellington Region. This analysis takes into consideration the capacity for necessary infrastructure to support this growth.

The HBA update has estimated that population of Lower Hutt is anticipated to grow by 39,600 people by 2052, of which an estimated 17,904 residential units will be required, with 3,374 of the units of demand being within the Western Hills catchment, which includes Kelson.

The rezoning of the block from Medium Density Residential to Large Lot Residential Zone will make it more challenging for the Council to provide for this needed growth, leading to higher housing prices.

Summary

We do not support the rezoning of this land as it would be inconsistent with the NPS-UD and would make it more challenging for the Hutt City Council to meet the required growth in housing supply as identified in the HBA.

Yours faithfully,



Elliott Thornton, BUrbEnvPlan, MNZPI
Principal Planner
CUTTRISS CONSULTANTS LTD
Elliott.Thornton@cuttriss.co.nz

From: [Belinda Moss](#)
To: [District Plan Review Team](#)
Cc: [Eastbourne Community Board](#); [Mike Fisher](#); [Te Awa Puketapu](#)
Subject: Feedback on the draft District Plan
Date: Thursday, 14 December 2023 9:27:01 pm
Attachments: [ECB SUBMISSION ON THE DISTRICT PLAN DECEMBER 2023.pdf](#)

Kia ora koutou

Here is the Eastbourne Community Board's submission on the draft District Plan, which focuses on areas important to Eastbourne and the Eastern Bays.

Ngā mihi nui

Belinda

Belinda Moss

[Eastbourne Community Board - Chair](#)

M [029 494 1615](tel:0294941615)

W www.huttcity.govt.nz

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EASTBOURNE COMMUNITY BOARD: SUBMISSION ON THE LOWER HUTT DRAFT DISTRICT PLAN DECEMBER 2023

The Eastbourne Community Board submission on the Draft District Plan focuses on areas important to Eastbourne and the Eastern Bays.

Infrastructure

The ECB acknowledges the ongoing significant investment in transport and infrastructure resilience with the construction of the Tupua Horo Nuku project. This asset will have far-reaching benefits for Eastbourne, the Eastern Bays and Te Awa Kairangi, and the Wellington region.

The ECB would like to see an early and effective resolution to the odour issues from the Seaview wastewater treatment plant, which impacts Eastbourne residents when they travel through Seaview and can impact the Eastern Bays in the prevailing northerly wind.

Transport:

The Eastbourne Community Board (ECB) supports the District Plan's increased focus on cycleways, minimum requirements for cycle parking, and end-of-trip facilities. To promote walking, cycling and public transport, we would like to see:

- the Tupua Horo Nuku shared path being extended through Days Bay
- a more linked-up ferry and bus service (which would reduce pressure on parking in Days Bay), or a shuttle service between Point Howard and Eastbourne
- the return of a direct Wellington-Eastbourne bus service (the 85x)
- a ferry service better designed to carry bikes to support the increased number of bike commuters and the recreation potential of the Tupua Horo Nuku shared path.

In addition, the ECB recommends that a corridor be marked on Council's maps to reserve land for a future extension of Tupua Horo Nuku from Ma-Koromiko to Burdan's Gate. A comprehensive shared path route along the foreshore would promote safer and increased use of the path and add recreational and economic benefits to Eastbourne and the region. We appreciate this is a future investment, but it can be planned for now at no cost by ensuring the route remains free of structures and other obstacles.

(We note there appear to be no "highly constrained roads" marked in Eastbourne, but many roads have restricted access, especially in the Eastern Bays).

Three waters

Harbour water quality and the coastal environment are critical for Eastbourne. We support the proposals to improve and maintain water quality, including hydraulic neutrality for new subdivisions and development, rainwater tanks and greywater systems, water-sensitive urban design to manage stormwater runoff, treatment of copper and zinc building materials, and a requirement for at least 30% permeable surface when developing a property.

As mentioned above, the ECB would like to see an early and effective resolution to the odour issues from the Seaview wastewater treatment plant

Natural hazard risks

Eastbourne is an area of natural hazards from coastal inundation, tsunami, localised flooding, slips and earthquakes. We support the District Plan's proposed restrictions but question why housing intensification is allowed in Eastbourne.

Allowing relocatable buildings in high-hazard areas would reduce liability and risk.

Heritage

The ECB supports the two new heritage areas proposed in neighbouring areas, Matiu Somes Island and Ōruapouanui Baring Head.

Eastbourne has been fortunate to see repairs to the Rona and Days Bay wharves in recent years. The Board is concerned that the Petone Wharf may be demolished. It is a historical harbour asset that is an important part of Eastbourne's view. Its shared social and tourism value is significant, especially in terms of planned cycleways and water recreation.

Local features, landscapes and notable trees

The Board supports the District Plan's identification and protection of the proposed neighbouring natural features, Turakirae Head, Baring Head Ōruapouanui, Parangārahu Lakes, Mākaro Ward Island, Matiu Somes Island, and the South Coast.

Light and noise

We support the Plan's proposed updating of technical standards for how light and noise are measured, lower limits for light spill, and limits that manage effects on the night sky, wildlife and traffic safety.

We support proposals to lower noise limits but question the apparent increase of permitted noise levels on Sundays and note that much of Eastbourne is against hills that amplify sound, especially in the Eastern Bays which are natural amphitheatres. We suggest that noise limits should be reduced there.

We ask that noise limits in Point Howard be more carefully considered. Noise from the Seaview Marina (engine testing) and the Gracefield industrial area (especially metal recycling activity) are ongoing issues for Point Howard residents.

The Eastbourne fire siren is loud and is tested weekly in addition to be used during emergencies. It may be time to review the use of the fire siren in Eastbourne and look at more modern and effective solutions.

Residential zones

The ECB notes the new Large Lot Residential zoning in many of Eastbourne's hilly areas.

Industrial zones

The ECB notes the designation of a heavy industrial zone in Seaview. We support the proposed new urban design controls and industrial zone rules.

We note that Seaview is a high-hazard area and would like to see appropriate controls in place to reduce the risk of environmental damage to the coastal environment, for example, from chemicals and plastics, following a natural disaster.

As mentioned above, we ask that noise limits in Point Howard be more carefully considered in relation to sound from Seaview and Gracefield industrial activity.

Open Space Zones

The Board notes that the Burdan's Gate area is becoming an important destination and gateway needing better planning. The area sees upwards of 100 vehicles on a busy day, with visitors enjoying surfing, picnicking, and fishing. Walking and cycling are popular and will become more so when Tupua Horo Nuku is completed. We note that the Baring Head accommodation has just opened, adding yet another attraction to the area.

*Eastbourne Community Board
December 2023*

Saritha Shetty

From: [REDACTED]
Sent: Tuesday, 12 December 2023 9:01 pm
To: District Plan Team
Subject: Fwd: [EXTERNAL] High Hazard AREAS [REDACTED]

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Sean

PS,
Wellington has the HIGHEST insurance premiums in the whole of NZ.

Advise date of last Hazard letter from council 10 years ago ??

----- Forwarded message -----

From: [REDACTED]
Date: Tue, Dec 12, 2023 at 8:38 PM
Subject: Re: [EXTERNAL] High Hazard AREAS 7 laery Street Melling.
To: District Plan Review Team <district.plan@huttcity.govt.nz>

Thanks early reply. Due to trust law changes we need proper response to risks , this not given, we know about land movement and this was not asked

you digress.

please review our email for logical response and answers to our comments.

We have no wish to involve Council executives nor invoke the official information ACT.

On Mon, Dec 11, 2023 at 12:36 PM District Plan Review Team <district.plan@huttcity.govt.nz> wrote:

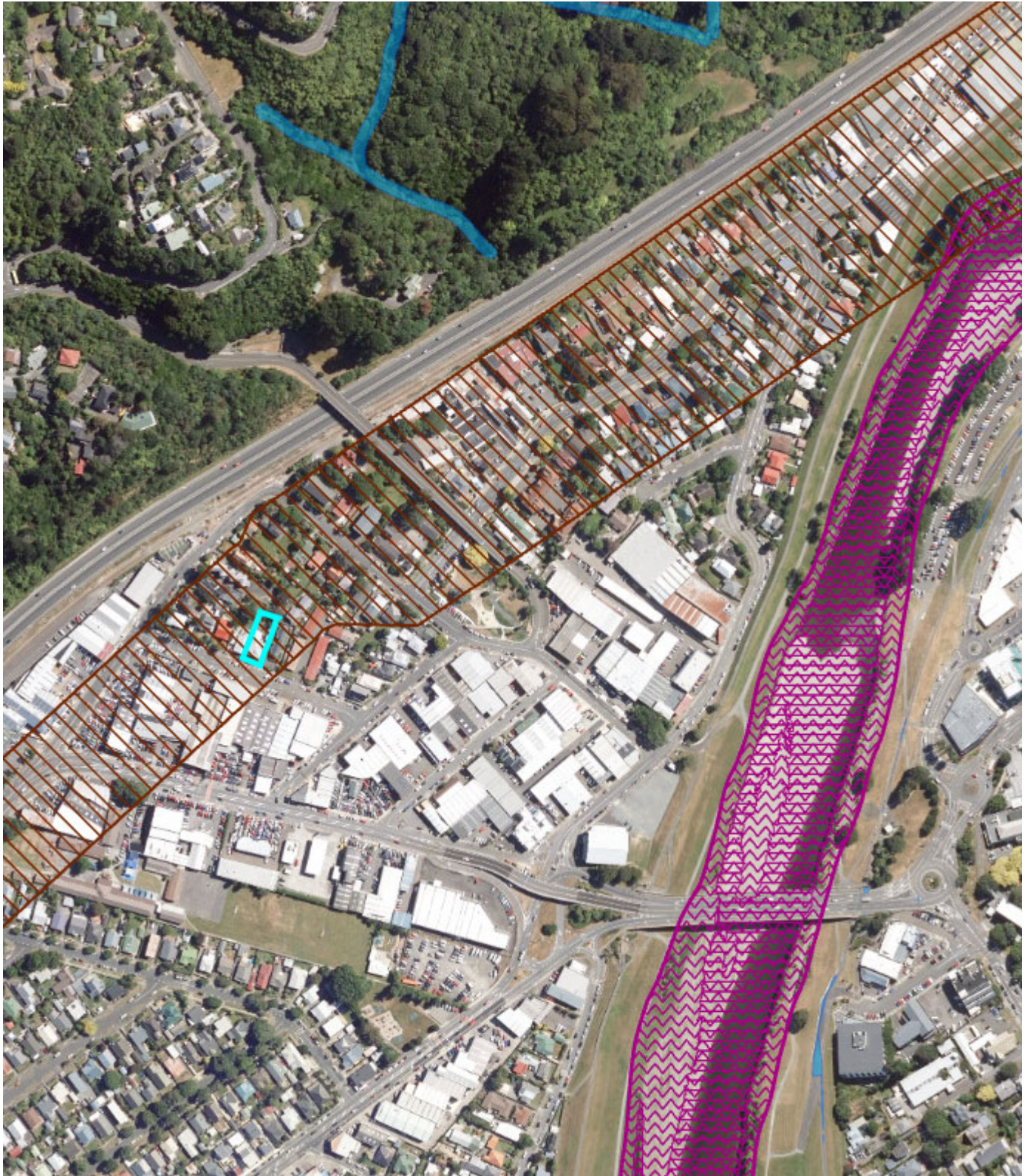
Hi Duncan

Thank you for your email.

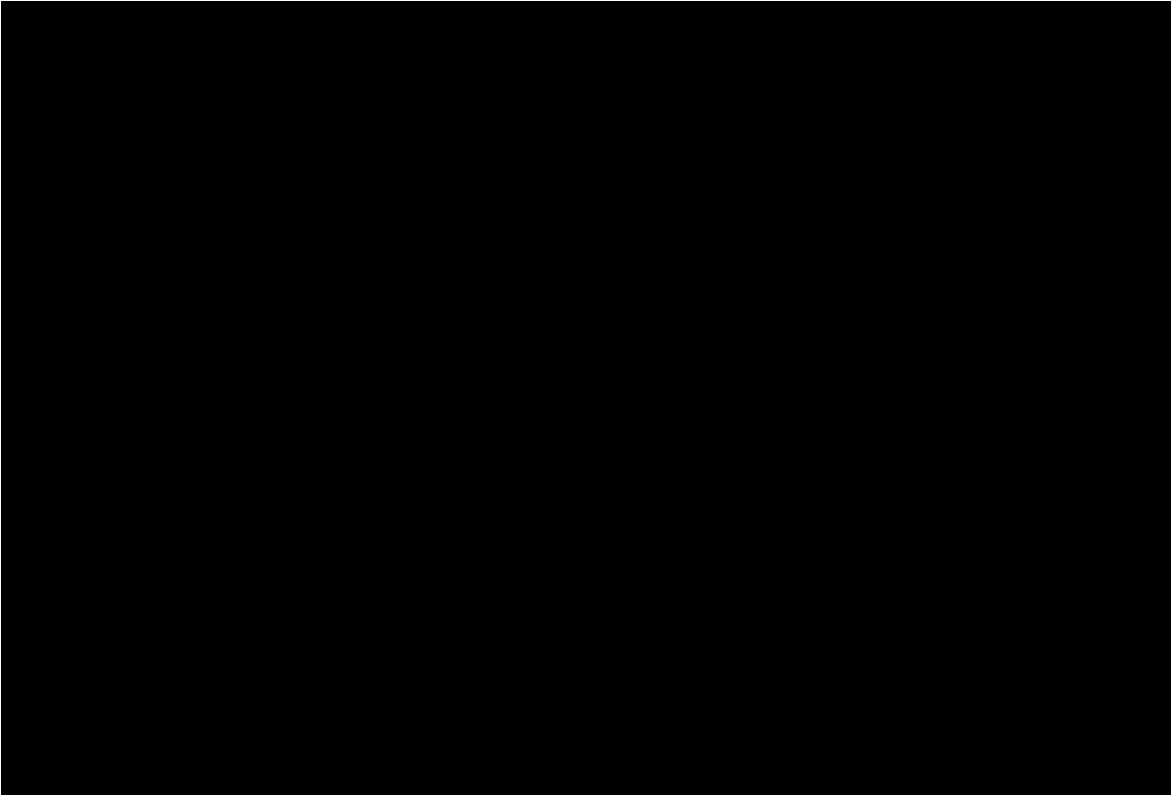
Council is currently reviewing our district plan. This is something we are required to do every 10 years. We have released a draft District Plan to help us engage with the community, to get feedback and develop a new district plan.

Your property has been identified as being within the Wellington Fault Hazard Overlay. This is the area where the earth would move if the Wellington Fault was to have an earthquake. The location of the area reflects the work of geological experts. Council is required to managing the effects of natural hazards and the Wellington Fault is one of New Zealand's most well known faults. It's presence has been known for a long time and there is plenty of information on the faultline publicly available (e.g. [It's our fault](#)). Council is proposing to use the same method used by Wellington City Council, and Upper Hutt City Council who also manage the natural hazard associated with the Wellington Fault.

I have included a map of the high hazard areas described in the letter you were sent. Your property is outlined in light blue to the left of the map.



I have included a picture to show an example the specific hazard related to an actual fault line and an earthquake below.



Your property is already identified as having a significant natural hazard under operative district plan. The Wellington Fault being mapped and included in the District Plan for at least 2 decades. The draft district plan maps do not propose any change to the location of the hazard mapped in your location.

I can't comment on valuation or insurance premiums as they are separate issues outside the district plan process. I think it's worth considering:

- The hazard is already mapped on your property in the Operative District Plan,
- The Wellington Fault is known historical hazard in Melling.
- The Insurance Industry and the Earthquake Commission are aware of the natural hazard associated with the Wellington Fault.

I hope this helps. Please contact me if you have any questions.

District Plan Review Team



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From: [REDACTED]
Sent: Sunday, December 10, 2023 8:24 PM
To: District Plan Team <DistrictPlan.Team@huttcity.govt.nz>
Subject: [EXTERNAL] High Hazard AREAS [REDACTED]

Your circular Nov 8th needs a clarification.

- 1)stream corridor what is that?
- 2)costal inundation what is that?

Who dreams up that ?? and whats their experience to advise council of this probability ??????.

Please advise the number of houses/business premises have been notified of high hazard areas in estbourne, petone, alicetown and melling ??????????.

Does draft plan consider rates down valuation due to high hazard ?

RMA is on its way out why refer to it as requirement Why did this not eventuate prior to Rv valuations/Rates increases.IE 50%/16.3% respectively.

Ms Jo Miller
CEO, Hutt City Council
Private Bag 31 912
Lower Hutt 5040

18 November 2023

Dear Ms Miller,

Re: Your letter of 8/11/23. Draft District Plan *Highly Constrained Roads Overlay for Waitohu Road.*

I live at the top of [Upper] Waitohu Road in a Right of Way over [REDACTED]. In 2017 the council granted consent for a sub-division off Gill Road for five domestic dwellings. Lowry Bay may be the address, but vehicular access is from York Bay, and will be in perpetuity. Objections from the residents were unsuccessful.

The former Eastbourne Borough Council (EBC) recognised the constraints on this road in 1980 and stated that “...*there is to be no further subdivision off Upper Waitohu Road because of the difficulty of access.*” I enclose a copy of that determination dated 22 December 1980. When residents brought it to the attention of council officers, we were told that it was void, as it had not been adopted into the HCC planning process.

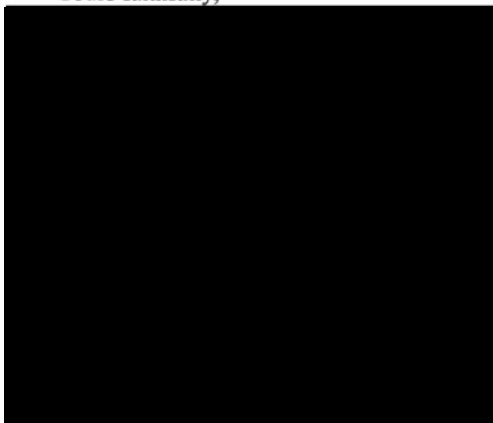
The “*difficulty of access*” has not diminished in the intervening 43 years and has in fact increased along with population growth and the greater use of vehicles. As you may know, Waitohu Road is legendary among service agencies, couriers, residents and visitors for its topography and on-road parking. When the proposed new houses are occupied, with at least one car per household, traversing this road can only become worse.

As the council has now recognised that Waitohu Road is a “*highly constrained road*” I would ask two questions:

1. what remedies will the council propose that will ease existing and foreseeable problems on this road.
2. Will the council now endorse and implement the 1980 determination of the E B C.

I look forward to your response.

Yours faithfully,



Enclosed: 1980 Letter from Eastbourne Borough Council

22nd December, 1980.

Mr. W.L. Dykes,
9 Canterbury Place,
Parnell,
AUCKLAND. 1.

Dear Sir,

re SUBDIVISION PROPOSAL - UPPER WAITOHU ROAD.

I acknowledge receipt of your letter of 5th December, 1980, which was referred to Council's Planning Committee for consideration.

Council has a policy that there is to be no further subdivision off Upper Waitohu Road because of the difficulty of access. The policy is incorporated in the Discussion Document relative to the Review of the District Scheme, and relates to traffic density in areas, such as Upper Waitohu Road, which were never designed for continued residential development.

You mention that your property has legal access to Gill Road - is it possible to have vehicular access to your property from the lower level, or pedestrian access only?

Council in order to properly assess an application, which might require a change of policy, would need to view engineering plans of a scheme plan nature.

I suggest that you contact a local civil engineering firm to inspect the site and provide a report on the feasibility of a scheme. It must be clearly understood that a request for such a plan must not be interpreted as any form of undertaking that Council will in fact amend a policy or give approval to a subdivision in the terms of your suggestion.

If there are any further points which require clarification, please do not hesitate to write further or have your engineer call and discuss the matter.

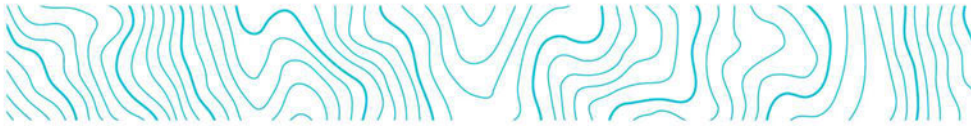
Yours faithfully,

John Clark

— Attachments: —

Upper Waitohu Rd_council letter 1980_No Further Subdivision.JPG

61.5 KB



4 December 2023



Kia ora,

Thank you for your letter addressed to Jo Miller dated 18 November 2023. I am assisting with the District Plan review and have been tasked with providing a response to the questions raised in your letter. I have provided a response to each question below.

1. *What remedies will the Council propose that will ease existing and foreseeable problems on this road?*

There are no plans currently for upgrading the road. The ability to upgrade the upper part of Waitohu Road is constrained by the topography and the narrow width of the drainage reserve over which the road is formed. The constraints to upgrading the road were a key consideration to the proposed inclusion of Waitohu Road in the Highly Constrained Roads overlay.

2. *Will the Council now endorse and implement the 1980 determination of the Eastbourne Borough Council?*

The provisions for Highly Constrained Roads currently proposed for the draft District Plan would be the basis on which Council would have greater control on whether or not to allow additional development or subdivision from loading on to Waitohu Road. Having such provisions in the District Plan are the most effective approach under the current statutory context for controlling additional development or subdivision similar to the intent of the 1980 determination.



If you would like to further discuss or provide additional feedback on these or any other provisions of the draft District Plan, feel free to contact me directly on peter.mcdonald@huttcity.co.nz, or 04 570 6745.

Ngā mihi

A handwritten signature in blue ink, appearing to read 'Peter McDonald', is positioned below the text. The signature is fluid and cursive.

Peter McDonald

Senior Planner

Saritha Shetty

From: [REDACTED]
Sent: Wednesday, 13 December 2023 11:28 am
To: District Plan Review Team
Subject: RE: [EXTERNAL] Draft District Plan

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Steve

Hi Steven,
Thanks for the prompt reply.

In regards to point 1, the stream corridors are seen as high hazard but this does not necessarily prevent access through the stream corridor using appropriate materials and construction methods, especially at the narrow end of the section?

The stream corridor in the bush section that starts near the house, has in my observation over the last 28 years never had an active flow. It is damp after wet periods and I suspect trees and other flora sufficient to control and manage any water. I would be interested to know if there is any historical context for this stream corridor.

Kind regards
[REDACTED]

From: District Plan Review Team <district.plan@huttcity.govt.nz>
Sent: Wednesday, December 13, 2023 10:24 AM
To: [REDACTED]
Subject: RE: [EXTERNAL] Draft District Plan

Hi [REDACTED]

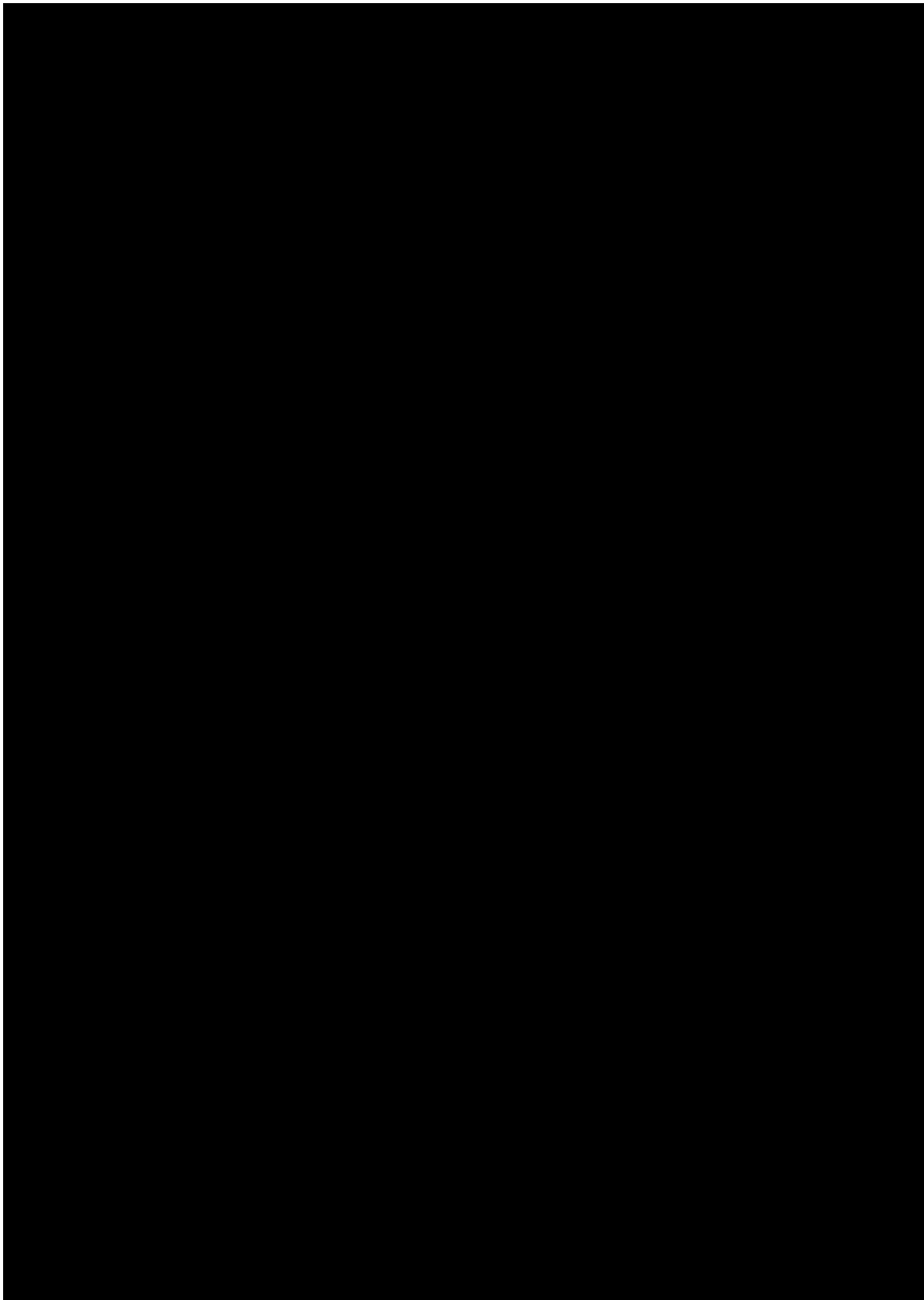
In answer to your questions:

1. Your property is subject to a high hazard as it contains stream corridors. There are also medium hazards (overland flow path) and low hazards (inundation area) on your site. These are shown on the attached map in light blue, orange, and dark blue respectively. Note that the rules of the hazard overlay only apply in the part of the site subject to the overlay.
2. Any rules in the Large Lot Residential Zone give you the option to apply for a resource consent if you breach them. This includes the 8 metre height limit. Breaching this would be considered in a resource consent under the objectives and policies of the plan and the general provisions of the RMA, and bearing in mind local factors such as topography, and whether you've got the written approval of neighbours.
3. This is quite hard to predict as it depends on the applications the council receives and the specific facts of each case. We haven't done any modelling to predict the scale and impact of development allowed through resource consents in this area.
4. Not quite sure what you mean here - if by "consideration" you mean money, then none. The council does not compensate people for reductions in their property value, nor tax them for increases, regardless of the reason (except in the indirect way that rates are assessed based on property value). If you mean in a more general sense, the main compensating factor for being in a zone with more restrictive development rules is that your neighbours are subject to the same rules and so you would potentially have less impact from development on their properties.

I hope that's answered your questions – if there's anything else you'd like to know, or if you want to give feedback on the draft plan, you can check out our website at <https://hutt.city/dpreview>, which includes general summary fact

sheets about the draft, as well as the full text and maps of the draft plan, and a survey form for having your say. Alternatively, let me know - you can ask any questions or give feedback through this email address.

Kind regards,
Stephen Davis



District Plan Review Team



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From: [REDACTED]
Sent: Tuesday, December 12, 2023 9:55 PM
To: District Plan Review Team <district.plan@huttcity.govt.nz>
Subject: [EXTERNAL] Draft District Plan

Draft District Plan Submission

I live at [REDACTED] and my property has been classified as a Large Lot Residential Zone, and identified as a high hazard area.

The size of my section is 7686m², and has always had the potential for subdivision to allow the construction of 3-4 detached/semi-detached houses, using the original road access off [REDACTED]

Questions:

1. I would like to understand why the property has been designated a high hazard area.
2. There is an easy building slope on the eastern side of the section, and I note on a quick review of the draft plan the allowed height of builds in LLRZ appear restricted to 8m. Is this a set rule or can it be increased through sensible application of the consenting process?
3. In general, how much discretionary building activity will be allowed that does not conform to the standard rules of LLRZ?
4. As the draft plan puts restrictions on the property owner, what consideration will HCC provide in a relative sense to compensate the owner?

Regards

[REDACTED]

Saritha Shetty

From: [REDACTED]
Sent: Wednesday, 13 December 2023 6:15 pm
To: District Plan Team
Subject: [EXTERNAL] Highly Productive Land Overlay - Objection - [REDACTED]

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Sean

Good morning.

We see little point in changing the zoning of our land as there is no part of it that could realistically be classed as potentially "highly productive".

Part of our land comprises a paddock which has been partially covered by overburden comprising rocks and clay from a major slip on the hill behind.

Regards [REDACTED]

Saritha Shetty

From: [REDACTED]
Sent: Sunday, 14 January 2024 4:40 pm
To: District Plan Team
Subject: [EXTERNAL] DP Review - [REDACTED]

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Sean

Hi Hutt City

We recently got a letter that our property may be in a high hazard area.

Would you be able to clarify what area out of the 4 hazard areas that on the letter is relevant to us?

Also, if its the stream corridor , its about 40 meters away from the main house and maybe 30 from flat section.

Would someone be able to have proper look before final classification?

Due to holidays and being away we couldn't send this response earlier.

Kind Regards

[REDACTED]

Saritha Shetty

From: [REDACTED]
Sent: Sunday, 14 January 2024 4:40 pm
To: District Plan Team
Subject: [EXTERNAL] DP Review - [REDACTED]

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Sean

Hi Hutt City

We recently got a letter that our property may be in a high hazard area.

Would you be able to clarify what area out of the 4 hazard areas that on the letter is relevant to us?

Also, if its the stream corridor , its about 40 meters away from the main house and maybe 30 from flat section.

Would someone be able to have proper look before final classification?

Due to holidays and being away we couldn't send this response earlier.

Kind Regards

[REDACTED]

Saritha Shetty

From: Maurice Dale <Maurice.Dale@boffamiskell.co.nz>
Sent: Tuesday, 12 December 2023 9:33 am
To: District Plan Review Team
Cc: MILLAR, Andrea (WELLHO); Sean Grace
Subject: [EXTERNAL] Ara Poutama Aotearoa Feedback on Draft Hutt City District Plan
Attachments: Ara_Poutama_Feedback_on_Draft_Hutt_City_District_Plan_FINAL_20231215.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Steve

Kia ora,

Please find attached feedback from Ara Poutama Aotearoa Department of Corrections on the Draft Hutt City District Plan.

Please acknowledge receipt of this feedback.

Kind regards

Maurice Dale | Planner | Senior Principal

E: maurice.dale@boffamiskell.co.nz | D: +64 3 364 4217 | M: +64 27 801 8072 | LEVEL 1 | 141 CAMBRIDGE TERRACE | CHRISTCHURCH 8013 | NEW ZEALAND

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ARA POUTAMA AOTEAROA THE DEPARTMENT OF CORRECTIONS: FEEDBACK ON THE DRAFT HUTT CITY DISTRICT PLAN

To: Hutt City Council
Private Bag 31-912
Lower Hutt 5040

Email: district.plan@huttcity.govt.nz

From: Ara Poutama Aotearoa the Department of Corrections
Private Box 1206
Wellington 6140

Attention: Andrea Millar – Manager, Resource Management and Land Management
Phone: 027 216 7741
Email: andrea.millar@corrections.govt.nz

Ara Poutama Aotearoa the Department of Corrections (**Ara Poutama**) appreciates the opportunity to provide feedback on the Draft Hutt City District Plan (**Draft District Plan**).

Ara Poutama's feedback is provided in the **attached** document.

Ara Poutama welcomes the opportunity to discuss the matters raised further with Council planning officers, prior to the notification of the Proposed District Plan.

A handwritten signature in blue ink, appearing to read "Andrea Millar".

Andrea Millar – Manager, Resource Management and Land Management

For and on behalf of Ara Poutama Aotearoa the Department of Corrections

Dated this 15th day of December 2023

Introduction: Ara Poutama's Role

Ara Poutama is responsible under the Corrections Act 2004 for enforcing sentences and orders of the criminal court and the New Zealand parole board. In meeting this responsibility, Ara Poutama establishes and operates custodial and non-custodial corrections facilities, monitors people in the care of the Ara Poutama serving their sentences in the community, and provides residential accommodation (with support) to assist the rehabilitation and/or reintegration of people back into the community.

Within Hutt City, Ara Poutama operates existing non-custodial community corrections assets and residential accommodation facilities.

Custodial Corrections Sites

Background

Custodial corrections sites include prisons and detention facilities and may also include non-custodial transitional accommodation (i.e. on a custodial facility site) for people with high and complex needs, who have completed a prison sentence and are being supported and prepared for reintegration and transition back into the community. Non-custodial rehabilitation activities and programmes may also occur on-site.

Ara Poutama does not operate any custodial corrections sites within Hutt City.

Feedback

The Draft District Plan provides a definition of "custodial corrections facility", which means:

Means a facility where people are detained in the justice system. It includes a prison, detention centre, youth detention centre, or secure unit.

"Custodial corrections facility" is not provided for in any zone in the Draft District Plan and is captured by rules for *activities not otherwise provided for*, or those for *sensitive activities* in the industrial zones. The activity status for such activities varies, being permitted in the commercial and mixed-use zones (subject to meeting standards), discretionary in residential zones, and discretionary, non-complying or prohibited in the three industrial zones.

Ara Poutama interprets this definition as only including prison or jail facilities where persons are in custody. As is discussed later in this feedback, Ara Poutama also operates residential housing in the community throughout New Zealand, providing support for some people on community sentences in its care to assist with their transition and/or reintegration in the community. This is distinct from custodial facilities, i.e. prisons, jails where people are on custodial sentences.

Non-Custodial Community Corrections Sites

Background

Non-custodial community corrections sites include service centres and community work facilities and are essential social infrastructure. There are more than 100 non-custodial community corrections sites nationwide, which monitor and support people managed by Ara Poutama in the community¹. Non-custodial services and their associated infrastructure play a valuable role in reducing reoffending. Community work

¹ Approximately three-quarters of people managed by Ara Poutama are in the community. As at 30 June 2021, there were approximately 29,000 people serving just under 35,000 sentences and orders in the community.

helps offenders learn vital skills and to give back to their community, and in return the community benefits from improved amenities. Ara Poutama considers that its services enable people and communities to provide for their social and cultural well-being and for their health and safety, and therefore those activities and services contribute to the sustainable management purpose of the Resource Management Act 1991 (RMA).

The service centres provide for probation, rehabilitation and reintegration services. Offenders report to probation officers as required by the courts or as conditions of parole. Ara Poutama's staff use service centres to undertake assessments and compile reports for the courts, police and probation officers. Service centres may also be used as administrative bases for staff involved in community-based activities or used as a place for therapeutic services (e.g. psychological assessments and rehabilitation programmes). The overall activity is effectively one of an office where the generic activities involved are meetings and workshop type sessions, activities which are common in other office environments.

In addition to these service centres, Ara Poutama operates community work facilities. Community work is a sentence where offenders are required to undertake unpaid work for non-profit organisations and community projects. Offenders will report to a community work facility where they subsequently travel to their community work project under the supervision of a Community Work Supervisor. The community work facilities can be large sites with yard-based activities and large equipment and/or vehicle storage. Service centres and community work facilities may also be co-located on the same site.

Community corrections sites support offenders living in that community. Ara Poutama therefore looks to locate its sites in areas accessible to offenders, and near other supporting government agencies. Commonly, sites are therefore located in commercial or business areas, but may also be located in industrial areas, where large lots and accessibility suit the yard-based nature of some community work operations. As community corrections facilities are not sensitive to the effects of an industrial environment (e.g. noise, high traffic movements, etc), they are not prone to reverse sensitivity.

Ara Poutama operates one non-custodial community corrections site in Hutt City. Lower Hutt Community Corrections is located at 5 Market Grove, Lower Hutt, and is located within the City Centre Zone under the Draft District Plan. Ara Poutama requires that the District Plan also provides for community corrections facilities in other appropriate locations, should they be required in the future.

Feedback

To ensure that the establishment, use and upgrading of non-custodial community corrections sites are appropriately provided for within the District Plan, it is necessary for an explicit definition to be adopted, so that these facilities may be specifically referred to in any rules or policies. The National Planning Standards includes a definition for "community corrections activity" that must be used when a local authority includes a definition for such in its plan. The Draft District Plan includes this definition which is supported.

Critically, however the Draft District Plan zone chapters do not provide any provisions that reference community corrections activities. That is, community corrections activities do not clearly fall within any other definitions in the Draft District Plan. The result is that in all zones community corrections activities default to the rules for *activities not otherwise provided for*, which whilst permitted in the commercial and mixed-use zones, are a discretionary activity in the industrial zones. This is not an appropriate outcome for industrial zones within which non-custodial community corrections sites are a suitable activity.

As per the suite of zones under *Part 3 – Area-Specific Matters* section of the Draft District Plan, Ara Poutama therefore recommends that community corrections activities are subject to a permitted activity status within the following zones (this is consistent with relief being sought by Ara Poutama, and being implemented by local authorities, within District Plans nationally):

- Local Centre Zone
- Mixed Use Zone
- Metropolitan Centre Zone

- Central City Zone
- Light Industrial Zone
- General Industrial Zone

The same performance standards would apply as per the other permitted activities within these zones.

The default discretionary or non-complying activity status would apply for community corrections activities within all other zones in the District Plan.

Feedback summary: Provisions relating to non-custodial community corrections sites

1. Retain the definition of *community corrections activity* (as included in *Part 1 – Introduction and General Provisions / Interpretation / Definitions*).
2. Within the Activity Rules for the Local Centre, Mixed Use, Metropolitan Centre, Central City, Light Industrial, and General Industrial zones (as included in *Part 3 – Area-Specific Matters*), apply a permitted activity status to *community corrections activities*. The same performance standards would apply as per the other permitted activities within these zones.
3. Within the Activities Rules for all other zones in the District Plan (as per *Part 3 – Area-Specific Matters / Zones*), apply the default (“*activities not otherwise provided for*”) activity status to *community corrections activities*.

Residential Activities

Background

As noted above, Ara Poutama operates residential housing in the community throughout New Zealand, providing support for some people in its care to assist with their transition and/or integration in the community. There is a range of rehabilitation, reintegration and support provided in these houses, depending on the needs of the residents. Housing and associated support services may be for people following their release from prison or may be used to accommodate those on bail or community-based sentences (such as home detention).

This residential accommodation provides necessary facilities, such as sleeping, cooking, bathing and toilet facilities, which encompass a typical household living scenario; and a typical residential dwelling is utilised for such purposes. People living in this residential environment are not detained on-site and are free to come and go out into the community, the same as anyone else living in the community, except that some people may be electronically monitored.

Staff are present on-site in various capacities; in some instances staff are present on-site to provide support or supervision on a 24 hour a day, seven day a week basis, but do not reside there. In other instances, supervisory staff will provide support on a part-time basis. A range of rehabilitation, reintegration and support services may also be provided on-site.

In summary, Ara Poutama is responsible for a range of residential activities with associated reintegration or rehabilitation support services, much in the same way as the wider health and mental health sector.

Feedback

Residential and Household Definitions

Ara Poutama supports the implementation of appropriate residential definitions within the Draft District Plan, including “residential activity” and “residential unit”. Without appropriate definitions, interpretation issues

could arise, particularly in the context of residential activities proposed and undertaken by Ara Poutama as outlined above.

The National Planning Standards includes definitions for “residential activity” and “residential unit” that must be used when a local authority includes a definition for such in its plan. The Draft District Plan includes both of these definitions and associated rules which provide for them as permitted activities in residential zones. The Draft District Plan also includes rules for “residential facilities” and provides for them as a permitted activity in the Local Centre, Mixed Use, Metropolitan Centre, and City Centre zones. Residential facilities are not defined in the Draft District Plan, however, are in the Operative District Plan where they mean:

Residential facility

the use of land and buildings for activities providing:

- a. residential support/care;*
- b. respite care; and*
- c. therapeutic/rehabilitation services.*

Previous Hutt City Council decisions have considered that housing provided by Ara Poutama in the community to be a “residential facility” in respect of the Operative District Plan, which recognises the inherent residential character of such housing.² Ara Poutama supports this interpretation and recommends this should be codified in the Draft District Plan through appropriate residential definitions and rules.

Ara Poutama considers the proposed collective definitions of “residential activity”, and “residential unit” entirely capture the residential accommodation activities provided by Ara Poutama. That is, those residential accommodation activities use “land and building(s) for people’s living accommodation”, as per the definition of “residential activity”.

The definition of residential unit refers to a “household”, which is not defined in the Draft District Plan. Ara Poutama seeks that a new definition be added, to clarify that a household is not necessarily limited to a family unit or a flatting arrangement (which are more commonly perceived household situations). This will effectively clarify that care and support are integral to residential living situations, consistent with the Operative District Plan definition of “residential facility” and previous Council decisions (as noted above).

Ara Poutama recommends the following definition of “household” (for insertion in *Part 1 – Introduction and General Provisions / Interpretation / Definitions*):

Household

means a person or group of people who live together as a unit whether or not:

- a. any or all of them are members of the same family; or*
- b. one or more members of the group receives care, support and/or supervision (whether or not that care, support and/or supervision is provided by someone paid to do so).*

Subject to the implementation of this definition, Ara Poutama generally supports the provisions relating to residential activities and residential units within the various zones; more specifically that these are provided for as a permitted activity (subject to meeting relevant performance standards) within the Large Lot Residential, Medium Density Residential, High-Density Residential, Local Centre, Mixed-Use, Metropolitan Centre, and City Centre zones. The current provisions for “residential facilities” in the Local Centre, Mixed-Use, Metropolitan Centre, and City Centre zones would be redundant and could be deleted.

² Resource consent approval RM200105, granted 24 April 2020.

Strategic Direction and Residential Objectives and Policies

Ara Poutama considers the higher-level Strategic Direction objectives of the Draft District Plan (*Part 2 – District-wide Matters / Strategic Direction / Strategic Direction, Urban Form and Development*) and the Residential Zone objectives (*Part 3 – Area Specific Matters / Residential Zone*) are generally appropriate for supporting, and managing the effects of, residential activities within Hutt City.

Specifically, Ara Poutama supports objective SD-UFD-O5 which seeks to provide a range of housing opportunities to meet diverse needs, including a choice in housing types. It is considered however that specific reference could be made to supported housing, to recognise the importance of such housing in enabling independent living in addition to affordable, community, and social housing. The following amendments are recommended in this regard:

UFD-O5 – Housing Choice

A range of housing opportunities are available to meet the needs of a diverse range of people and communities, including:

- a. A choice in housing types, densities and locations; and*
- b. Affordable, supported, community and social housing and papakainga.*

Ara Poutama also supports the objectives and policies for the Large Lot Residential, Medium Density Residential, and High Density Residential zones that seek to provide for residential activities and housing (Objectives LLRZ-O1, MRZ-O1, HRZ-O1, and policies LLRZ-P1, MRZ-P1, HRZ-P1).

Feedback summary: Provisions relating to residential activities

- 1.** Retain the definitions of *residential activity* and *residential unit* (as included in *Part 1 – Introduction and General Provisions / Interpretation / Definitions*).
- 2.** Provide a new definition for *household* (within *Part 1 – Introduction and General Provisions / Interpretation / Definitions*).
- 3.** Delete the rules for *residential facilities* in the Local Centre, Mixed-Use, Metropolitan Centre, and City Centre zones.
- 4.** Amend Objective UFD-O5 (within *Part 2 – District-wide Matters / Strategic Direction / Strategic Direction, Urban Form and Development*) to provide for support housing opportunities to meet diverse needs across the city.
- 5.** Other than as specified in the points above, retain all provisions in the Draft District Plan as they relate to *residential activities* and *residential units*.

Saritha Shetty

From: ContactHCC
Sent: Tuesday, 5 December 2023 11:06 am
To: [REDACTED]
Subject: FW: [EXTERNAL] error on District residential plan survey

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Steve

Kia ora Deborah,

Thank you for your email received.

We have forwarded this to our District planning 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: Sunday, December 3, 2023 7:59 PM
To: ContactHCC <contact@huttcity.govt.nz>
Subject: [EXTERNAL] error on District residential plan survey

Hello,

These are only options:

10. Do you support the inclusion of a Large Lot Residential zone?

I support the inclusion of a Large Lot Residential Zone

Definitely agree Somewhat agree Neither agree nor disagree Somewhat

Bit of a biased survey, haha. There may be more errors- I haven't got very far.

[REDACTED]

Saritha Shetty

From: [REDACTED]
Sent: Tuesday, 30 January 2024 8:24 pm
To: District Plan Review Team
Subject: [EXTERNAL] Opposition to re-zoning at [REDACTED]

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Steve

To whom it may concern

I am writing to voice my opposition to the proposed rezoning of rural land in [REDACTED].
I feel the rezoning to enable the rural land to become industrial will be a major disservice to the local community and wildlife as well as a potentially expensive exercise.

Sincerely
[REDACTED]

Saritha Shetty

From: [REDACTED]
Sent: Friday, 15 December 2023 11:57 am
To: District Plan Review Team
Subject: [EXTERNAL] Submission on Draft District Plan
Attachments: Innes DDP Submission.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Sean

Hello

Please find attached our submission on the Draft District Plan.

Regards,

[REDACTED]



Virus-free www.avg.com

Submission on Hutt City Council Draft District Plan

[REDACTED]

[REDACTED]

[REDACTED]

15 December 2023

Summary

We wish to make the following submission:

1. The review of the District Plan is long overdue.
2. We object to the minimum lot size of one hectare for the Rural Lifestyle Zone on the grounds of water and air pollution.
3. We object to the minimum lot size of one hectare for the Rural Lifestyle Zone on the grounds of electricity supply and infrastructure.
4. We object to the minimum lot size of one hectare for the Rural Lifestyle Zone on the grounds of the effect on the road usage.
5. We object to the minimum lot size of one hectare for the Rural Lifestyle Zone on the grounds of the effect on rubbish collection.
6. We object to the minimum lot size of one hectare for the Rural Lifestyle Zone on the grounds of the effect on the rural character of the area.
7. We object to the application of the Rural Lifestyle Zone to the large parcels at the end of Moores Valley Road on the grounds on the effect on neighbouring properties, the effects on the road and stream.
8. We object to the Highly Productive Land overlay being applied to our property.

We wish to provide a verbal submission in addition to this written submission.

1. The review of the District Plan is long overdue

We took the Hutt City Council to the Environment Court in 2003. The Hutt City Council applied for an extension to the sunset clause for the rules affecting private properties, but this was rejected by the Judge. The Hutt City Council ignored the Court and never followed the actions that was required of it.

2. We object to the minimum lot size of one hectare for the Rural Lifestyle Zone on the grounds of water and air pollution.

There are problems with rubbish and other pollution into the Wainuiomata Iti Stream (Wainuiomata Stream). Increasing housing density will aggravate the problem.

3. We object to the minimum lot size of one hectare for the Rural Lifestyle Zone on the grounds of electricity supply and infrastructure.

There have been many power cuts over recent years. We are concerned about a greater strain being put on the electricity network in Moores Valley. We are furthermore concerned about the possible effect upon supply should a greatly increased number of residents adopt electric vehicles.

4. We object to the minimum lot size of one hectare for the Rural Lifestyle Zone on the grounds of the effect on the road usage.

There appears to have been a large increase in road traffic up Moores Valley in recent years. In our view, the road is already over capacity. There is no safe margin for pedestrians and animals on the road are in increasing danger.

5. We object to the minimum lot size of one hectare for the Rural Lifestyle Zone on the grounds of the effect on rubbish collection.

The current weekly collection of rubbish is already a highly dangerous activity. There are many blind corners on the road. Any large increase in housing will add to the danger.

6. We object to the minimum lot size of one hectare for the Rural Lifestyle Zone on the grounds of the effect on the rural character of the area.

A significant increase in housing density will adversely affect the quiet rural lifestyle of residents. A large increase in density will add to light and sound pollution. We are concerned to see that the Council has been increasingly applying urban rules to the rural landowners.

7. We object to the application of the Rural Lifestyle Zone to the large parcels at the end of Moores Valley Road on the grounds on the effect on neighbouring properties, the effects on the road and stream.

The Rural Lifestyle Zone is proposed for large unoccupied properties at the end of Moores Valley Road. These properties are owned by Goh Realty, a real estate company. One of the parcels neighbours our property and was supposed to be vested on deposit as a reserve.

The application of the Rural Lifestyle Zone, whether the minimum lot size is one hectare or two hectares, has the potential to result in a large increase in intensification of the end of Moores Valley. Being located at the end of the valley, this will have a large effect on the traffic and upon the stream.

The application of the Rural Lifestyle Zone over the whole of the two parcels is not appropriate given the fact that the parcels include very steep land. We understand from someone who has visited the property that the whole of the flat area is a wetland. Allowing the property to be subdivided under the proposed rules of the Rural Lifestyle Zone would be contrary to the national policy of a moratorium on wetland development.

8. We object to the Highly Productive Land overlay being applied to our property.

The application of the Highly Productive Land overlay for part of our property is inappropriate as the source dataset is very old and too coarse for the use that it is being applied. The ultimate source for the classification is the Land Use Capability data. This data ultimately dates to the 1970s and is not fit for purpose for the classification of the land on our property. The data is not supposed to be used at scales of less than 1:50,000. When viewed at this scale the area shown is entirely nonsensical. The assessment has been undertaken at an inappropriate scale and has no relation to the underlying realities of the land concerned. It has not taken into account of the geology of the area. The area is a dissected fan of three mountain streams. Under the surface are large boulders and the soil has never been ploughed.

According to the National Policy Statement for Highly Productive Land, this overlay is supposed to be defined by the Greater Wellington Regional Council, not Hutt City Council. The purpose of the National Policy Statement for Highly Productive land is to support the productive use of land. The proposed rules associated with the Draft District Plan use the classification to impose restrictions upon the use of the land that interfere with production activities.

We note that had the similar assessments been made for the Hutt Valley floor, the results would be a much larger area of land being declared highly productive. Assigning the classification to tiny slivers of land in the rural area, while leaving the golf course and playing fields free of the classification is inconsistent.

Concluding remarks

We have found that communication from the Hutt City Council on the proposed Draft District Plan has been extremely poor. The Council sent the letters out without identifying the properties affected by the proposed changes. We are own of multiple properties and we were confused about which property the letter was supposed to relate to. Further to this, the Council did not send out a map of the Highly Productive Land overlay and it was not clear what part of our property was affected.

We object to the short period being allocated for submissions. We also object to the end date for submissions being so close to Christmas.

We are concerned about the lack of pest control on land owned by Hutt City Council and the Department of Conservation. Our property is being adversely affected by pest animals coming in from neighbouring publicly owned land. The understory of the bush has been destroyed by deer. We have achieved a marked improvement in part of our property by fencing off the area and clearing it of deer. This area is subject to a QEII covenant.

We believe that the reduction of the section size in the Rural Lifestyle Zone is inappropriate because there is not the demand for such a large potential increase in small rural sections. If the whole of the area was divided into such units, the demand is unlikely to match the supply. This is poor town planning as it makes future land use changes more difficult.

Some of the area proposed for Rural Lifestyle is extremely steep and is totally unsuitable for close development.

We have a general objection to the proposed extent of the Rural Lifestyle Zone on the grounds of the potential effect on rural production on our property. We have developed forestry on our property and it is important that the activities associated with this operation are allowed to continue. Under the National Planning Standards, the Rural Lifestyle Zone is not to adversely affect rural primary production:

Rural lifestyle zone

Areas used predominantly for a residential lifestyle within a rural environment on lots smaller than those of the General rural and Rural production zones, while still enabling primary production to occur.

We are concerned that allowing subdivision down to one hectare has the potential to interfere with rural production activities on our property. A relatively high density of housing in neighbouring Rural Lifestyle zones increases the risk that inappropriate restrictions may be imposed on rural production activities. This is a particular concern our forestry operation which will require the use of heavy equipment.

Saritha Shetty

From: [REDACTED]
Sent: Thursday, 16 November 2023 10:06 am
To: District Plan Team
Subject: [EXTERNAL] [REDACTED]

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Steve

We have just received 3 letters presumably placed in our mailbox yesterday which is a full week after the date written. There are no details to clearly identify the properties. Can you please explain which properties you are referring to and add precise maps that show the effects of the changes please . Thank you. Regards, [REDACTED]
[REDACTED]

Saritha Shetty

From: [REDACTED]
Sent: Monday, 11 December 2023 4:36 pm
To: District Plan Review Team
Cc: Campbell Barry; Tui Lewis; chris.bishop@parliament.govt.nz; Nicole Smith
Subject: [EXTERNAL] Response regarding [REDACTED] proposed Historic Heritage listing
Attachments: [REDACTED] letter.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Nathan

To whom it may concern,

(cc: The Mayor, Deputy Mayor and Hutt South MP)

I am writing in response to the proposed listing of [REDACTED] under the Historic Heritage schedule in the draft District Plan.

We have a number of issues with the Heritage assessment of our property. The assessment, as contained in the HCC Historic Heritage site, includes statements about the property that are factually incorrect, assumptions which are unsupported by any evidence or presents questionable value in a historic heritage assessment of the structure.

Below we have set out the examples of the issues contained in the heritage assessment for our property.

Historic Values

Themes (associated with important themes in history): the property is assessed as Moderate, simply because it is an early home. This seems very weak, as the original home is hidden within numerous extensions, both out the front (west) and back (east). There are many homes from the same era within the community. Examples are the house at 306 Muritai Road, 41 Tuatoru Street, 10 Hautana Square or the Queen Anne Villa at 37 Ludlam Crescent. Our property should be redesignated as 'None'.

People (associated with the life or works of an individual): the property is stated as being 'likely' associated with William Gray. There is no evidence that supports this conclusion. There seems to be no consideration for the fact that the front of the house was added at a later date (date unknown) as the front wall of the original cottage, which was built around the 1900's, is in the wall of our on-suite. At best, this house is a copy-cat. The Moderate assessment for this property is unreasonable as it is based on unsubstantiated claims. This should be redesignated as None as there is no evidence of association with the named architect.

Social (associated with everyday experiences): there are a number of homes within Eastbourne and the Bays which are of the same era. An example is the house at 101 Oroua Street, 306 Muritai or 41 Tuatoru Street, which are also early homes in Eastbourne. There are also many older homes throughout the wider Hutt region. One good example that is not included on the proposed list is 37 Ludlam Crescent, which is a nice example of a Queen Anne Villa that is hidden by fencing and free growth. Another example is 10 Hautana Square, while not a Queen Anne, it is a well maintained original villa. It is unreasonable to single our house out and list it due the age of the original proportion which has been extended at both the front and back and is now hidden within the structure.

