

Attachment 3

Section 32 Evaluation

Private Plan Change Request Gabites Block

Section 32 Evaluation Report

4 November 2021

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Introduction

- (1) This report evaluates Private Plan Change Request – Gabites Block (PC-GB), a change to the Operative Upper Hutt District Plan (UHDP), in accordance with Section 32 of the Resource Management Act 1991 (RMA).
- (2) PC-GB seeks to rezone 74.5 hectares of land, known as ‘Gabites Block’, from its current Rural Hill and Rural Valley zoning to Settlement Zone. The site would also be subject to a “Gabites Block Development Area”.
- (3) The Gabites Block is held in two Records of Title:
 - Part Section 299 Hutt District – 59.8915 hectares zoned Rural Hill and Rural Valley;
 - Lot 2 DP 356697 – 14.6420 hectares zoned Rural Valley.
- (4) PC-GB provides for:
 - Additional housing capacity of 170-200 residential units;
 - Protection of Gabites Block Natural Areas (significant natural areas) (GBNAs);
 - Maintaining the landscape values of the west-facing hillside;
 - Maintaining rural residential character.
- (5) PC-GB responds to a detailed assessment of constraints and opportunities as well as feedback received from Ngāti Toa Rangatira, stakeholders and the community in response to previous Upper Hutt City Council consultation.
- (6) PC-GB adopts planning provisions for the Settlement Zone developed by Upper Hutt City Council as part of its rolling review of the UHDP.
- (7) This Section 32 evaluation report sets out the requirements of Section 32 then presents the statutory, regulatory and policy framework that PC-GB must respond to.
- (8) The report then discusses the suitability of the site for the proposed changes, briefly summarising the technical reports that have informed PC-GB. It also summarises the consultation undertaken to date.
- (9) The report provides a brief overall evaluation then presents and evaluates PC-GB’s UHDP amendments in order of occurrence in the UHDP.

Section 32 Evaluation Requirements

(10) Section 32 of the RMA requires that an evaluation report be prepared before the notification of a plan change by Council. Sections 32(1), 32(2), 32(3) and 32(4) provide direction as to what such an evaluation must examine and consider. These sections are as follows:

- (1) *An evaluation report required under this Act must-*
 - (a) *examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act; and*
 - (b) *examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by-*
 - (i) *identifying other reasonably practicable options for achieving the objectives; and*
 - (ii) *assessing the efficiency and effectiveness of the provisions in achieving the objectives; and*
 - (iii) *summarising the reasons for deciding on the provisions; and*
 - (c) *contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.*
- (2) *An assessment under subsection 1(b)(ii) must-*
 - (a) *identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for-*
 - (i) *economic growth that are anticipated to be provided or reduced; and*
 - (ii) *employment that are anticipated to be provided or reduced; and*
 - (b) *if practicable, quantify the benefits and costs referred to in paragraph (a); and*
 - (c) *assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.*
- (3) *If the proposal (an amending proposal) will amend a standard, statement, national planning standard, regulation, plan, or change that is already proposed or that already exists (an existing proposal), the examination under subsection (1)(b) must relate to-*
 - (a) *the provisions and objectives of the amending proposal; and*
 - (b) *the objectives of the existing proposal to the extent that those objectives-*
 - (i) *are relevant to the objectives of the amending proposal; and*
 - (ii) *would remain if the amending proposal were to take effect.*
- (4) *If the proposal will impose a greater or lesser prohibition or restriction on an activity to which a national environmental standard applies than the existing*

prohibitions or restrictions in that standard, the evaluation report must examine whether the prohibition or restriction is justified in the circumstances of each region or district in which the prohibition or restriction would have effect.

(4A) If the proposal is a proposed policy statement, plan, or change prepared in accordance with any of the processes provided for in Schedule 1, the evaluation report must-

(a) summarise all advice concerning the proposal received from iwi authorities under the relevant provisions of Schedule 1; and

(b) summarise the response to the advice, including any provisions of the proposal that are intended to give effect to the advice.

- (11) The benefits and costs are defined in Section 2 of the RMA as including benefits and costs of any kind, whether monetary or non-monetary.
- (12) Section 32 applies to the entire policy and plan development and change process from issue identification to decision release. As such, Section 32 is applicable:
- When objectives are identified and assessed;
 - When examining policies, rules, or other methods;
 - After the draft plan or provision is prepared;
 - When the decision is made to notify;
 - In the officer's report on submissions;
 - During deliberations by the council hearings committee; and
 - Before the final decision being released.
- (13) Section 32 evaluations effectively tell the story of what is proposed and the reasoning behind it. The Section 32 evaluation aims to communicate the thinking behind the proposal to the community and to decision-makers. The evaluation also provides a record for future reference of the process, including the methods, technical studies, and consultation that underpin it, as well as outlining the assumptions and risks¹.

¹ Ministry for the Environment. 2014. *A guide to section 32 of the Resource Management Act: Incorporating changes as a result of the Resource Management Amendment Act 2013*. Wellington: Ministry for the Environment.

Statutory Basis for the Proposed Plan Change

- (14) The statutory basis for PC-GB outlines what any change to a plan must consider, as well as what the PC-GB must give effect to in terms of the hierarchy of planning documents.
- (15) In terms of managing long-term land use associated with urban growth and associated strategic infrastructure, Section 74 of the RMA outlines the requirements for District Councils in terms of the preparation of, and any change to, their UHDP in accordance with their functions under section 31 and the provisions of Part 2 of the RMA.

Part 2 of the RMA

Section 5

- (16) Section 5 sets out the purpose of the RMA, which is to promote the sustainable management of natural and physical resources. Managing the provision for long term land-use and infrastructure aligns closely with that purpose. Section 5 of the RMA defines ‘sustainable management’ as:

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 wellbeing, 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;*
- (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.*

- (17) PC-GB directly relates to providing land for growth in Upper Hutt City. Part 2 requires that this occurs in a way and at a rate which enables people and communities to provide for their social, economic and cultural wellbeing, and meeting the reasonably foreseeable needs of future generations; safeguarding the life supporting capacity of air, water, soil and ecosystems; and addressing adverse effects on the environment.
- (18) In achieving this purpose, authorities need also to recognise and provide for the matters of national importance identified in section 6, have particular regard to other matters referred to in section 7 and take into account the principles of the Treaty of Waitangi referred to in section 8.

Section 6

- (19) The s6 matters relevant to PC-GB are:

Section 6 Matter	Relevance
(a) <i>the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development</i>	The site contains streams and a natural wetland.

<i>(c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna</i>	GBNAs have been identified by Bioreserches Ltd as part of PC-GB.
<i>(d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers</i>	The site contains streams.
<i>(e) the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga</i>	The site is within the rohe of Ngāti Toa Rangatira and Taranaki Whānui.
<i>(h) the management of significant risks from natural hazards</i>	Parts of the site are subject to High Slope Hazard.

Section 7

(20) The s7 matters relevant to PC-GB are:

Section	Relevant Matter
<i>(a)</i>	<i>Kaitiakitanga</i>
<i>(aa)</i>	<i>The ethic of stewardship</i>
<i>(b)</i>	<i>The efficient use and development of natural and physical resources</i>
<i>(c)</i>	<i>The maintenance and enhancement of amenity values</i>
<i>(d)</i>	<i>Intrinsic values of ecosystems</i>
<i>(f)</i>	<i>Maintenance and enhancement of the quality of the environment</i>
<i>(g)</i>	<i>Any finite characteristics of natural and physical resources</i>
<i>(i)</i>	<i>The effects of climate change</i>

Section 8

(21) Under s8 UHCC has a general obligation to actively work in partnership with its Treaty partners, Ngāti Toa Rangatira and Taranaki Whānui.

Part 4 of the RMA

(22) The particular statutory functions of the Council in giving effect to the Act, as contained in Part 4 (section 31) of the RMA, also provide a clear direction for addressing long term provision for urban growth and the provision of associated strategic infrastructure in a UHDP.

(23) In particular:

(1)(a) the establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district:

- (1)(aa) *the establishment, implementation, and review of objectives, policies, and methods to ensure that there is sufficient development capacity in respect of housing and business land to meet the expected demands of the district:*
- (1)(b) *the control of any actual or potential effects of the use, development, or protection of land, including for the purpose of—*
 - (i) *the avoidance or mitigation of natural hazards; and*
 - (ia) *the prevention or mitigation of any adverse effects of the development, subdivision, or use of contaminated land:*
 - (iii) *the maintenance of indigenous biological diversity.*
- (1)(d) *the control of the emission of noise and the mitigation of the effects of noise:*
- (1)(e) *the control of any actual or potential effects of activities in relation to the surface water in rivers and lakes:*
- (1)(f) *any other functions specified in this Act.*
- (2) *The methods used to carry out any functions under subsection (1) may include the control of subdivision.*

National Policy Statements

National Policy Statements in effect

- (24) National Policy Statements (NPS) provide objectives and policies for matters of national significance. All subsequent Resource Management documents, including regional policy statements, regional plans and UHDPs must give effect to (implement) an NPS.
- (25) There are currently five NPSs in effect:
 - National Policy Statement on Urban Development 2020;
 - National Policy Statement for Freshwater Management 2020;
 - National Policy Statement for Renewable Electricity Generation 2011;
 - National Policy Statement on Electricity Transmission 2008;
 - New Zealand Coastal Policy Statement 2010.
- (26) Of these, the National Policy Statement on Urban Development and the National Policy Statement for Freshwater Management are relevant to PC-GB and are assessed below.

National Policy Statement on Urban Development 2020

- (27) The NPS-UD was gazetted on 23 July 2020 and came into effect on 20 August 2020. It replaced the National Policy Statement on Urban Development Capacity 2016 (the NPS-UDC). The NPS-UD aims to support well-functioning urban environments to provide for current and future community well-being and requires that plans provide adequate opportunity for land development for business and housing to meet community needs.
- (28) The NPS-UD aims to improve the responsiveness and competitiveness of land and development markets. In particular, it requires local authorities to provide more development capacity, so more homes can be built in response to demand. The NPS-UD provides direction on where capacity is provided, including locating residential and business activity where there is high

demand, including near existing commercial zones and public transport. Councils must also be responsive, particularly in relation to proposals that would supply significant development capacity.

- (29) The NPS-UD directs local authorities to provide sufficient development capacity in their resource management plans, supported by infrastructure, to meet demand for housing and business space.
- (30) The NPS-UD applies to all urban environments², categorised into three tiers. The three tiers were informed by population size and growth rates. This approach allows the most directive policies to be targeted towards the largest and fastest growing urban centres, where the greatest benefits will be realised. The Wellington Region, including Upper Hutt City, is a Tier 1 Urban Environment
- (31) Development capacity refers to the amount of development allowed by zoning and regulations in plans that is supported by infrastructure. This development can be ‘outwards’ (on greenfield sites) and/or ‘upwards’ (by intensifying existing urban environments). It requires that at any one time there is sufficient development capacity consisting of:

Table 2: Development capacity requirements

Short term (3-years)	Development capacity that is feasible, reasonably expected to be realised, zoned ³ and serviced with development infrastructure.
Medium term (10-years)	Development capacity that is feasible, reasonably expected to be realised, zoned and either: <ul style="list-style-type: none"> • Serviced with development infrastructure, or • The funding for the development infrastructure is identified in a Long Term Plan.
Long term (30-years)	Development capacity must be feasible, identified in relevant plans and strategies, and associated development infrastructure must be identified in an Infrastructure Strategy.

- (32) For the UHDP, the NPS-UD requires that there is sufficient zoned land which enables feasible development capacity for the short term (3-years) and medium term (10-years).

National Policy Statement for Freshwater Management 2020

- (33) The National Policy Statement for Freshwater Management 2020 (NPS-FM) replaced earlier versions.
- (34) The NPS-FM applies to the management of fresh water through a framework that considers and recognises Te Mana o te Wai as an integral part of freshwater management. It directs the content that regional councils, in consultation with their communities, must include in their regional plans.

² Urban environments are defined as any area of land (regardless of size, and irrespective of local authority or statistical boundaries) that:

- (a) Is, or is intended to be, predominantly urban in character and
- (b) Is, or is intended to be, part of a housing and labour market of at least 10,000 people.

³ Land is zoned for housing or for business use (as applicable) only if the housing or business use is a permitted, controlled, or restricted discretionary activity on that land.

- (35) Freshwater must be managed in a way that improves degraded waterbodies and maintains or improves all others using national bottom lines.
- (36) The NPS-FM requires regional councils to engage with communities and tangata whenua to determine local understandings of Te Mana o Te Wai as applied to fresh waterbodies in the region. This will form the basis for a long-term vision in their regional policy statements that gives expression to Te Mana o Te Wai.
- (37) Regional councils will review their regional plans and ensure they give effect to the new NPS-FM, including new requirements for the National Objectives Framework and in relation to wetlands, fish passage and stream reclamation. They must set objectives for the state of fresh water bodies in their regions and set limits on resource use to meet these objectives.
- (38) Regional councils must map natural inland wetlands > 0.05 ha, and any others that are naturally smaller or are known to contain threatened species, within 10 years of the NPS-FM coming into force.
- (39) The provisions of particular relevance to territorial authorities are set out in in Section 3.5 – Integrated Management including:
- (3) *In order to give effect to this National Policy Statement, local authorities that share jurisdiction over a catchment must co-operate in the integrated management of the effects of land use and development on freshwater.*
- (4) *Every territorial authority must include objectives, policies, and methods in its UHDP to promote positive effects, and avoid, remedy, or mitigate adverse effects (including cumulative effects), of urban development on the health and well-being of water bodies, freshwater ecosystems, and receiving environments.*
- (40) GWRC has divided the Wellington Region into five whitua or catchments to manage water quality and quantity under the NPS-FM. Objectives and limits will eventually be included in a whitua-specific chapter in the Proposed Natural Resources Plan (PNRP) by way of a plan change.
- (41) GWRC will then enforce limits set in the PNRP through the resource consent process, including managing stormwater discharges, stream reclamation and earthworks.
- (42) Whitua committees, consisting largely of community members, make recommendations through a Whitua Implementation Plan report (WIP). A WIP contains strategies and actions that will form a programme of work for the management of land and water in that catchment to improve water quality.

Proposed National Policy Statements

- (43) In addition, the following proposed National Policy Statements are in development:
- Proposed National Policy Statement for Highly Productive Land;
 - Proposed National Policy Statement for Indigenous Biodiversity.
- (44) While these proposed national policy statements have no legal effect, and will likely be subject to change following consideration of submissions, they provide indications of the Government’s intent across each of the relevant subject areas. On this basis an assessment of PC-GB against the policy direction set out under each of these proposed national policy statements has been undertaken below.

Proposed National Policy Statement for Highly Productive Land

- (45) The proposed National Policy Statement for Highly Productive Land (NPS-HPL) was released for public consultation in August 2019. The purpose of the proposed NPS-HPL is to improve the way highly-productive land is managed under the Resource Management Act 1991 (RMA) to:
- recognise the full range of values and benefits associated with its use for primary production
 - maintain its availability for primary production for future generations
 - protect it from inappropriate subdivision, use, and development.
- (46) The proposed NPS-HPL applies the Land-Use Capability system that categorises land into eight classes according to its long-term capability to sustain one or more productive uses. Class 1 is for the most versatile land, with the fewest limitations on its use. The NPS-HPL proposes to define highly productive land as land in rural areas designated as Class 1, 2 or 3. The NPS-HPL would allow councils to consider a range of other factors to exclude some of this land, or to identify other highly productive land. The proposal does not affect existing urban or rural lifestyle areas and land that has been identified as future urban zones in UHDPs. The proposal does not extend to excluding its application to land identified for future urban land use through a non-statutory strategic document (such as the Upper Hutt Land Use Strategy 2016-2043).
- (47) The Gabites Block's flat land is LUC Class 3.

Proposed National Policy Statement for Indigenous Biodiversity

- (48) The proposed National Policy Statement for Indigenous Biodiversity (NPS-IB) was publicly notified for comment in November 2019. Submissions closed 14 March 2020. The proposed NPS-IB will affect the management of biodiversity on all types of land including public, private and Māori land.
- (49) The proposed NPS-IB seeks to introduce policy direction to ensure indigenous biodiversity is maintained. It identifies that partnerships and collaboration between landowners, tangata whenua, communities, councils, and public agencies will be critical to the success of the policy.
- (50) The proposed NPS-IB seeks to protect indigenous biodiversity under five key platforms:
- Managing effects on indigenous biodiversity
 - Identifying important biodiversity and taonga
 - Recognising te ao Māori and the principles of the Treaty of Waitangi
 - Restoration and enhancement of biodiversity
 - Monitoring and implementation
- (51) The proposed NPS-IB requires councils to consistently identify areas with significant vegetation and habitats of indigenous fauna and manage their protection through regional and UHDPs, and consent processes under the RMA. This approach is consistent with that adopted as part of the wider UHDP review and reflected in PC-GB through the identification of GBNAs using the criteria set out in Policy 23 of the RPS.
- (52) The proposed NPS-IB may extend the range of protection and controls beyond just the identified significant natural areas. The additional controls include general protection of indigenous vegetation/habitat outside significant natural areas, areas of 'highly mobile fauna' (threatened

birds), and restoration and enhancement policies which include ‘former wetlands’ as well as existing wetlands. The method of maintaining biodiversity may include classifying significant natural areas as high or medium value.

National Environmental Standards

- (53) National Environmental Standards regulate specified environmental matters. There are currently seven National Environmental Standards in effect, relating to air quality, drinking water, telecommunication facilities, electricity transmission activities, contaminants in soil to protect human health, plantation forestry and freshwater. Given National Environmental Standards have effect at resource consent level, they are not determinative as part of PC-GB.

National Planning Standards

- (54) National Planning Standards were introduced in April 2019 with the intention of improving consistency in resource management document structure, format and content. Upper Hutt City Council has five years to adopt the Planning Standards. UHCC recently reformatted the UHDP to adopt National Planning Standards terminology.
- (55) PC-GB has been applied to the reformatted UHDP and will give effect the National Planning Standards as far as practicable.

Regional Policy Statement for the Wellington Region

- (56) Under Section 75(3)(c) of the Resource Management Act 1991, a UHDP must give effect to any RPS.
- (57) The Regional Policy Statement for the Wellington Region 2013 sets out the regional approach for managing the environment and providing for growth and associated effects. The RPS identifies the significant resource management issues for the region and outlines the policies and methods required to achieve the integrated sustainable management of the region’s natural and physical resources.
- (58) The objectives and policies of the RPS most relevant to PC-GB are:

Section 3.3 Energy, Infrastructure and Waste

Objective 10 The social, economic cultural and environmental benefits of regionally significant infrastructure are recognised and protected.

Policy 8 Protecting regionally significant infrastructure.

- (59) The regionally significant Wellington to Masterton railway line is at the southern boundary of the site. A reverse sensitivity buffer adjoining the railway line is proposed. State Highway 2, accessed via Maymorn Road, is also regionally significant.

Section 3.4 Freshwater

Objective 12 The quantity and quality of fresh water: (b) safeguard the life supporting capacity of water bodies.

Policy 40 Safeguarding aquatic ecosystem health in waterbodies.

Policy 42 Minimising contamination in stormwater from development

Objective 13 The region’s rivers, lakes and wetlands support healthy functioning ecosystems.

Policy 43 Protecting aquatic ecological function of water bodies.

Objective 8 Public access to and along the coastal marine area, lakes and rivers is enhanced

Policy 53 Public access to and along the coastal marine area, lakes and rivers

- (60) The site will be subject to the UHDP's provisions for the management of the quality and quantity of stormwater discharge. In addition, the Development Area Structure Plan will impose requirements for hydraulic neutrality and avoidance of unfinished zinc and copper surfaces. These solutions will contribute to the ecological health and function of receiving waterways.

Section 3.6 Indigenous ecosystems

Objective 16 Indigenous ecosystems and habitats with significant biodiversity values are maintained and restored to a healthy functioning state.

Policy 23 Identifying indigenous ecosystems and habitats with significant indigenous biodiversity values.

Policy 24 Protecting ecosystems and habitats with significant biodiversity values.

Policy 47 Managing effects on indigenous ecosystems and habitats with significant indigenous biodiversity values.

- (61) One draft Significant Natural Area had been identified on the site through the UHDP review process. However, UHCC has determined not to pursue the formal identification and protection of SNAs. The proposal responds by identifying and protecting six GBNAs that meet the significance criteria of RPS Policy 23.

Section 3.7 Landscape

Objective 17 The region's outstanding natural features and landscapes are identified and their landscape values protected from inappropriate subdivision use and development.

Policy 25 Identifying outstanding natural features and landscapes.

Policy 26 Protecting outstanding natural features and landscape values.

Objective 18 The region's special amenity landscapes are identified and those landscape values that contribute to amenity and the quality of the environment are maintained or enhanced.

Policy 27 Identifying special amenity landscapes.

Policy 28 Managing special amenity landscape values.

- (62) The UHDP review process has identified that the site does not contain outstanding natural landscapes, outstanding natural features or special amenity landscapes.

Section 3.8 Natural Hazards

Objective 19 The risks and consequences to people, communities, their businesses, property and infrastructure from natural hazards and climate change effects are reduced.

Policy 29 Avoiding inappropriate subdivision and development in areas at high risk from natural hazards.

- Policy 51 Minimising the risks and consequences of natural hazards.*
- Objective 20 Hazard mitigation measures, structural works and other activities do not increase the risk and consequences of natural hazard events.*
- Policy 52 Minimising adverse effects of hazard mitigation measures.*
- Objective 21 Communities are more resilient to natural hazards, including the impacts of climate change, and people are better prepared for the consequences of natural hazard events.*
- Policy 29 Avoiding inappropriate subdivision and development in areas at high risk from natural hazards.*
- Policy 51 Minimising the risks and consequences of natural hazards.*

- (63) The site does not contain Flood Hazard Areas. UHCC has identified draft Slope Hazard Areas that have been incorporated into the Development Area Structure Plan. Development in the Slope Hazard is a restricted discretionary activity that requires supporting geotechnical advice.

Section 3.9 Regional Form, Design and Function

- Objective 22 A compact well designed and sustainable regional form that has an integrated, safe and responsive transport network and:*
- (e) urban development in existing urban areas, or when beyond urban areas, development that reinforces the region’s existing urban form;*
 - (g) a range of housing (including affordable housing);*
 - (h) integrated public open spaces;*
 - (i) integrated land use and transportation; and*
 - (k) efficiently use existing infrastructure (including transport network infrastructure);*
- Policy 31 Identifying and promoting higher density and mixed use development.*
- Policy 54 Achieving the Region’s urban design principles.*
- Policy 55 Maintaining a compact, well designed and sustainable regional form.*
- Policy 56 Managing development in rural areas – consideration.*
- Policy 57 Integrated land use and transportation.*
- Policy 58 Co-ordinating land use with development and operation of infrastructure.*

- (64) The area is identified for rural residential growth in the Upper Hutt Land Use Strategy 2016-2043.
- (65) Objective 22 and the associated policies seek to ensure that development is undertaken within an existing urban environment in a manner which represents the efficient use of existing infrastructure. The site is located adjacent to transport infrastructure (Maymorn Train Station and State Highway 2) and can be serviced by a combination of existing infrastructure and on-site infrastructure.

Section 3.10 Resource Management with Tangata Whenua

Objective 23 The region's iwi authorities and local authorities work together under Treaty partner principles for the sustainable management of the region's environment for the benefit and wellbeing of the regional community, both now and in the future.

Objective 24 The principles of the Treaty of Waitangi are taken into account in a systematic way when resource management decisions are made.

Objective 25 The concept of kaitiakitanga is integrated into the sustainable management of the Wellington region's natural and physical resources.

Objective 26 Mauri is sustained, particularly in relation to coastal and fresh waters.

Objective 27 Mahinga kai and natural resources used for customary purposes, are maintained and enhanced, and these resources are healthy and accessible to tangata whenua.

Objective 28 The cultural relationship of Māori with their ancestral lands, water, sites, wāhi tapu and other taonga is maintained.

Policy 48 Principles of the Treaty of Waitangi

Policy 49 Recognising and providing for matters of significance to tangata whenua

- (66) As part of PC-GB, consultation has been undertaken and is continuing with Ngāti Toa Rangatira and Taranaki Whānui.

Section 3.11 Soils and Minerals

Objective 29 Land management practices do not accelerate soil erosion

Policy 15 Minimising the effects of earthworks and vegetation clearance

Policy 41 Minimising the effects of earthworks and vegetation disturbance

- (67) The site is subject to the requirements of the UHDP. Additional restrictions apply to earthworks in High Slope Hazard Areas and vegetation clearance in GBNAs.

Regional Plans

- (68) Regional Plans are prepared by regional councils to assist them in fulfilling their functions under the RMA (Section 30). The scope and requirements of regional plans is specified in Sections 63 – 70 of the RMA. There are some areas of overlap between regional and UHDPs, notably in natural hazard planning, but generally UHDPs deal with land use and subdivision whereas regional plans deal with water and air discharges, soil, water quality and quantity and coastal provisions below mean high water springs. Stormwater discharges are particularly relevant for urban development, and there is an element of land use control to account for both the quantity and quality of stormwater.

- (69) In relation to regional plans:

- the UHDP must not be inconsistent with an operative regional plan for any matter specified in s30 (1) [or a water conservation order]; and
- must have regard to any proposed regional plan on any matter of regional significance.

