

IN THE MATTER OF

the Resource Management Act
1991

AND

IN THE MATTER OF

Plan Change 47 – Natural Hazards
- to change the Upper Hutt City
District Plan under Schedule 1 of
the Resource Management Act
1991

MINUTE 2 OF THE HEARING PANEL APPOINTED BY UPPER HUTT CITY COUNCIL

Introduction

1. You have received this Minute as you are either a submitter or a Council officer involved in Plan Change 47 – Natural Hazards (PC47) to the Upper Hutt City District Plan.
2. The hearing was held on **Monday 22 April 2024**. The Hearings Panel adjourned the hearing after hearing from the Council and submitters in order to finalise questions that we wish the Council reporting officer to respond to in a final Reply Report.

Questions for Reply Report

3. The Council reporting officer is directed to respond to the following questions:
Overarching – please respond to any matters raised by submitters that you wish to respond to that we have not otherwise set out below.
 - a) You advised that the subdivision remains a controlled activity under proposed Plan Change 50 and that the rule does not include consideration of natural hazards as a matter of control. Can you please provide the Panel with a copy of the relevant provisions.
 - b) Please confirm whether there is scope to remove the “Uncertain Constrained Area of the Wellington Fault” from the planning maps covering multiple properties in the vicinity of Turksma Lane, in response to the submission from Karen Pugh at 7 Turksma Lane. You may wish to seek legal advice in responding to this question, particularly with regard to clause 16, Schedule 1. Should the Panel determine it can be removed, would the Wellington Fault Trace information around Turksma Lane remain on UHCC databases as a reference, and how would it be used as such?
 - c) Please comment on the appropriateness of Mr Harris’s recommended approach that the Slope Hazard Overlay be removed and be replaced with a rule that relates to slopes over 26 degrees (for example, EW-R9 would become “earthworks for a building platform on land with a slope greater than 26 degrees”).
 - d) For the land subject to the Mangaroa Peat Overlay, please provide a table setting out:
 - i. The Operative District Plan zoning
 - ii. The Operative District Plan subdivision minimum and average (if relevant) lot sizes

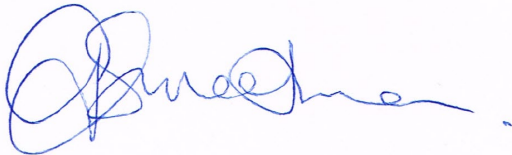
- iii. The Proposed Plan Change 50 zoning
- iv. The Proposed Plan Change 50 subdivision minimum and average lot sizes.
- e) Please confirm whether there is scope in Mr Anker's submission for us to consider his comments on the Wellington Fault and Slope Hazard Overlays.
- f) Please provide updated marked up district plan chapters with reference to submission points.
- g) Please provide a succinct summary of the impact of the Slope Hazard Overlay provisions on a property.
- h) Please confirm the weight you gave to GWRC RPS Plan Change 1 in your analysis and recommendations.
- i) Please outline your understanding of the difference in meaning between the term "do not significantly increase" and the proposed term "minimise".
- j) Please confirm the anticipated cost that would be incurred for obtaining a geotechnical assessment at subdivision stage, rather than at building consent stage.

Next Steps

- 4. Once we have received the responses to the questions above, the Hearings Panel will meet to determine whether we have all necessary information in order to close the hearing and make recommendations on the submissions to the Council. We will set this out by way of a future Minute.

Communication and questions

- 5. Any enquiries regarding these Directions or related matters should be directed to the Hearing Administrator, Hayley Boyd (Hayley.Boyd@uhcc.govt.nz). No party is to directly contact any member of the Hearings Panel.



Gina Sweetman
Chairperson, on behalf of the Hearings Panel
24 April 2024