



KOMITI AROTAKE MAHERE Ā-ROHE DISTRICT PLAN REVIEW COMMITTEE

27 November 2024

Order Paper for the meeting to be held in the
Council Chambers, 2nd Floor, 30 Laings Road, Lower Hutt,
on:

Wednesday 4 December 2024 commencing at 9:30 am

The meeting will be livestreamed on Council's YouTube page

Membership

	Cr B Dyer (Chair)
	Cr S Edwards (Deputy Chair)
Mayor C Barry	Cr J Briggs
Deputy Mayor T Lewis	Cr A Mitchell
Cr K Morgan	Cr N Shaw
Richard Te One, Mana Whenua Representative (Te Āti Awa, Taranaki)	

For the dates and times of Council Meetings please visit www.huttcity.govt.nz

Have your say

You can speak under public comment to items on the agenda to the Mayor and Councillors at this meeting. Please let us know by noon the working day before the meeting. You can do this by emailing DemocraticServicesTeam@huttcity.govt.nz or calling the Democratic Services Team on 04 570 6666 | 0800 HUTT CITY

KOMITI AROTAKE MAHERE Ā-ROHE | DISTRICT PLAN REVIEW COMMITTEE

Chair:	Cr Brady Dyer
Deputy Chair:	Cr Simon Edwards
Membership:	<p>Mayor Campbell Barry Cr Josh Briggs Deputy Mayor Tui Lewis Cr Andy Mitchell Cr Karen Morgan Cr Naomi Shaw Richard Te One, Mana Whenua Representative (Te Āti Awa, Taranaki) <i>Up to two representatives nominated by Iwi and appointed by Council</i></p> <p>Note: Elected members should hold current certification under the Making Good Decisions Training Assessment and Certification Programme for RMA Decision-Makers. The Chair should in addition hold Chair certification</p> <p>Standing Order 31 outlining the provisions of Mana Whenua do not apply to this committee and Iwi appointees will have full voting rights as members of the Committee under Standing Orders</p>
Quorum:	Half of the members
Meeting Cycle	Meets on an eight-weekly basis or at the requisition of the Chair
Reports to:	Council

AREAS OF FOCUS:

- Undertake a full review of the District Plan and development of a Proposed District Plan
- Urban design and spatial planning
- Resource Management Act reform
- Mana Whenua partnership

MANA WHENUA MEMBERSHIP:

Mana Whenua membership will facilitate a collaborative approach to the District Plan review, and other District Plan matters that arise to ensure that appropriate relationships

and processes are facilitated to:

- enable genuine partnership between Iwi and Hutt City Council at a governance level;
- promote shared decision-making in city planning; and
- ensure the perspectives and aspirations of iwi are effectively integrated into the District Plan Review.

Members are committed to ensuring Te Awa Kairangi ki Tai is able to develop in a prosperous manner, while also actively protecting significant natural, cultural, spiritual and built assets.

Members recognise the autonomy and right of Mana Whenua to exercise their respective authority in order to meet their responsibilities to their people.

SHARED VALUES:

- Whanaungatanga – building a strong partnership with an inter-generational view of the sustainable prosperity and wellbeing of Te Awa Kairangi ki Tai.
- Manaakitanga – placing the care of our whānau and community at the centre.
- Kaitiakitanga – caring for and protecting our environment.
- Whakapono – working together in good faith with honesty and transparency.
- Kotahitanga – working together with Mana Whenua and the wider community to achieve agreed outcomes.

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DISTRICT PLAN DELEGATIONS:

Undertake a full review of the City of Lower Hutt District Plan, including establishing a District Plan work programme and monitoring its implementation.

- Consideration of matters related to the preparation and ongoing monitoring of the City of Lower Hutt District Plan.
- Preparation of required Changes and Variations to the City of Lower Hutt District Plan for Council approval to call for submissions.
- Approval of the draft District Plan for consultation.
- Make recommendations to Council on the statutory notified proposed District Plan.
- Make recommendations to Council on private District Plan Change requests for Council to accept, adopt or reject.
- Approve Council submissions on Resource Management-related matters, as well as the ability to delegate this approval to the Chief Executive.
- The Chair of the committee, in conjunction with the Chief Executive, is authorised to appoint a District Plan Hearings Subcommittee of suitably qualified persons to conduct hearings on behalf of the committee.

GENERAL:

Any other matters delegated to the committee by Council in accordance with approved policies and bylaws.