- (70) Currently Greater Wellington Regional Council has five regional operative regional plans, these are:
- Regional Coastal Plan (2000)
 - Regional Freshwater Plan (1999)
 - Regional Soil Plan (2000)
 - Regional Air Quality Management Plan (2003)
 - Regional Plan for Discharges to Land (1999)
- (71) GWRC also notified the Proposed Natural Resources Plan (PNRP) in 2015. The purpose of the PNRP is to replace the five operative regional plans. At the time of writing, decisions have been made by the hearings panel and there are numerous provisions that are under appeal by a wide range of parties. However, these provisions have legal effect.
- (72) The PNRP is at an advanced stage so the focus is on that document as the operative plans are dated and are in the process of being replaced. To develop the site, a number of regional resource consents would be required.
- (73) The relevant objectives and policies relating to PC-GB are addressed below.

Proposed Natural Resources Plan

Proposed Natural Resources Plan Objectives / Policies	Comments
Ki uta ki tai: mountains to the sea	
Objective O1: Air, land, fresh water bodies and the coastal marine area are managed as integrated and connected resources: ki uta ki tai – mountains to the sea. Policy P1: Ki uta ki tai and integrated catchment management	The site is subject to regional plan and ODP provisions managing interconnectivity between land use, water and receiving environments.
Objective O3: Mauri, particularly the mauri of fresh and coastal waters is sustained, and where it has been depleted, natural resources and processes are enhanced to replenish mauri.	The site is subject to regional plan and ODP provisions that seek to improve freshwater quality, thereby sustaining and enhancing its mauri.
Objective O4: The intrinsic values of fresh water and marine ecosystems are recognised and the life supporting capacity of water is safeguarded.	The site is subject to regional plan and ODP provisions for the freshwater ecosystem within and adjacent to the site.
Beneficial use and development	

<p>Objective O9:</p> <p>The recreational values of the coastal marine area, rivers and lakes and their margins and natural wetlands are maintained and enhanced.</p> <p>Policy P10: Contact recreation and Māori customary use.</p>	<p>The site is subject to regional plan and UHDP provisions that seek to enable access to and along rivers and wetlands within the plan change area, which provides for recreational opportunities and Māori customary use.</p>
<p>Objective O10:</p> <p>Public access to and along the coastal marine area and rivers and lakes is maintained and enhanced.</p> <p>Policy 9: Public access to and along the coastal marine area and the beds of lakes and rivers.</p>	<p>The site is subject to regional plan and UHDP provisions that seek to enable access to and along rivers and wetlands.</p>
<p>Māori relationships</p>	
<p>Objective O14:</p> <p>The relationships of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga are recognised and provided for, including:</p> <ul style="list-style-type: none"> (a) maintaining and improving opportunities for Māori customary use of the coastal marine area, rivers, lakes and their margins and natural wetlands, and (b) maintaining and improving the availability of mahinga kai species, in terms of quantity, quality and diversity, to support Māori customary harvest, and (c) providing for the relationship of mana whenua with Ngā Taonga Nui a Kiwa, and (d) protecting sites with significant mana whenua values from use and development that will adversely affect their values and restoring those sites to a state where their characteristics and qualities sustain the identified values. <p>Policy P17: Mauri</p> <p>Policy P18: Mana whenua relationships with Ngā Taonga Nui a Kiwa</p> <p>Policy P19: Māori values</p> <p>Policy P64: Mixing waters</p>	<p>The GBNA provisions include customary harvest.</p>

<p>Objective O15:</p> <p>Kaitiakitanga is recognised and mana whenua actively participate in planning and decision-making in relation to the use, development and protection of natural and physical resources.</p> <p>Policy P20: Exercise of kaitiakitanga</p>	<p>The site is subject to the provisions of the UHDP.</p>
<p>Natural character, form and function</p>	
<p>Objective O17:</p> <p>The natural character of the coastal marine area, natural wetlands and rivers, lakes and their margins is preserved and protected from inappropriate development.</p>	<p>The site is subject to the provisions of the UHDP.</p>
<p>Natural hazards</p>	
<p>Objective O20:</p> <p>The hazard risk, and residual hazard risk, from natural hazards and adverse effects of climate change, on people, the community and infrastructure are acceptable.</p> <p>Policy P28: Hazard mitigation measures</p> <p>Policy P29: Effects of climate change</p> <p>Policy P30: Natural buffers</p>	<p>Natural hazards have been considered during the development of PC-GB. This included the effects of climate change. PC-GB reflects this information, and has avoided inappropriate levels of development in areas where natural hazard risk renders development unacceptable.</p>
<p>Objective O21:</p> <p>Inappropriate use and development in high risk areas is avoided.</p> <p>Policy P27: High risk areas</p>	<p>PC-GB has considered the hazard constraints in and adjoining the PC-GB area, and avoids inappropriate levels of development in high hazard areas.</p>
<p>Water quality</p>	
<p>Objective O24:</p> <p>Rivers, lakes, natural wetlands and coastal water are suitable for contact recreation and Māori customary use, including by:</p> <p>(a) maintaining water quality, or</p> <p>(b) improving water quality in:</p> <p>(i) significant contact recreation fresh water bodies and sites with significant mana whenua values and Ngā Taonga Nui a Kiwa to meet, as a minimum, the primary contact</p>	<p>The site is subject to regional plan and UHDP provisions to maintain and enhance the quality of rivers within the plan change area.</p>

<p>recreation objectives in Table 3.1, and</p> <p>(ii) coastal water and sites with significant mana whenua values and Ngā Taonga Nui a Kiwa to meet, as a minimum, the primary contact recreation objectives in Table 3.3, and</p> <p>(iii) all other rivers and lakes and natural wetlands to meet, as a minimum, the secondary contact recreation objectives in Table 3.2.</p>	
Biodiversity, aquatic ecosystem health and mahinga kai	
<p>Objective O25:</p> <p>To safeguard Biodiversity, aquatic ecosystem health and mahinga kai in fresh water bodies and the coastal marine area are safeguarded such that:</p> <p>(a) water quality, flows, water levels and aquatic and coastal habitats are managed to maintain biodiversity aquatic ecosystem health and mahinga kai, and</p> <p>(b) where an objective in Tables 3.4, 3.5, 3.6, 3.7 or 3.8 is not met, a fresh water body or coastal marine area is improved over time to meet that objective.</p> <p>Policy P31: Biodiversity, aquatic ecosystem health and mahinga kai</p> <p>Policy P32: Adverse effects on biodiversity, aquatic ecosystem health, and mahinga kai</p> <p>Policy P38A: Restoring Te Awarua-o-Porirua Harbour, Wellington Harbour (Port Nicholson) and Wairarapa Moana</p>	<p>The site is subject to regional plan and UHDP provisions that manage water quality, flow, level and habitat.</p>
<p>Objective O27:</p> <p>Vegetated riparian margins are established, maintained or restored to enhance water quality, aquatic ecosystem health, mahinga kai and indigenous biodiversity of rivers, lakes, natural wetlands and the coastal marine area.</p>	<p>The site is subject to regional plan and UHDP provisions that manage riparian margins.</p>
<p>Objective O28:</p>	<p>A single natural wetland has been identified. It is entirely surrounded by GBNA04 and is likely</p>

<p>The extent and significant values of natural wetlands are protected, and their condition is restored. Where the significant values relate to biodiversity, aquatic ecosystem health and mahinga kai, restoration is to a healthy functioning state as defined by Table 3.7.</p> <p>Policy P37: Values of wetlands</p> <p>Policy P38: Restoration of wetlands</p>	<p>to benefit from the protection afforded to GBNA04.</p>
<p>Sites with significant values</p>	
<p>Objective O31:</p> <p>Outstanding water bodies and their significant values are protected and restored. Where the significant values relate to biodiversity, aquatic ecosystem health and mahinga kai, restoration is to a healthy functioning state as defined by Tables 3.4, 3.5, 3.6, 3.7 and 3.8.</p> <p>Policy P39: Adverse effects on outstanding water bodies</p>	<p>There are no outstanding waterbodies.</p>
<p>Objective O32:</p> <p>Outstanding natural features and landscapes and their values are protected from inappropriate use and development.</p>	<p>There are no outstanding natural features or landscapes.</p>
<p>Objective O35:</p> <p>Ecosystems and habitats with significant indigenous biodiversity values are protected, and where appropriate restored to a healthy functioning state as defined by Tables 3.4, 3.5, 3.6, 3.7 and 3.8.</p> <p>Policy P40: Ecosystems and habitats with significant indigenous biodiversity values</p> <p>Policy P41: Managing adverse effects on ecosystems and habitats with significant indigenous biodiversity values</p> <p>Policy P42: Protecting and restoring ecosystems and habitats with significant indigenous biodiversity values</p>	<p>Locations within the plan change area that have significant indigenous biodiversity values are protected as GBNAs.</p>
<p>Land Use</p>	

<p>Objective O44:</p> <p>The adverse effects on soil and water from land use activities are minimised.</p>	<p>PC-GB provisions seek to minimise the adverse effects of the intended land use on water within the jurisdiction of UHCC.</p>
<p>Policy P48: Protection of natural features and landscapes</p> <p>The natural features and landscapes (including seascapes) of the coastal marine area, rivers, lakes and their margins and natural wetlands shall be protected from inappropriate use and development by:</p> <p>(a) identifying outstanding natural features and landscapes within the region, and</p> <p>(b) avoiding adverse effects of activities on outstanding natural features and landscapes, and</p> <p>(c) avoiding significant adverse effects and avoiding, remedying or mitigating other adverse effects of activities on all other natural features and landscapes.</p>	<p>PC-GB provisions include protection of GBNAs and maintenance of the landscape values of the west-facing hillside.</p>
Discharges to land and water	
<p>Objective O47:</p> <p>The amount of sediment-laden runoff entering water is minimised.</p> <p>Policy P63: Improving water quality for contact recreation and Māori customary use</p> <p>Policy P67: Minimising discharges to water or land</p>	<p>The site is subject to the earthworks provisions of the UHDP.</p>
<p>Objective O48:</p> <p>The adverse quality and quantity effects of stormwater discharges from stormwater networks and urban land uses are improved over time.</p> <p>Policy P73: Minimising adverse effects of stormwater discharges</p>	<p>PC-GB requires stormwater neutrality, zinc and copper building materials finished to prevent contaminated runoff and detention and treatment of stormwater from roads using rain gardens and constructed wetlands.</p>

Upper Hutt District Plan

- (74) PC-GB is intended to align where possible with the UHDP and forthcoming plan changes including Plan Changes 47 and 50. For example PC-GB reflects the layers of protection proposed to be introduced, including High Slope Hazard Areas.

Other District Plans in the Wellington Region

- (75) Section 74 (2) (c) of the RMA requires Council to have regard to the extent to which PC-GB needs to be consistent with the plans or proposed plans of adjacent territorial authorities.
- (76) Other councils in the Wellington region have planning policies in place which encourage additional housing growth and housing choice in targeted locations for residential development including high and medium density. The provisions of different councils vary, reflecting the different land use contexts.
- (77) No cross-boundary issues apply in respect to the plan change area, as the site is entirely within UHCC's area of jurisdiction. PC-GB is sufficiently consistent with the operative and/or proposed UHDPs of neighbouring authorities. PC-GB follows the format of and uses definitions adopted by the Proposed Porirua District Plan, which is the latest district plan in the regional to be developed under the National Planning Standards and publicly notified.

Iwi Management Plan

- (78) Ngāti Toa do not currently have an Iwi Management Plan.
- (79) Taranaki Whānui do not currently have an Iwi Management Plan.

Strategic Basis for the Proposed Plan Change

(80) In giving effect to the statutory basis and context, particularly as set by the NPS-UD, consideration must be given to strategic documents published by UHCC that outline where development is preferred in the City, and the type of residential development that is desired. These documents are summarised as follows.

Housing and Business Development Capacity

(81) UHCC’s overview of housing development capacity is cited in Box 1 below.

Box 1 UHCC Overview of Housing Development Capacity

(Source: <https://www.upperhuttcity.com/Your-Council/Plans-policies-bylaws-and-reports/Housing-and-Business-Development-Capacity-Assessment>)

The 2019 Wellington Housing and Business Development Capacity Assessment (HBA) was completed regionally by the councils of Wellington’s major urban areas. This included Upper Hutt City, Hutt City, Wellington City, Porirua City, and Kapiti Coast District Councils. The HBA is a requirement of the National Policy Statement for Urban Development Capacity (NPS-UDC).

The report was released in November 2019. The HBA evaluates housing and business demand over a 30-year period from 2017 - 2047. This demand is compared against land that is currently available or identified as a future growth area, in order to test whether each city can meet projected demand. The assessment also looks at the capacity of three waters (drinking water, wastewater and stormwater), roading and other infrastructure required to service development.

The HBA shows that just over 5,600 dwellings should be anticipated in urban Upper Hutt by 2047. The assessment estimates that the city can currently provide for about 3,500 homes (700 within existing urban areas and just over 2,800 in greenfield sites, including those identified in the Upper Hutt Land Use Strategy). This means that without change to existing policies that control housing development, the city could be faced with a shortfall of up to 2,100 homes by 2047. Upper Hutt City Council is responding to the results of the HBA through Plan Change 50; a comprehensive review of all development controls in the city’s rural and residential zones.

Employment and business growth is expected to continue - a reflection of the growing economy, which is anticipated to reach \$1 billion by 2035. Demand for industrial land is likely to increase in the short term but over time, demand is expected to shift to commercial land. Upper Hutt will have ample land and floor space available to accommodate the expected business growth.

Upper Hutt Growth Strategy 2007

(82) The Upper Hutt Growth Strategy 2007 responded to growth pressures by considering future development and land supply. The Maymorn area was identified as potentially the most significant area of land in Upper Hutt for future urban development. UHCC consequently developed the Maymorn Structure Plan (June 2009) (<https://www.yumpu.com/en/document/read/50076422/-maymorn-structure-plan>), to guide “future land use, infrastructure provision and potential development” in a defined Maymorn area, including the Gabites Block (Figure 1).

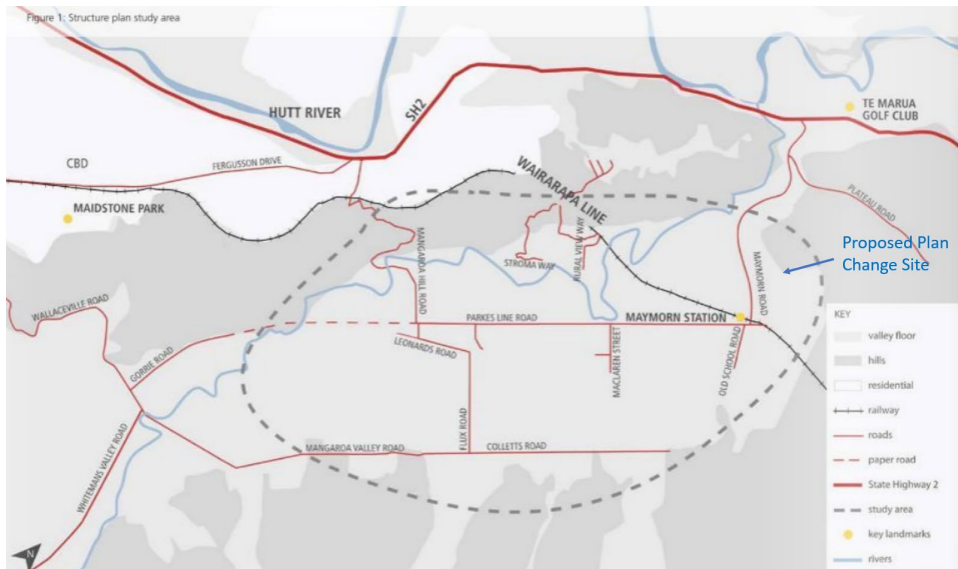


Figure 1 Maymorn Structure Plan Area (Source: Maymorn Structure Plan 2009) – Annotation Added

- (83) The Maymorn Structure Plan was opposed strongly by some community sectors and was not proceeded with by UHCC. In its discussion document “Developing the 2015 Urban Growth Strategy - Identifying Urban Issues, Outcomes, And Options” (https://www.upperhuttcity.com/files/assets/public/yourcouncil/strategies/developing-the-2015-ugs_2015-08-24_n.pdf), UHCC explained the situation as follows:

Council adopted the Maymorn Structure Plan in 2012, and heard a range of views from the community on that topic. The development as adopted could provide for up to 1780 new homes in a staged development approach. In light of the revised population growth projections and community feedback we now feel that the right thing to do is take a step back and review a wider range of housing options for the whole of Upper Hutt. Funding for developing the Maymorn area has been carried over, so we need to make some decisions now about the future of this development. We’d like to get your views on whether proceeding with some, or all, of the Maymorn Structure Plan would be a good fit for the future of housing across the city.

- (84) UHCC’s growth planning was subsequently crystallised in the Upper Hutt Land Use Strategy 2016-2043.

Upper Hutt Land Use Strategy 2016-2043

- (85) The Upper Hutt Land Use Strategy 2016-2043 (LUS) “envisages the wants and needs of residents living in Upper Hutt in 30 years’ time and how Council plans to respond to that”. The LUS notes (p13) that:

Since the release of the 2007 Urban Growth Strategy (UGS) there has been change in Upper Hutt City. Because of this, continuing to plan for and accommodate land development the way we have in the past will not produce the best outcomes for Upper Hutt in the future. We need to plan in a way that accepts that there has been change, and there is likely to be more in the future. For Upper Hutt, this means looking at what’s likely and making realistic plans for our city’s economy and environment, and for both the urban and rural areas.

(86) The LUS goals for long-term development as follows:

Economy

- Enable a prosperous, resilient and sustainable citywide economy that attracts and sustains people, spending and investment;
- Continue to develop and support an active city centre and vibrant neighbourhood centres.

Environment

- Preserve and enhance the quality of our natural environment
- Maintain and enhance our open space network

Community and Housing

- Provide living choices that cater for residents both now and in the future
- Support healthy and vibrant communities for people of all ages and lifestyles

Movement and Infrastructure

- Promote connected and efficient movement networks
- Support efficient use and development of resilient infrastructure networks.

(87) Three types of housing growth are planned for Upper Hutt over the next 30 years (Table 1):

Table 1 Types of Housing Growth Planned for Upper Hutt (Source: LUS p68)

<i>Urban infill</i>	<i>Using land in areas where residential development is already permitted, and allowing more concentrated development in these areas</i>
<i>Intensification</i>	<i>Higher density development in specific locations. It can include residential redevelopment of land previously zoned or used for other uses.</i>
<i>Edge expansion</i>	<i>Areas on the edges of the existing urban area where opportunities exist for controlled, sustainable outward growth on greenfield sites</i>

(88) PC-GB site is identified in the LUS as the “Gabites Block”, one of four proposed locations for expansion of the City edges (Figures 2 and 3).

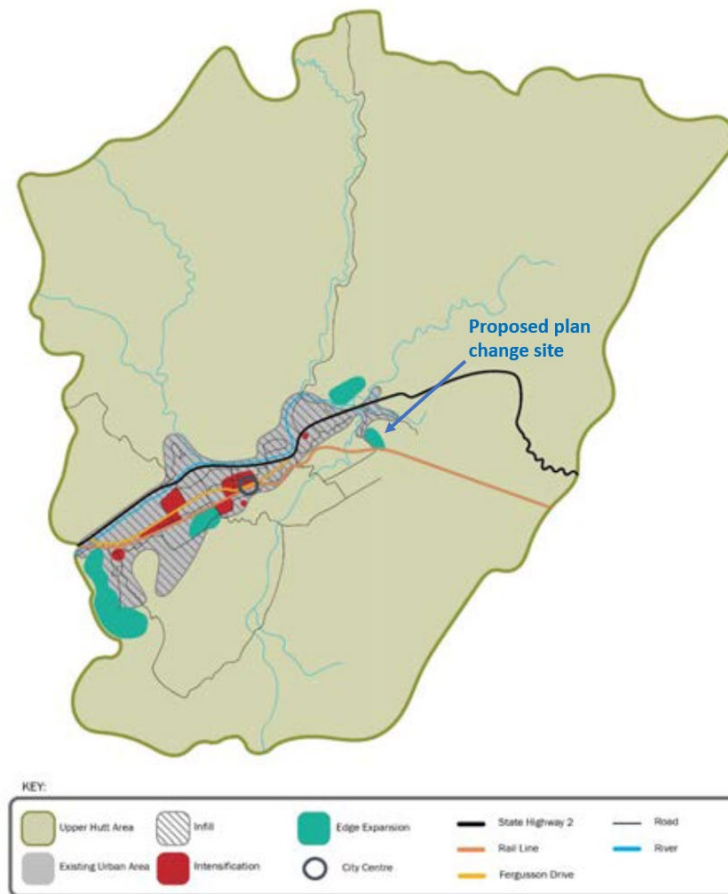


Figure 2 Proposed Locations for Future Housing Development in Upper Hutt, 0-30 Years (Source: LUS p70) – Annotation Added.

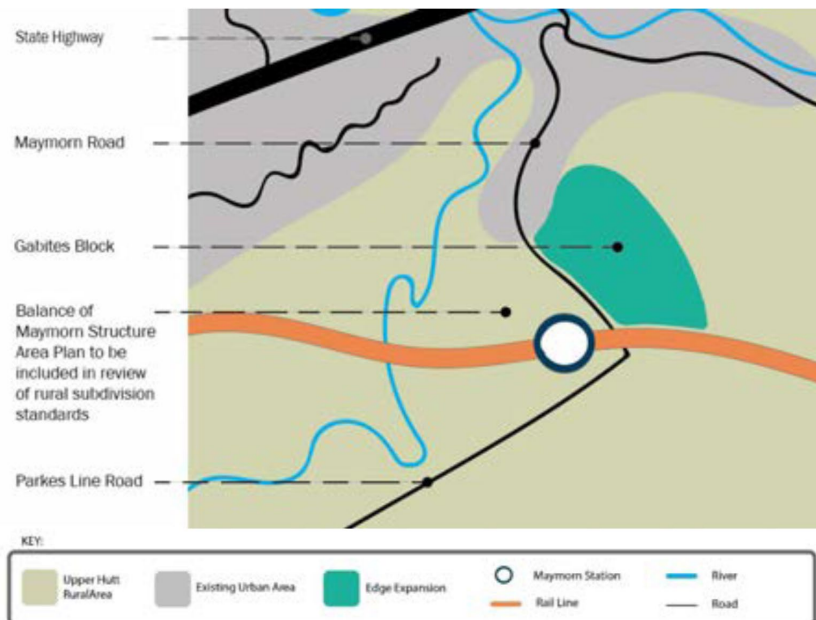


Figure 3 Maymorn (Source: LUS p82)

(89) The accompanying LUS discussion of the Maymorn area is cited in Box 2 below.

Box 2 LUS Discussion of Maymorn Area (Source: LUS p82)

The Maymorn area is in the Rural Valley Floor and Rural Hill zones and was identified in the 2007 Urban Growth Strategy as:

...“the most significant area of land within Upper Hutt for future urban development, possibly for the next 30 or more years.”

A structure plan for urban development of the Maymorn area was adopted by Council in 2012. The next step following this would have been preparation of a Plan Change.

In order to respond to any changes in our predictions for housing demand over time, we need to ensure we safeguard adequate housing supply options. Because of this, it is not appropriate to completely remove the whole of the Maymorn area from consideration as an area that could help meet housing demand.

The success of recent lifestyle development in the surrounding area indicates that most of Maymorn is more ideally placed to respond to the demand for lifestyle-type properties. Promotion of such opportunities would be consistent with the City Vision established in the recent Long Term Plan.

Most of the Maymorn area could be included in a wider review of rural subdivision standards, taking into account the location’s particular merit for adding to the city’s lifestyle opportunities.

Land to the east of Maymorn Road (referred to as the Gabites block) has potential for further investigation of development options. This could be considered as a focussed part of a wider review of the rural zones.

- (90) The LUS (p113) goes on to identify a specific action to:

Investigate the potential for housing development on the Gabites land at Maymorn.

- (91) In terms of Movement and Infrastructure, the LUS (p95) discussed the responsibilities of different public agencies for different aspects of transport. The LUS notes the multimodal aspirations of the Hutt Corridor Strategy

- (92) Of particular relevance to PC-GB is the site’s proximity to SH2 and the Maymorn Train Station. According to the LUS, 50% of Upper Hutt’s working population leaves the City each day for work.

- (93) The plan change also creates the opportunity to improve a section of the Remutaka Rail Trail loop, one of New Zealand’s Ngā Haerenga Cycle Trails *great rides*, that is currently forced to use Maymorn Road.

- (94) The proposed trail improvement gives effect to a specific action of the LUS (p115):

Develop a safe, interconnected network of cycle paths.

- (95) The LUS has been more recently been endorsed by the Wellington Regional Growth Framework.

- (96) The LUS is being implemented via Plan Change 50, which is discussed below.

Wellington Regional Growth Framework

- (97) The Wellington Regional Growth Framework (p68) listed “Ideas considered but not included in this version of the draft Wellington Regional Growth Framework”. One such idea was:

Development of medium density housing around the Maymorn railway station – potentially for up to 800m/1km around the station.

- (98) According to the WRGF, the idea was not pursued because:

The focus in Upper Hutt in the draft Framework is mainly medium density in the area which includes the Upper Hutt town centre to Heretaunga station. These areas have established community and other facilities such as schools which would need to be established at Maymorn. Medium density greenfield development for up to 800m to 1km from Maymorn Station is also not aligned with the Upper Hutt Land Use Strategy.

