

1

INTRODUCTION TO THE PLAN

1.1

Setting the Scene

1.1.1

What is a District Plan?

The District Plan (the Plan) must be prepared, implemented and administered to assist the Council in meeting its responsibilities under the Resource Management Act 1991 (RMA).

It is intended to meet the objectives of the community with the principle of sustainable management at its core. Consultation with the public is required for any changes or updates to the Plan's content or objective.

Under Section 79 of the RMA, the Plan maintains its relevance with monitoring provisions throughout the life of the Plan, while the entire plan must be reviewed within 10 years of being publicly notified.

1.1.2

District Context

~~The Upper Hutt City District Plan sets out the specific objectives, policies, methods and rules that have been adopted to enable Council to promote the sustainable management of the City's natural and physical resources.~~

~~This Chapter outlines the role of the District Plan, the influences on its preparation, its format, and the strategy taken within it. It also includes a guide to its use.~~

Upper Hutt City is in the Greater Wellington Region, covering 43,400 hectares. Approximately 92% of land is rural zoned, with about 90% of that owned by Greater Wellington Regional Council and the Department of Conservation.

The urban environment of Upper Hutt predominantly lies within the valley floor, surrounded by forested hills along the eastern and western aspects. The Hutt River travels through the valley, flowing towards the Wellington Harbour. The natural features of the Hutt Valley contribute to the District's overall identity, creating recreational opportunities and establishing ecological value.

These natural environment qualities are a major drawcard for the

approximately 41,000 people who call Upper Hutt home.

| | |
|----------------|---|
| 1.1 1.2 | <u>Sustainable Management Planning under the Resource Management Act</u> |
|----------------|---|

1.2.1 **Resource Management Act 1991 and sustainable management**

~~The purpose of the Resource Management Act is to promote the sustainable management of natural and physical resources. Sustainable management is defined as: Plan is to enable the Council to carry out its functions under the RMA. The purpose of the RMA is to promote the sustainable management of natural and physical resources. Sustainable management is defined in the RMA 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; and*~~
- ~~(b) *Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*~~
- ~~(c) *Avoiding, remedying, or mitigating any adverse effects of activities on the environment.*~~

~~Natural and physical resources, as defined in the Act: *includes land, water, air, soil, minerals and energy, all forms of plants and animals (whether native to New Zealand or introduced), and all structures.*~~

~~The Act also places a duty on Council to recognise and provide for a range of matters of national importance which are set out in Section 6 of the Act.~~

~~Other important matters, including maintaining and enhancing amenity values and the quality of the environment, and the recognition and protection of heritage values are set out in Section 7 of the Act. Section 8 of the Act requires Council to take into account the principles of the Treaty of Waitangi.~~

~~The RMA establishes a framework for integrated management that addresses the effects of activities on the environment. Section 31 of the RMA delegates Territorial Authorities with the responsibility to mitigate the adverse effects of development, hazardous substances and natural hazards. The Plan is one of the key documents in achieving these sustainable management responsibilities within the Upper Hutt District.~~

1.2.2

Relationship with other Resource Management Act documents

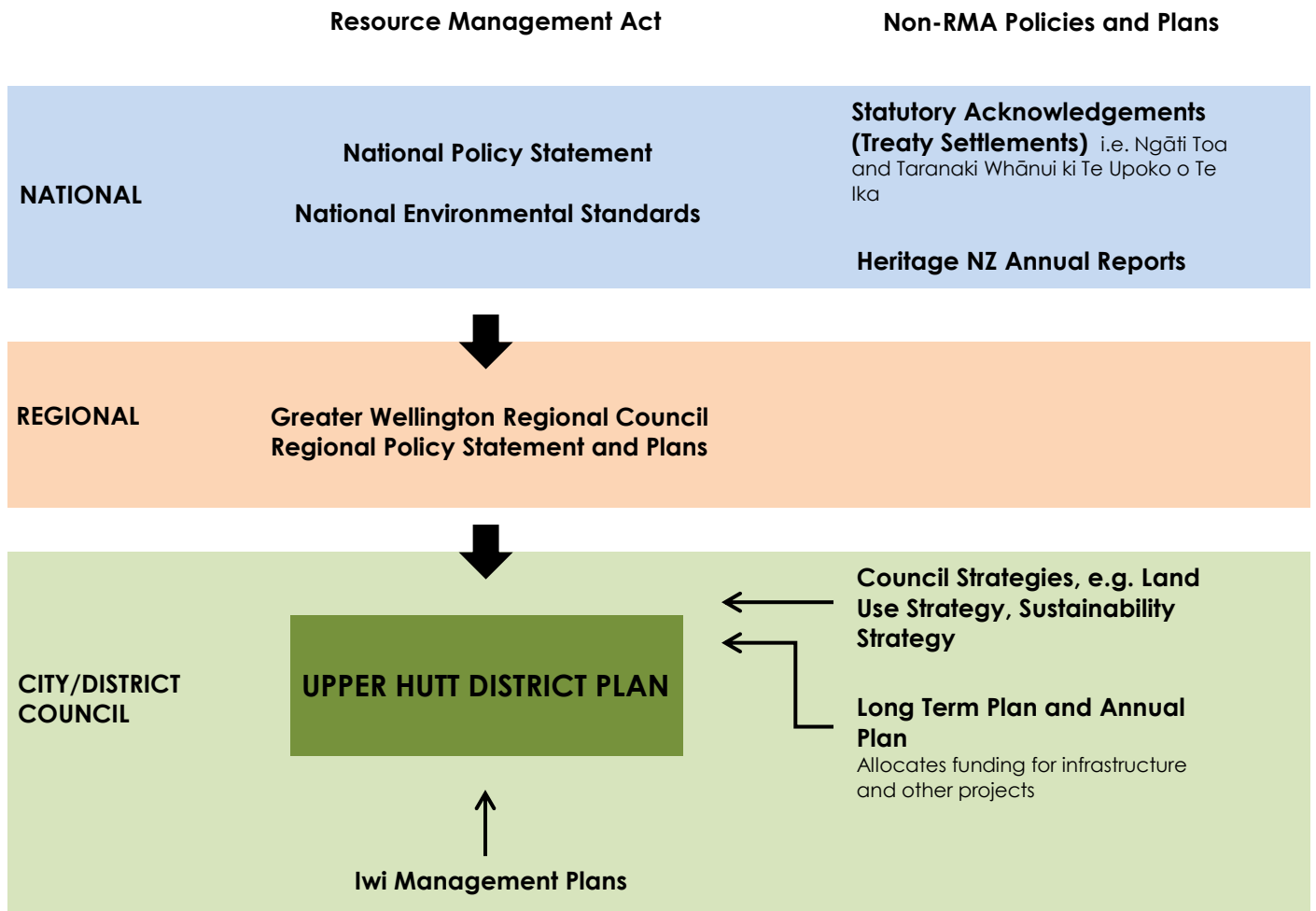
The RMA provides for a hierarchy of planning and policy instruments to give national, regional and district planning direction. A district plan must give effect to, and have regard to, several other statutory planning mechanisms and documents. Table 1 below summarises these obligations:

