

Notification of Decisions on Plan Change 49 (PC49) - Open Spaces and Variation 1 to the Upper Hutt City Council District Plan (2004)

Notice is given, as required by Clauses 10 and 11 of the First Schedule of the Resource Management Act (RMA, 1991), that Upper Hutt City Council has made decisions on Plan Change 49 (PC49) – Open Spaces and Variation 1 to the Upper Hutt City Council District Plan (2004), following a resolution at the Council Meeting on 25 September 2024.

PC49 / Variation 1 seeks to:

- Make changes to the management of open spaces within the District Plan that enable activities which are suitable within open spaces whilst managing those activities which could affect the amenity and use of our open spaces.
- Zoning regional parks which are not currently zoned as open space.
- Splitting the existing open space zoning into three zones that reflect the different character of our open spaces and the different activities which occur within them:
 - Natural Open Space
 - Open Space
 - Sport and Active Recreation
- Rezone the Silverstream Spur as Natural Open Space
- Protect biodiversity values on the Silverstream Spur from development.

Please note: The decision on PC49/Variation 1 can be viewed at any of the following locations:

Online: www.upperhutt.govt.nz/PC49

Council Service Centre

Upper Hutt Civic Centre.
838-842 Fergusson Drive, Upper Hutt.

Upper Hutt Central Library

844 Fergusson Drive, Upper Hutt.

Pinehaven Library

Corner of Pinehaven Road and Jocelyn Crescent, Pinehaven, Upper Hutt.

Right of Appeal to the Environment Court

In accordance with Clause 14 of the First Schedule of the RMA (1991), any person who made a submission on PC49 or Variation 1 has the right to appeal to the Environment Court in respect of the following:

- a provision / matter included or excluded in PC49, or
- a provision which the decisions of the Council proposed to include or exclude in PC49.

Appeals may be made to the Environment Court within 30 working days of this notice **by 5:00pm, 15 November 2024.**

This is provided the person referred to that provision or matter in the person's submission on the proposed PC49.

You and the Environment Court

Any person considering an appeal should refer directly to Clause 14 of the First Schedule to the RMA (1991), and if any doubt about the procedures to be followed should consult a lawyer. The appeal process is independent of the Council's responsibilities.

Information about the appeals process is available on the Ministry for the Environment (MfE) website at: environment.govt.nz/publications/you-and-the-environment-court/

Notice of appeal to the Environment Court

Form 7 of the RMA (Forms, Fees and Procedure) Regulations (2003) outlines the information required, and process which should be followed when lodging an appeal with the Environment Court.

A copy of the form is available on the Environment Court of New Zealand or Legislation Government New Zealand website at: environmentcourt.govt.nz/forms-fees/ or legislation.govt.nz/regulation/public/2003/0153/latest/DLM195868.html

Contact details for the Environment Court

The contact details for the Environment Court are:

- Webpage: environmentcourt.govt.nz/contact-us/
- Street address: District Court Building, Level 5, 49 Ballance Street, Wellington, 6011,
- Postal address: The Deputy Registrar, Wellington Registry, SX10044, Wellington,
- Phone: (04) 918 8300, or
- Email: EnvironmentCourt@justice.govt.nz

Serve a copy of the Notice of Appeal

A copy of the Notice of Appeal to the Environment Court must also be served to Upper Hutt City Council within 30 working days of service of this notice to the following:

- Address to: Attn: Emily Thomson, Planning (Policy) Manager, Private Bag 907, Upper Hutt, 5140.

You must also serve a copy of the Notice of Appeal on every person who made a submission on the matter to which the appeal relates to within 5 working days, after the Notice of Appeal is lodged with the Environment Court.

An address list of the submitters can be provided on request.

If you have any questions, or would like further information about Plan Change 49 (PC49) or Variation 1, please call us on (04) 527 2169 and we will arrange a call back from one of our Planners or email us at planning@uhcc.govt.nz

Emily Thomson

Planning (Policy) Manager
Upper Hutt City Council

Post: Private Bag 907, Upper Hutt 5140

Email: planning@uhcc.govt.nz

Telephone: (04) 527 2169