- (99) The WRGF also notes that Maymorn Station is not a ‘rapid transit stop’ in terms of the NPSUD. Intensive urban development is envisaged (p41) to be in the *Upper Hutt rail orientated development – centre and Upper Hutt to Heretaunga stations* because that area:

leverages identified key development opportunities around stations, including changes in housing density at Trentham, potential for office development in Wallaceville, the development of a sports hub in Heretaunga and development opportunities in Upper Hutt centre as well as rail and road (SH58 and Transmission Gully) investment.

Plan Change 50

- (100) Plan Change 50 is UHCC’s intended implementation of the LUS “to accommodate more growth” (<https://letskorero.upperhuttcity.com/pc50>). PC50 involves changes to implement the NPSUD, including the following “key changes” (emphasis added):

- *Reducing the proportion of suburban residential zone by 50%.*
- *Creating a High Density zone within walkable areas to urban railway stations and the CBD (Central Business District) boundary from Silverstream to Clouston Park – enabling at least six storey residential development.*
- *Medium Density zones introduced as buffer between High Density and suburban areas, enabling up to four storey developments, easing the transition to High Density*
- *Medium Density clusters introduced in Brentwood/Trentham, Totara Park, Clouston Park, and Brown Owl.*
- *Enabling the construction of a second dwelling on most residentially zoned sites.*
- *Reprioritising housing over land by enabling subdivision around any existing or proposed dwelling without any minimum lot size.*
- *Creating provisions to enable Papakāinga and communal housing options to improve housing accessibility.*
- *Generally intensifying residential zones, while protecting distinct character areas.*
- *Reviewing standards for other activities undertaken in residential areas, such as home businesses, visitor accommodation, early childcare facilities, and rest homes.*
- ***Establishing settlement zoning throughout the Maymorn area, including a Settlement Zone over most of the Gabites Farm Block.***
- *Introducing enabling controls to help establish a centre for the local rural community near Wallaceville Church and around the Maymorn Station.*
- *Enablement of rural businesses that build upon our great outdoor environment.*
- *Rural lifestyle areas generally moving to foothills, where easily accessible to urban areas, protecting the openness and productive value of the valley floor.*

- *Protection of all high class soils in rural areas through an increase in minimum subdivision standards, while enabling key settlement areas previously identified.*
- *Introduction of many landscape-oriented controls in the rural environment to protect this sensitive area.*

Overall Basis for Progressing the Proposed Plan Change

(101) In considering the statutory and strategic basis outlined above, the site represents a suitable greenfield growth area, given the following:

- The NPSUD requires UHCC to have sufficient land zoned for housing and business purposes to cater for future population projections;
- Gabites Block has been identified as a suitable edge expansion area for Upper Hutt in the LUS and its predecessor growth strategy documents;
- Development that is consistent with the LUS gives effect to Policies 55 and 56 of the RPS;
- Development on the site is able to proceed using a combination of on-site and network infrastructure; and
- Effects on the site's ecology and landscapes and receiving waters are able to be avoided, remedied or mitigated.

Scale and Significance Evaluation

- (102) Under s32(1)(c) of the RMA, this evaluation report needs to *contain a level of detail that corresponds to the scale and significance of the environmental, economic, social and cultural effects that are anticipated from the implementation of the proposal.*
- (103) PC-GB’s scale and significance evaluation is based on the assessment of eight factors, which is consistent with the Ministry for the Environment’s Guidance on Section 32 Reports⁴. The eight factors are
- (104) The following scale and significance evaluation discuss the Plan Change in terms of 8 factors, and scores each factor out of 5 (where 1 is low and 5 is high). This is consistent with the Ministry for the Environment’s guidance on Section 32 reports. The eight factors, and criteria which are used to evaluate those factors as detailed in the guidance document are:

Considerations and Criteria for Determining Scale and Significance	
<i>For all except the first criteria, consider all bullet points and make overall assessing of scale and significance for that criterion using ranking, then make overall assessment across all criteria</i>	
<i>1. Reason for the change</i>	<p><i>Choose one or more as appropriate:</i></p> <ul style="list-style-type: none"> • <i>10-year review</i> • <i>Giving effect to higher level RMA document</i> • <i>Ministerial direction/requirement for plan to not be inconsistent with NES</i> • <i>Responding to a Court decision/direction</i> • <i>Implementing non-statutory planning initiative (eg, urban growth strategy)</i> • <i>Initiated locally because of plan effectiveness monitoring, community reaction to resource use, etc</i> • <i>Assessed as having high significance under the Local Government Act</i>
<i>2. Degree of shift from the status quo (status quo defined as the current approach)</i>	<ul style="list-style-type: none"> • <i>Addressing existing or new resource management issue</i> • <i>Proposing a new management regime/minor or major change in rule framework</i> • <i>Extent and scale of regulatory impact</i> • <i>Degree of ‘Packaging’ with other plan changes or other interventions</i> • <i>Discrete provisions, or broader suite of existing provisions</i> • <i>Changing existing plan objectives, and to what degree</i>

⁴

3. Who and how many will be affected?	<ul style="list-style-type: none"> • Degree of public interest and engagement in issue • Degree to which proposal will address identified community outcomes • How many will be affected? Single landowner/multiple landowners/occupiers/ neighbourhoods/businesses/cities/future generations • Degree of impact on private property
4. Degree of impact on, or interest from iwi/Māori	<ul style="list-style-type: none"> • Level of interest from iwi/Māori engagement with iwi on the issue • Likely degree of impact on iwi/hapū? • Impact on sites, areas or resources of significance to iwi/Māori • Degree of consistency with iwi management plans
5. When will effects occur?	<ul style="list-style-type: none"> • Temporarily (weeks or months) ☑ For the next 1–5 years ☑ Ongoing into the future
6. Geographic scale of impacts	<ul style="list-style-type: none"> • Very localised or wide ranging (ie, single site/whole zones/one or more regions/single or multiple natural resources)
7. Type of effect	<ul style="list-style-type: none"> • Acute/chronic/temporary/cumulative/positive/negative/irreversible • Likelihood and consequence (eg, low probability, high consequence) • Part(s) of environment affected (ecosystems, infrastructure, amenity) • Degree of impact on social, cultural or economic well-being • Degree of impact (positive/negative) on Part 2 matters
8. Degree of policy risk, implementation risk, or uncertainty	<ul style="list-style-type: none"> • Community reaction • Whether: <ul style="list-style-type: none"> – novel, untested approach – weak evidence base – highly uncertain benefits and costs – dependent on other initiatives (such as non-RMA mechanisms) – challenging implementation timeframes

(105) The evaluation concludes with a table summarising the factors and scores, and gives a final overall score for the scale and significance of PC-GB.

Evaluation of Factors

Factor 1: Reason for the Change

- (106) Having provisions in the UHDP which enable the development of the Gabites Block is required for the following reasons:
- To give effect to Council's obligations under the NPSUD;
 - To be consistent with the relevant provisions of the RPS; and
 - To implement a non-statutory planning initiative, in providing for the housing and population growth targets and locations identified in the LUS.
- (107) *Factor 1 Reason for Change* scores 3 due to PC-GB directly giving effect to statutory requirements (NPSUD and RPS) and implementing a non-statutory planning initiative (LUS).

Factor 2: Resource Management Issues / Problem Definition

- (108) There is one overarching resource management issue addressed by PC-GB: to provide housing capacity and variety that meets the needs of existing and future Upper Hutt residents.
- (109) However rezoning the land from allowing primarily rural uses to allowing housing, gives rise to a number of other potential resource management issues, including:
- Cultural;
 - Ecological;
 - Landscape;
 - Infrastructure and servicing;
 - Stormwater management;
 - Geotechnical and land stability; and
 - Primary production.
- (110) The rezoning can have both positive benefits and negative outcomes on the above matters dependant on how development is managed.
- (111) *Factor 2 Resource Management Issues/Problem Definition* scores 2 for the reasons outlined above.

Factor 3: Degree of Shift from the Status Quo

- (112) The existing UHDP provisions are inadequate to meet statutory obligations. The LUS is explicit in that there is not enough land zoned for housing to meet forecast population demand increases, and the NPSUD requires that this is addressed. Rezoning the Gabites Block to enable low density and rural residential development on land currently zoned for rural purposes is consistent with existing Upper Hutt practices and development patterns.
- (113) The shift from the status quo has been signalled for many years, including in the LUS and draft PC50.
- (114) Consequently, *Factor 3 Degree of Shift from the Status Quo* scores 3.

Factor 4: Who and How Many Will be Affected/Geographical Scale of Effects

- (115) The area proposed for the zone change is limited to the 75ha Gabites Block, which comprises 0.6% of Upper Hutt's 116km².
- (116) Within the site are six small GBNAs. The site is within the catchment of the Mangaroa River and Te Awa Kairangi Hutt River. The site contains no outstanding natural landscapes or features and no special amenity landscapes.
- (117) Given the above, *Factor 4 Who and How Many Will be Affected/Geographic Scale of Effects* scores 1.

Factor 5: Degree of Impact On or Interest from Iwi/Māori

- (118) Consultation was initiated with Ngāti Toa Rangatira and Taranaki Whānui and consultation efforts will continue during the plan change process.
- (119) *Factor 5 Degree of Impact On or Interest from Iwi/Māori* scores 1.

Factor 6: Timing and Duration of Effects

- (120) The effects of PC-GB will be ongoing from the time any of its provisions become operative.
- (121) *Factor 6 Timing and Duration of Effects* scores 3 due to the ongoing nature of effects.

Factor 7: Type of Effects

- (122) PC-GB will give rise to a number of different effects. The rezoning would result in the loss of rural land which is currently in pastoral and discontinued forestry use, but would allow for housing growth identified as necessary in the LUS (which gives effect to NPSUD requirements). There are many economic and associated social wellbeing effects that PC-GB would give rise to.
- (123) There are also a large number of actual and potential environmental effects anticipated from PC-GB, including the aforementioned ecological, landscape, stormwater management, geotechnical and land stability.
- (124) Such effects could result in adverse effects that fall locally, on adjoining properties and environment, while the wider benefits would likely fall on the wider community.
- (125) *Factor 7 Type of Effects* scores 3 due to the potential significance of the effects.

Factor 8: Degree of Risk and Uncertainty

- (126) The degree of risk and uncertainty is low. PC-GB requires activities that have more significant actual and potential adverse effects to be considered through the resource consent process, supported by expert guidance. The approach is well understood and widely applied in the UHDP.
- (127) *Factor 8 Degree of Risk and Uncertainty* scores 1 due to the certainty provided by the considered and well-understood approach.

Overall Scale and Significance Determination

- (128) The table below is a summary of scale and significance and, following the MfE guidance, lists the factors discussed above and the scores for each factor. The scores are then combined to give a total scale and significance score for PC-GB.

Factor	Score
1. Reason for Change	3

2.	Problem / Issue	2
3.	Degree of Shift from Status Quo	3
4.	Who and How Many Affected, Geographic Scale of Effects	1
5.	Degree of Impact on or Interest from Māori	1
6.	Timing and Duration of Effects	3
7.	Type of Effect	2
8.	Degree of Risk or Uncertainty	1
Total Score (out of 40)		16

Total Score Interpretation

- 0-10 Scale and Significance = Low
- 11-20 Scale and Significance = Moderate
- 21-30 Scale and Significance = High
- 31-40 Scale and Significance = Very High

(129) Based on the above, the scale and significance of PC-GB is moderate.

Site-Specific RMA Issues

- (130) PC-GB seeks to provide for housing development suited to the constraints and attributes of the different areas of the site. At present the site is zoned Rural Valley on the flats and Rural Hill on the steeper land, which essentially provides for farming and does not allow for the intended urban development.
- (131) For growth to occur on the site that is consistent with the LUS, rezoning is required.
- (132) The following sections discuss the effects associated with the rezoning of the site. Technical investigations of the site have assessed the potential effects associated with development. These technical investigations have subsequently informed the nature and detail of PC-GB.
- (133) PC-GB will provide a framework for low density and rural residential development to be considered in detail in resource consent processes.
- (134) Technical advice and assistance was commissioned from external experts on the following matters:
 - Archaeology – Emily Howitt (Emily Howitt Archaeology) (Attachment 1);
 - Transport – Jamie Whittaker (Stantec) (Attachment 2);
 - Ecology – Dylan van Winkel, Annabelle Coates and Treffery Barnett (Bioresearches) (Attachment 3);
 - Landscape – John Hudson and Chelsea Kershaw (Hudson Associates) (Attachment 4);
 - Geotechnical – Engeo (Attachment 5);
 - Infrastructure – Andrew Jackson, Paul James and Matt Aitchison (Envelope Engineering) (Attachment 6);
 - Soil Contamination – Stu Clark (NZET Ltd) (Attachment 7);
 - Soil and Land Use Capability – Reece Hill (Landsystems) (Attachment 8).
- (135) The matters identified by the technical experts are summarised in the following sections. The reports (available in Attachments 1 to 8) should be read in full.

Archaeology

Work Undertaken

Links

An Archaeological Assessment (Attachment 1) was undertaken by Emily Howitt of Emily Howitt Archaeology to determine what effects and risks, if any, the PC-GB rezoning and subsequent development of the Gabites Block might have on archaeological and heritage values. The scope of the report includes:

RPS Policy 46
 Archaeological Assessment – Emily Howitt Archaeology (Attachment 1)

- the identification of known recorded or potential archaeological sites on or in the vicinity of the property;
-

-
- the results of a site inspection of the property for evidence of archaeological sites and an assessment of the archaeological values of the property; and
 - impacts associated with the rezoning of the site.

The primary purpose of the assessment was to determine whether or not there are any direct impacts on archaeological sites.

Key Considerations

[Links](#)

Section 5 of the Archaeological Assessment provides a historical background of the site and Section 6 outlines the recorded archaeological sites in the vicinity of the Gabites Block.

Section 8 of the of the Archaeological Assessment provides a risk assessment of the archaeological values of the site. In summary:

- There are no recorded archaeological sites within the proposed project area.
- The closest site, a pā, is located approximately 170m north of the property boundary near the toe of the ridge that continues through the project area. The pā is situated on a naturally defensible headland with steep drop-offs on three sides, and is close to the Mangaroa River. It is unlikely that there were additional pā features located uphill from the site as the access to resources and travel routes would have been more difficult on this side and the land would have been less defensible. If there were archaeological features associated with the occupation of the pā on the ridge within the proposed project area it is likely that they were destroyed when the ridge was modified in the latter half of the twentieth century during which time the ridge underwent a significant ground reduction to remove fill for placement on the flat terrace to the west.
- There is very limited potential for the discovery of any pre-European archaeological evidence.
- There is limited potential for there to be historic archaeological sites of European origin.

Conclusion/Recommendations

[Links](#)

Section 9 of the of the Archaeological Assessment notes that the future development of the study area may require earthworks for infrastructure development, subdivision and/or house construction. Physical works can be undertaken following an Accidental Discovery Protocol whereby the contractors on site will be responsible for ceasing works and contacting an archaeologist in the unlikely event that any suspected archaeological material be uncovered. If such works encounter currently unknown archaeological sites, applying for an HNZPT Authority would be necessary before the work can continue.

Heritage NZ Pouhere
Taonga Act 2014

Transport

Work Undertaken

[Links](#)

An Integrated Transport Assessment (Attachment 2) was prepared by Jamie Whittaker of Stantec. The report includes an assessment of the transport related elements of the proposed development, including details of the development plans, access to the wider network, expected traffic generation, and consideration of walking and cycling connectivity, including to the adjacent Maymorn rail station.

[Links](#)

RPS Policy 57
Integrated Transport Assessment – Stantec (Attachment 2)

The report considered the context of local traffic volumes, the local speed environment, sustainable transport, road safety statistics and future network changes.

Wider network impacts were considered using UHCC’s strategic (TRACKS) traffic model. SIDRA was used to evaluate the performance of the SH2 / Plateau Rd intersection.

Key Considerations

[Links](#)

The PC-GB site is well located for residential development from a transportation perspective, being sited in close proximity to the key public transport node of Maymorn rail station. The site has also been identified within the Council’s proposed PC50 zoning for residential and rural-residential growth, as a Settlement Zone transition from the residential Te Marua suburb to the wider rural area.

Development Area Structure Plan

The proposed access strategy and indicative location for site connections to the external roading network are assessed as appropriate, with future consideration of detailed intersection layout and design ensuring that the anticipated demands can be suitably accommodated.

Access and circulation within the subdivision itself has been designed to deliver a high level of amenity for all transport modes, in the manner anticipated by the New Zealand Standard 4404. The proposed Structure Plan’s movement network and road typologies purposefully include good quality active mode provision for internal trips and external connectivity to public transport at Maymorn rail station, which affords regular peak period connections to the Hutt Valley and Wellington City to the south. With service frequency set to increase further with the programmed improvements for this section of the regional rail corridor, the site is ideally placed to take advantage of this efficient and sustainable transport option.

An assessment of the likely traffic generation levels associated with the residential subdivision activity indicates modest additions of around 2 extra vehicles on the network during the daily peak hours, with these trips predominantly routing to and from SH2 to the north. Analysis of the current SH2 / Plateau Road intersection performance shows this has sufficient spare capacity

to accommodate the additional trips, whilst continuing to perform at entirely appropriate Levels of Service.

Conclusion/Recommendations

[Links](#)

Overall, it is assessed that PC-GB to provide for development of the site for residential subdivision would not cause the function, safety or capacity of the surrounding road network to be compromised, and that an appropriate transportation outcome for all modes and users can be delivered.

Ecology

Work Undertaken

An Ecological Assessment (Attachment 3) was provided by Dylan van Winkel, Annabelle Coates and Treffery Barnett of Bioresearches.

[Links](#)

RMA s6(c), s31

Section 4 of the Assessment describes and identifies the location of the site's ecology. Vegetation is categorised as:

RPS Policies 23, 24, 47

- Extensive areas dominated by wilding pines;
- Flat land in pasture;
- Native vegetation, including an area identified by UHCC as a draft Significant Natural Area;
- Small areas of native scrub;
- A small area of exotic scrub.

National Policy Statement – Freshwater Management 2020

Ecological Assessment– Bioresearches (Attachment 3)

The six areas of native vegetation meet the significance criteria of the Regional Policy Statement.

Approximately 50 species of birds have been reported within 5km of the site, five species of which are listed as “Threatened” or “At Risk”. The ecological value of the area for birds is moderate-high, due to the possibility of “At Risk-Declining” species being present and utilising the site.

No lizards or frogs have been recorded on the site. The herpetofauna assessment involved visual encounter methods only rather than dedicated surveys due to the time of year. The ecological value of the site for native lizards is conservatively assigned as moderate-high, due to the possibility that “At Risk-Declining” lizards may occur.

The two bat records closest to the site include observations of “unknown” bat species from the 1980s, one of which lies about 400 m to the northwest and the other 12 km to the southwest of the site. The ecological value of the site for bats is conservatively assigned as Very High, due to the possibility that “Threatened/ At Risk” bats may occur.

The lower zone of the site contains several highly modified streams and drains, The ecological value of the artificially straight streams is moderate and of the natural sections of streams is high. The riparian vegetation was dominated by

mature natives and instream habitat was diverse. Several 'At Risk – Declining' fish could potentially be present. The ecological value of the drains is negligible.

Most of the waterways in the upper zone of the site are intermittent, with low ecological value. Most of these waterways were considered intermittent, and likely flow for most of the year, except over the dry summer months. Most of these waterways were within the pine dominated areas and the channels were moderately incised and dominated by pine needles. It is unlikely they present any significant fish habitat, due to the small size and intermittent nature. The ecological value of the permanent waterway is moderate. The waterway flows within pine dominated vegetation and contained significant pine needle detritus. Some fish and invertebrate habitat was present; however, it is considered unlikely it will support a diverse biotic community.

Four general areas were assessed as to whether they met the criteria for a 'natural wetland. One natural wetland was identified in the upper zone at the eastern site boundary (Figure 22 Ecological Assessment).

The Ecological Assessment includes the following summary table of ecological features and values:

Ecological Feature	Summary description	Ecological value
Pasture	<ul style="list-style-type: none"> • Exotic rank grassland on the lowland flats but could provide habitat for ground nesting native birds (e.g., pukeko). 	Negligible
Exotic scrub	<ul style="list-style-type: none"> • Dominated by gorse, broom, and blackberry. • Abundance of weed plant species. • May support native lizards and provide habitat for common native birds (e.g., tui, fantail, etc.). 	Low
Pines	<ul style="list-style-type: none"> • Dominated by densely growing wilding pines with an understorey devoid of vegetation. • Could potentially provide habitat for bats. • Low ecological value unless bats are confirmed to be present 	Low
Native vegetation	<ul style="list-style-type: none"> • Young native bush/ scrub, dominated by understory and subcanopy species. • Not as botanically diverse but represents young successional native vegetation not abundant in the wider vicinity. • Could provide habitat for protected native lizards, birds, and bats, including potentially 'At Risk' and 'Threatened' species. 	High
Native scrub	<ul style="list-style-type: none"> • Dominated by dense young mānuka (1.5–3 m in height), interspersed with gorse, broom, and pine. • Could provide habitat for protected native lizards, including an 'At Risk' species, and common native birds. 	Moderate

Draft SNA vegetation	<ul style="list-style-type: none"> • Vegetation dominated by understorey species; however, some mature canopy species present. • Could provide habitat for protected native lizards, birds, and bats, including potentially 'At Risk' and 'Threatened' species. • Meets Diversity and Representativeness criteria for assigning SNAs. 	High
Native lizards	<ul style="list-style-type: none"> • Records of native lizards in the surrounding landscape and the suitability of the habitats on-site for lizards suggests that several species, including those with 'At Risk' conservation statuses may be present. • Lizard presence/values to be confirmed with a survey prior to consenting stage • 	Moderate-high
Native birds	<ul style="list-style-type: none"> • Common protected native birds utilise the site and the vegetation offers suitable roosting, foraging, and nesting habitat for them. • 'At Risk-Declining' birds may be present. 	Moderate-high
Bats	<ul style="list-style-type: none"> • No bats have been recorded on-site; however, no surveys have been undertaken. • The vegetation and habitat features on-site are suitable for bats and considering there are verified records of bats in the wider surrounding landscape, bats could potentially be resident on-site or at least use site temporally/ seasonally 	Very high
'Lower zone' permanent waterway	<ul style="list-style-type: none"> • Natural alignment with high quality riparian vegetation. • Good instream habitat. • At Risk fish species known from the catchment and potentially present in the channel. 	High
'Lower zone' artificial alignment and above	<ul style="list-style-type: none"> • Reasonable quality instream habitat. • Artificially constructed/straightened channel. • Highly limited riparian vegetation. • Fish barrier at downstream extent of this reach. 	Moderate
Farm drains	<ul style="list-style-type: none"> • Low quality instream habitat. • Limited to no riparian vegetation. • Likely experience drying periods. 	Negligible
'Upper zone' permanent waterway	<ul style="list-style-type: none"> • Good instream habitat and 'At Risk' fish species known from the wider catchment. • Riparian vegetation dominated by pines with significant pine needle detritus in the channel in some areas. 	Moderate

'Upper zone' intermittent waterways	<ul style="list-style-type: none"> • Predominantly in pine forested areas strongly influenced by pine needles in channels. • Periodically dry meaning it is difficult for a diverse biotic community to establish. 	Low
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Key Considerations

All three categories of native vegetation identified on-site (i.e., Native vegetation, Native scrub, and Draft SNA vegetation) were assessed as having moderate to high ecological value and all native vegetation areas except native scrub met at least one of the criteria used to assess SNAs. Accordingly, the areas of Native vegetation and Draft SNA vegetation should be retained, enhanced, and protected. Native scrub vegetation does hold ecological values and should be enhanced and protected as far as practicable.

Development that involves the clearance of vegetation (exotic or native) will need to consider resident fauna. It is likely that appropriate avoidance, management and mitigation measures would be required to ensure compliance with legal fauna protection mechanisms (e.g., Wildlife Act 1953, RMA 1991) and the objectives and policies of the PNRP, RPS, and UHDP.

The NPS-FM and NES-FW set out objectives and policies for freshwater management under the RMA and set requirements for carrying out certain activities that pose risks to freshwater and freshwater ecosystems. Carrying out such activities requires compliance with the standards outlined in the NES-FW.