Table 1: District Plan content requirements

| <u>Must give effect to:</u> | <u>Must have regard to:</u> |
|---|--|
| <ul style="list-style-type: none">• <u>any national policy statement</u>• <u>any New Zealand coastal policy statement</u>• <u>any operative regional policy statement</u> | <ul style="list-style-type: none">• <u>any proposed regional policy statements;</u>• <u>management or strategy plans prepared under other Acts</u>• <u>obligations under the Heritage New Zealand Pouhere Taonga Act 2014</u>• <u>any requirements to be consistent with adjoining proposed or operative district plans</u> |

Diagram 1, below, details how these plans create a hierarchy of documentation which guide development of the District Plan.

Diagram 1 – Relationship between RMA and non-RMA documents and the District Plan



Central government may provide policy direction on resource management issues of national importance. This is achieved through National Policy Statements and National Environmental Standards, which the Plan must give effect to. The Plan must also not be inconsistent with any regional plan or water conservation order.

Iwi management plans are a resource management plan prepared by an iwi, iwi authority, rūnanga or hapū. They reflect iwi/hapū aspirations as local kaitiaki and highlight resources of importance. The RMA requires that iwi management plans are taken into account when preparing Plans. At the time of preparing this chapter, there were no relevant iwi management plans for Upper Hutt.

1.2.3

Relationship with other non-RMA documents

Outside of the RMA, there are other pieces of legislation, policies and plans that influence the Plan, as outlined above (See Diagram 1).

Statutory Acknowledgements from Treaty Settlements

Treaty Settlements are an agreement between the Crown and a Māori claimant group (usually an iwi or large hapū) to settle all of that claimant group's historical claims against the Crown. The Statutory Acknowledgements relevant to Upper Hutt are with Ngāti Toa Rangatira and Taranaki Whānui ki to Upoko o Te Ika. These relationships are detailed further in the Tangata Whenua section below.

Pouhere Taonga - Heritage New Zealand:

The New Zealand Heritage List/Rārangi Kōrero is prepared under the Heritage New Zealand Pouhere Taonga Act 2014. The Heritage List includes buildings, places and sites that are of social or outstanding historical or cultural significance or value. The heritage items listed in the Plan come from this list, as well as additional items that have been deemed to be worth protecting from a local perspective.

Other Council policies and plans:

Although the Plan is the primary method of fulfilling Council's resource management obligations, the Plan has also been influenced by other Council policies and plans that are produced under various Acts. The relevant documents that have been considered during the development of this Plan include:

- The 2016-2043 Land Use Strategy;
- The 2015-2025 Long Term Plan and any Annual Plans;
- The 2012-2022 Sustainability Strategy;
- The 2014 Arts, Culture and Heritage Strategy; and
- Any Council Code of Practice.

The Land Use Strategy was adopted in September 2016 and is of particular importance as it represents the community's objectives over the next 30 years. It highlights the growth expected within this period and establishes a strategy based on these estimates. The strategy is reflective not only of local council plans, but also with national and regional strategic direction, further increasing its relevance to this Plan.

As the Upper Hutt City Council continues to monitor and review its

various strategies and plans, there may be a requirement for the Plan to be reviewed to maintain consistency across Council documentation. Therefore, the above list only represents documents relevant at the time of writing.

1.2.4

Relationships with neighbouring Councils

Upper Hutt shares boundaries with Kāpiti Coast District Council to the northwest, Porirua City Council to the west, the Hutt City Council to the south and South Wairarapa District Council to the east. Therefore, developments may straddle jurisdictional boundaries. These districts are located within the region administered by the Greater Wellington Regional Council. To ensure cross boundary issues are addressed the following actions will be undertaken:

1. Consult with the adjoining territorial authorities and the Greater Wellington Regional Council, where appropriate, to ensure that cross-boundary issues are dealt with consistently and compatibly.
2. Advise adjoining territorial authorities and the Greater Wellington Regional Council of resource consent applications or Plan changes which may have potential cross-boundary effects.
3. Consult with other authorities and organisations whose interests cross the territorial boundaries, and are potentially affected by plan changes or resource consent application for example utility providers, and the Department of Conservation.

1.2 1.3

Planning Strategy Tangata Whenua

1.3.1

The Resource Management Act 1991 and Tangata Whenua

Under the RMA, local authorities must recognise and provide for the relationship with Maori and recognise their ancestral rights to land and cultural traditions. The Regional Policy Statement recognises and provides for matters of significance to tangata whenua. As such, the Plan must remain consistent with these principles.

The Plan must also have particular regard to local kaitiakitanga principles. Section 2 of the RMA defines this as:

“...the exercise of guardianship by the tangata whenua of an

area in accordance with tikanga Maori in relation to natural and physical resources; and includes the ethic of stewardship.”