Physical Values

Architectural: the property is evaluated as High due to being a Queen Anne Villa. This is factually incorrect. The house is not a Queen Anne villa. If you look at the definition of a Queen Anne villa, our house does not meet the majority of the criteria. We have included with our submission a letter from a property valuer, who addresses this matter in relation to our property. This should be redesignated as None, as our house is not a Queen Anne villa.

Surroundings: the property is assessed as Moderate. This is based on the fact the house is sitting on a “large property” (*quoted from the heritage assessment*). This should not have any weight in the evaluation of the house for heritage or historical purposes. The section size means we have the potential to further develop this house in the future. The majority of the section that is available for further development is in front of the house. We may want to relocate the house to the front of the section in order to open up the potential of further developing the house/property towards the rear. However if the property were to be listed this would restrict our options, which inhibits our freedoms as the owners of the property. This should be redesignated as None, as the section size is irrelevant to the assessment of the house and architecture for heritage purposes.

Technology: the property is assessed as High as it demonstrates high technological value for its craftsmanship. What does this mean? The house has received constant maintenance over the years to keep it in the form it is today. Over its life, the house has received multiple extensions over multiple decades (exact dates of the extensions are unknown). To say the house is a good example of craftsmanship from around the 1900's is to ignore the fact that most of what you see was built many years (probably decades) later or that a lot of the detailing work appears to be machined and not hand crafted. This should be redesignated to None, as the assessment is based on inaccurate assumptions and does not consider that the front section of the house was a later addition (possibly as late as the 1920's).

Age: Assessed as Moderate. This just appears to be a doubling up of the assessment for Social above. Same comment as to the relevance of this.

Integrity: assessed as High. The assessor states that “the original building appears to have had little modification” (*quoted from the heritage assessment*). This is factually incorrect. The original cottage has been extended both at the front (west) and rear (east), with the original cottage no longer being visible from the front. The Assessor has incorrectly assumed the front of the house, which is visible from the street, is the original house. The original cottage front wall is behind the wall in our ensuite. This should be redesignated to None, as the assessment is factually incorrect.

Representativeness

Representativeness (or Street Appeal): assessed as High. This seems to be at the heart of the matter. This home has been well maintained and developed by the people that have owned it over the years. Because it is in good condition with good street appeal, the house has been selected for inclusion on a heritage list. The street appeal of the house does not, on its own, constitute either historic or heritage value. If the house was on a smaller section or not as visible would it be on the proposed Historic Heritage list? It appears that as the house sits proud and is in good condition it has been singled out for inclusion. All other claims and facts included in the assessment which seek to justify its inclusion are either unsupported by any evidence or are just incorrect/inaccurate. This should be redesignated to None as no one can prove when any of the exterior detailing work was added to the house. That could have been done in the 1960's or even later. The garage and fence, which are mentioned in the assessment, were constructed in the 1980's.

We challenge the inclusion of our property in the Historic Heritage Listing on the basis the evaluation contains unsupported claims and incorrect statements regarding the house. We also do not want our ability to further develop the section and/or house, so that it meets any change in our needs as a family, to be inhibited. We view this as an infringement on our freedoms and rights as the owners of the property.

We ask that our property at 99 Oroua Street be removed from the current and all future Historic Heritage Lists, proposed or otherwise, on the basis the evaluation is not a true and accurate assessment of the property and/or house. We have outlined multiple inaccuracies and unsupported claims above.

Once you remove the incorrect or unsupported claims, is there sufficient heritage value in our personal home at 99 Oroua Street to warrant listing it on the Historic Heritage List? We argue that there is not. The fact it is a well maintained older home is insufficient justification for its inclusion. There are a number of homes throughout the Hutt City area that are from the same era and are equally well maintained. With no notable events or people being connected to our property and/or structure, it is only an older home that has been maintained by its owners and presents well thanks to their investment.

We note that the Hutt City Council has received legal advice which states that the council is not under any mandatory legal obligation to list any specific heritage buildings and that a number of other councils list only those buildings that are already on the NZHL list.

We are happy to meet with the council representatives to discuss this submission.

Regards,



29 November 2023

[REDACTED]

Dear Sir,

[REDACTED]

Introduction:

My name is Spencer Logan, and I am a registered property valuer from Eastbourne.

WSP were commissioned by the Hutt City Council to complete a 'heritage inventory' of significant properties around Lower Hutt that includes commercial, industrial and residential buildings. Included in this inventory is a limited list of residential dwellings around the Eastern Bays that are affected, including the subject property at [REDACTED]. Whilst there is a mixture from various eras and different architectural styles, there is only one cottage, namely the subject.

Reasons for Objection:

1. Freedom and Rights:

This heritage designation impinges on basic human rights and freedoms of a property owner as it restricts the ability for the guardian to develop the property as he/she may see fit.

2. Ongoing Alterations and Additions:

A property owner will generally look after their property far better than a government department or a local council. There is a lot of passion and pride put into individual houses. The owners are more likely to spend money wisely and effectively in order to preserve their asset. Any decisions made for repairs and maintenance are completed quickly and efficiently.

3. Queen Anne Architecture (1880-1910):

There are a number of characteristics of Queen Anne architecture and none of them are relevant to the subject property. Queen Anne dwellings are predominantly two-storey and quite imposing, ornate and majestic and their features include:

- (a) an abundance of decorative elements
- (b) steeply pitched roofs with an irregular shape including cross-gables
- (c) asymmetrical façade and large partial or full-width porches
- (d) round or polygonal corner tower
- (e) decorative spindle work on porches and gable trim

In effect, the short period of Queen Anne architecture is not readily recognisable in Lower Hutt, and it appears that the cottage is the only example that has been selected.

The cottage, itself, is rambling with a series of leanto angles (as part of the roofline) at the rear, plus has a disjointed floor-plan layout. The single-storey building features a verandah across the front and some attractive timber fretwork, but is hardly representative of a majestic dwelling.

When viewed from Oroua Street, the subject house has a plain exterior. To compare the cottage with 2 Patrick Street, Petone, which is a character house, and part of an exclusive historical block, is a step too far.

4. Valuation Issue:

At the present time, the cottage is situated on a level, corner site of 641 square metres, opposite the Eastbourne Recreation Ground. This is a prominent and open site, giving good exposure for the cottage being highly visible. However, it has scope for further development in the future.

As long as the building is in its current form, the land is vastly under-capitalised, which means that it is not being utilised economically to its full potential. The value of the cottage is far less than it should be, in comparison to the value of the land.

5. Not Fit for Purpose:

As buildings age, they can require far more expense than is actually warranted. Suddenly the buildings or dwellings are not fit for purpose and become a burden or eyesore if they have been neglected. Also, whilst they may be in reasonable condition, an extended building may be more appropriate for the location of the land. This is regarded as economic obsolescence, as opposite to physical obsolescence.

6. Random Selections:

In several streets around Lower Hutt, there are a number of dwellings reflecting either a particular era or a type of design and the architect. In different streets, there are a series of art-deco houses, Grey Young dwellings and early colonial villas.

Other listed heritage houses in Eastbourne have been developed to their full potential, as far as size is concerned, and any further minor additions could easily be catered for. However, with the subject cottage, the actual area of the front block of the house is quite small and further additions or the construction of a complete new dwelling is likely.

There are three Athfield Architect designed houses in the Eastern Bays (in the proposed heritage list), plus one 'Craig Craig Moller' dwelling, and these are unlikely to be added to. Note – the Jamieson house is an 'Athfield'.

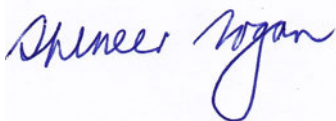
Disclosure:

The Logan House at 759 Marine Drive, Eastbourne, was actually owned by me. I commissioned Ian Athfield to design the dwelling and the building was completed in 1977. My point about the heritage designation for this particular house is that I'm quite relaxed, simply because it is unlikely to change in the future in any way, and this applies to a vast majority of dwellings around Lower Hutt. It is difficult to increase the size, change the design or the materials of the house and, therefore, the current owners will not be restricted by the designation and will be free to enjoy the property. However, where there is potential to redevelop the site, the future plans must be taken into account.

Conclusion:

This is not the first time that privately owned dwellings have been included in the 'heritage inventory list' of the Hutt City Council. In effect, the heritage designation creates frustration because there is nothing positive coming from the Hutt City Council, except the 'heavy hand' of restriction. There is no indication of how the dwellings were selected and also the linking of William Gray Young Architecture to the subject property is rather flimsy and tenuous.

Yours faithfully,



Spencer Logan, SPINZ. ANZIV. AREINZ.
REGISTERED VALUER

Saritha Shetty

From: Craig Innes <craig.b.innes@gmail.com>
Sent: Friday, 15 December 2023 6:04 pm
To: District Plan Review Team; DemocraticServicesTeam; Biodiversity; Glenda Barratt; Josh Briggs; Keri Brown; Simon Edwards; Tui Lewis; Andy Mitchell; Chris Parkin; Karen Morgan; Naomi Shaw; Tony Stallinger; Gabriel Tupou; Richard Te One; Jo Miller; Brady Dyer
Cc: John Mendzela; chris.bishop@parliament.govt.nz
Subject: [EXTERNAL] District Plan Submission
Attachments: C Innes DDP Submission.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Sean

Submission on Hutt City Council Draft District Plan

Craig Innes

29 Sunny Grove

Wainuiomata

15 December 2023

Summary

I wish to make the following submission:

1. I object to the minimum lot size of one hectare for the Rural Lifestyle Zone on the grounds of water, light, sound and air pollution.
2. I object to the minimum lot size of one hectare for the Rural Lifestyle Zone on the grounds of electricity supply and infrastructure.
3. I object to the minimum lot size of one hectare for the Rural Lifestyle Zone on the grounds of the effect on the road usage.
4. I object to the minimum lot size of one hectare for the Rural Lifestyle Zone on the grounds of the effect on rubbish collection.
5. I object to the minimum lot size of one hectare for the Rural Lifestyle Zone on the grounds of the effect on the rural character of the area.
6. I object to the application of the Rural Lifestyle Zone to the large parcels at the end of Moores Valley Road on the grounds on the effect on neighbouring properties, the effects on the road and stream.
7. I object to the Highly Productive Land overlay being applied to the rural private land in the district.
8. I object to the Outstanding Natural Features and Outstanding Natural Landscapes being applied.

We wish to provide a verbal submission in addition to this written submission.

1. I object to the minimum lot size of one hectare for the Rural Lifestyle Zone on the grounds of water, light, sound and air pollution.

There are problems with rubbish and other pollution into the Wainuiomata Iti Stream (Wainuiomata Stream). I have also heard that the amount of rubbish being found in the Wainuiomata has greatly increased over recent years. Increasing housing density will aggravate the problem. I am concerned by the increasing light pollution in the rural parts of Wainuiomata. This is affecting the view of the night sky and also appears to affect some native species (most notably puriri moths).

2. I object to the minimum lot size of one hectare for the Rural Lifestyle Zone on the grounds of electricity supply and infrastructure.

There have been many power cuts in Moores Valley over recent years. I am concerned about a greater strain being put on the electricity network in the rural parts of Wainuiomata. I am furthermore concerned about the possible effect upon supply should a greatly increased number of residents adopt electric vehicles. This problem has been acknowledged by Wellington Electricity, who advise that this is straining the rural electricity network.

3. I object to the minimum lot size of one hectare for the Rural Lifestyle Zone on the grounds of the effect on the road usage.

There appears to have been a large increase in road traffic up Moores Valley in recent years. In my view, the road is already over capacity. There is no safe margin for pedestrians and animals on the road are in increasing danger. I have been advised of traffic incidents in Moores Valley and Crowther Road. There have been repeated complaints about spotlight shooting from vehicles.

4. I object to the minimum lot size of one hectare for the Rural Lifestyle Zone on the grounds of the effect on rubbish collection.

The current weekly collection of rubbish is already a highly dangerous activity. There are many blind corners on the road. Any large increase in housing will add to the danger. A major increase in housing may require that multiple trips are made by the collection vehicles. I am concerned about the response of Hutt City Council to safety with regards to rubbish collection.

5. I object to the minimum lot size of one hectare for the Rural Lifestyle Zone on the grounds of the effect on the rural character of the area.

A significant increase in housing density will adversely affect the quiet rural lifestyle of residents. I am concerned to see that the Council has been increasingly applying urban rules to the rural landowners. For instance restrictions on poultry have been imposed in line with urban properties. I believe that the establishment of a de facto suburb is contrary to the principles outlined in the National Planning Standards and the National Policy Statement for Highly Productive Land. Rural lifestyle zones are absolutely not supposed to create barriers to rural primary production.

6. I object to the application of the Rural Lifestyle Zone to the large parcels at the end of Moores Valley Road on the grounds on the effect on neighbouring properties, the effects on the road and stream.

The Rural Lifestyle Zone is proposed for large unoccupied properties at the end of Moores Valley Road. These properties are owned by Goh Realty, a real estate company. One of the parcels was supposed to be vested on deposit as a reserve.

The application of the Rural Lifestyle Zone, whether the minimum lot size is one hectare or two hectares, has the potential to result in a large increase in intensification of the end of Moores Valley. Being located at the end of the valley, this will have the maximum effect on the traffic and upon the stream.

The application of the Rural Lifestyle Zone over the whole of the two parcels is not appropriate given the fact that the parcels include very steep land. I understand from a former real estate agent who has assessed the property that much of the flat area is a wetland. From what I have heard, very little of the land is actually suitable for any houses let alone hundreds. Allowing the property to be subdivided under the proposed rules of the Rural Lifestyle Zone would be contrary to the stated national policy of a moratorium on wetland development.

7. I object to the Highly Productive Land overlay being applied to private rural land.

The application of the Highly Productive Land overlay for part of Moores Valley is inappropriate as the source dataset is very old and too coarse for the use that it is being applied. The ultimate source for the classification is the Land Use Capability data. This data ultimately dates to the 1970s and is not fit for purpose for the classification of the private rural land in the district. The data is not supposed to be used at scales of less than 1:50,000. When viewed at this scale the areas shown for Moores Valley are entirely nonsensical. The GIS assessment has been undertaken at an inappropriate scale and has no relation to the underlying realities of the land concerned. It has not taken into account of the geology or the historical realities of the area. Productive pastoral farming greatly reduced in the area in the 1960s, when much of the valley was subdivided into 10 acre

blocks. Productive activities continue, including some productive grazing as well as forestry and bee-keeping.

According to the National Policy Statement for Highly Productive Land, this overlay is supposed to be defined by the Greater Wellington Regional Council, not Hutt City Council. The purpose of the National Policy Statement for Highly Productive land is to support the productive use of land. The proposed rules associated with the Draft District Plan use the classification to impose restrictions upon the use of the land that interfere with production activities. This is plainly contrary to the core purpose of the statement.

8. I object to the Outstanding Natural Features and Outstanding Natural Landscapes being applied.

I believe that these overlays are not appropriate. The application of the Outstanding Natural Features overlay over private land in the southern part of Wainuiomata is over land that is not visible to the built up areas. My understanding of the purpose of this type of classification is to protect amenity values. I believe that this purpose has been sidelined to a great extent by the stated purpose of the National Policy Statement on Urban Development. Even if this were not the case, the purpose of this classification is clearly not to protect features that cannot be viewed outside of the property concerned. The overlay has furthermore been applied to some areas that are currently in productive use. This is contrary to the stated purpose of the NPS for Highly Productive Land and the National Planning Standards.

The application of the Outstanding Natural Landscape and Outstanding Natural Features overlays over private land is in contrast to the failure to impose these overlays over the spectacular bush covered hills above the north eastern harbour and over the western hills. Both of these areas are publicly owned and parts of regional parks and are visible to the built up areas. The level of protection of these areas should be prioritised. The natural features above the eastern harbour to the north are covered in mature native forest. The areas being classified as Outstanding Natural Landscape and Outstanding Natural Features in the south are covered in dense scrub and include many species of exotic noxious weed.

This mapping should be done in conjunction with landowners and in such a manner as to meaningfully reflect the realities on the ground.

The recent coalition agreements send a strong message about Significant Natural Areas. Applying the Outstanding Natural Landscape and Outstanding Natural Features overlays over private land appears to conflict with recent changes in policy direction from the government.

Concluding remarks

I have found that communication from the Hutt City Council on the proposed Draft District Plan has been extremely poor. The Council sent the letters out without identifying the properties affected by the proposed changes. I was contacted by multiple people who were confused by the letters sent out. Owners of multiple properties were left confused about which property the letter was supposed to relate to. Further to this, the Council did not send out a maps of the Highly Productive Land and other overlays and it was not clear what parts of people's properties was affected. People who called the Council reported that the replies were sometimes either inaccurate or confusing.

I object to the short period being allocated for submissions. I also object to the end date for submissions being so close to Christmas and coinciding with the GWRC Natural Resources Plan Change.

I am concerned about the lack of pest control on land owned by Hutt City Council, the Greater Wellington Regional Council and the Department of Conservation. I have received multiple complaints from landowners who complain their property is being adversely affected by pest animals coming in from neighbouring publicly owned land. The understory of the bush in many areas has been destroyed by deer.

Some of the area proposed for Rural Lifestyle is extremely steep and is totally unsuitable for close development.

I have a general objection to the proposed extent of the Rural Lifestyle Zone on the grounds of the potential effect on rural production in Wainuiomata. Rural production activities still occur in the rural parts of Wainuiomata. It is important that the activities associated with this production are allowed to continue. Under the National Planning Standards, the Rural Lifestyle Zone is not to adversely affect rural primary production:

Rural lifestyle zone

Areas used predominantly for a residential lifestyle within a rural environment on lots smaller than those of the General rural and Rural production zones, while still enabling primary production to occur.

I am concerned that allowing subdivision down to one hectare has the potential to interfere with rural production activities in Moores Valley. A relatively high density of housing in neighbouring Rural Lifestyle zones increases the risk that inappropriate restrictions may be imposed on rural production activities. This is a particular concern our forestry operation which will require the use of heavy equipment.

Saritha Shetty

From: Craig Innes <craig.b.innes@gmail.com>
Sent: Thursday, 23 November 2023 12:47 pm
To: District Plan Review Team
Subject: [EXTERNAL] Section size information

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Steve

Tena koe,

I have read what I thought were the relevant parts of the Draft District Plan but I did not locate the provisions for section areas.

Could you please indicate where I would find the minimum section areas for the following zones:

General Rural
Rural Lifestyle
Large Lot Residential

Naku noa, na,

Craig Innes.

Saritha Shetty

From: Henry Iputau <hdmiputau@yahoo.com.au>
Sent: Thursday, 14 December 2023 9:08 pm
To: District Plan Team
Subject: [EXTERNAL] Draft District Plan Mixed Use Zones feedback from CCCS Wainuiomata Parish Wainuiomata
Attachments: Feedback Draft District Plan CCCS Wainuiomata Parish page 1 of 2.jpg; page 2 of 2.jpg
Follow Up Flag: Follow up
Flag Status: Completed
Categories: Steve

Please find attachment feedback.

kind regards,

Utupo Henry Iputau
CCCS Wainuiomata Parish



**EKALESIA FA'APOTOPOTOGA KERISIANO SAMOA WAINUIOMATA
CONGREGATIONAL CHRISTIAN CHURCH SAMOA WAINUIOMATA PARISH**

MINISTER:

Rev. Utupo Henry V Iputau
16 Wainuiomata Road
Wainuiomata
Lower Hutt 5014
Wellington, NZ
Tel: (04) 564-7719
Email: hdmiputau@yahoo.com.au

SECRETARY:

Mr Ofagamalefa Fa'aaliga
Tel: (04) 564-8885

TREASURER:

Mr Seupule Tafuna'i
Tel: (04) 564-7815

8 December 2023

Hutt City Council
30 Laings Road
Private bag 31-912
Lower Hutt 5040

Attention: Jo Miller
Chief Executive

RE: Draft District Plan – *Mixed Use Zone*

Written feedback on behalf of CCCS WAINUIOMATA PARISH, WAINUIOMATA.

Talofa Lava,

I am writing as the Minister and Spiritual Leader of the Congregational Christian Church Samoa Wainuiomata Parish, to provide feedback in response to the letter dated 8 November 2023 notifying us of the proposed district plan zoning changes that affect our property.

Firstly, we wish to thank you for the opportunity to provide early feedback, ahead of the formal consultation that will commence in 2024. We are a well-established Samoan Christian Congregation that has served many hundreds of parishioners and families for over 50 years in Wainuiomata. A cornerstone of the Samoan community in Wainuiomata we serve an important role in supporting families and providing a safe communal meeting place for our members to practice our faith-based beliefs. We run several successful community groups which includes; Sunday School, Congregational Choir, Youth group's (*both adult and youth*), Men's and Women's Fellowship's, all of which provide a sense of wellbeing and connection for our congregation, all of whom are residents of Wainuiomata and Hutt City. A key part of our purpose is to provide a service of Worship, also to engage with our Elderly through Pastoral Care and especially our young people to pass on customs and traditions unique to Samoa; founded on the principles of Fa'aaloalo (*Respect*), Tautua (*Service*), and Alofa (*Love/Care*). The Church is also a venue used for Weddings, Birthday's and Funerals for our church members and their families. We are an integral part of the Wainuiomata Community, and our sense of purpose is derived from our Christian based values to serve. Our ambition is to continue to provide these key services alongside Hutt City's planned growth and development over the coming years.

I must confess that the letter was received with a degree of apprehension, confusion, and uncertainty. This was primarily due to the conciseness of the letter and the absence of supporting information. There is very little information about what the proposed changes mean for us and void of information about the definition of a *mixed used zone* and the properties that are affected within our vicinity. This caused stress and anxiety amongst our members, that could have been prevented by including with the letter:

- Definitions of the current and proposed zone changes
- A map of the affected areas
- A weblink to where key information is held on the Hutt City website
- Samoan translations of key parts of the letter

I understand that our church are one of two Samoan churches potentially directly affected within the wider Wainuiomata Town Centre; a missed opportunity would have been to meet with us with a Samoan translator present, this would have been greatly appreciated by our community. I note that the Samoan language is the 3rd most spoken language in Hutt City, following closely behind Te Reo Maori. A community engagement workshop is another alternative that would have gone a long way to ease concerns and to demystify a technically complex area that the wider population has very little knowledge of. I hope that these options will be considered when the changes come up for formal consultation in 2024.

We sought out assistance to understand the wider implications of the proposed changes and we now understand that it primarily opens the opportunity for us to use our property more extensively should we chose to do so. Although we have no immediate plans to move into business enterprise, this could be an option we may take in the future. Our intention is to continue operating as we are currently for the foreseeable future. We were grateful to receive feedback from your policy planners that the proposed changes will not, in any way, affect in us continuing to do so. To be frank this was our main concern, so to have these concerns alleviated bought reassurance and confidence in the future of our congregation.

We see our congregation being an important part of Hutt City's growth as the population increases by providing a familiarity to migrants and new residents of the City with a Pasifika and Samoan background. We would appreciate any further support or partnering from the Council that will allow us to continue to deliver on the services we provide. We are uncertain of the affect that the proposed changes will have on our rates, we would be grateful for some further information, noting that we are a non-profit organisation and will be continuing to provide the same community-based services.

I hope some of the feedback that has been submitted in this letter will contribute to the wider consultation discussions as projected for 2024. May God's blessings and spiritual guidance be upon those discussions and the future endeavours for the Wainuiomata Community and wider Hutt City.
Soifua ma ia manuia.

Yours in Faith,



Rev. U H V Iputau
(a.k.a SHOLOM)

Saritha Shetty

From: Peter McDonald
Sent: Friday, 24 November 2023 2:24 pm
To: [REDACTED]
Subject: RE: [EXTERNAL] Request for information under the Local Government Official Information and Meetings Act 1987
Attachments: [REDACTED]

Hello Colleen and Ramesh

See attached for map showing the zoning and overlays which apply to [REDACTED] as proposed in the draft District Plan.

In short, the following zones and overlays apply to both properties:

Rural Lifestyle zone – view provisions in [Rural Lifestyle Zone Chapter](#)
Overland Flow Path overlay – view provisions in [Natural Hazards chapter](#)
Inundation overlay – refer Natural Hazards chapter as per above link

The draft zoning and overlays can be viewed [here](#)

Kind regards,
Peter

From: colleenhira@gmail.com <colleenhira@gmail.com>
Sent: Friday, November 24, 2023 1:05 PM
To: District Plan Review Team <district.plan@huttcity.govt.nz>
Subject: [EXTERNAL] Request for information under the Local Government Official Information and Meetings Act 1987

Dear Sir/Madam

We are Ramesh and Colleen Hira, owners of two properties in Wainuiomata which appear to be included in a zoning change in the Draft District Plan. However we have not been sent a map that shows which properties are affected by the zoning change for Upper Fitzherbert Road, Wainuiomata, so we have no idea if both of our properties are affected.

This is a request for information under the Local Government Official Information and Meetings Act 1987.

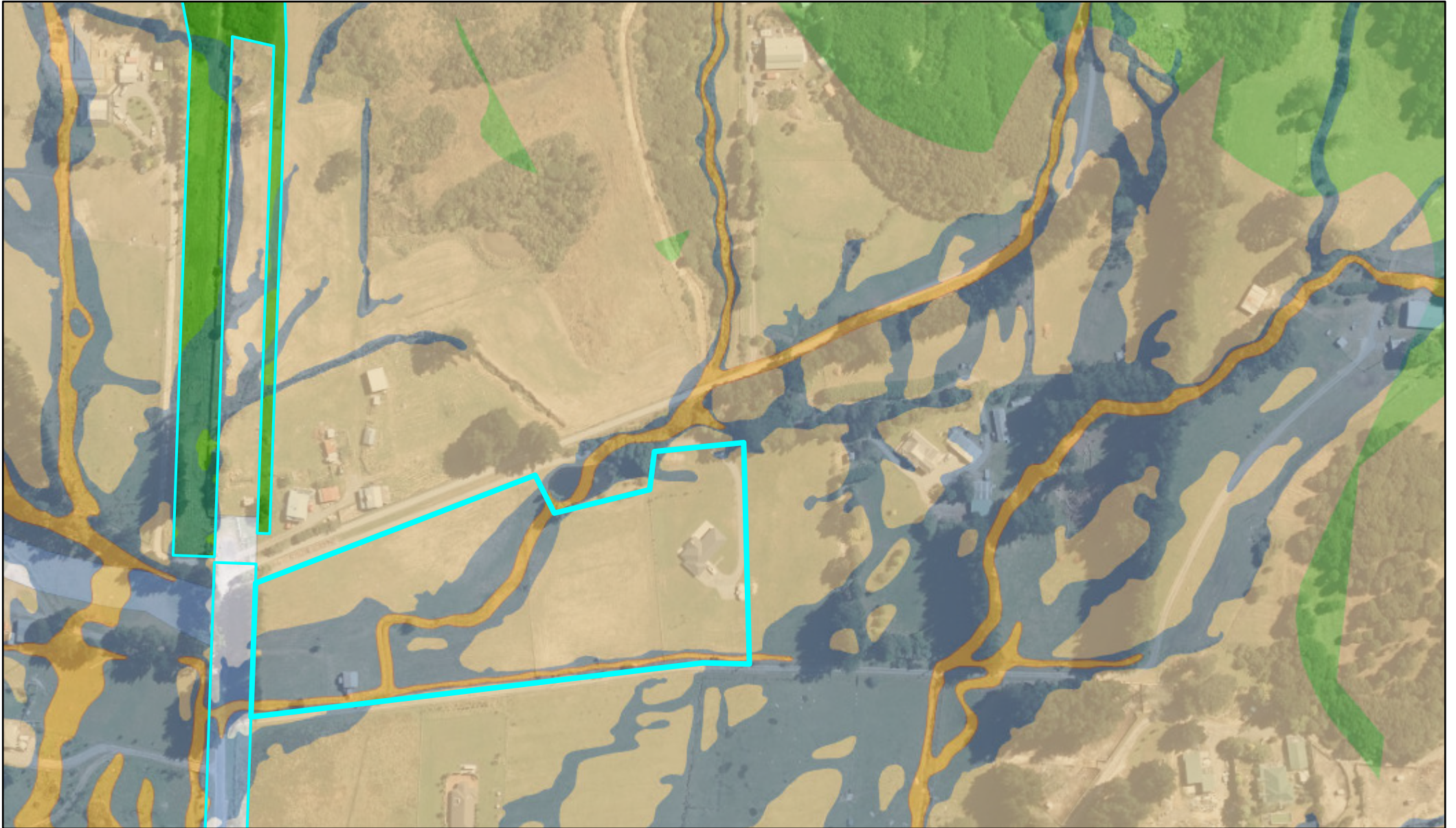
Please provide maps showing every GIS layer associated with the Draft District Plan that relates to the following properties:

[REDACTED]





As we have been unable to work out which of our properties are affected under the Draft District Plan, we ask that the consultation period be extended to enable people to engage with the proposed Draft District Plan.

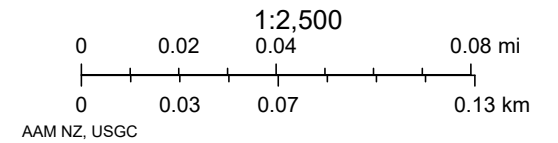
Regards
Colleen and Ramesh Hira

Local Maps Print



November 24, 2023

- | | |
|--|---|
|  Overland Flowpath | Draft District Plan Zones |
|  Inundation Area |  Rural lifestyle zone |
| |  Natural open space zone |



Saritha Shetty

From: ContactHCC
Sent: Friday, 15 December 2023 1:39 pm
To: colin@olesen.co.nz
Subject: FW: [EXTERNAL] Draft District Plan Submission
Attachments: DECISION-Resource Consent Approval RM180509 - 7.12.20.pdf; 20231215_095911.jpg; 20231215_100121.jpg; 20231215_100104.jpg; 20231215_100127.jpg; 20231215_100000.jpg; IMG-20231215-WA0000.jpg

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Sean

Kia ora Colin,

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 11:22 AM
To: ContactHCC <contact@huttcity.govt.nz>
Cc: [REDACTED]
Subject: [EXTERNAL] Draft District Plan Submission

Greetings

We are property owners at [REDACTED]
Lot 9 on the attached site plan.

We do not believe it is correct that our property be designated a High Hazard Area.

The finished contours of the land (post development) are such that any overflow from the stream will be directed towards the road rather than to our property, which is elevated above both the stream and the road.

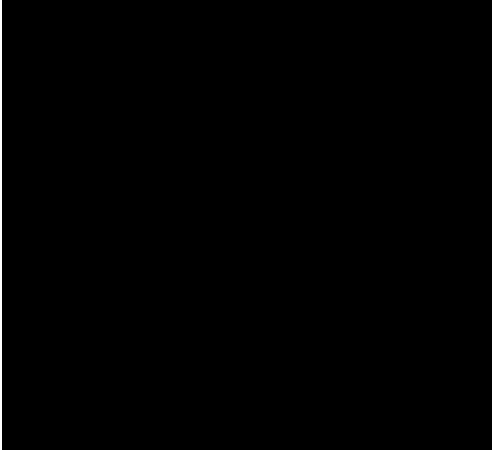
We have attached the relevant Resource Consent (RM180509) and have highlighted writings in that consent that support our submission.

The consent states that potential adverse effects related to flood hazard will be **less than minor**. We also attached photographs showing the elevated set-away position of our property to the stream. It shows the water run-off in place along the edge of the stream.

If despite this submission the Council intends to proceed with the classification of our property as in a High Hazard Area, we would like the opportunity to make further submissions.

We can be contacted at this email address or on [REDACTED]

Regards



RM number: RM180509
Date: 7 December 2020
Applicant: DMAC Homes Ltd
Agent: Cuttriss Consultants Ltd
Address: PO Box 386, Paraparaumu 5254
Attn: Colin McElwain

Peter McDonald
Environmental Consents
T 04 570 6745
peter.mcdonald@huttcity.govt.nz
Our reference:RM180509

APPROVAL OF RESOURCE CONSENT FOR COMPREHENSIVE RESIDENTIAL DEVELOPMENT FOR 12 DWELLINGS AND ASSOCIATED SUBDIVISION AT 186 RATA STREET NAENAE (LOT 1 DP 33929)

Council granted consent for the following reasons:

- Although the proposal is something of a departure from the established character and residential densities of the surrounding area, it is noted that residential intensification is anticipated by the District Plan which provides for comprehensive residential development on larger sites.
- Proposed landscaping treatments towards the frontage and along the stream will help maintain the natural characteristics and ecological values of the stream environment and will soften the elevated aspect of some of the townhouses.
- Potential adverse amenity effects on persons on adjacent properties, when compared to the permitted baseline and with regards to proffered mitigations, are assessed as less than minor.
- Council's consultant urban design advisor has reviewed the proposal and considers it to meet the expectations of the *Medium Density Design Guide*.
- The proposed development of twelve new dwellings will increase the capacity and variety of housing stock in the city.
- A flood modelling report submitted by the applicant and reviewed by Wellington Water indicates the proposed development will not result in an increased flood hazard both within and beyond the site.
- The development will be designed for stormwater neutrality so that peak runoff does not exceed the existing situation. It is considered that there is sufficient capacity within the network infrastructure for water supply, wastewater, stormwater and land transport to service the proposed development subject to the conditions of consent.
- A Council subdivision engineer assessed the proposal and concluded it can meet the necessary engineering standards, subject to conditions included with the consent.

- Conditions imposed on the consent under section 108 and 220 of the Resource Management Act 1991 will control, mitigate and remedy any environment effects caused by the subdivision.
- Council considers the proposal to be consistent with section 106 of the same act.
- The property does not appear on Greater Wellington Regional Council's selected land use register as a contaminated site or as having been the site of a verified hazardous activity. As a result, Council considers the likelihood of earthworks uncovering contamination at the site to be negligible.
- The proposal is consistent with the policies and objectives of the city's District Plan.
- Council has given due regard to the New Zealand Coastal Policy Statement, any national, regional or proposed regional policy statement and any other regulations in reaching its decision. Council considers there are no other relevant matters that need to be dealt with.
- The proposal is consistent with the purposes and principles of Part II of the Resource Management Act 1991.

1. PROPOSAL

The applicant is seeking resource consent for a 12 dwelling multi-unit development and associated 15 lot fee simple subdivision at 186 Rata Street, Naenae. In short, the salient details of the proposed development are summarised as follows:

- Proposed lots 1-7 will range in size between 153m² and 196m² and will each contain a double storey dwelling with four bedrooms. Proposed access lot 101 will provide access to Helvetia Grove and is proposed to be held in undivided shares by proposed lots 1-7.
- Proposed lots 8-11 will range in size between 165m² and 235m² and will each contain a double storey dwelling with three bedrooms. These lots will gain access to Helvetia Grove via proposed access lot 102 which will be owned in half-shares by lots 10 and 11 with rights-of-way granted in favour of lots 8-11.
- Proposed lot 12 will have a land size of 245m² and will comprise the existing access strip to Rata Street. This lot will contain a narrow shaped single-storey dwelling with two bedrooms, and will have direct and private access to Rata Street.
- Proposed lot 100 will comprise the existing stream and is proposed to be held in undivided ownership by lots 1-11.

Land use consent is required for various bulk and location compliances associated with the proposed new dwellings and for proposed earthworks to provide suitable building platforms and vehicle access.

2. SITE DESCRIPTION

The application site is located at 186 Rata Street, Naenae, and is legally described as Lot 1 DP 33929 contained within record of title WN11C/1257. There are no interests on the title of relevance to this application.

The property has a land size of 3447m² and is connected to Rata Street by a 6m wide access leg, however its primary frontage is to the termination of the Helvetia Grove cul-de-sac. A stream is contained within the property which meanders between the rear boundary and Helvetia Grove frontage. The stream defines the low point of the site topography with the land generally falling towards the stream and downward from the rear boundary towards the primary frontage. The site currently contains a single dwelling, garage, garden shed, pool house and swimming pool, all of which are proposed to be removed. The site has dual access formed to Helvetia Grove and Rata Street, and a driveway extending over the stream via a bridge. The bridge over the stream is proposed to be removed, and the access leg to Rata Street is proposed to be developed as dwelling lot 12. Much of the existing vegetation distributed throughout the site is proposed to be removed and a duck pond located near the stream will be filled.

The application site is located within the General Residential Activity Area of the District Plan. The Rata Street Reserve, which is grassed public reserve maintained by HCC, abuts the rear boundary of the site. Land within the General Business Activity Area is located across Rata Street from the access leg (proposed lot 12), but is generally well separated from the main part of the proposed development. The properties in the surrounding area are otherwise zoned General Residential and typically contain single detached dwellings. There are some

nearby examples of sites containing two dwelling activities in a cross-lease arrangement (notably on the abutting 4 Helvetia Grove), however there are no nearby examples of multi-unit developments comparable to the densities proposed. The site is also not within an AEP flood event identified by Greater Wellington Regional Council.

3. RELEVANT PLANNING RULES AND REGULATIONS

District Plan

The District Plan is the appropriate planning instrument with which to assess the proposal. Plan Change 43 introduced new provisions to the District Plan for residentially zoned areas and became partially operative at the close of the appeal period on 18 December 2019. The application was lodged on 20 December 2018. All appeals of plan change provisions of relevance to this assessment had been resolved by 31 August 2020. Therefore for the purpose of this assessment the provisions introduced by Plan Change 43 are regarded as operative, and any previous incumbent provision prior to the plan change is considered to be superseded.

Under PC43, the site is situated within the General Residential activity area of the City of Lower Hutt District Plan. Rules relating to this activity area are contained within chapters 4A, 11 and 14.

The proposal requires resource consent for the following District Plan non-compliances:

Land use

- Discretionary Activity under Rule 4A 4.2.10 (b) for comprehensive residential development which does not comply with the following development standards under Rule 4A 4.2.10:
 - (a)(ii) Maximum Height (8m) – Proposed townhouses 1, 2 and 3 will each have a maximum height of 8.9m when measured from the existing ground level prior to the proposed earthworks, representing an exceedance of 0.75m.
 - (a)(iii) Recession Planes (2.5m + 45°) –
 - Each of proposed townhouses 4-7 will encroach within the recession plane measured from the rear south-east boundary to 206 Rata Street. The maximum vertical extent of the encroachments will be 1.2m, 0.7m, 1.15m and 1.9m respectively, with the length of these encroachments being approximately 8m.
 - Proposed townhouse 9 will encroach within the recession plane measured from its north-east rear boundary to 188 Rata Street at two points. The maximum vertical extent of the encroachments will be 0.95m and 1.4m respectively. Proposed townhouse 8 will also encroach within the recession plane measured from its rear boundary to 188 Rata Street by up to 0.35m when measured vertically.
 - Both the ground and first floors of proposed townhouse 8 will also encroach within the recession plane measured from 2/4 Helvetia Grove. The maximum vertical extent of these encroachments will be 0.6m and 0.55m respectively. The respective lengths of the ground and first floor encroachments will be 8m and 11m respectively.
 - Proposed townhouse 10 will encroach within the recession plane measured from the rear boundary to 190 and 196 Rata Street by up to 0.3m when measured vertically, and for a length of approximately 5m.

- (a)(v) Outdoor Living Space (min 20m² with 3m dimension) - proposed townhouse 7 will have an outdoor living area of 19m².

Note: the proposed comprehensive residential development has an overall site coverage of 30.6%, which complies with maximum permitted overall site coverage of 60%. The site coverage within each of the residential allotments is noted as follows: Lot 1 (55.5%), Lot 2 (55.8%), Lot 3 (48.6%), Lot 4 (44.4%), Lot 5 (56.9%), Lot 6 (51.5%), Lot 7 (54.8%), Lot 8 (37.1%), Lot 9 (49.2%), Lot 10 (49.5%), Lot 11 (43.3%) and Lot 12 (39.4%).

- Restricted Discretionary for clearance of indigenous vegetation other than trees, and which is not identified as a permitted activity¹. Although the application site has previously been developed for residential purposes it includes areas of mature trees and other vegetation, including indigenous scrub around the stream and clear from the existing dwelling curtilage (such that it is not permitted). Much of this vegetation is proposed to be cleared to make way for the proposed development. It is noted that consent is not required for the clearance of mature trees as the application site is an urban environment allotment.
- Restricted Discretionary Activity under Rule 14A 5.1(b) for an activity which will not comply with the following Chapter 14A transport standards:
 - Appendix Transport 1 – Standard 1 (c) Private Ways – the legal width of the proposed access leg serving proposed dwellings 1-7 will narrow to 4.7m at the vehicle crossing, less than the minimum required 7m. The formation width of the same access leg will narrow to 4m and will not include a footpath, not complying with the minimum formation width of a 5m carriageway and 1m footpath. The formed and legal width of the access leg serving proposed lots 8-11 will be 3m and 3.2m respectively at its narrowest point, less than the minimum formed width (5m) and legal width (6m) requirements.
 - Appendix Transport 1 – Standard 2 (a) Vehicle Access – the proposed vehicle crossing serving proposed dwellings 1-7 will not be separated at least 1m from the existing crossing serving 1 Helvetia Grove when measured at the kerb. The access leg serving proposed lots 8-11 will have a 3m formation width, less than the minimum 4m width required for access by fire service vehicles. The proposal will have three vehicle crossings, exceeding the maximum of two crossings for a front site. This is regarded as a technical non-compliance as the crossings are located on two separate frontages.
 - Appendix Transport 1 Standard 2 (c) Manoeuvring Area – due to the narrow width at the head of the vehicle crossing serving proposed dwellings 1-7, an entering vehicle may need to stand within Helvetia Grove when a vehicle is exiting the access leg. A vehicle accessing the garage of proposed dwelling 9 will not be able to turn around within the site and access leg.
- Restricted Discretionary Activity under Rule 14I 2.2(a) for earthworks which fail to comply with the relevant permitted activity conditions of Chapter 14I:
 - Permitted Activity Condition 14I 2.1.1 (a) Ground Level – proposed fill will have a maximum height of 2.5m (at the internal boundary of proposed lots 2 and 3 adjacent to stream), exceeding the maximum permitted change to ground level of 1.2m.

¹ The Environment Court Decision No. [2020] NZENVC 69, introduced rules to the General Residential Activity Area relating to the clearance of trees and indigenous vegetation. The rules have operative effect at the time of this decision.

- Permitted Activity Condition 14I 2.1.1 (b) Earthworks Quantity – proposed cut and fill volumes are 252m³ and 1,064m³ respectively for a combined volume of 1,316m³, exceeding the maximum permitted 50m³.

Subdivision

- Restricted Discretionary Activity under Rule 11.2.3 (a) for subdivision which does not comply with the standards and terms for a Controlled Activity under Rule 11.2.2.1 in respect of:
 - b) Engineering Design – the proposal will not comply with the access width requirements specified in Chapter 14A – Standard 1 (c) (refer to above assessment),
 - e) Earthworks – the proposal will not will not comply with the permitted activity conditions for earthworks as identified in the land use assessment above.
- Discretionary Activity under Rule 11.2.4 (i) due to the following non-compliances with the standards and terms for allotment design – 11.2.2.1 (a):
 - Proposed lots 1-12 will have allotment sizes ranging between 153m²-245m², less than the minimum required 400m². Each of these lots will not comply with the shape factor requirement of 10m by 15m clear of minimum yards and rights of way. There has not been sufficient information to determine that it would be practicable to build dwellings on proposed lots 1-12 as a permitted activity compliant with the General Residential Development Standards specified in 4A 4.2 and 4A 5. Accordingly the allotments are considered to not comply with the allotment design standards. It is noted that each of the proposed allotments 1-11 will have a minimum 3m frontage to Helvetia Grove via shared ownership of, or rights of way over, proposed lots 101 and 102. Proposed lot 12 will have direct 6.1m frontage to Rata Street.

Overall activity status

Following a bundling approach, I have given regard to the higher activity status and as such, the overall activity status is considered to be Discretionary.

National Environmental Standards

The proposal does not require assessment under any National Environmental Standards.

4. PERMITTED BASELINE

The permitted baseline allows a consent authority to disregard environmental effects that are the same as could arise from a permitted development.

The District Plan does not allow subdivision which creates new lots as a permitted activity, therefore there is no permitted baseline of relevance to the subdivision component of the resource consent application.

The permitted baseline allows for a second dwelling and accessory buildings if sited within accordance with the relevant development standards including maximum site coverage (40%), maximum building height (8m), recession planes (2.5m + 45°) from all side and rear boundaries, minimum yards of 3m on the front boundary and 1m on side and rear boundaries, minimum permeable surface coverage (30%) and minimum outdoor area of 50m² with minimum dimension of 4m for each dwelling. Compliance would also be required with the general rules of the District Plan, including earthworks with up to 50m³ in volume and up to

1.2m change in ground level permitted. The permitted baseline for two large dwellings on the site is considered to be of some relevance to the assessment of effects.

5. NOTIFICATION ASSESSMENT

Council must assess any resource consent application under section 95 of the Resource Management Act 1991 to determine whether a resource consent application should be notified. The Resource Management Act 1991 details a four step process that must be followed, and triggers or precludes notification of applications in certain circumstances. The sections below follow the four step process for public notification (under section 95A) and limited notification (under section 95E).

5.1 - PUBLIC NOTIFICATION STEPS – SECTION 95A

Pursuant to section 95A of the Resource Management Act, this section follows the 4 step process to determine if public notification is required.

Step 1 - Public notification is mandatory in certain circumstances

Public notification is mandatory in certain circumstances

Has the applicant requested public notification?	No
Is public notification required under s95C?	No
Is the application made jointly with an application to exchange recreation reserve land under s15AA of the Reserves Act?	No

Public notification is not mandatory under step 1.

Step 2 - Public notification is precluded in certain circumstances

If public notification is not required under step 1 it may be precluded in certain circumstances (unless special circumstances apply under step 4).

Are all activities in the application subject to a rule in a Plan or National Environmental Standard precluding public notification?	No
Is the application for one or more of the following (but no other) activities? <ul style="list-style-type: none"> ▪ A controlled activity ▪ A residential activity with a restricted discretionary or discretionary activity status ▪ A subdivision of land with a restricted discretionary or discretionary activity status ▪ A boundary activity with a restricted discretionary, discretionary or non-complying activity status ▪ An activity prescribed by regulation made under s360H(1)(a)(i) precluding public notification (if any) 	Yes

Public notification is precluded under step 2, in this case for a residential activity and subdivision with a discretionary activity status.

Step 3 - Public notification is required in certain circumstances

Step 3 sets out criteria where public notification is required in certain circumstances. However as public notification is precluded under step 2; assessment under step 3 is not required.

Step 4 – Public notification is required in special circumstances

If public notification is not required under step 3 public notification may still be warranted where there are special circumstances.

Do special circumstances exist that warrant public notification?	No
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Special circumstances have been defined as circumstances that are unusual or exceptional but may be less than extraordinary or unique. This land use and subdivision consent application is for a comprehensive residential development of 12 new dwelling lots on land zoned for General Residential use. This is not considered to be an unusual proposal. It is noted that the proposed development exceeds a number of District Plan provisions for allotment design, bulk and location of dwellings, earthworks and transport standards. However the District Plan is considered to provide clear policy direction and assessment matters, and it is considered that public notification of the proposal will not reveal any new information relevant to determination. On this basis I do not consider there to be any special circumstances that warrant public notification of the proposal.

Conclusion

Public notification is not required.

5.2 - LIMITED NOTIFICATION STEPS - SECTION 95B

As determined in section 5.1, public notification is not required. Pursuant to section 95B of the Resource Management Act, a 4 step process must therefore be followed to determine if limited notification is required.

Step 1 – Certain affected groups/persons must be notified

Limited notification is mandatory for certain groups/persons.

Are there affected customary rights groups?	No
Are there affected customary marine title groups (for accommodated activities)?	No
Is the proposal on or adjacent to, or may affect, land that is subject to a statutory acknowledgement and whether the person to whom the statutory acknowledgement is made affected under section 95E?	No

The property contains a stream which is subject to a Statutory Acknowledgement Area. Input has been sought from representatives of the Port Nicholson Block Settlement Trust and Ngati Toa, however no response has been received. It is noted that the banks have already been modified. There will be some cut and fill adjacent to stream banks, however the applicant has proffered to adhere to an accidental discovery protocol for the duration of the works. Erosion and sediment controls will also be in place, mitigating risks associated with release of contaminants into the waterway. As such, I consider any potential adverse effects on any persons to whom a statutory acknowledgement is made to be less than minor.

Limited notification is not required under step 1.

Step 2 – Limited notification is precluded in certain circumstances

Limited notification to any other persons not referenced in step 1 is precluded in certain circumstances (unless special circumstances apply under step 4).

Are all activities in the application subject to a rule in a Plan or National Environmental Standard precluding limited notification?	No
Is the application for either or both of the following, but no other activities: <ul style="list-style-type: none"> ▪ A controlled activity (other than a subdivision) under the District Plan ▪ An activity prescribed by regulations made under s360H(1)(a)(ii) precluding limited notification (if any) 	No

Limited notification is not precluded under step 2.

Step 3 – Certain other persons must be notified

If limited notification is not precluded under step 2, limited notification is required for any persons found affected under s95E.

Are any of the following persons ‘affected’ under s95E? <ul style="list-style-type: none"> ▪ For ‘boundary activities’ an owner of an allotment with an ‘infringed boundary’ ▪ In the case of any activity prescribed under s360H(1)(b), a prescribed person in respect of the proposed activity. 	No
For all other activities, are there any affected persons in accordance with s95E?	No (see below assessment)

In accordance with s95E are there any affected persons?

Section 95E(3)(a) stipulates that those individuals who give written approval to a proposal cannot be considered to be an affected person. No persons have given written approval.

In accordance with section 95E, I have considered whether the proposal could adversely affect any other persons. I consider there to be no affected persons as the potential environmental effects will be less than minor for the following reasons:

1 Helvetia Grove, Naenae

This residential property abuts the south-western side boundary of the application site. The site contains a single storey dwelling. Living spaces of the dwelling including kitchen, patio and an attached sun-room, are oriented with outlook towards the application site and are situated near the shared boundary. The proposed access leg serving proposed dwellings 1-7 will be formed along part of this boundary. A new 1.8m timber fence is proposed to be built along the shared boundary. A line of Pseudopanax is proposed to be planted along a 17m section of the boundary against the fence-line. The applicant has agreed to use a variety (Pseudopanax ‘sabre’ lessonii hybrid) which is considered will provide effective screening. The applicant has proffered a condition and consent notice that the Pseudopanax is planted at a large grade (2m) and a minimum height is maintained over the fence-line to ensure effectiveness as a screening measure.

Proposed dwelling 1 will be located nearest the dwelling at 1 Helvetia Grove, however it will be separated by the access leg. The townhouse is proposed to be situated on a bed of fill, which will elevate it above natural ground level by up to 2m at its maximum extent, resulting in a height exceedance of 0.9m. Consequently the townhouse will appear in an elevated position with respect to the dwelling at 1 Helvetia Grove. It is considered that the proposed 1.8m

boundary fence will provide screening for views toward much of the retaining wall, however less so for views towards the townhouse. Additional screening will be provided through the landscaping strip which is located between the dwelling at 1 Helvetia Grove and proposed townhouse 1. The proposed Pseudopanax along the boundary will be planted at a 2m height which will immediately provide a relatively small degree of additional screening above the fence-line, however this will increase as the plants further mature. The townhouse will be well setback (a minimum 7m) from the boundary to 1 Helvetia Grove and compliant with the recession plane. Although the floor levels are elevated by non-compliant earthworks, the proposed height exceedance will be limited to the roof peak. The roof form has a low pitch rising up from the south elevation towards the peak, limiting the extent that the height exceedance and associated effects of bulk and dominance would be apparent to persons at 1 Helvetia Grove. Proposed townhouse 4 will be adjacent to the rear outdoor area of 1 Helvetia Grove. This will have a ground level more consistent with the surrounding contours and will comply with the height plane and boundary controls with respect to the south-western boundary to 1 Helvetia Grove. Boundary fencing (1.8m in height) will provide screening towards ground floor areas, and landscaping treatments (particularly a Titoki tree) will help soften the visual effect of proposed townhouse 4. Townhouses 1 and 4 will provide a degree of screening towards the other proposed townhouses to the extent the building bulk as immediately apparent to persons at 1 Helvetia Grove will be somewhat comparable to a permitted baseline which could include two double-storey dwellings. The proposed boundary plantings will also provide a degree of screening of the view-shaft (provided by the driveway) of the rear dwellings. For the above reasons the potential adverse bulk and dominance and visual amenity effects will be less than minor on persons at 1 Helvetia Grove.

Due to the elevated position of townhouse 1, persons at 1 Helvetia Grove may have views towards the ground level of this dwelling despite the proposed screening, particularly in the initial years before the proposed landscaping along the fence-line matures. The south-west elevation townhouse 1 will have two windows at the ground level which will be to internal living spaces. These windows will be high-set to limit the potential for overlooking. The applicant has also proffered a condition that external screens be installed on these windows. It is considered these treatments will be effective in mitigating potential overlooking from the ground floor windows to living areas. Potential overlooking from windows from townhouse 4 and the first floor of townhouse 1 are considered comparable to that which could be expected from a permitted baseline. Each of these townhouses will have a first floor balcony on their respective south-east and north-west elevations which will face the internal driveway and will be visible from 1 Helvetia Grove. These balconies are each directly accessed from a master bedroom, and are therefore expected to have a limited use. Again it is noted that a similar arrangement could be expected in a permitted baseline scenario. The private outdoor area for proposed townhouse 1 will be on its north-west elevation. A 1.2m fence atop the retaining wall will provide a small measure of screening towards this space in addition to the fencing and landscaping at the boundary. Additional Pseudopanax will be planted at a 2m height near the 1.2m fence will provide further separation and screening of persons using this space. The outdoor area will be elevated with respect to the residential activity at 1 Helvetia Grove, however it will be setback approximately 10m from the dwelling at this property. There will be a limited view shaft from the dwelling at 1 Helvetia Grove to the outdoor area and it is considered this can be effectively screened by the landscaping treatment described above. For the above reasons potential adverse effects of privacy from the proposed development,

when considered with the proffered mitigations and compared to the permitted baseline, will be less than minor on persons at 1 Helvetia Grove.

Due to the south-west position of 1 Helvetia Grove to the application site, this property will be subject to shading effects from the proposed development. Such shading is likely to be most apparent during the morning of the winter, autumn and spring. As both townhouses 1 and 4 will comply with boundary setbacks and the recession plane from 1 Helvetia Grove, it is considered the potential shading will be generally comparable to that which could be expected from a permitted baseline of two large dwellings. There is potential for the height exceedance of proposed townhouse 1 to contribute additional shading effects. However as previously noted this townhouse will have a low pitch roof form rising up from the south-west façade to the peak where the height exceedance occurs. Due to this roof form any additional shading from the height exceedance beyond the compliant roof form is most likely to occur when the sun is relatively low. Shadow fall during these periods is likely to be relatively long whereby additional shading may not be easily discernible, and will quickly recede as the sun rises. For the above reasons the potential adverse shading effects will be less than minor on persons at 1 Helvetia Grove.