Conclusion/Recommendations

The Ecological Assessment includes a number of recommendations with respect to PC-GB. These are identified as follows: Planning Map

- It is recommended that dedicated surveys for native lizards and bats be undertaken prior to any future resource consenting for the site, to clearly understand the ecological values of the site, and any potential adverse ecological effects resulting from the project proposal.
- Where native lizards are detected and the development activities likely to have adverse effects on them or their habitat, a site-specific Lizard Management Plan (LMP) should be prepared. The LMP would detail measures required to avoid and mitigate adverse effects on protected native lizards, which is a requirement under the Wildlife Act 1953 and RMA 1991. Lizard management typically, but not always, involves salvaging, relocating, and potentially monitoring relocated native lizards, as well as implementing measures to enhance lizard habitat on-site.
- It is strongly recommended that a dedicated bat survey be undertaken, using Automatic Bat Monitors (ABMs), to verify or otherwise the presence of bats.
- Where mature tree and scrub removal forms part of any proposed development activities, native bird management should be considered. This would likely take the form of avoiding vegetation clearance during

the bird breeding season (September to February, inclusive), as far as practicable, or where not achievable, carrying out a pre-vegetation clearance bird nesting survey and associated nest protection measures;

- The site would benefit significantly from an ecological restoration/enhancement programme to preserve existing and encourage further biodiversity values.
- Restoration initiatives could include revegetation, weed management, and pest mammal control.
- Long-term control of weeds and pest mammals within any areas of retained native vegetation on-site should be considered by future landowners..
- Channelised watercourses would benefit from appropriate riparian planting.
- Any areas of pine forest that are removed to facilitate development of the site, with the exception of building platforms and associated access and outdoor living, should be revegetated with native species appropriate for the area.
- The artificial/ straightened section of waterway in the 'lower zone' would benefit from riparian planting. Planting should extend from the edge of the wetted channel and incorporate water edge, ground cover, understory and canopy species.
- Ongoing weed management, particularly of the areas where blackberry has been cleared from the riparian area (i.e., the upper reaches of the natural alignment in the 'lower zone'). This area would also benefit from being planted, particularly the incised gully area.
- Avoid working within, or directly adjacent to the eastern boundary wetland.
- Any crossings of the permanent and intermittent waterways should be designed with fish passage in mind where fish access to the stream currently exists.
- It is recommended that any restoration planting have regard to myrtle rust and the potential impacts of introducing or spreading this disease on-site. This would entail the acquisition of plants from a certified myrtle rust-free nursery and reporting of any further confirmed or suspected myrtle rust detected on-site.
- Vegetation removal or earthworks within or within 10 m of the eastern boundary wetland, and/ or discharges, damming and/ or diversion of water within 100 m of the boundary wetland should not occur, unless they are for the purposes of restoring this wetland. Any work for activities other than restoration is likely to be a non-complying activity.
- Intermittent waterways in the 'upper zone' should only be altered if absolutely necessary. Damming/ diverting is a discretionary activity.

Installing culverts and crossings is likely to be permitted, providing the criteria provided in rules R113 and R114 of the Proposed Natural Resources Plan are met.

- All stream crossings, including intermittent streams, should be designed to facilitate fish passage where fish access to the stream currently exists.
 - Sediment runoff to watercourses that may affect water quality and/ or aquatic habitat must be managed appropriately.
-

Landscape and Visual

Work Undertaken

A Landscape Analysis (Attachment 4) was prepared by Hudson Associates. The following was carried out:

- Undertake a landscape analysis of the Gabites Block;
- Assess how rural character and amenity values can be maintained and enhanced;
- Assist in identifying development densities appropriate to the different areas of the Gabites Block.

Links

RMA s6

RPS Policy 27

Landscape Analysis –
Hudson Associates
(Attachment 4)

Key Considerations

Links

The Landscape Analysis includes an assessment of the landscape and visual characteristics of the site with respect to site landform, vegetation cover and water systems, and landscape and visibility character, in the context of the Mangaroa Valley and Maymorn area. These characteristics include:

- There is a diverse mix of land use in the localised area including residential, light industry, rural lifestyle, forestry, pasture, a GWRC reserve to the east, and historic and current railway.
- Rural character is an aspect of landscape character. While rural character is valued in the wider Maymorn area, the land use has changed from rural production to rural lifestyle and rural residential properties. Rural character is mostly valued for amenity reasons including “vistas, the sense of openness, and peace and quiet” (UHCC Planning Policy, 2020, p 9). The UHCC PC50 Consultation also identified that rural production is a secondary activity, with residential the primary activity in this valley.
- The site contains a highly modified, unnamed tributary of the Blaikie Stream, which flows to the Mangaroa River and then to Te Awa Kairangi Hutt River.
- Viewshed analysis (Digital Zone of Theoretical Visibility) and Google Streetview desktop analysis was confirmed with on-site observations. The site has limited visibility due to structures and riparian, regenerative, shelter and amenity plantings.

- The Landscape Analysis describes and provides recommendations specific to the following different areas of the site:
 - North-West Area
 - This area is close to existing residential development to the north, along Maymorn Road, and opposite the light industrial activity.
 - 400m² minimum allotments
 - The residential character analysis (pp24-25) shows the proposed residential density would be in keeping with the character of the existing residential area to the north
 - Valley Flats Area
 - Along Maymorn Road, and on the lower aspects of the south-west hillside, rural residential lots are appropriate for extending the residential development already occurring along Maymorn Road down to Maymorn Station.
 - 1000m² minimum allotments
 - Station Flats Area
 - Located between the development along Maymorn Road, and the lower aspects of the south-west hillside, greater density of development is appropriate in this location around the train station. This area is largely away from the central valley area and from public views
 - 400m² minimum allotments for medium density housing and mixed use
 - Hilltops Area
 - This area has varied topography, and some areas are more suited to development than others. As such, there is landscape capacity for a minimum site size of 2000m² for elevated areas. This enables steeper areas of the site to remain free from dwellings, and instead, these may be positioned sensitively along the spurs. A large balance lot, which includes the majority of the steep hillsides and valley, can be owned by one resident per valley. This will enable a few people to have responsibility for a large undevelopable area which will most likely remain predominantly natural landcover.
 - 2000m² minimum allotments
 - Hilltop Basin Area

- The north-east corner of the site has the capacity for denser rural lifestyle lots due to the more gradual slopes at a lower elevation, close to the rural residential area along Plateau Road
- 1000m² minimum allotments
- Hillside Area
 - The ridgeline and hillside are more sensitive to changes as this landscape feature is valued as a natural backdrop to the wider area. The potential for development is much lower, with the capacity to support no less than an average lot size of 2.5ha, allowing for a minimum site size of 1ha for areas of lower elevation, and further to the west. This enables steeper areas of the site to remain free from dwellings, and instead, these may be positioned sensitively along the spurs. The sensitivity to development is highest along the east of this hillside and along the ridgeline. Lots should be shaped around the topography. To the south-east lots should be restricted to one allotment per spur, with property boundaries located in the valley
 - 1ha minimum, 2.5ha average allotments

Geotechnical

Work Undertaken

Links

Engeo Ltd was commissioned to provide a Geotechnical Assessment (Attachment 5) for the site. The purpose of the Geotechnical Assessment was to identify, map and discuss potential site geotechnical challenges and constraints relevant to the proposed rezoning of the site and anticipated future development.

RMA s6(h)
RPS
Geotechnical Assessment – Engeo (Attachment 5)

The work involved a desktop study, site walkover, subsurface investigations and hazard assessment.

Key Considerations

Links

Key geotechnical constraints to future development were identified as historical filling works, areas of historical and / or current slope instability and steeply sloping ground which has the potential for future instability.

Areas of fill (assumed to be non-engineered) were identified within an incised stream channel (up to approximately 6.5 m thick), old piggery effluent ponds (up to 3 m thick), and associated with the formation of a forestry road providing access to the hill areas of the site (unknown thickness but assumed to be greater than 1 m).

A large scale slope instability was identified near the north-western extent of the hills while debris fans were observed from the main gully channels on the western side of the hills extending towards the flat area of the site. In addition, bowed tree trunks suggested local instability in some areas of the sloping part of the site.

The report assessed the potential for liquefaction, lateral spreading, rock fall and debris flows.

Conclusion/Recommendations

Links

The report assessed the potential for liquefaction, lateral spreading, rock fall and debris flows and considered the risk from these hazards to be sufficiently low that specific mitigation works are not required in conjunction with the site’s development.

Planning Maps
Development Area
Structure Plan Slope
Hazard Layer

The report recommended at least partial remediation of the areas of uncontrolled fill to provide suitable building platforms. Remediation works will likely include excavation of the fill material and replacement with engineered hardfill.

Recommendations were provided for earthworks cut and fill areas.

The report considers the hazard assessment undertaken to be suitable for the purposes of broad scale risk identification at plan change and subdivision level but does not preclude the need for lot specific geotechnical investigation at building consent stage which will be required to provide a detailed assessment of natural hazards.

Large areas of the flat part of the site are cut by drainage channels, with the adjacent ground very soft and wet. The report recommends that drainage works are considered in conjunction with development, and an assessment of flood levels is undertaken. It is likely that areas of the flat part of the site will require filling to achieve required ground elevations and to minimise flooding potential.

Infrastructure

Work Undertaken

Links

The Infrastructure Report (Attachment 6) was prepared by Andrew Jackson and Paul James of Envelope Engineering.

RPS Policy 58
Infrastructure Report – Envelope Engineering (Attachment 6)

The Infrastructure Report sets out the need for and design approach to earthworks and evaluates the provision of roading, wastewater, water, electricity, gas and telecommunications services for the development facilitated by the rezoning of the site

Key Considerations

The report sets out the need for and design approach to earthworks and the erosion and sediment control practices that will be adopted.

An indicative roading layout and roading typologies are provided in the Development Area Structure Plan.

The reticulated wastewater network has dry weather capacity but wet weather constraints. The recommended solution agreed with Wellington Water Ltd is to

provide on-site storage and timed release to control peak flows. This would avoid affecting network capacity.

Stormwater from roads will be treated using rain gardens or constructed wetlands. Attenuation of peak flows will be provided through ponds at or close to discharge points. Discharges will have suitable erosion control.

Parts of the proposed Valley Flats Area may be at risk of flooding during a 1% AEP rain event. Envelope's initial assessment is that this is caused by an undersized existing culvert crossing the stream within the site. As the culvert is undersized, water within the stream is predicted to overtop the culvert during large rain events. This culvert is proposed to be upgraded or replaced to accommodate the proposed road crossing of the stream in this location. To confirm the flood risk is alleviated at the time of subdivision, a flood hazard assessment should be completed. This would include a detailed topographical study of the upstream catchment and stream banks.

Individual site stormwater management will be via rainwater tanks providing storage and gradual release of roof water.

The water supply network has no spare capacity. Water supply (including fire fighting water supply) will be provided via individual site collection and storage of roof water.

Discussions with utilities have confirmed that there are no issues in providing electricity and telecommunications.

Conclusion/Recommendations

Based on the assessment of the existing infrastructure, investigations on-site, discussions with Council, Wellington Water Ltd and other service providers, and preliminary design, the development enabled via rezoning of the site and inclusion of the Development Area Structure Plan and accompanying provisions within UHDP can be adequately serviced in terms of roading, stormwater, wastewater, potable water, electricity, telecommunications, and, if required, gas.

To confirm possible flood risk in the Valley Flats Area is alleviated at the time of subdivision, a flood hazard assessment should be completed. This would include a detailed topographical study of the upstream catchment and stream banks.

Soil Contamination

Work Undertaken

Links

The Soil Contamination Assessment (Attachment 7) was prepared by Stu Clark of NZ Environmental Technologies Ltd.

RPS Policy 58
Soil Contamination Assessment - NZET (Attachment 7)

Key Considerations

The Soil Contamination Assessment describes the history of the site and notes that the site is identified by GWRC as a SLUR site (Specific Land Use Register) due to the historic spreading of piggery pond sludge onto the lower paddocks but that

the site's listing as contaminated has been resolved by GWRC to *Contamination Acceptable Managed / Remediated*.

Because of the site's previous use and its identification on the SLUR, NZET Ltd arranged further site investigations. Soil testing revealed levels of copper and zinc that do not exceed the standards in the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health. Rural residential is the most sensitive land use because of the tendency of residents to grow and consume their own produce.

Water testing showed levels of copper and zinc close to or below the limit of detection.

Conclusion/Recommendations

The Soil Contamination Report concludes that there are no contaminants that present any concern in respect of the PC-GB site and its subsequent subdivision.

Desktop Soil and Land Use Capability Assessment

Work Undertaken

The Desktop Soil and Land Use Capability Assessment (Attachment 8) was prepared by Reece Hill of Landsystems.

Links

RPS Policy 59
Desktop Soil and Land Use Capability Assessment - Landsystems (Attachment 8)
Geotechnical Report – Engeo (Attachment 5)

Key Considerations

The Desktop Soil and Land Use Capability Assessment considered the site in the context of the draft National Policy Statement for Highly Productive Land and the related provisions of the RPS.

The valley flats of the site are categorised as Land Use Capability Class 3 soils. The site does not contain high quality soil in terms of Policy 59 of the RPS.

The Desktop Soil and Land Use Capability Assessment used available map information, soil reports and geospatial data plus soil cores taken as part of Engeo's geotechnical investigation to identify the areas of the site that are modified soil and therefore not considered to be highly productive.

Figure 9 of the Assessment shows that much of the site's valley flats have been modified and any productive areas of soil on the site are small and fragmented.

Conclusion/Recommendations

The desktop assessment of the modified soil areas indicated that the Gabites Block land has undergone extensive modification over the years, and the remaining soil areas are highly fragmented. It is likely that soils surrounding these areas could also have been modified, further reducing the area and productive capacity of the remaining soils.

Summary and Conclusion as to Suitability of Development and Assessment of Potential Environmental Effects

- (136) The assessments and analysis undertaken in the accompanying technical reports that are summarised above, confirm that the site is suitable for the proposed zone change and subsequent housing development.
- (137) Overall, the actual or potential adverse effects arising from PC-GB can be appropriately managed.
- (138) In addition, the Plan Change will have many positive effects. Anticipated positive outcomes arising from the Plan Change include enabling:
- A high quality development that will make a significant contribution to Upper Hutt City's housing capacity;
 - Development in accordance with the Upper Hutt Land Use Strategy;
 - The opportunity to improve a section of the Remutaka Rail Trail loop, one of New Zealand's Ngā Haerenga Cycle Trails great rides, that is currently forced to use Maymorn Road;
 - Identification and protection of Gabites Block Natural Areas; and
 - Protection of the landscape values of the west-facing hillside.

Options to Progress the Plan Change

- (139) The assessments described above have confirmed that the site is suitable for development. Analysis is required to outline the various RMA options and tools to undertake that development, and achieve the objectives for PC-GB. These options are discussed in the following sections.

Retain Rural Zone

- (140) The Rural Zone in the UHDP is focused on rural production. It does not provide for housing development and would not achieve the goal of PC-GB. The objectives and policies for the Rural Zone are incompatible with low density and rural residential housing development, which means that achieving resource consent to change land use would be unlikely.

Rely on Proposed Plan Change 50

- (141) UHCC is currently working towards a plan change for all its residential and rural zones. Public notification of the Plan Change 50 may occur in late 2022 although UHCC is considering splitting the rural and residential sections and proceeding first with the residential plan change.
- (142) Consideration was given to participating in Plan Change 50 rather than pursuing a private plan change. However, there is an opportunity to provide a site-specific response that aligns with PC50 that delivers housing in a much quicker timeframe than would be anticipated by relying on PC50. Development of the site could be delayed by appeals on unrelated PC50 matters or areas.
- (143) In addition, PC50 would be unlikely to provide for the nuanced approach to the site that provides for different intensities of development in response to the attributes and constraints of different areas the site.

Align With Plan Change 50, With Site-Specific Development Area

- (144) The Plan Change provisions enable different intensities of development that respond to the attributes and constraints of different areas the site. The Plan Change is therefore likely to achieve better environmental and housing outcomes. The Plan Change is likely to proceed through due process in a timely manner.

Preferred Option

- (145) Given the better environmental and housing outcomes anticipated, the Plan Change with site specific provisions is the preferred option.

Consultation

- (146) Consultation and engagement on the development of the Gabites Block has been ongoing since at least 2007 when UHCC released the Growth Strategy 2007, followed by the Maymorn Structure Plan, the LUS and the ongoing consultation on PC50.
- (147) PC-GB respects the outcomes of the previous consultation and is consistent with the approach now accepted by UHCC and the community.

Engagement with Mana Whenua

- (148) Mana whenua have a special cultural and spiritual relationship with the environment. This relationship with their ancestral lands, water, sites, wāhi tapu, and other taonga are a matter of national importance under the Resource Management Act 1991. The Local Government Act 2002 also recognises this relationship and requires local authorities to provide opportunities for Māori to be involved in decision making processes and consultation.
- (149) There is no other iwi participation legislation relevant to the area of PC-GB. There is also no relevant iwi participation legislation or Mana Whakahono ā Rohe iwi participation arrangement entered into under subpart 2 of Part 5 of the RMA.
- (150) Contact was initiated with Ngāti Toa Rangatira and with Port Nicholson Block Settlement Trust. No response was received.

Key Stakeholders

- (151) Stakeholder consultation has also been central to the development of PC-GB.
- (152) Details of the Key Stakeholders, their role and the engagement undertaken is discussed below:

Greater Wellington Regional Council (GWRC)

- (153) GWRC was contacted in recognition of its dual role within both the policy setting (Wellington Regional Policy Statement and Proposed Natural Resources Plan) as well as its regulatory functions (regional consents). GWRC responded by requesting a briefing in due course.

Wellington Water Ltd

- (154) Discussions were held with Wellington Water Ltd to determine the available options for the water supply and wastewater. The results are included in the Infrastructure Report (Attachment 6).

Waka Kotahi NZ Transport Agency

- (155) Contact was initiated with Waka Kotahi. No response was received

Kiwirail

- (156) Contact was initiated with Kiwirail. No response was received

Other Infrastructure Providers

Wellington Electricity

- (157) Wellington Electricity has advised that network upgrades would be required for the proposed development. Further detailed discussions are ongoing with Wellington Electricity to determine the nature and timing of upgrades.

Chorus New Zealand Limited

(158) Chorus has confirmed that access to the fibre network is available close to the site.

Appropriateness, Efficiency and Effectiveness of the Proposed Plan Change

Is the Proposed Plan Change the most appropriate way to achieve the purpose of the RMA?

- (159) The work completed in terms of implementing the NPS-UD, including the subsequent HBA, confirms the serious shortage of residential housing and residential land supply in Upper Hutt.
- (160) The LUS identifies greenfield opportunities for additional residential housing capacity in the City. These opportunities include the Gabites Block.
- (161) Initial analysis indicated that the site is suitable for residential housing given it possesses a number of positive attributes including:
- Proximity to Maymorn Train Station;
 - Accessibility to State Highway 2
 - Adjoining existing Residential Zone land;
 - Proximity to Upper Hutt City Centre; and
 - Infrastructure serviceability using network and on-site infrastructure;
 - No significant natural hazard constraints.
- (162) In depth investigation undertaken as part of informing PC-GB has assessed the site's constraints and attributes to determine its suitability for the proposed development. The investigations have identified that:
- The ground conditions are suitable for built development;
 - Natural hazards can be avoided or mitigated;
 - Development can respect rural character and landscape values;
 - Development can identify and protect GBNAs;
 - Development can respect cultural heritage
 - Development can maintain or enhance receiving environments, through high quality management of stormwater;
 - All modes of transport can be provided for; and
 - Development densities can be nuanced through the Development Area Structure Plan to be appropriate to the attributes and constraints of different areas of the site. High quality design and diverse housing types can cater for a range of community needs and contribute to placemaking to create communities where people want to live.
- (163) The delivery of PC-GB's strategic objectives requires a UHDP framework that provides for development tailored to the constraints and attributes of areas of the site to result in high quality, low density residential and rural-residential environments together with protected and enhanced landscapes and ecosystems.

- (164) The existing Rural Objectives and Policies that apply to the site are incompatible with the desired level of development and environmental protections and enhancements. Therefore, a plan change to deliver the strategic objectives is the only realistic option.
- (165) PC-GB achieves the sustainable management purpose of the Act by setting a relevant objective of providing for much needed housing while ensuring Part 2 matters are addressed.

Are the proposed provisions the most appropriate way to achieve the objective of the Proposed Plan Change?

- (166) PC-GB provisions are tailored to the site's constraints and attributes, and set a framework for high quality, low density residential and rural-residential development while sustainably managing identified ecological and landscape attributes, and receiving environments.
- (167) The appropriateness of the provisions are evaluated in the following sections.

District-Wide Provisions of the Upper Hutt District Plan

(168) Unless amended by the PC-GB provisions, the district-wide provisions of the UHDP apply to the Gabites Block.

Why these provisions are included in the plan

Many of the existing, established UHDP provisions, e.g. earthworks, transport, apply to DEV3 unless amended by PC-GB.

How these provisions achieve the purpose of the RMA

The district-wide provisions provide for:

- Social, economic, cultural and environmental wellbeing; and
- The efficient use of land and supporting infrastructure.

The existing provisions have been tested through a Schedule 1 process and found to meet the purpose of the RMA.

Costs and Benefits including Opportunities for Economic Growth and Employment

- Continuing with the established district wide provisions as appropriate avoids the costs of developing, consulting on and implementing new provisions.

Risk of Acting or Not Acting if Information is Uncertain or Insufficient

- The established district wide provisions are well understood and provide a high level of certainty.

Efficiency and Effectiveness

The efficiency of using established, proven provisions is high because the benefits outweigh the costs.

The existing district-wide provisions have been proven to be effective across Upper Hutt City. There is no need to amend satisfactory provisions except to resolve identified issues or provide site-specific solutions.

Other Reasonably Practicable Options for Achieving the Objectives

Additional DEV3-specific provisions could have been proposed. However the existing district-wide provisions have proven to be satisfactory and will be updated in due course through the UHDP review.

Amendment 1.

PART 1 – INTRODUCTION AND GENERAL PROVISIONS	
1 INTRODUCTION	
2.4 Information Requirements	
<u>2.4.12 Specific, additional information accompanying applications for subdivision, use and development in DEV3-Gabites Block Development Area</u>	
<p><u>Specific, additional information requirements in respect of subdivision, use and development in DEV3-Gabites Block Development Area are contained in the Subdivision chapter and the DEV3 chapter.</u></p>	
2.4.12	Further guidance on information requirements
<p>Depending on the nature and scale of the proposal, consultation may be required with the following parties:</p> <ol style="list-style-type: none"> (1) Persons likely to be adversely affected by the proposed activity (2) The Department of Conservation (3) Pouhere Taonga – Heritage New Zealand (4) Iwi authorities (5) New Zealand Transport Agency (6) Other relevant authorities or organisations 	

(169) Amendment 1 is a consequential amendment in respect of new subdivision and land use provisions. Amendment 1 continues the UHDPs’ approach of noting the location of information requirements, some of which are generic and some of which are specific to particular areas.

Amendment 2.

3 INTERPRETATION	
3.1 Definitions	
<u>Biodiversity offset</u>	<u>means a measurable positive environmental outcome resulting from actions designed to redress the residual adverse effects on biodiversity arising from activities after appropriate avoidance, minimisation, and remediation measures have been applied. The goal of a biodiversity offset is to achieve no net loss, and preferably a net gain, of indigenous biodiversity values.</u>
<u>Gabites Block Natural Area</u>	<u>means an area of significant indigenous vegetation or significant habitat of indigenous fauna that meets the criteria in Policy 23 of the Wellington Regional Policy Statement and identified in DEV3-ECO-Appendix-1: Schedule of Gabites Block Natural Areas. It excludes wetlands and other waterbodies.</u>
<u>Gabites Block Rail Corridor Buffer Area</u>	<u>means an area in the Station Flats Area identified on the Gabites Block Development Area Structure Plan in DEV3-APPENDIX1. The area runs approximately parallel to the Wellington to Woodville rail corridor measured as a distance of 50m from the boundary of the railway corridor designation.</u>
<u>Impervious surface</u>	<u>means a surface which prevents or significantly constrains the soakage or filtration of water into the ground. It includes:</u> <ol style="list-style-type: none"> (a) <u>Roofs;</u> (b) <u>Paved areas including driveways and sealed or compacted metal parking areas and patios;</u> (c) <u>Tennis or netball courts;</u>

	<p>(d) Sealed and compacted–metal roads;</p> <p>(e) Engineered layers such as compacted clay.</p> <p><u>It excludes:</u></p> <p>(f) Grass or bush areas;</p> <p>(g) Gardens and other landscaped areas;</p> <p>(h) Permeable paving and green roofs;</p> <p>(i) Permeable artificial surfaces, fields or lawns;</p> <p>(j) Slatted decks;</p> <p>(k) Swimming pools, ponds and dammed water; and</p> <p>(l) Rain tanks</p>
Mana whenua	<p>has the same meaning as in section 2 of the RMA:</p> <p>means customary authority exercised by an iwi or hapu in an identified area.</p>
Reverse sensitivity	<p>means the vulnerability of an existing lawfully established activity to other activities in the vicinity which are sensitive to adverse environmental effects that may be generated by such existing activity, thereby creating the potential for the operation of such existing activity to be constrained.</p>
Water sensitive design	<p>means a collaborative approach to fresh water management. It is applied to land use planning and development at complementary scales including region, catchment, development and site. Water sensitive design seeks to protect and enhance natural freshwater systems, sustainably manage water resources, and mimic natural processes to achieve enhanced outcomes for ecosystems and communities.</p>

(170) The Gabites Block Development Area adds several definitions that are required to support provisions but otherwise relies on the UHDP definitions, which have recently been updated to be consistent with the National Planning Standards. For regional consistency, the new definitions (with Gabites Block-specific adaptations as necessary) have been taken from Porirua City Council’s Proposed UHDP or Plan Change 18.

Amendment 3.