This section of the Plan is intended to acknowledge the requirement to represent these cultural values in the Upper Hutt District Plan. Chapter 11 (Heritage) of the Plan identifies cultural heritage issues and objectives within Upper Hutt. Both this section and Chapter 11 will be reviewed and updated as required during the rolling review of the Plan.

1.3.2

Te Tiriti o Waitangi – Treaty of Waitangi

The RMA emphasises the principles of the Treaty of Waitangi in planning for sustainable management. There are two Treaty settlements that relate to iwi in the Wellington Region (and Upper Hutt). These are the Ngāti Toa Rangitira settlement and the Taranaki Whānui ki Te Upoko o Te Ika settlement.

Ngāti Toa Rangitira

The Ngati Toa Rangitira Deed of Settlement was signed in 2012. Ngāti Toa’s area of interest covers the lower North Island, including the Hutt Valley, as well as large areas of the upper South Island.

The Statutory Acknowledgement of Ngāti Toa Rangitira requires the Crown (including councils) to recognise certain areas within Ngāti Toa Rangitira’s area of interest in Upper Hutt.

Taranaki Whānui ki Te Upoko o Te Ika

Taranaki Whānui ki Te Upoko o Te Ika (Taranaki Whānui) is a collective that comprises of Te Ātiawa, Taranaki, Ngāti Ruanui, Ngāti Tama and others whose ancestors migrated to Wellington in the 1820s and 30s and who signed the Port Nicholson Block Deed of Purchase in 1839.

The Statutory Acknowledgement of Taranaki Whānui requires the Crown (including councils) to recognise certain areas within Taranaki Whānui area of interest in Upper Hutt.

These settlements include Statutory Acknowledgements which register the special association an iwi may have with an area or site. They

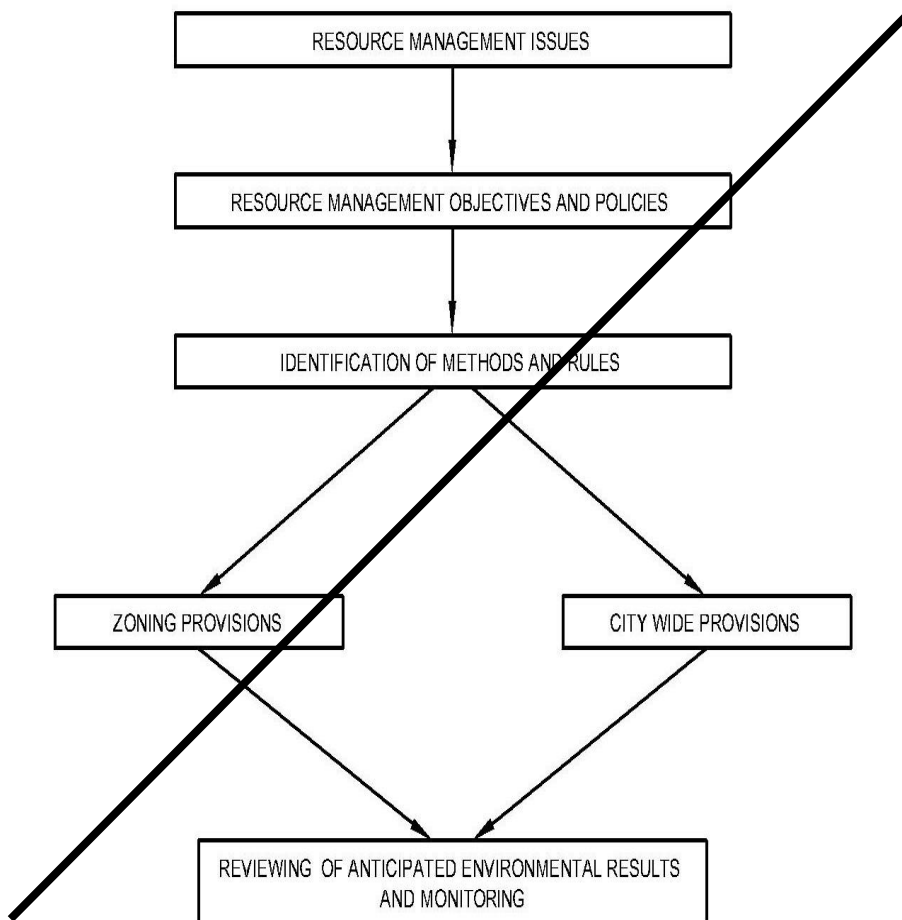
enhance the iwi's ability to participate in specified RMA processes.

~~Statutory Acknowledgements are non-exclusive redress, meaning more than one iwi can have a Statutory Acknowledgement over one site.~~

~~As each district has different problems and issues, the Act does not prescribe the means which Council must use to promote the sustainable management of resources in its district. Instead, it allows flexibility for a Council to choose from a variety of methods that are appropriate in the context of its own district's requirements and its community's views.~~

~~The approach taken to the resource management issues within Upper Hutt is outlined in Figure 1 below. The strategy has developed from the identification of resource management issues. Rules and standards will be Council's main method of implementing the Plan. Other non-regulatory methods will also be used to implement the policies.~~

**Figure 1
Planning Strategy**



The following sections of this Chapter provide a general explanation of the main methods used in the Plan to achieve the objectives and policies. It is not an exhaustive list. Council's monitoring of the effectiveness of the methods over time will provide the basis for a review of the Plan.

1.2.1 Zoning

The technique of zoning is used as the principal method for managing the effects of activities to enable sustainable management of resources.

Zoning provides a means of recognising the different types of environment in the City, and the effects that different activities have on those environments, and their amenity. These environment types or zones include Residential, Rural, Business, Open Space and Special Activity.