As described above the outdoor living area of proposed townhouse 4 will be immediately adjacent the rear of the boundary shared with 1 Helvetia Grove, but will be well screened by fencing and landscaping. The outdoor living area for proposed townhouse 1 will be elevated and separated by the driveway from 1 Helvetia Grove, with screening available from fencing, and landscaping treatments. All other outdoor living areas will be well separated and screened from 1 Helvetia Grove, such there will not be a concentrated use of these spaces apparent on persons at this property. The proposed vehicle access adjacent to 1 Helvetia Grove will serve 7 dwellings, each with a dedicated parking space. Due to the gradient vehicles will need to accelerate from the vehicle crossing to traverse the driveway adjacent to 1 Helvetia Grove. Proposed earthworks will elevate the driveway formation between 0.45m (near the north-west corner of proposed townhouse 1) and 1m (near where the driveway curves close to proposed townhouse 4). These factors may increase the extent that vehicle activity (including noise and sweep of headlights) is apparent to persons at 1 Helvetia Grove. The proposed 1.8m high fencing by itself may have limited effectiveness in screening vehicle movement along the elevated access leg. However it is considered the proposed landscaping along the boundary will provide effective additional screening above the fence-line. It is noted the landscaping strip will screen the access leg where it is adjacent to proposed townhouse 1 and where the access leg turns to provide access to the rear dwellings. As such it is expected the landscaping strip will be effective in providing screening of the sweep of vehicle headlights when viewed from persons in or within the curtilage of the dwelling at 1 Helvetia Grove. Accordingly it is considered that due to the screening provided by proposed fencing and landscaping treatments that potential adverse effects on residential amenity on persons at 1 Helvetia Grove will be less than minor.

Potential adverse effects on general amenity when considered cumulatively with reference to the above assessment and the additional assessment on all persons and properties below, will be less than minor on persons at 1 Helvetia Grove.

1/4 and 2/4 Helvetia Grove, Naenae

This is a cross-lease property containing two semi-detached units on the north-western side boundary of the application site. The units at this property have a party wall perpendicular to the boundary such that both units will be adjacent to the application site.

Proposed lot 8 will be located adjacent to this property and will contain a single detached two-storey dwelling. Proposed townhouse 8 will be elevated with respect to surrounding ground levels by a battered bed of fill. The ground and first floor of the proposed dwelling will be setback from the side boundary to 4 Helvetia Grove by 1m and 3.8m respectively. The roof gable at both the ground floor and first floor will encroach within the recession plane from this property by up to 0.6m and 0.55m respectively. It is considered a potential permitted baseline development for the site could include a double-storey dwelling of similar general form and position as proposed townhouse 8. The development of proposed lot 12 will be low in form and will only partially extend along the boundary shared with 4 Helvetia Grove. As the recession plane infringements of proposed townhouse 8 will be limited to the roof eaves, and due to the separation of all other proposed dwellings, any additional adverse bulk and dominance and visual amenity effects, when compared to the permitted baseline, will be less than minor on persons at 1/4 and 2/4 Helvetia Grove.

Shading can be expected to fall from proposed townhouse onto 2/4 Helvetia Grove, and to a lesser extent 1/4 Helvetia Grove, during summer mornings and the early morning during winter and the equinox periods. It is expected that during most of these times shading will either over-extend beyond the site or fall primarily on the roof of the units at 4 Helvetia Grove, so that additional shading associated with the recession plane infringement would not be perceptible. Additional shading will be most perceptible by persons at 4 Helvetia Grove when the extent of shading falls between the boundary fence and the units at this property. Due to the limited width of this area, it is expected that the times which additional shading will be discernible before receding away will be limited, and the small extent of the recession plane encroachments will further limit the extent that additional shading will be perceptible. Proposed townhouse 12 will be low in form and will be adjacent to a small part of the boundary, and will be similar in bulk to a potential permitted accessory building, whereby it is not expected to cast additional shading on 4 Helvetia Grove. For the above reasons potential adverse shading effects, when compared to the permitted baseline, will be less than minor on persons at 1/4 and 2/4 Helvetia Grove.

Proposed townhouse 8 will be the part of the development most apparent to persons at 4 Helvetia Grove. This dwelling and proposed landscaping within its curtilage will provide screening and separation towards most of the remaining proposed dwellings and the northern access leg. Proposed townhouse 8 will have north and south facing outdoor living areas, which will be well screened by boundary fencing and landscaping treatments. The secondary outdoor space of proposed townhouse 12 will also be adjacent to 1/4 Helvetia Grove, however the primary outdoor area will be north facing and well removed from this property. For these reasons the potential adverse effects on residential amenity associated with the intensity of the development will be less than minor on persons at 1/4 and 2/4 Helvetia Grove.

There will be three first floor windows on the west elevation of townhouse 8 facing 4 Helvetia Grove. Ground floor windows will be mostly screened through boundary fencing and all other proposed dwellings will be sufficiently screened and separated to limit any visual connection with persons at 4 Helvetia Grove. Potential adverse effects of visual privacy are considered

directly comparable to what could be expected from a permitted baseline development, and less than minor on persons at 1/4 and 2/4 Helvetia Grove.

When considered cumulatively, the potential adverse effects on general amenity will be less than minor on persons at 1/4 and 2/4 Helvetia Grove.

182 Rata Street, Naenae

This is a residential property which abuts the access leg connecting the application site to Rata Street. The access leg is proposed to be developed as lot 12 containing a narrow single storey dwelling and an accessory garage. It is expected that the 1.8m boundary fencing will provide suitable screening towards outdoor areas and facing windows on the proposed dwelling. The applicant proposes cut within lot 12 to establish a building platform lower than the adjacent boundary, thereby increasing the effectiveness of fencing to screen the development of lot 12. Visibility of the proposed dwelling and garage above the fence-line will be limited primarily to roof forms. The single storey buildings will comply with the minimum yard and recession plane from the boundary to 182 Rata Street. Persons at this property will also be well removed from the proposed development of lots 1-11. The proposal will require the removal of vegetation and trees along the boundary to 182 Rata Street which may result in a loss of screening and amenity (as compared to the proposed boundary fence). However it is considered much of this vegetation, and particularly the vegetation which contributes most to screening and amenity values along the boundary, are mature trees. As the application site is considered an urban environment allotment, the removal of trees is not protected and could occur as a permitted activity. For the above reasons potential adverse effects on persons at 182 Rata Street, including effects of visual amenity, bulk and dominance, shading and cumulative effects on general amenity will be less than minor.

188 Rata Street, Naenae

This is a large residential property which abuts proposed lot 12 on its western side boundary, proposed lots 8 and 9 on its rear boundary, and proposed lot 10 on its eastern side boundary.

As previously noted the proposed development of lot 12 includes a narrow single storey dwelling and a garage. Due to proposed earthworks the building platforms of the dwelling and the garage will be set below the ground level at the boundary, whereby 1.8m boundary fencing will provide effective screening. The proposed dwelling and garage will comply with the recession plane and minimum yard from the boundary. Visibility above the fence-line will be limited primarily to the roof forms. While the proposal includes the removal of vegetation along the boundary between proposed lot 12 and 188 Rata Street, most of this will be the removal of trees which could be undertaken as a permitted activity.

Each of proposed townhouses 8 and 9 will be double storey and will encroach within the recession plane measured from the rear boundary of 188 Rata Street. In the case of proposed townhouse 8 the recession plane encroachment will be very marginal being limited to a small part of the eaves at the tip of the roof peak. Proposed townhouse 9 will have a staggered façade with respect to the boundary to 188 Rata Street and will encroach within the recession plane at two points. The recession plane encroachments will be 0.95m and 1.4m respectively when measured vertically and will predominantly be limited to the top of wall and roof forms. The staggered nature of the façade will limit the length of the recession plane encroachments. Proposed townhouse 10 will be located near the eastern side boundary of 188 Rata Street

and adjacent to the garage at this property, which will provide a degree of screening and separation. It is noted that persons at No 188 will have perspective to proposed buildings adjacent to three boundaries. A permitted baseline development for the site could include two large double-storey dwellings (with one in a similar position as proposed townhouses 8 and 9, and another potentially in the area of proposed townhouse 10) and accessory buildings (such as in the position of proposed townhouse 12). The potential adverse effects of visual amenity and bulk and dominance are considered similar to this permitted baseline. As noted above the buildings within proposed lot 12 will be partially screened by fencing, and accessory buildings located within 188 Rata Street near the boundary to proposed lot 10 will provide separation and screening towards the proposed development of this allotment. For the above reasons, potential adverse effects of visual amenity and bulk and dominance, when compared to the permitted baseline, will be less than minor on persons at 188 Rata Street.

With regards to shading, the application site is located to the south-west of 188 Rata Street, whereby shading from proposed townhouses 8 and 9 is mostly likely to occur in the later evenings during summer, with little to no shading during other seasons. The recession plane encroachment of proposed townhouse 8 is considered sufficiently marginal whereby no additional shading would be perceptible. Any additional shading associated with the recession plane encroachments of proposed townhouse 9 would likely fall on the roof of the garage at 188 Rata Street, and would thereby not be perceptible to persons at this property. Proposed townhouse 10 will likely contribute shading to the rear outdoor area of 188 Rata Street during summer mornings. However this will quickly recede by early morning. It is further noted that proposed townhouse 10 will comply with the recession plane with respect to 188 Rata Street. For the above reasons potential adverse effects of visual amenity, bulk and dominance and shading will be less than minor on persons at 188 Rata Street.

Proposed townhouses 8 and 9 will have first floor windows facing the rear boundary of 188 Rata Street. The windows will be to bedrooms and bathrooms which are noted as typically having limited daytime use. It is expected that screening of proposed townhouse 12 by fencing and the separation to proposed townhouse 10 will limit potential overlooking from windows at these dwellings. A potential permitted baseline for the site could include two double storey dwellings with first floor windows facing 188 Rata Street. When compared to the permitted baseline, potential adverse privacy effects on persons at 188 Rata Street will be less than minor.

Each of proposed dwellings 8, 9, 10 and 12 will have outdoor living areas near 188 Rata Street. Boundary fencing, 1.8m in height, will provide screening towards ground floor living areas. Landscaping treatment for townhouses 8 and 9 will not be of a height to provide screening but will provide a buffer to separate the use of outdoor areas away from the boundary. A garage within 188 Rata Street will separate and screen the outdoor living area of proposed townhouse 10 from persons at this property. The outdoor living areas of all other proposed dwellings and the driveways will be well separated and screened from 188 Rata Street.

It is considered that all other proposed dwellings will be sufficiently screened and separated whereby associated adverse visual amenity, shading and privacy effects will be less than minor.

For the above reasons potential adverse effects on residential and general amenity, including when considered on a cumulative basis will be less than minor on persons at 188 Rata Street.

190 Rata Street, Naenae

This is a residential property with a rear boundary which will abut proposed lot 10. The property contains a single residential dwelling located toward the front of the site and a garage located towards the rear.

Proposed lot 10 will contain a double storey townhouse. The townhouse will encroach within the recession plane from the boundary to 190 Rata Street by up to 0.3m when measured vertically and for a length of 5.4m. Noting the marginal vertical extent of the encroachment and that it would be limited to the roof eaves, it is considered any additional visual amenity or bulk and dominance effect will be imperceptible when compared to a potential permitted baseline which could include a dwelling of comparable size and location. Similarly, potential shading effects will be imperceptible compared to the permitted baseline, noting the marginal vertical extent of the recession plane encroachment and the south position of the application site with respect to 190 Rata Street. First floor windows on the north elevation of townhouse 10, including two bedrooms and one bathroom, have potential to overlook the rear outdoor space of 190 Rata Street. However it is considered a similar extent of overlooking could be expected from a potential permitted dwelling in the same location. Ground floor windows and outdoor living areas will be screened by 1.8m boundary fencing. Views towards townhouse 11 will be limited to an oblique angle and associated building bulk, dominance and visual amenity is considered to be less than, or comparable to, the permitted baseline. The balance of the development will be largely screened by development on lots 10 and 11. For the above reasons potential adverse effects on visual amenity, bulk and dominance, shading, privacy and on general residential amenity, including when considered on a cumulative basis, will be less than minor on persons at 190 Rata Street.

196 Rata Street, Naenae

This is a residential property with a rear boundary which will abut proposed lot 11. The property contains a single residential dwelling toward the front of the site and a garage located towards the rear.

Proposed lot 11 will contain a double storey townhouse. The townhouse will comply with the recession plane and minimum yard with respect to 196 Rata Street. Potential adverse effects of visual amenity, bulk and dominance, shading, privacy and residential amenity are considered to be comparable to a potential permitted baseline which could include a dwelling of the same position, form and location as proposed townhouse 11. Proposed lot 10 also abuts a small part of the boundary to 196 Rata Street (approximately 1m in length). Proposed townhouse 10 will encroach within the recession plane for this length of boundary by up to 0.3m when measured vertically. There is a garage within 196 Rata Street located up to this part of the boundary, which will provide separation and screening towards proposed townhouse 10 and any additional shading effects from the marginal recession plane non-compliance. The balance of the development will be sufficiently screened and separated from view, limiting potential adverse effects. For the above reasons potential adverse effects on visual amenity, bulk and dominance, shading, privacy and on general residential amenity, including when considered on a cumulative basis, will be less than minor on persons at 196 Rata Street.

200 Rata Street, Naenae

This is a residential property with a rear boundary which will abut proposed lot 11 and proposed lot 100. Proposed lot 11 will not include any building within close proximity to this boundary with the edge of the proposed townhouse setback approximately 4.5m and compliant with the recession plane. Proposed lot 100 contains the stream. There will be some views across the stream towards proposed townhouse 7, however this will be well separated (approximately 25m). The proposed development, to the extent that it will be apparent to persons at 200 Rata Street will be comparable to a potential permitted form of development which could include two large dwellings. For the above reasons potential adverse effects on visual amenity, bulk and dominance, shading, privacy and on general residential amenity, including when considered on a cumulative basis, will be less than minor on persons at 200 Rata Street.

202 Rata Street, Naenae

This is a residential property which has a western side boundary which will abut proposed lot 100 containing the stream. Proposed lot 100 will provide separation from this property towards the proposed development including proposed townhouse 11 which is located nearest the boundary and will comply with the recession plane. The proposed development, to the extent that it will be immediately apparent to persons at 202 Rata Street (being the dwellings on Lots 11, and 6-7 at an oblique angle) will be comparable to a potential permitted form of development which could include two large dwellings. All other dwellings will be sufficiently screened and separated from view, limiting potential adverse effects. For the above reasons potential adverse effects on visual amenity, bulk and dominance, shading, privacy and on general residential amenity, including when considered on a cumulative basis, will be less than minor on persons at 202 Rata Street.

206 Rata Street, Naenae

This is public reserve land which has a western side boundary which will abut proposed lots 4-7, and 100. The reserve contains a grassed area sloping down to the boundary and a walkway connection between Rata Street and Hay Street which is generally setback 30m from the application site. Each of the proposed townhouses 4-7 will encroach within the recession plane measured from the boundary, with the vertical extent of these encroachments ranging from 0.7m to 1.9m. These recession plane non-compliances have potential to contribute potential adverse visual amenity, bulk and dominance and shading effects onto the reserve. However as the use of the reserve is expected to be intermittent and transitory by any individual person, and as the walkway is well separated from the boundary, potential adverse effects will be less than minor on all persons.

All persons and properties

- The applicant has provided a flood hazard modelling report prepared by Zeean Brydon (e2 environmental engineers). Potential flooding for the site pre and post development was simulated for the 10 year and 100 year annual return intervals (ARI). In general the simulated flood extents were reduced post development with the elevated site levels reducing potential for flooding to spread out from the stream. In the 10 year ARI, the modelled flood extent was shown as being generally contained within the stream channel with little to no effect on properties in both the pre and post development scenarios. The modelled flood extent in the 100 year ARI, showed some flooding within neighbouring

properties in the post development scenario. However this was the same as, or slightly less than the modelled flood extents in the pre-development scenario. The flood hazard modelling was undertaken in accordance with parameters prescribed by Wellington Water who reviewed and concurred with the results. Wellington Water did advise that an inlet grate would be required for health and safety purposes and that this would have to be regularly maintained to manage potential blockages. The applicant has accepted conditions related to the installation of an inlet grate.

- The stream has close to an 'S' bend shape where it meanders around proposed lot 11. Due to the sharpness of the bend, and from previous instances of flooding, it was identified that there was potential for debris to be deposited at the bend in the flood event which could cause displacement of water. To address this risk, the applicant proposed to install a flood protection wall on the west bank of stream (to protect proposed lot 11). On the opposite side of the stream it is also proposed to cut into the stream bank to provide for additional flood storage, and to install a flood protection wall along the eastern rear boundary to ensure potential flood water remains channelled in the stream. It is considered that this would suitably contain water to the stream environment, and would not result in additional flood water displacement on adjoining properties when compared to the existing situation. For the above reasons potential adverse effects related to flood hazard will be less than minor on all persons.
- The proposed development will introduce higher residential intensity to the area when compared to the housing typologies in the surrounding area. Proposed townhouses 1-3 and 8-9 will be the most visible from the street environment, with the other dwellings further setback behind and relatively screened from view. Proposed townhouses 1-3 will be setback behind the stream. Proposed landscaping treatments along the stream banks will maintain the amenity and character associated with the natural stream environment and will help soften the visual effect of the retaining walls and townhouses. With regard to waste collection, appropriate consideration has been given to the location of the site at the termination of a cul-de-sac with bin storage proposed to be located near the frontage. The applicant has agreed to conditions to ensure suitable screening and landscaping around the bin collection area. Potential adverse effects on streetscape and character will be less than minor on all persons.
- The proposal will not comply with District Plan standards for access width and vehicle manoeuvring for both access legs, and minimum separation of vehicle crossings. The southern access leg (serving proposed townhouses 1-7) will be at its narrowest formed width (4m) near the Helvetia Grove frontage, before widening to enable two-way movement. Due to the constrained width near the frontage, vehicles entering the site may need to stand within the public road reserve to give way to existing vehicles. The northern access leg will narrow to a formed width of 3m past proposed townhouses 8 and 9, with sufficient width for two-way movement provided at the start of the vehicle crossing. Reverse manoeuvring in the public road reserve will be required for vehicles accessing proposed townhouse 9. It is noted that on-site manoeuvring will be available to all other proposed dwellings which have a shared access. With regards to vehicles standing and reverse manoeuvring in the road reserve, it is noted that this would occur at the head of the Helvetia Grove cul-de-sac which is a low speed environment and has ample room to safely accommodate such manoeuvres. The southern vehicle crossing will not achieve a minimum separation of 1m from the vehicle crossing serving 1 Helvetia Grove. It is considered that there will be suitable visibility for vehicles accessing each of the vehicle crossings. It is further noted that if vehicles are required to stand in Helvetia Grove and

give way before entering the driveway, they are unlikely to obstruct the vehicle crossing at 1 Helvetia Grove. It is noted that there is no minimum parking requirement, however all proposed townhouses will have one parking space available, thereby reducing the potential for vehicle parking to overspill into the street. With regards to access for fire vehicles it is noted that only proposed lots 10 and 11 are located beyond the pinch point in the proposed access leg serving lots 8-11. It is considered that there is sufficient width beyond the formation which would allow fire vehicles to push through in an emergency, and if necessary a fire hose may be able to be extended to attend a fire at these proposed allotments. All other allotments will be serviced by access legs with a sufficient 4m width for fire vehicle access. For the above reasons potential adverse traffic effects will be less than minor on all persons.

- The applicant has confirmed the proposed development will be designed to be stormwater neutral so that post-development peak runoff does not exceed the current situation. As previously noted, flood modelling indicates there will be no increase in flood extents in a 1 in 100 year flood event as a result of the proposed development. Accordingly any potential adverse effects of stormwater runoff or ponding will be less than minor on all persons.
- Earthworks including cut and fill volumes of 252m³ and 1,064m³ respectively, are proposed to establish elevated building platforms. The exposure of earthwork face areas will be temporary, with all face areas covered by works completion by building, paving or landscaping. Retaining walls particularly between the stream bank and proposed townhouses 1-3 will be the most visible component of the proposed works after works completion. Proposed landscaping treatments at the base of the retaining walls will soften their visual effect. The applicant has accepted conditions requiring that retaining walls be engineer designed and certified. For the above reasons potential adverse effects on visual amenity and site stability will be less than minor on all persons.
- Temporary adverse effects of construction and earthworks include erosion and sedimentation, dust, traffic and noise. The applicant has estimated that up to 200 truck movements will be required to import fill to the site and that earthworks will be undertaken as a single, continuous operation to minimise disturbance. Dust is proposed to be controlled through wetting and erosion and sediment will be controlled in accordance with Greater Wellington Regional Council guidelines. Site development will be undertaken in compliance with relevant standards for construction noise. The applicant has also proffered a construction management plan which will detail the above measures and will include a complaints management procedure. Given the above, temporary adverse construction and earthworks effects will be less than minor on all persons.
- The application site includes areas of mature trees and other vegetation which is proposed to be removed to make way for the proposed development. Removal of mature trees is a permitted activity, however consent is required for the removal of other indigenous vegetation. Most of the indigenous vegetation that is proposed to be removed, and for which consent is required, is located along the stream environment. The applicant has proposed extensive replanting along the stream banks utilising exclusively native specimens including trees and shrubs. It is noted the proposed areas of streamside planting, will exceed those areas where streamside vegetation is proposed to be removed. Streamside vegetation to the rear of the site will be retained in its current form. It is considered the proposed replanting will help retain the amenity and biodiversity values associated with the existing vegetation on site and any related adverse effects will be less than minor on all persons.

- All other persons are sufficiently screened and separated from the application site whereby that any potential adverse visual amenity, shading and privacy effects will be less than minor.

Limited notification is not required under step 3.

Step 4 – Limited notification is required under special circumstances

If limited notification is not required under step 3, limited notification may still be warranted where there are special circumstances.

Do special circumstances exist that warrant notification of any persons to whom limited notification would otherwise be precluded?	No
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For the reasons outlined under step 4 in section 5.1 above I do not consider there to be any special circumstances that warrant limited notification of this proposal.

Conclusion

Limited notification is not required.

5.3 - NOTIFICATION DECISION

In accordance with the notification steps identified in sections 95A and 95B the application shall proceed on a non-notified basis.

6. DETERMINING THE APPLICATION

Section 104 requires, when considering a resource consent application, that Council must, subject to Part 2, have regard to any actual or potential effects on the environment; any measure agreed or proposed by the applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any negative effects; any relevant provisions of a national environmental standard; other regulations; a national policy statement; a New Zealand coastal policy statement; a regional policy statement or proposed regional policy statement; a plan or proposed plan; and any other matter the consent authority considers relevant and reasonably necessary to determine the application.

6.1 - ASSESSMENT OF ACTUAL OR POTENTIAL EFFECTS ON THE ENVIRONMENT UNDER S104(A)

Subdivision design and layout

The proposal will not comply with the allotment design standards for shape and size. The proposed residential allotments will have sizes ranging from 153m²-245m², less than the minimum required 400m². Sufficient information has not been provided to demonstrate the allotments could contain dwellings as permitted activities in compliance with development standards for the General Residential Activity Area. However it is noted the District Plan provides for comprehensive residential development for larger sites. Council’s consultant urban design advisor Dr Morten Gjerde has reviewed the proposal against the District Plan’s *Medium Density Design Guide* (refer section 6.2 of this report). Dr Gjerde considered the proposal to achieve the design opportunities specified in the guide to an appropriate level. With regards to the provision of private outdoor areas, Dr Gjerde considered these to be

sufficient, noting the reduced standard for comprehensive residential development. It is further noted that each of the units will have north-west facing outdoor areas for sunlight access, and the quality of these areas will be further enhanced by proposed landscaping treatments. Each of the proposed allotments is provided with suitable vehicle access and an on-site parking space. For the above reasons the proposed allotments are considered to be suitable for their intended residential use.

Residential character, amenity and streetscape

The proposed development will introduce a higher density of development when compared to the surrounding area which is generally characterised by single detached housing on larger allotments, or small scale cross-lease development. The application site in its present condition includes a single dwelling, and mature vegetation concentrated primarily around the stream. A permitted form of development could include the construction of two new large dwellings (if the existing dwelling was removed) and accessory buildings. The District Plan also provides for more extensive comprehensive residential development on the site, subject to resource consent. Accordingly some departure from the established character and amenity of the site can reasonably be expected. Proposed townhouses 1-3 and 8-9 will be the component of the development most visible from the Helvetia Grove street environment. Proposed townhouse will be setback behind the stream and elevated on a bed of fill supported by retaining walls. Extensive landscaping is proposed at the base of the retaining walls and along the stream banks including a mix of trees (Ribbonwood) and smaller shrubs. It is considered this will help maintain the existing character of the stream environment and will soften the visual effect towards the retaining walls and to the townhouses behind. The applicant has agreed to a condition to ensure suitable maintenance of landscaping treatments on lots held in common ownership. Additional landscaping on top of the retained outdoor leaving areas may provide additional screening towards proposed townhouses 1-3. With regard to waste collection, appropriate consideration has been given to the location of the site at the termination of a cul-de-sac with bin storage proposed to be located near the frontage. The applicant has agreed to conditions to ensure suitable screening and landscaping around the bin collection area.

The development of proposed lot 8 includes extensive landscaping along its 7m frontage to Helvetia Grove, including two specimen trees. This will contribute to the character of the Helvetia Grove streetscape and will screen and soften the visual effect of proposed townhouse 8. Proposed townhouses 4-7 and 10-12 will be further setback and screened from the Helvetia Grove street environment.

The development of proposed lot 12 when viewed from Rata Street will be towards the proposed garage, with the dwelling setback and screened further behind. The proposed garage will be a small building setback 2.7m from the frontage. The garage is not considered inconsistent with the character associated with the present function of proposed lot 12 as an access leg, and will not unduly detract from the streetscape.

The visual or amenity effects of the proposal on persons at adjacent properties have largely been assessed in section 5.2 above and I consider (the conclusion therein that such effects were less than minor for all persons) the conclusions remain relevant for the purposes of this s104 assessment. For the above reasons potential adverse effects on residential character, amenity and streetscape will be acceptable.

Vegetation clearance

The application site includes areas of mature trees and other vegetation which is proposed to be removed to make way for the proposed development. Removal of mature trees is a permitted activity, however consent is required for the removal of other indigenous vegetation such as shrubs. Most of the indigenous vegetation that is proposed to be removed, and for which consent is required, is located along the stream environment. The applicant has proposed extensive replanting along the stream banks utilising exclusively native specimens including trees and shrubs. It is noted the proposed areas of streamside planting, will exceed those areas where streamside vegetation is proposed to be removed. Streamside vegetation to the rear of the site will be retained in its current form. It is considered the proposed replanting will help retain the amenity and biodiversity values associated with the existing vegetation on site and any related adverse effects will be acceptable.

Traffic effects

The proposal will not comply with District Plan standards for access width and vehicle manoeuvring for both Helvetia Grove access legs, and minimum separation of vehicle crossings. The southern access leg (serving proposed townhouses 1-7) will be at its narrowest formed width (4m) near the Helvetia Grove frontage, before widening to enable two-way movement. Due to the constrained width near the frontage, vehicles entering the site may need to stand within the public road reserve to give way to existing vehicles. The northern access leg will narrow to a formed width of 3m past proposed townhouses 8 and 9, with sufficient width for two-way movement provided at the start of the vehicle crossing. Reverse manoeuvring in the public road reserve will be required for vehicles accessing proposed townhouse 9. It is noted that on-site manoeuvring will be available to all other proposed dwellings which have a shared access. With regards to vehicles standing and reverse manoeuvring in the road reserve, it is noted that this would occur at the head of the Helvetia Grove cul-de-sac which is a low speed environment and has ample room to safely accommodate such manoeuvres. The southern vehicle crossing will not achieve a minimum separation of 1m from the vehicle crossing serving 1 Helvetia Grove. It is considered that there will be suitable visibility for vehicles accessing each of the vehicle crossings. It is further noted that if vehicles are required to stand in Helvetia Grove and give way before entering the driveway, they are unlikely to obstruct the vehicle crossing at 1 Helvetia Grove. It is noted that there is no minimum parking requirement in the District Plan, however all proposed townhouses will have one parking space available, thereby reducing the potential for vehicle parking to overspill into the street. With regards to access for fire vehicles it is noted that only proposed lots 10 and 11 are located beyond the pinch point in the proposed access leg serving lots 8-11. It is considered that there is sufficient width beyond the formation which would allow fire vehicles to push through in an emergency, and if necessary a fire hose may be able to be extended to attend a fire at these proposed allotments. All other allotments will be serviced by access legs with a sufficient 4m width for fire vehicle access. The proposal has been reviewed by Council's consultant traffic engineer David Wanty who considered it be acceptable from a transport perspective, but noted that letterboxes should not exceed 1m in height so as to not interfere with pedestrian sight visibility. A condition to this effects has been included with the consent.

Due to the location of the application site on the urban periphery of Naenae, future residents may rely on private vehicle transport for accessibility. There are no known constraints with

regards to the capacity of the local road network, and it is expected additional vehicle movements generated by the proposed development can be absorbed without affecting the safe and efficient functioning of the land transport network. For the above reasons potential adverse traffic effects will be acceptable.

Engineering matters

A subdivisions engineer has assessed the proposal and concluded it can meet the District Plan's engineering standards, provided it adheres to certain conditions. The applicant has advised that the proposal has been designed to be stormwater neutral, whereby there will be no additional peak runoff of stormwater on the downstream network. A condition of consent will require stormwater neutrality, with the design of the stormwater management system required to be submitted to Wellington Water for approval. Another condition has been included with the consent requiring an engineer be engaged to investigate potential limitations with regards to the available water supply and to provide recommendations to ensure the relevant codes and standards can be met. With regards to wastewater, Wellington Water noted the capacity of trunk network is constrained and recommended that mitigation be required if the total peak flow is greater than 5L/s. It was estimated by the subdivisions engineer that flow rate would be much less than this figure, whereby wastewater mitigation would not be required for the proposal. Potential adverse effects related to infrastructure capacity and servicing will be acceptable.

Regionally significant network utilities

There are no other regionally significant network utilities in vicinity other than underground services, the effects on which have been addressed above.

Natural hazards

The applicant has provided a flood hazard modelling report prepared by Zeean Brydon (e2 environmental engineers). Potential flooding for the site pre and post development was simulated for the 10 year and 100 year annual return intervals (ARI). In general the simulated flood extents were reduced post development with the elevated site levels reducing potential for flooding to spread out from the stream. In the 10 year ARI, the modelled flood extent was shown as being generally contained within the stream channel with little to no effect on properties in both the pre and post development scenarios. The modelled flood extent in the 100 year ARI, showed some flooding within neighbouring properties in the post development scenario. However this was the same as, or slightly less than the modelled flood extents in the pre-development scenario. The flood hazard modelling was undertaken in accordance with parameters prescribed by Wellington Water who reviewed and concurred with the results. Wellington Water did advise that an inlet grate would be required for health and safety purposes and that this would have to be regularly maintained to manage potential blockages. The applicant has accepted conditions related to the installation and maintenance of an inlet grate.

The stream has close to an 'S' bend shape where it meanders around proposed lot 11. Due to the sharpness of the bend, and from previous instances of flooding, it was identified that there was potential for debris to be deposited at the bend in the flood event which could cause displacement of water. To address this risk, the applicant proposed to install a flood protection wall on the west bank of stream (to protect proposed lot 11). On the opposite side of the stream it is also proposed to cut into the stream bank to provide for additional flood storage,

and to install a flood protection wall along the eastern rear boundary to ensure potential flood water remains channelled in the stream. It is considered that this would suitably contain water to the stream environment, and would not result in additional flood water displacement on adjoining properties when compared to the existing situation. Based on the modelled flood levels and the additional flood protection walls the proposed floor levels are considered suitable to mitigate potential inundation of the proposed townhouses. For the above reasons potential adverse effects related to flood hazard will be less than minor on all persons.

For the above reasons potential adverse effects related to flood hazard are considered to be acceptable.

Earthworks

Earthworks including cut and fill volumes of 252m³ and 1,064m³ respectively, are proposed to establish elevated building platforms. The exposure of earthwork face areas will be temporary, with all face areas covered by works completion by building, paving or landscaping. Retaining walls particularly between the stream bank and proposed townhouses 1-3 will be the most visible component of the proposed works after works completion. Proposed landscaping treatments at the base of the retaining walls will soften their visual effect. The applicant has accepted conditions requiring that retaining walls be engineer designed and certified. For the above reasons potential adverse effects on visual amenity and site stability will be less than minor on all persons.

Construction effects

Temporary adverse effects of construction and earthworks include erosion and sedimentation, dust, traffic and noise. The applicant has estimated that up to 200 truck movements will be required to import fill to the site and that earthworks will be undertaken as a single, continuous operation to minimise disturbance. Dust is proposed to be controlled through wetting and erosion and sediment will be controlled in accordance with Greater Wellington Regional Council guidelines. Site development will be undertaken in compliance with relevant standards for construction noise. The applicant has also proffered a construction management plan which will detail the above measures and will include a complaints management procedure. Given the above temporary adverse construction and earthworks effects will be considered to be acceptable.

Protecting significant sites

The property contains a stream which is subject to a Statutory Acknowledgement Area. It is noted that the banks have already been modified. There will be some cut and fill adjacent to stream banks, however the applicant has proffered to adhere to an accidental discovery protocol for the duration of the works. A condition relating to this requirement has been included with the consent. Erosion and sediment controls will also be in place, mitigating risks associated with release of contaminants into the waterway. There are no other known features of historical or cultural significance within the site. As such it is considered potential adverse effects on sites on significance will be acceptable.

Positive effects

The supply of 12 new dwellings will increase housing supply and variety and will provide for improved economic well-being, which are regarded as positive effects.

Conclusion

I consider the actual or potential effects on the environment to be acceptable for the reasons outlined above.

6.2 - ASSESSMENT OF THE RELEVANT PROVISIONS OF THE DISTRICT PLAN UNDER S104(B)

Design guide assessment

Dr Morten Gjerde, Council's consultant urban design advisor, has provided a peer review assessment of the proposal against the District Plan's *Medium Density Design Guide*. Dr Gjerde's peer review assessment dated 5 June 2020 is held on file and should be read in conjunction with this report.

Dr Gjerde's assessment against the key design elements is summarised below:

Building height, recession planes and setbacks

Dr Gjerde particularly noted the proposed encroachment onto the recession plane from 1 Helvetia Grove would contribute shading effects on this property. The proposal was therefore not considered to satisfy the key design opportunity standard under 3.2 Recession Planes & Setbacks. Subsequent to Dr Gjerde's assessment the applicant amended the proposal so that there is no longer a proposed recession plane encroachment on this boundary.

Outdoor living spaces

Outdoor living spaces meet the standards set out in the guide. In the context of a comprehensive residential development, these spaces are sufficient.

Open space and boundary treatments

The design guide anticipates that a comprehensive residential development will be formed around attractive communal spaces. The stream corridor and driveway are the central organising elements, with a secondary and related space extending along the western boundary. In both cases buildings have been arranged to define the space. Although much of the surface is paved, it is also landscaped and otherwise articulated in ways to make it pleasant to walk through and look upon.

Entrances, car parking and garages

Entrances seem readily available and visible or legible through site development. Parking and access areas will be clearly visible in the central, however landscaping will help alleviate the dominance of vehicles.

On site stormwater management

It does not seem that any of the design opportunities under this heading have been incorporated into the project.

Notwithstanding Dr Gjerde's assessment, it is noted that the development is proposed to be designed to achieve stormwater neutrality.

End / side wall treatment

The relevant design opportunities under this heading have been observed / incorporated into the development as appropriate.

Building materials

The building materials are interesting, appropriately robust and have been considered in ways that enhance the overall design of the project.

Storage and service areas

Rubbish storage areas have been incorporated into the site development for each dwelling. The relevant design opportunities have been observed / incorporated into the development as appropriate.

Subsequent to Dr Gjerde's assessment, the applicant amended the design to include a bin collection area near the property frontage. It is considered this will align with the design guide where it refers to communal facilities for larger areas, and will help avoid a proliferation of bins on small frontage on collection days. A condition of consent requires a revised landscaping plan be submitted to provide further detail of screening and landscaping treatments around the bin collection area.

Privacy and safety

These opportunities are achieved across the site.

Landscaping

The planting indicated in the landscape drawings appear to have been arranged to help screen the negative visual effects of the retaining structures.

Conclusions and recommendations

The project has been assessed in relation to the key opportunities specified in the design guide. Recession plane encroachments on the western and southern boundaries have potential to contribute shading to adjoining properties. However in relation to other design opportunities, the form and detail of the proposal achieve these to an appropriate level.

Further to Dr Gjerde's concluding comments, it is noted that proposal has subsequently been amended to remove the recession plane encroachment on the southern boundary. This amendment is considered to result in an improved alignment with the expectations of the design guide.

Following the above assessment, I consider the proposal to achieve the outcomes of the District Plan's *Medium Density Design Guide*.

Esplanade strips and reserves

The subject site contains a watercourse, however it is understood the average width of the stream bed does not exceed 3m. The site is not within the Coastal Marine Area. Therefore no esplanade strips or reserves are required.

Objectives and policies of the District Plan

I consider the proposal is consistent with the relevant District Plan objectives and policies identified below:

Chapter 4A – General Residential Activity Area

- *Objective 4A 2.1 – Residential Activities are the dominant activities in the General Residential Activity Area.*
- *Objective 4A 2.2 – Housing capacity and variety are increased.*
- *Objective 4A 2.3 – Built development is consistent with the planned low to medium density built environment and is compatible with the amenity levels associated with low to medium density residential development.*
- *Objective 4A 2.4 – Built development provides high quality on-site amenity for residents as well as high quality residential amenity for adjoining properties and the street.*
- *Objective 4A 2.5 – Built development is adequately serviced by network infrastructure or addresses any network infrastructure constraints on the site.*
- *Objective 4A 2.6 - Built development is located and designed to manage significant risk from natural hazards.*
 - *Policies 3.1-3.12*

The proposed comprehensive residential development will provide for increased capacity and diversity in the City's housing stock, and is considered an efficient use of a larger residential zoned site. It is considered the built development has been suitably designed with consideration to privacy and outdoor space for on-site amenity for residents. The proposed landscaping treatments will also retain and contribute to the residential character and amenity of the area. The proposal can be suitably serviced by network infrastructure.

Chapter 11 – Subdivision

- *Objective 11.1.1 – Allotment design standards*
 - *Polices: (a)-(b)*
- *Objective 11.1.2 – Engineering standards*
 - *Policy: (a)*

The proposal will not comply with allotment design standards for size and shape, however each of the proposed allotments will be suitable for their intended residential use and can be suitably serviced by network infrastructure.

Chapter 14A – Transport

- *Objectives: 14A 3.1, 3.3 & 3.5*
 - *Policies: 14A 4.2, 4.4, 4.6 & 4.7*

Vehicles will be able to safely access the site without impacting the safety and operation of the road network.

14I – Earthworks

- *Objective 14I 1.1 – Natural character*
 - *Polices: (a)-(b)*
- *Objective 14I 1.2 – Amenity, cultural and historical values*
 - *Polices: (a)-(d)*

Proposed earthworks, retaining walls and foundations will be engineer designed to ensure site stability. All earthworked areas will be covered by buildings, paving or landscaping. There are no known features of historical or cultural significance associated with the site.

Due to the above assessment, and with regard to the assessment and conclusions provided in sections 5.2 and 6.1 of this report, I consider the proposal to be consistent with the relevant District Plan objectives and policies identified above.

6.3 - ASSESSMENT OF THE RELEVANT PROVISIONS OF OTHER STATUTORY PLANNING DOCUMENTS UNDER S104(B)

The proposed land use consent is considered to be generally in accordance with the National Policy Statement on Urban Development (NPS:UD). This NPS came into effect on 20 August 2020, replacing the previous National Policy Statement on Urban Development Capacity (NPS:UDC). The NPS:UD directs Council's to enable well-functioning urban environments that provide for the social, economic and cultural wellbeing of people. To do this consideration is required to allow change in urban environments over time, including through ensuring adequate supply of land for development, and by allowing flexibility in terms of building form and density to provide variation within the housing market and to encourage good accessibility and connectivity.

The proposal is for 7 four-bedroom dwellings, 4 three-bedroom dwellings and one two-bedroom dwelling. It is considered the proposal will improve the provision of housing – including housing variety. The proposal is also able to be serviced with the surrounding infrastructure.

I consider that there are no other relevant provisions of national environmental standard, other regulations, national policy statement, New Zealand Coastal Policy Statement or regional policy statement or proposed regional policy statement that regard must be had.

6.4 – PURSUANT TO S104(1)(C) ARE THERE ANY OTHER MATTERS RELEVANT AND REASONABLY NECESSARY TO DETERMINE THE APPLICATION?

I consider there are no other matters relevant and reasonably necessary to determine the application.

6.5 - PART 2 OF THE RESOURCE MANAGEMENT ACT

I consider the proposal meets Part 2 matters of the Resource Management Act 1991.

6.6 - IN ACCORDANCE WITH S106 A CONSENT AUTHORITY MAY REFUSE SUBDIVISION CONSENT IN CERTAIN CIRCUMSTANCES

A consent authority may refuse subdivision consent or may grant a subdivision consent subject to conditions if it considers that there is significant risk from natural hazards or sufficient provision has not been made for legal and physical access to each allotment to be created by the subdivision.

The application site is not located within any mapped flood-plains however the site does contain a stream. Flood modelling has demonstrated that the proposed development will not result in an increased flood extent in 1 in 10 and 1 in 100 year flood events. Each of the proposed dwellings will have suitable minimum floor levels to mitigate the potential for

inundation. A floor protection wall will provide a further measure of inundation mitigation for proposed lot 11 in particular. Earthworks and retaining walls supporting the proposed dwellings will be required to be engineer designed and certified mitigating potential risk of site instability. There is no other known potential natural hazard risk associated with the site. Each of the proposed allotments will have sufficient legal and physical access to either Helvetia Grove or Rata Street.

I consider that there is no reason to refuse resource consent under s106 of the RMA.

6.7 - SUBSTANTIVE DECISION

In accordance with s104B I have considered the application for a discretionary activity and have decided to grant the application subject to conditions under s108 and s220.

7. CONDITIONS OF RESOURCE CONSENT

In accordance with s108 and s220 of the Resource Management Act, resource consent has been granted subject to the following conditions:

Subdivision consent

1. That the proposal is carried out substantially in accordance with the information and approved plans submitted with the application and held on file at Council.

Approved plans:

- Subdivision plans prepared by Cuttriss Consultants, Drawing No. 29698SCH, Sheets 1- 3 Rev D, dated 12/20.
- Architectural and earthworks plans by Friday Homes, Ref 8978 – RC, Sheets 2-8 and 10 Rev B dated 04/08/2020, Sheet 9 Rev C dated 05/08/2020, and Sheets 11-26 Rev A dated 12/05/2020.
- Landscaping plans prepared by Friday Homes, Ref 8978 – RC, Sheets 1, 3-4 and 8 Rev B dated 04/08/2020, Sheets 2, 5, 7 and 10-14 Rev A dated 13/05/2020, Sheet 6 Rev D dated 10/09/2020, and Sheet 9 Rev C dated 05/08/2020.

Possible staging:

- Individual certifications pursuant to sections 223 and 224(c) of the Resource Management Act 1991 may be issued of this proposal in a series of stages (as identified in the approved scheme plan Drawing No. 29698SCH, Sheet 1 Rev D dated 12/20) provided that the following criteria are met:
- Each individual allotment must be consistent with the proposal as approved and must have legal access to a legal road;
- Each allotment shown on any survey plan, including any balance lot, must be adequately serviced as required by Council's Subdivisions Engineer and in terms of the relevant conditions set out in this Decision; and
- Relevant engineering conditions must be met as decided by the Subdivisions Engineer and payment of any applicable development contribution pertaining to the allotments shown on the survey plan must be satisfied prior to the execution of a certificate pursuant to s224(c) of the Act.

- Council must also be consulted prior to any preferred staging is decided upon by the consent holder (other than that identified in the approved scheme plan Drawing No. 29698SCH, Sheet 1 Rev D dated 12/20) to ensure the staging is appropriate and acceptable.

Please note

- The dwelling and landscape plans are intertwined with the approved subdivision.
2. That the consent holder advises Council (enforcement@huttcity.govt.nz or 04 560 1044) at least two working days before any work starts on site; and that the consent holder also supplies the name, phone number and address of the main contractor and, if applicable, the same details for the earthworks company.

Important notes:

- When given notice of a start date, a compliance officer will suggest an on-site meeting to run through a checklist of things to make sure the project runs as smoothly as possible. This service is included in the resource consent application fee. Using it could avoid difficulties later on. Please note that additional monitoring visits will be charged at \$150 per hour.
 - Notification of work commencing is separate to arranging building inspections.
3. The consent holder shall pay a contribution to Council's Reserves Purchases and Development Account at Council's standard rate of 6% of the value of the additional residential allotments or capped at \$10,000 per allotment whichever is the lesser. The amounts required will be determined on the basis of a market value assessment from a registered valuer. It is the consent holder's responsibility to instruct the valuer and supply Council with this assessment. The amount to be paid will be determined when the consent holder submits the qualified valuer's assessment.
 4. That the consent holder pays Council an engineering fee to meet the cost of work carried out by Council subdivision engineer in assessing, inspecting, testing and approving water, sewer and stormwater services, access or any other aspect of the proposal so assessed by the engineer or any representatives of the engineer (as distinct from work which must be monitored as a result of any building consent). That fee shall be charged at an hourly basis of \$170.00 per hour. Payment is necessary before or at the time of applying for a section 224(c) certificate.

Please note:

- If this subdivision qualifies for remission of fees it will still be necessary to calculate an amount and provide that figure at time of application for 224(c) certification, so that an internal transfer between Council accounts can be arranged.

Note: Conditions 1-5 address essential administrative matters.

5. That the consent holder carries out and compacts all earthwork fill areas in accordance with the Code of Practice for Earth Fill for Residential Development (NZS4431:1989).

Please note:

- Before building any retaining walls subject to traffic loading (or other surcharge) or are more than 1.5 metres high, the consent holder must obtain a building consent. The consent holder must submit a design prepared by a chartered professional engineer with the building consent application, followed by a producer statement on completion of the walls.
 - Fill depths in excess of 0.6m below proposed buildings are outside the scope of foundation design under 'NZS 3604:Timber-Framed Buildings' and require specific engineering design by a suitably qualified professional engineer.
6. That the consent holder engages a suitably qualified geotechnical engineer to design and monitor the earthworks and on completion of earthworks (or during earthworks if Council considers it necessary), the consent holder provides a report from a qualified geotechnical engineer in accordance with Clause 2.6.1 of NZS4404:2010. This report shall include details of the specific site investigations, design work, testing and construction monitoring undertaken and shall include a statement of professional opinion as set out in Schedule 2A of NZS4404:2010. Where the report identifies development limitations, such as specific design for stability or foundation design or building setback distances, Council will register a consent notice regarding this on the certificates of title of any affected lots, as allowed for under section 221 of the Resource Management Act 1991.

Note: Conditions 5-6 will ensure that earthworks are appropriately designed and certified to ensure ground levels are suitably stable for the proposed development.

7. That the consent holder installs subsoil drains behind all retaining walls and connects them to an appropriate stormwater outlet.

Please note:

- The proposed subsoil drains and outlet connection locations shall be clearly shown on the engineering drawings submitted for approval and the as-built drawings. Subsoils shall discharge via a sump unless otherwise approved.
8. That the consent holder undertakes all earthworks (including for trenching purposes) in such a way that no sediment leaves the site or enters the stream or the stormwater system; and that the consent holder installs and maintains sediment control measures in compliance with Greater Wellington Regional Council's erosion and sediment control guidelines (issued in April 2003).
9. That the consent holder paves, metals, re-grasses, hydro-seeds or plants all areas exposed by earthworks, trenching or building work as soon as possible after excavation or, at the latest, within a month of completing earthworks to the satisfaction of Council subdivision engineer; and that the consent holder repeats any seeding or planting that fails to become fully established within 12 months of the completion of earthworks.
10. That the consent holder ensures all earthworks are carried out in a way that prevents dust blowing beyond site boundaries. Control measures may include use of a water cart, limiting the vehicle speed to 10 kilometres an hour, applying water to exposed or excessively dry surfaces, or applying a coating of geotextile, grass, mulch or the like.

11. That the consent holder ensures vehicles and machinery leaving the site do not drop dirt or other material on roads or otherwise damage road surfaces; and that if such spills or damage happen, the consent holder cleans or repairs roads to their original condition, being careful not to discharge the material into any stream, stormwater system or open drainage channel in the process. (The term "road" includes footpaths, vehicle crossings and berms.)
12. That the consent holder ensures all development and construction work complies with the provisions of NZS 6803:1999 Acoustics - Construction noise; and that notwithstanding this standard, machinery operating hours, including machinery start-up times, are limited to between 7am and 6pm Monday to Saturday, with no work on Sundays or public holidays.
13. That the consent holder constructs the private ways, including a heavy-duty vehicle crossings and necessary stormwater control in accordance with Council's codes and standards.

Please note:

- Before building any retaining walls subject to traffic loading (or other surcharge) or are more than 1.5 metres high, the consent holder must obtain a building consent. The consent holder must submit a design prepared by a chartered professional engineer with the building consent application, followed by a producer statement on completion of the walls.
 - The proposed subsoil drains and outlet connection locations shall be clearly shown on the engineering drawings submitted for approval and the as-built drawings. Subsoils shall discharge via a sump unless otherwise approved.
 - If applicable, any exposed aggregate method is to be in accordance with the NZ Ready Mixed Concrete Association's Safe Environmental Guidelines - "On Site Management of Concrete Wash-water".
 - The existing overland flood flow-path from the stream to the driveway on lot 102 (approximately 7.0 m in from the road frontage) is to be maintained.
14. That the consent holder installs the reticulation as necessary and connects separate minimum 100mm NB sewer and stormwater service leads to the public mains (or other approved disposal point in the case of stormwater) for each residential lot (and adjust existing services where necessary) in accordance with Council's codes and standards.

Please note:

- All stormwater and sewer (and water) reticulation services shall be designed and constructed in accordance with the 'Regional Standard for Water Services, the 'Regional Specification for Water Services' and the 'Approved Products Register', including all associated amendments. Copies of the latest version of these documents are available on the following website:
<https://wellingtonwater.co.nz/contractors/technical-information>.
- It is now Council policy that only existing sewer and stormwater laterals less than 25 years old can be utilised for a new dwelling or new vacant lot, otherwise they are to be renewed or sealed off at the mains if not replaced in the same location.

15. That the consent holder ensures the development is designed to be stormwater neutral to avoid impact on the downstream network. Stormwater neutrality is required for both a 10 year and a 100 year rainfall event. The development must therefore be provided with a stormwater management system(s). The stormwater management design must be approved in writing by the Wellington Water Land Development Team and the following aspects must be met:
- i. The consent holder must construct an approved stormwater management system or systems in accordance with plans approved under the Resource or Building Consent and agreed with the Wellington Water Land Development Team.
 - ii. The stormwater management system(s) must be designed so that the total stormwater discharge post-development from the site in both a 10 year and a 100 year rainfall event is less than or equal to the stormwater runoff flows prior to the development.
 - iii. The consent holder must ensure that all connections to the system(s) are trapped to minimise debris entering the system.
 - iv. Following construction of the stormwater management system(s), an as-built plan and a maintenance schedule must be made available for future property owners. The plan and schedule must be approved by the Wellington Water Land Development Team.
 - v. The owner(s) of appropriate lots must follow the required operation, maintenance and renewal of the system(s), set out in the maintenance schedule, to ensure it is in full working order at all times.
 - vi. The owner(s) of appropriate lots cannot increase stormwater discharge, through an increase in non-permeable areas, without Council approval; as an increase in stormwater discharge may result in failure of the stormwater detention systems.

Council will register a consent notice, in accordance with section 221 of the Resource Management Act 1991, on the record of title of appropriate lots specifying the requirements (iv -vi) above.

16. That the consent holder supplies water reticulation as necessary and supplies separate minimum 20mm NB connections for each residential lot that meets Council's code for domestic supply and the fire-fighting capability required under the New Zealand Fire Service code of practice (SNZ PAS 4509:2008).

Please note:

- All water (and stormwater and sewer) reticulation services shall be designed and constructed in accordance with the 'Regional Standard for Water Services', the 'Regional Specification for Water Services' and the 'Approved Products Register', including all associated amendments. Copies of the latest version of these documents are available on the following website:
<https://wellingtonwater.co.nz/contractors/technical-information>.
- It is now Council policy that only existing laterals of polyethylene material can be utilised for a new dwelling or new vacant lot. All existing non-polyethylene laterals, including the tobies, are to be renewed and sealed at the main if not replaced in the same position. This will apply to lot 12 if the existing connection is not polyethylene and not a standard meter manifold toby.
- Wellington Water have advised that the water pressure may be marginal and calculations are required to support the water reticulation design and that pressure and flow monitoring may be also be required.

- The existing toby indicated adjacent the driveway to 1 Helvetia Grove does not exist - (number 1 shares a toby with number 3), nor it seems does the ridermain around the turning head exist. Wellington Water has advised that, subject to suitable pressure and flow, the existing 40mm ridermain shall be abandoned from the end of the 100mm watermain outside 8 Helvetia Grove and a new 63mm main that shall be laid from the 100mm watermain around the cul-de-sac and connect into the existing 40mm ridermain outside 3 Helvetia Grove.
- The consent holder must apply for new water connections at the customer services counter of Council Building, 30 Laings Road, Lower Hutt. These applications are processed by Wellington Water Ltd., which is a Council-controlled company in charge of Council water and drainage assets. Their contact person is Chandra Koswatte (ph. 04 912 4534). Wellington Water Ltd. may impose special requirements or conditions for new connections depending on, among other things, the existing reticulation system's condition and layout, flow rates, pressure zones and proposed future work. It is important the consent holder makes an application early in the design or construction phase. Council recommends that the consent holder makes this application before submitting engineering plans to Council subdivision engineer.

17. That, where found to be necessary (upon applying for a water connection or other such circumstances), the consent holder arranges for a suitably qualified engineer to prepare a report containing details of any limitations on providing water reticulation to meet the above codes. This will include investigation of the available water supply, including existing condition, pressure and flow tests, provision of calculations and analysis and recommendations. Any limits in regard to height or distance from the existing or proposed reticulation for any lot are to be indicated on the submitted engineering drawings. Where the engineer finds such limitations, Council will register a consent notice, in accordance with section 221 of the Resource Management Act 1991, on the record of titles of affected lots advising future owners of limitations on water supply or of special facilities needed to achieve the code standards or where conditions cannot be met.
18. That the consent holder submits a copy of the approved water connection application form (signed by Wellington Water Ltd.) when applying for the section 224(c) certificate.
19. That the consent holder severs all abandoned cross-boundary services, including any water, sewer and stormwater pipes. Abandoned pipes within the property are to be sealed at the junction with the "live" pipe and at all ends (including where the line is broken through). In addition, where abandoned pipes have the potential to act as a cross-boundary field drain they are to be sealed at the boundaries. Abandoned property laterals (connections from the main or kerb) are to be severed and sealed at the main or kerb.
20. That the consent holder constructs a permeable 'swimming pool type fence' at the top of the northern side of the stream channel (before it enters the piped system at the road frontage) where the vertical drop is more than 1.0m to prevent harm from falling. A gate and hardstand area shall be provided as necessary to provide access to clear the proposed stormwater inlet grill and this may require some modification to the proposed bin storage area. In accordance with section 221 of the Resource Management Act 1991, Council registers a consent notice on the record of lot 100 requiring that a permeable

fence around the lower reaches of the stream where there is the potential to fall 1m or more be implemented and maintained at the expense of the owners of lot 100.