NOTE:

Manatū mō te Taiao | Ministry for the Environment advocates that Councils offer specialist RMA training in areas of law that are difficult to grasp or where mistakes are commonly made. This is to complement the Good Decision Making RMA training that they run (which is an overview and basic summary of decision making, rather than an in-depth training in specific areas of the RMA). Therefore to facilitate this, the RMA training run for councillors that wish to become hearings commissioners is mandatory.

Reasons for the importance of the training:

1. Hearings commissioners are kept abreast of developments in the legislation.
2. Legal and technical errors that have been made previously are avoided (many of which have resulted in Environment Court action which is costly, time-consuming and often creates unrealistic expectations for the community).
3. The reputation of Council as good and fair decision-makers or judges (rather than legislators) is upheld.

HUTT CITY COUNCIL

KOMITI AROTAKE MAHERE Ā-ROHE DISTRICT PLAN REVIEW COMMITTEE

Meeting to be held in the Council Chambers, 2nd Floor, 30 Laings Road, Lower Hutt

on

Wednesday 4 December 2024 commencing at 9:30 am.

ORDER PAPER

PUBLIC BUSINESS

1. OPENING FORMALITIES - KARAKIA TŪTURU: TĒNEI AU

Tēnei au	This
Tēnei au te hōkai nei o taku	This is the journey of sacred footsteps
tapuwae	Journeyed about the earth journeyed
Ko te hōkai nuku ko te hōkai	about the heavens
rangi	The journey of the ancestral god
Ko te hōkai a tō tupuna a Tāne-	Tānenuiarangi Who ascended into
nui-a- rangi	the heavens to Te Tihi-o- Manono
Ka pikitia ai ki ngā rangi tūhāhā	Where he found Io, the parentless
ki te Tihi-o-Manono	source
Ka rokohina atu rā ko Io-Matua-	From there he retrieved the baskets of
Kore anake	knowledge Te kete-tuauri
Ka tikina mai ngā kete o te	Te kete-tuatea Te kete-aronui
wānanga	These were distributed and implanted
Ko te kete-tuauri	about the earth
Ko te kete-tuatea	From which came human life
Ko te kete-aronui	Growing from dim light to full light
Ka tiritiria ka poupoua	There was life.
Ka puta mai iho ko te ira tāngata	
Ki te wheiao ki te ao mārama	
Tihei-mauri ora!	

2. APOLOGIES

No apologies have been received.

3. PUBLIC COMMENT

Generally, up to 30 minutes is set aside for public comment (three minutes per speaker on items appearing on the agenda). Speakers may be asked questions on the matters they raise.

4. CONFLICT OF INTEREST DECLARATIONS

Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as a member and any private or other external interest they might have.

5. **RECOMMENDATIONS TO TE KAUNIHERA O TE AWA KAIRANGI | COUNCIL 4 DECEMBER 2024**

District Plan Review - Proposed District Plan

Report No. DPRC2024/5/355 by the Policy Planning Manager

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CHAIR'S RECOMMENDATION:

"That the recommendations contained in the report be endorsed."

6. **QUESTIONS**

With reference to section 32 of Standing Orders, before putting a question a member shall endeavour to obtain the information. Questions shall be concise and in writing and handed to the Chair prior to the commencement of the meeting.

7. **CLOSING FORMALITIES - KARAKIA WHAKAMUTUNGA**

Unuhia!

*Release us from the supreme sacredness
of our tasks*

Unuhia!

To be clear and free

Unuhia i te uru-tapu-nui

*In heart, body and soul in our continuing
journey*

Kia wātea, kia māmā

Te ngākau, te tinana, te

wairua i te ara takatū

*Oh Rongo, raise these words up high
so that we be cleansed and be free,*

Koia rā e Rongo

Yes indeed, we are free!

whakairihia ake ki runga

Good and peaceful

Kia wātea, kia wātea!

Ae rā, kua wātea!

Hau, pai mārire.

Judy Randall
DEMOCRACY ADVISOR

18 November 2024

Report no: DPRC2024/5/355

District Plan Review - Proposed District Plan

Purpose of Report

1. The District Plan Review Committee has been delegated the task of making recommendations to Council on notification of a proposed District Plan.
2. This report presents a final draft of the proposed District Plan to the Committee and recommends that the Committee recommends that Council approves the proposed District Plan for public notification.