Council has established appropriate objectives, policies, methods and rules for each zone, in order to control the adverse effects of activities. Flexibility within zones enables a range of activities, compatible with their surroundings, to be established.

1.2.2 Listing of Activities

Within zones, activities are classified as permitted, controlled, discretionary, restricted discretionary, non-complying or prohibited according to the effects they may have. These classifications are explained further in Chapter 2.

1.2.3 Standards

Standards that establish limits and conditions for the effects of activities are listed within each zone. The standards seek to ensure that resources are used sustainably and that any actual or potential adverse effects are avoided, remedied, or mitigated.

1.2.4 Non-Regulatory Methods

Non-regulatory methods, such as providing information and educating the public, can contribute effectively to the achievement of resource management goals. Council will make available the following information where appropriate:

- Pamphlets and brochures will be produced summarising the Plan rules and expected environmental outcomes.
- Educational programmes on the effects of land use practices, which may involve producing pamphlets that illustrate good land use practices.
- Use of appropriate NZ Standards and industrial codes of practice.
- Awareness of sites of ecological and historical importance by listing and identifying these on the planning maps.
- Public reports on the results of the monitoring process.
- A Hazards Register listing the location of sites prone to natural and other hazards.
- Consultation with developers and other parties in relation to particular proposals.

1.3 1.4 Format Structure of the District Plan

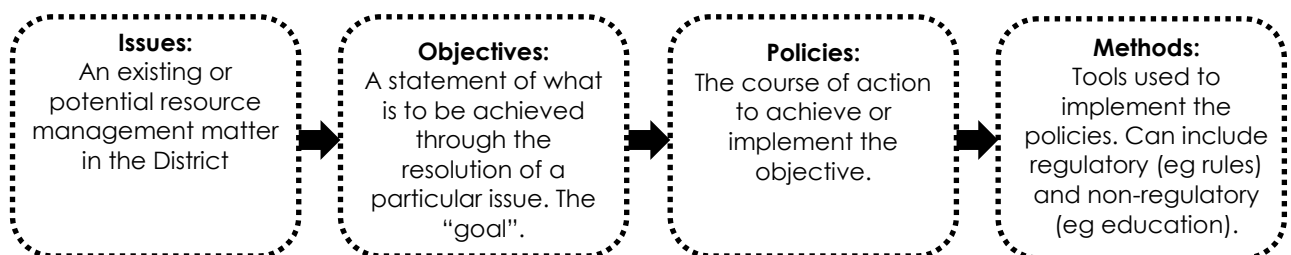
1.4.1 Plan formation

The plan is in five main parts:

- Part 1 Introduction
- Part 2 Issues, Objectives, Policies and Methods
- Part 3 Rules and Standards
- Part 4 Appendices
- Part 5 Planning Maps

The District Plan identifies issues that highlight existing or potential resource management problems. These then form objectives, policies, and methods to resolve identified issues (e.g., rules). This flow of information is detailed in Diagram 2 below:

Diagram 2: Plan formation



Issues may be specific to zones, or may be found across the District and therefore are relevant for multiple zones. For example, issues associated with earthworks, natural hazards, heritage, landscape and ecology.

1.4.2

Zones

The technique of zoning is used as the principle method for managing the effects of activities to enable sustainable management of resources. Zoning recognises the different environments within the City and the effects that different activities have on those environments.

The District Plan contains the following core zones:

- Residential Zone
- Rural Zone
- Business Zone
- Open Space Zone
- Special Activities Zone