21. That the consent holder installs a grill at the inlet to the stormwater system at the road frontage. This is deemed necessary to avoid young children entering or being washed into the stormwater system. The grill is to be galvanised steel with 150mm spacing between bars, and a top secured to the concrete sides and headwall and possibly hinged for maintenance. A concrete pad may also be necessary for maintenance access. Construction details shall be provided with the plans submitted for engineering approval.
22. That the consent holder constructs an impervious flood protection wall to a height of 40.60m along the eastern boundary of Lot 11, and excavates and constructs the retaining wall opposite this wall, as indicated on Cuttriss Plan 2968SCH Sheet 3 Revision D dated 12/20. The impervious wall adjacent to lot 11 shall extend a minimum of 2.0m past the southern eastern corner of the new dwelling. Details of the proposed wall shall be submitted with the engineering plans for approval.
23. That the consent holder constructs an impervious flood protection wall to a height of 40.60m along the northern boundary of lot 7 and along the eastern boundaries of Lots 6 and 7. Details of the proposed walls shall be submitted with the engineering plans for approval.
24. That an as-built plan of the required flood protection impervious walls on lots 6, 7 and 11 is to be submitted with the application for a 224c certificate. In accordance with section 221 of Resource Management Act 1991, Council shall register a consent notice on the certificate of title of lots 6, 7 and 11 to ensure future owners are aware that they are responsible for the maintaining the impervious flood protection walls at all times as detailed on the approved as-built plans.
25. That the consent holder removes the existing vehicle and foot bridges across the stream and disposes of these off-site.
26. That the consent holder submits engineering plans for the above construction work to Council subdivision engineer for approval; that the plans provide information on the materials to be used, including the size, type and class of pipes, as well as indicate pipe gradients; and that all this work is carried out in accordance with the approved plan.

Please note:

- This condition is necessary, even for minor works, as the engineering approval letter will list further engineering requirements in regard to Corridor Access Requests, pipe materials, inspections, as-built information, etc.
- Engineering approval of the proposed services and access up to the individual lot boundaries is completely separate from any approval given under building consent and must be requested prior to installation, irrespective of any building consent being issued.
- Please include details about how the sewer is to be laid through the stream including details of protective measures and materials.

- The vehicle transitions into the right of ways and from the right of ways into the houses shall be checked for compliance with AS/NZS 2890.1:2004.
- A small retaining wall may be necessary up to 400mm high for a distance of approximate 12m long along the western side of the stream to improve the stream capacity upstream of the proposed stormwater inlet grill. The requirement for this wall shall be discussed at the engineering approval stage.

27. That the consent holder appoints a representative to carry out the design and supervision of construction work, as well as certification upon completion, as provided for by clause 1.7.1 of NZS 4404:2010; and that the consent holder submits the name, contact details and experience of the representative to Council subdivision engineer for approval before or at the time of submitting engineering plans. The consent holder must document the representative's experience in a resume and show the relevance of that experience to the works and services required under this consent. The certification must include confirmation that the materials, installation and testing meet Council's codes and standards.
28. That the consent holder appoints a suitably qualified contractor or contractors to complete the works to the approved design; and that the consent holder submits to Council subdivision engineer for approval the name, contact details and experience of the contractor(s) at the time of submitting engineering plans for approval or at least a minimum of 7 days in advance of commencing the construction works. The approved contractor(s) must give a minimum of 48 hours' notice to Council subdivision engineer before starting work.
29. That the consent holder provides underground telephone and electrical services to each lot in accordance with the specifications and requirements of the relevant authority.
30. That the consent holder provides Council with written confirmation from Chorus (or the equivalent network supplier) and Wellington Electricity Lines Ltd that they are satisfied with the supply of their utilities to each lot.
31. That the consent holder provides Council with written confirmation from a surveyor or suitably qualified engineer that all existing services have been adjusted so they are contained within the lot (or are protected by an appropriate easement) and that the ends of all abandoned lines have been sealed in accordance with council requirements, or alternatively that the consent holder provides Council with written confirmation from a surveyor or suitably qualified engineer that no such adjustments and sealing are necessary.
32. That the consent holder provides appropriate easements for public and private services where necessary, with the easements shown as a memorandum of easement on the land transfer title plan. The consent holder must show easements for public services on a plan with a minimum three-metre width centred over the service, or twice the depth of the trench, whichever is greater (unless otherwise approved); show Council as the grantee in gross; and engage a lawyer at the consent holder's expense to prepare easement documents. Please note that, in accordance with the Regional Standard for Water

Services, the easement width shall be an increased where there is more than one service within that easement.

Please note:

- An easement shall also be provided to allow Council access to clear the proposed stormwater intake grill.

33. That the consent holder provides appropriate easements of rights of way, shown as a memorandum of easements on the land transfer title plan; and that the consent holder engages a lawyer at the consent holder's expense to prepare easement documents.

Note: Conditions 7-33 address the effects of the subdivision and will ensure each of the lots will be appropriately serviced.

34. That the consent holder provides at least two preferred private access road name options to council's administration co-ordinator so they can be checked for appropriateness and approval. **This applies to lot 101 only.**

Please note:

- This is now a requirement of LINZ, which states "A private road, private way, right of way, or access lot needs to be named if six or more addressable sites are accessed off it - or are likely to be accessed off it in the future".
- At least two naming options per private access road should be provided to prevent delays if one suggested name is deemed unacceptable.
- The process can take several months, so an early application is required. Failing to do so will delay the provision of lot addresses which could impact on effective lot marketing but most importantly on emergency responses (fire, ambulance, etc.) and mail deliveries.
- Although there is an emphasis on the names proposed by the consent holder (provided they met LINZ requirements) the final decision is up to the Community Committee or Board (unless the naming becomes controversial, requiring a full Council decision).
- There is no need for council to conduct public consultation for private road names (unlike public road names) but the Committee/Board may still require additional names to be requested.
- Names with an important connection to the city, land or events are favoured.

35. That the consent holder makes a payment of **\$250.00** (GST incl.) to Council, at time of application for the 224(c) certificate, to meet the cost of making and installing each street name sign.

36. That the consent holder moves all buildings clear of the new boundaries before applying for a section 224(c) certificate.

37. That, at the time of requesting a section 224(c) certificate, the consent holder provides a schedule of assets detailing each item to be transferred to Council ownership as part of the subdivision process; and that the consent holder supplies a full description of the item,

material type, size, length, area, volume, et cetera, following the format set out in Council form RAS-FORM-014.

Please note:

- Within private rights of way and property the assets to vest in Council generally include:
 - Street-lighting & cables (when required by Council).
 - Sewer mains (of 150mm dia. and above) and manholes, **but not individual laterals.**
 - Stormwater mains (of 300mm dia. and above) and manholes, **but not individual laterals, sumps and leads.**
 - Watermains of 100mm dia. and above, including valves and hydrants and individual laterals up to and including the tobies off the main only, **but not ridermains or individual laterals off ridermains. Please note the policy on ridermains may change in the future such that these may become public and this shall be confirmed with Council prior to preparation of the LT plan and application for a 224(c) certificate.**
- Within road reserve the assets to vest in Council generally include:
 - All roads, footpaths, berms, vehicle crossings, street-lighting and cables, signage, sumps and leads.
 - All sewer and stormwater mains and manholes, **but not individual laterals.**
 - All watermains, ridermains valves and hydrants, **together with individual laterals up to and including the tobies.**

38. That the consent holder sets out the value of services to be taken over by Council to enable the creation of a buyer-created tax invoice, with the details provided to be in accordance with Council buyer-created tax invoice form RAS-FORM-015.

Note: Conditions 34-38 address essential administrative matters.

39. That, in accordance with section 221 of the Resource Management Act 1991, Council registers a consent notice on the certificate of title of the appropriate lots to ensure future owners are aware that the properties share private stormwater drains and water pipes as necessary.

40. That, in accordance with section 221 of the Resource Management Act 1991, Council registers a consent notice on the certificate of title of the relevant lots to ensure the dwellings built on these lots have the minimum floor levels as detailed on the approved plans (in relation to MSL Wellington Vertical Datum 1953) to mitigate possible flooding from the nearby stream.

Note: Conditions 39-40 will ensure that future owners are aware of limitations or requirements related to the proposed allotments.

41. That the consent holder provides a benchmark in the form of a new survey peg or other permanent mark so the site's minimum floor level can be easily determined; and that the consent holder records this benchmark and the known reduced level (Local Vertical Datum - Wellington 1953) on the as-built plans.

Note: This condition will help ensure that future dwellings are built to comply with minimum floor level requirement.

42. That, in accordance with section 221 of the Resource Management Act 1991, Council registers a consent notice on the record of title of lots 9, 10, and 11 as necessary to ensure any dwellings built on these lots have foundations designed by a chartered professional structural engineer to comply with the requirements of the 'Regional Standard for Water Services' clause 4.4.14 - 'Pipes near Buildings'. The design and details of these foundations shall be submitted as part of any building consent applied for on these lots.
43. That, in accordance with section 221 of the Resource Management Act 1991, Council registers a consent notice on the certificate of title of lots 4 to 7 inclusive and lot 100, which share a boundary with Council reserve land, in order to exclude Council from the cost of shared fencing under the Fencing Act 1978 or equivalent legislation.
44. That, in accordance with section 221 of the Resource Management Act 1991, Council registers a consent notice on the certificate of title of lot 100 to ensure that the owners are aware that they are responsible for the maintenance of the vegetation and clearing of the stream within this property and that no significant planting (other than as shown of the approved landscaping plans), bridges or any obstructions that will reduce the capacity of this stream are to be undertaken, placed, or left in the stream. This includes the removal of gravels and debris that may collect in the stream as a result of flood events. The Hutt City Council will be responsible for the clearing of the stormwater inlet grill.
45. That, in accordance with section 221 of the Resource Management Act 1991, Council registers a consent notice on the record of title of lots 1-7 to advise future owners that they are responsible for maintaining landscaping within lot 101 in accordance with approved landscaping plan certified in accordance with condition 3 of the land use consent RM180509.

Note: Conditions 42-45 will ensure that future owners are aware of limitations or requirements related to the proposed allotments.

46. That the consent holder meets the cost of registering consent notices.
47. That the consent holder provides Council with two copies of the as-built plan, certified by a surveyor or engineer, showing, where applicable, the levels and alignment of all the mains and road work, and the location of all service connections (and, if applicable, new work within private property) relative to the lot boundaries.

Note: Conditions 46-47 address essential administrative matters.

48. That the consent holder complies with the following amalgamations (see: Land Information New Zealand request # 0401144):
 - That Lot 100 hereon be held as to eleven undivided one-eleventh shares by the owners of Lots 1-11 hereon as tenants in common in the said shares and that the individual Records of Title be issued in accordance therewith.

- That Lot 101 (legal access) hereon be held as to seven undivided one-seventh shares by the owners of Lots 1-7 hereon as tenants in common in the said shares and that the individual Records of Title be issued in accordance therewith.
- That Lot 102 (legal access) hereon be held as to two undivided one-half shares by the owners of Lots 10 and 11 hereon as tenants in common in the said shares and that the individual Records of Title be issued in accordance therewith.

Note: A condition to this effect has been proposed by the applicant and relates to the shared ownership of allotments containing access legs and the stream.

49. That if the consent holder finds taonga (a thing of tangible or intangible value treasured in Māori culture) on the site, the consent holder must contact the local iwi, Heritage New Zealand and Council within 24 hours. All work in the area must stop immediately and may not resume until iwi representatives and Council staff have carried out a site inspection and Council gives its approval.

Note: This condition addresses potential adverse effects on features of historical or cultural significance.

Land use consent

1. That the proposal is carried out substantially in accordance with the information and approved plans submitted with the application and held on file at Council.

Approved plans:

- Architectural and earthworks plans by Friday Homes, Ref 8978 – RC, Sheets 2-8 and 10 Rev B dated 04/08/2020, Sheet 9 Rev C dated 05/08/2020, and Sheets 11-26 Rev A dated 12/05/2020.
- Landscaping plans prepared by Friday Homes, Ref 8978 – RC, Sheets 1, 3-4 and 8 Rev B dated 04/08/2020, Sheets 2, 5, 7 and 10-14 Rev A dated 13/05/2020, Sheet 6 Rev D dated 10/09/2020, and Sheet 9 Rev C dated 05/08/2020.

Note: This condition addresses an essential administrative matter.

2. That if the consent holder finds taonga (a thing of tangible or intangible value treasured in Māori culture) on the site, the consent holder must contact the local iwi, Heritage New Zealand and Council within 24 hours. All work in the area must stop immediately and may not resume until iwi representatives and Council staff have carried out a site inspection and Council gives its approval.

Note: This condition addresses potential adverse effects on features of historical or cultural significance.

3. That a revised Landscape Plan shall be prepared and submitted to Council for certification by the Team Leader Resource Consents prior to commencement of any works on site. The landscape plan shall be based on the approved landscaping with the following revisions or further detail:
- Show the proposed bin enclosure near the Helvetia Grove frontage and proposed lot 102. Details shall be provided on how the bins will be screened and accessed.

Proposed landscaping treatments should be modified as appropriate around the bin enclosure and should preferably include the retention of one specimen tree.

- Demonstrate the bin enclosure and letter boxes are located so as to not interfere with pedestrian sight visibility triangles from the access legs.
- That the proposed planting along the south-western boundary of proposed lot 101 to 1 Helvetia Grove is amended to identify the plants as *Pseudopanax sabre* (*lessonii* hybrid).
- Details of the maintenance of proposed plantings on lots to be held in common ownership, including with regard to frequency and responsibility. The *Pseudopanax sabre* on the south-western side boundary of proposed lot 101 are to be maintained at a minimum 2.5m after they have attained this height.

The approved landscaping plan shall be implemented as soon as the seasons make practicable, but must be finished within six months of the completion of works. Any plant which fails to establish or perishes must be re-planted within 12 months of the completion of construction.

4. That screens are affixed and maintained on the two ground floor windows on the south-west façade of townhouse 1 to restrict potential outlook from these windows towards 1 Helvetia Grove.
5. Prior to the commencement of any works on site, the consent holder shall submit a Construction Management Plan to the Council for certification by the Team Leader Resource Consents. The plan must address, but is not limited to, the following matters:
 - Detail construction hours;
 - Detail how any adverse effects arising from construction will be managed to avoid effects from dust, noise, vibration and construction traffic;
 - Identify what sediment and erosion control measures will be installed on-site to ensure that dust is prevented from blowing beyond site boundaries and sediment prevented from entering any stream or waterway. Sediment and erosion control shall be undertaken in accordance with Greater Wellington Regional Council's erosion and sediment control guidelines issued in September 2002 and reprinted in June 2006.
 - Details of how stormwater and surface water run-off will be controlled during site works to ensure they do not affect adjoining properties;
 - Outline the process by which complaints will be managed, including contact details for the appropriate person to respond to such complaints.

All construction works (and associated activities such as earthworks) shall be undertaken in accordance with the approved Construction Management Plan. No construction works are to proceed until approval has been obtained.

6. That the consent holder carries out and compacts all earthwork fill areas in accordance with the Code of Practice for Earth Fill for Residential Development (NZS4431:1989).

Please note:

- Before building any retaining walls subject to traffic loading (or other surcharge) or are more than 1.5 metres high, the consent holder must obtain a building consent. The consent holder must submit a design prepared by a chartered professional engineer

with the building consent application, followed by a producer statement on completion of the walls.

- Fill depths in excess of 0.6m below proposed buildings are outside the scope of foundation design under 'NZS 3604:Timber-Framed Buildings' and require specific engineering design by a suitably qualified professional engineer.
7. That the consent holder engages a suitably qualified geotechnical engineer to design and monitor the earthworks and on completion of earthworks (or during earthworks if Council considers it necessary), the consent holder provides a report from a qualified geotechnical engineer in accordance with Clause 2.6.1 of NZS4404:2010. This report shall include details of the specific site investigations, design work, testing and construction monitoring undertaken and shall include a statement of professional opinion as set out in Schedule 2A of NZS4404:2010.
 8. That the consent holder undertakes all earthworks (including for trenching purposes) in such a way that no sediment leaves the site or enters the stream or the stormwater system; and that the consent holder installs and maintains sediment control measures in compliance with Greater Wellington Regional Council's erosion and sediment control guidelines (issued in April 2003).
 9. That the consent holder paves, metals, re-grasses, hydro-seeds or plants all areas exposed by earthworks, trenching or building work as soon as possible after excavation or, at the latest, within a month of completing earthworks to the satisfaction of Council subdivision engineer; and that the consent holder repeats any seeding or planting that fails to become fully established within 12 months of the completion of earthworks.
 10. That the consent holder ensures all earthworks are carried out in a way that prevents dust blowing beyond site boundaries. Control measures may include use of a water cart, limiting the vehicle speed to 10 kilometres an hour, applying water to exposed or excessively dry surfaces, or applying a coating of geotextile, grass, mulch or the like.
 11. That the consent holder ensures vehicles and machinery leaving the site do not drop dirt or other material on roads or otherwise damage road surfaces; and that if such spills or damage happen, the consent holder cleans or repairs roads to their original condition, being careful not to discharge the material into any stream, stormwater system or open drainage channel in the process. (The term "road" includes footpaths, vehicle crossings and berms.)
 12. That the consent holder ensures all development and construction work complies with the provisions of NZS 6803:1999 Acoustics - Construction noise; and that notwithstanding this standard, machinery operating hours, including machinery start-up times, are limited to between 7am and 6pm Monday to Saturday, with no work on Sundays or public holidays.

Note: Conditions 3-12 addresses the potential adverse effects of the proposed development.

Processing Planner:



Peter McDonald
Senior Resource Consents Planner

Peer reviewer:



Nick Eagle
Senior Resource Consents Planner

Application lodged: 20 December 2018

Application approved: 7 December 2020

No of statutory working days taken to process the application: 20

S37A(5) extension of timeframes: 57

No of working days taken to process the application: 77

8. NOTES:

- The subdivision resource consent is subject to payment of a development contribution fee. Payment of this fee is required before receiving section 224(c) certification.
- In accordance with section 357 of the Resource Management Act 1991, the consent holder is able to object to the conditions of the consent. The consent holder must submit reasons in writing to Council within 15 working days of the date of this decision.
- The consent lapses, in accordance with section 125 of the Resource Management Act 1991, if the proposal is not given effect to within five years, that is, by 7 December 2025.
- The consent applies to the application as approved by Council. The consent holder should notify Council if there are changes to any part of the plans. Council may require that the consent holder submits a new resource consent application.
- The proposal has been assessed against the requirements of the city's District Plan. Bylaws may apply to the proposal that may require separate approval from Council before starting any site works. See huttcity.govt.nz for a full list of bylaws.
- The proposal has not been checked for compliance with the Building Act 2004. No associated building work should start without first getting a building consent.

- The consent is not a licence to create adverse effects such as unwarranted dust, noise or disruption. It does not change the legal duty to avoid, remedy or minimise such effects. Council may enforce the provisions of the Resource Management Act 1991 if the consent holder fails to meet this obligation.
- Failure to comply with an abatement notice may result in Council imposing an infringement fine or initiating prosecution.
- Advice note from Heritage New Zealand: The property has, or is likely to have been occupied prior to 1900. Any disturbance of land or damage or destruction of any building or structure associated with human activity prior to 1900, may require an archaeological authority from Heritage New Zealand under the Heritage New Zealand Pouhere Taonga Act 2014. Please contact Heritage New Zealand for further information.
- Before commencement of any work within the legal road corridor, including the laying of services, application is to be made for a Corridor Access Request (CAR). A CAR request can be made through contacting BeforeUdig either on their website: beforeudig.co.nz or 0800 248 344. Work must not proceed within the road reserve until the CAR has been approved, including the approved traffic management plan if required.
- Constructing, modifying or repairing a vehicle crossing requires separate Council approval, in addition to the approved resource consent. The vehicle crossing is to be constructed in accordance with Council's standards and codes. For more information contact the Transport Division via (04) 570 6881 or click the following link: <http://iportal.huttcity.govt.nz/Record/ReadOnly?Tab=3&Uri=3702089>



2A





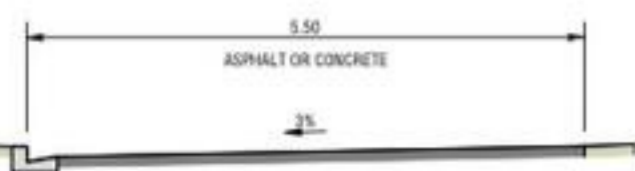
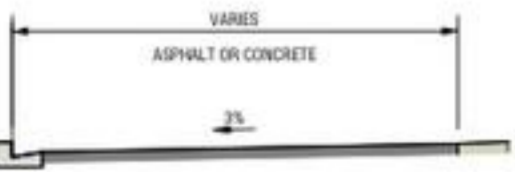
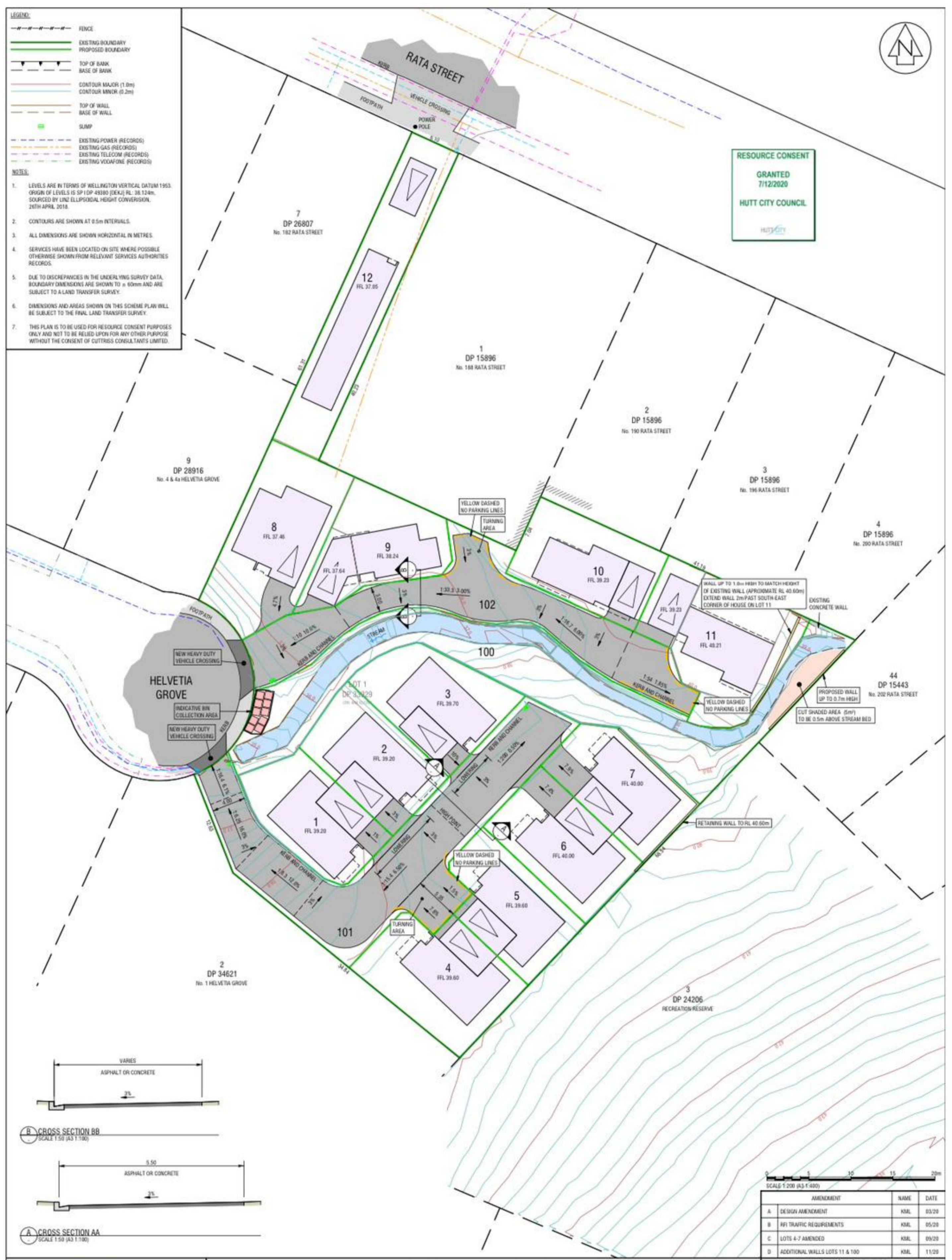




- LEGEND:**
- FENCE
 - EXISTING BOUNDARY
 - PROPOSED BOUNDARY
 - TOP OF BANK
 - BASE OF BANK
 - CONTOUR MAJOR (1.0m)
 - CONTOUR MINOR (0.2m)
 - TOP OF WALL
 - BASE OF WALL
 - SLUMP
 - EXISTING POWER (RECORDS)
 - EXISTING GAS (RECORDS)
 - EXISTING TELECOM (RECORDS)
 - EXISTING WIDMONE (RECORDS)
- NOTES:**
1. LEVELS ARE IN TERMS OF WELLINGTON VERTICAL DATUM 1953. ORIGIN OF LEVELS IS SP (DP 49380 [DEKJ] RL: 38.124m). SOURCED BY LINZ ELLIPSOIDAL HEIGHT CONVERSION, 26TH APRIL 2018.
 2. CONTOURS ARE SHOWN AT 0.5m INTERVALS.
 3. ALL DIMENSIONS ARE SHOWN HORIZONTAL IN METRES.
 4. SERVICES HAVE BEEN LOCATED ON SITE WHERE POSSIBLE OTHERWISE SHOWN FROM RELEVANT SERVICES AUTHORITIES RECORDS.
 5. DUE TO DISCREPANCIES IN THE UNDERLYING SURVEY DATA, BOUNDARY DIMENSIONS ARE SHOWN TO ± 60mm AND ARE SUBJECT TO A LAND TRANSFER SURVEY.
 6. DIMENSIONS AND AREAS SHOWN ON THIS SCHEME PLAN WILL BE SUBJECT TO THE FINAL LAND TRANSFER SURVEY.
 7. THIS PLAN IS TO BE USED FOR RESOURCE CONSENT PURPOSES ONLY AND NOT TO BE RELIED UPON FOR ANY OTHER PURPOSE WITHOUT THE CONSENT OF CUTTRISS CONSULTANTS LIMITED.



RESOURCE CONSENT
 GRANTED
 7/12/2020
 HUTT CITY COUNCIL
HUTT CITY



SCALE		REDUCED SCALE	
A1 1:200		(A3 1:400)	
FIELDWORK	EC	05/18	DESIGNED
DESIGNED	-	-	DRAWN
DRAWN	EMJ	12/18	CHECKED
CHECKED	CM	12/18	REVISION



JOB
CLIENT

PROPOSED SUBDIVISION OF
LOT 1 DP 33929, 186 RATA STREET, NAENAE
ROADING LAYOUT
DMAC HOMES LTD

AMENDMENT	NAME	DATE
A	DESIGN AMENDMENT	KML 03/20
B	RPT TRAFFIC REQUIREMENTS	KML 05/20
C	LOTS 4-7 AMENDED	KML 09/20
D	ADDITIONAL WALLS LOTS 11 & 100	KML 11/20

DRAWING NUMBER
29698SCH
SHEET 3 OF 3 SHEETS
REVISION D

Saritha Shetty

From: [REDACTED]
Sent: Thursday, 16 November 2023 9:30 am
To: Sean Bellamy
Subject: Re: [EXTERNAL] Highly productive land overlay

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Sean

Thank you for your reply. I note from the fact sheet you sent through that a rural general plot is only one house per 15 hectares, which none of the properties zoned that way fit into. For example, our property is about 17 acres, which is much much smaller, and all the other sections are a similar size, or smaller.

Rezoning to rural residential type zone where subdivision is possible would make much more sense.

Thank you.

[REDACTED]

On Thu, 16/11/2023 at 09:15 Sean Bellamy <Sean.Bellamy@huttcity.govt.nz> wrote:

Hi [REDACTED]

Thank you for your email and your feedback. Your submission is important to us. I take on board your comments regarding the highly productive land and your wish to subdivide and develop your property and we will consider your views when we review the draft district plan.

As I understand your submission you:

- object to the highly productive land overlay and want it removed from your property as you consider that your site is not highly productive land.
- would like your property rezoned to rural lifestyle zone to allow for future development.

I have included a link to an information sheet for the changes to Council's proposed changes rural zones in the draft district plan [here](#).

Your concerns and the issues you raised will be considered as part of the District Plan review process. F you have any questions or want to discuss the draft plan change please contact me.

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: Wednesday, November 15, 2023 5:39 PM
To: District Plan Team <DistrictPlan.Team@huttcity.govt.nz>
Subject: [EXTERNAL] Highly productive land overlay

Hi I have had a letter from you stating that part of my land is proposed as highly productive land in the proposed district plan. I can't see this when looking at the map online. My address is [REDACTED] Moores Valley. I can assure you my land is not very productive. It's clay soil and I have to make and buy in compost to be able to grow a vegetable patch. The grass isn't that great even with fertiliser.

On previous discussions we have had wanting to be able to subdivide, as the whole of Wainuiomata can, and all of Moores Valley can, with the exception of about 6 houses on our side of Crowther road. Being able to subdivide and create more housing was supposedly a priority in this plan.

We would like our children to be able to build houses on the property so it stays in the family and we don't have to sell up when we retire.

Can you give me some more information about what this plan means for us, and how we can have meaningful discussions with the council about this.

Thanks



Saritha Shetty

From: [REDACTED]
Sent: Thursday, 30 November 2023 10:40 am
To: District Plan Review Team
Subject: RE: Submission - Buick Street, Petone

Follow Up Flag: Follow up
Flag Status: Completed

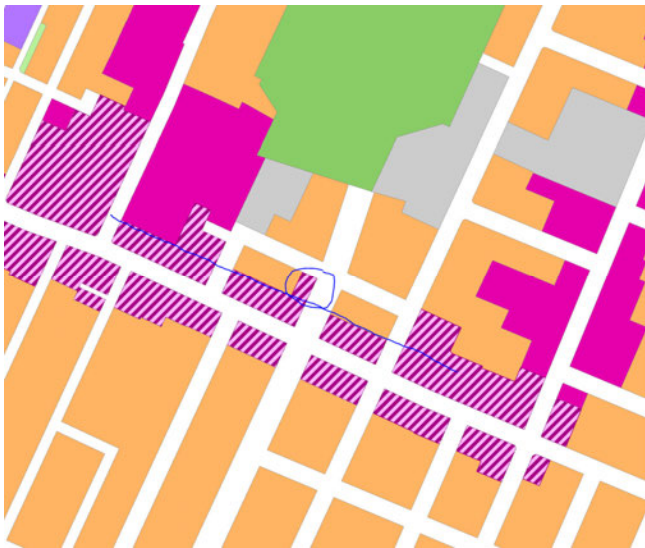
Categories: Steve

Hi Stephen –

Many thanks for your fast response.

It is a private submission. For clarification I marked it on the draft DP below.
The trees, I was trying to nominate are a Northern Rata and a Pohutekawa (both located at 15 Elizabeth Street, Petone), so am happy to go ahead and nominate them now, please.

Kind regards,
Claudia



From: District Plan Review Team <district.plan@huttcity.govt.nz>

Sent: Thursday, November 30, 2023 10:12 AM

To: [REDACTED]

Subject: RE: Submission - Buick Street, Petone

Hi [REDACTED]

[REDACTED]

In answer to your questions:

- The draft district plan maps are available at <https://maps.huttcity.govt.nz/HuttCityMapsViewer/?map=3ed4094fd509449d93074cd30891640f> and there's other general information about the review available at <https://www.huttcity.govt.nz/council/district-plan/district-plan-review>
- You can nominate new notable trees right now in your feedback on the draft plan. Let me know what specific trees you'd like us to assess.

If you've got any other questions or feedback let me know, but if it's in your personal capacity please do so using a personal email address.

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



From: [REDACTED]

Sent: Thursday, November 30, 2023 9:41 AM

To: District Plan Review Team <district.plan@huttcity.govt.nz>

Subject: Submission - Buick Street, Petone

Hi –

I would like to note that it would be helpful to have the visual draft plan available – not just the wording to comment on impact.

Regardless, I'd like to make a submission to keep [REDACTED] as residential, as it is now. (see below) The area from Jackson Street, leading to the park (Petone Rec) has a strong residential character with the heritage building of the Old Courthouse and the protected trees lining Buick Street and from an urban planning perspective, I don't understand why business should be introduced around the corner from Jackson Street leading towards the park.

If anything, it should be limited to 10m height to preserve this recreational character.

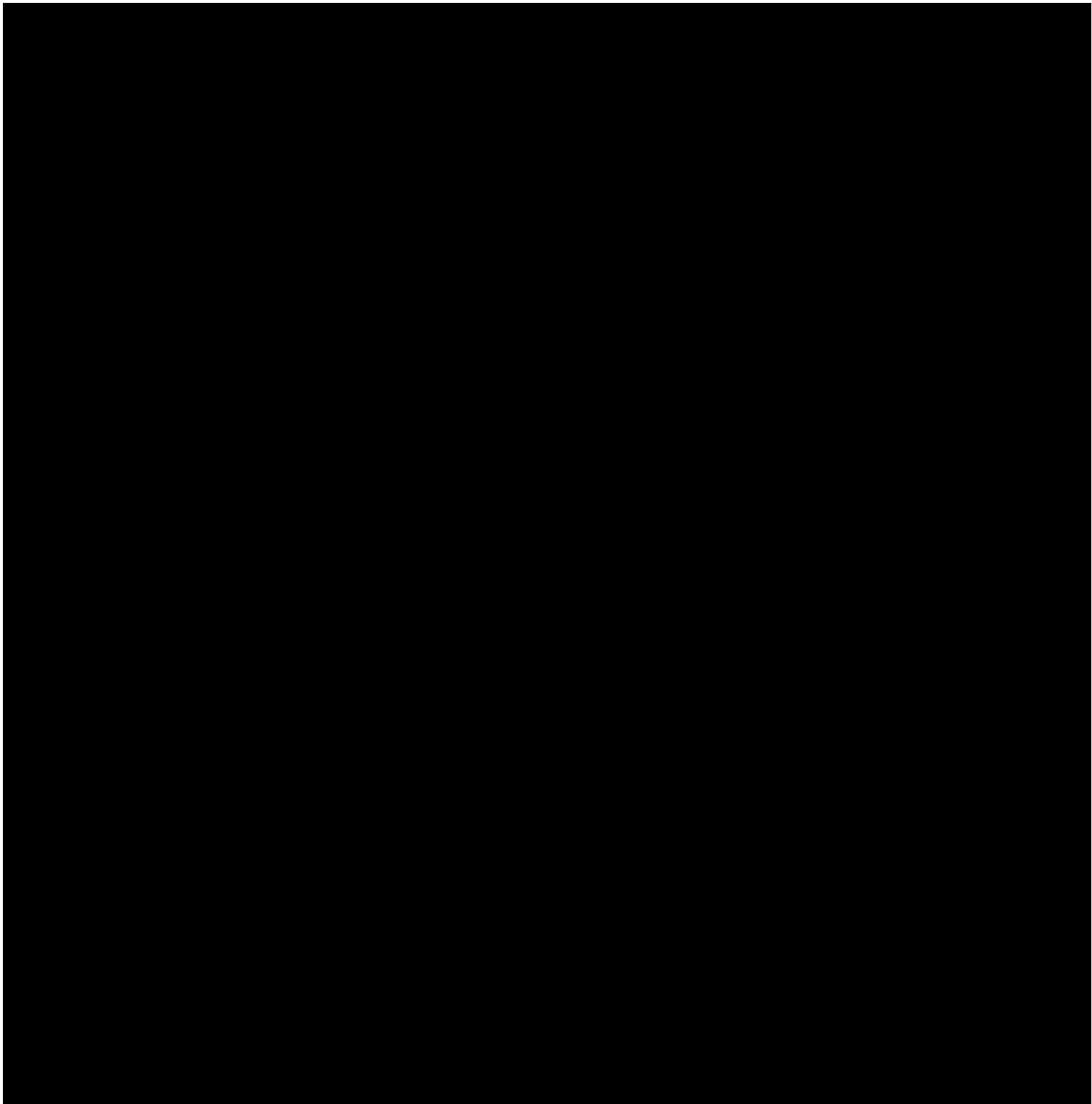
Also –

There should be a clear plan/ provisions for future pump stations (for waste- and stormwater) around the valley to mitigate future problems through Sea-level rise.

And lastly: Could there be an easy way to register a private tree as Protected tree within this review?

I tried the last 4 years to get trees registered and there is neither a clear process nor a handover within HCC when staff changes.

Many thanks,

A small black rectangular redaction box covering the signature area.A large black rectangular redaction box covering the entire bottom half of the page.



Saritha Shetty

From: [REDACTED]
Sent: Thursday, 30 November 2023 9:41 am
To: District Plan Review Team
Subject: Submission - Buick Street, Petone

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Steve

Hi –

I would like to note that it would be helpful to have the visual draft plan available – not just the wording to comment on impact.

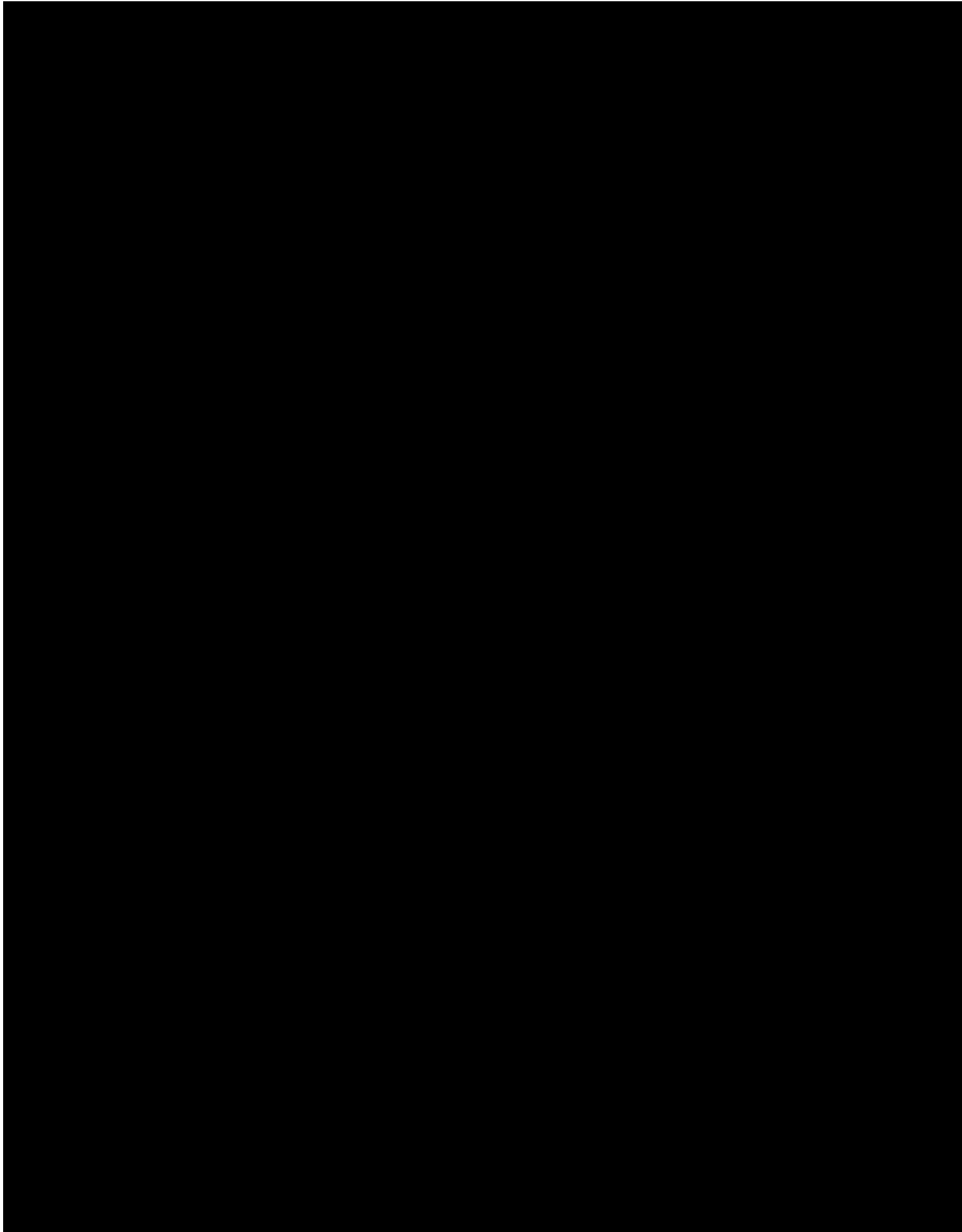
Regardless, I'd like to make a submission to keep [REDACTED] as residential, as it is now. (see below)
The area from Jackson Street, leading to the park (Petone Rec) has a strong residential character with the heritage building of the Old Courthouse and the protected trees lining Buick Street and from an urban planning perspective, I don't understand why business should be introduced around the corner from Jackson Street leading towards the park.
If anything, it should be limited to 10m height to preserve this recreational character.

Also –

There should be a clear plan/ provisions for future pump stations (for waste- and stormwater) around the valley to mitigate future problems through Sea-level rise.

And lastly: Could there be an easy way to register a private tree as Protected tree within this review?
I tried the last 4 years to get trees registered and there is neither a clear process nor a handover within HCC when staff changes.

[REDACTED]



Saritha Shetty

From: ContactHCC
Sent: Tuesday, 19 December 2023 8:27 am
To: [REDACTED]
Subject: FW: [EXTERNAL] Historic designation.

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Nathan

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: Monday, December 18, 2023 5:23 PM
To: ContactHCC <contact@huttcity.govt.nz>
Subject: [EXTERNAL] Historic designation.

Attached Jo Miller.

I am the owner of [REDACTED] I have received notice today by email from our Wellington manager that she received on Saturday your letter. Apparently we need to respond by 15th December, which is before the letter was received. I am totally opposed to any heritage listing of this property. I will not accept any such listing. If you persist in this way you will have the opposite to the desired effect. You won't protect the building you will endanger it. I have fought off these designations throughout the North Island and will do the same with you. Please make no attempt to enforce this outcome as I will stop at nothing to defeat the initiative.

Yours faithfully [REDACTED]

Sent from my Galaxy

Saritha Shetty

From: Sean Bellamy
Sent: Monday, 25 March 2024 4:54 pm
To: District Plan Review Team
Subject: FW: [EXTERNAL] Draft DP review submission - [REDACTED]

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

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

From: Chris Mulvena <cmulvena@yahoo.com>
Sent: Monday, December 18, 2023 8:29 AM
To: Sean Bellamy <Sean.Bellamy@huttcity.govt.nz>
Subject: Re: [EXTERNAL] Draft DP review submission

Thanks

Regards
[REDACTED]

Sent from my iPhone

> On 18/12/2023, at 8:02 AM, Sean Bellamy <Sean.Bellamy@huttcity.govt.nz> wrote:

>

> Hi [REDACTED]

>

> Thank you for your email. Your feedback has been record and will 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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> -----Original Message-----

> From: [REDACTED]

> Sent: Friday, December 15, 2023 9:07 AM

> To: District Plan Team <DistrictPlan.Team@huttcity.govt.nz>

> Subject: [EXTERNAL] Draft DP review submission

>

> For the attention of Jo Miller,
>
> I live at 1 Taumaru Avenue, Lowry Bay and received a letter regarding the proposed DP review advising that submissions could be made by 15 December and now find all your online surveys and offices closed on 14th December. Today is the 15th of December and I believe this complies with your response timeline.
>
> 1. I believe the Council needs to take great care in making assessments/statements relating to natural hazards as we have seen numerous examples of where insurance companies use Council determinations of risk as an excuse to raise insurance premiums. Probabilistic determinations of future risk whilst perhaps a necessary tool is itself fraught with risk. Council needs to be very careful not to make statements or develop DP's that impact/interfere with the willing buyer/willing seller property market.
>
> 2. I don't believe any changes to the DP should detract from or impact my existing use rights relating to my residential property. I believe the existing building consent process is sufficient to deal with any changes/replacement/development of my residential property. I accept a change of use to something other than residential (single or multiple dwelling) would perhaps require a resource consent.
>
> 3. The council needs to consider past history of environmental risk/events when making assessments of future risks. As an example, whilst "Lowry Bay" regularly suffers from wave action in storm conditions the problem areas are typically only at the north end of the bay as the south end is protected by the Lowry Reclamation. We have never had any flooding affecting our property and do not want to see any blanket requirements that impact all coastal properties in a similar manner.
>
> 4. The effect of predicted sea levels rises has yet to be seen and is such a gradual process it should not be reflected in any Council plans.
>
> I would like the opportunity to be heard to discuss my concerns in any formal hearing/review process.
>
> Please confirm receipt and acknowledge that my submission has been accepted.
>
> Regards
> [REDACTED]
> [REDACTED]
>
>
> Sent from my iPhone

Saritha Shetty

From: [REDACTED]
Sent: Friday, 15 December 2023 6:27 pm
To: District Plan Team
Subject: [EXTERNAL] Your letter of 8 November 2023

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Sean

Your letter advised that our property may be affected by proposed changes in the District Plan as it is in an area that has been identified as a High hazard Area.

Can you identify for me by way of a street plan the High Hazard Areas in Hutt City. I cannot find them in the plan.

Thanks

[REDACTED]

[REDACTED]

Saritha Shetty

From: ContactHCC
Sent: Tuesday, 21 November 2023 3:42 pm
To: District Plan Review Team
Subject: Letter regarding Notable Tree at my house
Attachments: Letter re notable tree - 20 Guthrie Street.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Nathan

From: [REDACTED]
Sent: Sunday, November 19, 2023 4:35 PM
To: ContactHCC <contact@huttcity.govt.nz>; District Plan Team <DistrictPlan.Team@huttcity.govt.nz>
Subject: [EXTERNAL] Letter regarding Notable Tree at my house

Hi to the HCC team,

We received the attached letter via my brother in law who we previously stayed with. I am not sure why the letter was sent to that address as I have advised HCC a long time ago to change the address to: [REDACTED] which is the house I own and am living in.

Could you please correct the address.
Also could you please advise what you would like feedback on as the letter doesn't mention this.

Can you please confirm that our totara tree is in fact designated as 'notable' as I thought it didn't meet the requirements?

[REDACTED]

[REDACTED]



8 November 2023



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 Council has chosen to do to ensure that the views of the community are heard as part of this review.

The Draft District Plan includes a list of **Notable Trees**. These trees add to the visual appeal of an area, act as landmarks or connect communities to the past. Your property includes a tree on this Notable Tree list.

Having a tree on the list means there are limits on trimming or removal of the tree, and on activities within the dripline of the tree. In addition, Council also plays a role in monitoring and maintaining notable trees.

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.



NT / S003774001



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: Tom Anderson <Tom@incite.co.nz>
Sent: Thursday, 21 December 2023 3:06 pm
To: District Plan Review Team
Cc: Graeme McCarrison; colin.clune@fortysouth.co.nz; Andrew Kantor; Fiona Matthews; Tim Johnstone
Subject: [EXTERNAL] Feedback on Draft District Plan
Attachments: 231220 Telco Feeback on Draft HCC District Plan v2 Final As Lodged.pdf
Categories: Sean

Kia Ora

Attached please find combined feedback from Chorus, Connexa, FortySouth, One NZ and Spark as telecommunication companies on the draft District Plan.

I am more than happy to discuss the content of the feedback, and would encourage a workshop to help shape the PDP. This has been a successful process with other Councils

Have a great Christmas break, and I look forward to working with you in 2024

Ngā mihi

Tom Anderson

Director/Principal Planner



Level 2, 11 Tory Street

PO Box 2058, Wellington

Tel 04 801 6862

Mob 027 231 0246

tom@incite.co.nz

www.incite.co.nz

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21 December 2023

Hutt City Council

By Email: district.plan@huttcity.govt.nz

Dear Sir/Madam

FEEDBACK: DRAFT HUTT CITY DISTRICT PLAN

The following provides feedback on the Draft Hutt City District Plan (DDP) on behalf of Chorus New Zealand Limited, Connexa Limited, FortySouth, One New Zealand Group Limited and Spark New Zealand Trading Limited as providers of telecommunication infrastructure in Hutt City.

Telecommunications infrastructure is significant and essential to modern society, and the safe, reliable and efficient functioning of telecommunication networks is vital for the national, regional and local economy and is in the public interest both in terms of allowing people and communities to provide for their "wellbeing", and also for assisting to ensure their "health and safety".

Telecommunications infrastructure is implemented in the same manner across New Zealand, and to that end the telecommunications companies seek consistent planning regulations across the country. This is achieved somewhat through the *Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016* (NESTF). However that document does not cover all telecommunication infrastructure, and relies on District Plan's to set activity status for the infrastructure that it does provide for but which cannot meet the permitted regulations of the NESTF.

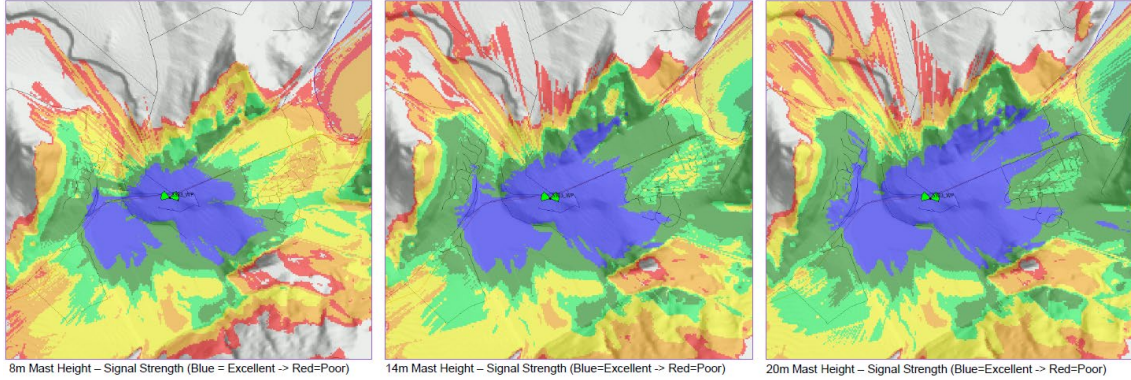
To that end, the telecommunications companies are pleased to see that the DDP has implemented relatively consistent provisions for network utilities and telecommunications infrastructure when compared with recent District Plan processes. Thank you.

There are two areas in the DDP, highlighted in the attached, where further explanation is provided, being height of antennas and the provision of telecommunications in natural hazard areas.

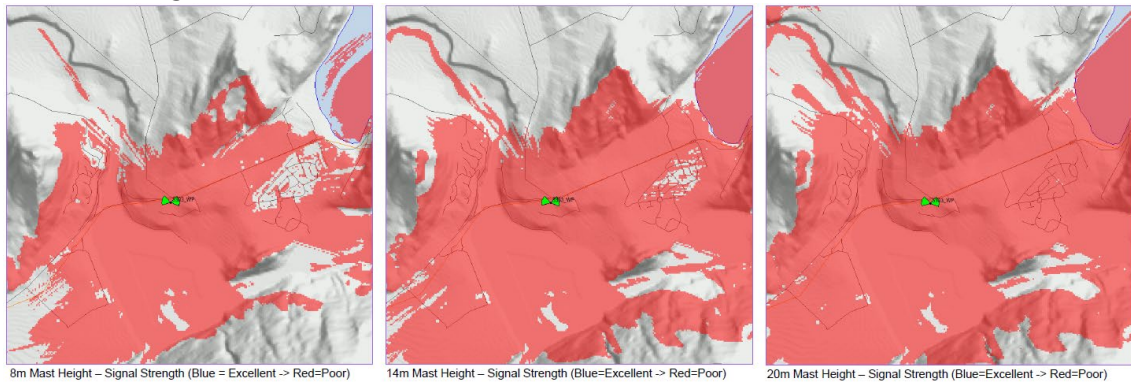
Telecommunication Facility Height

Mobile telecommunication facilities rely on line of sight to be able to perform their function. The following diagrams show how a higher mast height provides better outdoor and indoor coverage for end users, as the higher mast height extends above local 'clutter' to provide line of sight:

Outdoor Coverage:



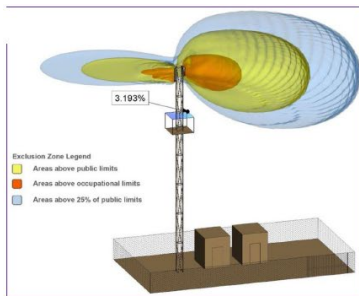
Indoor Coverage:



Clutter is commonly created by buildings and trees. Essentially, the proposed height provisions in the DDP allow for buildings to be constructed that 'block' existing and any future permitted mobile telecommunication facilities. As well as these provisions affecting potential future sites, they also create a potential reverse sensitivity effect on existing sites.

All proposed antennas must be assessed against New Zealand Standard 2772.1:1999 Radiofrequency fields - Maximum exposure levels. This document sets out limits for exposure to the radiofrequency radiation produced by all types of radio transmitters, for people exposed at work and for the general public.

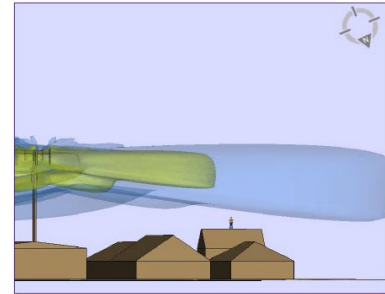
Essentially, radiofrequency engineers use a compliance software to establish and maintain safety compliance. Essentially, the software requires inputs including tower height, antenna model, transmit powers, nearby building heights and areas accessible to the public. The output graphically displays distances, both horizontally and vertically, that meet compliance including areas between 25% and 100% of the public limit and areas above occupational limits. An example is as follows:



An example of calculated exposure at a given location



An example of RF Lobes – Plan view



An example of RF lobe clearance from an elevation view

Through enabling the permitted building heights without enabling a corresponding increase in mobile telecommunication facility height potentially allows people to be exposed to greater levels of radiofrequency.

The telecommunications companies recognise and support the densification of cities that is promoted through the NPSUD. However this does come with a need to upgrade the existing telecommunication networks.

The need for increased mobile telecommunication facility heights as part of the densification of cities in New Zealand is recognised in the recently released Targeted engagement draft - Natural and Built Environment (Transitional National Planning Framework) Regulations from the Ministry for the Environment, which in its final form will be utilised in plans made under the Natural and Built Environment Act 2023. In relation to mobile telecommunication facility heights, draft Regulation 13.2.33 proposes a height of 17m in areas zoned for residential and local centre activities, 20m in areas zoned for neighbourhood centre activities, and 25m in other zones. These heights are generally supported by the telecommunication companies, however the companies will continue to work with the Ministry for the Environment as the regulations evolve.

An alternative approach which the telecommunication companies have found to be effective in other cities and districts in New Zealand is to enable a mobile facility height which is 5m greater than the permitted building height in any given location. The 5m of clearance mitigates the local clutter effect and radiofrequency effects explained above, without being significantly taller than the anticipated building height in the surrounding environment.

Such an approach has been accepted by New Plymouth District Council through their Proposed District Plan (currently in the appeal resolution stage, with no appeals received relating to telecommunication facility height), and is up for consideration in other current processes, including the Proposed Wellington City District Plan and Proposed Timaru District Plan.