PART 2 – DISTRICT-WIDE MATTERS
STRATEGIC DIRECTION
<p>UFD – Urban Form and Development</p> <p>RURAL</p> <p>The rural sector is in transition as a diverse range of rural and rural lifestyle activities gradually replace traditional farming activities. The rural area contains much of the City’s agriculture and primary productive land resources which are an important part of the City’s economic and social wellbeing, both now and in the future. It also forms the immediate backdrop to the City in terms of landscape. Areas for rural lifestyle, passive and active recreation and leisure opportunities, and other mixed urban/rural activities also form part of the character of this environment.</p> <p>The rural environment has been highly modified by changes in land use and exhibits a range of characteristics.</p>

The valley floors are characterised by a patchwork of fields under pasture with farm and other **buildings** dotting the landscape. The hillsides are marked by more extensive pastureland, regenerating scrub, exotic **forestry** plantations and indigenous forest.

While the appearance of the rural **environment** is subject to considerable change and evolution, some characteristics remain constant. These are the open, expansive nature of the countryside with a relatively low density of **buildings** and with vegetation being the dominant feature. Open spaces, a key feature of rural character, serve to mitigate adverse **effects** which may be generated by farming, **forestry** and other **activities** commonly located in the rural **environment**. Loss of this open space through more intensive **subdivision** and subsequent residential development may create an **environment** in which the **effects** of rural **activities** are no longer acceptable.

The rural **environment** is characterised by important ecological values. These include significant areas of **indigenous vegetation** and areas of significant habitat for indigenous fauna. Such areas can be degraded or partially or totally destroyed by clearance, milling or pest and weed infestation.

The rural area comprises **natural and physical resources** which are often the subject of competing demands and uses. For example, areas may have value to some as a residential **environment**, while to others the value may be as a recreational **environment**. Others still may value the productive or economic return from a **land** area, or recognise a particular cultural significance. Competing demands are greatest for flat **land**, which is suitable for a wide range of **activities**, from farming and business, to tourist and residential uses. A range of opportunities are therefore required to enable the community to make use of the rural **land** resource. It is necessary to provide for both rural and non-rural **activities** while ensuring that rural character and amenity is maintained and enhanced, and natural ecosystems are protected.

Subdivision and development in the Blue Mountains Precinct is restricted due to constraints associated with **land** stability, drainage, existing **allotment** sizes and roading and access. There is difficulty with **sewage** disposal due to poor soakage, as well as limited opportunities to draw **groundwater**. Blue Mountains Road requires major **upgrading** to accommodate further development and this may result in significant adverse environmental **effects**. The Blue Mountains Precinct is separately identified in the Plan. Because of its physical constraints, development can only be contemplated where adverse **effects** can be adequately mitigated. The present capacity of Blue Mountains Road is a limiting factor in considering development proposals in the areas served by it.

The Rural Zones cover the non-urban areas of the City, ranging from relatively intensively developed areas through to more extensive **land** holdings.

The Rural Zones provide opportunities for rural-based **activities** to occur. It is not a sustainable use of the rural **land** resource to allow the **land** to be degraded or used in a manner which will significantly limit the choices of future generations.

[The Settlement Zone provides predominantly for areas of residential activities in rural locations.](#)

[The Gabites Block Development Area provides for low density residential and rural residential development while maintaining and protecting the natural and landscape values of the Gabites Block in its Maymorn context. The location and density of development is required to be in accordance with the Gabites Block Development Area Structure Plan in DEV3-APPENDIX1.](#)

Why these provisions are included in the plan

Links

The purpose of the strategic directions for the Settlement Zone and Gabites Block Development Area are to:

1. Introduce the Settlement Zone and Gabites Block Development Area to the UHDP in a manner consistent with the existing approach to strategic direction, setting the context for the provisions that follow later in the UHDP.

-
2. Introduce the Settlement Zone in a manner consistent with the description in the National Planning Standards: “Areas used predominantly for a cluster of residential, commercial, light industrial and/or community activities that are located in rural areas or coastal environments” and the approach taken in draft Plan Change 50. The Settlement Zone is a transition area between the urban fringe and wider rural areas.
 3. Introduce the Gabites Block Development Area in a manner consistent with the description of in the National Planning Standards: “A development area spatially identifies and manages areas where plans such as concept plans, structure plans, outline development plans, master plans or growth area plans apply to determine future land use or development. When the associated development is complete, the development areas spatial layer is generally removed from the plan either through a trigger in the development area provisions or at a later plan change”. The Gabites Block Development Area is also consistent with the approach taken in draft Plan Change 50. Development Areas are given effect to through site specific provisions that address the attributes and constraints of the particular site while respecting the intended outcomes of the underlying zone.
 4. The Gabites Block Development Area thus provides for low density residential and rural residential development while maintaining and protecting the natural and landscape values of the Gabites Block in its Maymorn context. The location and density of development is required to be in accordance with the Gabites Block Development Area Structure Plan.

How these provisions achieve the purpose of the RMA

[Links](#)

The provisions make efficient use of a well-located land resource suitable for low density residential and rural residential development to achieve social and economic wellbeing while addressing Section 6 and 7 matters.

RMA s5, s6, s7

Costs and Benefits including Opportunities for Economic Growth and Employment

[Links](#)

- Enabling development provides for economic growth and employment, both during the construction phase and ongoing.
 - Increases housing supply in an area with good access to public transport.
 - The Gabites Block is not highly productive land.
 - Provides the opportunity to secure the protection of GBNAs and maintain the landscape values of the hillside.
-

Risk of Acting or Not Acting if Information is Uncertain or Insufficient

- Sufficient information is available to act on. The Housing and Business Assessment shows that Council faces a shortfall in housing capacity in the medium and long terms. The PC-GB contributes to addressing the shortfall.
- The other specialist reports summarised earlier confirm the site is not suitable for productive use and is suitable for the proposed development.

Housing and
Business
Assessment

Efficiency and Effectiveness

The efficiency of the proposed provisions is high because the benefits outweigh the costs.

The effectiveness of the proposed provisions is high because the goals of providing for housing supply and housing diversity while protecting identified biodiversity and landscape values through the Structure Plan and plan provisions.

Other Reasonably Practicable Options for Achieving the Objectives

Alternative strategic objectives are not reasonably practicable because they would fail to promote housing while safeguarding the environment.

Amendments 4—6

(171) Amendments 4—6 are discussed below Amendment 6.

Amendment 4.

ENERGY, INFRASTRUCTURE AND TRANSPORT		
Rules District-wide matters		
Activities Tables <i>Policies NU-P1, NU-P2, NU-P4, NU-P5, NU-P6, NU-P9</i>		

Permitted Activities		Zones	
Radiocommunication, Telecommunication and Electricity Distribution and Transmission			
NU-R9	Masts with or without associated antennas	PER	<i>General Rural</i> <i>Rural Production</i> <i>Rural Lifestyle</i> <i>Commercial</i> <i>City Centre</i> <i>General Industrial</i> <i>Special Activity</i> <i>Development Area1 (Gateway Precinct only)</i> <i>Development Area 2</i> Development Area 3

Standards for Permitted Activities							
NU-S3 <i>Policy NU-P9</i>	Maximum Height above ground level of Network Utilities (1) The maximum height above ground level of any utility structure listed in the table below shall include any antenna and support structures and exclude any lightning rod						
	Network utility	City Centre	Commercial / General Industrial Development Area 1 (Gateway Precinct only)	General Residential Development Area1 (excluding Gateway Precinct)	General Rural / Rural Lifestyle/ Rural Production Development Area 2 Development Area 3	Open Space	Special Activity
	Masts, antennas, lines and single-pole support structures	20m	25m	n/a	15m	n/a	20m 15m in the St Patrick's Estate Area
	Masts and antennas (where there are two or more providers)	25m	30m	n/a	20m	n/a	25m (other than in the St Patrick's Estate Area)
	Maximum height above ground level of an antenna and support structure	5m		3.5m			

	measured from the highest point of the building to which it is attached.					
	Cabinets, and network utility structures located within road reserve, that are not otherwise provided for	2.0m		1.8m		2.0m
	Cabinets, and network utility structures, that are not otherwise provided for.	3.5m				
	Anemometer masts	15m	30m	12m	15m	12m
	Maximum height above ground level of an extreme adverse weather measured from the point of attachment.	4m				

Amendment 5.

NU-S4 <i>Policy</i> <i>NU-P9</i>	Maximum Size and Diameter of Network Utilities (1) The maximum size and diameter of network utilities for each zone is outlined in the table below.					
	Network utility	City Centre	Commercial / General Industrial Development Area 1 (Gateway Precinct only)	General Residential Development Area1 (excluding Gateway Precinct)	General Rural / Rural Lifestyle/ Rural Production Development Area 2 Development Area 3	Open Space

	Masts	Diameter of mast <600mm from 6m in height	Diameter of mast 1.5m	n/a	Diameter of mast <600mm from 6m in height	n/a	Diameter of mast 1.5m Except in the St Patrick's Estate Area: Diameter of mast <600mm from 6m in height
	Masts (where there are two or more providers)	Diameter of mast <600mm from 6m in height	Diameter of mast 1.5m	n/a	Diameter of mast <600mm from 6m in height	n/a	Diameter of mast 1.5m
	Antenna attached to masts	Antenna located within a horizontal diameter circle of 750mm around the mast	Antenna located within a horizontal circle of 5m around the mast	n/a	Antenna located within a horizontal circle of 5m around the mast	n/a	Antenna located within a horizontal circle of 5m around the mast Except In the St Patrick's Estate Area – Antenna located within a horizontal circle of 750mm around the mast
	Antenna attached to buildings	Antenna diameter of 2m or area of 1.8m ²	Antenna diameter of 1m or area of 0.8m ²	Antenna diameter of 1.3m or area of 1.2m ²	Antenna diameter of 1m or area of 0.8m ²	Antenna diameter of 2m or area of 1.8m ²	
	Cabinets, and network utility structures located within road reserve (not otherwise provided for)	2m ²	1.4m ²	2m ²			
	Cabinets and other network utility structures (not otherwise)	15m ²					

	provided for) that are not located within road reserve		
	Cabinets located within the road Reserve containing an electricity Distribution substation	5m ²	
	Meteorological enclosures and buildings	30m ²	
	Extreme adverse Weather warning devices	No greater dimension than 2.5m x 1.5m	
NU-S5 <i>Policy NU-P9</i>	Separation distance and setbacks from boundaries (1) No network utilities shall be located within an esplanade or strip. (2) The following table applies to masts and antenna attached to masts and any cabinet or other network utility structure that is over 5m ² in area with a height of more than 1.2m that are not located in the road reserve or rail corridor:		
	Zone	Setback distance or setback for masts and antenna attached to masts	Setback distance or setback for cabinets and other network utility structures
	All	Not located within an esplanade reserve or strip	
	Commercial City Centre General Industrial Development Area 1 (Gateway Precinct only)	No less than 10m from a General Residential Zone boundary	No less than 2 metres to any boundary in a General Residential, General Rural, Rural Production, Rural Lifestyle, Open Space and Special Activity Zone and to a road or service lane boundary .
	General Rural Rural Lifestyle Rural Production Development Area 2 Development Area 3	No less than 10m from any property boundary Under 15m in height - no less than 20m from the closest wall of a residential unit (excluding balconies and decks) Over 15m in height – no less than 50m from the closest wall of a residential unit (excluding balconies and decks)	No less than 2 metres to all boundaries
	General Residential Open Space Special Activity	No less than 10m from a General Residential or General Rural, Rural Production or Rural Lifestyle Zone boundary.	No less than 2 metres to all boundaries

	Development Area1 (excluding Gateway Precinct)		
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Amendment 6.

Restricted Discretionary Activities		Zones
Radiocommunication, Telecommunication and Electricity Distribution and Transmission		
NU-R22 <i>Policies</i> NU-P5, NU-P6, NU-P9	<p>Masts, with or without associated antennas that do not comply with the standards to be a permitted activity.</p> <p>Council will restrict its discretion to, and may impose conditions on:</p> <ol style="list-style-type: none"> (1) The degree, extent and effects of the non-compliance with the Permitted Activity Standards (2) Risks to public health and safety (3) The maximum height above ground level of the mast and area or diameter of any antenna (4) The maximum height above ground level, area or diameter of any antenna (5) Any effect on heritage and cultural values (6) Visual effects including impacts on: <ol style="list-style-type: none"> (a) The residential and recreational use of land in the vicinity of the proposed utility; (b) The existing character, landscape, streetscape and amenity values of the locality; (c) Key public places, public viewing points and significant recreational areas (7) Amenity effects, including noise, vibration, odour, dust, earthworks and lighting (8) Cumulative effects (9) Any potential <i>interference</i> with public use and enjoyment of the land and the operation of land uses in the near vicinity (10) Measures to mitigate the bulk and scale of the utility, including screening, colour and finish treatment, earth mounding and / or planting, viewing distances, the location of support structures. (11) Whether the size and scale of the proposal is generally compatible with other development in the area. (12) Any adverse effects on traffic and pedestrian safety including sight lines and the visibility of traffic signs. (13) The extent to which alternative locations, routes or other options have been appropriately considered. (14) The extent to which it is technically, economically and practically reasonable for the masts or antennas can be co-sited with similar structures or other buildings. (15) The extent to which the affected persons / community has been consulted with. 	RDIS <i>General Rural</i> <i>Rural Production</i> <i>Rural Lifestyle</i> <i>Commercial</i> <i>City Centre</i> <i>General Industrial</i> <i>Special Activity</i> <i>Development Area 1 (Gateway Precinct only)</i> <i>Development Area 2</i> <u>Development Area 3</u>

Why these provisions are included in the plan

To ensure that existing, established provisions for Radiocommunication, Telecommunication and Electricity Distribution and Transmission apply to

DEV3, and to ensure that DEV3 is referenced in the appropriate provisions of the Energy, Infrastructure and Transport chapter.

How these provisions achieve the purpose of the RMA

The provisions provide for:

- Social, economic and cultural wellbeing.
 - The efficient use of land and supporting infrastructure.
-

Costs and Benefits including Opportunities for Economic Growth and Employment

- The consequential amendments continue the established district wide approach in Upper Hutt, unless more specific provisions have been proposed for DEV3.
-

Risk of Acting or Not Acting if Information is Uncertain or Insufficient

- The district wide approach is well understood and provide a high level of certainty.
-

Efficiency and Effectiveness

The efficiency of the provisions is high because the benefits outweigh the costs.

The existing approach has been proven to be effective in enabling network utilities across Upper Hutt City. The amendments will ensure that the existing approach is used for DEV3.

Other Reasonably Practicable Options for Achieving the Objectives

Additional DEV3-specific provisions for network utilities could have been proposed. However the existing provisions have proven to be satisfactory.

Amendment 7.

TP – Transport and Parking			
Rules			
Activities Tables			
<i>Policies DC-P1, TP-P1, TP-P2</i>			
Car Parking Activities			
TP-R2	Car park provisions in accordance with standards TP-S1 to TP-S10 shall be made for all activities .	PER	All <u>except Development Area 3</u>
Discretionary Activities			Zones

Roading, and Traffic and Transport Structures			
TP-R3	The construction, alteration or diversion of roads , but excluding any such construction works which are part of a subdivision	DIS	<i>General Residential</i> <i>General Rural</i> <i>Rural Production</i> <i>Rural Lifestyle</i> <i>Commercial</i> <i>City Centre</i> <i>General Industrial</i> <i>Development Area 1</i> <i>(Gateway Precinct only)</i> <i>Development Area 2</i> Development Area 3

- (172) Amendment 7 excludes DEV3 Gabites Block Development Area from on-site carparking requirements on the basis that the National Policy Statement Urban Development precludes such requirements.
- (173) DEV3 is added to Rule TP-R3 to continue the UHDP’s established approach to roads that are not part of subdivisions.

Amendments 8—9

- (174) Amendments 8—9 are discussed below Amendment 9.

Amendment 8.

NATURAL ENVIRONMENTAL VALUES			
ECO – Ecosystems and Indigenous Biodiversity			
Rules			
Activities Tables			
<i>Policies ECO-P1, ECO-P2, ECO-P3, ECO-P4, ECO-P6</i>			
Permitted Activities			Zones
Indigenous vegetation clearance – Non-Urban Environmental Allotments.			
ECO-R1	Indigenous vegetation clearance up to 500m ² in total area on any one site that is not an Urban Environment Allotment , and is not an identified Urban Tree Group listed in UTG-SCHED1, within any continuous 5 year period, subject to meeting the standards under-ECO-S1.	PER	All <i>except</i> Development Area 3

ECO-R2	Indigenous vegetation clearance up to 1ha in total area on any one site that is not an Urban Environment Allotment , and is not an identified Urban Tree Group listed in UTG-SCHED1, within any continuous 5 year period, where the vegetation is comprised predominantly of manuka (<i>leptospermum scoparium</i>) or kanuka (<i>kunzea ericoides</i>) which has a canopy height no greater than 4m, subject to meeting the standards under-ECO-S1.	PER	All except Development Area 3
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Amendment 9.

Discretionary Activities		Zones	
Indigenous vegetation clearance that is not an Urban Environment Allotment , and is not an identified Urban Tree Group listed in UTG-SCHED1, which exceeds the above permitted activity thresholds and/or does not meet the standards in ECO-S1.	DIS	All except Development Area 3	

- (175) Amendments 8—9 are consequential changes related to the identification and protection of Gabites Block Natural Areas (see Amendment 31). The changes avoid conflicting provisions.

Amendments 10—14

- (176) Amendments 10—14 are discussed below Amendment 14.

Amendment 10.

SUBDIVISION		
SUB-RUR – Subdivision in Rural Zones		
Rules		
Activities Tables		
Standards for Controlled Activities		Zone
SUB-RUR-S2	<p>Access standards for subdivision</p> <ol style="list-style-type: none"> (1) Access to any allotment, including rear allotments, shall be sited at least 20m, measured along the road carriageway, from any access on an adjoining allotment, unless the two access provisions join the road carriageway at a common point. This requirement does not apply to Development Area 3. (2) All accessways and manoeuvring areas shall be formed and surfaced in accordance with the Code of Practice for Civil Engineering Works. Exemption – the requirement for accessways serving sites solely occupied by unstaffed utilities shall be that the accessway shall be surfaced with permanent all weather surfacing for a minimum length of 5m from the edge of the road carriageway seal. (3) All sites shall have practical vehicle access to car parking and loading spaces, in accordance with the Code of Practice for Civil Engineering Works. This requirement does not apply to sites solely occupied by unstaffed utilities, provided that vehicles associated 	<i>General Rural Rural Production Rural Lifestyle Development Area 2 Development Area 3</i>
<i>Policies SUB-GEN-P1, TP-P4, GRUZ-P5, RPROZ-P4, RLZ-P3</i>		

	<p>with utilities shall not obstruct the footpath or create a traffic hazard on the road.</p> <p>(4) Vehicular access to a corner allotment shall be located no closer than 8m from the street corner. Where a site is located on an intersection of a primary or secondary arterial traffic route (identified in the Transport and Parking (TP) Chapter) the siting of the vehicular access shall be located as far as practicable from the corner of the street. The 8 metre setback shall be measured from where the two front boundaries of the site (refer to the definition of a corner allotment) join, or in accordance with the diagram below.</p> <div data-bbox="526 560 1029 985" data-label="Diagram"> <p>The diagram illustrates a site layout at a street corner. A 'Road Reserve' is shown at the top and right. A 'Building' is located within the site, with a 'Driveway' leading to the road. A dimension line indicates an '8m min' setback from the road reserve to the driveway. The driveway is shown as a horizontal line connecting the building to the road reserve.</p> </div> <p>(5) Where a corner allotment is located at an intersection of a national, primary or secondary arterial traffic route, as identified in the Transport and Parking (TP) Chapter, no building, fence or other structure is to be erected and no vegetation allowed to grow so as to obstruct a traffic sight line.</p> <p>(6) At the intersection of a road or rail level crossing, no building, fence or other obstructions which block sight lines for trains shall be erected, placed or grown in the hatched area marked in Diagram 1 in the Transport and Parking (TP)-Chapter.</p> <p>(7) Subdivision with direct access to a State Highway shall comply with the access and visibility standards set out in Diagrams 2 to 9 in the Transport and Parking (TP) Chapter.</p>	
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Amendment 11.

SUB-DEV3 – Subdivision in Development Area 3	
POLICIES	
SUB-DEV3-P1	<u>Creation of Allotments</u>
<u>Gabites Block Development Area</u>	<p><u>Require subdivision to result in allotments that:</u></p> <ol style="list-style-type: none"> 1. <u>Give effect to the Gabites Block Development Area Structure Plan in DEV3-APPENDIX1;</u> 2. <u>Are of a size and shape that are sufficient to accommodate the anticipated use and development form for the applicable Area;</u> 3. <u>Are serviced by reticulated network utilities or on-site servicing;</u> 4. <u>Minimise the fragmentation of Gabites Block Natural Areas; and</u>

	5. Provide for buildings to be located outside any Gabites Block Natural Areas.
<u>SUB-DEV3-P2</u>	<u>Transport Network</u>
Gabites Block Development Area	Require subdivision to: <ol style="list-style-type: none"> 1. Provide transport corridors in accordance with the Gabites Block Road Typologies in the Gabites Block Development Area Structure Plan in DEV3-APPENDIX1; 2. Provide for no more than three road intersections with Maymorn Road (that are additional to the number of road intersections existing at 1 December 2021); 3. Avoid providing direct private property vehicle access onto Maymorn Road; and 4. Avoid providing streetlighting.
<u>SUB-DEV3-P3</u>	<u>Integration with Network Utilities</u>
Gabites Block Development Area except North-West Area	<ol style="list-style-type: none"> 1. Only allow for the extension of the existing water main network where it: <ol style="list-style-type: none"> a. Services an otherwise complying development where on-site servicing is unachievable; or b. Is needed to ensure practical development of a complying allotment. 2. Provide for connections to the wastewater network that use off-peak network capacity through on-site storage and timed wastewater release.
<u>SUB-DEV3-P4</u>	<u>Subdivision in Hillside Area</u>
Hillside Area	Provide for subdivision where: <ol style="list-style-type: none"> 1. The management of the allotment boundaries does not divide existing natural edges in the landscape including spurs and ridges; 2. The building platforms and vehicle accessways are identified and tie into the existing landform; 3. Built development does not have significant adverse visual effects on the skyline of the main north-south ridge when viewed from Maymorn Road or Parkes Line Road; and 4. Cumulative development retains the overall pattern of open, green slopes of Hillside Area, particularly on the more prominent face to the south-east.
<u>SUB-DEV3-P5</u>	<u>Maymorn Road Cycle Trail and Walkway</u>
Valley Flats Area	Require the first subdivision in Valley Flats Area to adjust the boundary of Maymorn Road to provide sufficient width in Maymorn Road for a future cycleway and walkway.
<u>SUB-DEV3-P6</u>	<u>Subdivision where additional building platforms are created in the High Slope Hazard Overlay</u>
Gabites Block Development Area	Provide for subdivision that creates additional building platforms in the High Slope Hazard Overlay of the Gabites Block Development Area Structure Plan in DEV3-APPENDIX1 where: <ol style="list-style-type: none"> 1. A geotechnical assessment confirms that the site is suitable for subdivision, use and development, and that the risk from slope instability can be avoided, remedied or mitigated. 2. The subdivision will not increase or accelerate land instability on the site or adjoining properties.

Amendment 12.