Recommendations

That the Committee recommends that Council:

- (1) notes and receives the information, including the final draft of the proposed District Plan and Section 32 Evaluation Reports;
- (2) approves the proposed Lower Hutt District Plan for public notification pursuant to Clause 5 of Schedule 1 of the Resource Management Act 1991 (RMA);
- (3) endorses the content of the Section 32 Evaluation Reports that have been prepared for the proposed District Plan;
- (4) agrees that the date for public notification of the Proposed District Plan will be in February 2025 and that the submission period will be for 40 working days;
- (5) approves that officers make further, non-substantial changes to the proposed District Plan (including maps) and updates to the Section 32 Evaluation Reports, as required, prior to public notification of the proposed District Plan; and
- (6) notes that under Section 86B of the Resource Management Act (RMA), some rules have immediate legal effect on public notification of the proposed District Plan – including rules relating to protection of historic heritage (in the *HH – Historical Heritage* and *SASM – Sites and Areas of Significance to Māori* chapters) protection of areas of significant indigenous vegetation and habitats of indigenous fauna (in the *ECO – Ecosystems and Indigenous Biodiversity* chapter), and rules for subdivision, infrastructure and earthworks in these areas.

Background

3. Council commenced a full review of the City of Lower Hutt District Plan in 2019. This review has been undertaken with the direction of the District Plan Review Committee.
4. This review has now progressed to the stage where a final draft of the proposed District Plan and associated evaluation reports are now complete.
5. The final draft of the proposed District Plan can be viewed at:

<http://eplan.huttcity.govt.nz/review>

6. The GIS viewer with the final draft of the proposed District Plan maps can be viewed at:

<https://maps.huttcity.govt.nz/portal/apps/experiencebuilder/experience/?id=23fbbda811714948bdfb8b1113327b50>

Note: The text and the maps of the proposed District Plan will ultimately be integrated into a fully functional ePlan tool for people to do a property-specific search to find the parts of the proposed District Plan that are relevant to a particular property. This will be completed prior to notification of the proposed District Plan.

7. The draft evaluation reports for the proposed District Plan, prepared in accordance with section 32 of the RMA, as well as technical reports that informed the review, are available at:

<https://www.huttcity.govt.nz/council/district-plan/district-plan-review/section-32-evaluation-reports-and-technical-assessments>

8. The next step in the review is for Council to approve the proposed District Plan for public notification. This will commence the plan (District Plan) change process set by Schedule 1 of the RMA.

9. This report outlines:

- The legal requirements for a district plan under the RMA,
 - A summary of the proposed District Plan,
 - The plan change process prescribed in Schedule 1 of the RMA, and
- presents the recommendation that the proposed District Plan be notified.

Discussion

Legal requirement for District Plan

10. The District Plan is Council's statutory instrument to manage subdivision, land use and development in Lower Hutt. Every territorial authority is required to have a district plan under the RMA.

11. The purpose of the preparation, implementation and administration of district plans is to assist territorial authorities to *carry out their functions in order to achieve the purpose of the RMA* (s72 of the RMA).
12. *The purpose of the RMA* is to promote the sustainable management of natural and physical resources (s5 of the RMA). Sustainable management is defined in the RMA as meaning:
- managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while –*
- (a) *sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
 - (b) *safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
 - (c) *avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

13. *Council's functions under the RMA* include:

- Achieving integrated management of the effects of the use, development or protection of land and associated natural and physical resources;
- Ensuring that there is sufficient development capacity in respect of housing and business land to meet the expected demands of the city;
- Controlling the effects of the use, development, or protection of land; including in respect of natural hazards, contaminated land and maintaining indigenous biodiversity;
- Controlling noise; and
- Controlling the effects of activities in relation to the surface of water in rivers and lakes.

14. The mandatory requirements for a district plan¹ are:

A. General Requirements

1. A district plan should be designed to accord with, and assist the territorial authority to carry out, its functions so as to achieve the purpose of the RMA.

¹ These requirements are set out in decisions of the Environment Court in Long Bay-Okura Great Parks Society Incorporated v North Shore City Council (Decision A 078/2008) and amended in High Country Rosehip Orchards Ltd and Ors v Mackenzie DC ([2011] NZ EnvC 387), and have been updated to reflect changes to the RMA since those decisions were made.