Natural Hazards

In regard to natural hazards, Regulation 57 of the Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016 (NESTF). exempts

regulated activities under the NESTF from having to comply with District Plan rules about natural hazards.

Section 6.11 of the Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016 Users' Guide, published by the Ministry for the Environment (August 2018) confirms the exemption of regulated telecommunications activities from having to comply with District Plan natural hazard rules, via the following statement:

Regulation 57 makes it clear that natural hazard rules in district plans do not apply to a regulated activity under the NESTF. It also makes clear that territorial authorities cannot make natural hazard rules that apply to regulated activities under the NESTF. This is because resilience is already factored into industry practice, and they will either avoid hazard areas or engineer structures to be resilient to the hazard risk. Natural hazards encompass the full breadth of hazards including flooding, instability, earthquake and climate change.

This approach has been followed in the aforementioned *Targeted engagement draft - Natural and Built Environment (Transitional National Planning Framework) Regulations*. Regulation 13.3.13 provides rules for infrastructure activities in natural hazard overlays, with subclause (4) stating that *this regulation does not apply to telecommunication facilities...* While it is noted that the Natural and Built Environment Act is to be repealed, it remains a useful indicator as to where the national direction on this matter sits.

The reason that such an approach has been adopted in national frameworks is due to the industry practice referred to in the Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016 Users' Guide as quoted above.

To provide a summary of that industry practice, the telecommunication companies rely on local authorities to identify hazards in their city or district. The companies then have resilience requirements as essential infrastructure networks and lifeline utilities under the Civil Defence Emergency Management Act 2002 (CDEMA). Under section 59 of the CDEMA a lifeline utility is required to take "all necessary steps to undertake civil defence emergency management" and be able, under section 60, to function to the fullest possible extent, even though this may be at a reduced level, during and after an emergency.

Government introduced in June 2023 an Emergency Management Bill to replace the Civil Defence Emergency Management Act 2002. Submissions on the Bill closed in November and report back on submissions is due in December 2023. Telecommunication is recognised as critical infrastructure. Critical infrastructure must be able to function and recover quickly to support the wellbeing of affected communities. As with the CDEMA the Bill expects that critical infrastructure providers will maintain, upgrade and design networks that serve communities. This includes network is in natural hazard areas or have to traverse natural hazard environments. The natural hazard provisions are duplication of our obligations as critical infrastructure operators.

Telecommunication network resilience to natural hazards is provided by avoiding the hazard in the first instance, but where the hazard cannot be avoided for the infrastructure to provide its function, designing the infrastructure to be as resilient as possible to the hazard.

Through the New Zealand Lifelines Council (NZLC) that the telecommunication companies are a part of, and 15 Regional Lifelines Groups, New Zealand's lifeline utility organisations work together on projects to understand and identify ways to mitigate impacts of hazards on lifeline utility infrastructure. NZLC in 2017 undertook its first infrastructure vulnerability assessment which was updated in 2020. This report highlights the resilience of telecommunication networks and some areas for focus on improving resilience. Telecommunication network resilience comes from a variety of ways and is constantly evolving and learning from the events response assessments:

- multiple networks (different providers offering alternative networks) provide for redundancy;
- multiple technologies (fibre fixed networks available alongside mobile networks);
- robustness (design codes for strength) with specific engineering design and certification taking into account the natural hazard information available. Consultancy companies such as Aurecon and WSP provide design and engineering certification for each new site (includes guidance that influences new-site selection in regard to natural hazard risk and mitigation requirements) and upgrading of existing sites;
- providers building their own networks with resilience in mind (building redundancy into their networks so that network component failures have a minimum impact);
- making arrangements to enable direct-to-satellite connectivity, which will enable mobile phone users to initially send and receive text messages, and later make calls, including to emergency services, if the mobile network is down;
- provide emergency roaming for 111 calls. This means, for example, if the Spark or One NZ networks are down, their customers can make 111 calls using the 2degrees network;
- fleet of temporary network solutions such as Cells on Wheels (CoW) or Cell on Platform (CoP) to restore any network components damaged during an emergency while the permanent asset is being repaired; and
- commercial imperative to keep customers connected.

Telecommunications are a complex of lifeline utility given that users have access to multiple networks including the mobile networks of Spark, One NZ, 2degrees and RCG and the fixed line fibre and copper networks of Chorus and other providers.

The diversity of interconnected networks has the advantage that via automatic failover arrangements between the operator's connectivity for customers will continue. NZLC has identified that the CDEMA obligations on private operators' infrastructure such as telecommunication is difficult to measure or enforce for private companies. The Building Code does mandate standards around critical buildings housing telecommunications equipment though design standards for other components of the network, such as mobile facilities, are not prescribed. Crown Infrastructure Partners as part of Government managed initiatives such as ultra-fast (UFB 1 & 2) and rural broadband infrastructure (RBI 1 & 2) rollouts or the Blackspots

initiative, does have a prescribed construction standard. Although there is no network construction standard outside those contractually managed by Crown Infrastructure Partners, the telecommunication companies constantly review their networks including via:

- Commerce Commission as the regulator, who assess and report on the industry annually looking at competition in, and the performance and development of, telecommunications in New Zealand;
- Commerce Commission monitoring of asset quality in areas without competition;
- Ministry Business Innovation and Employment (MBIE), which is responsible for maintaining a robust regulatory environment for the information and communications technology (ICT) sector. The Telecommunications Act 2001 provides for investigations and reduce incentives for regulated parties to “game” the process or proceed slowly for strategic reasons’ (MBIE 2018c);
- The National Code of Practice for Utility Operators' Access to Transport Corridors (the Code) under the Utilities Access Act 2010, which has a process for requiring a local authority to comment and request information when a network utility is proposing to work in the road; and
- Regional Lifeline assessments and reviews including post specific significant events reports such as Christchurch earthquakes, provide recommendations for improving network resilience.

On this basis, there is no need for a territorial local authority to further regulate the resilience of telecommunication networks. Such an approach has been accepted by Kaikoura District Council through their Plan Change 3, and is up for consideration in other current processes, including the Proposed Wellington City District Plan and Change 1 to the Wellington Regional Policy Statement.

The telecommunications companies would happily discuss the feedback, either via videoconference or a workshop, and would be happy to collaborate with other infrastructure providers for this as well.

Yours sincerely,



Tom Anderson
Director/Principal Planner
Incite
tom@incite.co.nz
04 801 6862 or 027 231 0246

The specific feedback on the DDP is provided as follows. Note, in the changes sought, deletions are shown as ~~strikethrough~~ and additional text shown in **bold and underlined**.

Section/Sub-section/Provision	Support/Support in part/Oppose	Submission	Changes sought
Part 1 – Introduction and General Provisions			
Definitions			
Ancillary transport network infrastructure	Support in part	It is appreciated that telecommunication kiosks are recognised in the definition. However other telecommunication structures are also located in road (and are encouraged to be so in the NESTF), including poles, antennas, cabinets and lines. These should also be included in the definition.	Amend the definition as follows: <i>means infrastructure located within the road reserve that supports the transport network and includes:</i> <i>a. traffic control signals and devices;</i> <i>b. light poles;</i> <i>c. post boxes;</i> <i>d. landscaped gardens, artwork and sculptures;</i> <i>e. bus stops and shelters;</i> <i>f. telecommunication kiosks, <u>poles, antennas, cabinets and lines</u>;</i> <i>g. public toilets;</i> <i>h. road or rail furniture; and</i> <i>i. micro-mobility lock-up facilities.</i>
New definition: Antenna	Support in part	Replication of the definition of antenna from the NESTF would be helpful for plan users, as it is a term which should be used in the DDP	Replicate the definition of antenna in the NESTF
Cabinet	Support	Replicating the definition of cabinet from the NESTF is supported	None
Customer connection line	Support	Replicating the definition of customer connection line from the NESTF is supported	State the origin of the definition (NESTF) as has been done for the definition of cabinet.

Section/Sub-section/Provision	Support/Support in part/Oppose	Submission	Changes sought
Functional need	Support	Replicating the definition of functional need from the National Planning Standards is supported	None
Height	Support	Replicating the definition of height from the National Planning Standards is supported	None
Infrastructure	Support	Replicating the definition of height from the RMA is supported	None
New definition: Line	Support	A definition of line is needed as it is defined in the plan.	Add a definition of line that captures telecommunication lines as defined in the Telecommunication Act 2001 as well as electricity lines
New definition: Infrastructure of National and Regional Significance	Support in part	The term Infrastructure of National and Regional Significance is used in the plan and as such should be defined. Change 1 to the Regional Policy Statement includes the latest definition of <i>Regionally Significant Infrastructure</i> and this should be used as a base.	Add a definition for Infrastructure of National and Regional Significance based on Change 1 to the Regional Policy Statement definition of <i>Regionally Significant Infrastructure</i> .
Network utility operator	Support	Replicating the definition of Network utility operator from the RMA is supported	None
Operational need	Support	Replicating the definition of operational need from the National Planning Standards is supported	None
New definition: Pole	Support in part	Replication of the definition of pole from the NESTF would be helpful for plan users, as it is a term which is used in the DDP	Replicate the definition of pole in the NESTF
New definition: Tower	Support in part	The term tower is used in the DDP. As such, a definition of tower would be helpful for plan users, so it can be understood how it is different to a Pole	Add a definition of tower

Section/Sub-section/Provision	Support/Support in part/Oppose	Submission	Changes sought
Upgrading	Support	The definition of upgrading is useful and should be retained	None
National Direction Instruments			
Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016	Support	Recognising the NESTF is appropriate	None
Resource Management (Network Utility Operations) Regulations 2016	Support	Recognising the Resource Management (Network Utility Operations) Regulations 2016 is appropriate	None
Part 2 – District-Wide Matters			
Strategic Directions			
All Infrastructure Strategic Objectives	Support in part	The appellation given to the Infrastructure Strategic objectives, being INF-O[X] is the same as the appellation given to the Infrastructure Chapter objectives. As such, the Infrastructure Strategic objectives appellation should be changed.	Amend the appellation for the Infrastructure Strategic Objectives to <u>S</u> INF-O[X] or something else which differentiates it from the Infrastructure Chapter objectives.
INF-O1 Integration	Support in part	A strategic objective seeking land use and infrastructure are integrated is appropriate. As infrastructure is a defined term in the DDP, there is no need for the ‘including’ portion of the objective.	Amend INF-O1 as follows: <i>Land use and development is integrated with the provision of infrastructure including transport, three waters services and open space.</i>
INF-O2 Coordination	Oppose	It is unclear who this strategic direction is targeted at and is required to undertake action as a result of it.	Delete INF-O2

Section/Sub-section/Provision	Support/Support in part/Oppose	Submission	Changes sought
INF-O3 National and Regional Significance	Support	The objective is supported, noting the need to define Infrastructure of National and Regional Significance as detailed above.	Add a definition for Infrastructure of National and Regional Significance based on Change 1 to the Regional Policy Statement definition of <i>Regionally Significant Infrastructure</i> .
INF – Infrastructure			
INF-O1 Benefits of infrastructure	Support	An objective requiring recognition of benefits of infrastructure is supported	None
INF-O2 Adverse effects of infrastructure	Support	An objective requiring management of adverse effects of infrastructure while recognising functional and operational needs is supported	None
INF-O3 Adverse effects of infrastructure	Support	An objective addressing reverse sensitivity effects is supported	None
INF-O4 Infrastructure availability and capacity	Support in part	An objective seeking the integration of infrastructure with land use is supported, however it would be better located in the chapters which enable subdivision, use and development, as the enablers of those activities will then be aware of it.	Move the objective to chapters which enable subdivision, use and development.
INF-P1 Recognise the benefits of infrastructure	Support	The matters listed in the policy as beneficial are appropriate	None
INF-P2 Provide for infrastructure	Support	The provision appropriately recognises what is needed to enable infrastructure.	None
INF-P3 Coordinate provision of infrastructure	Support in part	Aspects of the policy are supported, however the policy has a very broad application. Subclause 1 should be directed at developers and as such would be better located in the subdivision chapter. Subclause 2 is not about co-ordinate provision, but rather is resilience based. Subclauses 3 and 4 are appropriate.	Amend the policy as follows: <i>Enable the efficient coordination of infrastructure planning and delivery by:</i> <i>1. Ensuring provision and development of infrastructure is integrated with other land use, subdivision, development and urban growth.</i>

Section/Sub-section/Provision	Support/Support in part/Oppose	Submission	<i>Changes sought</i>
			<p><i>2. Ensuring that infrastructure is resilient to impacts of natural hazards and climate change.</i></p> <p><i>3. Encouraging the co-location of infrastructure, including the utilisation of existing designations and the use of roads as infrastructure corridors.</i></p> <p><i>4. Ensuring the provision and operation of infrastructure that cross jurisdictional boundaries is managed in an integrated manner.</i></p> <p><i>[Subclause 1 should be located in the subdivision and zone based chapters]</i></p>
INF-P4 Adverse effects of infrastructure	Support	The matters listed in the policy are appropriate	None
INF-P5 Consideration of the adverse effects of infrastructure	Support	Providing guidance for plan users about how to address actual and potential adverse effects is appropriate.	None
INF-P6 Adverse effects on infrastructure	Support in part	The policy only provides for reverse sensitivity effects on the national grid and gas transmission, yet is titled to provide for all infrastructure. Reverse sensitivity effects occur on other infrastructure as well. For instance, new buildings which exceed permitted height limits can extend into the target areas of existing antenna, rendering them unusable. The RPS requires reverse sensitivity effect	Rewrite the policy so that it provides for reverse sensitivity on all infrastructure.
INF-P7 Undergrounding of infrastructure	Support	The policy appropriately recognises it is not always practicable and technically feasible to put all new infrastructure underground	None
INF-P12 Technological advances	Support in part	Technologies in the telecommunications pace can change at a faster rate than district plan provisions. The policy generally provides for	Amend the policy as follows:

Section/Sub-section/Provision	Support/Support in part/Oppose	Submission	Changes sought
		this, although greater flexibility should be given for new technologies that do not achieve one of the five matters outlined in the policy.	<p><i>Provide flexibility to adopt new technologies for infrastructure that:</i></p> <ol style="list-style-type: none"> <i>1. Allow for the re-use of redundant services and structures;</i> <i>2. Increase resilience, safety, efficiency or reliability of networks and services;</i> <i>3. Facilitate a transition to renewable energies;</i> <i>4. Result in environmental benefits or enhancements; or</i> <i>5. Promote environmentally sustainable outcomes.</i>
INF-P13 New or upgraded infrastructure in natural hazard overlays	Support	The policy is supported, as it recognises functional and operational need, as well the scale of infrastructure.	None
INF-P14 New or upgraded infrastructure in coastal or riparian margins	Support	The policy is supported, as it recognises functional and operational need, and encourage co-location of infrastructure in legal road.	None
INF-P15 New or upgraded infrastructure in coastal character overlays	Support	The policy is supported, as it recognises functional and operational need.	None
INF-P16 New or upgraded infrastructure in outstanding natural features or outstanding natural landscapes	Support in part	The policy is supported, as it recognises functional and operational need. Subclause 2 should be updated to recognise scale of structure, as occurs in INF-P13, as it is possible to have structures in ONFLs which maintain the identified value of the overlay. For example, the Queenstown Lakes District Plan permits telecommunication poles up to 8m high in their Outstanding Natural Landscapes.	<p>Amend the policy as follows:</p> <p><i>Provide for new or upgraded infrastructure in Outstanding Natural Features and Outstanding Natural Landscapes where:</i></p> <ol style="list-style-type: none"> <i>1. There is a functional or operational need for the infrastructure to be in that location;</i> <i>2. Related buildings, structures, earthworks and vegetation removal are of a scale that maintains the identified values described in SCHEDXX; and</i>

Section/Sub-section/Provision	Support/Support in part/Oppose	Submission	Changes sought
			<p>3. Adverse effects on the identified values of the Outstanding Natural Feature and Outstanding Natural landscapes are avoided.</p>
INF-P17 New or upgraded infrastructure in other overlays	Support in part	<p>The policy provides a pathway for infrastructure in other overlays. Recognition of co-location or co-siting with other infrastructure would be helpful.</p>	<p>Amend the Policy as follows:</p> <p><i>Provide for new or upgraded infrastructure in sites and areas of significance to Māori, historic heritage or Active Frontage Overlays where:</i></p> <ol style="list-style-type: none"> 1. <i>There is a functional or operational need for the infrastructure to be in that location; and</i> 2. <i>Significant adverse effects on the identified values of the overlay are avoided.</i> <p><u>3. New infrastructure is co-located or co-sited with other infrastructure (including roads)</u></p>
INF-P18 New or upgraded infrastructure in other overlays	Support in part	<p>The policy title appears to have been duplicated with INF-P17 in error. Other infrastructure providers alongside HCC also have infrastructure which can be in the dripline of notable trees. The effect of trimming such a tree is no different regardless of who undertakes it, therefore it should not be limited solely to HCC.</p>	<p>Amend the Policy as follows:</p> <p>INF-P18 New or upgraded infrastructure in other overlays</p> <p><u>Infrastructure near notable trees</u></p> <p><i>Provide for the trimming of a notable tree listed in SCHEDXX - Notable trees where necessary for the maintenance and repair of existing infrastructure and where undertaken by Hutt City Council.</i></p>
Rules – introduction	Support	<p>The following statement is supported, as it makes it clear what does and does not apply from a rules perspective:</p> <p><i>For the most part, the rules of this chapter override all rules in area-specific and other district-wide chapters. However, the rules of this chapter do not include:</i></p> <p><i>This chapter does not include the following:</i></p>	<p>Use similar wording in the introduction to the chapter as well as the introduction to the rules.</p>

Section/Sub-section/Provision	Support/Support in part/Oppose	Submission	Changes sought
		<p><i>a. Rules and standards controlling sensitive activities in the State Highway and Railway Corridor Buffers (located in the Noise chapter).</i></p> <p><i>b. Rules and standards controlling building and activities within the Gas Transmission Pipeline Corridor (located in the Natural Open Space Zone chapter).</i></p> <p><i>c. Rules and standards controlling subdivision within the National Grid Corridor (located in the Subdivision chapter).</i></p> <p><i>d. Provisions for green infrastructure and flood mitigation works (located in the Natural Hazards Chapter).</i></p> <p><i>e. Provisions for hard engineering coastal hazard mitigation works (located in the Coastal Hazards Chapter).</i></p> <p><i>f. Provisions for vehicle crossings (located in the Transport chapter).</i></p> <p><i>g. Infrastructure activities which involve alterations to or removal of any building which is identified within the Historic Heritage chapter as either a historic heritage-listed building or a contributing building within a historic heritage area, are subject to the provisions of that chapter.</i></p> <p>It does however raise the question as to whether objectives and policies of other chapters should apply to infrastructure activities, for instance any infrastructure in an overlay. Given there are policies relating to these in the Infrastructure chapter, either this wording, or similar wording, should be included in the introduction to the</p>	

Section/Sub-section/Provision	Support/Support in part/Oppose	Submission	Changes sought
		Infrastructure chapter as well as the introduction to the Infrastructure rules.	
NU-R1 Operation of infrastructure	Support in part	In its current format, the rule appears to undermine existing use rights established by existing resource consents, by requiring them to comply with noise standards.	<p>Amend the rule as follows:</p> <p><i>Activity status: Permitted</i></p> <p><i>Where:</i></p> <p>Compliance is achieved with the following noise requirements:</p> <p>For the operation of all other infrastructure—NOISE S1;</p> <p>and</p> <p>Compliance is achieved with INF-S17.</p>
INF-R4 New cabinets (not regulated by the NESTF)	Support in part	<p>Subclause 1(b) creates a scenario in the Active Overlay Frontage where a cabinet that is provided for under the NESTF is permitted, but one not provided for under the NESTF requires resource consent. Yet both would have very similar effects.</p> <p>Controlled Activity status should be provided for cabinets which exceed the NESTF but are not noticeably different in size. This assists with resilience in terms of battery power should mains power be off after an emergency.</p>	Review the need to include active frontage for subclause 1(b). Provide controlled activity status for cabinets in residential zones that are 2m high and 2m ² in area.
NU-R5 New infrastructure located within existing buildings or located on or within existing bridges and structures across streams	Support in part	Given this rule is about new infrastructure located on existing structures, the standards relating to earthworks and vegetation clearance are not required.	<p>Amend the rule as follows:</p> <p><i>Activity status: Permitted</i></p> <p><i>Where:</i></p> <p><i>Compliance is achieved with:</i></p> <p><i>INF-S3;</i></p> <p><i>INF-S4;</i></p> <p><i>INF-S7; and</i></p>

Section/Sub-section/Provision	Support/Support in part/Oppose	Submission	Changes sought
			INF-S11; INF-S12; INF-S13; INF-S14; INF-S15; INF-S16; and INF-S18.
INF-R6 New antennas attached to existing support structure or building (not regulated by the NESTF)	Support	Given this rule is about infrastructure located on existing structures, the standards relating to earthworks and vegetation clearance are not required.	Amend the rule as follows: <i>Activity status: Permitted</i> Where: <i>Compliance is achieved with:</i> INF-S6; INF-S7; and INF-S11; INF-S12; INF-S13; INF-S14; INF-S15; INF-S16; and INF-S18.
INF-R7 New telecommunication poles, with or without associated antenna (not regulated by the NESTF)	Support in part	The structure of the rule is good. 1(c) should be removed to align with the NESTF stance on natural hazards, as outlined in the introduction to this submission.	The rule title should refer to defined terms (poles not telecommunication poles). Amend the rule as follows: 1c. Not located in a High Hazard Area; and 4. Activity Status: Restricted-Discretionary

Section/Sub-section/Provision	Support/Support in part/Oppose	Submission	Changes sought
INF-R8 New customer connection lines and support structures (not regulated by the NESTF)	Support in part	The intent of the rule is supported, however the language needs to be updated to reflect defined terms in the PDP.	<p>Amend the rule as follows:</p> <p><i>Where:</i></p> <ul style="list-style-type: none"> <i>a. Compliance is achieved with the following:</i> <ul style="list-style-type: none"> <i>i. The connection does not include a new tower;</i> <i>ii. The connection does not exceed three additional poles; and</i> <i>iii. The diameter of the conductors, lines or cables does not exceed 30mm; and</i>
INF-R9 New vehicle access tracks and extensions to existing vehicle access tracks ancillary to infrastructure	Support	Permitted provision for vehicle access tracks is supported	None.
INF-R10 New underground infrastructure excluding gas transmission pipelines and transmission lines over 110kV	Support in part	Underground infrastructure is out of sight, so there should be no reason not to permit it in sensitive areas such as Outstanding Natural Features or Outstanding Natural Coastal Character Areas.	<p>Amend the rule as follows:</p> <p><i>1c. Not located in the Outstanding Natural Features Overlay or the Outstanding Natural Coastal Character Area.</i></p>
INF-R15 Cabinets, antennas and poles regulated by standards 19, 26, 28, 30, 32, 34, 36, 38, 39, 41 and 43 of the NESTF	Support in part	<p>The rule should provide for all antennas – there is clear direction in the NESTF as to how regulated activities which do not meet the permitted standards in that document are to proceed with reference to District Plans.</p> <p>Controlled Activity status should be provided for works which do not meet the NESTF permitted standards, but are not discernibly different from those standards.</p> <p>Matter of discretion 2 is unworkable given there are no standards that are infringed.</p> <p>The rule should work for all antennas.</p>	<p>Amend the rule as follows:</p> <p>INF-R15 Cabinets, antennas and poles regulated by standards 19, 26, 28, 30, 32, 34, 36, 38, 39, 41 and 43 of the NESTF</p> <p><u>2. Activity Status: Controlled</u></p> <p><u>Where:</u></p> <p><u>a. For panel antenna: a width of 0.9m is not exceeded;</u></p> <p><u>Matters of Control:</u></p> <p><u>The matters in INF-P5</u></p> <p><i>Matters of discretion are restricted to:</i></p> <ul style="list-style-type: none"> <i>1. The matters in INF-P1 to INF-P5.</i>

Section/Sub-section/Provision	Support/Support in part/Oppose	Submission	Changes sought
			<i>2. — The degree of non-compliance for any infringement of standards</i>
INF-R16 Temporary infrastructure and temporary electricity generators and self-contained power units to supply existing infrastructure	Support in part	A provision for temporary infrastructure is supported. The standards that apply are generally supported, however there is no reason to apply INF-S8 or INF-S9 to INF-R16. INF-S8 and INF-S9 both relate to size of cabinets etc. Given the provision is for temporary infrastructure, any effects associated with the cabinets are not permanent and therefore there is no need to control the cabinet size (in the same way the rule does not refer to standards INF-S1 to INF-S7, which is supported).	Amend the rule to remove reference to INF-S8 and INF-S9 from subclause 1(b).
INF-R18 Telecommunications exchange, not contained in a cabinet	Support in part	A telecommunications exchange is different to, and larger than, a telecommunications cabinet, and as such as different effects, and a different suite of standards. The rule could be widened for all network utility buildings, and should have standards similar to buildings for the underlying zone in which they are located.	Rewrite the rule to provide for network utility buildings more generally. The telecommunication companies would be happy to work with Hutt City Council staff on this matter.
INF-R19 Navigational aids, sensing, environmental monitoring equipment (including air quality and meteorological) and tsunami warning devices where mounted on new or existing support structures or existing buildings	Support	Clear permitted provision for sensing and environmental monitoring equipment is supported.	None.
INF-R24 Infrastructure not otherwise provided for or subject to any other rule in this table	Support	Providing default activity status for any infrastructure not otherwise provided for or subject to any other rule is appropriate and should be retained.	None.

Section/Sub-section/Provision	Support/Support in part/Oppose	Submission	Changes sought
New rule – Signs	Support in part	Signage associated with infrastructure can be necessary. Given this is a standalone chapter, a rule permitting signs associated with infrastructure is necessary.	Add a new rule permitted signs associated with infrastructure up to a certain size, and duration.
INF-S1 Upgrading of aboveground infrastructure	Support in part	The language used in the standard does not align with the defined terms of the DDP.	<p>Amend the standard as follows:</p> <ol style="list-style-type: none"> 1. <i>The realignment, relocation or replacement of a telecommunication line, any pipe (excluding a gas transmission pipeline), pole, tower, conductor, cross arm, switch, transformer or ancillary structure must be within 5m of the existing alignment or location.</i> 2. <i>A pole must not be replaced with a tower.</i> 3. <i>A replacement pole, tower or telecommunication pole must not exceed the height of the replaced pole or tower or telecommunication pole, or the maximum structure height provided for in INF-S3, whichever is higher;</i> 4. <i>The diameter or width of a replacement pole or telecommunication pole:</i> <ol style="list-style-type: none"> a. <i>Must not exceed twice the width of the replaced pole at its widest point; or</i> b. <i>Where a single pole is replaced with a pi pole, the width of the pi pole structure must not exceed 4.2m.</i> 5. <i>A replacement tower's footprint must not exceed the width of the tower by more than 25%.</i> 6. <i>The upgrade must not include additional polestowers.</i> 7. <i>The number of additional poles required to achieve the conductor clearances required by NZECP 34:2001 must not exceed two.</i> 8. <i>Additional cross arms must not exceed twice the length of the existing cross arm, up to a maximum of 4m.</i>

Section/Sub-section/Provision	Support/Support in part/Oppose	Submission	Changes sought
			<p>9. The diameter of replacement pipes located aboveground must not exceed the diameter of the replaced pipe by more than 300mm.</p> <p>10. The realignment, relocation or replacement of any other infrastructure structure or building must be within 5m of the alignment of location of the original structure or building</p> <p>11. The realignment, relocation or replacement of any infrastructure structure or building must not increase its footprint by greater than:</p> <ul style="list-style-type: none"> a. 5% where located within a Coastal character area outstanding landscape of feature, or Stream Corridor or Overland Flow Path; otherwise b. 30%. <p>12. A replacement panel antenna must not increase the front face area by more than 20%.</p> <p>13. A replacement dish antenna must not increase in diameter as of by more than 20%.</p> <p>14. Where located in a historic heritage area or within the extent of a scheduled site or area of significance to Māori:</p> <ul style="list-style-type: none"> a. Any replaced or upgraded elements must match the colour of the existing building or structure.
<p>INF-S3 Height– Masts, antennas, lines and single pole support structures, anemometers and extreme weather devices (not regulated by the NESTF)</p>	<p>Support in part</p>	<p>For antennas to work, they need to be clear of surrounding clutter, such as buildings. This is for two reasons:</p> <ol style="list-style-type: none"> 1. Antenna work on a line of sight basis, buildings blocking antennas stop this from happening; 2. The tops of buildings need to be clear of radiofrequency emissions close to antennas. 	<p>Amend the standard as follows:</p> <p><i>INF-S3 Height– Masts, antennas, lines and single pole support structures, anemometers and extreme weather devices (not regulated by the NESTF)</i></p> <p><i>LCZ, MUZ, HOS, TEZ</i></p> <ol style="list-style-type: none"> 1. It must not exceed a maximum height above ground level of 20m 30m (single provider).

Section/Sub-section/Provision	Support/Support in part/Oppose	Submission	Changes sought
		<p>For both of the above to be achieved, antennas need to be at least 5m above the permitted building height.</p> <p>5m of separation is also required to provide for co-location on a single mast. 3m is insufficient as panel antennas can be up to 2.7m long and separation between the different companies antennas is necessary.</p> <p>Subclause 11 appears to have a typo, as there is no permitted height for ONLs outside of the Coastal Environment. Further, the 8m sought is common across ONL, ONF and Coastal Natural Character Areas so these can be grouped together.</p>	<p>2. It must not exceed a maximum height above ground level of 25m 35m (two or more providers).</p> <p>CCZ, MCZ</p> <p>3. It must not exceed a maximum height above ground level of 35m (single provider).</p> <p>4. It must not exceed a maximum height above ground level of 40m (two or more providers).</p> <p>Industrial and Rural Zones</p> <p>5. It must not exceed a maximum height above ground level of 25m 35m (single provider).</p> <p>6. It must not exceed a maximum height above ground level of 30m 40m (two or more providers).</p> <p>Quarry Zone</p> <p>7. It must not exceed a maximum height above ground level of 15m 30m (single provider).</p> <p>8. It must not exceed a maximum height above ground level of 18m 35m (two or more providers).</p> <p>Residential Zones, Natural Open Space and Open Space Zones, Maori Special Purpose Zones</p> <p>9. It must not exceed a maximum height above ground level of 12m 13m (single provider).</p> <p>10. It must not exceed a maximum height above ground level of 15m 18m (two or more providers).</p>

Section/Sub-section/Provision	Support/Support in part/Oppose	Submission	Changes sought
			<p><u>Residential Zones (except High Density Residential Zone) and Maori Special Purpose Zones</u></p> <p><u>X. It must not exceed a maximum height above ground level of 17m (single provider).</u></p> <p><u>X. It must not exceed a maximum height above ground level of 22m (two or more providers).</u></p> <p><u>High Density Residential Zone</u></p> <p><u>X. It must not exceed a maximum height above ground level of 27m (single provider).</u></p> <p><u>X. It must not exceed a maximum height above ground level of 32m (two or more providers).</u></p> <p><u>Sport and Active Recreation Zone</u></p> <p><u>X. It must not exceed a maximum height above ground level of 25m (single provider).</u></p> <p><u>X. It must not exceed a maximum height above ground level of 30m (two or more providers).</u></p> <p><u>Outstanding Natural Landscapes, Outstanding Natural Features and Coastal Natural Character Areas</u></p> <p><u>11. It must not exceed a maximum height above ground of 58m except;</u></p> <p><u>a. where not located in the Coastal Environment</u></p> <p><u>Outstanding Natural Features and Coastal Natural Character Areas</u></p> <p><u>12. It must not exceed a maximum height above ground of 5m</u></p>

Section/Sub-section/Provision	Support/Support in part/Oppose	Submission	Changes sought
INF-S4 Size - ground mounted support structures, anemometers and extreme weather devices (not regulated by the NESTF)	Oppose	It is unclear what a 'ground mounted support structure is'	Define the term 'ground mounted support structure'
INF-S5 Location - Ground mounted support structures, anemometers and extreme weather devices	Oppose	It is unclear what a 'ground mounted support structure is'. Ridgelines must be mapped for subclause 2 to be enforceable.	Define the term 'ground mounted support structure'
INF-S6 Height – Building mounted antennas (not regulated by the NESTF)	Support in part	Given the permitted height in the Medium Density Residential Zones, 11m would be appropriate for residential zone building heights.	Amend the standard as follows: <i>1. The top of the antenna must not extend more than 5m above the highest point of the roof structure; and</i> <i>2. If the building is in a Residential Zone, the lowest point at which the antenna is attached to the building must be at least 1511m above the ground.</i>
INF-S7 Antenna size	Support	The permitted antenna sizes are appropriate	None
INF-S8 and INF-S9	Support in part	Given that a change is sought to the INF-R16 (temporary infrastructure), removing the need to comply with INF-S8 and INF-S9, the term temporary can be removed from the title of those standards	Delete the term 'temporary infrastructure' from the title of INF-S8 and INF-S9.
INF-S11 Earthworks – Slope, height, depth and location	Support in part	Containing the earthworks provisions for infrastructure in the infrastructure chapter is supported. Excluding earthworks for piling is supported, as is the specific provisions for trenching. It is assumed trenching is permitted in High and Very High Coastal Character, Outstanding Natural Landscapes in Coastal Environment, Outstanding Natural Features not in Coastal Environment, Coastal and Riparian Margins, Outstanding Coastal Character, Outstanding Natural Features in Coastal Environment, Stream Corridor and Overland Flow Paths.	Clarify that trenching is permitted in the High and Very High Coastal Character, Outstanding Natural Landscapes in Coastal Environment, Outstanding Natural Features not in Coastal Environment, Coastal and Riparian Margins, Outstanding Coastal Character, Outstanding Natural Features in Coastal Environment, Stream Corridor and Overland Flow Paths.

Section/Sub-section/Provision	Support/Support in part/Oppose	Submission	Changes sought
		Overland Flow Paths, however this should be clarified in the standard	
INF-S12 Earthworks – Area limit	Support	The trenching provisions are appropriate	None
INF-S14 Earthworks – In relation to Sites and Areas of Significance to Māori	Support in part	It is not possible from a health and safety perspective to locate new infrastructure directly above existing underground infrastructure.	Amend the standard as follows: 1. The earthworks must not exceed 600mm in width. 2. The earthworks must be located directly above adjacent to existing underground infrastructure.
INF-S15 Removal of indigenous vegetation	Support in part	The exemptions from the standard are appropriate, although 1(c) should equally apply to existing infrastructure as well as buildings.	Amend 1(c) of the standard as follows: c. Within 3m from existing infrastructure structures or the external wall of an existing building ;
INF-S18 Notable trees	Support in part	As for INF-P18, tree trimming undertaken by infrastructure providers other than HCC has the same effect.	Amend the standard as follows: 1. There must be no trimming of a notable tree identified in SCHEDXX, except where undertaken by Hutt City Council and where necessary: a. For the health of the tree or to safeguard life or property, including for the maintenance of existing network utilities; or b. For the maintenance of existing infrastructure. 2. There must be no removal of a tree identified in SCHEDXX except where undertaken by Hutt City Council to safeguard life and property.
HH – Historic Heritage			
HH-P4 Continued use and adaptive re-use	Support	Providing for adaptive re-use of historic heritage buildings and structures and buildings and structures in heritage areas is appropriate	None
New Rule	Support in part	The adaptive re-use of historic heritage buildings and structures and buildings and	Add the following rule:

Section/Sub-section/Provision	Support/Support in part/Oppose	Submission	Changes sought
		<p>structures in heritage areas means such buildings need to be attached to infrastructure networks. As such, permitted provision for customer connections is appropriate, provided it does not detract from the heritage value in the first instance. Therefore a new rule providing for this is needed.</p>	<p><u>HH-RX Customer connections to heritage buildings and structures and buildings and structures in heritage areas</u></p> <p><u>Activity Status: Permitted</u></p> <p><u>Where:</u></p> <p><u>Customer connections a heritage buildings and structures and buildings and structures in heritage areas where the customer connection shall not be attached to a primary feature or front façade of the heritage building or structure.</u></p> <p><u>Activity status where not achieved: Controlled</u></p> <p><u>Where:</u></p> <p><u>a. Compliance is not achieved with HH-RX(1).</u></p> <p><u>Matters of control:</u></p> <p><u>1. The matters listed in HH-P4.</u></p>
<i>SUB – Subdivision</i>			
SUB-O3 Servicing of Allotments	Support	An objective requiring adequate servicing of allotments by infrastructure is supported	None
SUB-P7 Servicing and Access	Support	The policy requires all allotments created by subdivision to have provision of suitable connection to telecommunication. This is supported.	None
SUB-P9 Subdivision for infrastructure	Support	Recognising that subdivision for infrastructure can have different drivers and characteristics than typical subdivision in a zone is supported.	None
SUB-R5 Subdivision to create a new allotment for infrastructure	Support	Controlled Activity Status for subdividing to create a new allotment for infrastructure is supported.	None
<i>FC – Financial Contributions</i>			

Section/Sub-section/Provision	Support/Support in part/Oppose	Submission	<i>Changes sought</i>
FC-P2 Providing sufficient services and infrastructure	Support	A policy requiring a financial contribution to contribute to infrastructure is supported. The telecommunication companies wish to have a discussion about how revenue collected from this policy can be used to pay for any telecommunication infrastructure new subdivision or development requires.	None.

Saritha Shetty

From: Andrew Kantor <Andrew.Kantor@chorus.co.nz>
Sent: Tuesday, 16 January 2024 9:02 am
To: District Plan Review Team
Subject: [EXTERNAL] Chorus NZ Ltd Feedback - Subdivision Standard SUB-S7
Attachments: Chorus New Zealand Ltd feedback on Subdivision Standard SUB-S7.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Peter

Kia ora

Apologies for the late feedback on from Chorus New Zealand Limited on Subdivision Standard SUB-S7 of the City of Lower Hutt Draft District Plan. Tom Anderson, Incite, has already provided feedback on the remainder of the Draft District Plan conjointly with the other Telecommunications Providers.

Please note that as Council staff work through feedback, Chorus is willing to engage in further dialogue in relation to developing a rules framework for the City of Lower Hutt District Plan to enable the delivery of telecommunications infrastructure to serve the District.

Ngā mihi,
Andrew Kantor

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15 January 2024

Hutt City Council

By Email: district.plan@huttcity.govt.nz

Dear Sir/Madam

FEEDBACK: CITY OF LOWER HUTT DRAFT DISTRICT PLAN – SUBDIVISION STANDARD SUB-S7

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Postal Address	PO Box 6640 Wellesley Street, Auckland 1011		
Telephone	09 975 3399	Email	andrew.kantor@chorus.co.nz

This feedback on Subdivision Standard SUB-S7 of the Draft Hutt City District Plan is on behalf of Chorus New Zealand Ltd.

The Core of Chorus' business is the nationwide network of fibre optic and copper telecommunications cables connecting homes and businesses together.

Telecommunications infrastructure is significant and essential to modern society, and the safe, reliable and efficient functioning of telecommunication networks is vital for the national, regional and local economy and is in the public interest both in terms of allowing people and communities to provide for their wellbeing, and also for assisting to ensure their health and safety.

Chorus supports the intent of SUB-S7 to ensure that telecommunications connections are provided to all new allotments. However, Chorus believes that the standard as currently worded could lead to some ambiguity as to the type of connection to be provided due to the use of the word "suitable" and should be strengthened to require fibre to be provided to the boundary of all new allotments for the following reasons:

- Having access to world class broadband is critical to the way New Zealanders work, learn, live and play. The fibre network built under the government's Ultra Fast Broadband (UFB) project ensures that 87 percent of New Zealanders will receive access to world-class connectivity, with up to 1 gigabit broadband speeds and includes over 45,000 premises within the Hutt District.
- The UFB network is an open access network, which allows a variety of internet service providers (ISP) and resellers to operate off the fibre network infrastructure, ensuring end users have a variety of choice as to the ISP as well as packages, pricing and service levels on offer.
- Fibre is a future-proofed technology that offers a scalable, low-cost pathway to major ongoing performance upgrades.

- Fibre should be provided to the boundary of new allotments at the time of subdivision alongside other essential services. Not providing fibre at the time of subdivision can result in unnecessary and disruptive effects from retroactively installing fibre optic cables in newly created roads, footpaths and berms as well increased costs to the end user.
- Specifically including the requirement for the provision of fibre in the rule framework of the District Plan enables Council to include conditions on a subdivision resource consent in accordance with s108AA of the Resource Management Act. This will enable Council to meet its objectives of increasing digital connectivity while still providing a consenting pathway for instances where the applicant is able to set out the reasons why an alternative telecommunications technology is more appropriate for a proposed subdivision.

As such, Chorus recommends that SUB-S7 be amended to require a connection to an open access fibre optic network to all allotments. Please see the proposed amendment below:

SUB-S7	Power Supply and Telecommunications
<ol style="list-style-type: none"> 1. All new allotments must have provision for electricity connections to the legal boundary of the allotments. 2. All new allotments must have provision for suitable telecommunication connections <u>to an open access fibre network</u>. 	<p>Matters of discretion:</p> <ol style="list-style-type: none"> 1. The extent to which the proposed telecommunications and power supply is sufficient for the development or activity it serves. 2. <u>Alternative provision of telecommunications services</u> 3. Where any reticulated telecommunications and power supply system is not immediately available but is likely to be in the near future, the appropriateness of temporary supply solutions. 4. Whether any site constraints make compliance impracticable.

Please note that as Council staff work through feedback, Chorus is willing to engage in further dialogue in relation to developing a rules framework for the City of Lower Hutt District Plan to enable the delivery of telecommunications infrastructure to serve the District.

Ngā mihi

A handwritten signature in black ink, appearing to read 'Andrew Kantor', with a stylized flourish extending to the left.

Andrew Kantor

Environmental Planning and Engagement Manager – Chorus New Zealand Ltd

andrew.kantor@chorus.co.nz

Saritha Shetty

From: ContactHCC
Sent: Wednesday, 6 December 2023 3:31 pm
To: [REDACTED]
Subject: FW: [EXTERNAL] 10 Buller grove and 2a swainson street

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Steve

Kia ora [REDACTED]

Thank you for your email received.

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: Wednesday, December 6, 2023 11:13 AM
To: ContactHCC <contact@huttcity.govt.nz>
Subject: [EXTERNAL] 10 Buller grove and 2a swainson street

Hi there

Could you please let me know if [REDACTED] and [REDACTED] will be medium density lots or large lots according to revised district plan? Tried looking online but map doesn't work on my phone

Thanks
[REDACTED]

Saritha Shetty

From: [REDACTED]
Sent: Sunday, 10 December 2023 10:52 pm
To: District Plan Team
Subject: [EXTERNAL] District plan feedback - 24 kerkwall drive
Attachments: 24 kerkwall.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Steve

Please find attached our submission in regards to the proposed changes to the district plan for our property
Thank you

[REDACTED]

Subject: Urgent Request to Retain Medium Residential Zoning for [REDACTED]
in New District Plan

Dear Lower Hutt City Council,

As owner occupiers at [REDACTED] we are writing to strongly disagree with the proposed changes to our property from medium density residential to large lot residential. The unique characteristics of this property, combined with recent infrastructure improvements, along with our intention to develop the property for our family make a strong case for maintaining its current zoning status.

The recent upgrade of water pipes very close by on Swainson Street enhance the capacity of our property to handle increased residential density more so than other parts of Lower Hutt that have not had infrastructure upgrades happen recently. This positions the property as an ideal location for responsible and sustainable growth as it is well-equipped to handle the demands of increased development, minimising concerns about potential strain on utilities.

The property itself has ample space, is in fact two lots under one title and has a flat area in front of our house which provides an excellent opportunity for well-designed housing without impacting neighbouring views. We bought this property for the land and the goal to build further on it to provide housing security for our family and their future families, which in an economic climate like today is more important than ever. A carefully planned development would enhance the aesthetic appeal of the area and contribute positively to the overall beauty of the landscape with its unique views of Naenae, much more so than the shoe box housing popping up around Naenae with no space for families or children to run around.

The accessibility of the driveway and land further supports the argument for staying in medium residential zoning. With a vision to build our dream home as we save over the years and accommodate aging parents, the current zoning aligns with our long-term plans and original investment intentions when we purchased this property. Changing the zoning would significantly devalue our property as well as undermine the purpose for which it was purchased.

It is important to recognize that [REDACTED] comprises two lots under one title. In a time where land is at a premium and in short supply, it would be unwise to disregard the potential of this property for future development. Utilizing this land responsibly, which was always our plan when we have the means, aligns with the city's growth objectives and addresses the increasing demand for well-designed housing in areas where the infrastructure can support it.

In conclusion, we urge the Council to consider our case and aspirations. The responsible utilization of our land in the future can contribute positively to the overall character of the LowerHutt community while addressing the pressing need for additional housing in the area.

Thank you,

Sincerely,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

In

From: [REDACTED]
To: [District Plan Review Team](#); [Stephen Davis](#)
Subject: [EXTERNAL] Add 2 x notable native trees to district plan?
Date: Wednesday, 31 January 2024 6:02:58 pm

Hi

Further to my conversation with Stephen this afternoon, I would like to explore whether 2 native trees (1 x Nikau, 1 x Kowhai) on my property would meet the STEM criteria to become notable trees. Both were mature trees when I bought the property in Waiwhetu in 1989 and they have grown significantly since then.

It would be fantastic if we can add them to the current district plan change that I understand is currently WIP.

When would an arborist be available to view and assess them?

I look forward to your response

[REDACTED]
[REDACTED]

Saritha Shetty

From: [REDACTED]
Sent: Tuesday, 23 January 2024 1:35 pm
To: District Plan Review Team
Subject: [EXTERNAL] Stand of Pohutukawa Trees adjacent to 1 Wilmore way, on Marine Drive, Lowry Bay
Categories: Nathan

Hi
I'm wondering if the stand of trees adjacent to 1 Wilmore Way on Marine Drive Lowry bay would be worthy of protecting?

Ngā mihi nui
[REDACTED]

This email message and any attachment(s) is intended solely for the addressee(s) named above. The information it contains may be classified and may be legally privileged. Unauthorised use of the message, or the information it contains, may be unlawful. If you have received this message by mistake please call the sender immediately on 64 4 8940100 or notify us by return email and erase the original message and attachments. Thank you.

The Ministry for Primary Industries accepts no responsibility for changes made to this email or to any attachments after transmission from the office.

Saritha Shetty

From: Nathan Geard
Sent: Tuesday, 30 January 2024 8:04 am
To: District Plan Review Team
Subject: FW: [EXTERNAL] Rezoning of Manor Park Benmour Cres

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](#)

2

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

From: Vincent Ashman <Vincent.Ashman@huttcity.govt.nz>
Sent: Monday, January 29, 2024 10:26 AM
To: Nathan Geard <Nathan.Geard@huttcity.govt.nz>
Subject: FW: [EXTERNAL] Rezoning of Manor Park Benmour Cres

I think they might be getting their terminology wrong here and this is actually in relation to the consent, but just in case I will send to you as well.

Vincent Ashman
Senior Resource Consents Planner

Hutt City Council, 30 Laings Road, Hutt Central, Lower Hutt 5010
P: **M:** 027 316 5479 **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: Resource Consents <Resource.Consents@huttcity.govt.nz>
Sent: Monday, January 29, 2024 8:30 AM
To: Vincent Ashman <Vincent.Ashman@huttcity.govt.nz>
Subject: FW: [EXTERNAL] Rezoning of Manor Park Benmour Cres

Hey Vincent,

Got 2 more complaints about the Benmore Cres waste station. I've added them to the resident correspondence folder in Te Pataka

Cheers
Eder

From: Phil Congreve [REDACTED]
Sent: Sunday, January 28, 2024 11:34 AM
To: Resource Consents <Resource.Consents@huttcity.govt.nz>
Subject: [EXTERNAL] Rezoning of Manor Park Benmour Cres

To whom it concerns.

I totally disagree with the rezoning of this area for many reasons.

Firstly the roundabout from highway 2 is a very dangerous one & with extra large vehicles entering it will cause traffic to build up onto state highway 2 there for more delays for traffic entering it from Hayward's . Also the noise factor for all in that lovely subdivision day & night!!

NOT AN OPTION FOR THE AREA TO BE RE ZONED I AM TOTALLY AGAINST IT.

Regards
[REDACTED]

Saritha Shetty

From: [REDACTED]
Sent: Monday, 27 November 2023 8:48 pm
To: District Plan Review Team
Subject: Re: [EXTERNAL] Feedback to Hutt City Council Draft District Plan – [REDACTED]

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Steve

Thanks so much Stephen. Appreciate it.

Best wishes

[REDACTED]

On Mon, Nov 27, 2023 at 10:56 AM District Plan Review Team <district.plan@huttcity.govt.nz> wrote:

[REDACTED]

Thank you for your feedback on the draft district plan. This will be included when we present feedback on the plan to councillors for their decision.

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: Carolyn Enting [REDACTED]
Sent: Saturday, November 25, 2023 11:52 AM
To: District Plan Review Team <district.plan@huttcity.govt.nz>
Cc: Blake Enting [REDACTED]
Subject: [EXTERNAL] Feedback to Hutt City Council Draft District Plan – [REDACTED]

I am writing in response to the Hutt City Council Draft District Plan in relation to the proposal to introduce a Mixed Use Zone and to how this will affect our property at [REDACTED] and registering our concerns around possible proposed development adjacent to [REDACTED] which currently abuts a car park accessed from Myrtle St. Our garden gate (which we keep locked) opens directly onto this car park.

Over the past year we have already had to endure a 2 storey commercial residential development in front of the property for which we received no notification about or consultation, and which has affected privacy, view and quality of light into our one-level home.

When considering applications for development in Mixed Use Zone areas we are not opposed to development but we are opposed to development that will reduce privacy and personal safety through being exposed, and any development that would affect sunlight and outlook, as well as any activities or industries which during operating hours will create noise that would be of the detriment to the wellbeing of our sister who lives at [REDACTED] as well as that of her elderly neighbours.

49B Laings Rd is the permanent home of Stella who has Down Syndrome. She lives independently with supported living services who visit her each day during daylight hours. It is important to us that she lives an independent life and she has been living very happily at [REDACTED] for the past 7 years and loves living in Lower Hutt Centre as it means she can walk to the supermarket, gym, part-time job and live a life that supports her wellbeing while also feeling part of the community.

Therefore we would not like to see multi-level buildings (commercial or residential) built adjacent to the property. Nor any commercial activity which would potentially pose personal safety risks (through people

being able to watch her in her home or garden as she is very vulnerable) or undue noise industrial or loud music playing that would cause disturbance and distress.

We trust that the Council wants what is best for the residents/rate payers as well as the city and ask that you take our very real concerns into consideration.

Yours sincerely

[REDACTED]

[REDACTED]

Saritha Shetty

From: [REDACTED]
Sent: Saturday, 25 November 2023 11:52 am
To: District Plan Review Team
Cc: Blake Enting
Subject: [EXTERNAL] Feedback to Hutt City Council Draft District Plan – [REDACTED]

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Steve

I am writing in response to the Hutt City Council Draft District Plan in relation to the proposal to introduce a Mixed Use Zone and to how this will affect our property at [REDACTED] and registering our concerns around possible proposed development adjacent to [REDACTED] which currently abuts a car park accessed from Myrtle St. Our garden gate (which we keep locked) opens directly onto this car park.

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We trust that the Council wants what is best for the residents/rate payers as well as the city and ask that you take our very real concerns into consideration.

Yours sincerely

Carolyn Enting
027 2525888

Saritha Shetty

From: [REDACTED]
Sent: Thursday, 14 December 2023 9:45 pm
To: District Plan Review Team
Subject: [EXTERNAL] draft district plan submission

Categories: Peter, LLRZ

Kia ora

This submission specifically relates to [REDACTED] I am an owner of that property.

Under the operative district plan, the property is zoned as Hill Residential Activity Area. This zoning was unusual, as it did not reflect the features or location of the property, and was different to the immediately adjoining residential zoned properties.

I have reviewed the draft district plan maps. The maps show that the property is proposed to be rezoned to be Medium Density Residential. This change aligns with the immediately adjoining properties. My submission is that this amended zoning is appropriate for [REDACTED] and accordingly this change is supported.

Please advise if there is any proposal to not carry through the Medium Density Residential zoning into the proposed district plan.

Nga mihi

[REDACTED]

Saritha Shetty

From: [REDACTED]
Sent: Friday, 19 January 2024 11:39 am
To: District Plan Review Team; Resource Consents
Subject: [EXTERNAL] Manor park transfer station. Opposition.

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Peter

Hi there

I am writing to express my view that there should not be a waste transfer station developed and built on the currently zoned rural land located in Manor Park.

Resource consent on this land should not be granted. Use of the land for a waste transfer station is totally unsuitable and unfair to all residents located nearby.

Thank you

Saritha Shetty

From: [REDACTED]
Sent: Friday, 17 November 2023 10:55 am
To: District Plan Team
Subject: [EXTERNAL] DP Review
Attachments: Distrist Plan.PNG

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Steve

Morning Jo

I have just recieved your letter on the review of the DP . When going to the hutt city website it says the review is closed, where as your letter says we have until the 15th December to comment. See attachment.

Cheers

[REDACTED]

District Plan Review



Consultation has closed.

We're reviewing our district plan - the city's rule book for development and how land is used. It affects every resident of Lower Hutt.

The review looks at important issues like how our city will evolve over the decades ahead, how it will look and feel, how to house a growing population, how we protect our indigenous biodiversity and historic heritage, and how we manage natural hazards and sea level rise.

We are currently seeking your thoughts on two important areas - natural hazards and aspects of residential development in Lower Hutt. There is more information under the "Key areas" tab below and you can take the surveys by clicking the "Surveys" tab. There are useful links to the right of this page about natural hazards that effect Lower Hutt.

Have your say

You can take the surveys to give us your ideas or ask one of our planners about the review by contacting us using the email address on the right of this page.



District Plan Review



Consultation has closed.

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Have your say

You can take the surveys to give us your ideas or ask one of our planners about the review by contacting us using the email address on the right of this page.



Saritha Shetty

From: Nathan Geard
Sent: Wednesday, 13 December 2023 10:23 am
To: District Plan Review Team
Subject: FW: [EXTERNAL] Re: Potential High Hazard Area at 542 Stokes Valley Road

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, Lower Hutt 5010
P: 04 570 6996 M: W: www.huttcity.govt.nz



From: Nathan Geard
Sent: Wednesday, December 13, 2023 10:22 AM
To: [REDACTED]
Subject: RE: [EXTERNAL] Re: Potential High Hazard Area at [REDACTED]

Good morning

Thank you for your email.

We will report back to councillors in the new year on the feedback that we have received on the Draft District Plan. Your feedback will be included in this (we have received similar feedback from a number of residents throughout Lower Hutt).

Kind regards

Nathan

From: [REDACTED]
Sent: Tuesday, December 12, 2023 3:02 PM
To: Nathan Geard <Nathan.Geard@huttcity.govt.nz>
Subject: [EXTERNAL] Re: Potential High Hazard Area at [REDACTED]

Hello Nathan , thank you for sending this email.