RULES	
<u>SUB-DEV3-R1</u>	<u>Boundary Adjustments</u>
<u>Gabites Block Development Area</u>	<p>1. <u>Activity Status: Controlled</u></p> <p><u>Where:</u></p> <ul style="list-style-type: none"> a. <u>The boundary adjustment does not create additional allotments; and</u> b. <u>Compliance is achieved with:</u> <ul style="list-style-type: none"> i. <u>SUB-DEV3-S1;</u> ii. <u>SUB-DEV3-S2;</u> iii. <u>SUB-DEV3-S3;</u> iv. <u>SUB-DEV3-S4;</u> v. <u>SUB-DEV3-S5; and</u> vi. <u>SUB-RUR-S2.</u> <p><u>Matters of Control are limited to:</u></p> <ul style="list-style-type: none"> M1. <u>The design and layout of the allotments;</u> M2. <u>The ability to accommodate the intended use including any associated network utilities; and</u> M3. <u>The matters in:</u> <ul style="list-style-type: none"> a. <u>SUB-DEV3-P1; and</u> b. <u>SUB-DEV3-P4.</u>
	<p>2. <u>Activity status: Restricted Discretionary</u></p> <p><u>Where:</u></p> <ul style="list-style-type: none"> a. <u>Compliance is not achieved with</u> <ul style="list-style-type: none"> i. <u>SUB-DEV3-R1-1a;</u> ii. <u>SUB-DEV3-S1;</u> iii. <u>SUB-DEV3-S2;</u> iv. <u>SUB-DEV3-S3;</u> v. <u>SUB-DEV3-S4;</u> vi. <u>SUB-DEV3-S5; or</u> vii. <u>SUB-RUR-S2.</u> <p><u>Matters of Discretion are restricted to:</u></p> <ul style="list-style-type: none"> M1. <u>The matters in:</u> <ul style="list-style-type: none"> a. <u>SUB-DEV3-P1;</u> b. <u>SUB-DEV3-P2;</u> c. <u>SUB-DEV3-P3;</u> d. <u>SUB-DEV3-P4; and</u> e. <u>SUB-DEV3-P5.</u>
<u>SUB-DEV3-R2</u>	<u>All Subdivisions (Excluding Boundary Adjustments)</u>

[North-West Area, Valley Flats Area, Station Flats Area, Hilltops Area, Hilltop Basin Area](#)

1. [Activity Status: Controlled](#)
[Where:](#)
 - a. [Compliance is achieved with:](#)
 - i. [SUB-DEV3-S1;](#)
 - ii. [SUB-DEV3-S2;](#)
 - iii. [SUB-DEV3-S3; and](#)
 - iv. [SUB-DEV3-S4;](#)
 - v. [SUB-DEV3-S5;](#)
 - vi. [SUB-DEV3-S6; and](#)
 - vii. [SUB-RUR-S2.](#)

[Matters of Control are limited to:](#)

2. [The matters in:](#)
 - a. [SUB-DEV3-P1;](#)
 - b. [SUB-DEV3-P2;](#)
 - c. [SUB-DEV3-P3; and](#)
 - d. [SUB-DEV3-P5.](#)

[Refer to information requirement: DEV3-ECO-IR-1 for land containing a Gabites Block Natural Area.](#)

1. [Activity status: Restricted Discretionary](#)

- [Where:](#)
- a. [Compliance is not achieved with:](#)
 - i. [SUB-DEV3-S1;](#)
 - ii. [SUB-DEV3-S2;](#)
 - iii. [SUB-DEV3-S3;](#)
 - iv. [SUB-DEV3-S4;](#)
 - v. [SUB-DEV3-S5;](#)
 - vi. [SUB-DEV3-S6; or](#)
 - vii. [SUB-RUR-S2.](#)

[Matters of Discretion are restricted to:](#)

- M1. [The matters in:](#)
 - a. [SUB-DEV3-P1;](#)
 - b. [SUB-DEV3-P2;](#)
 - c. [SUB-DEV3-P3;](#)
 - d. [SUB-DEV3-P4;](#)
 - f. [SUB-DEV3-P5; and](#)
 - e. [SUB-DEV3-P6.](#)

[Refer to information requirement: DEV3-ECO-IR-1 for land containing a Gabites Block Natural Area.](#)

<u>SUB-DEV3-R3</u>	<u>All Subdivisions (Excluding Boundary Adjustments)</u>
Hillside Area	<p>1. <u>Activity Status: Restricted Discretionary</u></p> <p><u>Where:</u></p> <p>a. <u>Compliance is achieved with:</u></p> <p>i. <u>SUB-DEV3-S1</u></p> <p>ii. <u>SUB-DEV3-S2;</u></p> <p>iii. <u>SUB-DEV3-S3;</u></p> <p>iv. <u>SUB-DEV3-S4;</u></p> <p>v. <u>SUB-DEV3-S5;</u></p> <p>vi. <u>SUB-DEV3-S6; and</u></p> <p>vii. <u>SUB-RUR-S2.</u></p> <p><u>Matters of Discretion are restricted to:</u></p> <p>2. <u>The matters in:</u></p> <p>a. <u>SUB-DEV3-P1;</u></p> <p>b. <u>SUB-DEV3-P2;</u></p> <p>c. <u>SUB-DEV3-P3; and</u></p> <p>d. <u>SUB-DEV3-P4.</u></p> <p><u>Refer to information requirement:</u> <u>SUB-DEV3-IR-1;</u> <u>DEV3-ECO-IR-1 for land containing a Gabites Block Natural Area.</u></p> <p>1. <u>Activity status: Discretionary</u></p> <p><u>Where:</u></p> <p>a. <u>Compliance is not achieved with:</u></p> <p>i. <u>SUB-DEV3-S1</u></p> <p>ii. <u>SUB-DEV3-S2;</u></p> <p>iii. <u>SUB-DEV3-S3;</u></p> <p>iv. <u>SUB-DEV3-S4;</u></p> <p>v. <u>SUB-DEV3-S5;</u></p> <p>vi. <u>SUB-DEV3-P6; or</u></p> <p>vii. <u>SUB-RUR-S2.</u></p>
<u>SUB-DEV3-R4</u>	<u>Subdivision that creates a building platform in the High Slope Hazard Overlay</u>
<u>Gabites Block Development Area High Slope Hazard Overlay</u>	<p>1. <u>Activity Status: Restricted Discretionary</u></p> <p><u>Where:</u></p> <p>a. <u>The subdivision will result in a building platform in the High Slope Hazard Overlay of the Gabites Block Development Area Structure Plan in DEV3-APPENDIX1.</u></p> <p><u>Matters of discretion are restricted to:</u></p>

Amendment 13.

STANDARDS			
SUB-DEV3-S1	Minimum Allotment Size and Shape Factor		Building Platform and Access
	Minimum Allotment Size	Shape Factor	
North-West Area	400m², 600m² average	12m x 12m.	
Valley Flats Area	2000 m²	10m x 15m, clear of access allotments and rights of way.	
Station Flats Area	1000 m²	10m x 15m, clear of any yards, access allotments and rights of way.	
Hilltop Basin Area	1000 m²	10m x 15m, clear of any access allotments and rights of way.	
Hilltops Area	2000 m²	10m x 15m, clear of any access allotments and rights of way.	<ol style="list-style-type: none"> 1. Building platforms must be identified on the subdivision scheme plan, 2. Access to each building platform including the location of the vehicle crossing must be identified on the subdivision scheme plan; and 3. Building platforms and access must not be within a Gabites Natural Area.
Hillside Area	1ha minimum, 2.5ha average Note: For the avoidance of doubt, the 2.5ha average can include public open space vested with Council located within the Area.	n/a	<ol style="list-style-type: none"> 1. Building platforms must be identified on the subdivision scheme plan, 2. Access to each building platform including the location of the vehicle crossing must be identified on the subdivision scheme plan; and 3. Building platforms and access must not be within a Gabites Natural Area.
SUB-DEV3-S2	Water Supply		

<p>North-West Area</p>	<ol style="list-style-type: none"> 1. Where a connection to Council’s reticulated water supply is available, all new allotments must be capable of being provided with a water supply connection at the allotment boundary, in accordance with the Wellington Water Limited Regional Standard for Water Services (2019). 2. Where a connection to Council’s reticulated water supply is unavailable, all allotments must be capable of being provided with access to a self-sufficient potable water supply with a minimum volume of 10,000L and a firefighting water supply in accordance with the New Zealand Firefighting Code of Practice SNZ PAS 4509:2008. <p><i>Note: Fire and Emergency New Zealand recommends that the most appropriate way to comply with the New Zealand Firefighting Code of Practice SNZ PAS 4509:2008 is through the installation of fire sprinkler systems, in accordance with NZS 4541:2013</i></p>	
<p>Valley Flats Area, Station Flats Area, Hilltops Area, Hilltop Basin Area, Hillside Area</p>	<ol style="list-style-type: none"> 1. Allotments must not be connected to the Council’s reticulated water supply; 2. All allotments must be capable of being provided with access to a self-sufficient potable water supply with a minimum volume of 10,000L and a firefighting water supply in accordance with the New Zealand Firefighting Code of Practice SNZ PAS 4509:2008. <p><i>Note: Fire and Emergency New Zealand recommends that the most appropriate way to comply with the New Zealand Firefighting Code of Practice SNZ PAS 4509:2008 is through the installation of fire sprinkler systems, in accordance with NZS 4541:2013</i></p>	
<p>SUB-DEV3-S3 Wastewater Disposal</p>		
<p>Gabites Block Development Area</p>	<ol style="list-style-type: none"> 1. Where a connection to Council’s reticulated wastewater is available, all allotments must be capable of being provided with a connection at the allotment boundary in accordance with the Wellington Water Limited Regional Standard for Water Services (2019). 2. Where a connection to Council’s reticulated wastewater is unavailable: <ol style="list-style-type: none"> a. All allotments must be capable of being provided with an on-site wastewater system that meets the requirements of Section 5.2.6 of the Wellington Water 	

	<p>Limited Regional Standard for Water Services (2019); and</p> <p>b. Where sewage is to be discharged to land, the land must not be subject to instability or inundation, or used for the disposal of stormwater.</p>	
SUB-DEV3-S4 Stormwater Management		
Gabites Block Development Area	<ol style="list-style-type: none"> Where a connection to Council’s stormwater system is available, all allotments must be capable of being provided with a connection at the allotment boundary in accordance with the Wellington Water Limited Regional Standard for Water Services (2019). Where a connection to Council’s stormwater system is not available and the means of stormwater disposal is to ground, that area must not be subject to instability or be used for the disposal of wastewater. 	
SUB-DEV3-S5 Telecommunications and Power Supply		
Gabites Block Development Area	<ol style="list-style-type: none"> All new allotments must have provision for telecommunication connections; and All new allotments must have provision for electricity connections. 	
SUB-DEV3-S6 Roads		
Gabites Block Development Area	<ol style="list-style-type: none"> Roads must be constructed in general accordance with the Roading Typologies of the Gabites Block Development Area Structure Plan and NZS 4404:2010 Land Development and Subdivision Infrastructure. 	

Amendment 14.

SUB-DEV3-IR-1	Landscape and Visual Assessment
Hillside Area	<p>Applications under Rule SUB-DEV3-R5 for subdivision in the Hillside Area must provide:</p> <ol style="list-style-type: none"> A Landscape and Visual Assessment prepared by a suitably qualified landscape architect that sets out the following:

	<ol style="list-style-type: none"> a. Existing topography by contour lines with an analysis of slope gradients and an indication of the drainage pattern; b. Existing vegetation and significant natural features on the site; c. Existing visibility and views to and from the site; d. Proposed allotment boundaries, building platforms, roading and access; e. Associated earthworks and access or driveway construction including proposed topography by contour lines, identifying areas of cut and fill; f. Proposed landscape development including fences, boundary planting and vegetation. g. Visibility and similarity with surrounding colours, textures, patterns and forms. <p>2. A Planting Plan prepared by a suitably qualified expert that provides details of the planting of vegetation to mitigate potential landscape and visual effects associated with the proposal.</p> <ol style="list-style-type: none"> a. The Planting Plan will have as its key performance objectives: <ol style="list-style-type: none"> i. Establishment of a vegetative cover over areas exposed by site earthworks; and ii. Integration of the earthworks into the adjoining landscape. b. The Planting Plan must include the following information: <ol style="list-style-type: none"> i. Details of batter slope planting and retaining wall screening planting (including plant species, size, and spacing); ii. A planting maintenance plan for 3 years or until planting has achieved an 80% canopy cover; and iii. On-going management.
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(177) .

Why these provisions are included in the plan

[Links](#)

Subdivision provisions are necessary to enable development of the site. Subdivision in DEV3 Gabites Block Development Area is required to be consistent with the Gabites Block Development Area Structure Plan, which identifies suitable development densities according to the attributes and constraints of the site as well as an indicative roading layout, roading typologies and visual and noise buffer areas.

Landscape Analysis
– Hudson Associates
(Attachment 4)

The development densities of the various areas of the Development Area Structure Plan draw on the following:

- The densities assessed by the Landscape Analysis as being within the landscape’s capacity to assimilate;
- The constraints of network infrastructure; in particular the lack of capacity in the water supply network that means on-site water supply is required. UHCC does not wish to see any extension of the three waters network;

-
- The community views expressed in the development of the LUS, preferring low density and rural residential development to more intensive urbanisation;
 - The purpose of the Settlement Zone to provide a transition between the urban fringe and the wider rural area.

The policies give effect to the Gabites Block Development Area Structure Plan including the roading typologies, and provide direction to plan users on network infrastructure (which UHCC does not wish to extend), protection of the Hillside Area and GBNAs and extending the width of Maymorn Road to enable UHCC to construct a cycleway and walkway in the road reserve.

Controlled activity status for most subdivision provides certainty for applicants subject to meeting standards.

Restricted discretionary subdivision is imposed where standards are not met, on the landscape-sensitive Hillside Area, and in areas potentially subject to slope hazard.

Specific standards are set down to give effect to the policies.

How these provisions achieve the purpose of the RMA

[Links](#)

Subdivision provides for use and development that is consistent with the purpose of the RMA as outlined in section 5.

Costs and Benefits including Opportunities for Economic Growth and Employment

[Links](#)

- Subdivision provides for a range of allotment sizes and opportunities for choice regarding housing typology.
- Subdivision provides for subsequent use and development in a way that respects landscape and ecological values and potential natural hazards.
- Subdivision costs are increased by providing for protection of landscapes and Gabites Block Natural Areas.

Risk of Acting or Not Acting if Information is Uncertain or Insufficient

[Links](#)

- The constraints and attributes of the site have been comprehensively assessed and are able to be dealt with through appropriate subdivision provisions.
- The subdivision provisions are well understood and provide a high level of certainty of providing the outcomes sought.

Efficiency and Effectiveness

[Links](#)

The efficiency of the proposed provisions is high because the benefits outweigh the costs.

The effectiveness of the proposed provisions is high because the outcomes sought are achieved.

Other Reasonably Practicable Options for Achieving the Objectives

[Links](#)

Restricted discretionary activity subdivision rules would be an alternative to the controlled activity subdivision rules framework proposed. Restricted discretionary activities would provide more less certainty for applicants but not necessarily for better outcomes.

Amendments 15—18

(178) Amendments 15—18 are discussed below Amendment 18.

Amendment 15.

GENERAL DISTRICT-WIDE MATTERS			
LIGHT – Light			
Rules			
Permitted Activities			Zones
LIGHT-R1	All activities complying with LIGHT-S1	PER	<i>General Residential</i> <i>General Rural</i> <i>Rural Production</i> <i>Rural Lifestyle</i> <i>Commercial</i> <i>City Centre</i> <i>General Industrial, , Open Space (excluding Speedway Area)</i> <i>Special Activity (including St. Patrick’s Estate Area)</i> <i>Development Area 1</i> <i>Development Area 2</i> Development Area 3

Amendment 16.

Standards for Permitted Activities		Zones
LIGHT-S1 <i>Policies</i>	Artificial light	<i>General Residential</i> <i>General Rural</i>

<p>LIGHT P1, GRZ-P3 GRUZ-P1, RPROZ-P1, RLZ-P1 COMZ-P1, CCZ-P3, GIZ-P2 OSZ-P4 SAZ-P2</p>	<p>(1) Light emissions from a site shall not exceed a measurement of 8 lux (lumens per m²) measured in both the horizontal and vertical planes, 1.5m above the ground at the site boundary.</p> <p>(2) Light emissions will be measured by an instrument that meets NZSS CP22 (1962) requirements and amendments.</p> <p>(3) Light emissions from a site shall not spill directly onto roads.</p>	<p>Rural Production Rural Lifestyle Commercial City Centre General Industrial, , Open Space (excluding Speedway Area) Special Activity (including St. Patrick's Estate Area) Development Area 1 Development Area 2 Development Area 3</p>
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Amendment 17.

Discretionary Activities		Zones
<p>All activities that do not complying with permitted activity standards in Light-S1</p>	<p>DIS</p>	<p>General Residential General Rural Rural Production Rural Lifestyle Commercial City Centre General Industrial Special Activity (excluding St. Patrick's Estate Area) Development Area 1 Development Area 2 Development Area 3</p>

Amendment 18.

<p>SIGN – Signs</p>		
<p>Rules</p>		
Standards for Permitted Activities		Zones
<p>SIGN-S2</p>	<p>Signs in General Residential Zones, General Rural Zones, Rural Production Zones, Rural Lifestyle Zones, Settlement Zones and Open Space Zones and in Development Area 1 (except for the Gateway Precinct), and Development Area 2 and Development Area 3</p>	<p>General Residential General Rural Rural Production Rural Lifestyle Open Space</p>

	<ol style="list-style-type: none"> (1) In Residential Zones and Rural Zones, a maximum of one sign per site, visible in any one direction. (2) In Open Space Zones there shall be no more than one freestanding sign per 100m of road frontage. (3) The maximum area of any sign visible in any one direction shall not exceed: <ol style="list-style-type: none"> (a) 1.5m² in Residential Zones and Settlement Zones; (b) 3.0 m² in Rural Zones; (c) In Open Space Zones: <ol style="list-style-type: none"> (i) 4.5m² for free-standing signs, (ii) 3m² for any sign attached to a building; (iii) 0.5m² for signs used for marking tracks; and (iv) 2m² for signs providing interpretation or identification. (4) The maximum height above ground level of any part of a free-standing sign above ground level shall not exceed 3 metres. (5) No sign shall extend beyond the elevation of the building to which it is attached, or extend above the roofline of the building. (6) The maximum width of any free-standing sign shall not exceed 2 metres. (7) In Residential Zones, signs on buildings must not cover any windows. (8) In Open Space Zones, signs not directly visible from any public road or the boundary of any residential zone are not limited in size and number. (9) No illumination (internal or external) of signs in the Residential and Rural zones. (10) No illumination (internal or external) of signs in the Open Space zone. 	<i>Development Area 1 (excluding Gateway Precinct)</i> <i>Development Area 2</i> Development Area 3
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Why these provisions are included in the plan

To ensure that existing, established provisions for Lighting and Signs apply to DEV3.

How these provisions achieve the purpose of the RMA

The provisions provide for:

- Social, economic and cultural wellbeing.
- The efficient use of land and supporting infrastructure.

Costs and Benefits including Opportunities for Economic Growth and Employment

- The consequential amendments continue the established district wide approach in Upper Hutt, unless more specific provisions have been proposed for DEV3.

Risk of Acting or Not Acting if Information is Uncertain or Insufficient

- The district wide approach is well understood and provide a high level of certainty.
-

Efficiency and Effectiveness

The efficiency of the provisions is high because the benefits outweigh the costs.

The existing approach has been proven to be effective in managing lighting and signs across Upper Hutt City. The amendments will ensure that the existing approach is used for DEV3.

Other Reasonably Practicable Options for Achieving the Objectives

Additional DEV3-specific provisions for lighting and signs could have been proposed. However the existing provisions have proven to be satisfactory.

Amendment 19.

PART 3 – AREA-SPECIFIC MATTERS
ZONES
Rural Zones
<u>Settlement Zone</u>

OBJECTIVES	
<u>SETZ-O1</u>	<u>Settlement Zone</u>
The Settlement Zone provides predominantly for areas of residential activities in rural locations	
<u>SETZ-O2</u>	<u>Focal Point or Transition Area</u>
The Settlement Zone creates a focal point for the rural community or acts as a transition area between rural and urban environments	

POLICIES	
<u>SETZ-P1</u>	<u>Location of Settlement Zone</u>
Provide for the Settlement Zone on the urban fringe in close proximity to urban amenities to act as a transition area between rural and urban environments.	
<u>SETZ-P2</u>	<u>Type of Development</u>
Enable low density residential and rural residential development that maintains rural character.	

Why these provisions are included in the plan

Links

UHCC signalled its intention to introduce the Settlement Zone to the Gabites Block as part of implanting the LUS through draft Plan Change 50. Settlement Zone is the most appropriate zone available in terms of the National Planning Standards to underpin the Gabites Block Development Area. The provisions introduced by Amendment 19 provide key objectives and policies for the zone. The district-wide provisions of the UHDP apply to the zone. Specific

provisions for Gabites Block Development Area are introduced as described in this report.

How these provisions achieve the purpose of the RMA

[Links](#)

The provisions make efficient use of a well-located land resource suitable for low density residential and rural residential development to achieve social and economic wellbeing while addressing Section 6 and 7 matters.

RMA s5, s6, s7

Costs and Benefits including Opportunities for Economic Growth and Employment

[Links](#)

- Enabling development provides for economic growth and employment, both during the construction phase and ongoing.
 - Increases housing supply in an area with good access to public transport.
 - The Gabites Block is not highly productive land.
 - Provides the opportunity to secure the protection of GBNAs and maintain the landscape values of the hillside.
-

Risk of Acting or Not Acting if Information is Uncertain or Insufficient

- Sufficient information is available to act on. The Housing and Business Assessment shows that Council faces a shortfall in housing capacity in the medium and long terms. The PC-GB contributes to addressing the shortfall.
 - The other specialist reports summarised earlier confirm the site is not suitable for productive use and is suitable for the proposed development.
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Housing and Business Assessment

Efficiency and Effectiveness

The efficiency of the proposed provisions is high because the benefits outweigh the costs.

The effectiveness of the proposed provisions is high because the goals of providing for housing supply and housing diversity while protecting identified biodiversity and landscape values through the Structure Plan and plan provisions.

Other Reasonably Practicable Options for Achieving the Objectives

The use of the Rural Lifestyle Zone was considered. The RLZ is defined by the National Planning Standards as “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”. The description is similar to that of the Settlement Zone, with the key difference that rural production is envisaged to continue. Rural production is not viable on the Gabites Block and the Block is immediately next to a

residential area so Settlement Zone is the more appropriate zoning as a transition to the wider rural area.

Amendment 20.

<u>DEVELOPMENT AREAS</u>
<u>DEV3 - Development Area 3 - Gabites Block Development Area</u>
<p>This chapter contains provisions which relate to the Gabites Block Development Area. The provisions apply in addition to the underlying zone rules of the Settlement Zone and relevant District-wide Matters. Where there is any conflict between the provisions the Gabites Block Development Area provisions prevail.</p> <p>The Gabites Block Development Area provides for low density residential and rural residential development while maintaining and protecting the natural and landscape values of the Gabites Block in its Maymorn context. The location and density of development is required to be in accordance with the areas shown on the Gabites Block Development Area Plan (DEV3-APPENDIX1).</p>

Why these provisions are included in the plan

Links

The purpose of the Gabites Block Development Area is to:

1. Introduce supplementary Gabites Block-specific provisions to the UHDP in a manner consistent with the existing approach. Wallaceville and Mt Marua developments are set out in the UHDP as development areas.
2. Introduce the Gabites Block Development Area in a manner consistent with the description of in the National Planning Standards: "A development area spatially identifies and manages areas where plans such as concept plans, structure plans, outline development plans, master plans or growth area plans apply to determine future land use or development. When the associated development is complete, the development areas spatial layer is generally removed from the plan either through a trigger in the development area provisions or at a later plan change" and the approach taken in draft Plan Change 50. Development Areas are given effect to through site specific provisions that address the attributes and constraints of the particular site while respecting the intended outcomes of the underlying zone.
3. The Gabites Block Development Area thus provides for low density residential and rural residential development while maintaining and protecting the natural and landscape values of the Gabites Block in its Maymorn context. The location and density of development is required to be in accordance with the Gabites Block Development Area Structure Plan.

How these provisions achieve the purpose of the RMA

[Links](#)

The provisions make efficient use of a well-located land resource suitable for low density residential and rural residential development to achieve social and economic wellbeing while addressing Section 6 and 7 matters.

RMA s5, s6, s7

Costs and Benefits including Opportunities for Economic Growth and Employment

[Links](#)

- Enabling development provides for economic growth and employment, both during the construction phase and ongoing.
- Increases housing supply in an area with good access to public transport.
- The Gabites Block is not highly productive land.
- Provides the opportunity to secure the protection of GBNAs and maintain the landscape values of the hillside.

Risk of Acting or Not Acting if Information is Uncertain or Insufficient

- Sufficient information is available to act on. The Housing and Business Assessment shows that Council faces a shortfall in housing capacity in the medium and long terms. PC-GB contributes to addressing the shortfall.
- The other specialist reports summarised earlier confirm the site is not suitable for productive use and is suitable for the proposed development.

Housing and
Business
Assessment

Efficiency and Effectiveness

The efficiency of the proposed provisions is high because the benefits outweigh the costs.

The effectiveness of the proposed provisions is high because the goals of providing for housing supply and housing diversity while protecting identified biodiversity and landscape values through the Structure Plan and plan provisions.

Other Reasonably Practicable Options for Achieving the Objectives

Applying a precinct to the Gabites Block may be an alternative approach. However, it would depart from the established UHDP approach of using development areas.

Amendments 21—22

(179) Amendments 21—22 are discussed below Amendment 22.

Amendment 21.

Stormwater

OBJECTIVES	
DEV3-SW-O1	Hydraulic Neutrality
Subdivision, use and development achieve hydraulic neutrality.	

Amendment 22.

POLICIES	
DEV3-SW-P1	Hydraulic Neutrality
<p>Require all subdivision, use and development to achieve hydraulic neutrality as follows:</p> <ol style="list-style-type: none"> 1. Require any increase in impervious surfaces above the Area standard for individual sites to address any impact on hydraulic neutrality by demonstrating that existing hydraulic neutrality facilities have sufficient capacity or by providing sufficient water storage for hydraulic neutrality on the site; 2. Provide for hydraulic neutrality facilities that are appropriately located and designed to ensure continued access for device inspection, maintenance and upgrade; and 3. Design hydraulic neutrality facilities so that they are sized in accordance with the Wellington Water Limited Regional Standard for Water Services (2019). 	
DEV3-SW-P2	Building Materials
<p>Require buildings and structures with copper or zinc building, cladding and roofing materials (including guttering and spouting) to achieve one of the following:</p> <ol style="list-style-type: none"> 1. The building material must be finished in a manner that prevents water runoff from containing copper or zinc; or 2. The stormwater from the building materials must be treated to minimise concentrations of copper or zinc to the smallest amount practicable in accordance with the Wellington Water Ltd Water Sensitive Design for Stormwater: Treatment Device Guideline (2019). 	

Why these provisions are included in the plan

Links

The approach to stormwater within DEV3 is to manage stormwater quantity through hydraulic neutrality provisions that require on-site storage and gradual release of roof water.

RPS

Hydraulic neutrality facilities need to be located and designed to provide for ongoing maintenance.

Infrastructure Report (Attachment 6)

The water quality functions of GWRC are not duplicated but are supported with the land use provision managing building materials. Copper and zinc building materials are key sources of water contaminants so are required to be finished to avoid contamination or to have water runoff treated to remove the copper and zinc.

