

Hon David Parker  
Minister for the Environment  
Freepost Parliament  
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Wellington 6160

31 July 2023

*Delivered by email: d.parker@ministers.govt.nz*

Tēnā koe Minister Parker,

**UPPER HUTT CITY COUNCIL REQUEST FOR EXTENSION OF TIMEFRAME FOR PROPOSED PLAN CHANGE 49 – OPEN SPACES**

Upper Hutt City Council (the 'Council') is seeking an extension of time to make a decision, under Clause 10 of Schedule 1 of the Resource Management Act 1991 (the 'Act'), on Plan Change 49 Open Spaces to the Upper Hutt District Plan.

Council seeks an extension of approximately fourteen (14) months from 11 August 2023 to 5 October 2024 to make a decision on Plan Change 49.

The Council is unable, or likely to be unable to meet the requirement of Clause 10(4)(a) of the Act for the following reasons:

1. Lack of available planning resources available to progress the plan change while progressing the Intensification Planning Instrument.
2. The variation to the plan change to include the Silverstream Spur as a natural open space (Variation 1), was requested by many submitters but identified as specifically out of scope of the original plan change.
3. The number of submissions and further submissions received on the variation for the Silverstream Spur has taken considerable time to analyse and consider.
4. The availability of appropriately experienced and accredited hearing commissioners at this time.

The Council seeks this extension to allow sufficient time to complete a combined hearing on Plan Change 49, which was notified on 11 August 2021 and Variation 1 to Plan Change 49 which was notified on 5 October 2022 and make comprehensive decisions on the plan change by 5 October 2024. This date is two years from the date that Variation 1 was notified and is approximately fourteen (14) months after decisions are otherwise required on the plan change.

The Council has considered the interests of persons who may be directly affected by an extension, and the interests of the community in achieving adequate assessment of the effects of the proposed plan change. The plan change relates primarily to public open space, and some privately owned recreation sites, such as golf courses but has significant community interest, particularly in the zoning and provisions for the Silverstream Spur. The time taken to reconsider the inclusion of the Silverstream Spur as an open space and develop and progress a variation for this, allowing the community views to be considered is appropriate and should not be rushed to meet the Clause 10 timeframe for the plan change.

The Council has considered its duty under Section 21 of the Act to avoid unreasonable delay and considers that the delay to Plan Change 49, to incorporate integrated decisions on Variation 1, and properly resource the Intensification Planning Instrument is reasonable in the circumstances.

If you require any further information, please contact [planning@uhcc.govt.nz](mailto:planning@uhcc.govt.nz). The Council looks forward to formal confirmation of receipt and a decision on this request.

Ngā mihi nui,

A handwritten signature in black ink, appearing to read 'Helen Hamilton', with a stylized flourish at the end.

**Helen Hamilton**

**Director of Planning and Regulatory Services**  
Te Kaunihera o Te Awa Kairangi ki Uta | Upper Hutt City Council