1.4.3

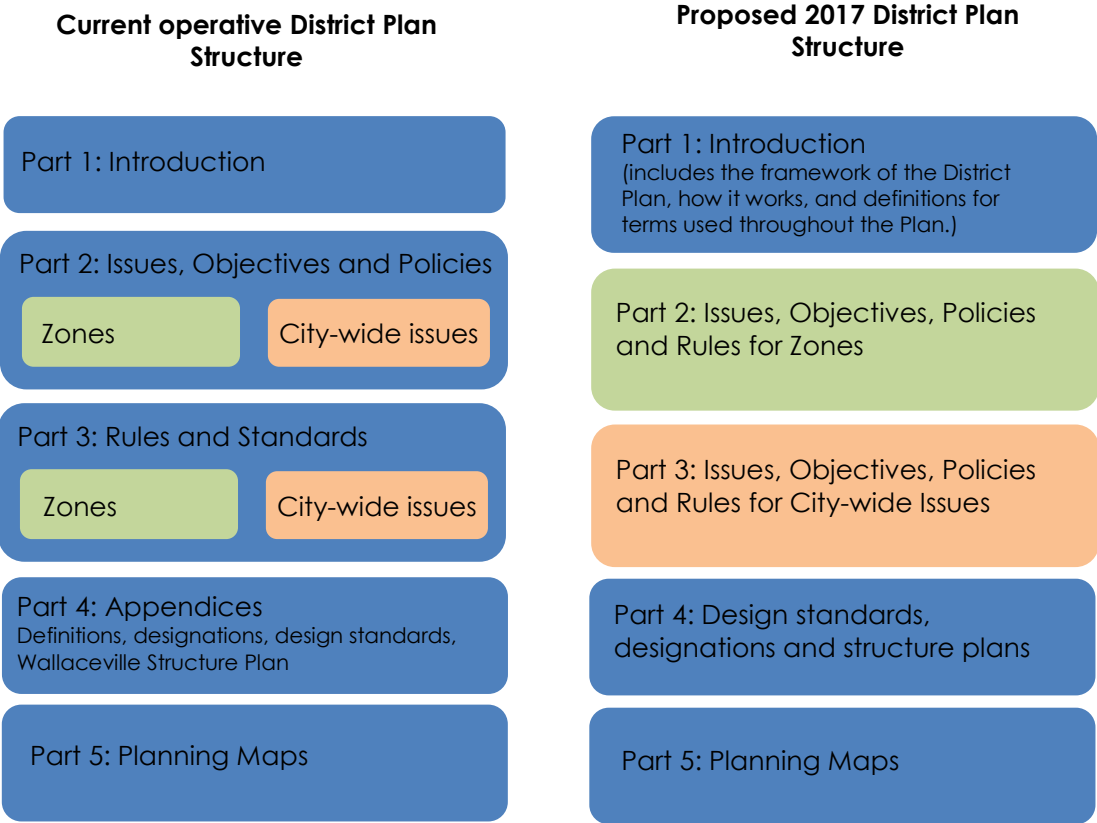
Rolling review of District Plan

The Plan is undergoing a review which will modify its structure. The RMA requires all provisions in a plan to be reviewed every 10 years. Rather than a comprehensive review of the Plan, which would see the entire plan reviewed through a single plan change process, Upper Hutt City Council has elected to review the Plan through a “rolling review”. This will be through successive plan changes to the Plan over a 10 year period, addressing individual chapters in each plan change.

As part of this rolling review, the format of the Plan will also change. This will principally combine the objectives, policies, and rules for each zone or city wide issue into a single chapter, rather than dividing these over two separate chapters. This amendment is intended to improve the usability and readability of the Plan.

The order of the Rolling Review plan changes will be based on their priority and importance, and also to enable this new structure. The proposed structure of the District Plan is shown in Diagram 3, below.

Diagram 3: Current operative and proposed District Plan Structure



1.3.1 Part 1 – Introduction

~~Chapter 1 (this chapter) provides an explanatory background and information on how the Plan is set out and how to use it.~~

~~Chapter 2 – General Procedures, contains information on how the Plan is administered, including the provisions that apply to the processing of resource consents, the designation of land, monitoring and review of the Plan.~~

1.3.2 Part 2 – Issues, Objectives, Policies and Methods

~~Two approaches have been taken to addressing issues and formulating objectives, policies and methods. The first is zone based.~~

~~Chapter 3 considers Zoning in general and Chapters 4 to 8 deal~~

~~specifically with the Residential, Rural, Business, Open Space and Special Activities Zones.~~

~~The second approach is to consider specific topics which are general or City wide in nature. Chapters 9 to 17 address:~~

- ~~• Subdivision and Earthworks~~
- ~~• Financial Contributions~~
- ~~• Heritage~~
- ~~• Landscape and Ecology~~
- ~~• Water Resources~~
- ~~• Natural Hazards~~
- ~~• Environmental Quality~~
- ~~• Utilities~~
- ~~• Hazardous Substances and Waste Management~~

~~Each chapter within this part of the plan has the following structure:~~

~~Background~~

~~The background statement describes the context within which the relevant resource management issues are addressed and introduces the Council's approach to the sustainable management of the resource.~~

~~Resource Management Issues~~

~~The particular resource management issues of concern to the Council are described in this part of the Chapter. The statement of issues sets the scene for the application of objectives, policies, methods and rules to address those issues.~~

~~Objectives~~

~~An objective is a statement specifying an intended or desired environmental outcome.~~

~~Policies~~

~~A policy is a course of action that will be taken to achieve one or more objectives.~~

~~Objectives and policies help to explain the purpose of rules. They will~~

also guide decision making when Council is considering resource consent applications.

Methods

A method is a specific means or action that will be taken to achieve objectives and policies. Rules, including activity lists within zones and standards are methods to be used to pursue the objectives and policies of the Plan. Methods also include non-statutory measures which operate outside the framework provided by the Plan but are consistent with it. They seek to achieve the same objectives and implement plan policies.

Anticipated environmental results and monitoring

Anticipated environmental results state the results expected to be achieved by the objectives, policies, methods and rules detailed in each chapter. The means of monitoring whether the Plan achieves the necessary outcomes are also set out.

| | |
|--------------|-------------------------------------|
| 1.3.3 | Part 3 – Rules and Standards |
|--------------|-------------------------------------|

The structure of this part of the Plan is similar to that of Part 2 in that rules and standards are set out for each zone, followed by rules and standards which are City wide in application.

Chapters 18 to 22 provide the rules and standards for activities within the Residential, Rural, Business, Open Space and Special Activities Zones.

Chapters 23 to 34 provide the city wide rules and standards for:

- Earthworks
- Esplanade Reserves and Strips
- Reserves and Leisure Facilities Contributions
- Temporary Events
- Heritage Features
- Notable Trees
- Urban Tree Groups and Removal of Indigenous Vegetation
- Southern Hills Overlay Area and Protected Ridgelines
- Water Bodies
- Utilities
- Car Parking

- Noise and Vibration
- Flooding and Fault Band Hazards
- Hazardous Substances and Contaminated Land

1.3.4 Part 4 – Appendices

Part 4 contains the following four chapters:

Chapter 35 – Definitions, provides the meanings of a number of terms and words used in the Plan.

Chapter 36 – Schedule of Designations, provides an alphabetical listing of the designations which appear on the Planning Maps.

Chapter 37 – Roading Hierarchy, provides an alphabetical listing of the roads and streets in Upper Hutt according to their status in the roading hierarchy.

Chapter 38 – Access Design Standards and Criteria, consists of diagrams to explain the operation of an access rule in Chapters 18 to 22.

1.3.5 Part 5 – Planning Maps

The Planning Maps provide the zoning for each property within the City. They also identify designations, heritage features, faults, notable trees, protected ridgelines, rivers/streams and flood hazard areas.

For the purposes of clarity, formed Council roads have been shown without zoning colours on the Planning Maps (ie – they are white). However, activities which take place within them are still subject to the relevant zone rules which pertain to the area in which the road is situated, as well as the City wide rules. Where a road separates different zones on opposite sides of the road, the centre line of the road defines the boundary of the two zones.