As discussed with you yesterday on the phone I am concerned about this classification. Yes there is a stream running at the back of our property, but it is approx 5 meters below the level of the section and has never caused any issues whatsoever in the 28 years we have lived here, through some pretty extreme weather events. In fact in asking questions of previous occupants of the area there was never a cause for alarm in the very extreme weather event of the mid-70's when there were houses sliding off the hillside in the Glen area of Stokes Valley. The reality is that our home and most of those around us are built almost at the top (geographically the south) of Stokes Valley Road and water does not enter our property, from the stream, but rather runs off to those areas further down the valley culminating in and around Raukawa Street, where coincidentally your Council has permitted and encouraged the construction of high density housing. I seriously doubt that any investigation has been conducted and this classification has been entered based upon someone looking at a map without any consideration of the geography and terrain in this area. My main concern with this reclassification is the resulting effect on our insurance cover and the probable resultant increase in premiums that will ensue, as we know insurers will seize any opportunity to hike their prices. As a pensioner I can ill afford this further increase in the cost of being. I hope the Council will reconsider this classification.

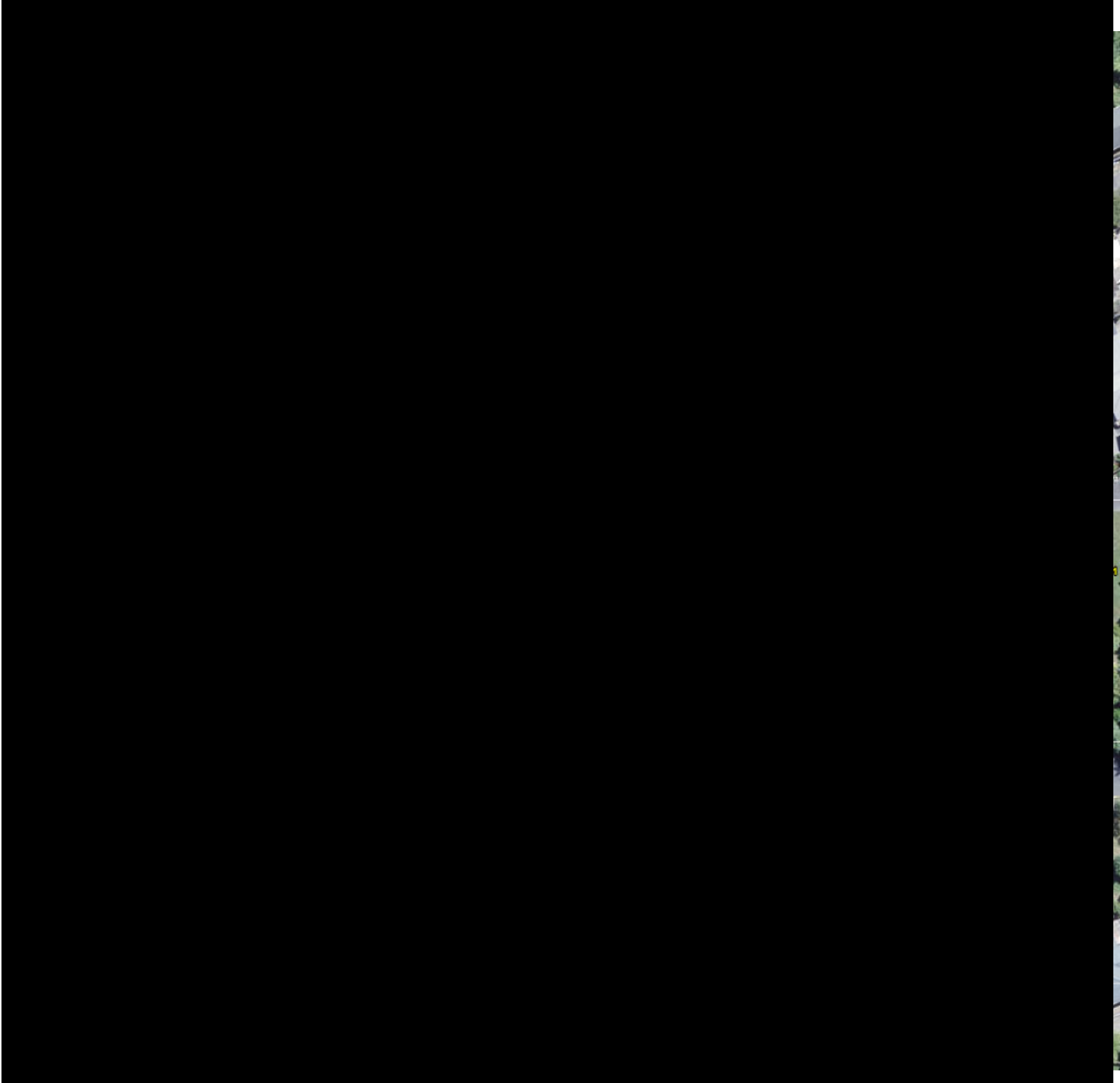
Best regards
[REDACTED]

On Mon, Dec 11, 2023 at 4:03 PM Nathan Geard <Nathan.Geard@huttcity.govt.nz> wrote:

Hi Bruce

Thank you for getting in touch regarding the potential High Hazard Area that has been identified on your property at [REDACTED]

Here's the map showing the location of the High Hazard Area that has been identified. This is effectively the location of the stream at the rear of your property.



If you'd like to provide us feedback on the potential identification of this area as a High Hazard Area, feel free to do so by replying to this email. Alternatively, you can contact me directly on 04 570 6996 if you'd like to discuss this further over the phone.

Kind regards

Nathan

Nathan Geard
Policy Planning Manager

Hutt City Council, 30 Laings Road, Hutt Central, Lower Hutt, Lower Hutt 5010
P: 04 570 6996 M: W: www.huttcity.govt.nz



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Saritha Shetty

From: Warwick Bell <warwick.bell@teamarchitects.co.nz>
Sent: Friday, 15 December 2023 4:28 pm
To: District Plan Review Team
Subject: [EXTERNAL] Submission on Hutt City Draft District Plan- Brookfield Outdoor Education Centre
Attachments: Submission on Hutt City Council draft District Plan_Brookfield_V0_15Dec2023.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Sean

To Whom It May Concern

Good afternoon.

Please find attached our submission on the Hutt City Draft District Plan for consideration.

We look forward to speaking to this submission.

Ngā mihi

Warwick Bell

BOARD CHAIR,
BROOKFIELD OUTDOOR EDUCATION CENTRE
SCOUTS AOTEAROA

C/- PO Box 12022 Wellington 6144 New Zealand
p. 04 4996123 m. 021 966862
w. <https://brookfield.scouts.nz/>



BROOKFIELD

OUTDOOR EDUCATION CENTRE

Submission on Hutt City Council Draft District Plan

By Warwick Bell, Chair, Brookfield Board, 15 December 2023

Introduction

Brookfield Outdoor Education Centre (Brookfield) is a property owned by The Scout Association of New Zealand (Scouts Aotearoa) situated at 562 Moore valley Road, Wainuiomata. It is a precious Scouting and community resource in providing a place for personal development in the outdoors. It is a place of considerable pleasure for ever increasing numbers of people, both young and older, who visit, stay and volunteer.

All people, especially youth, grow through the challenges offered in an outdoor environment where individual's skills, ability and attributes are developed. We provide the outdoor environment and facilities to enable this to happen.

Brookfield was established in 1958 following a bequest of 50 acres from the landowner, Mary Crowther, to Scouts. With the addition of a further 580 acres shortly afterwards (giving a total of 255 ha today) the property, is well situated being in a relatively remote wilderness area at the end of a Moores Valley, yet only 30mins drive from the centre of our capital city. From the upper contours of the property, it is possible to look across Wellington Harbour.

It is an officially gazetted Wildlife Refuge. In that regard it has a key ecological role to play in the region. Firstly, the section of the GWRC water catchment bordering Brookfield to the east is trapped at 50m centres as a mainland island. That will be incorporated into the sanctuary proposed for the water catchment area. Furthermore, the kiwi's released in the Remutaka Forest Park, are migrating northwards, with bird calls being recorded less than 1km from Brookfield.

Secondly Brookfield is on the important ecological flight path for birds between the Orongorongo / Wainuiomata River catchments, across Brookfield, down either side of Stokes Valley, across the Manor Park golf course to the western Hutt hills.

Finally, it is important for Brookfield to maintain being remote. In recent times the development of the upper end of Moores Valley (Crowther Rd and Brookfield Lane), has resulted in extensive residential development. Presently such development is mainly restricted to the valley floor and can not be seen from Brookfield, so the privacy and remoteness is maintained. Ensuring that into the future is an important issue for Brookfield. The other key issue arising from increased neighbourhood intensification is the increase in rateable value and the financial impacts of that.

Location

562 Moores Valley is presently zoned General Rural. Under the draft District Plan it is proposed as General Rural Zone. The boundaries are approximately plotted in red on the following Fig 1 taken from the draft planning map. The boundaries are:

- North – a landlocked block at the top (saddle to Whitemans Valley) of the valley which includes Brookfield (and which the Scouts would like to purchase);
- East – the GWRC water catchment.
- South – farm owned by the Puketapu family
- South West – presently Rural Residential; proposed rural lifestyle zone (already substantially developed on 4.5ha lots)
- West – farm owned by John and Pam Adam.



Fig 1 Brookfield Property (in red)

Submission Summary

Brookfield wishes to make the following submission:

1. Proposed Rural Lifestyle Zone, end of Moores Valley.

Brookfield objects to the application of the Rural Lifestyle Zone, as defined, to the area to the north of the end of Moores Valley Road.

2. Proposed Rural Lifestyle Zone, minimum lot size one hectare.

Brookfield objects to the minimum lot size being reduced to one hectare for the Proposed Rural Lifestyle Zone.

3. Outstanding Natural Features and Outstanding Natural Landscape overlays.

Brookfield objects to the Outstanding Natural Features and Outstanding Natural Landscapes being applied to our property.

4. Changing the Brookfield zoning designation.

That the Brookfield property be more appropriately zoned to recognise its unique nature as an Outdoor Education Centre, potentially as a special purpose zone.

We advise that we wish to provide a verbal submission in addition to this written submission.

Submission Commentary

On the particular items, we provide the following explanations.

1. Proposed Rural Lifestyle Zone, end of Moores Valley.

Brookfield objects to the application of the Rural Lifestyle Zone to the land so designated at the end of Moores Valley Road. Unlike the other parts of rural Wainuiomata, the Rural Lifestyle Zone is proposed for both existing 4.5ha developed lots and large unoccupied parcels of land at the end of Moores Valley Road / Brookfield Lane. The latter properties are owned by Goh Realty, a real estate company. The application of the Rural Lifestyle Zone, whether the minimum lot size be one hectare or larger hectare sizes less than 4.5ha, has the potential to result in a large increase in intensification of the end of Moores Valley.

As noted by others being located at the end of the valley, this will have a large effect on the traffic and upon the stream.

Furthermore, this zone will border Brookfield in part (see the green arrow on Fig 2 of the topography provided) as well as reach to the top of the ridge above and west of the Adam farm (in pink). Any development on the ridge or coming down the east site of the ridge will overlook Brookfield and destroy the wilderness attributes of the property.

We submit that a restriction on any building or clearing of the property be imposed to the east of the contour 6m below the west side of the top of the ridge running approximately north-south to the west of the Adam Farm. See yellow dotted line in Fig 2 below.

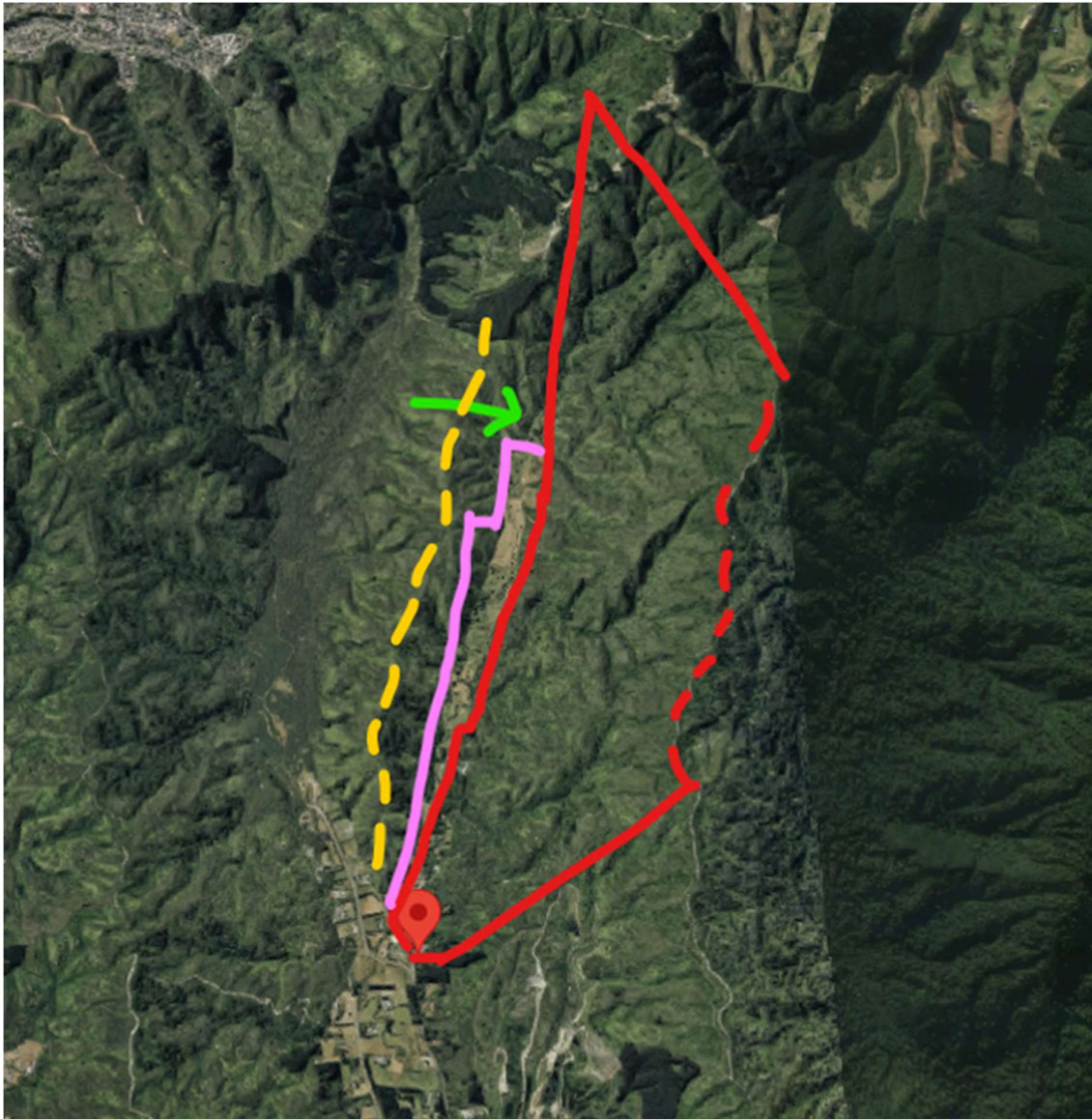


Fig 2.

2. Proposed Rural Lifestyle Zone, minimum lot size 1 hectare

Brookfield objects to the minimum lot size being reduced to 1 hectare for the Proposed Rural Lifestyle Zone, particularly in the areas at the top of Moores Valley on the following grounds:

a. The application of the Proposed Rural Lifestyle Zone to the area in increasing the number of dwellings has the potential to conflict with the activities on the Scout property. The Scout property has been well established for many years before the more recent residential neighbouring properties. While we presently maintain cordial relations with current neighbours there have been instances where activities on our property such as the flying fox have been challenged by neighbours in regard to potential nuisance. Intensification could increase such issues and we wish to avoid that.

b. Allowing subdivisions to be as small as one hectare undermines the rural character of the affected areas and reduces the wilderness impact of the environs. While we understand it was reduced under the present District Plan, previously Rural Residential had a 4.5ha minimum requirement. This was the requirement when the Brookfield Lane subdivision was established. We submit that a change from 4.5ha to 1 ha is a significant and detrimental move in enabling extensive urban development in a section of Moores Valley where a wilderness feel should be maintained. A one-hectare minimum is poses risks of air, sound and light pollution.

c) Allowing subdivisions to be reduced to one hectare puts too much pressure on the roads, particularly Moores Valley Road. Already there is extensive traffic on Moores Valley Rd.

d) A one hectare minimum is too small to ensure that neighbouring properties are not affected by the septic tanks. It also increases the risk to the waterway, particularly Wainuiomata-iti Stream (aka Wainuiomata Stream). In that regard the Crowther Stream which runs through the Brookfield property flows into the Wainuiomata-iti Stream and it is important to us that there is a good downstream flow.

3. Outstanding Natural Features and Outstanding Natural Landscape overlays.

Brookfield objects to the Outstanding Natural Features and Outstanding Natural Landscapes being applied. It is our view is that these overlays are not appropriate. The application of the Outstanding Natural Features overlay over private land on our property is over land that is not visible to the built-up areas.

More importantly we are already a designated Wildlife Reserve under the Wildlife Act and are careful custodians of our property. It Scouts ethos to look after the environment (they did start Conservation Week in NZ) and we do not believe that we should be directed in this way such that we no longer have full control over our property.

4. Changing the Brookfield zoning designation

That the Brookfield property be more appropriately zoned to recognise its unique nature as an Outdoor Education Centre.

In the time of the Wainuiomata Council before it was merged with Lower Hutt Council to form Hutt City, Brookfield and Camp Wainui (Boys Brigade Camp on Coast Road) had their own zoning which enabled both properties to develop in line with their purposes. That was lost with the first Hutt City District Plan.

We can presently accommodate around 140 persons and camp around another 800. At that scale the current and proposed General Rural Zone requirements are challenging to operate within. i.e. the limit of maximum 800sqm of floor area on the property is potentially a challenge if we wish to erect further facilities, especially when we have a 255 ha property. i.e if we wish to erect another 50sqm tramping hut or walking shelter. We have a 15m abseiling tower – that contravenes the height requirements of the zone.

As another example, in regard to the commentary around Recreation in the General Rural Zone we do not fit. i.e. no buildings may be used in association with a recreation activity.

GRUZ-R7	Recreation
General Rural Zone	<p>1. Activity status: Permitted</p> <p>Where:</p> <ul style="list-style-type: none"> a. No motorised recreational activity shall be permitted except for the enjoyment of those residents on the site and their visitors. b. No buildings may be used for or in association with a recreation activity, and c. Participation in the activity does not incur a fee, including any associated membership fee.

In conclusion to this item there are Special Purpose Zones in the draft District Plan and that would be a potential zoning option.

From: [REDACTED]
To: [District Plan Review Team](#)
Subject: [EXTERNAL] Feedback on Benmore Cres Rezoning.
Date: Thursday, 7 December 2023 10:06:10 am

As a resident of Manor Park, I feel you should be aware of the impact your zone change will have on the Mary Huse grove especially and general population of the area.

The residents are well aware of the proposed ownership and land use by Richard Burrell and Waste Management for a large portion of the new zone and I oppose this application for consent to proceed.

The operation of transfer station to landfill is not one that belongs adjacent to housing estate given the noise, smells, rodent attraction , vehicle movements, traffic flow into/out of the zone and atmospheric pollution.

I would rather see light manufacturing, warehousing, or bulk commercial operations, something that quietly sits and blends into the landscape.

Development much the same as Tunnel Grove and Parkside Road would be preferred. Let Mr Burrell and Waste Management seek more suitable land in Porirua City in the Judgeford / Pauatahanui area where there are many suitable locations for a transfer station.

Kapiti District Council transfer station is better located out at Otaihanga wellaway from urban residential areas. Lets do the same!!

Regards

[REDACTED]

Saritha Shetty

From: [REDACTED]
Sent: Monday, 11 December 2023 4:41 pm
To: District Plan Review Team
Subject: Re: [EXTERNAL] Concerns about zoning
Attachments: noname

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Sean

I do realise that the stream can flood, but being that my property is uphill of the stream and very unlikely that the water would reach my boundary I wanted to point it out. I won't say impossible but close to it, being the water would flood the property behind me and any other properties on the downward side well before the water level gets up to my boundary level

Thanks

On Mon, 11 Dec 2023, 11:53 am District Plan Review Team, <district.plan@huttcity.govt.nz> wrote:

Hi [REDACTED]

Thank you for email. I hope I can answer your concerns.

The letter you received should have stated we have identified area that is at risk from a high natural hazard. Not all the hazards that are listed apply to your site. In your instance the stream corridor 1 in 100 year event is the hazard. I have included a map of the stream corridor flood overlay below:



The information below provides some background to the process and some useful links. The maps and provisions are part of the Draft6 District Plan. This is a consultation document that doesn't have any legal effect. We are using it to engage with the community and get feedback so we can produce and notify a new district plan in 2024. The new plan goes through a specific legal process that includes public submissions and a public hearing.

You can find an overview of the district plan review [here](#).

You can access the maps [here](#). Instructions on how to use the hazard maps can be found [here](#).

You can access the draft district plan [here](#).

You can provide feedback on the draft district plan [here](#).

A guide to understanding residential zones can be found [here](#)

A guide to understanding natural hazards can be found [here](#).

The purpose of this of the hazard overlay to map areas where water flowing within streams could pose a threat in flood conditions. An important function of the District Plan is to manage use and development in areas where there

are natural hazards. Stream flows in floods pose are considered a high risk. Identifying areas adjacent to streams allows Council to manage any potential building in and around the stream, and earthworks or other activities that might dam water and flood a property or divert water onto other properties. It protects properties downstream from flooding as it enables Council to control subdivisions and mitigate effects of additional runoff into the stormwater system more effectively.

The hazard area has been mapped by Wellington Water Ltd, the independent company that manages the stormwater system for the Wellington Councils. The hazard is based on a 1 in 100-year storm event. This means that there could be a risk even if you haven't experienced flooding while you have lived in the area for 10 years. The engineers and scientists employed to undertake this work are the experts on the stormwater system in Stokes Valley. Their role is to ensure that stormwater system functions efficiently and reduces the risk of flooding to the community.

I can't comment on valuation or insurance premiums as they are separate issues outside the district plan process. I think it's worth considering:

- The hazard is already mapped in the Operative District Plan,
- You have a stream on your property.
- Flooding of streams is known historical hazard in Stokes Valley.

I hope this helps. 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: Saturday, December 9, 2023 6:26 PM
To: District Plan Review Team <district.plan@huttcity.govt.nz>
Subject: [EXTERNAL] Concerns about zoning

Hi, I'm writing with my concerns about being zoned in a High Hazard Area in Stokes Valley, my address is [REDACTED]
[REDACTED] I have looked at the mail sent and the four High Hazard Area guidelines and am surprised my property is zoned as such. I doubt a Tsunami will affect my property, fault lines run through the whole country and unless you know something I don't? It's anyones guess as to their exact location, my stream boundary is significantly uphill and I am pretty sheltered as far as storms go, unless everybody in Stokes Valley is at that same risk, which I believe not as I have read that lots of people never got this mail then where is my high risk?

This concerns me for two reasons, insurance premiums and potential development

Any information would be much appreciated

Thanks

[REDACTED]

Saritha Shetty

From: [REDACTED]
Sent: Tuesday, 28 November 2023 10:00 am
To: District Plan Team
Cc: [REDACTED]
Subject: [EXTERNAL] Hutt City Council draft district plan

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Check if replied, Sean

Hi there,

I recently received a letter dated the 8 November 2023 advising me that my property at [REDACTED] may be affected by proposed changes in the Hutt City Council district plan. It ask for feedback, however there is a lack of detail as to what the proposed changes are or could be, so that makes it difficult to provide feedback.

I have searched on your website and have called through the 0800 number and had a contact centre staff member try to search as well but no information was available.

I have also left a message to your team to get back to me on the 28/11/23.

My property is 1 of 11 which has a double street frontage, one from King and one from Queen. My property I think is the only one that has not been sub-divided or have a garage built at the back of King Street. If these proposed changes affect my ability to make changes on my property it will have a significant detrimental affect on the properties value.

Therefore I am very concerned as to what these proposed changes are so that I can provide informed feedback.

Given the the public feedback deadline of 15 December 2023 is looming quickly, please provided details of proposed changes as soon as possible.

Kind regards,

[REDACTED]

Saritha Shetty

From: [REDACTED]
Sent: Friday, 19 January 2024 10:32 am
To: District Plan Review Team
Subject: [EXTERNAL] Fwd: Opposition of rezoning at Manor Park. RM230018

Kia Ora,

I would like to register my opposition of the rezoning of the rural land in Benmore Cres to Industrial for the below reasons

- **Increased traffic getting in and out of Manor Park**
- **Reduction in native birds and lizards**
- **Potential pollution of waterways**
- **Increase noise, vibration and airborne dust pollution**

Yours sincerely,

[REDACTED]

From: [REDACTED]
To: [District Plan Review Team](#)
Subject: Re: [EXTERNAL] Questions on proposed changes to rural residential
Date: Friday, 15 December 2023 3:14:49 pm
Attachments: [Submission on 2024 DDP.pdf](#)
[ATT00001.png](#)
[image001.png](#)

Hi again Sean

I have attached a letter providing our views on the zoning of our property in the Draft District Plan. I have also completed the online survey and made suggestions in other areas of the Plan. Please contact me if you have any questions.

Regards

[REDACTED]



[REDACTED]

From: District Plan Review Team <district.plan@huttcity.govt.nz>

Date: Tuesday, 5 December 2023 at 1:48 PM

[REDACTED]

Subject: RE: [EXTERNAL] Questions on proposed changes to rural residential

Hi Bill,

I can't comment on rates as it's not my area of expertise. My understanding is isn't based on the District Plan zoning. I think the rates are based on services to the site and valuation (i.e., connections to the public water supply, sewerage, rubbish collection., etc) . I think it's the cost of these maintenance servicing of these services that makes up the bulk of the cost.

Regards

Sean

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, December 5, 2023 12:31 PM
To: District Plan Review Team <district.plan@huttcity.govt.nz>
Subject: Re: [EXTERNAL] Questions on proposed changes to rural residential

Thanks Seanm, good advice. I'll look at that survey and contact you again to provide further information. I expect that the rates on the property would be higher if the zone changed from Rural Lifestyle to large lot residential - is this correct?

Cheers



On 5/12/2023, at 10:49 AM, District Plan Review Team <district.plan@huttcity.govt.nz> wrote:

Hi [REDACTED]

All good questions. My advice is as follows:

The operative district plan is the relevant legal document. I'd contact the private surveyor or town planning company to give you advice.

The draft district plan is an engagement document. It has no legal weight in terms of development or subdivision. If you believe your land should be rezoned to large lot Residential or another zone, or if you think the minimum lot size or other standards should be changed, I encourage you to provide feedback. You could this

by emailing me, phoning me or filing of the survey at this [link](#). It would be helpful if you gave the reasons supporting your argument. We will be using this information as part of the review of the district plan.

Regards

Seanm

District Plan Review Team

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

<mime-attachment.png>

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From: [REDACTED]
Sent: Tuesday, December 5, 2023 9:57 AM
To: District Plan Review Team <district.plan@huttcity.govt.nz>
Subject: Re: [EXTERNAL] Questions on proposed changes to rural residential

Hi, thank you very much for your swift response. Yes [REDACTED] is our place, sorry I should have put that in my original email.

I think that I understand the points in your answers. Basically, objectives, rules, and standards etc so block areas have changed over time, and the council has discretion to approve subdivisions on a case-by-case basis.

I have had several requests from people looking to build a house around Normandale, one of my sons also has similar interest. It feels quite selfish to sit on our block of land when others are desperate to get a home. The land isn't very productive, I have been told that the topsoil was stripped from the land when the

original subdivision of the farm happened in the late 1980s. I have four resident sheep mowing the grass for me
We also put in water and wastewater connections several years ago, so services are adjacent to the land.

This is why I am interested in the level of discretion that the council will have on subdivision options under the new plan.

Thanks again for your response to my questions.

Cheers



<image002.png>

www.energyforgood.net

From: District Plan Review Team <district.plan@huttcity.govt.nz>

Date: Monday, 4 December 2023 at 3:38 PM

To: [REDACTED]

Subject: RE: [EXTERNAL] Questions on proposed changes to rural residential

Hi Bill,

There are a number of factors that determine the existing development pattern. These include the historical equivalents of our current planning laws, district plans and resource consent applications. I have endeavoured to answer your questions below:

1. The letter I received from the HCC states that the minimum site size for the current Rural Residential Zone is 2 hectares, and that this will reduce to 1 hectare under the proposed change to Rural Lifestyle Zone. Our property is zoned Rural Residential, and some surrounding properties are zoned rural, yet these have areas much less than 2 hectares. How was this allowed for under the current zoning structure?

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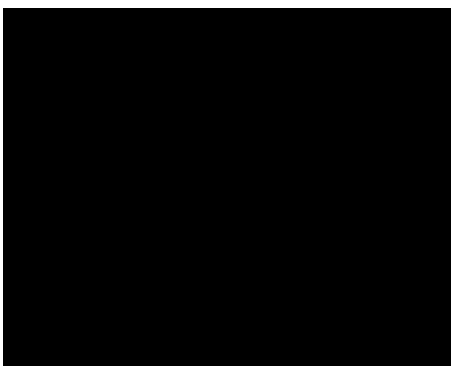
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The District Plan is a manages development through objectives policies, rules and standards. The minimum lot size is not so much a minimum lot size that can be created. It is a standard that usually requires a resource consent, or beyond which, additional effects are assessed. Your property and other properties around it were created via application for subdivision and resource consent and would have been assessed based on the regulations of the day.

- 2. Under the proposed Rural Lifestyle Zone could a property of say 1.5 hectare be reduced to a 1-hectare block and a 0.5 hectare block? If not, will the Council have any discretion in allowing a subdivision of a Rural Lifestyle block into smaller areas if there are sound reasons why this should happen?*

Ability to subdivide depends on several factors and are assessed on a case-by-case basis. Any subdivision, as a generalisation, the smaller the new allotment created, the more difficult it may be. Reasons include reverse sensitivity and the level of built development.

Please feel free to contact me if you any further questions.

Regards

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 1:12 PM
To: District Plan Team <DistrictPlan.Team@huttcity.govt.nz>
Subject: [EXTERNAL] Questions on proposed changes to rural residential

Kia ora, I have couple of questions regarding the proposed establishment of the Rural Lifestyle Zones in place of the current Rural Residential Zones.

1. The letter I received from the HCC states that the minimum site size for the current Rural Residential Zone is 2 hectares, and that this will reduce to 1 hectare under the proposed change to Rural Lifestyle Zone. Our property is zoned Rural Residential, and some surrounding properties are zoned rural, yet these have areas much less than 2 hectares. How was this allowed for under the current zoning structure?
2. Under the proposed Rural Lifestyle Zone could a property of say 1.5 hectare be reduced to a 1 hectare block and a 0.5 hectare block? If not, will the Council have any discretion in allowing a subdivision of a Rural Lifestyle block into smaller areas if there are sound reasons why this should happen?

Look forward to your response,

Nga

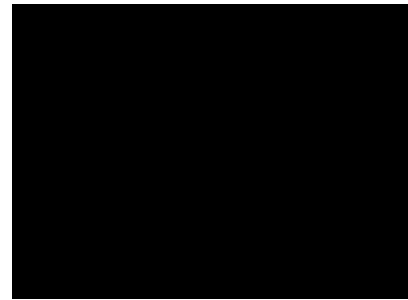
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Hutt City Council
30 Laings Road
Lower Hutt
5040
15 December 2024



Submission on Lower Hutt Draft District Plan

Thank you for the opportunity to provide feedback on the Lower Hutt Draft District Plan. We received a letter from the Hutt City Council (HCC) dated 8 November 2023 identifying our property as one that may be affected by proposed changes to the District Plan relating to the creation of a Rural Lifestyle Zone.

We have considered the information provided in the letter and on the HCC website. This was very useful. We have provided general feedback via the online survey. This letter addresses issues regarding the proposed changes to Rural Residential Zone relevant to our property and potentially to properties with similar features. Specifically, the proposed changes set out in Part 2 – District-Wide Matters/SUBDIVISION/Subdivision, Standards SUB -S1.

My understanding is that the original Rural Residential Zones were established on the fire zone boundaries at that time. The information provided on the HCC mapping tool indicates that the proposed Rural Lifestyle Zones are based on the existing Rural Residential Zones, and therefore historical fire zones.

Whilst pragmatic, the fire zone boundaries are unlikely to reflect the criteria that is relevant to the current issues facing Lower Hutt City. These issues include the growth in population, associated need for housing, and the impacts of climate change, particularly the potential loss of land for housing due to increasing risk of flooding and/or sea water inundation.

We think that our property provides a good example of how the flexible zoning could better assist management of the above issues.

Figure 1 shows the location of our property and the proposed Rural Lifestyle Zoning (dark coffee colour). The adjacent properties to the East and South are Large Residential Zones (light coffee colour), and properties to the North and West are Rural Lifestyle Zone.

Figure 1: proposed zone

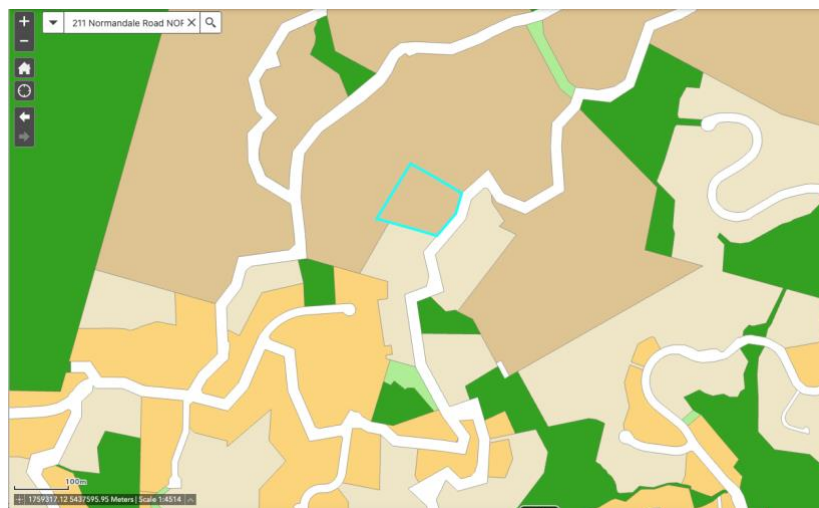


Figure 1 indicates that our property potentially has a foot in each zone, it could be either Rural Lifestyle or Large Residential, or half and half.

Supporting features for reclassification to Large Residential Zone include:

- connections to town and waste water pipelines available in the roadway – we contributed to the extension of these services in 2001;
- stormwater system is adjacent to the property;
- the section of the road is straight and should have no access issues;
- would be minimal impact on adjacent residential properties;
- visual impact of any development would be minimal (see Attachment 2).

Around 2001 we contributed to town water connection and waste water connections. At this time the HCC consultant's advice that the extensions to service connections would allow for future subdivision. The location is close to schools, bus routes and is a five-minute drive from Lower Hutt and Petone city centres.

We have had several requests from people seeking to build a home. This is because our land is adjacent to a road, has all the services nearby, and is next to residential properties. The land would provide great sections for young families to build their own homes.

The land is not productive. We have been told that when the original subdivision of farmland occurred in the late 1970s, the land was stripped of topsoil. The land is made up of clay, with minimal topsoil. Currently we have four sheep keeping the grass short. There are also several rabbits taking up residence.

The combination of requests for building sections, and the limited productivity of the land, has made us feel somewhat selfish to be sitting on this resource when it could be used for family homes.

Potential zoning solutions

The obvious option is to change our property to Large Residential Zone. This would allow new family homes to be located on the Normandale Road boundary.

Alternatively, rather than hard zone boundaries, the District Plan should include shaded areas where the zone boundary could be moved if the land had the potential to better meet an alternative zone use profile. For example, where a change in zoning could be achieved with minimal impact on infrastructure, adjacent properties, and the environment.

It is likely that there are other properties in similar situations to ours where flexibility in the zoning and minimum allotment sizes would be sensible.

Conclusions

Thank you for the opportunity to provide feedback on the Draft District Plan. We hope that our points are helpful to the HCC. We would be happy to discuss any questions.

Na mihi nui

██████████

████████████████████

Attachment 1: Property Information

Property information:

Property: 8028200, Lot: LOT 1 DP 51223, Land Area: 11,741 square metres

Location 1



Attachment 2: Aspect from the Hutt River



The property can be seen in the centre of the ridge line from the Hutt River bank as a grassed area. Any homes built on the Normandale Road section of the property are unlikely to be visible from Lower Hutt.

Saritha Shetty

From: [REDACTED]
Sent: Monday, 18 December 2023 2:12 pm
To: Sean Bellamy
Subject: Re: [EXTERNAL] [REDACTED]

Follow Up Flag: Follow up
Flag Status: Completed

Kia ora Sean,
Thanks for your emails.

Could you please register our response as: [REDACTED]
[REDACTED]

I've now spoken with Fraser and we aim to meet in person at the start of February to discuss the situation further. We are likely to continue to object at that time but are happy to discuss finer details next year.

Thanks also for your time on the phone last week, much appreciated.

Ngā mihi nui,
[REDACTED]

On Mon, Dec 18, 2023 at 11:30 AM Sean Bellamy <Sean.Bellamy@huttcity.govt.nz> wrote:

Hi Beth,

My apologies if I didn't reply to your email from last week. I'm happy for you to provide your feedback by the end of this week. I can still include it in the District Rlan 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: Thursday, December 14, 2023 12:42 PM
To: Sean Bellamy <Sean.Bellamy@huttcity.govt.nz>
Subject: [EXTERNAL] [REDACTED]

Kia ora Sean,

Could you please allow us an extension to providing feedback on the DP until next week?

Ngā mihi,

[REDACTED]

Saritha Shetty

From: [REDACTED]
Sent: Monday, 27 November 2023 8:05 pm
To: District Plan Team
Subject: [EXTERNAL] Large Lot Residential Zone question. [REDACTED]

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Sean

Kia Ora,

I received a letter with the proposed district plan stating that our property might be considered as Large Lot Residential Zone.

In the proposal it states that properties in that zone would have a minimum of 1000m².

Our property only has 766m² (28 Matipo Street) and so does our neighbours, which has also received the letter, and has a surface of 304m² (26 Matipo Street)

I was wondering why those 2 properties have been targeted.

If the area is under 1000m² can they still have the consideration as Large Zone Residential Zone?

Kind regards,

[REDACTED]

[REDACTED]

Saritha Shetty

From: Sean Bellamy
Sent: Monday, 25 March 2024 4:55 pm
To: District Plan Review Team
Subject: FW: [EXTERNAL] Feedback to proposed rules of the DP - [REDACTED]

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](#)

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 the text "We're currently at: Water Restriction Level 2" and logos for Wellington Water and Hutt City, along with a "Click to learn more" button. The yellow section features a graphic of three water droplets with the number "2" inside the middle one, and the text "No sprinklers or irrigation. Only water your garden by hand."

From: District Plan Review Team
Sent: Monday, December 18, 2023 8:04 AM
To: [REDACTED]
Subject: RE: [EXTERNAL] Feedback to proposed rules of the DP

Hi

Thank you for your email. Your feedback has been recorded and will be included in the District Plan review process.

Regards

From: [REDACTED]
Sent: Friday, December 15, 2023 3:16 PM
To: District Plan Team <DistrictPlan.Team@huttcity.govt.nz>
Subject: [EXTERNAL] Feedback to proposed rules of the DP

Dear Hutt City Council members and staff

I am writing to you to respond to your letter of 8 November 2023 advising of the proposed rules changes and a reclassification of our property at [REDACTED]. Your letter did not specify exactly which of the four new High Hazard Areas re-zoning applies to us but after reviewing the maps I concluded that it is the stream corridor that is of concern.

I wish to offer the following observations:

We have been living at this address since October 1998, and as such experienced two significant flooding events right after we moved in.

The yellow line in screenshot indicates the extent of flooding during those events.

At the time my neighbour, Heather Wilson from [REDACTED] commented that that was the worst flooding of her 40 years of living there.

In 2006 GWC installed the Opahu Stream pump station and this has significantly reduced the flooding frequency and volume. Only once or twice did we see the stream rise out of its designated corridor - refer to the green line on the attached screenshot.

According to your maps, your suggested worst case indicates wide-spread inundation in Central Lower Hutt, in an area that council has now designated as high density living. You only have to look at recent housing developments in the central area to realise that water infiltration areas are diminished and will completely disappear if the current trend continues. I put it to you that Council policies are directly contributing to the inundation potential.

Reclassifying our properties as inundation-prone is not only going to affect our insurance, in our case it will likely prevent us from subdividing our property for our two children.

I would very much like to know what steps are taken to minimise the impact on our properties. Are you planning on installing extra pump stations as part of the River Link upgrade? Is the stormwater capacity being upgraded to hold step with urban development? Are there any limits imposed on growth / urban development to allow for adequate infiltration areas?

Council has to take responsibility and offset the increased flooding risk through urban development.

I look forward to your response and seeing solutions presented to mitigate potential inundation.

Please put me on your mailing list for regular updates.

Kind regards,

[REDACTED]



Saritha Shetty

From: [REDACTED]
Sent: Monday, 8 January 2024 11:03 am
To: District Plan Review Team
Subject: [EXTERNAL] District Plan Review - Proposal to Rezone Benmore Crescent, Manor Park

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Sean

Hello

I email in regards to the proposal to rezone the land in Benmore Crescent, Manor Park from Rural to Industrial. I oppose this proposal.

I have serious concerns around this proposal and the impacts it will have on our well established and long standing residential community. Other concerns are below

Safety concerns with the Flyover

- When exiting Manor Park, there is a blind corner that prohibits any visibility of traffic coming through the flyover from Haywards, which is often at speed, resulting in people exiting Manor Park needing to take unnecessary risks on a daily basis
- When traffic comes around the flyover from Haywards or Upper Hutt to head south, the flyover splits into 2 lanes, which is confusing and is not adhered to or used correctly by motorists (including police officers), resulting in last minute and unsafe lane changes and cutting across traffic, also putting motorist trying to turn left out of Manor Park at risk.
- With the imminent closure of Hebden Cres/SH2 right turns, this is going to result in even more traffic, including large trucks using the flyover to head south, further increasing the risk and challenges in getting into and out on Manor Park safely. This will require trucks to use a slip lane to enter the ramp into the flyover, but then also cutting across 2 lanes of traffic to be able to turn right.
- Several truck drivers have also confirmed that even at their elevated height, they struggle to be able to see traffic coming through from the Haywards when exiting Manor Park, and say it is only a matter of time before a serious accident occurs.
- Due to the steepness of the off ramp into Manor Park, truck drivers have confirmed that the weight of their trucks when fully loaded makes it unsafe for them to come down without using their engine breaks, and whilst they know it is noisy and disruptive to the residential neighborhood, it is a safety concern and requirement for them.
- At times there can be a large tail of traffic banked up the ramp when the rail crossing barrier arms are down. If more than 8 vehicles or large trucks were caught up in this tail, traffic could easily extend back into the flyover, impeding traffic flow through the flyover

Roading Infrastructure does not support the types of traffic and vehicles associated with industrial activities

- Currently it is not possible for large trucks to safely and legally make a left turn out of Benmore Crescent without crossing over into the lane of oncoming traffic, coupled with a blind corner, and often a tail of traffic backed up waiting at the rail crossing makes this turn very unsafe.
- Currently it is not possible for large trucks to safely and legally make a left turn out of Manor Park onto the flyover to head south onto SH2 without crossing over and using the right turn lane in order to turn left

- If a large truck were to miss the turn into Benmore Cres, there is no provisions for them to be able to turn around safely elsewhere in Manor Park.
- As mentioned above, the steepness of the ramp into Manor Park poses safety concerns with large fully laden trucks, requiring them to use engine brakes.
- There is currently no provisions for a right turn/give way lane into Benmore Cres, and when large fully loaded trucks come into Manor Park, they frequently do not/can not stop to give way to through coming traffic on Manor Park Rd.

Impacts on the community & environment

- Manor Park is a long standing residential neighborhood that is bordered by serene walks, cycle trails, Te Awa Kairangi and Manor Park Golf Sanctuary which was established 110 yrs ago. We have an abundance of native birds, lizards, eels and trout and the community are working hard to protect these through our Pest Free Manor Park initiatives. Having the land re-zoned as industrial will destroy natural habitats of the fish & fauna in the area, it will likely increase pests & rodents, and increase the likelihood of rubbish and pollution run off into neighbouring streams and waterways that feed into Te Awa Kairangi and the Taita Gorge aquifer
- The proposed land to be re-zoned is in some places is less than 30m from neighboring residential properties in Mary Huse Grove, an industrial zoning will change the environment we live in significantly, impacting our quality of life and wellbeing, we will no longer be able to enjoy the typography and outlook of the natural environment, or enjoy the peace and tranquility of our own homes and back yards.
- An industrial environment will take away the natural permeable surfaces of approx 13ha land, resulting in significant amounts of water to run off and will need to be distributed elsewhere, increasing the risk of this entering our waterways
- Manor Park is also home to a large private hospital, care facility and IHC supported living homes, as well as many young children and retirees, all who enjoy the safety and serenity that Manor Park offers, especially being able to walk, play and ride bikes freely without the risk of increased traffic and heavy vehicles/trucks on the roads.

Water Supply

- Currently Manor Park has a failing water infrastructure, with frequent burst mains, particularly down Mary Huse Grove, which often results in water being cut off for extended periods time to accommodate repairs.
- Currently there is no water supply down Benmore Crescent, but we are aware that the developer of this land is planning on tapping into the residential water supply at the top of Mary Huse Grove.
- The Developer of the land has also already identified that the residential water supply is not sufficient for fire fighting purposes. This is putting the neighborhood, and the rail network at risk should a fire break out.
- The HCC have identified that the Manor Park / Haywards reservoir / emergency water supply as it not sufficient for the population of Manor Park & Haywards as it currently stands, and needs to be tripled in capacity. An industrial zone will put even greater pressure on this water supply.

Whilst I appreciate that the historically the land has been used for small light commercial businesses such as nurseries, orchards, LOTR film site, lumber yard, Paint Ball adventure games, transportable pine cone cabins, and concrete culvert storage, these were all non disruptive ventures that did not produce any noise, smell, pollution or rubbish, and they had very limited operational hours and did not generate an excessive increase in traffic or require any heavy vehicles or trucks.

Thank you for taking the time to consider my concerns.

Kind regards,



Saritha Shetty

From: ContactHCC
Sent: Wednesday, 13 December 2023 2:13 pm
To: [REDACTED]
[REDACTED] FW: [EXTERNAL] Feedback for changes of District Plan

Importance: High

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Steve

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: Wednesday, December 13, 2023 1:33 PM
To: ContactHCC <contact@huttcity.govt.nz>
Cc: [REDACTED]
Subject: [EXTERNAL] Feedback for changes of District Plan
Importance: High

Kia ora Jo,

We hope this email finds you well.

There are Aria and Brydon. We have received the letter that our property may be affected by proposed changes in the Hutt City Draft District Plan. Our property is at [REDACTED]

[REDACTED] where in medium density residential zone at present and may will be change to large lot residential zone.

We have following questions about the change, and we are looking forward to your reply.

1. As for the single dwelling in large lot residential zone, what is the storey limitation of the dwelling? If we plan to extend our present house, such as build extra living room, more bedrooms and bathrooms, will there be any limitation of that?
2. A minor additional dwelling can be built on the land. What is the size indication of the additional dwelling? Can the additional dwelling include bathroom and kitchen?
3. Will the change affect the sell of the property in the future?
4. Please let us know more information about the difference of our property in the medium density residential zone and in large lot residential zone.

Thank you for your attention.

Have a great day.

[REDACTED]

Saritha Shetty

From: [REDACTED]
Sent: Thursday, 14 December 2023 8:03 pm
To: ContactHCC
Cc: District Plan Review Team; [REDACTED]
Subject: Re: [EXTERNAL] Feedback for changes of District Plan

Categories: Peter, LLRZ

Kia ora,

We would like to express our thanks to Stephen from district plan review team for answering our questions.

Now we would like to let Hutt City Council know that we want our property keep staying in medium density residential zone.

Please contact us if there is any further question about that.

Thank you for your attention.

Regards

[REDACTED]

On 13/12/2023, at 3:31 PM, District Plan Review Team <district.plan@huttcity.govt.nz> wrote:

Hi [REDACTED]

In response to your questions:

1. The draft height limit is 8 metres, which is generally going to allow for two storeys. There are a number of standards any new building would need to meet, such as a building coverage limit, setbacks, and height in relation to boundary.
2. There's no explicit limit on the size of the minor unit in the draft, but it needs to be associated with the main unit and held in the same ownership. The additional dwelling can include bathrooms and a kitchen (and if it doesn't have either, it would be unlikely to count as a minor additional unit – it would just be part of the main house).
3. The plan doesn't affect your ability to sell your property when to and to whom you like. The price people are willing to pay for property can depend on the zoning, but it's hard for us to predict the effect of this (and what will happen to the property market in general).
4. The major difference between the Medium Density Residential Zone and the Large Lot Residential Zone is the density of homes allowed on the site. The Medium Density Residential Zone allows up to three homes per site, with no minimum site size. The Large Lot Residential Zone allows one main and one minor unit per site, and does not allow subdivision to below 1000m². The Large Lot Residential Zone also has more restrictive limits on the height and location of buildings.

There's more general information about the draft district plan on our website at <https://www.huttcity.govt.nz/council/district-plan/district-plan-review>, including a summary factsheet about the residential zones and the full text and maps of the draft plan. There's also a

survey form that allows you to have your say on the draft. Alternatively, 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: ContactHCC <contact@huttcity.govt.nz>
Sent: Wednesday, December 13, 2023 2:13 PM
To: [REDACTED]
Subject: FW: [EXTERNAL] Feedback for changes of District Plan
Importance: High

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: Wednesday, December 13, 2023 1:33 PM
To: ContactHCC <contact@huttcity.govt.nz>
Cc: Brydon Burns <burnsb@hotmail.co.nz>
Subject: [EXTERNAL] Feedback for changes of District Plan
Importance: High

Kia ora Jo,

We hope this email finds you well.

There are [REDACTED] We have received the letter that our property may be affected by proposed changes in the Hutt City Draft District Plan. Our property is at [REDACTED] where in medium density residential zone at present and may will be change to large lot residential zone.

We have following questions about the change, and we are looking forward to your reply.

1. As for the single dwelling in large lot residential zone, what is the storey limitation of the dwelling? If we plan to extend our present house, such as build extra living room, more bedrooms and bathrooms, will there be any limitation of that?
2. A minor additional dwelling can be built on the land. What is the size indication of the additional dwelling? Can the additional dwelling include bathroom and kitchen?
3. Will the change affect the sell of the property in the future?
4. Please let us know more information about the difference of our property in the medium density residential zone and in large lot residential zone.

Thank you for your attention.
Have a great day.

[REDACTED]

Saritha Shetty

From: Imogene Jones <Imogene.Jones@minterellison.co.nz>
Sent: Friday, 15 December 2023 5:23 pm
To: District Plan Review Team
Cc: [REDACTED]
Subject: [EXTERNAL] Argosy Property No. 1 Limited - City of Lower Hutt District Plan Feedback [MERWNZ-MERWLIB.FID817258]
Attachments: Argosy Property No. 1 Limited - City of Lower Hutt District Plan Feedback.pdf
Follow Up Flag: Follow up
Flag Status: Completed
Categories: Steve

Kia ora,

We act for Argosy Property No. 1 Limited (**Argosy**). Argosy appreciates the opportunity to provide feedback on the City of Lower Hutt Draft District Plan (**DDP**).

Please find the **attached** table setting out feedback on relevant provisions of the DDP.

It would be appreciated if you can confirm receipt.

Kind regards
Bianca and Imogene

Imogene Jones (she/her)

Solicitor

T +64 9 353 9986 M +64 27 296 1723

imogene.jones@minterellison.co.nz

MinterEllisonRuddWatts

minterellison.co.nz | LinkedIn



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City of Lower Hutt Draft District Plan Feedback: Argosy Property No. 1 Limited

Chapter / Sub-part	Specific provision/matter	Lower Hutt Draft District Plan (DDP)	Feedback on DDP
Light Industrial Zone	LIZ-S1	<p>Height:</p> <p>Buildings and structures must have a height above ground level of no greater than: The height shown in the Specific Height Control Overlay applying to the site, if any, or In any other case, 22 metres.</p>	Argosy supports the maximum height specified in LIZ-S1.
Heavy Industrial Zone	HIZ-S1	<p>Height:</p> <p>Buildings and structures must have a height above ground level of no greater than 22 metres.</p> <p>When this standard is not met, discretion is restricted to:</p> <ol style="list-style-type: none"> 1. Visual amenity and access to sunlight and daylight in public spaces, 2. Visual dominance and privacy impacts, 3. The urban design outcomes in HIZ-P9, and <p>Any positive effects that can only be achieved through non-compliance with the standard.</p>	Argosy supports the maximum height specified in HIZ-S1.
Definitions	Potentially hazard sensitive activity	<p>Means the following land use activities:</p> <p>...</p> <p>j. industrial activity</p>	Argosy supports the placement of 'industrial activity' within the definition of a potentially hazard sensitive activity.
Natural Hazards	Introduction		Argosy support the approach to categorization of natural hazard

Chapter / Sub-part	Specific provision/matter	Lower Hutt Draft District Plan (DDP)		Feedback on DDP	
		Natural Hazard Overlay	Respective Hazard Ranking	overlays, including the addition of the Wellington Fault Induced subsidence overlay, and Liquefaction Hazard Zone to the DDP.	
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 Zone		
Inundation Area (1% AEP flood event + 1m sea level rise)	Low				
Natural Hazards		NH-01	Risk from Natural Hazards in High Hazard Areas of the Natural Hazard Overlays: Subdivision, use and development within the High Hazard Areas of the Natural Hazards Overlays reduce or avoid increasing the existing risk from natural hazards to people, buildings and structures		Argosy supports the use of the language “reduce or avoid increasing” high hazard risk in NH-01.
Natural Hazards	NH-P2	Levels of Risk:	Argosy supports the general intention of this provision.		

Chapter / Sub-part	Specific provision/matter	Lower Hutt Draft District Plan (DDP)	Feedback on DDP
		<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 use and development that have either low occupancy or low replacement value within the low, medium and high hazard areas of the Natural Hazard Overlays. 2. Requiring use and development 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. Reducing, or avoid increasing existing risk through subdivision, use and development 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 structures. 	<p>However, 'subdivision, use and development' has been replaced with 'subdivision, buildings, and activities' throughout NH-P2.1. – NH-P2.3. The language of the DDP needs to be clear and consistent, and Argosy seek amendments to NH-P2 to apply 'subdivision, use and development' throughout NH-P2.1. – NH-P2.3., as this terminology will be easier to follow for plan users.</p> <p>Argosy considers that the language used in NH-P2.3. does not accurately reflect the language of the Natural Hazards chapter. For example, NH-01 uses the terminology 'reduce or avoid increasing risk' in high hazard areas. 'Reduce or avoid increasing existing risk' should be reflected in NH-P2.3, by using this phrase in replacement of the word 'avoid'.</p>
Natural Hazards	NH-P9	<p>Subdivision, use and development in the Flood Hazard Overlay are managed as follows:</p> <ol style="list-style-type: none"> 1. ... 2. ... 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: <ol style="list-style-type: none"> i. The implementation mitigation measures; ii. The depth of the flood waters within the building; or 	Argosy supports NH-P9.