2. When preparing its district plan the territorial authority must give effect to any national policy statement, New Zealand Coastal Policy Statement, and national planning standards.
3. When preparing its district plan the territorial authority shall:
 - (a) have regard to any proposed regional policy statement;
 - (b) give effect to any operative regional policy statement;
 - (c) have regard to the extent to which the plan needs to be consistent with the plans of adjacent territorial authorities.
4. The Supreme Court (referring to the Environment Court in *Clevedon Cares v Manukau City Council*) has stated that 'give effect to' simply means 'implement'. 'Give effect to' is a strong directive creating a firm obligation on those subject to it.
5. In relation to regional plans:
 - (a) the district plan must not be inconsistent with an operative regional plan for any matter specified in s30 (1) [or a water conservation order]; and
 - (b) must have regard to any proposed regional plan on any matter of regional significance, etc.
6. When preparing its district plan, the territorial authority must also:
 - have regard to any relevant management plans and strategies under other Acts, and to any relevant entry in the Historic Places Register and to various fisheries regulations; and to consistency with plans and proposed plans of adjacent territorial authorities;
 - have regard to any emissions reduction plan and any national adaptation plan made in accordance with sections 5ZI and 5ZS of the Climate Change Response Act 2002, respectively;
 - take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority; and
 - not have regard to trade competition;
7. The district plan must be prepared in accordance with any regulation and any direction given by the Minister for the Environment.
8. The requirement that a district plan (change) must also state its objectives, policies and the rules (if any) and may state other matters.

B. Objectives [the s32 test for objectives]

9. Each proposed objective in a district plan is to be evaluated by the extent to which it is the most appropriate way to achieve the purpose of the RMA.

C. Policies and methods (including rules) [the s32 test for policies and rules]

10. The policies are to implement the objectives, and the rules (if any) are to implement the policies.
11. Each proposed policy or method (including each rule) is to be examined as to whether it is the most appropriate method for achieving the objectives of the district plan, by:
 - (a) identifying other reasonably practicable options for achieving the objectives; and
 - (b) assessing the efficiency and effectiveness of the provisions in achieving the objectives, including:
 - (i) identifying, assessing and quantifying (where practicable) the benefits and costs of the environmental, social and cultural effects anticipated from the implementation of the provisions, including opportunities for economic growth and employment; and
 - (ii) assessing the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods; and
 - (iii) if a national environmental standard applies and the proposed rule imposes a greater prohibition or restriction than that, then whether that greater prohibition or restriction is justified in the circumstances.

D. Rules

12. In making a rule the territorial authority must have regard to the actual or potential effect of activities on the environment.
13. There are special provisions for rules about contaminated land.
14. There must be no blanket rules about tree felling in any urban environment.

E. Other statutes

15. Territorial authorities may be required to comply with other statutes.

F. Specific requirements for Medium Density Residential Standards (s77G)

16. Specified territorial authorities must incorporate the Medium Density Residential Standards (from Schedule 3A of the RMA) for every relevant residential zone and may only make these requirements less

enabling of development if authorised to do so under section 77I of the RMA (which relates to qualifying matters).

G. Suspension of identifying Significant Natural Areas under the National Policy Statement for Indigenous Biodiversity (s78)

17. Requirements of the National Policy Statement for Indigenous Biodiversity to identify areas of significant indigenous vegetation or significant habitats of indigenous fauna (commonly referred to as Significant Natural Areas) have been suspended for three years (ending in 2027).
15. The final draft of the proposed District Plan has been developed to meet these requirements.

Summary of the proposed District Plan

16. The final draft of the proposed District Plan can be viewed at:

<http://eplan.huttcity.govt.nz/review>

17. In brief, it includes:

- **Part 1 – Introduction and General Provisions**

Part 1 mostly covers administrative and procedural matters, including the definitions for terms used elsewhere in the Plan.

It also includes a Mana Whenua chapter, which includes information on Mana Whenua for Lower Hutt to assist people applying for resource consents.

- **Part 2 – District-Wide Matters**

Part 2 includes chapters with objectives, policies and rules that apply throughout Lower Hutt. It addresses a wide range of topics, including:

- Energy, Infrastructure and Transport,
- Hazards and Risks,
- Historical and Cultural Values,
- Natural Environment Values
- Subdivision, and
- General District-Wide Matters.

- **Part 3 – Area-Specific Matters**

Part 3 includes chapters that apply to specific zones, including Residential, Rural, Commercial and Mixed Use, Industrial, Open

Space and Recreation, and Special Purpose Zones. It also lists the designations for Lower Hutt.

- **Part 4 – Appendices**

Part 4 includes schedules referred to in other parts of the District Plan, particularly in chapters that apply to overlays. These schedules typically list features and locations identified by overlays, often with a description of the values of the features/locations.