1.5 Non-regulatory methods

Non-regulatory methods may be employed by the Council to inform and educate the public on resource management and planning matters. This can be an effective means to achieve resource management goals for the community. As such, Council will provide:

- Pamphlets and brochures will be produced summarising the Plan rules and expected environmental outcomes

- Educational programmes on the effects of land use practices
- Technical advice on the use of appropriate NZ Standards and industrial codes of practice
- Information on sites of ecological, cultural and historical importance by listing and identifying these on the planning maps
- Public reports on the results of the monitoring process
- A Hazards Register listing the location of sites prone to natural and other hazards
- Consultation with developers and other parties in relation to particular proposals.

1.4 1.5 How to use the District Plan

The following provides a reference guide on how to use the Plan effectively. These steps will provide guidance for the likely activity status for your proposal. In using the Plan, it is important to check whether any defined terms are applicable. Chapter 2 contains a list of definitions that are used throughout the plan which should be read alongside District Plan text.

Step 1 – Planning Maps

~~Locate the site you are interested in on the Planning Maps. This will show which zone the site is located in and whether the site:~~

- ~~• — adjoins another zone boundary;~~
- ~~• — contains heritage features or protected trees;~~
- ~~• — is located near a fault or within a floodplain; or~~
- ~~• — is subject to a designation.~~

1.6.1 Step 1 – Planning Maps

Locate the site you are interested in on the Planning Maps. The maps are also available through the UHCC website.

The planning maps (including online version) will show you what zone the site is located in, and key features including, for example:

- A heritage feature or protected trees(s)
- A natural hazard such as a faultline or a floodplain
- A designation.

Step 2 – Zoning

Once the zoning for the subject site has been determined, the next step is to check the rules for that zone. This will determine whether the proposed activity is identified as permitted, controlled, discretionary, restricted discretionary, non-complying, or prohibited. It will also show the relevant standards for the activity.

1.6.2

Step 2 – Zoning

The district has been divided into a number of zones to control the location of compatible activities. Zones are generally categorised as Residential, Business, Rural, Open Space (i.e. Parks) and Special Activity Zones.

Once the zoning has been determined, the next step is to check the rules for that zone to find out what the permitted zone standards for your activity are. If all permitted zone standards have been met, you should also check to see whether there are any city-wide provisions applicable to the activity. Applications where no permitted standard is available, or where permitted standards are breached, will require resource consent. Refer to section 1.7.1 for more detail on activity classes.

Step 3 – City-wide provisions

As part of the permitted activity standards within each zone, any activity is also required to comply with the City wide provisions. To determine which particular provisions apply, the following questions may be helpful:

- Does the site contain, or is it in close proximity to, any protected trees, ridgelines or heritage features?
- Is there a water body nearby?
- Could faults or flooding affect the activity?
- Would the activity cause noise or vibration?
- Would the activity require car parking or provision for loading?
- Would any utilities be involved, such as telecommunications or roading?
- Is the site contaminated or potentially contaminated?
- Would the activity involve the use of hazardous substances?
- Would there be earthworks or removal of vegetation?
- Would financial contributions be applicable?
- Would signs be erected?

1.6.3

Step 3 – City-wide provisions

Activities must comply with the relevant zone rules, as well as the city-wide provisions. City-wide provisions cover activities such as earthworks, esplanade reserves and strips, temporary events, heritage

features, trees, noise and natural hazards. Check the city-wide provisions to see if the activity is permitted. If so both the permitted zone and city-wide provisions can be met, no resource consent is required under the District Plan. Applications where no permitted standard is available, or where permitted standards are breached, will require resource consent.

| | |
|--------------------------|---|
| 1.5 1.7 | Resource Management Framework <u>Status of resource consent applications</u> |
|--------------------------|---|

1.7.1 **Activity Classes**

Under the RMA, activities are categorised into the following activity classes based on their zoning and the nature of the activity: permitted, controlled, restricted discretionary, discretionary, non-complying, or prohibited.

Permitted Activities

Where certain activities are anticipated within a zone, for example the construction of a house within a residential zone, a permitted activity status would typically be applicable. Permitted activities do not require resource consent, provided the appropriate permitted standards of the Plan are met.

Controlled Activities

Controlled activities have their standards for resource consents described within the District Plan. Resource consent applications which meet these standards must be granted, however granted consents may include conditions of consent appropriate for the nature of the application.

Other Activity Statuses

Activities which fall into any other activity status require resource consent, and the Council has varying levels of discretion regarding the granting (or declining) of resource consent. When assessing applications for restricted discretionary activities, Council's discretion is limited to matters identified in the Plan. An application for a discretionary activity must assess how the application meets the objectives of the plan, specific to the application. Council's discretion in assessing non-complying activities is unlimited and should seek to assess how the application integrates within the wider planning framework. Applications for all of these activities may be granted or refused, with appropriate conditions of consent imposed. The level of detail required for each resource consent application must correspond

to the scale of the activity and its activity status.

No resource consent may be granted for prohibited activities as these activities are prohibited by the Plan.

1.7.2 **Conflicting Classes**

In cases where an application for resource consent proposes an activity with elements which fall into two (or more) activity classes, the application as a whole will be considered and determined according to the more restrictive category. For example, if one aspect of an activity is classified as Controlled and another aspect is classified as Discretionary, the application will be assessed as a Discretionary Activity.

1.7.3 **Notification**

Under the RMA, Council must decide whether notification of an application is required. Resource consent applications for activities that may have effects on the environment that are more than minor shall be publically notified (unless it is expressly excluded by a rule of the District Plan or National Environmental Standard). Applications for such an activity will be advertised, with an opportunity for the public to make submissions to the Council in support of, or opposition to, the proposal.

If an application is not publically notified, Council may determine that there are certain people who are adversely affected by a proposal in accordance with the statutory requirements of the RMA (for example, neighbours). In this instance, if these identified parties have not given their written consent to a proposal, the application will be limited notified, where only those affected people notified of the application can have a say.