Chapter / Sub-part	Specific provision/matter	Lower Hutt Draft District Plan (DDP)	Feedback on DDP
		<ul style="list-style-type: none"> iii. The type of activity undertaken within the building; and 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. 	
Natural Hazards	NH-P10	<p>New buildings and the Conversion of Existing Buildings in the Liquefaction Hazard Overlay</p> <ul 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. ... 	<p>Argosy supports the intention of NH-P10.</p> <p>Argosy considers that the 'Liquefaction Hazard Overlay' should be clearly defined in the DDP, mirroring the approach taken to defining the Coastal Hazard Overlays in the Coastal Environment Chapter Introduction.</p>
Natural Hazards	NH-P11	<p>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> <ul 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 Fault Induced Subsidence Hazard Overlay; 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 3. ... 	<p>Argosy supports the intention of NH-P11.</p> <p>Argosy considers that 'Fault Induced Subsidence' should be clearly defined in the DDP, mirroring the approach taken to defining the Coastal Hazard Overlays in the Coastal Environment Chapter Introduction.</p>
Natural Hazards	NH-R9	<p>Additions to existing buildings that contain Potentially Hazard Sensitive Activities and Hazard Sensitive Activities in the Inundation Area of the Flood Hazard Overlay</p>	<p>Argosy supports NH-R9.</p>

Chapter / Sub-part	Specific provision/matter	Lower Hutt Draft District Plan (DDP)	Feedback on DDP
		<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-R9-1.a cannot be achieved.</p> <p>3. Matters of discretion are restricted to:</p> <p>a. The relevant matters in NH-P9.</p>	
Natural Hazards	NH-R14	<p>New buildings and structures and the Conversion of Existing Buildings that will contain Potentially Hazard Sensitive Activities within the Inundation Areas of the Flood Hazard Overlay</p> <p>1. Activity Status: Restricted 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 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>Matters of discretion are restricted to:</p> <p>b. The relevant matters in NH-P9.</p>	Argosy supports NH-P9.

Chapter / Sub-part	Specific provision/matter	Lower Hutt Draft District Plan (DDP)		Feedback on DDP									
		<p>2. Activity Status: Discretionary Where:</p> <p>a. Compliance with the requirements of NH-R14-1.a cannot be achieved.</p>											
Coastal Environment	Introduction	<table border="1"> <thead> <tr> <th data-bbox="524 485 1176 539">Coastal Hazard Overlay</th> <th data-bbox="1189 485 1624 539">Respective Hazard Ranking</th> </tr> </thead> <tbody> <tr> <td data-bbox="524 544 1176 635">Tsunami – 1% AEP scenario inundation extent with 1m Sea Level Rise</td> <td data-bbox="1189 544 1624 635" rowspan="2">High</td> </tr> <tr> <td data-bbox="524 639 1176 730">Existing Coastal Inundation Extent with 1% AEP storm tide and wave setup</td> </tr> <tr> <td data-bbox="524 735 1176 826">Tsunami – 0.2% AEP scenario inundation extent with 1m Sea Level Rise</td> <td data-bbox="1189 735 1624 826" rowspan="2">Medium</td> </tr> <tr> <td data-bbox="524 831 1176 922">Coastal Inundation Extent – 1.9m Relative Sea Level Rise and 1% AEP storm tide and wave set up</td> </tr> <tr> <td data-bbox="524 927 1176 1018">Tsunami 0.1% AEP scenario inundation extent with 1m Sea Level Rise</td> <td data-bbox="1189 927 1624 1018">Low</td> </tr> </tbody> </table>	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 set up	Tsunami 0.1% AEP scenario inundation extent with 1m Sea Level Rise	Low	<p>Argosy supports the clear, consistent hazard rankings of the Coastal Hazard Overlays.</p> <p>Argosy considers that the addition of clear definitions to the DDP, with AEP expressed as fractions (i.e., 1:100), will be easier for a plan user to understand.</p>
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 set up													
Tsunami 0.1% AEP scenario inundation extent with 1m Sea Level Rise	Low												
<p>Overlays:</p> <p>Coastal Hazard Overlays – Means the mapped extent within the District Plan of the following Coastal Hazards:</p> <ul style="list-style-type: none"> • Tsunami Hazards, including the effects of climate change: <ul style="list-style-type: none"> ○ Low Tsunami Hazard (1:1000 year tsunami scenario including 1m sea level rise) ○ Medium Tsunami Hazard (1:500 year tsunami scenario including 1m sea level rise) 													

Chapter / Sub-part	Specific provision/matter	Lower Hutt Draft District Plan (DDP)	Feedback on DDP
		<ul style="list-style-type: none"> ○ High Tsunami Hazard (1:100 year tsunami scenario including 1m sea level rise) ● Coastal Inundation Hazard, including the effects of climate change and Vertical Land Movement <ul style="list-style-type: none"> ○ Medium Coastal inundation Hazard (1.9m Relative Sea Level Rise, 1% Annual Exceedance Probability storm tide and wave setup (the average raised elevation of sea level at the shore caused by breaking waves) ○ High Coastal Inundation Hazard – Coastal inundation from a 1% Annual Exceedance Probability storm tide and wave setup based on current sea levels. 	
Coastal Environment	CE-P14	<p>Additions to existing buildings and structures in the Coastal Hazard Overlay are managed as follows:</p> <ol style="list-style-type: none"> 1. ... 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 d. There is the ability to access safe evacuation routes for occupants of the building from the coastal hazard. 4. Provide for additions to existing buildings and structures for Potentially Hazard Sensitive Activities in the High Coastal Hazard Overlay where: <ol style="list-style-type: none"> a. The addition enables the continued use of the existing building; 	Argosy supports CE-P14.

Chapter / Sub-part	Specific provision/matter	Lower Hutt Draft District Plan (DDP)	Feedback on DDP
		<ul style="list-style-type: none"> b. The addition incorporates measures that reduce or do not increase the risk to people and buildings from the coastal hazard; and c. There is the ability to access safe evacuation routes for occupants of the building from the coastal hazard. <p>5. ...</p>	
Coastal Environment	CE-P15	<p>New buildings and structures and the conversion of existing buildings in the Coastal Hazard Overlay are managed as follows:</p> <ul style="list-style-type: none"> 1. ... 2. ... 3. Provide for new buildings and the conversion of existing buildings that will contain Potentially Hazard Sensitive Activities in the Medium Coastal Hazard Overlay where: <ul style="list-style-type: none"> a. The new building incorporates measures that minimise the risk to people and buildings from the coastal hazard; and b. There is the ability to access safe evacuation routes for occupants of the building from the coastal hazard. 4. Only allow for new buildings and the conversion of existing buildings that will contain for Potentially Hazard Sensitive Activities in the High Coastal Hazard Overlay where: <ul style="list-style-type: none"> a. The new building incorporates measures that reduce or do not increase the existing risk to people and buildings from the coastal hazard; and b. There is the ability to access safe evacuation routes for occupants of the building from the coastal hazard 5. ... 	Argosy supports CE-P15.
Coastal Environment	CE-R10	<p>Additions to existing buildings and structures for Potentially Hazard Sensitive Activities in the Medium Coastal Hazard Overlays</p> <ul style="list-style-type: none"> 1. Activity status: Permitted 	<p>Argosy supports the intention of CE-R10.</p> <p>Argosy considers that there has been an error in the reference to NH-P14.</p>

Chapter / Sub-part	Specific provision/matter	Lower Hutt Draft District Plan (DDP)	Feedback on DDP
		<p>Where:</p> <p>a. The additions do not increase the building footprint by more than 100m²</p> <p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance with the requirements of CE-R10.1.a cannot be achieved.</p> <p>Matters of discretion are restricted to:</p> <p>1. Relevant matters in NH-P14</p>	<p>This reference should be amended to 'CE-P14'.</p>
Coastal Environment	CE-R11	<p>Additions to existing buildings and structures for Potentially Hazard Sensitive Activities in the High Coastal Hazard Overlays</p> <p>1. Activity status: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <p>1. The relevant matters in NH-P14</p>	<p>Argosy supports the intention of CE-R11.</p> <p>Argosy considers that there has been an error in the reference to NH-P14. This reference should be amended to 'CE-P14'</p>
Coastal Environment	CE-R18	<p>New buildings or the conversion of existing buildings and structures for Potentially Hazard Sensitive Activities in the Medium Coastal Hazard Overlays</p> <p>1. Activity status: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <p>1. The relevant matters in NH-P15.</p>	<p>Argosy supports the intention of CE-R18.</p> <p>Argosy considers that there has been an error in the reference to NH-P15. This reference should be amended to 'CE-P15'.</p>

Chapter / Sub-part	Specific provision/matter	Lower Hutt Draft District Plan (DDP)	Feedback on DDP
Coastal Environment	CE-R19	<p>New buildings or the conversion of existing buildings and structures for Potentially Hazard Sensitive Activities in the High Coastal Hazard Overlays</p> <p>1. Activity status: Discretionary</p>	Argosy supports CE-R19.

Saritha Shetty

From: [REDACTED]
Sent: Wednesday, 29 November 2023 1:55 pm
To: District Plan Team
Subject: [EXTERNAL] High Hazard Areas

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Steve

Good afternoon

Can you tell us why our property [REDACTED] has been identified as a High Hazard Area? In the letter you sent dated 8 November 2023, it is not specific.

It just states that High Hazard Areas include;

- Fault rupture
- Stream corridor
- Tsunami
- Coastal inundation

Also, where can we find these so called "High Hazard Areas" identified on a map? We have had a look on the various sites but cannot find anything that resembles that.

Thank you



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Saritha Shetty

From: [REDACTED]
Sent: Wednesday, 13 December 2023 4:47 pm
To: District Plan Review Team
Subject: Re: [EXTERNAL] [REDACTED] HCC DPlan

Follow Up Flag: Follow up
Flag Status: Completed

Thank you very much for your reply. Kind regards, [REDACTED]

From: District Plan Review Team
Sent: Wednesday, December 13, 2023 10:31 AM
To: [REDACTED]
Subject: RE: [EXTERNAL] [REDACTED] HCC DPlan

Hi Anna and John,

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.

In response to the question in your attached letter about [REDACTED] – no, the draft plan does not apply the same Large Lot Residential Zone rules to that site. It is in the draft Medium Density Residential Zone and would allow 3 units per site of up to 3 storeys as of right (subject to some conditions), and so is very close to the current district plan rules for that site.

If you've got any other questions or feedback 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: Tuesday, December 12, 2023 11:46 PM
To: District Plan Review Team <district.plan@huttcity.govt.nz>
Subject: [EXTERNAL] [REDACTED] HCC DPlan

Please find attached my submission re proposed changes to the HCC District Plan that will potentially impact [REDACTED] (letter received) also confirmation if [REDACTED] is included in these changes?(no letter received)

Kind regards, [REDACTED]



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Saritha Shetty

From: Andy Mitchell
Sent: Sunday, 12 November 2023 1:18 pm
To: District Plan Team
Cc: Brady Dyer; Simon Edwards
Subject: Additional notable trees for District Plan

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Nathan

Kia ora,

I have just been reviewing 2015 STEM assessments and would like to re-nominate the following additional trees as Notable Trees please:

Opposite 107 Oroua Street, Eastbourne - Tōtara, STEM score 99 as at 6 December 2015, presumably now above the revised 100 threshold

6 Britannia Street, Petone (behind Petone Community House) - Northern Rātā, STEM score 108 as at 5 December 2015, above the revised 100 threshold

Road reserve outside 5 Jenness Grove, Harbourview - Southern Rātā, STEM score 117 as at 11 May 2015, presumably now above the 120 threshold

1 Burnside Street, Waterloo - Northern Rātā, STEM score 102 as at 27 January 2015, above the revised threshold

Note that all are on council land except for the northern rātā on Burnside Street. I will visit the owner myself to seek their permission for the tree to be assessed for protection.

Ngā mihi,

Andy Mitchell
Eastern Ward Councillor

Hutt City Council, 30 Laings Road, Private Bag 31912<x-apple-data-detectors://4>, Lower Hutt 5040, New Zealand T 021 136 1589<tel:021%20136%201589> W www.huttcity.govt.nz<http://www.huttcity.govt.nz/> F [www.facebook.com/CrAndyMitchell](https://webmail.huttcity.govt.nz/owa/14.3.439.0/scripts/premium/redirect.aspx?C=RdehxxM_ctmUUSg-etqzFR9G_34h1OCYnAA-a-GwRyXKOWDp7XnXCA..&URL=http%3a%2f%2fwww.facebook.com%2fCrAndyMitchell)<https://webmail.huttcity.govt.nz/owa/14.3.439.0/scripts/premium/redirect.aspx?C=RdehxxM_ctmUUSg-etqzFR9G_34h1OCYnAA-a-GwRyXKOWDp7XnXCA..&URL=http%3a%2f%2fwww.facebook.com%2fCrAndyMitchell>

Saritha Shetty

From: Andy Mitchell
Sent: Tuesday, 14 November 2023 7:46 pm
To: [REDACTED]
Cc: District Plan Team
Subject: Re: [EXTERNAL] [REDACTED]

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Nathan

That's wonderful, thank you Len and Lucy. And great that you know so much about the tree already. I've CCed in our District Plan Review team and will leave this in their hands.

Ngā mihi,

Andy Mitchell
Eastern Ward Councillor

Hutt City Council, 30 Laings Road, Private Bag 31912<x-apple-data-detectors://4>, Lower Hutt 5040, New Zealand T 021 136 1589<tel:021%20136%201589> W www.huttcity.govt.nz<http://www.huttcity.govt.nz/> F [www.facebook.com/CrAndyMitchell](https://webmail.huttcity.govt.nz/owa/14.3.439.0/scripts/premium/redir.aspx?C=RdehxxM_ctmUUSg-etqzFR9G_34h1OCYnAA-a-GwRyXKOWDp7XnXCA..&URL=http%3a%2f%2fwww.facebook.com%2fCrAndyMitchell)<https://webmail.huttcity.govt.nz/owa/14.3.439.0/scripts/premium/redir.aspx?C=RdehxxM_ctmUUSg-etqzFR9G_34h1OCYnAA-a-GwRyXKOWDp7XnXCA..&URL=http%3a%2f%2fwww.facebook.com%2fCrAndyMitchell>

On 14/11/2023, at 7:14 PM, Len van Hout <len.vanhout@xtra.co.nz> wrote:

Hello Andy

Lucy and I are the property owners at [REDACTED] Originally the tree in question was listed by the Wellington Botanical Society as the last of a remnant of great northern rata trees in the lower valley. They noted that the only other trees were located at the former Workshop Cafe near the river and in pockets on the eastern hills. On occasion the society has featured the tree when it is in full bloom in its publications. We knew the 2015 stem failed the test as the value of the remnant status was overlooked in the assessment. We are happy for the tree to be listed on the notable tree's schedule if that decision is approved.

Cheers
[REDACTED]

Sent from my iPhone

Saritha Shetty

From: [REDACTED]
Sent: Friday, 15 December 2023 1:32 pm
To: District Plan Review Team
Subject: [EXTERNAL] Public submissions District Plan review
Attachments: Hutt City Council District Plan review submission final 15 Dec 2023.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Steve

Kia ora,

Please find attached our submission to the above District plan review.

Please confirm receipt of this email.

Kind regards

[REDACTED]

Sent from my Galaxy

Hutt City Council Draft District Plan review

– submission form

Emailed to district.plan@huttcity.govt.nz

Our details:

Name: [REDACTED]

Postal address [REDACTED]

Phone/mobile [REDACTED]

-We are making this submission: As individuals

We would like to be heard in support of my submission in person - **Yes**.

If others make a similar submission, we will consider presenting a joint case with them at a hearing. **Yes**

This is a submission on the Hutt City Council Draft District Plan review.

We will not gain an advantage in trade competition through this submission.

We are the owners of the above property which is directly affected by the proposed changes to the District Plan with respect to the:

(a) proposed rezoning of our property to Large Lot Residential Zone; and

(b) by the proposed implementation of the High, Very High and Outstanding Coastal Character Areas.

With respect to the specific provisions of the draft plan that our submission relates to: We **oppose** the proposed changes.

We would also note for the record that the letters issued to us re the proposed changes, dated 8th November 2023, were not received by us until the 24th of November 2023. As such our ability to respond to these matters fully has been unfairly constrained.

Submission on the Draft Hutt City Council District Plan changes

Submission by [REDACTED]

Date 14th December 2023.

INTRODUCTION

We are the owners of [REDACTED] We have owned this property since 2005.

In my working life I provide property development advice and consultancy to a range of parties including major government agencies and have worked within the property industry since 1987 across property development and valuation.

GENERAL SUBMISSION POINTS

1. The following comments apply to the draft District plan:

We consider that while the high-level aspirations of the proposed District plan are commendable, the Hutt City Council has gone too far in its Housing and Ecological policy changes which will severely impact the rights of private property owners.

There is a lack of zoning consistency being applied across Eastbourne and the introduction of a new Large Lot zone is entirely inconsistent with Central Government's National Policy Statement requiring Councils to develop rules and plans for greater intensification.

The recent PC 56 outcome highlights Council's desire for increased intensification, yet despite this you are proposing a retrograde step by imposing new rules on a significant number of properties in Eastbourne without any mandate or justification. It is poor governance.

Under that PC56 our property is zoned for medium density residential. The re-zoning changes proposed (Large Lot Zone) effectively robs us of the ability to optimise the development of our property should we choose to do so in the future.

There is no cognisance of the future in your proposals, it seems the Hutt City Council are trying to fix something that is not broken. The future use of our property should not be penalised by the relatively short-term vision for the Hutt City Council. The bigger picture is

how to optimise the use of the available residential land in Hutt City to respond to the increased migration to Aotearoa and those at different ends of the social spectrum who need homes.

There is a sizeable lack of detail across these new provisions on the real impact on property owners particularly as to any proposed controls and rules that may be added to the various policies, and any compensations payable by the Council.

The forced introduction of SNAs on private land was defeated in 2018. The reasons why that was defeated still remain and nothing in this District plan review provides any more detail and rationale to support what is proposed on our or other properties in Eastbourne.

2. Impacts of proposed changes to property ownership, value, and development opportunities

The detailed comments on the two submission issues are noted below and indicate the level of refinement that should apply to these draft provisions.

Some general matters include:

- Lack of recognition of impact

There is no mention or acknowledgement of the dilution of property owner rights to achieve a proposed wider good.

The rules as proposed will have a significant impact to on current property values by removing opportunities for the future use of the property. Values are based on the highest and best use of a property and by changing the zoning and adding SNA controls or size minimum you are reducing the highest and best use, and that constraint will reduce value and rates.

If the Hutt Council is determined to implement these changes, then it should front foot the issue of compensation for loss of value and rights. What is proposed is a “quasi” easement and anyone else requiring such an instrument across freehold property would pay compensation to obtain these rights. It says a lot about the City’s attitude to working with its ratepayers that there is no mention of any compensation framework anywhere.

- Counter productive

The proposed rezoning and coastal area changes are counter-productive and will not lead to the environmental and social or housing outcomes required by Central Government. This is to promote development intensification to remove housing shortfalls, and in addition landowners will not be able to pick up the additional cost burden of maintaining a SNA area.

- Building controls

The suggestion that a 1,000 sqm site should also allowed a “Granny flat” to compensate for the loss of existing development opportunity is embarrassing. Is this the extent of imagination or creativity provided by Hutt City Council to offset the loss of current development rights and property value.

Please define a “granny flat”? and provide evidence to support the decision making on this limitation?

- Lack of detail as to the controls and obligations imposed on landowners

We have previously questioned this matter, in our initial response to the district plan. The detail matters and the lack of it creates cynicism and mistrust.

The imposition of a SNA suggests increased controls and obligations on the landowner. The lack of transparency on this issue remains a central issue.

Landowners retain the risk and liability for the condition of their property. The ability to remove vegetation that poses a risk to the safety of the property occupants and neighbours must remain with the owner and the need to obtain consents to do so will increase that risk. The Council should not be involved unless the vegetation is a “tree of significance?”

Land retention and earthworks are a necessity for hill side properties and the ability to act quickly could prevent a disaster is paramount. Owners must be able to respond without requiring consent and involving Council in that decision.

We have no issue with quarrying, mining and forestry being prohibited on our property as long as this prohibition applies to all adjoining landowners in this area including land owned by Iwi, local and central governments.

3. Large Lot Residential Zone

a. The proposed District plan maps indicate that most of the adjoining properties around our property are affected by this change. There is no evidence provided to support this change.

The real drivers for this re-zoning need to be disclosed by Hutt City Council. Is there something the property owners need to be informed about? as this is not obvious in any Council material.

b. Please provide the evidence to support the 1,000sqm minimum lot size. What is the science behind this size? This seems to be selected purely to ensure none of these properties can ever be subdivided. Please produce the precedent information that says a large lot should be fixed at 1,000sqm and the background reports that support this decision for this location (character or ecological reports to validate your position).

c. The letter we received from the Chief Executive 8th November 2023 says this relates to constraining more intensive development, such as steep slopes or a lack of infrastructure. We suggest that there is no basis for establishing this minimum in this location.

- i. There is no basis to change the current plan, the rationale provided is spurious and lacks critical evidence.
- ii. The recent PC 56 decision and outcome does not reference or require this change.
- iii. The current Hutt City Council guidelines provide ample protection for the Hutt City for hill side and medium density development.
- iv. What is proposed will limit all future subdivision for our and our neighbours' properties, which is not a practical outcome to promoting residential development across Hutt City.
- v. There is no recorded or legislated special heritage or character value of these properties. They do not need protecting, many of them are improved Bach's and Villas but none have special status.
- vi. The usable life of the dwellings will expire at some stage and the properties will need to be redeveloped to meet the needs of the community. That long term forecast is that we need more houses rather than constraining the development.
- vii. There is plenty of precedence to show that hillside development (or more intensive development) can be undertaken within this area. New Zealand has some of the strictest building and engineering guidelines in the world and the Hutt City Council retains the oversight of any development work through the resource and building consenting processes.
- viii. There is no known lack of infrastructure available in Eastbourne. New houses are still being constructed and connected to the water supply, current storm,

and sewer systems. Other infrastructure such as power and fibre are dealt with through other suppliers. Where is the evidence that there is a capacity issue with water supply, waste and stormwater systems that will prevent future residential development? Please provide evidence that there is no plan to improve this infrastructure over time within the Hutt City Council asset planning. If the planning is not available, then the Council is not doing its job effectively.

- ix. What is excluded from the letter mentioned in c. but referenced in the district plan zone definition, is that the large lots are designed for the protection of ecological values. The reports issued by Wildfire in relation to the “suggested ecological values” were tested back in 2018. The Wildfire work lacked substance and accuracy. There is no new evidence provided by Hutt City that this has changed, the evidence was refuted in 2018 and accepted by the then Council.
- x. The issue of SNA’s has been raised by the Hutt City Council previously on private property affects our property and is covered in point 2 of our submission. What is clear is that Hutt City Council is using both this proposed rezoning and proposed changes to Coastal Character Areas rules to prevent our ability to deal in any way now or into the future with the balance of our property currently in vegetation. It is a nonsense to suggest that the current vegetation has significant natural characteristics, much of which we have planted and nurtured ourselves, the balance is vegetation that should mostly be removed, leaving several Rimu and Kanuka trees. We reject the notion that the large lots should be determined by ecological values such as this, there is no basis for this, and any trees of significance could easily be built around.
- xi. Our property is currently zoned Medium density Residential Zone, there are good examples in Eastbourne where properties on the hillside have been developed in an intensive and safe manner, we seek the ability to preserve the ability for our property at some in the future to be redeveloped and utilised effectively that could provide at least one other main dwelling as against the granny flat proposed.
- xii. The site coverage seems to be still limited to 35% - while there may be some discretion to the Hutt Council to increase this, that is not an effective use of a 1,000 sqm site and if the Hutt City persists with the rezoning the site coverage needs to be increased by right not at Council discretion to enable property

owners to optimise the use of the 1,000 sqm area and derive the value lost by removing the medium density option.

4. High, very High and Outstanding Coastal Character Areas

We have received a letter dated 8th November 2023 from Jo Miller, Chief Executive, relating to the possible affects to our property from the introduction of these areas.

While the letter from Jo Miller is helpful, it states that consultation with affected parties is optional. We find that offensive given the gravity of what is proposed to our property.

We, along with a substantial number of the Eastbourne Community, objected the planned introductions of SNAs in 2018. The current proposal is the same matter with a different title.

There remains a lack of actual evidence to support this imposition.

The 2018 arguments remain. The following outlines some of these concerns. This is by no means an exhaustive list.

- The work undertaken by Hutt City Council then was a desktop view of potentially impacted land. We are not aware of any subsequent surveys undertaken and therefore surmise that this still remains as a desktop and drive-by approach. If so, this remains insufficient. This leaves affected landowners with a vague indication, at best, of where restrictions will be placed and the council's reasoning. This still does not set up landowners with any clarity to be able to abide by the suggested restrictions, especially given the dense canopy that exists in the areas outlined where precise rules are simply not possible without a marked survey line.
- We are sensitive to ecology and have planted out substantive areas of our property. The indigenous vegetation and natural features need defining as there is no such vegetation or natural features worth retention on our property. The fact remains that trees and plants will perish and simply applying such a permanent set of draconian rules to an area with a finite life is not balanced and requires far more specificity.
- We are sensitive to ecology. That is a large part of why we bought land in Eastbourne. We accept that the Council has an obligation to protect significant reserve areas within the city. Consequently, we do not believe that additional coercive controls are necessary or in the best interest of anyone. This continued coercive council approach

should not be applied as fearful and frustrated landowners are considering what measures can be taken while under duress. Council's approach has caused significant strain and stress on individuals. For example: many affected landowners had intended to use their private land, whether through sub-division or sale etc. to fund their retirement; one landowner's house sale has already been affected by the proposal in that his solicitor has received a request to exit a Sales & Purchase Agreement or reduce the asking price by 10%, and another landowner who's mental health has been impacted as a result of this stressful and unclear process has required support from a GP.

Where is the incentive for any owner to be more sensitive to ecology? Instead of this coercive approach, please set a new standard by providing positive incentives for owners to achieve your outcomes e.g., enduring rates relief for the impacted part of the property, free plants to plant out areas of potential erosion or where trees perish.

- The fact that these areas may not have been modified or only slightly is not a reason to prohibit future change. Our property was established in the 1920s and has undergone many changes since that time. It will continue to change and should be able to grow or alter to use more or less of the available land in an appropriate manner over time (beyond this next decade).
- The rear land will need additional retention at some stage. There is already retaining walls and staggered planting in place. That will need to be upgraded and improved to mitigate erosion risk for us and our neighbours. Any new rules must include the right to undertake this work for life safety reasons without restriction (other than the rules that already exist in the current district plan).
- We consider that a more appropriate and effective way of exercising council's function in this regard is for council to direct its efforts to persuade owners of important assets to consider their asset on a national scale and encourage those owners to accept such mechanisms as QE II covenants or other methods of long term protection with appropriate compensation for acceptance of these covenants.
- Based on a quick assessment of the new maps, it seems that around 1,200 properties (across the Hutt) are impacted. The use of the draft district plan review to re-propose these changes is unacceptable and given the scale of proposed change needs to be dealt with in a deliberate open manner where affected parties can see all the relevant background information.
- The proposed map online remains hard to follow – there is no information to show has this line been established for our property. We are not aware of any actual visits

to our property and therefore question the accuracy of what has been presented in the Maps and whether this can be used for this purpose with any sort of certainty.

Thank you for your opportunity to provide this submission.

Kind Regards



From: [REDACTED]
To: [District Plan Review Team](#)
Subject: [EXTERNAL] Re: Response to Proposed Rezoning under the Hutt City Council Draft District Plan
Date: Thursday, 14 December 2023 10:55:44 pm

Kia ora,

I am writing in response to your letter dated 8th November 2023 regarding the proposed changes in the Hutt City Council Draft District Plan, specifically the rezoning of my property from the Medium Density Residential Zone to the Large Lot Residential Zone.

While I appreciate the council's efforts to manage risks, protect the environment, and accommodate population and business growth, I have significant concerns about the proposed rezoning of my property for the following reasons:

Impact on Property Value: The shift from a Medium Density Residential Zone to a Large Lot Residential Zone could potentially devalue my property. The current zoning allows for more versatile use, including the possibility of developing up to three dwellings or three-storey buildings. This flexibility is a significant factor in the current value of my property. Restricting it to a single dwelling with a minor additional dwelling on a larger lot size will likely diminish its market appeal and financial worth.

Benefits of Higher Density Housing: The council's move towards lower density housing seems to run counter to the broader benefits of urban density. Higher density housing is crucial for sustainable city development. It supports more efficient use of public services, like public transport, and reduces the need for extensive and costly infrastructure. Additionally, higher density living can foster more vibrant communities and make better use of limited urban space. The proposed rezoning to lower density not only impacts individual property owners like myself but also hinders the overall progress of the city towards a more sustainable and efficient urban environment.

While I understand and support the need for a well-thought-out District Plan, I believe the proposed rezoning of my property would have adverse effects both personally and for the broader community. I urge the council to reconsider this aspect of the plan and maintain the current zoning status of my property.

Thank you for considering my feedback. I look forward to the council's decision and hope that it will reflect the concerns of the residents who are directly affected by these changes.

Yours sincerely,

[REDACTED]
[REDACTED]
[REDACTED]

Saritha Shetty

From: Mikayla Sander <mikayla.sander@jaglegal.co.nz>
Sent: Friday, 15 December 2023 9:31 am
To: ContactHCC; District Plan Review Team
Cc: amy_hunter@outlook.co.nz; David Hunter
Subject: [EXTERNAL] WRITTEN FEEDBACK ON DRAFT DISTRICT PLAN
Attachments: 20231215 LT HCC.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Steve

Good morning

We have been instructed to act for [REDACTED] who have approached us to discuss your letter of 17 November 2023.

Please find **attached** their feedback for your consideration.

Please send all future correspondence to them directly. We have copied them into this email for your ease of reference.

Kind regards,



Mikayla Sander
Senior Associate – JAG Legal
2nd Floor, 119 Queens Drive | P O Box 30633 | Lower Hutt
Tel 04 9392366 | Fax 04 915 2866 | www.jaglegal.co.nz



Our last working day for 2023 will be Thursday, 21 December 2023. The office will re-open on Monday, 8 January 2024. Best wishes for the holiday season.

This email and any accompanying attachments are, unless otherwise stated, confidential to the intended recipient. The documents may contain copyright material and/or information which is subject to legal privilege and/or solicitor – client confidentiality. If you are not the intended recipient you must not review, pass on, copy or use this email or any of the accompanying attachments. Please notify the sender immediately – by telephone, facsimile or return email and destroy the original email and attachments. The sender does not accept any liability for the integrity of, or errors in the communication of this email.

15 December 2023

Hutt City Council
30 Laings Road
LOWER HUTT

BY HAND AND EMAIL: contact@huttcity.govt.nz and district.plan@huttcity.govt.nz

WRITTEN FEEDBACK ON DRAFT DISTRICT PLAN

1. We refer to your letter dated 17 November 2023 which notified us that our property at [REDACTED] either contains a building or structure or is within an area that has been identified for its historic heritage values.
2. Under the draft District Plan it is proposed that 47 Adelaide Road is included as a heritage building and structure and that it is in a heritage area.
3. The letter provides our feedback on the plan, in particular on the following:
 - (a) whether the Council has correctly classified the building, structures or areas as having historic heritage values;
 - (b) whether there are any other buildings, structures or areas that should have been identified;
 - (c) whether the rules in the draft District Plan are appropriate to enable ongoing use of these places while also managing the impacts on their heritage values.

Has the Council has correctly classified the building, structures or areas as having historic heritage values?

4. We do not consider that [REDACTED] has been correctly classified. In our view it is not a heritage building / structure or in a heritage area for the following reasons:
 - (a) The property is not currently listed on the New Zealand Heritage List. It has therefore not been considered to have historic heritage values in the past.
 - (b) In our view, the property has been substantially changed from its original condition by the previous owner, including windows, internal features and external cladding etc. The interior of our property has not been assessed and we would invite the Council to make an assessment of the interior. Nothing about the house currently shows any character to the year it was built (1906). The exterior cladding of houses of this era was wide native wood weatherboard which is evident from most other properties located on Patrick Street. 47 Adelaide Street was re-cladded to reflect a fake brick type appearance. The window framing on 47 Adelaide Street is mixed in size and not aligned with similar properties located at 4 and 14 Patrick Street. These are key features of the exterior of 47 Adelaide Street of which the Council are advising have historic heritage values. It therefore no longer has integrity as the place has been largely

modified. It is also no longer representative of its type, era, or class which it is meant to represent.

(c) The place is not unique or rare within the district. There are two other and better examples of houses built in this era on Patrick Street – number 4 and 14.

5. We also note that the Council has not commented on whether the property is sacred or important to Maori for spiritual, cultural or historical reasons or whether the setting or context of the place contributes to an appreciation and understanding of its character, history and/or development.

Are there any other buildings, structures or areas that should have been identified?

6. We have no comment on this.

Are the rules in the draft District Plan appropriate to enable ongoing use of these places while also managing the impacts on their heritage values?

7. [REDACTED] Therefore, more of the property is visible from the street frontage / public places. This provides more extensive restrictions on us than other property owners who are affected by the draft District Plan.
8. The draft District Plan allows new buildings/structures on sites with heritage buildings/ structures and new buildings and structures on sites in heritage areas. The draft District Plan proposes that the footprint of the building/structure must be smaller than 10m2, and with a height which does not exceed 2m. This is unreasonable and further restricts the use of the property as it is a corner site property and is unlikely to have an impact on the heritage features within the area. We feel these restrictions are too restrictive and should be in line with the building code.
9. We also consider that the minimum boundary setback in the Patrick Street Heritage Area for corner sites should be set as 1m for all boundaries as there are already examples of this being 45 Adelaide Street and 50 Adelaide Street. Setting the restrictions anything above this is unreasonably restrictive. Majority of other properties on Patrick Street that are not on a corner site is within m setbacks. In our view this would not have an impact on the Heritage aspect of the property.
10. The draft District Plan proposes that an accessory building may be located within the side or rear boundary setbacks provided that the length of the building does not exceed 8.0m or 25% of the length of the boundary, whichever is the lessor. 25% of the boundary is too restrictive for an accessory building especially at the rear boundary as a section in the area is less than 12m.
11. The draft District Plan proposes that restrictions be implemented on any additions or alterations on the property. We consulted three architects (Callidus Architects, Moore Design and Raven Architecture) in 2021 to provide options on how to make 47 Adelaide Street more functional. The feedback from the architects highlighted how restrictive renovations are in a historical precinct. The current District Plan already

imposes restrictions which are both financially and administratively cumbersome restricting the reasonable use of the property.

12. We look forward to hearing further from you in respect of the proposed District Plan.

Yours faithfully

A solid black rectangular redaction box covering the signature area.

Saritha Shetty

From: [REDACTED]
Sent: Wednesday, 17 January 2024 8:18 pm
To: District Plan Review Team
Subject: [EXTERNAL] District Plan review - opposition of the rezoning of Benmore Cres to Industrial

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Steve

To the District Plan Review Committee

Please accept this as opposition to the proposal to rezone the land in Benmore Cres Manor Park from Rural to General Industrial.

Manor Park is a uniquely special place that I have had the privilege to call my home for 39 years. I grew up in Manor Park, and because of the lifestyle and community, it is where I chose to purchase my current home 22 years ago and raise my own family, so that my children could grow up and have the same childhood experiences that I had. Manor Park is a safe and caring community of young and old.

Manor Park is often referred to as 'Lower Hutt's best kept secret' due to its park like surrounds, it has the feeling of being rural, without being rural. It has a small but very close knit community who all know each other and look out for one another and regularly come together for community picnics and BBQ's. We have a strong neighbourhood watch and emergency response team, as well as an active and successful predator free group where we were awarded a significant grant from Predator Free NZ to implement. Many of the residents in the community are long standing residents, some who have lived here for over 60yrs, and many that are generational home owners who like myself grew up here and have chosen to raise their own children here. On the very rare occasion that a house is put up for sale, it is sold incredibly quick, with many real estate agents having a database of buyers wanting to secure property in Manor Park. Manor Park is an incredibly safe community and environment where everyone who enters the suburb does so with a purpose as it has no thoroughfare. Children and elderly feel safe to play and explore and walk freely throughout the neighbourhood without the risk of being hit by speeding drivers or threatened by unruly characters

Part of what makes Manor Park so special is the beauty of its natural park like surrounds, native trees, native birds, lizards, eels and fish, the golf sanctuary, creeks, streams, Te Awa Kairangi Hutt river, walking and cycling trails and hikes through the neighbouring Belmont Regional Park, and the community have been working incredibly hard alongside Manor Park Golf Sanctuary to protect this environment and encourage the return of native species to the neighbourhood through pest free initiatives, and this has proven very successful with the recent discovery by GWRC of 3 different native fish (in addition to the eels) in the stream flowing through the neighbourhood, as well as NZ falcons nesting, and hundreds of native geckos being released by forrest and Bird in the area.

Changing the zoning of Benmore Cres from rural to general industrial will significantly change and impact the environment, natural outlook, topography and geography of the neighbourhood all for the worse, in addition it will significantly impact the mental health and wellbeing of the residents of Manor Park who chose to live here due to the calming naturalistic environment. Already with the approved earthworks consent we have noticed an increase in rats, and reduction in native birds, significant amounts of trees and vegetation have been removed and replaced with large open space of dusty plains. The earthworks have already created huge amounts of stress, anxiety, anguish and impacted mental health and wellbeing of residents of Manor Park through the continual noise, vibrations, dust and traffic. We can no longer sit outside and enjoy a cup tea in our own backyards and listen to the birdsong, this is replaced by the constant rumble and vibrations of diggers and compacting rollers, and our tea is now filled with fine dust, and this will only continue to increase should this land be approved to be rezoned as general industrial.

Benmore Cres has a stream that runs through the property and feeds directly into the Hutt River and is home to native eels, and I am sure would also be home to the same species of native fish recently discovered in the neighbouring stream, this also feeds into the Taita Gorge aquifer and our drinking water. By allowing industrial activities to occur on this site it increases the risk of toxins and pollutants to leach into the stream and then the Hutt River and our drinking water. The site has always been permeable land, allowing rain water to naturally soak through the land, but industrial activities will result in the site being sealed, and the removal of the permeable surfaces, where is all the rain water run off on the ground going to go? most likely into the stream and then the Hutt river, taking with it all the oils, grease and toxins on the ground from the vehicles and machinery that are typically used in an industrial zone. The site also has a major fault line that runs through it, a significant earthquake could easily rupture this fault and open the ground, further allowing toxins and pollutants associated with industrial activities to enter and contaminate the earth.

Currently there is no water supply in Benmore Cres, and the existing residential water supply in Manor Park is already failing, and it has already been identified that our residential water supply would not be sufficient for fire fighting purposes of an industrial site in Benmore Cres. Given the location of Benmore Cres and the proposed industrial zone being with 30m of residential homes and even closer to the neighbouring rail network, if a fire were to break out on this site, it would pose a significant risk to the train infrastructure, and could result in loss of homes and life.

The roading infrastructure to enter and exit Manor Park does not support industrial type vehicles (truck & trailer units) nor are there any facilities suitable to allow a truck & trailer unit to turn around should it miss the turn into Benmore Cres. Currently it is impossible for a truck and trailer unit to make a left turn out of Benmore Cres without crossing over the centre line and into the path of oncoming vehicles, nor can they make a left turn out of Manor Park onto SH2 without illegally cutting over multiple lanes to do so. The residents of Manor Park have recently worked with the HCC to improve road safety in the neighbourhood by reducing the speed limit to 40km/phr and the addition of yellow lines to prevent parking in areas that impede traffic flow and visibility, yet the proposed industrial zone will bring more traffic into the neighbourhood, as well as heavy vehicles and equipment, taking away the road safety we have worked so hard to implement. Another concern is the backlog of traffic entering Manor Park when the rail barrier arms are down, this can be anywhere from 1-4 mins and it is not uncommon for 7+ cars to back up during peak times, this amount of cars can extend back to the flyover entrance, if you were to add any trucks into the mix or additional cars that are likely to be associated with the industrial activities proposed for Benmore Cres, this traffic will protrude well into the flyover, blocking and impending traffic moving through from SH2 / SH58. The volume of traffic using the flyover will also increase over the coming months with the pending closure of right turns out of Hebden Cres. Currently exiting Manor Park already has its challenges, as there is a blind corner that prevents visibility of any traffic coming through from the Haywards, and this traffic moves through the flyover at speed, and often in the wrong lanes, if you don't move quickly out of the Manor Park intersection, you run the very real risk of being side swiped by traffic coming from Haywards Hill. Several truck drivers I have spoken to have commented on how unsafe this exit from Manor Park is, and say it is only a matter of time before a significant accident occurs here.

Whilst I do agree that the land down Benmore Cres shouldn't be zoned rural, I feel that a general industrial zone is not appropriate or in keeping with the neighbourhood or surrounding environment and natural outlook that Manor Park has always had and that an urban zoning that allows for activities that compliment the existing residential community and park like surrounds and nature of Manor Park is a more appropriate use of the land. **Park** is in the name of Manor Park and Manor Park truly lives up to its name with the park like surrounds, and the golf sanctuary that was established 100 yrs ago, and this environment should be respected and maintained.

I will be incredibly disappointed if the Hutt City Council make the decision to rezone this land as general industrial as this will impact every single person who lives in Manor Park, as well as all recreational users of the neighbourhood (walkers, runners, cyclists, golfers, kayakers, dog walkers) It will significantly change and impact the environment that we all know, love and enjoy and will impact the mental health and wellbeing of everyone who lives and visits this beautiful neighbourhood.

Kind regards,

[Redacted signature]

[Redacted address]

Saritha Shetty

From: District Plan Review Team
Sent: Wednesday, 24 January 2024 8:21 am
To: Plan Admin
Subject: [REDACTED]

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

From: ContactHCC <contact@huttcity.govt.nz>
Sent: Tuesday, December 19, 2023 12:13 PM
To: District Plan Review Team <district.plan@huttcity.govt.nz>
Subject: FW: [EXTERNAL] DRAFT DISTRICT PLAN

From: Animal Services Team <Animals@huttcity.govt.nz>
Sent: Tuesday, December 19, 2023 11:14 AM
To: ContactHCC <contact@huttcity.govt.nz>
Subject: FW: [EXTERNAL] DRAFT DISTRICT PLAN

Kia ora,

This was sent to animal services in error.

Kind regards

Animal Services Team
[Animal Services](#)

, Animal Services, 21 Meachen Street, Lower Hutt 5040
P: 04 570 6666 M: W: www.huttcity.govt.nz



From: Frances and Alistair <afhardy.nz@gmail.com>
Sent: Thursday, December 14, 2023 5:03 PM

To: Animal Services Team <Animals@huttcity.govt.nz>; <contact@hutt.city.govt.nz> <contact@hutt.city.govt.nz>
Subject: [EXTERNAL] DRAFT DISTRICT PLAN

Sent from [Mail](#) for

Thank you for your letter of 8 November outlining the proposed “Large Lot Residential Zone” within the District Plan.

We have no objection to the creation of such a zone provided the emphasis is on properties where there are constraints such as steep slopes or lack of infrastructure to further development. Our property is certainly limited by the steep slope of the hillside.

I note with interest the explanations concerning the Draft Plan available on your website.

With thanks,



Saritha Shetty

From: [REDACTED]
Sent: Thursday, 23 November 2023 7:39 pm
To: District Plan Review Team
Subject: Re: [EXTERNAL] Mixed Use Zone Proposed District Plan

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Steve

Thank you.

I thought it was happening here at Mills St, which didn't make any sense at all.

Regards

[REDACTED]

Get [Outlook for Android](#)

From: District Plan Review Team <district.plan@huttcity.govt.nz>
Sent: Thursday, November 23, 2023 4:08:13 PM
To: [REDACTED]
Subject: RE: [EXTERNAL] Mixed Use Zone Proposed District Plan

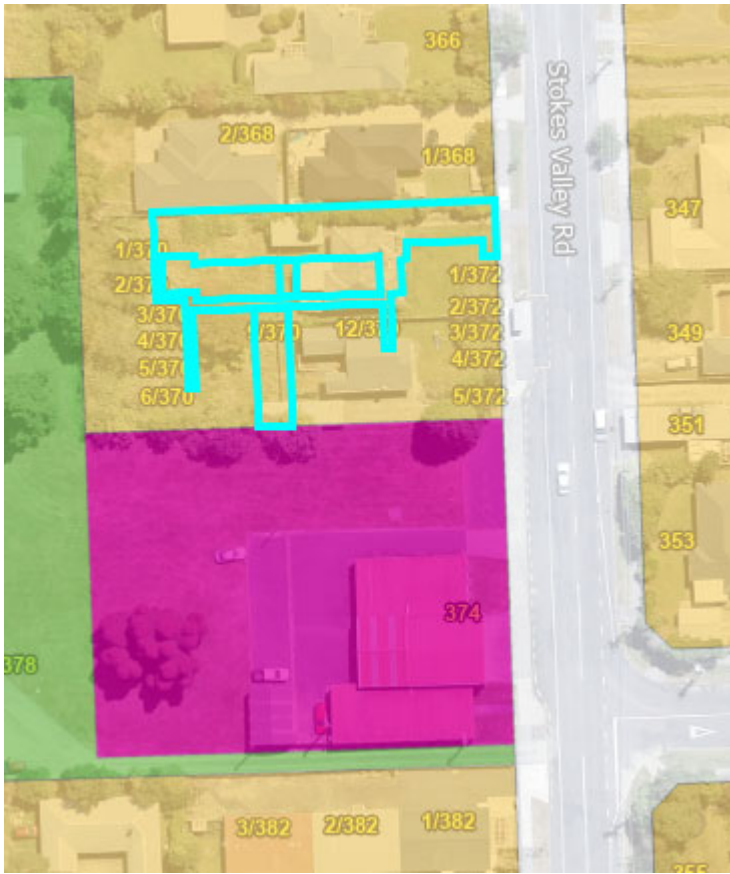
Hi Alison,

All the information about our draft district plan is on our website at <https://hutt.city/dpreview>, including a factsheet about the Mixed Use Zone at <https://www.huttcity.govt.nz/council/district-plan/district-plan-review/fact-sheet-links/commercial-and-mixed-use-zones>.

While mostly intended for commercial uses, the Mixed Use Zone also applies to a variety of sites with unique issues, which includes your neighbour at [REDACTED]. The zone provides for flexible use of this site reflecting its long-established role, and reflects an approach across the city to provide a commercial or industrial zoning for emergency services facilities, as this most closely reflects their character and operational needs. The maps of the district plan are available at <https://maps.huttcity.govt.nz/HuttCityMapsViewer/?map=3ed4094fd509449d93074cd30891640f>, and I've attached an image showing the area immediately around your property.

If you've got any other questions or feedback on the draft district 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: ContactHCC <contact@huttcity.govt.nz>
Sent: Thursday, November 23, 2023 3:45 PM
To: [REDACTED]
Subject: FW: [EXTERNAL] Mixed Use Zone Proposed District Plan

Kia ora [REDACTED]

Thank you for your email received.

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.

Ngā mihi nui,
Tara

CUSTOMER SERVICES

HUTT CITY COUNCIL

30 Laings Rd
Private Bag 31912
Lower Hutt 5040
New Zealand

From: [REDACTED]
Sent: Wednesday, November 22, 2023 2:41 PM
To: ContactHCC <contact@huttcity.govt.nz>
Subject: [EXTERNAL] Mixed Use Zone Proposed District Plan

Greetings

We have received a letter from HCC about our property being affected by a proposed mixed use zone and inviting us to provide feedback.

This letter gives very little information on the impact on our property. There is no information on how to find anything on your website about this (apart from the fluffy You Tube video that gives no real info) and doing a proposed District Plan Change search – all I get is Shaftsbury Grove!!

I am looking for a map on the location of the mixed use zone, the reason behind the proposal i.e. what developments are proposed and the logic for the change and permitted activities for the zone.

It is very difficult to make a submission when no information is freely available to residents. I hope Council will be forthcoming with information on the impact on our property.

Thanks & regards.

[REDACTED]

Saritha Shetty

From: [REDACTED]
Sent: Friday, 17 November 2023 9:05 am
To: District Plan Review Team
Subject: Re: [EXTERNAL] Eastbourne large lot Rezoning query

Categories: Sean

Sean,

Thanks for clarification and relevant links.

Have a nice weekend.



Sent from iPhone

On 17/11/2023, at 8:54 AM, District Plan Review Team <district.plan@huttcity.govt.nz> wrote:

Hi Ally,

Thank you for your email. I'm sorry the link isn't working. I've included some links below:

1. [Draft District Plan site](#) (this includes the links below as well as a timeline and explanation of the District Plan review process and information on key topics and issues).
2. [Draft planning maps](#) (use the layers button to turn on and off overlays and the zones)
3. [Draft District Plan](#)
4. [Submission page](#)

In addition, the following links could help:

1. [Operative District plan](#)
2. [Operative District Plan Maps](#)

In terms of your existing subdivision you are not currently effected by the draft district plan:

1. If you are applying for, or have recently applied for, a subdivision, the draft plan has no legal effect and it will be processed under the current operative district plan;
2. If you have an existing resource consent, any plan changes won't affect the subdivision as existing resource consents have existing use rights when a plan change is made;
3. Lastly, we aren't looking to formalise a proposed district plan change until the middle of next year and it may be different from the draft district plan. We have put out the draft so we can get feedback from the community. I expect this to result in some changes. In addition, the formal plan change process is also open to submissions and goes through a formal hearings process.

I hope this information helps.

Please contact me if you have any additional questions.

Regards

Sean

District Plan Review Team

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

<mime-attachment.png>

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From: [REDACTED]
Sent: Thursday, November 16, 2023 8:30 PM
To: District Plan Review Team <district.plan@huttcity.govt.nz>
Subject: Re: [EXTERNAL] Eastbourne large lot Rezoning query

Hi,

Thanks for your email. I didn't want a public submission as it's visible globally as these issues are deeply personal.

I couldn't find a link as the one in the letter isn't working. I can try again in a different computer or browser.

It's disappointing to see possible restrictions on our site as it was previously and currently still had a resource consent from HCC for 3 lot subdivision. And we would be in the same category as a rural zone that is without access to infrastructure. We have access to urban infrastructure. And as I mentioned our slopes are mostly low grade to moderate except for at the very back of the section. I question why this decision would be happening. It doesn't make sense. It would definitely create a hardship financially. We would have to sell it at a loss, and discontinue our current plans to develop it.

Thanks for your email.

Kind regards,

[REDACTED]

Sent from iPhone

On 16/11/2023, at 10:37 AM, District Plan Review Team
<district.plan@huttcity.govt.nz> wrote:

Hi [REDACTED]

Thank you for your email. Your submission will be considered in the District Plan review. Could you email me your address so that I know the property you are referring to.

As I understand you are opposed to being zoned large lot residential and argue your property should be included in the medium density residential zone. Your reasons being:

1. The restrictive rules in the large lot residential zone disproportionately negatively impacts on the value of your property.
2. Your site is not excessively steep and does not lack either infrastructure or infrastructure potential. Most homes in Eastbourne are on steeper sites.

Please contact me if you have any questions or if you want to discuss the draft plan change.

Regards

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 9:31 PM
To: District Plan Team <DistrictPlan.Team@huttcity.govt.nz>
Subject: [EXTERNAL] Eastbourne large lot Rezoning query

Hello,

The link in the recent letter regarding rezoning all the lots over 1000sq/m (for your draft submissions) doesn't work. Could you please correct this please?

Also I would like to comment on this, though would like my information to be private and confidential as it would relate to private property matters. All contents of this email are confidential and private. Please do not share it. Thank you.

Essentially with your proposed rezoning policy we would experience significant financial losses as the value of our land would lower (devalued) whereas other smaller lots can build to a extreme (3 homes or 3 story-buildings) and would have financial advantages and their property values would increase. The large lot rezoning policy would unjustifiable and disproportionately financially disadvantaging us and our progeny. Our section isn't exceeding steep and lacking infrastructure or infrastructure potential. Also, most of the homes around the bays are build on completely steeper slopes than ours.

Best regards, [REDACTED]

<image001.jpg>

Sent from iPhone

Saritha Shetty

From: [REDACTED]
Sent: Thursday, 18 January 2024 8:26 pm
To: District Plan Review Team
Subject: [EXTERNAL] Manorpark Benmore Cres. Transfer station proposal

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Peter

As a member of Manor Park golf club, I am definitely opposed to the above proposal due to the adverse impact this is likely to have on the course and the sanctuary status of our course.