The quantity and quality of stormwater runoff from roads will be managed using rain gardens and constructed wetlands to slow and treat runoff and protect receiving waters.

How these provisions achieve the purpose of the RMA

[Links](#)

The stormwater provisions give effect to the RPS.

Costs and Benefits including Opportunities for Economic Growth and Employment

[Links](#)

- Managing stormwater quantity and quality close to source at the appropriate scale, making best use of natural systems, reducing volumes of peak runoff and avoiding contamination, is significantly more cost effective than building pipe networks to deal with maximum volumes of runoff from impervious surfaces and removing contaminants at the point of discharge to receiving waters.
- Water sensitive design and removing contaminants supports receiving waters.
- Hydraulic neutrality assists in flood hazard management, reducing costs that may be incurred from flooding.

Risk of Acting or Not Acting if Information is Uncertain or Insufficient

[Links](#)

- Information about the benefits of water sensitive design and addressing stormwater quantity and quality close to source is well understood and implementable.

Efficiency and Effectiveness

[Links](#)

- The efficiency of the proposed provisions is high because the benefits outweigh the costs.
- The effectiveness of the proposed provisions is high because the goals are achieved.

Other Reasonably Practicable Options for Achieving the Objectives

[Links](#)

Stormwater systems have traditionally been focused on pipe infrastructure to take water from source to receiving waters as rapidly as possible, without any treatment of contaminants. Such an approach is possible but is increasingly costly and fails to contribute to flood management or address water quality and aquatic habitats.

Amendments 23—27

(180) Amendments 23—27 are discussed below Amendment 27.

Amendment 23.

Noise

OBJECTIVES

DEV3-NOISE-O1	Noise - Reverse Sensitivity
Residential units are designed to minimise reverse sensitivity effects.	

Amendment 24.

POLICIES	
DEV3-NOISE-P1	Reverse Sensitivity
Require residential units locating in the Gabites Block Rail Corridor Buffer Area shown in the Gabites Block Development Area Structure Plan in DEV3-APPENDIX1 to design sleeping rooms and studies to attenuate external noise.	

Amendment 25.

RULES	
DEV3-NOISE-R1	New buildings and additions to existing buildings for use by a residential unit.
Gabites Block Rail Corridor Buffer Area	<p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. Compliance is achieved with:</p> <p>i. DEV3-NOISE-S1, demonstrated by means of an acoustical certificate or construction in accordance with the minimum requirements set out in the Noise Insulation Construction Schedule (DEV3-NOISE-APPENDIX1); and</p> <p>ii. DEV3-NOISE-S2.</p> <p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with:</p> <p>i. DEV3-NOISE-S1; or</p> <p>ii. DEV3-NOISE-S2.</p> <p>Matters of discretion are restricted to:</p> <p>M1. The matters of discretion of any infringed standard.</p>

Amendment 26.

DEV3-NOISE-S1	Noise Insulation
Gabites Block Rail Corridor Buffer Area	<p>Any sleeping room or study in a residential unit must be protected from noise arising outside the building by ensuring the external sound insulation level achieves the following minimum performance standard: D2m,nT,w+Ctr>35.</p> <p>Matters of discretion are restricted to:</p> <p>M1. The reverse sensitivity effects on the Wellington to Woodville railway; and</p> <p>M2. The health and amenity of future occupants of the building.</p>
DEV3-NOISE-S2	Mechanical Ventilation
Gabites Block	<p>Where windows of a sleeping room or study in a</p> <p>Matters of discretion are restricted to:</p>

Rail Corridor Buffer Area	residential unit must be closed to meet the requirements of DEV3-NOISE-S1, the sleeping room or study must have a positive supplementary source of fresh air ducted from outside that achieves a minimum of 7.5 Litres of fresh air per second per person.	M1. The health and amenity of future occupants of the building.
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Amendment 27.

[DEV3-NOISE-APPENDIX1](#)

[Noise Insulation Construction Schedule](#)

Building Element	Minimum Construction Requirement
External Walls	<ul style="list-style-type: none"> External cladding with a surface mass not less than 23kg/m², ex 100 x 50mm framing at 600mm centres; Fibrous thermal insulation; and Internal lining of one layer 13mm thick high density gypsum board (minimum 12kg/m²). <p>Or:</p> <ul style="list-style-type: none"> Any wall construction utilising at least 50mm thick concrete; Secondary timber strapping or wall framing not less than 50mm thick lined with at least 10mm thick gypsum board; and Fibrous thermal insulation. <p>Combined Superficial Density Minimum not less than 35kg/m² being the combined mass of external and internal linings excluding structural elements (e.g. window frames or wall studs) with no less than 12kg/m² on each side of structural elements.</p>
Glazed Areas	<ul style="list-style-type: none"> 4/12/4 thermal double glazing, with 6mm thick secondary pane at least 75mm from the outer glazing; and Windows to be new aluminium frames with fixed panes or opening sashes with full compression seals. <p>Note: Rooms with glazed areas in external walls greater than 35% of floor area of the room will require a specialist acoustic report to show conformance with the insulation rule.</p>
Pitched Roof (all roofs other than skillion roofs)	<ul style="list-style-type: none"> Profiled long run steel or tiles, with minimum steel thickness of 0.4mm; Timber trusses at minimum 800mm centres; Fibrous thermal insulation; Ceiling lining of one layer 13mm thick high density gypsum board (minimum 12kg/m²).
Skillion Roof	<ul style="list-style-type: none"> Profiled long run steel or tiles, with minimum steel thickness of 0.4mm; Timber framing at minimum 600mm centres; Fibrous thermal insulation; Ceiling lining of two layers 13mm thick high density gypsum board (minimum 12kg/m²) each.
External Door in Outside Walls	Solid core door (minimum 25kg/m²) with compression seals (where the door is exposed to exterior noise).

Why these provisions are included in the plan

Links

Noise sensitive land uses in proximity to the rail corridor have the potential to create reverse sensitivity effects, potentially hindering the efficient

RPS Policies 7, 8, 39

operation of the railway. These effects need to be recognised to ensure that both land use and the rail corridor are sustainably managed.

Modern construction materials and techniques can appropriately mitigate reverse sensitivity effects on the rail corridor from sensitive activities. Under the RPS, the UHDP must protect ‘regionally significant infrastructure’ (which includes the rail corridor) from reverse sensitivity effects.

How these provisions achieve the purpose of the RMA

[Links](#)

Section 7(c) requires the maintenance and enhancement of amenity values. The provisions give effect to the RPS through the recognition and protection of Regionally Significant Infrastructure (RPS Policies 7, 8 and 39).

RMA s7, Section s16

Costs and Benefits including Opportunities for Economic Growth and Employment

[Links](#)

- Meeting reverse sensitivity requirements imposes additional building costs.
- Mitigating reverse sensitivity effects reduces the risk of additional costs to rail activities (e.g. reduced hours or additional noise management).

Risk of Acting or Not Acting if Information is Uncertain or Insufficient

[Links](#)

- The effects of noise and methods of noise attenuation are certain and well understood and able to be managed.

Efficiency and Effectiveness

[Links](#)

The efficiency of the proposed provisions is high because the benefits outweigh the costs.

The benefits fall to both the noise-emitting infrastructure and the sensitive receiving activity, which enjoys a higher level of amenity than would be the case without the provisions.

The effectiveness of the proposed provisions is high.

Other Reasonably Practicable Options for Achieving the Objectives

No other reasonably practicable options have been identified.

Amendment 28.

POLICIES	
DEV3-NH-P1	Earthworks in the High Slope Hazard Overlay
Provide for earthworks in the High Slope Hazard Overlay of the Gabites Block Development Area Structure Plan in DEV3-APPENDIX1, where:	
1. A geotechnical assessment confirms that the proposed earthworks will not unacceptably increase the risk from slope instability to people, and buildings; and	

2. [The earthworks will not increase the risk of slope failure at adjacent sites.](#)

DEV3-NH-R1	Earthworks for a building platform in the High Slope Hazard Overlay
Gabites Block Development Area	<p>1. Activity Status: Restricted Discretionary</p> <p>Where:</p> <p>a. The earthworks are for a building platform in the High Slope Hazard Overlay of the Gabites Block Development Area Structure Plan in DEV3-APPENDIX1.</p> <p>Matters of discretion are restricted to:</p> <p>a. The matters in DEV3-NH-P1.</p>

Why these provisions are included in the plan

[Links](#)

UHCC has identified draft areas of high slope hazard throughout the city, including the Gabites Block. The High Slope Hazard Overlay has been incorporated into the Development Area Structure Plan, with associated provisions to manage built development in the High Slope Hazard area.

Slope hazards can result in damage to property and infrastructure, and potentially lead to a loss of human life. The risk from a natural hazard results from both the likelihood of the hazard occurring and the consequences of it occurring. Earthworks on one site can lead to slope failure on other sites.

Earthworks in the High Slope Hazard area is a restricted discretionary activity requiring the support of a geotechnical assessment to proceed.

How these provisions achieve the purpose of the RMA

[Links](#)

Section 6(h) of the RMA requires

[RMA s6\(h\), s31](#)

the management of significant risks from natural hazards

as a matter of national importance.

Section 31 (1)(b) requires:

the control of any actual or potential effects of the use, development, or protection of land, including for the purpose of—

(iii) the avoidance or mitigation of natural hazards.

The provisions require specific geotechnical assessment for earthworks in the High Slope Hazard areas.

Costs and Benefits including Opportunities for Economic Growth and Employment

[Links](#)

- The approach enables activities to be undertaken, subject to geotechnical advice. enabling social and economic activity.

- The approach also means that hazard-susceptible activities do not establish in higher hazard areas, avoiding the costs of property damage or loss of life.

Risk of Acting or Not Acting if Information is Uncertain or Insufficient

[Links](#)

There is likelihood that slope failure will occur in the High Slope Hazard Areas without appropriate assessment and management, therefore action is essential.

Efficiency and Effectiveness

[Links](#)

The efficiency of the proposed provisions is high because the benefits outweigh the significant costs that can arise from slope failures affecting use and development in High Slope Hazard Areas.

The effectiveness of the proposed provisions is high as they actively control susceptibility to slope hazard.

Other Reasonably Practicable Options for Achieving the Objectives

[Links](#)

Slope stability is also managed through the general earthworks provisions of the UHDP, which require good practice to avoid erosion and slope instability.

Amendments 29—35

(181) Amendments 29—35 are discussed below Amendment 35.

Amendment 29.

Ecology

OBJECTIVES	
DEV3-ECO-O1	Gabites Block Natural Areas
The ecological values of Gabites Block Natural Areas are protected from inappropriate subdivision, use and development.	

Amendment 30.

POLICIES	
DEV3-ECO-P1	Identification of Gabites Block Natural Areas
Identify on the Gabites Block Development Area Structure Plan (DEV3-APPENDIX1) and list within DEV3-ECO-Appendix-1: Schedule of Gabites Block Natural Areas, areas with significant indigenous biodiversity values that meet the criteria in Policy 23 of the Regional Policy Statement.	
DEV3-ECO-P2	Protection of Gabites Block Natural Areas

Protect the biodiversity values of Gabites Block Natural Areas identified in *DEV3-ECO-Appendix-1: Schedule of Gabites Block Natural Areas* by requiring subdivision, use and development to:

1. Avoid adverse effects on identified indigenous biodiversity values where practicable;
2. Minimise other adverse effects on the identified biodiversity values where avoidance is not practicable;
3. Remedy other adverse effects where they cannot be avoided or minimised;
4. Only consider biodiversity offsetting for any residual adverse effects that cannot otherwise be avoided, minimised or remedied and where the principles of *DEV3-ECO-Appendix 2 Biodiversity Offsetting* are met; and
5. Only consider biodiversity compensation after first considering biodiversity offsetting and where the principles of *DEV3-ECO-Appendix 3 Biodiversity Compensation* are met.

DEV3-ECO-P3

Appropriate Use and Development in Gabites Block Natural Areas

Enable vegetation clearance within Gabites Block Natural Areas for the following activities where the vegetation clearance is of a scale and nature that maintains the identified biodiversity values:

1. Maintenance around existing buildings and network utilities;
2. Safe operation of roads, tracks and accessways;
3. Restoration and conservation activities;
4. Opportunities to enable tangata whenua to exercise customary harvesting practices; and
5. Provision of a cycleway or walkway through Gabites Block Natural Area 6.

DEV3-ECO-P4

Other Subdivision, Use and Development in Gabites Block Natural Areas

Only allow subdivision, use and development in Gabites Block Natural Areas where the activity:

1. Applies the effects-management hierarchy of DEV3-ECO-P2;
2. Takes into account the findings of an ecological assessment from a suitably qualified ecologist that determines the significance of the indigenous biodiversity values and the impact of the activity on the identified biodiversity values in order to support the application of the effects management hierarchy of DEV3-ECO-P2;
3. Provides for the formal protection and ongoing active management of the Gabites Block Natural Area;
4. Minimises the land ownership fragmentation and physical fragmentation of the Gabites Block Natural Area as part of the subdivision, use or development;
5. Avoids locating building platforms and vehicle accessways in Gabites Block Natural Areas;
6. Minimises trimming or removal of indigenous vegetation to avoid loss, damage or disruption to the ecological processes, functions and integrity of the Gabites Block Natural Area;
7. Minimises earthworks in Gabites Block Natural Areas; and
8. Minimises the potential cumulative adverse effects of activities on the values of the Gabites Block Natural Area.

Amendment 31.

RULES

Note: The rules of other parts of the Upper Hutt UHDP may apply in addition to the rules of this section. More than one rule may apply.

These rules do not apply to natural inland wetlands, which are defined and regulated under the National Policy Statement on Freshwater Management 2020 and the National Environmental Standards for Freshwater 2020 and managed by the Greater Wellington Regional Council.

<u>DEV3-ECO-R1</u>	<u>Trimming or Removal of Vegetation within a Gabites Block Natural Area</u>
<u>Gabites Block Development Area</u>	<p>1. <u>Activity Status: Permitted</u></p> <p><u>Where:</u></p> <p>a. <u>The trimming or removal of vegetation is to:</u></p> <ul style="list-style-type: none"> i. <u>Address an imminent threat to people or property;</u> ii. <u>Undertake natural hazard mitigation activity by a Crown Entity, Greater Wellington Regional Council, Upper Hutt City Council or their agent;</u> iii. <u>Ensure the safe operation of any formed public road or public walking or cycling track;</u> iv. <u>Construct a cycleway or walkway through Gabites Block Natural Area 6;</u> v. <u>Maintain lawfully established private accessways where the removal of vegetation is within 1m of the accessway;</u> vi. <u>Maintain lawfully established buildings where the removal of vegetation is within 3m of the building;</u> vii. <u>Maintain lawfully established network utility or renewable electricity generation activities where the removal of vegetation is within 1m of the utility or renewable electricity generation activity;</u> viii. <u>Construct or maintain perimeter fences for stock or pest animal exclusion provided the removal of vegetation is within 1m of the fence;</u> ix. <u>Comply with section 43 or section 64 of the Fire & Emergency NZ Act 2017; or</u> x. <u>Enable tangata whenua to exercise traditional customary harvesting practices.</u> <p>2. <u>Activity status: Restricted Discretionary</u></p> <p><u>Where:</u></p> <p>a. <u>Compliance is not achieved with:</u></p> <ul style="list-style-type: none"> i. <u>DEV3-ECO-R1-1a.</u> <p><u>Matters of discretion are restricted to:</u></p> <p>M1. <u>The matters in</u></p> <ul style="list-style-type: none"> a. <u>DEV3-ECO-P2, DEV3-ECO-P3 and DEV3-ECO-P4.</u> <p><u>Refer to information requirement DEV3-ECO-IR-1.</u></p>

<u>DEV3-ECO-R2</u>	<u>Restoration and Maintenance of Gabites Block Natural Areas</u>
<u>Gabites Block Development Area</u>	<p>1. <u>Activity Status: Permitted</u></p> <p><u>Where:</u></p> <p>a. <u>The works are for the purpose of restoring or maintaining the identified values of the Gabites Block Natural Area by:</u></p> <ul style="list-style-type: none"> i. <u>Planting eco-sourced, local, indigenous vegetation;</u> ii. <u>Removing non-indigenous vegetation;</u>

	<ul style="list-style-type: none"> iii. Carrying out pest animal and pest plant control activities; iv. Carrying out activities in accordance with a registered protective covenant under the Reserves Act 1977, Conservation Act 1987 or Queen Elizabeth the Second National Trust Act 1977; or v. Carrying out activities in accordance with a Reserve Management Plan approved under the Reserves Act 1977.
	<p>2. Activity status: Restricted Discretionary</p> <p>Where</p> <ul style="list-style-type: none"> a. Compliance is not achieved with: <ul style="list-style-type: none"> i. DEV3-ECO-R3-1a. <p>Matters of discretion are restricted to:</p> <p>M1. The matters in:</p> <ul style="list-style-type: none"> a. DEV3-ECO-P2, DEV3-ECO-P3 and DEV3-ECO-P4.

Amendment 32.

INFORMATION REQUIREMENTS	
DEV3-ECO-IR-1	Activities in Gabites Block Natural Areas
Gabites Block Development Area	<p>Applications for activities in Gabites Block Natural Areas must include the following:</p> <ul style="list-style-type: none"> 1. An Ecological Assessment by a suitably qualified ecologist that: <ul style="list-style-type: none"> a. Identifies the biodiversity values and potential effects of the proposal; and b. Demonstrates that the effects management hierarchy of DEV3-ECO-P2 has been applied.

Amendment 33.

APPENDICES	
DEV3-ECO-Appendix-1: Schedule of Gabites Block Natural Areas	
Site Number	Site Summary
GBNA 1	A small area of primary beech forest and broadleaved scrub located at the northern end of the Gabites Block Development Area. The western finger of the area forms part of a draft Significant Natural Area previously identified by UHCC as UH041. Vegetation is dominated by subcanopy species; however, there are also mature canopy trees including beech, kahikatea, and totara. Other native species present included mahoe, seven finger, rangiora, and tree ferns. In addition, native vegetation coverage continues upstream in the gully that flows from Maymorn Road. Vegetation is mixed including beech, mahoe, five finger, red matipo, <i>Pittosporum sp.</i>, <i>Veronica salicifolia</i>, <i>Coprosma repens</i>, and tree ferns. In addition, blackberry and old man’s beard were abundant, and gorse and broom were present around the edges.
GBNA 2	The area consists of young native bush, dominated by understory and subcanopy species. Species present included seven finger, rangiora and tree ferns. Mānuka was present as well as occasional wilding pines. Based on the vegetation type and structure observed on-site, the areas could provide habitat for native fauna, including lizards and birds. While not as botanically diverse as the GBNA 1 vegetation, the area contains young successional native vegetation with species and tiers expected for this vegetation type.
GBNA 3	The area consists of young native bush, dominated by understory and subcanopy species. Species present included seven finger, rangiora and tree ferns. Mānuka was present as well as occasional

	wilding pines. Based on the vegetation type and structure observed on-site, the areas could provide habitat for native fauna, including lizards and birds. While not as botanically diverse as the GBNA 1 vegetation, the area contains young successional native vegetation with species and tiers expected for this vegetation type.
GBNA 4	The area consists of young native bush, dominated by understory and subcanopy species. Species present included seven finger, rangiora and tree ferns. Mānuka was present as well as occasional wilding pines. Based on the vegetation type and structure observed on-site, the areas could provide habitat for native fauna, including lizards and birds. While not as botanically diverse as the GBNA 1 vegetation, the area contains young successional native vegetation with species and tiers expected for this vegetation type.
GBNA 5	The area consists of young native bush, dominated by understory and subcanopy species. Species present included seven finger, rangiora and tree ferns. Mānuka was present as well as occasional wilding pines. Based on the vegetation type and structure observed on-site, the areas could provide habitat for native fauna, including lizards and birds. While not as botanically diverse as the GBNA 1 vegetation, the area contains young successional native vegetation with species and tiers expected for this vegetation type.
GBNA 6	The area consists of young native bush, dominated by understory and subcanopy species. Species present included seven finger, rangiora and tree ferns. Mānuka was present as well as occasional wilding pines. Based on the vegetation type and structure observed on-site, the areas could provide habitat for native fauna, including lizards and birds. While not as botanically diverse as the GBNA 1 vegetation, the area contains young successional native vegetation with species and tiers expected for this vegetation type.

Amendment 34.

[DEV3-ECO-Appendix-2: Biodiversity Offsetting](#)

The following sets out a framework of principles for the use of biodiversity offsets.

The principles must be complied with for an action to qualify as a biodiversity offset. The principles will be used when assessing the adequacy of proposals for the design and implementation of offsetting as part of resource consent applications.

Principle 1	Adherence to the mitigation hierarchy
The proposed biodiversity offset will be assessed in accordance with the mitigation hierarchy set out in DEV3-ECO-P2. It should only be contemplated after the mitigation hierarchy steps in DEV3-ECO-P2 have been demonstrated to have been sequentially exhausted. Any proposal for a biodiversity offset will demonstrate how it addresses the residual adverse effects of the activity.	
Principle 2	Limits to offsetting
Many biodiversity values cannot be offset and if they are adversely affected then they will be permanently lost. These situations include where:	
<ol style="list-style-type: none"> a. Residual adverse effects cannot be offset because of the irreplaceability or vulnerability of the indigenous biodiversity affected or there is no appropriate offset site; b. There are no technically feasible options by which to secure gains within acceptable timeframes; and c. Effects on indigenous biodiversity are uncertain, unknown or little understood, but potential effects are significantly adverse. In these situations, an offset would be inappropriate. This principle reflects a standard of acceptability for offsetting and a proposed offset must provide an assessment of these limits that supports its success. 	
Principle 3	No net loss and preferably a net gain

The values to be lost through the activity to which the offset applies are counterbalanced by the proposed offsetting activity which is at least commensurate with the adverse effects on indigenous biodiversity so that the overall result is no net loss and preferably a net gain in biodiversity. No net loss and net gain are measured by type, amount and condition at the impact and offset site and require an explicit loss and gain calculation. Provisions for addressing sources of uncertainty and risk of failure in delivering the biodiversity offset should also be included.

Principle 4 **Additionality**

A biodiversity offset must achieve gains in indigenous biodiversity above and beyond gains that would have occurred in the absence of the offset, including that gains are additional to any minimisation or remediation undertaken in relation to the adverse effects of the activity. Offset design and implementation must avoid displacing activities harmful to indigenous biodiversity to other locations

Principle 5 **Like for Like**

The ecological values being gained at the offset site are the same as those being lost at the impact site across types of indigenous biodiversity, amount of indigenous biodiversity (including condition), over time and spatial context.

Principle 6 **Landscape context**

Biodiversity offset actions must be undertaken where this will result in the best ecological outcome, preferentially, first at the site, then the relevant catchment, then within the ecological district. Applications must consider the landscape context of both the impact site and the offset site, taking into account interactions between species, habitats and ecosystems, spatial connections and ecosystem function.

Principle 7 **Long-term outcomes**

The biodiversity offset must be managed to secure outcomes of the activity that last at least as long as the impacts, and preferably in perpetuity, including through the use of adaptive management where necessary.

Principle 8 **Time Lags**

The delay between loss of indigenous biodiversity at the impact site and gain or maturity of indigenous biodiversity at the offset site must be minimised so that gains are achieved within the consent period and identified within the biodiversity offset management plan.

Principle 9 **Trading Up**

When trading up forms part of an offset, the proposal must demonstrate that the indigenous biodiversity values gained are demonstrably of higher value than those lost, and the values lost are not indigenous taxa that are listed as Threatened, At-risk or Data deficient in the New Zealand Threat Classification System lists, or considered vulnerable or irreplaceable.

Principle 10 **Offsets in advance**

A biodiversity offset developed in advance of an application for resource consent must provide a clear link between the offset and the future effect. That is, the offset can be shown to have been created or commenced in anticipation of the specific effect and would not have occurred if that effect were not anticipated.

Principle 11 **Proposing a biodiversity offset**

A proposed biodiversity offset must include a specific biodiversity offset management plan, that:
a. Sets out baseline information on the indigenous biodiversity that is potentially impacted by the proposed activity at both the donor and recipient sites;
b. Demonstrates how the requirements set out in this schedule will be carried out; and

c. Identifies the monitoring approach that will be used to demonstrate how the principles set out in this schedule will be fulfilled over an appropriate timeframe.

Amendment 35.

DEV3-ECO-Appendix-3: Biodiversity Compensation

The following sets out a framework of principles for the use of biodiversity compensation. The principles must be complied with for an action to qualify as biodiversity compensation.