18. The key differences between this version of the proposed District Plan and the Draft District Plan that was engaged in late 2023/early 2024 are set out in Appendix 1 attached to the report, and summarised as follows:

- The Tangata Whenua chapter has been added to provide useful information and context for plan users in relation to Mana Whenua for Lower Hutt (refer to DPRC 14.11.2024).
- The Sites and Areas of Significance to Māori chapter has been completed, with a new schedule of sites and overlay on the District Plan maps (refer to DPRC 14.11.2024).
- A new Marae Zone chapter to address subdivision, land use and development on sites with existing marae (refer to DPRC 14.11.2024).
- A new Papakāinga chapter has been added, with rules for papakāinga in chapters for Residential Zones, Rural Zones and the Marae Zone (refer to DPRC 14.11.2024).
- The zone for some areas has changed, including:
 - Applying the General Rural Zone to 30 Benmore Crescent, Manor Park (refer to DPRC 04.07.2024).
 - Applying the Marae Zone to the sites of existing marae (refer to DPRC 14.11.2024).
 - Applying the Large Lot Residential Zone to a potential greenfield development site at Shaftesbury Grove, Stokes Valley (subject to the outcome of Plan Change 58).
 - Changing the zone of some properties from the Large Lot Residential Zone to the Medium Density and High Density Residential Zones (due to slope constraints now being addressed through a Slope Assessment Overlay, refer to DPRC 08.08.2024).
- A new Seaview Marina Zone that applies specifically to the marina.
- A new Slope Assessment Overlay, that identifies areas with an elevated risk from slope instability (including run-out areas for potential slips). Additional rules would apply to earthworks and subdivision in the areas identified (refer to DPRC 04.07.2024).
- The Flood Hazard Overlays have been updated to incorporate modelling from Greater Wellington Regional Council (previous overlays had only incorporated modelling from Wellington Water) and to incorporate a revised climate change scenario. This has resulted in an increase in properties identified by the overlays and an increase in risk category for some areas (refer to DPRC 04.07.2024).

- Removal of the Fault Induced Subsidence Overlay (due to the high level of uncertainty on the area that had been identified - refer to DPRC 04.07.2024).
 - Amendments to the Three Waters chapter, including requirements for water meters in new residential units, removing requirements for greywater tanks (due to a lack of evidence to demonstrate the effectiveness and efficiency of requiring greywater tanks), and removal of requirements for water sensitive development in commercial zones (as there is limited ability to provide meaningful water sensitive design measures on sites in these zones due to the high level of site coverage - refer to DPRC 04.07.2024).
 - Two additional highly constrained roads (Mackenzie Road, Eastbourne and Westhill Road, Point Howard), where there would be additional constraints on intensification to manage impacts on the efficiency and safety of the roads (refer to DPRC 04.07.2024).
 - Identification of additional notable trees, in response to nominations for new notable trees and assessments of these trees (with the approval of the tree owner).
 - A reduction in the number of historic heritage buildings and structures identified. This is following a review from heritage experts engaged by Council of what had been identified in the Draft District Plan, to ensure process and evaluation for identifying heritage buildings in the proposed District Plan is robust (refer to DPRC 08.08.2024).
 - New Ecosystems and Indigenous Biodiversity chapter (refer to DPRC 03.10.2024).
19. Evaluation reports have been prepared for each of the chapters of the proposed District Plan, prepared in accordance with section 32 of the RMA. These will be updated and finalised once Council has made its final decisions on the proposed District Plan. They are currently available at:

<https://www.huttcity.govt.nz/council/district-plan/district-plan-review/section-32-evaluation-reports-and-technical-assessments>

The plan change process

20. Council's approval of the proposed District Plan will commence the formal plan change process prescribed by Schedule 1 of the RMA. This includes:
- **Public notification of the proposed plan change**
This commences a submission period of at least 40 working days, during which people can submit TO any part of the proposed District Plan.
 - **Preparation of a summary of decisions requested in submissions**
 - **Public notification of the summary of decisions requested in submissions**

This commences a further submission period of at least 10 working days, during which time specified people can submit in support or opposition to decisions requested in submissions.

- **A hearing process with an independent hearing panel**

This is the same as the typical hearing process for changes to the District Plan, but at a significantly larger scale, with multiple hearing streams on specific topics taking place over several months.

Any submitter can present in support of their submission at a hearing.

Council officers are present at the hearings to assist the hearing panel, including providing evidence on matters within the officers' expertise.

A hearing may involve pre-hearing meetings and mediation between parties to narrow issues that are in contention and provide for a more streamlined hearing process.