1.7.4 **Existing Use Rights**

Section 10 of the RMA allows the continuation of existing activities that do not comply with the Plan, as long as these activities were lawfully established before the rule became operative or the proposed plan/plan change was notified. For the activity to continue under existing use rights, the effects of the activity need to be the same or similar in character, intensity and scale as when they were lawfully established.

Under the RMA, an existing use certificate can be requested from the Council.

If the character, intensity or scale of the existing activity has altered, resource consent must be obtained (unless it is a Permitted Activity).

~~The District Plan is only one method of promoting sustainable management within the City and cannot achieve it on its own. The Act establishes a framework for integrated management that addresses the effects of activities on the environment. It also defines the different roles and responsibilities of central, regional and territorial authorities in the promotion of sustainable management.~~

1.5.1 Role of Central Government

~~The functions of the Minister for the Environment are set out in the Act. On resource management issues of national importance, central government may determine national policy direction. This may involve preparing:~~

- ~~• Government policies that have implications for the environment. This includes strategic directions to guide government, for example, the Environment 2010 Strategy and the Biodiversity Strategy.~~
- ~~• National Policy Statements on matters of national significance that are relevant to achieving the purpose of the Act.~~
- ~~• National Environmental Standards which are technical standards relating to the use, development and protection of natural and physical resources.~~

1.5.2 Role of Regional Government

~~The Act requires the Wellington Regional Council to provide:~~

~~*an overview of the resource management issues of the Region and Policies and Methods to achieve integrated management of the natural and physical resources of the whole region.*~~

~~This overview is documented in the Regional Policy Statement. The Regional Council has also produced a number of Regional Plans. The purpose of Regional Plans is to manage the impact of development on the Region's water, air, soil and coastal resources.~~

1.5.3

Role of Territorial Local Authorities

As a territorial local authority, Upper Hutt City Council is responsible for managing the effects of activities on the City's natural and physical resources. The Act requires Council to undertake the following functions:

- ~~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;~~
- ~~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~~
 - (ii) ~~The prevention or mitigation of any adverse effects of the storage, use, disposal, or transportation of hazardous substances; and~~
 - (iii) ~~The maintenance of indigenous biological diversity;~~~~
- ~~The control of the emission of noise and the mitigation of the effects of noise;~~
- ~~The control of any actual or potential effects of activities in relation to the surface of water in rivers and lakes;~~
- ~~Any other functions specified in this Act.~~

1.6 1.8

The District Plan Information required with applications for resource consents

1.8.1

General information

Schedule 4 of the RMA sets out information that is required in all resource consent applications. In addition, Council may also require applicants to supply further information to better understand the nature of the proposed activity, the effects it may have on the local environment, and the ways in which any adverse environmental effect may be avoided, remedied or mitigated.

1.8.2

Assessment of environmental effects

An assessment of environmental effects is required for all resource consent applications. This assessment must provide sufficient information for any person to understand the actual or potential effects (both positive and adverse) of that proposed activity on the environment, and the ways it is proposed to avoid, remedy, or mitigate any adverse effects.

For controlled activities, the assessment shall only address those matters over which Council has retained control. In respect of any application for a restricted discretionary activity, the assessment shall only address those matters over which Council has retained discretion. These matters of control and discretion are detailed within the Plan.

For all other types of activities, the assessment shall address all relevant matters relating to the actual or potential effects of the proposed activity on the environment.

1.8.3

Drawings of proposal

All applications for resource consent must include drawings with the following information.

1. Site location: with road name, site boundaries, and north point.
2. Site plan at an appropriate scale for detail (as a general guide, a scale of 1:200 would be appropriate for an urban area), showing as applicable:
 - a. Site dimensions
 - b. The location of all existing and proposed buildings and structures
 - c. Proposed areas of excavations and fill
 - d. Position of any existing and proposed easements
 - e. Trees and large areas of vegetation
 - f. Levels at site boundaries or contours (based on mean sea level) to show the general topography of the area
 - g. Areas that may be subject to inundation, flooding, landslips, or faultlines
 - h. Any designations
 - i. Any wetlands, landscape, ecological or heritage features
 - j. Existing power, transmission, gas lines, main trunk and water supply pipes, sewerage pipes
 - k. The means to manage all stormwater and sanitary drainage
 - l. The position of car parking, loading spaces, servicing areas, and access points, if applicable,.
3. For land use resource consents, floor plan and elevations of each building (as a general guide, a scale of 1:100 would be appropriate) showing:
 - a. Internal layout of the building and identification of the use of such rooms or parts of a floor

- b. The external appearance of the building (including windows and doors)
- c. Building heights and distance to any property boundary and, where relevant, building height envelopes and maximum permitted height.

1.8.4

Information requirements for subdivision applications

An application for subdivision consent shall include:

1. A description of the proposal for which the consent is sought.
2. The address and legal description of the site, and current copies of all Computer Freehold Registers of the land to be subdivided.
3. An assessment of the environmental effects associated with the proposal, which addresses the Plan requirements.
4. A site plan including the information required for site plans, as listed above. In addition to this, site plans for subdivision consents, must also include:
 - a. The position of all new boundaries, including restrictive covenant boundaries for cross lease applications, and principal unit, accessory unit and common property boundaries for unit title applications
 - b. Areas of all new allotments
 - c. Location and areas of new reserves to be created, including esplanade reserves and access strips
 - d. Location and areas of any bed of a river or lake which is required by the Act to be shown on the survey plan as land to be vested in the Crown
 - e. Abutting and underlying title boundaries, and existing building line restrictions
 - f. The balance area of the site to be subdivided showing any proposals for future development
 - g. Any features to be protected by covenant
 - h. Location of utilities to effectively meet the Code of Practice for Civil Engineering Works and the District Plan to effectively service the subdivision
 - i. Legal access connections to existing roads, carriageways and pathways
 - j. Proposed roads, access points, accessways, service lanes, with relevant widths, areas, and gradients.