Principle 1	<u>Adherence to the mitigation hierarchy</u>
<u>Biodiversity compensation is a commitment to redress residual adverse effects. It must only be contemplated after the mitigation hierarchy steps in DEV3-ECO-P2 have been demonstrated to have been sequentially exhausted and thus applies only to residual adverse effects on indigenous biodiversity.</u>	
Principle 2	<u>Limits to biodiversity compensation</u>
<u>In deciding whether biodiversity compensation is appropriate, a decision-maker must consider the principle that many indigenous biodiversity values are not able to be compensated for because:</u>	
<ul style="list-style-type: none"> a. <u>The indigenous biodiversity affected is irreplaceable or vulnerable;</u> b. <u>There are no technically feasible options by which to secure proposed gains within acceptable timeframes; and</u> c. <u>Effects on indigenous biodiversity are uncertain, unknown or little understood, but potential effects are significantly adverse.</u> 	
Principle 3	<u>Scale of biodiversity compensation</u>
<u>The values to be lost through the activity to which the biodiversity compensation applies must be addressed by positive effects to indigenous biodiversity that are proportionate to the adverse effects on indigenous biodiversity.</u>	
Principle 4	<u>Additionality</u>
<u>Biodiversity compensation must achieve gains in indigenous biodiversity above and beyond gains that would have occurred in the absence of the compensation, including that gains are additional to any remediation undertaken in relation to the adverse effects of the activity. Compensation design and implementation must avoid displacing activities harmful to indigenous biodiversity to other locations.</u>	
Principle 5	<u>Landscape context</u>
<u>Biodiversity compensation actions must be undertaken where this will result in the best ecological outcome, preferentially, first at the site, then the relevant catchment, then within the ecological district. The actions must consider the landscape context of both the impact site and the compensation site, taking into account interactions between species, habitats and ecosystems, spatial connections and ecosystem function.</u>	
Principle 6	<u>Long-term outcomes</u>
<u>The biodiversity compensation must be managed to secure outcomes of the activity that last as least as long as the effects, and preferably in perpetuity.</u>	
Principle 7	<u>Time Lags</u>
<u>The delay between loss of indigenous biodiversity at the impact site and gain or maturity of indigenous biodiversity at the compensation site must be minimised.</u>	

Principle 8	Trading Up
<p>When trading up forms part of biodiversity compensation, the proposal must demonstrate the indigenous biodiversity values gained are demonstrably of higher indigenous biodiversity value than those lost. The proposal must also show the values lost are not indigenous taxa that are listed as Threatened, At-risk or Data deficient in the New Zealand Threat Classification System lists, or considered vulnerable or irreplaceable.</p>	
Principle 9	Biodiversity compensation in advance
<p>Biodiversity compensation developed in advance of an application for resource consent must provide a clear link between the compensation and the future effect. That is, the compensation can be shown to have been created or commenced in anticipation of the specific effect and would not have occurred if that effect were not anticipated.</p>	

Why these provisions are included in the plan

Links

One draft Significant Natural Area had been identified on the site through the UHDP review process. However, UHCC has determined not to pursue the formal identification and protection of Significant Natural Areas. PC-GB responds by identifying and protecting six GBNAs that meet the significance criteria of RPS Policy 23.

RMA s6(c), s31
RPS Policies 23, 24, 47
Ecological Assessment – Bioresearches (Attachment 3)

The ecology provisions relate to GBNAs and apply instead of the generic ecology provisions of the UHDP.

The objectives, policies and rules provide the framework for managing the effects of activities on the significant biodiversity values of DEV3. The rules recognise some activities that have limited impacts on identified values can occur within GBNAs. Such activities are provided for as permitted activities. Other activities could result in a greater level of effect and therefore the rules identify the need for resource consent in order to enable assessment against the GBNA values.

This section also includes provisions that seek to encourage the maintenance, enhancement and ongoing protection of the ecological function and biodiversity values of the site. The provisions provide for biodiversity offsetting opportunities.

Provisions are also included to address site constraints in relation to the provision of a cycleway and walkway through the site to link to provide an offroad section of the Remutaka Rail Trail. Clearance of vegetation within an GBNA may be required to construct the proposed cycleway in accordance with the DEV3 Structure Plan. Provisions in this section will ensure the ecological effects of such activities will be appropriately addressed.

Specific provisions enable trimming and small-scale vegetation removal to maintain buildings, tracks and fences, and provide for cultural harvesting.

How these provisions achieve the purpose of the RMA

Links

Section 6(c) of the RMA requires

RMA s6, s31

the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna.

Section 31 (1)(b) requires:

the control of any actual or potential effects of the use, development, or protection of land, including for the purpose of—

(iii) the maintenance of indigenous biological diversity.

The provisions provide for protection, restoration and ongoing management of vegetation, habitats and biodiversity.

Costs and Benefits including Opportunities for Economic Growth and Employment [Links](#)

- May hinder economic growth and employment by restricting opportunities for land development.
- May support economic growth based on tourism and the City's 'sense of place'.
- Economic benefits include those arising from the ecosystem services afforded by indigenous biodiversity, such as improved water quality, carbon sequestration, erosion mitigation and improved landscape, character and amenity values.
- May provide opportunities for economic growth and employment by leveraging off the amenity provided by protecting GBNAs.
- Restricts activities on private land affected by GBNAs.
- Imposes compliance costs for resource users which may include:
 - administrative costs, such as those associated with applying for consent or providing additional information as part of consent applications;
 - substantive costs, such as costs associated with the curtailment of development rights or the costs of complying with conditions.

Risk of Acting or Not Acting if Information is Uncertain or Insufficient [Links](#)

- The Environment Court (NZEVC219) has found that reliance on community attitudes alone to protect significant natural areas is not adequate because it does not take account of differences in community attitudes and the high vulnerability of some significant sites. Therefore regulatory intervention may be appropriate. [NZEVC219](#)
- There is a risk that some landowners may be strongly opposed to regulations protecting significant sites on their land

Efficiency and Effectiveness

[Links](#)

The efficiency of the proposed provisions is high because the benefits of protecting indigenous biodiversity for current and future generations outweigh the costs imposed on individual landowners.

The effectiveness of the proposed provisions is high as the objectives of identifying, protecting and managing GBNAs are achieved.

Other Reasonably Practicable Options for Achieving the Objectives

[Links](#)

Non-regulatory approaches that rely on voluntary efforts from landowners can be useful adjuncts to regulation but are generally uneven and unsatisfactory alone in terms of meeting objectives.

The UHDP contains generic vegetation clearance provisions but these may not meet the requirements of the RPS.

Amendments 36—39

(182) Amendments 36—39 are discussed below Amendment 39.

Amendment 36.

Gabites Block Area Use and Development

OBJECTIVES	
DEV3-O1	Character and Amenity Values of the North-West Area
A cluster of residential development that is compatible with the built development of adjoining residential areas to the north and industrial areas to the west.	
DEV3-O2	Character and Amenity Values of the Valley Flats Area
Rural residential development on flat land along Maymorn Road.	
DEV3-O3	Character and Amenity Values of the Station Flats Area
A cluster of low density residential development on flat land framed by the Maymorn Station and railway line and the western hillside.	
DEV3-O4	Character and Amenity Values of the Hilltops Area
An open, green landscape interspersed with rural residential development and sensitively located supporting network utilities.	
DEV3-O5	Character and Amenity Values of the Hilltop Basin Area
An enclave of low density residential development secluded in a natural hilltop basin framed by hillslopes and ridges.	
DEV3-O6	Character and Amenity Values of the Hillside Area
An open, vegetation-dominated, west-facing hillside and ridgeline with sparse and sensitively located rural residential development and supporting network utilities.	

Amendment 37.

POLICIES	
DEV3-P1	Network Utilities in the Gabites Block Development Area
Provide for built development where appropriate network utilities are available, including on-site servicing where reticulated services are not available.	
DEV3-P2	Low Density Residential and Rural Residential Use and Development
Provide for low density residential and rural residential use and development that achieves the following:	
<ol style="list-style-type: none"> 1. <u>Site design, layout and scale of the activity that are compatible with the character and amenity values anticipated in the applicable Area;</u> 2. <u>Site design and implementation that:</u> <ol style="list-style-type: none"> a. <u>Avoid built development that has significant adverse visual effects on the skyline of the main north-south ridge shown on the Gabites Block Development Area Structure Plan in DEV3-APPENDIX1, when viewed from Maymorn Road or Parkes Line Road;</u> 3. <u>Building design and implementation that achieves:</u> <ol style="list-style-type: none"> a. <u>Recessive built forms and finishes;</u> b. <u>Attenuation of external noise for sleeping rooms locating in the Gabites Block Rail Corridor Buffer Area of the Gabites Block Development Area Structure Plan in DEV3-APPENDIX1.</u> 4. <u>Landscape design and implementation that:</u> <ol style="list-style-type: none"> a. <u>Maintain and enhance the vegetated hillside backdrop to Maymorn;</u> b. <u>Avoid visually-impermeable boundary fencing, including avoid close-boarded and solid panel fencing, and avoid front boundary fences of higher than 1.2m;</u> c. <u>Ensure outdoor living spaces are well located, accessible and have access to sunlight;</u> d. <u>Use planting to achieve visual amenity, safety and functionality;</u> e. <u>Ensure driveways, manoeuvring and parking areas are visually unobtrusive;</u> f. <u>Provide a visually-permeable, planted buffer along Maymorn Road.</u> 5. <u>Lighting that enhances safety and security without adversely affecting the amenity of other sites.</u> 6. <u>Private vehicle crossings that do not connect directly to Maymorn Road.</u> 7. <u>Transport networks that avoid significant adverse effects on the rural character or landscape values of the Gabites Block and Maymorn context</u> 	
DEV3-P3	Non-Residential Activities
Provide for non-residential activities that:	
<ol style="list-style-type: none"> 1. <u>Contribute to the social, cultural and economic wellbeing of people and communities;</u> 2. <u>Are of a type and scale compatible with the character, landscape and amenity values of the Area;</u> 3. <u>Avoid, remedy or mitigate adverse effects on the amenity values of adjoining sites, including from signs and the location and scale of utility and external storage areas;</u> 4. <u>Avoid, remedy or mitigate adverse effects on the amenity values of adjoining sites or the landscape from the movement of people and vehicles associated with the activity;</u> 5. <u>Have hours of operation that are compatible with rural-residential amenity; and</u> 6. <u>Have an operational need to locate in the Area.</u> 	
<u>Avoid non-residential activities that are incompatible with the character, landscape and amenity values anticipated in the Area.</u>	

Amendment 38.

RULES

Note: The rules of other parts of the UHDP may apply in addition to the rules of this section. More than one rule may apply.

DEV3-R1 Buildings and Structures

1. Activity status: Permitted

Where:

a. Compliance is achieved with:

- i. DEV3-S1;
- ii. DEV3-S2;
- iii. DEV3-S3;
- iv. DEV3-S4;
- v. DEV3-S5;
- vi. DEV3-S6;
- vii. DEV3-S7;
- viii. DEV3-S8;
- ix. DEV3-S9;
- x. DEV3-S10;
- xi. DEV3-S11; and
- xii. DEV3-S12.

2. Activity status: Restricted Discretionary

Where:

a. Compliance is not achieved with:

- i. DEV3-S1;
- ii. DEV3-S2;
- iii. DEV3-S3;
- iv. DEV3-S4;
- v. DEV3-S5;
- vi. DEV3-S6;
- vii. DEV3-S7;
- viii. DEV3-S8;
- ix. DEV3-S9;
- x. DEV3-S10;
- xi. DEV3-S11; or
- xii. DEV3-S12.

Matters of discretion are restricted to:

- M1. The matters in any infringed standard.

<u>DEV3-R2</u>	<u>Residential Activities</u>
1.	<p><u>Activity Status: Permitted</u></p> <p><u>Where:</u></p> <ul style="list-style-type: none"> a. <u>There are no more than one residential unit and one minor residential unit per site;</u> b. <u>Any minor residential unit shares a vehicle crossing and driveway with the site’s residential unit; and</u> c. <u>Compliance is achieved with:</u> <ul style="list-style-type: none"> i. <u>DEV3-S3; and</u> ii. <u>DEV3-S8.</u>
2.	<p><u>Activity status: Restricted Discretionary</u></p> <p><u>Where:</u></p> <ul style="list-style-type: none"> a. <u>Compliance is not achieved with:</u> <ul style="list-style-type: none"> i. <u>DEV3-R2-1a;</u> ii. <u>DEV3-R2-1b;</u> iii. <u>DEV3-S3; or</u> iv. <u>DEV3-S8.</u> <p><u>Matters of discretion are restricted to:</u></p> <ul style="list-style-type: none"> M1. <u>The matters in any infringed standard; and</u> M2. <u>The matters in:</u> <ul style="list-style-type: none"> a. <u>DEV3-P2.</u>

<u>DEV3-R3</u>	<u>Home Business</u>
1.	<p><u>Activity Status: Permitted</u></p> <p><u>Where:</u></p> <ul style="list-style-type: none"> a. <u>No more than 40m² of total gross floor area of all buildings on site is used for the home business;</u> b. <u>No more than one full time employee or equivalent engaged in the home business resides off-site; and</u> c. <u>The hours of operation are within:</u> <ul style="list-style-type: none"> i. <u>7.00am to 7.00pm, Monday to Friday; and</u> ii. <u>7.00am to 6.00pm Saturday and Sunday.</u>
2.	<p><u>Activity status: Restricted Discretionary</u></p> <p><u>Where:</u></p> <ul style="list-style-type: none"> a. <u>Compliance is not achieved with:</u> <ul style="list-style-type: none"> iii. <u>DEV3-R3-1a;</u> iv. <u>DEV3-R3-1b; or</u> v. <u>DEV3-R3-1c.</u> <p><u>Matters of discretion are restricted to:</u></p> <ul style="list-style-type: none"> M1. <u>The matters in:</u> <ul style="list-style-type: none"> a. <u>DEV3-P3.</u>

DEV3-R4	All Other Activities
1. <u>Activity Status: Discretionary</u>	
<u>Where:</u>	
a. <u>The activity is not otherwise provided for as a permitted activity, controlled activity, restricted discretionary activity or non-complying activity.</u>	

Amendment 39.

STANDARDS		
DEV3-S1		
Height of Buildings and Structures		
<u>North-West Area, Valley Flats Area, Station Flats Area, Hilltops Area, Hilltop Basin Area</u>	1. <u>All buildings and structures must comply with a maximum height above ground level of 8m, except that:</u> a. <u>An additional 1m can be added to the maximum height of any building with a roof slope of 15° or greater, where the roof rises to a ridge.</u>	<u>Matters of discretion are restricted to:</u> M1. <u>The effect on the streetscape, character and amenity of the area;</u> M2. <u>Dominance effects on adjoining sites;</u> M3. <u>Design and siting of the building or structure; and</u> M4. <u>The influence of visually prominent trees and established landscaping.</u>
<u>Hillside Area</u>	2. <u>All buildings and structures must comply with a maximum height above ground level of 6m.</u>	
DEV3-S2		
Height Control Planes		
<u>Gabites Block Development Area</u>	<u>Buildings must comply with the requirements of GRUZ-S4.</u>	<u>Matters of discretion are restricted to:</u> M1. <u>The effect on sunlight and daylight admission to internal living spaces and external outdoor living spaces on adjoining and surrounding sites; and</u> M2. <u>Dominance and privacy effects on adjoining sites.</u>
DEV3-S3		
Maximum Building Coverage		
<u>Gabites Block Development Area</u>	<u>The maximum total building coverage on a site includes:</u> 1. <u>Residential units;</u> 2. <u>Minor residential units; and</u> 3. <u>Accessory buildings;</u> <u>The maximum total building coverage excludes:</u> 4. <u>Pergola structures that are not covered by a roof;</u> 5. <u>Uncovered decks;</u>	<u>Matters of discretion are restricted to:</u> M1. <u>Dominance effects on the street and adjoining properties;</u> M2. <u>Effects on rural character; and</u> M3. <u>Visual and landscape effects.</u>

	<ol style="list-style-type: none"> 6. Uncovered outdoor swimming pools. 7. Buildings and structures with a footprint of no more than 2.6m² and a height of no more than 2.2m above ground level. 			
North-West Area	<ol style="list-style-type: none"> 1. Maximum total building coverage is 250m² 2. Maximum building coverage of minor residential unit is 50m² 			
Station Flats Area, Hilltop Basin Area	<ol style="list-style-type: none"> 1. Maximum total building coverage is 350m² 2. Maximum building coverage of minor residential unit is 50m² 			
Valley Flats Area, Hilltops Area, Hillside Area	<ol style="list-style-type: none"> 3. Maximum total building coverage is 400m² 4. Maximum building coverage of minor residential unit is 50m² 			
DEV3-S4	Minimum Setback from Maymorn Road Boundary for Buildings and Structures			
North-West Area, Valley Flats Area	<table border="1"> <tr> <td>Front boundary with Maymorn Road</td> <td>8m</td> </tr> </table>	Front boundary with Maymorn Road	8m	<u>Matters of discretion are restricted to:</u> M1. The effect on the streetscape and amenity of the area; M2. Design and siting of buildings; M3. Screening, planting and landscaping; and M4. Pedestrian and cyclist safety.
Front boundary with Maymorn Road	8m			
<u>This standard does not apply to:</u> 1. Boundary fences.				
DEV3-S5	Minimum Setback from Road Boundaries Other Than Maymorn Road			
North-West Area	<table border="1"> <tr> <td>Front boundary with roads other than Maymorn Road</td> <td>4m</td> </tr> </table>	Front boundary with roads other than Maymorn Road	4m	<u>Matters of discretion are restricted to:</u> M1. The effect on the streetscape and amenity of the area; M2. Design and siting of buildings; M3. Screening, planting and landscaping; and M4. Pedestrian and cyclist safety.
Front boundary with roads other than Maymorn Road	4m			
<u>This standard does not apply to:</u> 1. Boundary fences.				
Valley Flats Area, Station Flats Area, Hilltops Area,	<table border="1"> <tr> <td>Front boundary with roads other than</td> <td>5m</td> </tr> </table>	Front boundary with roads other than	5m	
Front boundary with roads other than	5m			

Hilltop Basin Area, Hillside Area	Maymorn Road		
	This standard does not apply to: 1. Boundary fences.		
DEV3-S6	Minimum Setbacks from Other Boundaries		
North-West Area	Side Boundary	1.5m	Matters of discretion are restricted to: M1. Dominance and privacy effects on adjoining sites.
	Rear Boundary	1.5m	
	<p>Any wall within 1m of a boundary must be no longer than 6m.</p> <p>The distance between an accessory building and any point of the main window of a habitable room on an adjoining site, measured at right angles to the plane of the window, must be not less than 3m.</p> <p>For garages and other accessory buildings which form a part of a residential unit, the standards for accessory buildings apply to that residential unit, but only to the area of the residential unit which is an accessory building</p> <p>This standard does not apply to:</p> <ol style="list-style-type: none"> Boundary fences or standalone walls; and Structures with a building footprint of less than 0.5m². 		
Valley Flats Area, Station Flats Area, Hilltops Area, Hilltop Basin Area, Hillside Area	Side Boundary	3m	
	Rear Boundary	3m	
	<p>This standard does not apply to:</p> <ol style="list-style-type: none"> Boundary fences or standalone walls; and Structures with a building footprint of less than 0.5m². 		
DEV3-S7	Maymorn Road Landscaping Buffer		
North-West Area, Valley Flats Area	1. Site areas within 5m of the Maymorn Road boundary must be landscaped with a buffer of native trees and plants		Matters of discretion are restricted to: M1. The effect on the streetscape and amenity of the area.

	<u>that will be visually-permeable at maturity.</u>	
DEV3-S8	Outdoor Living Space for Residential Units	
<u>North-West Area</u>	<p><u>One outdoor living space capable of containing a 6m diameter circle must be provided for each residential unit or minor residential unit and be located at its northern aspect, or directly accessible from a living area.</u></p> <p><u>Non-enclosed verandahs, decks, porches, swimming pools, and a glassed conservatory with a maximum area of 13m² may encroach over or into 25% of the outdoor living space.</u></p>	<p><u>Matters over which discretion is restricted:</u></p> <p>M1. <u>Whether adequate useable space is provided to accommodate outdoor activities; and</u></p> <p>M2. <u>Proximity of the residential unit to accessible public open space.</u></p>
DEV3-S9	Fences	
<u>North-West Area</u>	<ol style="list-style-type: none"> <u>Fences on the Maymorn Road boundary must be post and rail fences no higher than 1.2m above ground level; and</u> <u>Front boundary fences must be no higher than 1.2m above ground level</u> 	<p><u>Matters of discretion are restricted to:</u></p> <p>M1. <u>The effects on the streetscape, character and amenity of the area; and</u></p> <p>M2. <u>The effects on the amenity of adjoining properties, where the fence is located on their boundary.</u></p>
<u>Valley Flats Area</u>	<ol style="list-style-type: none"> <u>Fences on the Maymorn Road boundary must be post and rail fences no higher than 1.2m above ground level;</u> <u>All other boundary fences must be visually permeable post and rail or post and wire fences; and</u> <u>Front boundary fences must be no higher than 1.2m above ground level.</u> 	
<u>Station Flats Area, Hilltops Area, Hilltop Basin Area, Hillside Area</u>	<ol style="list-style-type: none"> <u>All boundary fences must be visually permeable post and rail or post and wire fences; and</u> <u>Front boundary fences must be no higher than 1.2m above ground level.</u> 	
DEV3-S10	Reflectance of Buildings and Structures	
<u>Hilltops Area, Hillside Areas</u>	<u>The reflectance value of the exterior finish of the building or structure must be no greater than 25% for roofs and 30% for walls within Groups A, B or C of the BS5252 standard colour palette.</u>	<p><u>Matters of discretion are restricted to:</u></p> <p>M1. <u>The effects on the rural character and amenity of the area.</u></p> <p>M2. <u>The effects on the amenity of adjoining properties.</u></p>
DEV3-S11	Use of Copper and Zinc	

Gabites Block Development Area	Copper or zinc surfaces in external building materials including roofing, guttering, spouting and cladding must be painted or finished in a manner that results in the copper or zinc surface not being directly exposed to rainfall.	Matters of discretion are restricted to: M1. The extent of untreated copper or zinc; and M2. Methods to remove copper or zinc from water runoff.
DEV3-S12	Impervious Surfaces	
North-West Area	The total area of impervious surfaces must not exceed 70% of the site area.	Matters of discretion are restricted to: M1. The measures used to achieve hydraulic neutrality; M2. Location, design, ownership and access for maintenance, including any necessary easements; and M3. Whether there are any constraints or opportunities that mean that hydraulic neutrality is not required.
Valley Flats Area, Station Flats Area, Hilltops Area, Hilltop Basin Area, Hillside Area	The total area of impervious surfaces must not exceed 50% of the site area.	

Why these provisions are included in the plan

Links

The purpose of the Gabites Block Development Area is explained above.

[DEV3 Structure Plan](#)

The desired outcomes for character and amenity are set out in objectives for each Area of the Gabites Block Development Area (Amendment 36).

The policies then provide direction for low density residential and rural residential use and development, non-residential activities and network utilities. The activities are permitted subject to meeting specified standards, which are mostly concerned with building bulk and location but also cover visual aspects of buildings and fences. The standards for hydraulic neutrality and water quality are also contained in this section.

Upper Hutt's housing stock does not match the needs of current and future residents. There is an overall shortfall in housing capacity that provisions contribute to resolving.

The objectives, policies and rules provide the framework for managing the effects of development and providing for high levels of amenity and a high quality environment. The prescriptive policies give clear direction for plan users.

Home businesses that support the social and economic health and wellbeing of the community may also occur in DEV3, where they minimise adverse effects on residential character and amenity values.

How these provisions achieve the purpose of the RMA

[Links](#)

The provisions provide for:

- Social, economic and cultural wellbeing.
- The efficient use of land and supporting infrastructure.
- The section 7(c) requirement for the maintenance and enhancement of amenity values.
- Council’s obligation under Section 31 (1)(aa) for “the establishment, implementation, and review of objectives, policies, and methods to ensure that there is sufficient development capacity in respect of housing and business land to meet the expected demands of the district”.

RMA s5, s7,
s31(1)(aa)
NPS Urban
Development

Costs and Benefits including Opportunities for Economic Growth and Employment

[Links](#)

- Increases housing supply.
- Increases housing diversity.
- Makes appropriate use of the finite land resource.
- Increases Upper Hutt’s rating base and ability to fund community facilities and services.
- Economic growth and employment opportunities would arise from construction activity.
- Increases housing in close proximity to Maymorn Train Station.
- Use of building envelope standards provides certainty and enables many buildings to be permitted activities, avoiding the costs of resource consent processes.

Risk of Acting or Not Acting if Information is Uncertain or Insufficient

[Links](#)

- The provisions, including those for building bulk and location and home businesses, are well understood and provide a high level of certainty of providing high quality housing and amenity.

Efficiency and Effectiveness

[Links](#)

- The efficiency of the proposed provisions is high because the benefits of increasing housing supply while addressing environment matters outweigh the development costs.
 - The effectiveness of the proposed provisions is high because the objectives of providing low density residential and rural residential housing are achieved.
-

Alternative provisions could be more permissive towards non-residential activities or set purely effects-based standards for non-residential activities in particular. That would lead to greater uncertainty, increased transaction costs and greater risk of adversely affecting amenity.

Amendments 40—41

Amendment 40.

(183) Amendment 40 provides the Gabites Block Development Area Structure Plan, which is in two maps and shows the following spatially:

- North-West Area;
- Valley Flats Area;
- Station Flats Area;
- Hilltops Area;
- Hilltop Basin Area;
- Hillside Area;
- Gabites Block Natural Areas;
- Gabites Block Rail Corridor Buffer Area;
- High Slope Hazard Area;
- Indicative concept road layout;
- Indicative concept cycleway layout.

[DEV3-APPENDIX1 - Gabites Block Development Area Structure Plan](#)

Amendment 41.

(184) Amendment 41 provides the planning maps amended to show the Settlement Zone and Gabites Block Development Area.

PART 4 – APPENDICES AND MAPS
MAPS
Maps <i>[Planning Maps R19 and U11 amended to show Settlement Zone and DEV3 - Gabites Block Development Area]</i>