- **A recommended decision from the independent hearing panel**

Typically, a hearing panel will only be delegated the function of making a recommendation back to Council, rather than making the decision itself (although, Council is able to delegate the decision-making to a panel).

- **A decision from Council on the proposed District Plan**

- **An appeal process**

Submitters have 30 working days from the notification of Council's decision on the proposed District Plan to appeal the decision to the Environment Court.

Appeals must relate to the submitter's submission (or further submission). The appeal process is run by the Courts and may involve mediation to narrow or potentially resolve issues without the need for more extensive court proceedings.

- **A decision from Council to make the proposed District Plan operative**

This is effectively the final stage of the process and occurs once all issues in submissions have been resolved through Council's decisions or resolution of appeals. This decision may occur in stages, with Council deciding to make parts of the proposed District Plan operative while other parts are still going through the appeal process.

Options

21. The substantive recommendation of this report is that the Committee recommends that Council approves the proposed District Plan for public notification.
22. The two options for this decision are whether to recommend approval of the proposed District Plan for notification or not.

23. It is recommended that the Committee recommends approval of the proposed District Plan as:
- The District Plan Review has been a robust process, including engagement with Mana Whenua, the community and other stakeholders.
 - The proposed District Plan has been informed by assessments from experts in a range of disciplines.
 - The proposed District Plan meets the requirements of:
 - The RMA,
 - National policy statements,
 - New Zealand Coastal Policy Statement,
 - Regional Policy Statement for the Wellington Region, and
 - National Planning Standards.
 - Notification of the proposed District Plan allows a further opportunity for Mana Whenua, the community and other stakeholders to request amendments to the proposed District Plan and for these to be considered through the process prescribed by Schedule 1 of the RMA.

Next Steps

24. If Council adopts the proposed District Plan, the next step will be public notification of the proposed District Plan (in February 2024). This will commence the formal plan change process outlined in the Discussions section of this report.

Consultation

25. The District Plan Review has been informed by non-statutory engagement with Mana Whenua (particularly through the Kāhui Mana Whenua), the community, and other stakeholders. This has included:
- The *Shaping Your City* engagement (2020), on issues and options for the District Plan Review, and
 - The *Draft District Plan* engagement (2023), on a full draft of the plan.
26. If Council approves the proposed District Plan, the steps for consultation on the proposed District Plan (as prescribed by Schedule 1 of the RMA) are as follows:
- Public notification of the proposed District Plan (in early February),
 - A two-month submission period,
 - Public notification of a summary of decisions requested in submissions,

- A two-week further submission period, and
 - A public hearing (with an independent hearing panel) where submitters can speak in support of their submissions.
27. Any submissions and further submissions will need to be in the form set by the Resource Management (Forms, Fees, and Procedure) Regulations 2003. This is in contrast to other community consultation, where there is greater flexibility in how Council receives submissions and feedback in general.
28. Public notification will include:
- A public notice in the Hutt News (required by Schedule 1 of the RMA).
 - Direct notification to Mana Whenua, the Ministry for the Environment, Greater Wellington Regional Council, and other territorial authorities of the Wellington Region.
 - An online portal providing access to the proposed District Plan, a summary of each chapter of the proposed District Plan (using non-technical language where possible), and information on how to make a submission (including submission forms),
 - Messages to the community through Council's social media, the Hutt News, and other channels to inform the community that the proposed District Plan has been notified and that they can make a submission, and
 - Letters to owners of properties that are particularly impacted by changes that have been made between the draft District Plan (released for engagement in 2023) and the proposed District Plan.
29. Once notified, officers expect a relatively high level of interest in the proposed District Plan. Officers will be available to answer questions from people interested in the proposed District Plan and the plan change process.
30. A Friend of Submitters service will also be in place to provide support to potential submitters. The Friend of Submitters will be an experienced, independent planner whom submitters can contact for free advice on the plan change process, how to make a submission, and the type of information to include in a submission.