1.8.5 **Specific information requirements to waive esplanade reserve or esplanade strip requirements**

An application seeking waiver of esplanade reserve or esplanade strip requirements must include:

1. Description of the ecological characteristics of the water body and the land subject to an esplanade reserve or esplanade strip, including any existing or alternative measures for protecting or enhancing those characteristics
2. Explicit provisions for public access to the water body
3. The extent to which the natural character and visual quality of the water body and water quality will be preserved
4. The location of any buildings or structures that may influence the width of the reserve or strip.

1.8.6 **Specific information accompanying applications for more than one dwelling on a site**

Where an application is seeking permission for more than one dwelling on a single site, the site plan shall clearly delineate the net site area of each dwelling/unit on the site.

1.8.7 **Specific information accompanying applications for a Comprehensive Residential Development**

An application under the Comprehensive Residential Development provisions of the Plan must include an assessment of the proposed development against the Design Guide for Residential (Centres Overlay) Areas. The design guide is detailed within the Residential Chapter.

1.8.8 **Specific information accompanying applications for subdivision or development within a Residential (Centres Overlay) Area that is not a Comprehensive Residential Development where any lot has a minimum net site area of less than 400m²**

Where the proposed development includes a lot under a minimum net site area of less than 400m², an assessment of the proposed development must be provided using the section on small site design and development contained in the Design Guide for Residential (Centres Overlay) Areas. The design guide is detailed within the Residential Chapter.

1.8.9 **Specific information accompanying applications for subdivision and/or development within the Wallaceville Structure Plan Area**

1. An assessment of the subdivision and/or development proposed against the Wallaceville Structure Plan which includes:
 - a. the Wallaceville Structure Plan Map
 - b. Wallaceville Precinct descriptions, intentions and outcomes
 - c. Wallaceville Indicative Road Typologies
 - d. Wallaceville Stormwater Management Principles
2. In addition, in relation to Area B, an application for subdivision and/or development shall include a spatial layout plan showing roads, pedestrian and cycleway connections, open space areas and utilities and services
3. In addition, in relation to Area A, an application for subdivision that includes sites where direct vehicle access is proposed from Alexander Road shall include details and plans of the upgrade of Alexander Road including appropriate traffic calming measures in accordance with the Wallaceville Structure Plan Map and the Wallaceville Indicative Road Typologies

1.8.10

Further guidance on information requirements

Depending on the nature and scale of the proposal, consultation may be required with the following parties:

- a. Persons likely to be adversely affected by the proposed activity
- b. The Department of Conservation
- c. Pouhere Taonga – Heritage New Zealand
- d. Iwi authorities
- e. New Zealand Transport Authority
- f. Other relevant authorities or organisations.

~~The District Plan must be prepared, implemented and administered to assist the Council to carry out the above functions. In its District Plan the Council provides for the purposes and principles contained in Part II of the Act. The Act requires that a District Plan must state:~~

- ~~(a) The significant resource management issues for the district; and~~
- ~~(b) The objectives sought to be achieved by the plan; and~~
- ~~(c) The policies for those issues and objectives, and an explanation of the policies; and~~

- ~~(d) The methods (including rules if any) to implement the policies; and~~
- ~~(e) The principal reasons for adopting the objectives, policies and methods of implementation set out in the plan; and~~
- ~~(f) The information to be included with an application for a resource consent; and~~
- ~~(g) The environmental results anticipated from the implementation of those policies and methods; and~~
- ~~(h) The processes to be used to deal with issues that cross territorial authority boundaries; and~~
- ~~(i) The procedures used to monitor the efficiency and effectiveness of the policies, rules, or other methods contained in the plan; and~~
- ~~(j) Any other information for the purpose of the territorial authority's functions, powers, and duties under this Act.~~

1.7 Other Council Planning Documents

~~Although the District Plan is the primary method of fulfilling Council's resource management functions, the Plan has been influenced by other Council policies and plans that the Council produces under various Acts. The relevant documents that Council has considered during the development of this Plan included:~~

- ~~• The Strategic Plan which indicates long term goals and visions for the City, and establishes the planning framework for the Council.~~
- ~~• Annual Plans prepared under the Local Government Act 1974.~~
- ~~• The Capital Works Programme which documents those works that are desirable for the City's long term development.~~
- ~~• Reserve Management Plans which are produced for the management of gazetted reserves under Council management.~~

1.8 Plans of other Authorities

~~In preparing this District Plan, Council has had regard to the Wellington Regional Policy Statement and the Regional Plans prepared by the Wellington Regional Council, as required by the Resource Management Act. This District Plan is not inconsistent with the Regional Policy Statement and applicable Regional Plans.~~

~~In addition to the Wellington Regional Council's Regional Policy Statement and Regional Plans, the Act requires the Council, in preparing the District Plan, to have regard to any:~~

- ~~Management plans and strategies prepared under other Acts; and~~
- ~~Relevant entry in the Historic Places Register; and~~
- ~~Regulations relating to ensuring sustainability, or the conservation, management, or sustainability of fisheries resources (including regulations or bylaws relating to taiapure, mahinga mataitai, or other non-commercial Maori customary fishing),
to the extent that their content has a bearing on the resource management issues of the district; and~~
- ~~The extent to which the district plan needs to be consistent with the plans or proposed plans of adjacent territorial authorities.~~

~~For Upper Hutt City, the adjacent authorities are the Hutt City Council, Porirua City Council, Kapiti Coast District Council and South Wairarapa District Council.~~

| | |
|------------|----------------------------|
| 1.9 | International Plans |
|------------|----------------------------|

~~Globally, the main influence has come from the United Nations Conference on Environment and Development (UNCED), known as the Earth Summit, held in June 1992 in Rio de Janeiro. One of the main outcomes of the Earth Summit was Agenda 21. This framework of action for all countries addresses how sustainable development can be achieved in all aspects of human activity. Local authorities and communities in New Zealand play a crucial role in the framework by putting into practice the concept “Think globally and act locally”.~~