[REDACTED]

Sent from my Galaxy

Saritha Shetty

From: Corinna Tessendorf <Corinna@urbanedgeplanning.co.nz>
Sent: Thursday, 7 December 2023 11:54 am
To: District Plan Review Team
Cc: Adam Sirota; James Beban
Subject: [EXTERNAL] Submission on the HCC Draft District Plan - 10 Udy Street
Attachments: HCC DDP - 10 Udy Street - Submission.pdf

Follow Up Flag: Follow up
Flag Status: Completed

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

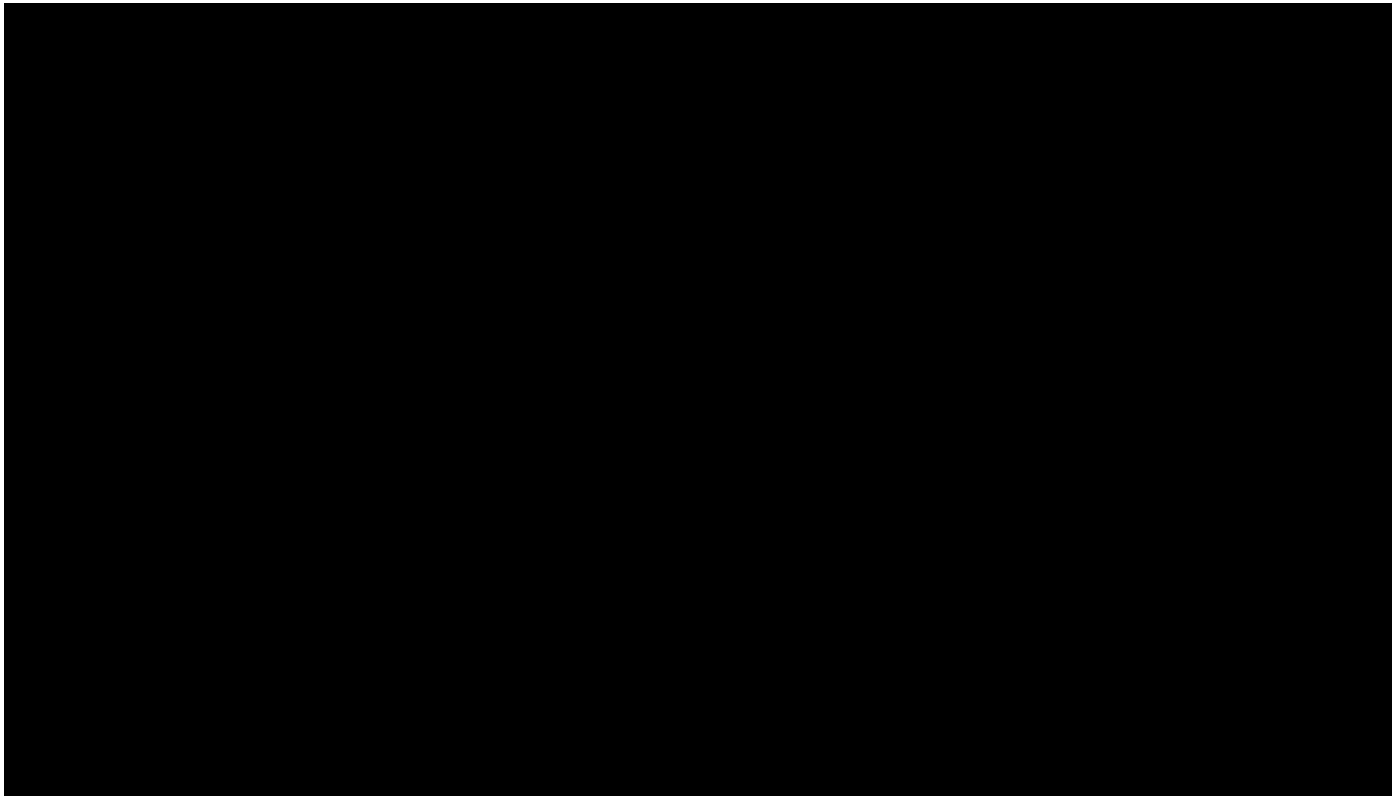
Name of Submitter: Urban Edge Planning Ltd
on behalf of [REDACTED]

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 High Density Residential Zone.
- **Urban Edge Planning on behalf of [REDACTED] seeks the zoning of the site at 10 Udy Street, Petone as Mixed Use Zone**

SITE CONTEXT

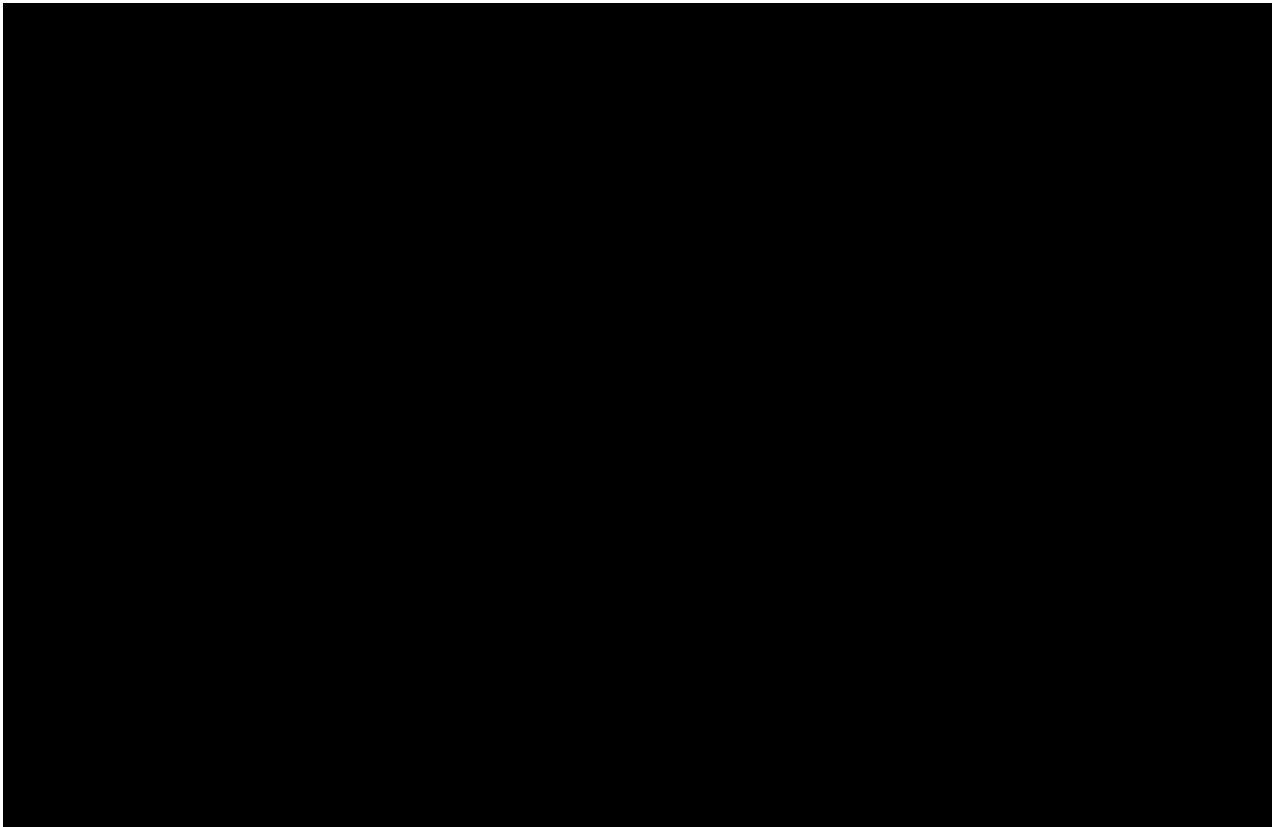


The site can be described as follows:

Address	[REDACTED]
Size	4,279m ²
Title	WN38B/588
Parcel ID	3969203, 3968751, 3808681, 4056567, 3971275, 3968780, 4048591, 3857255
Legal description	LOTS 1 to 8 DP 14552
Location	[REDACTED]
Operative DP Zoning	High Density Residential Activity Area
Operative DP Overlay	<ul style="list-style-type: none"> ▪ Medium and Low Tsunami Hazard Overlay ▪ Medium Coastal Inundation Hazard Overlay ▪ Flood Hazard Overlay - Inundation Area
Draft DP Zoning	High Density Residential Zone
Draft DP Overlays	<ul style="list-style-type: none"> ▪ Medium and Low Tsunami Hazard Overlay ▪ Medium Coastal Inundation Hazard Overlay ▪ Wellington Fault Induced Subsidence Area ▪ Flood Hazard Overlay - Inundation Area ▪ Liquefaction Hazard Overlay



Current Use and Development	<ul style="list-style-type: none"> ▪ Vacant site - fully sealed but no buildings or structures ▪ WelTec car park ▪ Recently used as Covid testing station
Surrounding Area	<p>The site is located on the corner of Udy Street and Britannia Street</p> <p>Current Zoning</p> <ul style="list-style-type: none"> ▪ High Density Residential Activity Area to the south and west ▪ General Business Activity Area to the north ▪ General Recreation to the east <p>Proposed Zoning</p> <ul style="list-style-type: none"> ▪ High Density Residential Zone to the south and west ▪ General Industrial Zone to the north ▪ Sport and Active Recreation Zone to the east



PLANNING CONTEXT

Operative District Plan

Under the Operative District Plan the site at 10 Udy Street, Petone is zoned as High Density Residential Activity Area and is subject to the following Natural and Coastal Hazards Overlays that have recently been introduced as part of the Plan Change 56 process:

- Flood Hazard Overlay - Flood Inundation

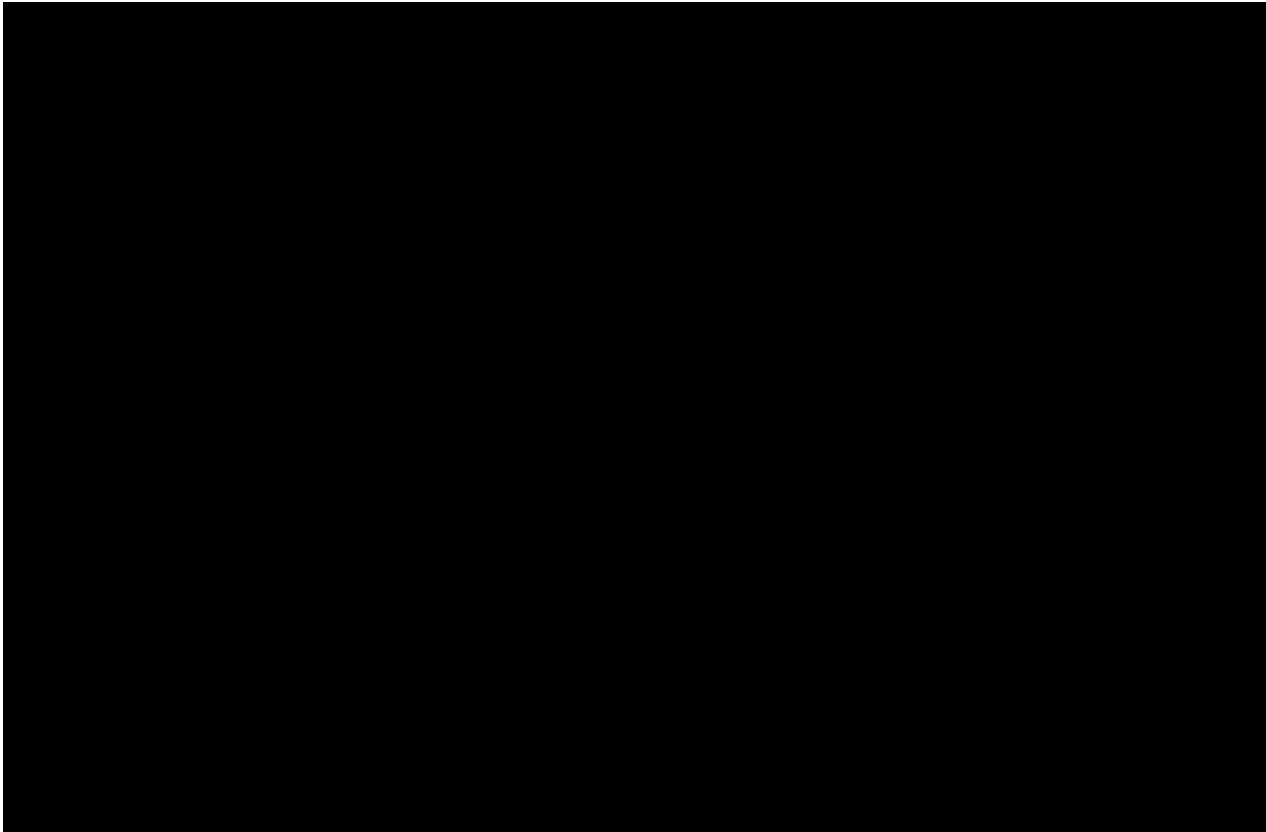


- Coastal Hazard Overlay – Medium Inundation Hazard
- Coastal Hazard Overlay – Medium and Low Tsunami Hazard

We note that prior to Plan Change 56 the site formed part of the Tertiary Education Precinct that specifically provided for tertiary activities and related built development.

Operative Chapter 4G High Density Residential Activity Area contains provisions that apply to the Tertiary Education Precinct. However we could not locate where this precinct applies, neither in the chapter nor on the planning maps. No other precincts or overlays apply to the site.

The High Density Residential Activity Area was recently introduced by Plan Change 56. It provides for a variety of medium and high density residential development outcomes and anticipates a built urban environment of at least six storeys. Small-scale non-residential activities are provided for within the High Density Residential Activity Area where they are compatible with residential activities.



Draft District Plan

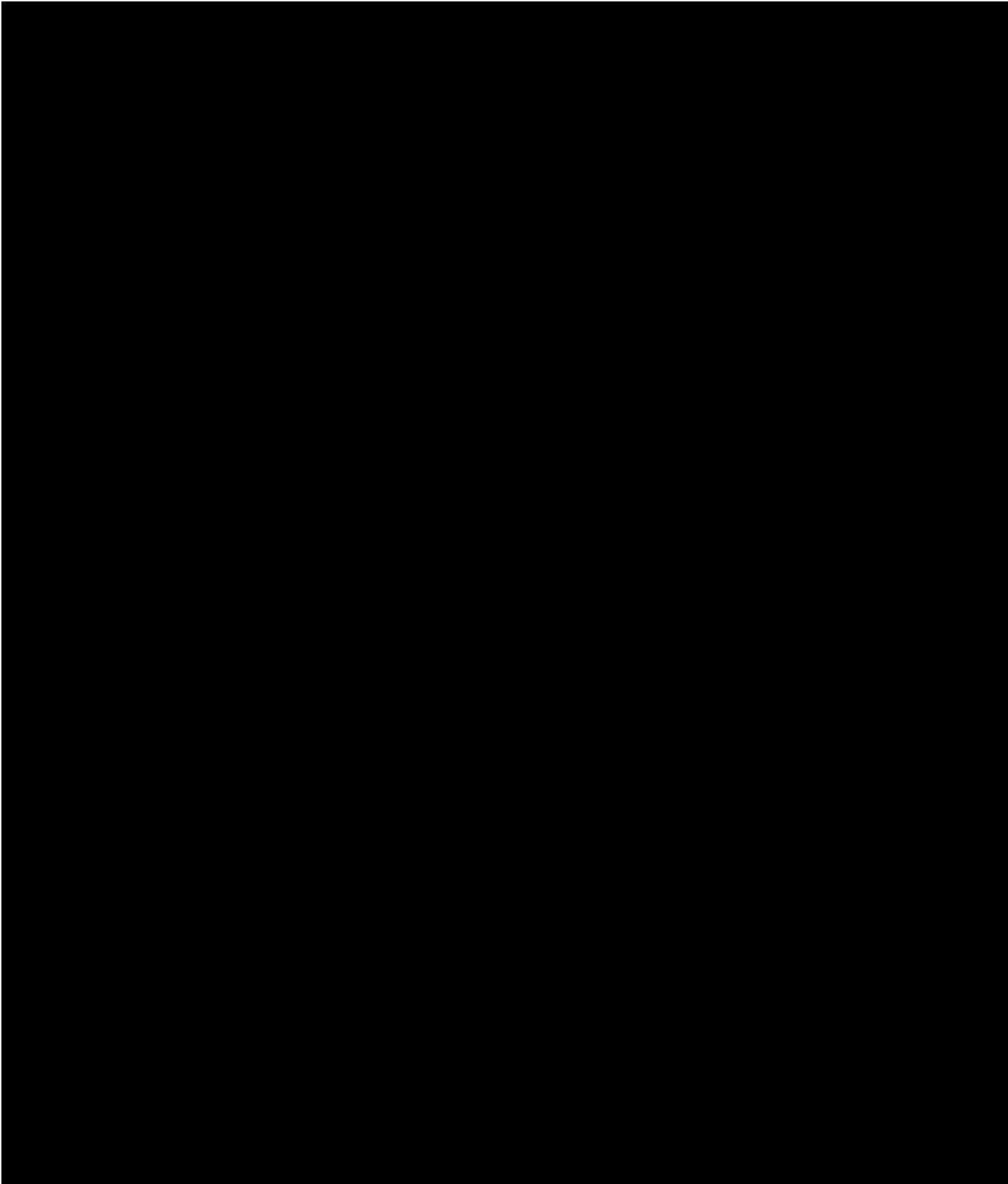
Under the Draft District Plan the site at [REDACTED] is proposed to be zoned as High Density Residential Zone. The following Natural and Coastal Hazard overlays apply:

- Coastal Inundation Overlays - Medium Coastal Inundation Overlay
- Fault Hazard Overlays - Wellington Fault Induced Subsidence Area
- Flood Hazard Overlays - Inundation Area
- Liquefaction Hazard Overlay
- Tsunami Hazard Overlays - Medium and Low Coastal Tsunami Hazard



The site is also subject to the Mana Whenua Statutory Acknowledgement overlay but no other overlays or precincts apply.

The Draft District Plan does not propose any substantial changes to the recently introduced operative High Density Residential Activity Area as described above.



Current / Pending Consents

The site not subject to any current or pending resource consents. However, the owner is intending to lodge a resource consent application for a commercial activity and/or building on the site in the short to medium term until longer term plans are determined.

Current Use and Development

The site is currently vacant. While there is no built development on the site it is fully sealed and currently used as a car park.

Site History

A search of Hutt City Council's historical aerial maps gives a good understanding of recent use and development of the site.

The earliest aerials from 1941 and 1958 show 7 residential buildings on the site. The location of the buildings and related properties are still reflected by the current lot boundaries within the site.

By 1969 the residential buildings on the site had been demolished and the site had been redeveloped by the Central Institute of Technology Petone (in conjunction with development on Kensington Ave) for Teaching Block E on Udy Street (6 classrooms, board room, staff workroom, staff and students).

The 1977 aerial shows two additional buildings on the site with no further changes to the built development on the 1988, 1995 and 2003 aerial.

By 2008 the buildings on the site have been demolished and the aerial shows the car park as it exists today.



SUBMISSION

Submission

This submission opposes the proposed zoning of the site at [REDACTED] as High Density Residential Zone as introduced by PC56 and proposed by the Draft District Plan and instead requests the zoning as Mixed Use Zone.

The Mixed Use Zone would provide greater flexibility for the future use and development of the site and would better align with the development intentions of the [REDACTED] (the owner).

The site at [REDACTED] is currently vacant and used as carpark. While it was initially used for residential houses the more recent built development of the site was at a commercial scale and used for tertiary educational purposes.

The current use and development of the surrounding area comprises a wide range of activities and different building styles and densities buildings:

- Residential development located to the south and west (now zoned High Density Residential anticipating high density built development)
- Industrial activities as well as wholesale, large scale retail and smaller scale commercial and light industrial activities to the north (proposed General Industrial Zone)
- Hutt Recreation Grounds to the east (proposed Sport and Active Recreation Zone)

Other activities in the wider environment include the Petone Working Men's Club (proposed Mixed Use Zone) and several churches and community activities along Britannia Street (proposed Mixed Use Zone). The former Imperial Tobacco site is currently being redeveloped for small scale commercial and medium density residential development along Bouverie Street.

The current and proposed high density residential zoning would not support the either partial or entire use of the site for commercial activities that is intended by the owner.

The requested Mixed Use Zone would allow for a wide range of activities (including commercial) and transition over time. It would align well with the diverse environment the site is located within.

Objective 1 of the Proposed Mixed Use Zone describes the purpose of the zone as follows:

Mixed Use areas provide flexibility for any combination of commercial, community, light manufacturing and servicing, recreational, residential, and other compatible activities, while reflecting the Mixed Use Zone's role and function in relation to the hierarchy of centres.

Objective 2 of the Proposed Mixed Use Zone describes the purpose of the zone as follows:

The built character of Mixed Use areas reflects the diversity of activities that take place in the zone and recognises that these areas are generally in transition spatially between other areas, or in transition over time. Main through routes assist the city's identity and character.

Applying the Mixed Use Zone to the site at [REDACTED] would provide additional flexibility for the use and development of a vacant site. A Mixed Use Zone would facilitate a range of land uses, including those that could support the surrounding high density residential environment, contributing to a well-functioning urban environment.



The Mixed Use Zone would also provide an appropriate transition between the industrial zone to the north and residential zone to the south.

Furthermore, considering the presence of natural and coastal hazard overlays across the site, we note that a Mixed Use Zone would reflect a more appropriate zoning for this comparatively large and vacant site as it would enable more resilient activities that have a less sensitive hazard profile.

Conclusion

Urban Edge Planning on behalf of [REDACTED] seek the zoning of the site at [REDACTED] as Mixed Use Zone.

The Mixed Use Zone would provide additional flexibility and allow for the short, medium and long term use and development of the vacant site. It would also serve as an appropriate interface between the industrial zoning to the north and the residential zoning to the south and west.



Corinna Tessendorf
Urban Edge Planning Ltd

On behalf of:
[REDACTED]

07 December 2023



Saritha Shetty

From: [REDACTED]
Sent: Tuesday, 28 November 2023 12:19 pm
To: District Plan Review Team
Subject: Re: [EXTERNAL] Historic buildings

Follow Up Flag: Follow up
Flag Status: Completed

Hi Nathan,

Thank you for your detailed reply. You have answer all of the questions I had about the draft plan and the building.

My concern with the building is that I believe it falls short of the healthy homes standards for new residential buildings. The building was converted to apartments and received its CoC in late 2022. The main issue seems to be that the buildings windows are not sealing and even have gaps in them allowing drafts and moisture to ingress the apartments. I intend looking into the issue and how the building received its CoC with the current windows. If the building ends up on the list then it potentially limits our ability to have the issue rectified which may require the windows to be replaced. Although having said that I personally would like to see the character of the building remain with a solution that maintains that. I will discuss with the body corporate committee about making a submission to the draft plan regarding the building.

Thank you for your help.

Regards,

> On 28/11/2023, at 11:01 AM, District Plan Review Team <district.plan@huttcity.govt.nz> wrote:

>

> Good morning

>

> Thank you for your email. I will look into the issue with our websites link to the District Plan. In the meantime, you can view the Draft District Plan at <https://huttcity.isoplan.co.nz/review>

>

> I can confirm that the CML building at 2 - 18 Laings Road is included in the list of heritage buildings in the Draft District Plan. This is an initial draft list of buildings that are proposed for inclusion in the District Plan. The purpose of this draft list is to get the views from property owners and the wider community about the prospect of these buildings being identified in the District Plan. The main implication of having a building identified as a heritage building in the District Plan is that resource consent must be obtained to undertake some activities. This includes alterations and additions to the exterior of the building, relocation of the building (mainly relevant to smaller residential buildings) and demolition.

>

> The identification of heritage buildings has been informed by a recent Heritage Inventory Review. The report for this review is available here<https://hccpublicdocs.azurewebsites.net/api/download/c9be9b889d1746e2b710f382e92d32e8/_dplanreview/62c6cfe032383da348a2b3f35ad981007372>.

>

> That report has appendices that include the heritage assessments for all heritage areas and buildings that have been identified in the report. The relevant appendix for the CML building is available here<https://hccpublicdocs.azurewebsites.net/api/download/c9be9b889d1746e2b710f382e92d32e8/_dplanreview/b3d99cf63235356e48639a0b5f0291b73f6a>. That link takes you to quite a large file (68Mb) so I have attached the relevant pages for the CML building to this email.

>

> While the report gives a full explanation of the process followed for the review, in short, the buildings that have been identified are those that have been found to have significant historic heritage values based on criteria that are set by the Regional Policy Statement for the Wellington region. These criteria are:

- >
- > 1. historic values: these relate to the history of a place and how it demonstrates important historical themes, events, people or experiences.
- > 2. physical values: these values relate to the physical evidence present.
- > 3. social values: these values relate to the meanings that a place has for a particular community or communities.
- > 4. tangata whenua values: the place is sacred or important to Māori for spiritual, cultural or historical reasons.
- > 5. surroundings: the setting or context of the place contributes to an appreciation and understanding of its character, history and/or development.
- > 6. rarity: the place is unique or rare within the district or region.
- > 7. representativeness: the place is a good example of its type or era.

>

> Hopefully this information is helpful. If you have any further questions, feel free to contact me directly on 04 570 6996 or emailing us at dpreview@huttcity.govt.nz<mailto:dpreview@huttcity.govt.nz>.

>

> Kind regards

>

> Nathan Geard

>

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> 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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> -----Original Message-----

> From: [REDACTED]

> Sent: Monday, November 27, 2023 12:37 PM

> To: District Plan Team <DistrictPlan.Team@huttcity.govt.nz>

> Subject: [EXTERNAL] Historic buildings

>

>

>

> Hi there,

>

> I am unable to access the district plan as there seems to be some issue with the link on your website however I understand that in the appendix relating to heritage buildings that the CML building at 2 - 18 Laings road is included in the list. Is this list a list of current or proposed buildings that have historic significance? Also are you able to provide further details as to why this building appears on the list? What are the benchmarks that need to be reached for a building to be included?

>

>

>

> Regards,

>

> [REDACTED]

[REDACTED]

Saritha Shetty

From: [REDACTED]
Sent: Wednesday, 13 December 2023 8:04 am
To: District Plan Review Team
Subject: [EXTERNAL] Jo Miller
Attachments: Jo Miller HCC.docx

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Sean

see attached

13/12/2023

Jo Miller
Chief Executive
Hutt City Council
Private Bag 31-912
Lower Hutt 5040

Dear Ms Miller

Re: public feedback on the proposed changes to in the Hutt City Council Draft District Plan

Thank you for your letter of the 8 November letting us know that our property may be affected by the proposed changes to the District Plan. Our properties are 32 and 30 Bloomfield Terrace and this feedback relates to both of these properties.

We note that the Draft District Plan relates to areas identified as being at risk from High Natural Hazards and our properties are in such an area.

We do find this a little strange as the Wellington Fault runs alongside the western hills, and any Tsunami and coastal inundation would be unlikely to severely affect us. A small stream is piped and does run alongside our properties, however in all the years we have lived here (xx years) this has never flooded.

Our concern relates to the fact that if any of these events do occur the whole of the Hutt Valley is likely to severely affected not just areas deemed to be at High Risk.

Defining our properties as being a High Hazard Area is however, likely to increase the cost of our insurance cover without having any mitigating factors, such reduced rates.

We would like to have this considered during the review of the District Plan as being in a High Hazard Area would seem to serve no useful purpose that is not already covered by existing Resource Management and Building Consent processes.

██████████

Saritha Shetty

From: [REDACTED]
Sent: Wednesday, 15 November 2023 8:38 pm
To: District Plan Team
Subject: [EXTERNAL] Benmore Cres transfer station

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Sean

Hi my name is Tai Davey

I am a resident of Manor Park. I live on [REDACTED]

I am 28 year old business owner. I own a Roofing company that supplies roofing work all over the Wellington region.

I live here with my wife and 7 year old daughter, with a son on the way.

We recently purchased our first home and have moved to manor park in November 2022.

We moved to manor park because it is a very nice community. No crime, away from the main city and easy access to the motorway. Nice scenery by the riverbank and a lovely golf course.

It's a nice community here. This is our sanctuary

How is that Hutt city council have Given consent to build a transfer station without asking the residents? I pay \$5500 in Hutt city council rates a year and they have given consent without asking anyone as if no ones opinion here matters. Everything that I listed as to why we moved here and why every other resident of manor park lives here will go out the window

There are so many devastating effects that this transfer station will bring to every resident that lives in manor park

- Smell
- Fumes
- Dust
- Toxic waste
- Noise
- Traffic
- Trucks
- Rodents
- Seagulls
- House value

We were told that this transfer stations effect will be very minor to residents.

It is very major. House value will go down. No one will want to buy in manor park anymore. The traffic is already horrendous by the over bridge. Imagine when they add a transfer station.

That is supposed to support 140 work vehicles and trucks every day.

Also rubbish trucks drop rubbish everywhere they leak rubbish liquids. It will turn our lovely sanctuary into a rubbish dump.

You are trying to say it's just for recycling and clean rubbish. This is not the case. I use the transfer station in Seaview and the smell is disgusting.

We do not want that smell in manor park.

From my back yard I can see the transfer station, it's about 40 meters away. Im not going to want my baby and my kids playing in the backyard.

When you can smell toxic rubbish. There will be dust flying around everywhere. Do you think this is safe for kids? Not at all. There's research that's been done that proves living next to rubbish sites makes people sick.

Go build the transfer station somewhere where it's not right on people's door step.

The one in Seaview and the one in silverstream are are no where near people's houses.

What made anyone think this was okay?

I'm appalled that this has been given the go ahead without asking any residents of manor park. I am a rate payer and I pay a lot to live here as does everyone else. No one in manor park is happy with this. We do not want this to go ahead.

You answer me this question. Would you be happy with your lovely home that you have just purchased in a nice quiet neighbourhood.

To be bombarded with a transfer station.

That smells putrid from where you live.

With hundreds of trucks and vehicles coming in and out all day every day of the week.

With toxic fumes and dust flying everywhere. With machinery operating all day disturbing people crushing rubbish and digging holes.

Seagulls and rodents everywhere. The traffic is going to be mayhem every single day.

Absolutely disgusting. This can not go ahead. Build it somewhere else. There is plenty of other industrial land where this can be built away from residents and away from tax and rate payers.

My house value will be cut by 25%

no one wants to live where there is a rubbish site. I've worked very hard for the last 11 years in roofing since I finished high school at 17. And have saved every penny to afford to buy my family a \$1.3 million dollar house. To be let down with such bad news. That is going to affect my house, my neighbourhood and my family.

Regards

A large black rectangular redaction box covering the signature area.

From: [District Plan Review Team](#)
To: [Secretary Avalon](#)
Subject: RE: [EXTERNAL] Heritage - Avalon Public Hall
Date: Tuesday, 5 March 2024 10:45:00 am

Hi Barbara,

The draft district plan includes rules for heritage buildings that would allow general repairs and maintenance of the hall, but would require resource consent for more substantial alterations and additions. This resource consent process would require work to be done in keeping with the heritage values.

The report assessing the hall's heritage values is available here - https://hccpublicdocs.azurewebsites.net/api/download/c9be9b889d1746e2b710f382e92d32e8/_dplanreview/b3d99cf63235356e48639a0b5f0291b73f6a (pages 579 to 586).

I've added your email address to our mailing list for the district plan review. You should expect to still get notification by post as well.

We expect to formally notify the new plan for submissions in around September or October, you'll be able to make a formal submission then. In case the Society wants to plan ahead for this, the submission period will be open for 40 working days (a bit under two months).

If you've got any other questions or comments in the meantime, let me know.

Kind regards,
Stephen Davis

From: Secretary Avalon <secretaryavalonpublichall@gmail.com>
Sent: Wednesday, February 28, 2024 1:11 PM
To: District Plan Review Team <district.plan@huttcity.govt.nz>
Subject: [EXTERNAL] Heritage - Avalon Public Hall

Hello

I see that in the Draft District Plan the Avalon Public Hall at 14 Mabey Rd is listed in Schedule XX as being a building with historic heritage value.

Could you please tell me (in plain English) what this classification would mean for the future management of the Hall? That is, what would we be able/not able to do compared to if it did not have historic heritage value.

The Hall building is old, but as far as the current Board of the Society can see has no particular historic value except its use as a community hall.

We did receive a hard copy letter about this in late November, but as the letterbox at the Hall is not cleared regulatory; 99% of all our communication is by email, and the Board meets in person only every 2 months, we were unable to comment before the very short 15th December

deadline.

I assume that we will have an opportunity to make a formal submission later this year. To this end, could you please address any future correspondence to secretaryavalonpublichall@gmail.com.

Regards

Barbara Whittington

Secretary

Avalon Public Hall Society Inc.

Saritha Shetty

From: District Plan Review Team
Sent: Thursday, 7 March 2024 4:01 pm
To: Joann Ransom; District Plan Review Team
Cc: Helen Murray
Subject: RE: Avalon Community Hall (1922) - H2-94 - 14 Mabey Road, Avalon.
Attachments: RE: [EXTERNAL] Heritage - Avalon Public Hall

Follow Up Flag: Follow up
Flag Status: Completed

Hi Joann,

It's not currently listed as a heritage building but it was proposed as a heritage building in the draft district plan we consulted on late last year. They've already contacted us directly – I've attached my reply. Let me know if there's anything else you need.

Cheers,
Steve

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

Wellington Water Hutt City [Click to learn more](#)

2

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

From: Joann Ransom <Joann.Ransom@huttcity.govt.nz>
Sent: Thursday, March 7, 2024 3:54 PM
To: District Plan Review Team <district.plan@huttcity.govt.nz>
Cc: Helen Murray <Helen.Murray@huttcity.govt.nz>
Subject: Avalon Community Hall (1922) - H2-94 - 14 Mabey Road, Avalon.

Hi there,

I met with the Avalon Hall Committee yesterday and they are quite worried about the hall being named a Heritage building. I undertook to find out if that status can be 'undone' and what it means. They are concerned it will make

owning it onerous and maintenance expensive. They have asked Council to take on the hall so we do need a good understanding of this matter.

I have found its inclusion in the HCC Heritage Inventory Assessment documents (pg 579-586).
[b3d99cf63235356e48639a0b5f0291b73f6a \(hccpublicdocs.azurewebsites.net\)](https://hccpublicdocs.azurewebsites.net/b3d99cf63235356e48639a0b5f0291b73f6a)

Are you able to confirm whether it is a listed building or not, and if so what does that mean. What limitations, restrictions and obligations do they now need to be aware of.

Many thanks

Joann Ransom.
Head of Neighbourhood Hubs and Library Service
Hutt City Council

Joann Ransom
Head Of Neighbourhood Hubs & Library Services

Hutt City Council, 2 Queens Drive, Hutt Central, Lower Hutt 5010
P: M: 027 212 1247 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 primarily blue with a yellow horizontal bar on the right side. It features the text "We're currently at: Water Restriction Level 2" in white. Below this, there are logos for Wellington Water and Hutt City, along with a button that says "Click to learn more". To the right of the yellow bar is a graphic of three overlapping water droplets, with the number "2" inside the central one. Below this graphic, the text reads "No sprinklers or irrigation. Only water your garden by hand."

NH Feedback – Draft HCC DP Review

Context:

- RT Strategy develops the Regional Land Transport Plan on behalf of the Regional Transport Committee – comprising all TAs in the region.
- The RLTP includes strategic direction via objectives, policies, and targets – for development of the transport network. Land-use is a key contributor.
- The RLTP strategic direction has influenced provisions in the Operative Regional Policy Statement (RPS) and Proposed RPS Change 1
- Note: While RLTP is a statutory plan – there is no legislated requirement for DP's to take account of them – so linking requests back to RPS provides a stronger basis for any amendments sought.

Key relevant RLTP direction:

- 30-year vision: *A connected region, with safe, accessible and liveable places – where people can easily, safely and sustainably access the things that matter to them and where goods are moved efficiently, sustainably and reliably*
- Objective 1: *People in the Wellington Region have access to good, affordable travel choices*
- Objective 2: *Transport and land use are integrated to support compact urban form, liveable places, and a strong regional economy*
- Objective 3: *People can move around the Wellington Region safely*
- Objective 4: *The impact of transport and travel on the environment is minimised*
- Objective 5: *Journeys to, from and within the Wellington Region are connected, resilient and reliable*
- Headline Targets: relating to safety, carbon emission reduction and mode share for public transport, walking and cycling.
- Most relevant policies - 1.4, 1.10, 2.1, 2.3, 2.4, 2.6, 2.7.

Key relevant RPS direction:

- Objective 22
- Policy 57

Change 1

- Objective CC.1; CC.2; CC.3
- Objective 22
- Policy 30, 31, 33, 55, 57, 58

Provision	Support/oppose/amend/discuss	Explanation
Overall	A good first draft with some good transport and urban form provisions to support PT and active modes, reduced car dependency, intensification, and compact urban form etc.	
CCZ, MRZ, HRZ	SUPPORT the provision for: <ul style="list-style-type: none"> – residential activity within the City Centre Zone – building heights over the enabled 3-storeys in the MDRZ where adjacent to identified centres (see question) – high-density residential development enabled in significant areas surrounding train stations, Hutt City Centre, Petone Metropolitan Centre, and some suburban centres – along with further increased building heights in identified areas within a walkable catchment of the city centre (see question) 	This will be important to support an evolving city centre which offers more homes within easy walking access to jobs, community facilities and public transport – supporting transport and urban outcomes such as compact urban form, good travel choice, reduced trip distances and reduced transport related emissions – consistent with RPS Obj 22 and Pol 57 Question: Was not clear to me exactly where these areas within the MDRZ and HDRZ with additional height allowances were. Are they shown on the maps?
TR – Transport	SUPPORT AND AMEND	The introduction to this chapter has good direction re land use and transport integration, multi-modal network, and encouraging uptake of active modes and public transport. It could be improved by linking these elements to their important contribution to VKT and emission reduction – through travel choice/mode shift/reduced travel distances.
TR Objectives		
TR O1	SUPPORT/ AMEND - could be more directive about objective for on-site facilities to support ‘multi-modal’ access.	<i>On-site transport facilities, including for high trip generating activities, provide safe, effective and efficient multi-modal site access for all users.</i>
TR Policies		
TR-P1	SUPPORT/DISCUSS	Add requirement for a Travel Choice Assessment for high trip generating activities - Consistent with RPS Change 1 – Policy CC.2

TR-P2	Strongly SUPPORT	Promoting active modes and PT – supports mode shift, travel choice, emission reduction
TR-P4	Strongly SUPPORT	Providing cycle parking and end of trip facilities for active modes – supports mode shift, travel choice, emission reduction
TR-P5	Strongly SUPPORT	Recognising the positive effects from improving the provision and access for active mode and public transport - supports mode shift, travel choice, emission reduction
TR-P6	Strongly SUPPORT	Consistent with good land use and transport integration – RPS Policy 57 – supports reduced travel demand, reduced travel distances, and mode shift.
TR Rules		
TR-R3	DISCUSS	See also feedback re TR-P1 above - If an activity exceeds the threshold as a high trip generating activity – a matter for discretion could include requirement for Travel Choice Assessment – consistent with RPS Plan Change 1 Policy CC.2
TR Standards		
TR-S2 and TR-S3	Strongly SUPPORT.	Great to see some cycle parking ‘quality’ standards – these appear to be generally in accordance with Waka Kotahi best practice standards. Could also reference best practice guidance for extra optional considerations.
TR-S8	DISCUSS	Does this standard, or TR-S1, require the provision of safe pedestrian walkways ‘through’ a car park area – particularly larger car parks? - for pedestrians entering the site and also people walking from a car to a building entrance? If not, can this be considered?
SUB – Subdivision chapter		
SUB – P4: Subdivision Design and Layout	SUPPORT/DISCUSS	In addition to sub-clause 4 re ‘well connected’ – <u>could include</u> a new sub-clause so that the design and layout of larger subdivisions <u>provides for direct, easy, safe</u>

		<u>pedestrian/cycle links or shortcuts within the development to nearby local facilities and public transport stops/routes.</u>
SUB-P6	Strongly SUPPORT	Supports good land use and transport integration, travel choice, mode shift, emission reduction outcomes.
SUB-P7	DISCUSS	Sub-cause 3.b. – should this include pedestrian safety – unsure if pedestrian safety is specifically covered by 3.c
SUB -S3 Roads	DISCUSS Metlink??	Didn't spot anything in the TR chapter or this chapter about <u>provision of/design of public transport infrastructure and roads to enable accessible and efficient public transport services.</u> Mostly relevant to larger subdivision and development which may mean an extension or change to existing bus route is needed. How is this being provided for? Does INF-05 cover it adequately? What are the relevant standards? Could public transport infrastructure be specified in Sub-clause 3 here?

13/12/2023

Jo Miller
Chief Executive
Hutt City Council
Private Bag 31-912
Lower Hutt 5040

Dear Ms Miller

Re: public feedback on the proposed changes to in the Hutt City Council Draft District Plan

Thank you for your letter of the 8 November letting us know that our property may be affected by the proposed changes to the District Plan. Our properties are 32 and 30 Bloomfield Terrace and this feedback relates to both of these properties.

We note that the Draft District Plan relates to areas identified as being at risk from High Natural Hazards and our properties are in such an area.

We do find this a little strange as the Wellington Fault runs alongside the western hills, and any Tsunami and coastal inundation would be unlikely to severely affect us. A small stream is piped and does run alongside our properties, however in all the years we have lived here (xx years) this has never flooded.

Our concern relates to the fact that if any of these events do occur the whole of the Hutt Valley is likely to severely affected not just areas deemed to be at High Risk.

Defining our properties as being a High Hazard Area is however, likely to increase the cost of our insurance cover without having any mitigating factors, such reduced rates.

We would like to have this considered during the review of the District Plan as being in a High Hazard Area would seem to serve no useful purpose that is not already covered by existing Resource Management and Building Consent processes.

P.A. Callaghan


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.

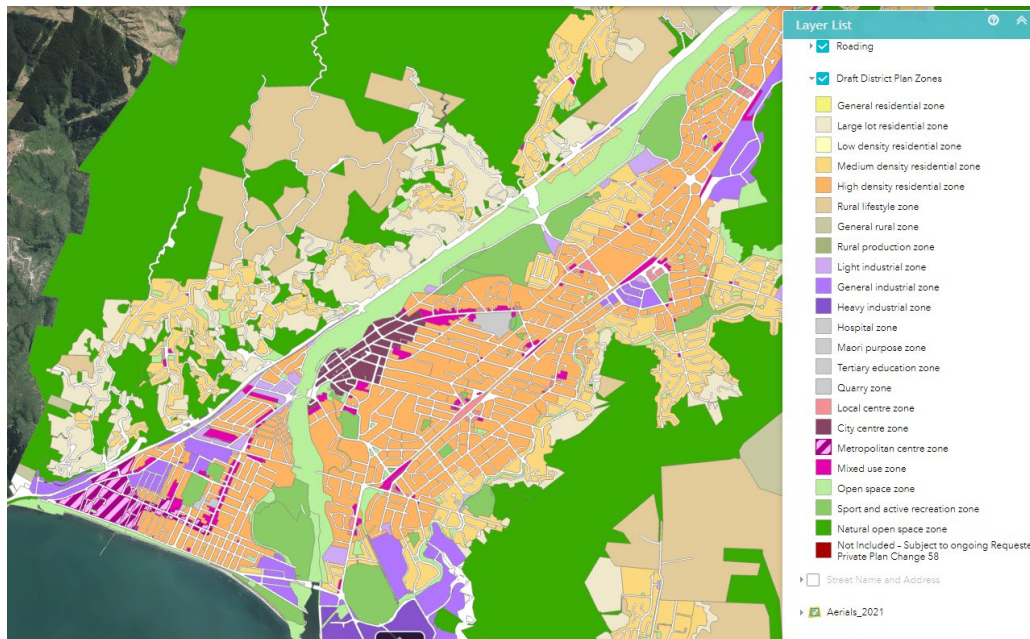
I attended public meetings during PC56 and the Mayor, Campbell Barry, told the attendees that Hutt City Council opposed he proposed legislation during the consultation period. They opposed it as it reduced the impact on PC43 and they considered that the Government should allow Councils to meet targets 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.

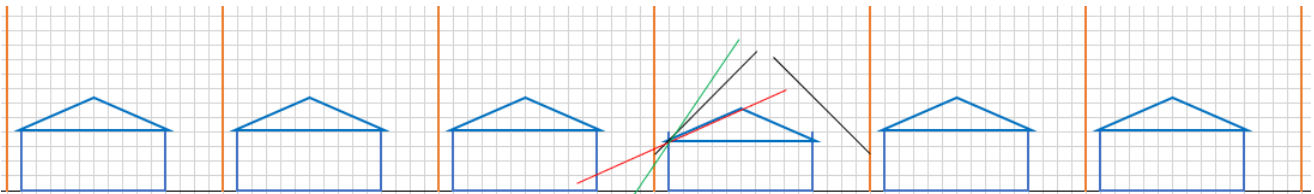
My garage is 2.3m in height. On 24 June, the shadow caused by the garage is 5.25m. On 1 March it was 1.7m and on 24 October it was 1.55m. It should be noted that the movement of the sun is not linear as it follows a sin curve, and the shading moves slowly around the longest and shortest days and quickly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

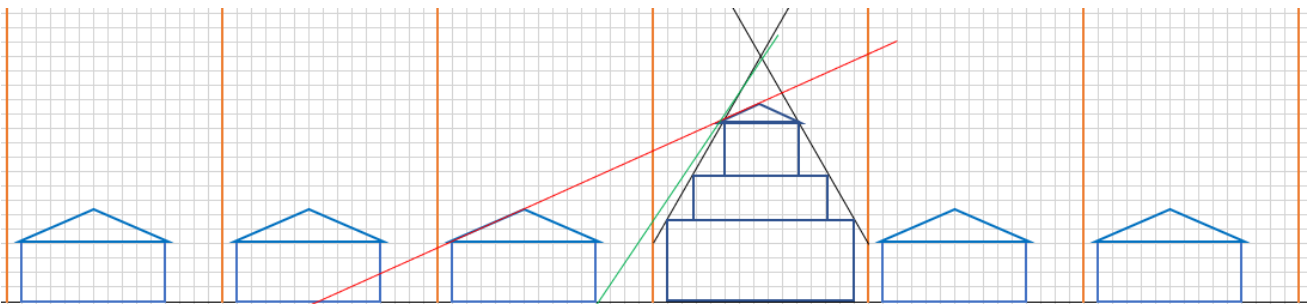
The red line shows the shading on the shortest day of the year but lasts for around 2 months. The green line represents the shading for early March and late October. Therefore, for seven months of the year, the shading will be between the red and green lines, with the remaining 5 months the shading will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

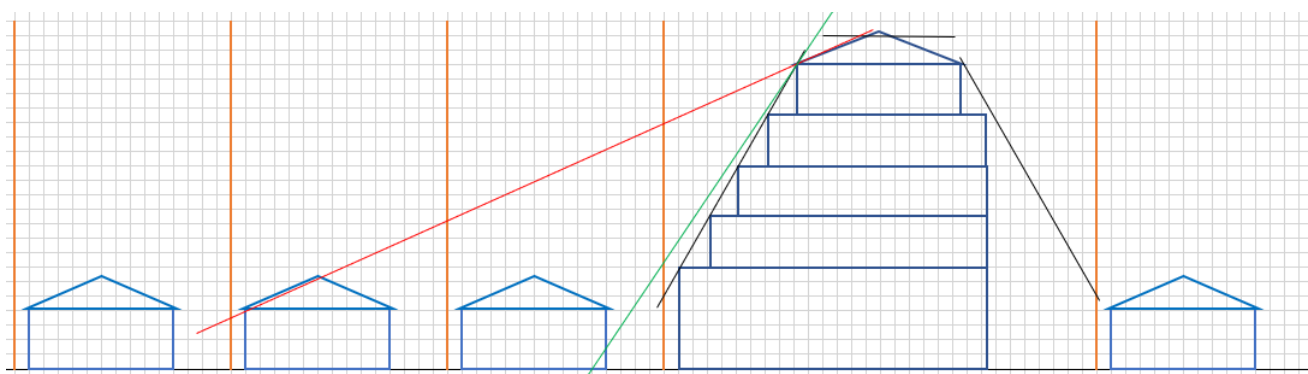
Shading Effects – Pre PC56 - 2.5m on boundary and 45 degrees



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>

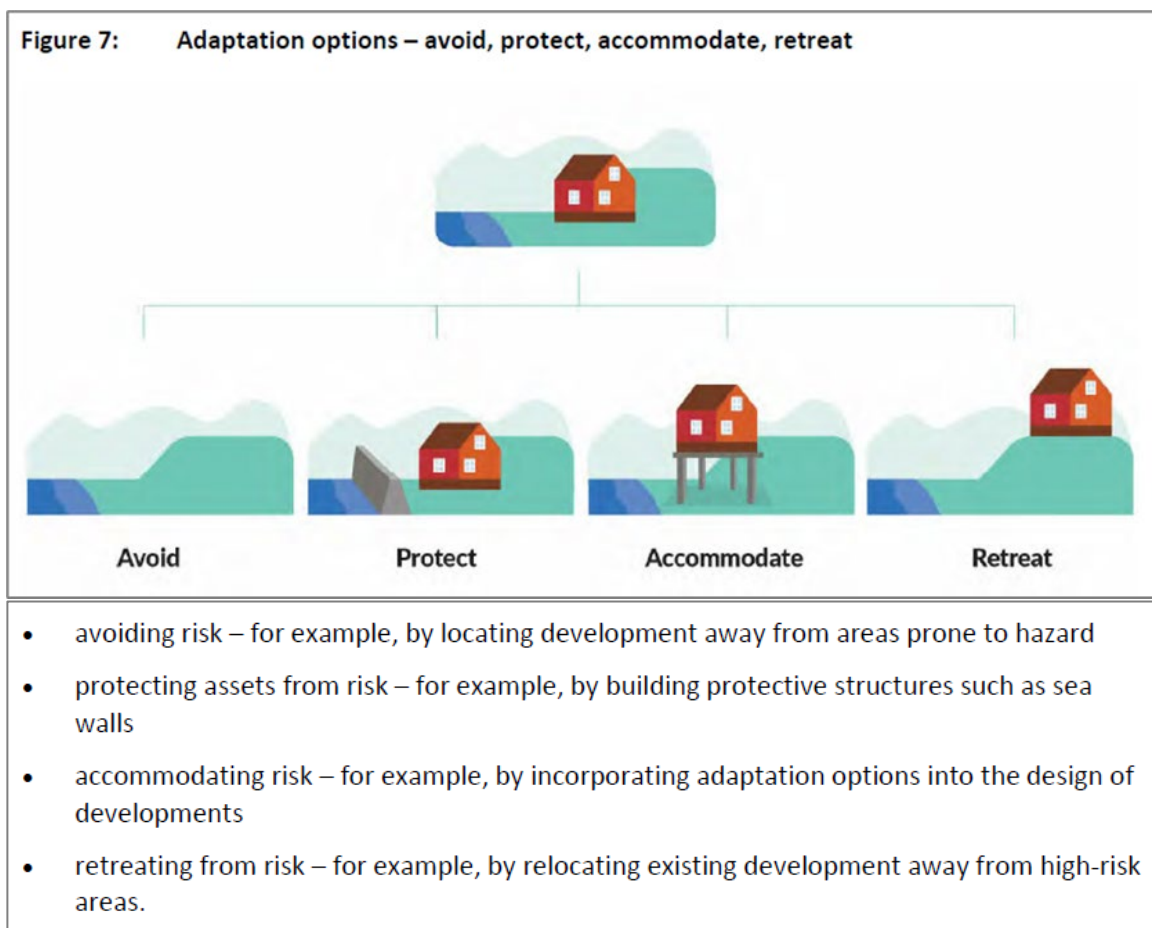
⁴ <https://businessdesk.co.nz/article/infrastructure/petone-and-other-communities-cant-be-protected-against-climate-change-says-insurer>

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.*

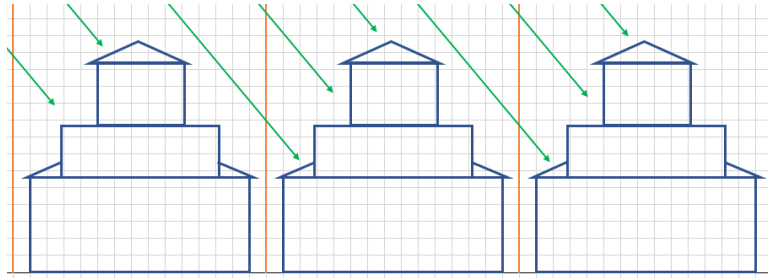
Where 4 or more residential units occupy the site:

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.

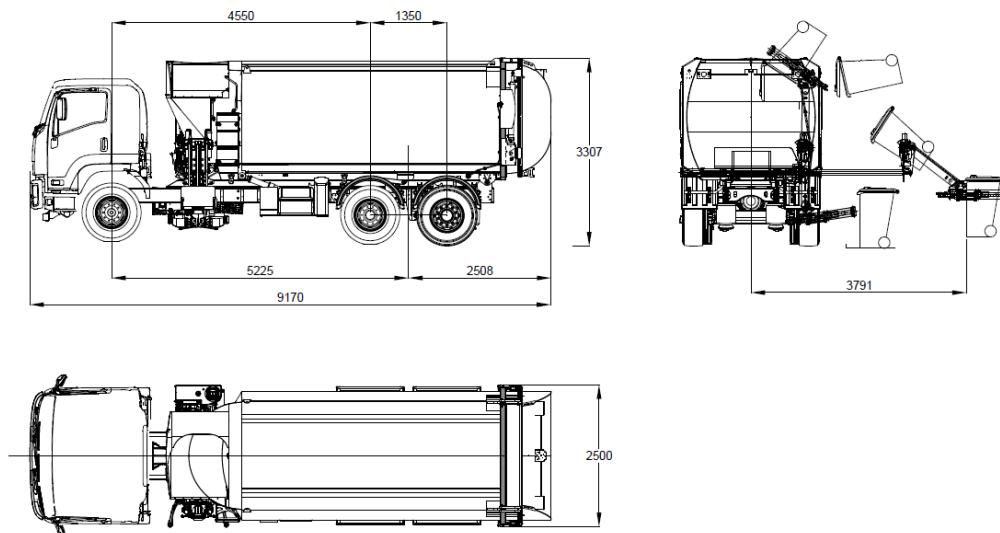
Table 5 – the space between the front of a car and a wheel stop is less than 1m. NZS32890.1 uses 600mm. My research shows that this is 500mm. A wheel stop or kerb greater than 100mm will also effect this on many car models.

	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

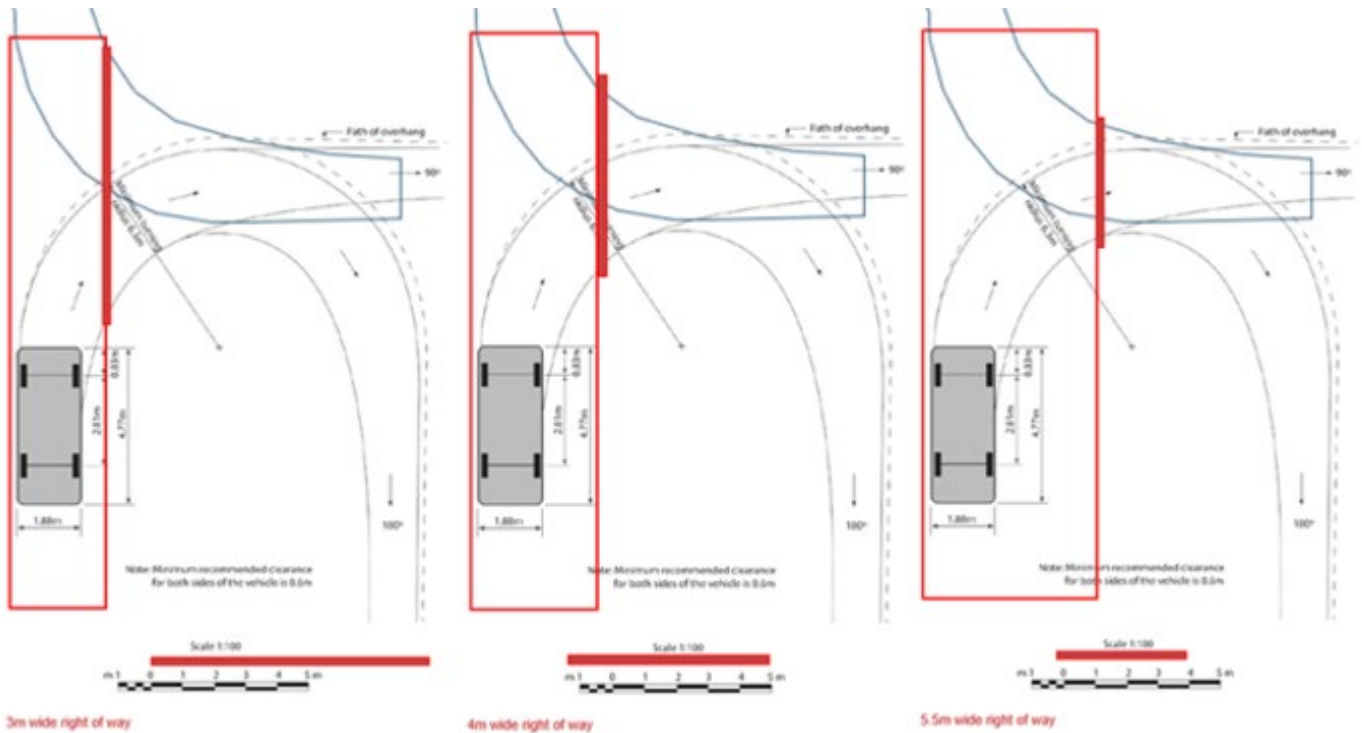
Table 5 second row should say “casual”. Provide options for parallel with less than 3.7m aisle – noting that Table 4 requires 3m only (which needs 6.3m space – refer NZS2890.1

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.

Sign-S4 – 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.