Climate Change Impact and Considerations

31. The District Plan is a key strategic document for addressing the impacts of future land use and development on the climate as well as addressing the impacts of climate change.
32. The proposed District Plan includes a range of measures to address climate change better. This includes:
- Zoning patterns that encourage development to be located in areas where a greater proportion of trips can be made through public and active transport modes,

- Resource consent requirements for developments in areas susceptible to natural hazards that would be impacted by climate change (including coastal inundation, tsunami and flood hazards),
 - New provisions to enable hazard mitigation works and green infrastructure,
 - A new Three Waters chapter with requirements for hydraulic neutrality and water-sensitive urban design in new developments,
 - New provisions to provide for and encourage active transport modes, including increased requirements for cycle parking and measures to address potential impacts on identified cycleways, shared paths and high pedestrian areas, and
 - Provisions to enable new renewable electricity generation activities, as well as enabling investigations for future renewable electricity generation opportunities.
33. The District Plan Review included a climate change-specific review of the draft District Plan. The recommendations from the climate change-specific review have been considered in preparing the proposed District Plan.

Legal Considerations

34. The key legal considerations for this report are Council's requirements under the RMA to review the District Plan in accordance with the RMA, and for a proposed District Plan to go through the plan change process prescribed in Schedule 1 of the RMA.

Financial Considerations

35. There is a degree of uncertainty on the costs associated with the formal plan change process for the proposed District Plan as these costs will depend on the number of submissions that are received, the amount of work that is required to respond to the submissions (including whether external experts need to be engaged to advise on matters raised in submissions), and the length of the hearing.
36. However, the expected costs have been accounted for within the existing budget for the District Plan Review.

Appendices

No.	Title	Page
1↓	Appendix 1: Summary of main changes from the draft District Plan to the proposed District Plan	19

Author: Nathan Geard, Policy Planning Manager

Reviewed By: Tim Johnstone, Head of Planning

Approved By: Alison Geddes, Director Environment and Sustainability

Summary of main changes from the draft District Plan to the proposed District Plan

DPRC = District Plan Review Committee

Part 1: Introduction and General Provisions		
TANGATA WHENUA		<ul style="list-style-type: none"> Draft District Plan did not include Tangata Whenua Chapter. Tangata Whenua Chapter now included following input from Mana Whenua. Recommended approach endorsed by DPRC on 14.11.2024.
Part 2: District-Wide Matters		
ENERGY, INFRASTRUCTURE AND TRANSPORT	<p>Infrastructure</p> <p>Renewable Electricity Generation</p> <p>Three Waters</p> <p>Transport</p>	<ul style="list-style-type: none"> Infrastructure and Renewable Electricity Generation: only non-substantial changes made largely in response to Draft District Plan feedback (not reported back to DPRC). Three Waters: changes made relating to requirements for water meters in new residential units; removing requirements for greywater tanks; and removal of requirements for water sensitive development in commercial zones (changes endorsed by DPRC on 04.07.2024) Transport: High Trip Generator Overlay and associated provisions added to support reduced reliance on private

		<p>motor vehicles within short walking distances of some rail stations. Two additional highly constrained roads added (Mackenzie Road, Eastbourne and Westhill Road, Point Howard). These changes were endorsed by DPRC on 04.07.2024.</p>
HAZARDS AND RISKS	<p>Contaminated Land Hazardous Substances Natural Hazards</p>	<ul style="list-style-type: none"> • Contaminated Land and Hazardous Substances: only non-substantial changes made largely in response to Draft District Plan feedback (not reported back to DPRC). • Natural Hazards: a number of changes made following consultation on the Draft District Plan. These include technical changes in response to feedback, and some more significant changes as set out below, either in response to new information or to changes in national guidance. • New Slope Assessment Overlay added to identify areas with elevated risk from slope instability (including run-out areas for potential slips), and associated provisions added to manage earthworks and subdivision in the areas identified. • Flood Hazard Overlays have been updated to incorporate modelling from Greater Wellington Regional Council (previous overlays had only incorporated modelling from Wellington Water), and to incorporate a revised climate change scenario. This has resulted in an increase in

		<p>properties identified by the overlays and an increase in risk category for some areas.</p> <ul style="list-style-type: none"> • Removal of the Fault Induced Subsidence Overlay (due to the high level of uncertainty for the area that had been identified). • Recommended approach set out above endorsed by DPRC on 04.07.2024.
HISTORICAL AND CULTURAL VALUES	<p>Historical Heritage Sites and Areas of Significance to Māori Notable Trees</p>	<ul style="list-style-type: none"> • Historical Heritage: there has been a reduction in the number of historic heritage buildings and structures identified from the Draft District Plan. This is the outcome of feedback received and a review from heritage experts engaged by Council to ensure process and evaluation for identifying heritage buildings in the Proposed District Plan is robust. Recommended approach endorsed by DPRC on 08.08.2024. • Sites and Areas of Significance to Māori (SASMs) chapter has been completed with input from Mana Whenua. New overlay and schedule of sites added incorporating current sites in the District Plan and newly identified sites and areas. Recommended approach endorsed by DPRC on 14.11.2024. • Notable trees – additional trees nominated through the Draft District Plan consultation have been assessed (with the approval of the tree owner) resulting in some additional

