



Civic Administration Building
838-842 Fergusson Drive,
Upper Hutt
Private Bag 907, Upper Hutt 5140
Tel: (04) 527-2169
Fax: (04) 528-2652
Email: askus@uhcc.govt.nz
Website: www.upperhuttcity.com

The Chief Executive
Greater Wellington Regional Council
PO Box 11646
WELLINGTON

File: 301/60/25

Contact:
Mitch Lewandowski

25th March 2009

Dear Mr Benham

Submission of the Upper Hutt City Council on the Proposed Regional Policy Statement for Wellington

Please find enclosed the submission of the Upper Hutt City Council in respect of the above.

Yours sincerely

Richard Harbord
DIRECTOR OF ENVIRONMENTAL SERVICES

Form 5

**Submission on the Proposed Regional Policy Statement for Wellington
Under Clause 6 of the First Schedule to the Resource Management Act 1991**

To: The Chief Executive
Greater Wellington Regional Council
PO Box 11646
WELLINGTON

Submission on: Proposed Regional Policy Statement for Wellington

Name: Upper Hutt City Council

Address: C/- Director of Environmental Services
Upper Hutt City Council
Private Bag 907
UPPER HUTT

1. The Upper Hutt City Council makes the following specific submissions on the Proposed Regional Policy Statement for Wellington, and seeks:

- (i) the following relief from the Greater Wellington Regional Council; OR**
- (ii) such other relief to like effect to remedy the concerns outlined below, AND**
- (iii) any consequential amendments necessary as a result of the amendments to grant the relief sought above.**

A. General

This submission follows on from three previous submissions made by Upper Hutt City Council ["UHCC" or "Council"] during the preparation of the Proposed Regional Policy Statement ["RPS"]. As a result, the extent of this submission is limited given that a number of previous concerns have been addressed in the formulation of the Proposed RPS. These changes and the constructive engagement of Greater Wellington staff are acknowledged and appreciated.

Council supports the structure and layout of the Proposed RPS, and acknowledges the consideration given to making the document clear and useable.

In respect of the entire Proposed RPS, Council again highlights the need for Greater Wellington to contain its influence to that of setting policy at the appropriate level, and to not delve into the realm of a territorial authority in terms of undue influence on matters of land use policy. Council therefore reiterates its opposition to greater regulation throughout the Proposed RPS that would influence directly on the functions of a territorial authority.

Council in principle supports the majority of the Proposed RPS as notified, and submits in detail on a limited number of aspects of the RPS to which it is opposed, or on aspects to which it maintains a particular interest such as regional form.

B. Natural Hazards

Council supports the intent of Objectives 18 – 20.

However Council opposes Policy 28 in its entirety as currently worded. The policy, as worded, would appear to have the effect of precluding any form of development on the vast majority of the St. Patrick's College estate area. This is a significant site for the city as identified in the Upper Hutt Urban Growth Strategy, adopted by Council in September 2007.

The Urban Growth Strategy acknowledges the constraints placed on the site by flooding, however seeks to balance those constraints against potential development opportunities. Council is acutely aware that the College wants to realize the potential of the land also. The Urban Growth Strategy notes the following in terms of the St. Patrick's site:

"The site contains some 40ha of land that is surplus to the requirement of the College campus and grounds. It is privately owned and the College seeks to be able to develop the land to achieve a viable economic return..."

...Upper Hutt City Council recognises that this large site represents a regionally significant development opportunity. Its development has potential to achieve long term public and private benefits including the creation of more locally based employment opportunities."¹

The explanation to policy 28 notes that the policy will require district plans to **prevent** new development in areas that would require extensive hazard mitigation works. Council's reading of what constitutes 'extensive mitigation works' appears to suggest that the St. Patrick's College site could be affected.

Whilst Council recognises the need to plan carefully where natural hazards are concerned, and particularly so in the case of more sensitive activities, such an outright prohibition on development is fundamentally opposed.

Relief Sought: Clarification from Greater Wellington as to the precise applicability of the policy, and if required amendment to the policy that will have the effect of not preventing appropriate development on land affected by natural hazards such as the St Patricks College site in Silverstream.

¹ Upper Hutt Urban Growth Strategy 2007. Pp. 31

C. Regional Form

Council considers the provisions relating to Regional Form (and Upper Hutt particularly) to be appropriate as notified, with the exception of the explanatory text to policy 30. The explanatory text attempts to outline locational criteria for good access to the public transport network that in Council's view becomes overly prescriptive, delving beyond a function of high level policy direction.

Council notes that on page 119 of the RPS, reference to the Upper Hutt City Council Growth Strategy omits the word 'Urban' after the word 'Council'.

Relief Sought: That the provisions of the RPS as relating to Regional Form, be retained as notified, excepting the explanatory provisions to policy 30.

That the location criteria for the 'strategic public transport network' in the explanatory text of policy 30 be removed or qualified to be suggestive rather than directive.

That the word 'Urban' be added after 'Council' in reference to the Upper Hutt City Council **Urban** Growth Strategy.

D. Fresh Water

Council opposes Policy 15(b) as currently worded. Council acknowledges that collective sewage treatments may be of environmental and even practical benefit in some instances. However, in Council's experience the establishment of such a system may lead to unintended consequences in certain situations.

Issues associated with such systems relate to ongoing management between numerous private owners and depend heavily on the layout of a particular subdivision and distances involved. Council does not want to end up in a position where it is being forced to take over such systems on an ad hoc basis.

Council does acknowledge that the RPS is directing a regional plan and therefore it is uncertain how this policy direction will be manifested in the regional plan in due course.

Council also suggests that when amending the regional plan, Greater Wellington adopts a performance based approach, rather than specifying particular solutions.

Relief sought: That policy 15(b) is amended to read:

(b) promote, where practical and acceptable to the territorial authority concerned, the use of collective sewage treatment systems that discharge to land...

or such other relief to address the concerns expressed above.

E. Methods and Implementation

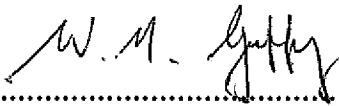
The Proposed RPS contains a range of non-regulatory methods that Council considers to be things that are 'nice to have' rather than essential to good environmental management.

Council does not oppose these initiatives, but rather highlights that Council support of these initiatives will be based on resourcing capacity at any given time. It should not be inferred therefore that a lack of opposition is tantamount to support, financial or otherwise, of these initiatives.

Council has serious concerns at the approach of the Regional Council in implementing the RPS. In this respect, Council seeks that Greater Wellington prepare an implementation plan **in consultation with** territorial authorities to provide certainty and clarity in the implementation of the RPS. In particular, Council urges the implementation plan to commit the Regional Council to implement the RPS in a collaborative manner with the Territorial Authorities.

- 2. **Council reserves the right to be heard in support of its submission.**

- 3. **Where there are commonalities between aspects of this submission and others, Council would consider presenting a joint case.**


 Signed:.....
 On behalf of the Upper Hutt City Council
 Wayne Guppy
MAYOR

Dated at Upper Hutt this 25th day of May 2009

Address for Service:
 Richard Harbord
 Director of Environmental Services
 Upper Hutt City Council
 Private Bag 907
 UPPER HUTT