		trees being added to the schedule. No changes to the rules that relate to notable trees.
NATURAL ENVIRONMENT VALUES	Ecosystems and Indigenous Biodiversity Natural Character Natural Features and Landscapes Public Access	<ul style="list-style-type: none"> • Ecosystems and Indigenous Biodiversity chapter added as directed by DPRC on 03.10.2024. The chapter continues the current approach of the Operative District Plan in relation to the protection of indigenous vegetation in Residential Zones; and includes new protection of indigenous vegetation on public land in the Natural Open Space Zone. • Natural Features and Landscapes: changes made to some provisions in response to Draft District Plan feedback, and some minor mapping changes following additional site visits (changes endorsed by DPRC on 03.10.2024).
GENERAL DISTRICT-WIDE MATTERS	Subdivision Activities on the Surface of Water Coastal Environment Earthworks Financial Contributions Light Noise Papakāinga Signs Temporary Activities	<ul style="list-style-type: none"> • Largely non-substantial changes made to the District-Wide matters in response to Draft District Plan feedback (not reported back to DPRC); except noting the following: • Noise: in response to feedback from KiwiRail and NZTA the noise buffer areas have been updated using modelling from NZTA and splitting the buffer into “high” and “moderate” noise areas, with different levels of insulation required. • New Papakāinga chapter has been added, with rules to provide for papakāinga in chapters for Residential Zones, Rural Zones and the Marae Zone.

	Wind	
Part 3: Area-Specific Matters (Zones)		
RESIDENTIAL ZONES	Large Lot Residential Zone Medium Density Residential Zone High Density Residential Zone	<ul style="list-style-type: none"> • Largely non-substantial changes made in response to Draft District Plan feedback. • Some zone changes in response to feedback received, and changing the zone of some properties from the Large Lot Residential Zone to the Medium Density and High Density Residential Zones (due to slope constraints now being addressed through a Slope Assessment Overlay, as endorsed by DPRC on 08.08.2024).
RURAL ZONES	General Rural Zone Rural Lifestyle Zone	<ul style="list-style-type: none"> • Changes made to some provisions in response to Draft District Plan feedback (as endorsed by DPRC on 03.10.2024).
COMMERCIAL AND MIXED USE ZONES	Neighbourhood Centre Zone Local Centre Zone Mixed Use Zone Metropolitan Centre Zone City Centre Zone	<ul style="list-style-type: none"> • Non-substantial changes made to Local, Metropolitan and City Centre Zone chapters largely in response to Draft District Plan feedback (not reported back to DPRC). • New Neighbourhood Centre Zone added to sit between the Local Centre Zone and Mixed Use Zone in the commercial centres hierarchy (as endorsed by DPRC on 02.05.2024). • Changes made to the provisions and extent of the Mixed Use Zone (as endorsed by DPRC on 02.05.2024).

INDUSTRIAL ZONES	<p>Light Industrial Zone</p> <p>General Industrial Zone</p> <p>Heavy Industrial Zone</p>	<ul style="list-style-type: none"> • Non-substantial changes made largely in response to Draft District Plan feedback (not reported back to DPRC). • Apply the General Rural Zone instead of the General Industrial Zone to 30 Benmore Crescent, Manor Park (as directed by DPRC on 04.07.2024).
OPEN SPACE AND RECREATION ZONES	<p>Natural Open Space Zone</p> <p>Open Space Zone</p> <p>Sport and Active Recreation Zone</p>	<ul style="list-style-type: none"> • Non-substantial changes made largely in response to Draft District Plan feedback (not reported back to DPRC).
SPECIAL PURPOSE ZONES	<p>Hospital Zone</p> <p>Marae Zone</p> <p>Quarry Zone</p> <p>Seaview Marina Zone</p> <p>Tertiary Education Zone</p>	<ul style="list-style-type: none"> • Non-substantial changes made to Special Purpose Zones largely in response to Draft District Plan feedback (not reported back to DPRC); except noting the following: • Seaview Marina Zone added to provide for ongoing marina operations at Seaview and incorporating feedback from the marina and oil terminal operators. • Marae Zone added to apply to existing marae (endorsed by DPRC on 14.11.2024).